

Dummerston Review Board

Provisional minutes 01/16/24

Hearing January 16, 2024

The hearing was preceded by site visits on Saturday, January 13, 2024.

Application # 3749; Whitman Wheeler, for Right of Way for access through Parcel #279.1, under Sections 602 of the Dummerston Zoning Bylaw, 620 East West RD, Dummerston, VT, a Residential District. In attendance: Alan McBean, Peter Doubleday, Cami Elliott

Application #3750; Adam Hubbard, ABF Freight, for Conditional Use, Right of Way, and Sign, under Sections 602, 665 & 720 of the Dummerston Zoning Bylaw, at Parcel #828, 830 US Rt. 5, Dummerston, VT, a Rural Commercial District. In attendance: Alan McBean, Peter Doubleday, Cami Elliott, Adam Hubbard

Meeting begins at 6:00. Alan McBean is at the town office, all others are on Zoom
October minutes are reviewed and approved.

Next meeting February 20, 6:00. Site visit at 5:00.

Two appeals to the Environmental Court. Eesha's is on-going, no meeting set. Leslie Powers' meeting was last week. Neither she nor her attorney showed up. Town attorney is making a motion to dismiss the case.

Public Hearing begins at 6:05

DRB Chair Alan McBean opened the public meeting, read the warning and swore in participants.

Review of Application # 3749; Whitman Wheeler, for Right of Way for access through Parcel #279.1, under Sections 602 of the Dummerston Zoning Bylaw, 620 East West RD, Dummerston, VT, a Residential District.

Zoom Attendees: Cami Elliott, Peter Doubleday, Roger Jasaitis (ZA), Whit Wheeler

Whit Wheeler explained that the pool was built 20 years ago and is used by neighbors. The only access is through a neighbor's property. The current owners of this property (Cara Mienke and Jesper Brickley) are in consent for the ROW. It will only be used by Reed Miller for sugaring and neighbors for access to the pool. It is off the current driveway so no need for curb cut. No plan to improve the road other than some gravel if the road is extra muddy in summer. If the road is to be improved, Whit must contact the ZA. Alan noted the ROW must be 20 feet in width.

Review of Application #3750; Adam Hubbard, ABF Freight, for conditional use, Right of Way, and Sign, under Sections 602, 665 & 720 of the Dummerston Zoning Bylaw, at Parcel #828, 830 US Rt. 5, Dummerston, VT, a Rural Commercial District.

Zoom attendees: Peter Doubleday, Cami Elliott, Roger Jasaitis (ZA), Adam Hubbard, Wayne McDevitt, Karen Astley

Adam, representing ArcBest Property Management, presented a map and showed the businesses and residences surrounding ABF Freight. He noted the north west corner proposed for storing storage containers (4x7x8 U-Pack cubes). He believes the existing vegetation will screen the containers. A 7.10 x 3.10 ft sign will be put on the front of the building under the existing light. No additional light will be added.

Also asking for a 40 ft ROW through the existing parking lot. It has been used as ROW for several years.

Cami asked about the number of containers - 40 max, all stored outside are empty, loaded ones are inside. There is extra storage in the shed in the eastern corner of the property.

Peter noted it was generous of ABF to allow this ROW and wondered about the benefit to ABF. This has been used for years as the actual deed goes to the west of the property and is a less desirable route to the gravel pit.

Karen wondered how this affects the deeded ROW on record, what needs to happen to formalize this change.

Adam said a lawyer would draw up a new deed.

Roger noted that he had sent copies of the deed to all concerned parties.

The deeded ROW was put into effect when ABF started to use the property and the change in use is relatively recent.

Peter noted the current vegetation is made up of invasive species and that the tree will probably fall soon thus eliminating the cover.

Adam agreed that some landscaping was needed.

Alan noted that since there are already trucks going in and out the cubes would not create extra traffic.

Public Hearing ended at 6:28pm

Submitted by Cami Elliott