

OFFICIAL MINUTES OF THE 7.01.10 MEETING OF THE DUMMERSTON REVIEW BOARD
Accepted at the regular meeting on 7.20.10

Date 7.01.10

Minutes of the DRB Meeting

Members Present: Herb Rest, Cindy Wilcox, Lew Sorenson, Pat Jaquith; alternates John Warren and Rick Sullivan.

Also present Charlotte Annis, Zoning Administrator, Nicholas Marchese, and Timothy Severence.

Business meeting was opened at 7:22 p.m. Minutes of 5.18.10 were approved as presented. Cindy Wilcox reported that no action has been taken on the By-Laws.

Herb Rest distributed applications that will be heard on July 20. Lew Sorenson reported that it is likely that he will be away on that date.

John Warren has agreed to allow the Board to recommend his name to the Selectboard for the open position on the Board created by Reg Rockefeller's resignation. That leaves a position as alternate open. Discussion ensued regarding the details of filling that position.

Discussion was held regarding the 3rd posting place of notices since the School is closed for the summer. The decision was reached to post the notices on the door of the school instead of inside on the bulletin board.

Herb Rest read correspondence from Bill Jewell regarding the decision on the Allard Lumber Company application. The Board decided that there is no basis for reconsideration of the decision.

Discussion was held on the topic of writing decisions, record keeping, and storage of materials. Charlotte reminded the Board that the official date of decisions is the date it is mailed by certified mail to the appellant. Lew Sorenson and Cindy Wilcox offered to work on emptying Planning Commission filing cabinet, and moving DRB records that are currently stored elsewhere into those emptied cabinets. The business meeting completed at 7:48.

The hearing on Application #3230 of F. Nicholas Marchese for a variance on front and side yard setbacks to build an addition to the rear, the east side of an existing structure located in a village zoned district, opened at 7:50.

Prior to the meeting, at approximately 6:15, a site visit was conducted at the 156 West Street, West Dummerston site with Herb Rest, Lew Sorenson, Pat Jaquith, Rick Sullivan, and John Warren present. Both alternates, Rick Sullivan and John Warren, were voting because of the absence of Cindy Wilcox at the site visit.

Herb Rest issued the oath to Nicholas Marchese, appellant. Mr. Marchese spoke to his plan: to save the 1850-era post and beam construction; tear down more recent additions that are in poor condition (the center addition and the south end construction, an attached garage), and replace them with sound construction, with an addition of 24' by 7' at the rear (east) to bring the back of the addition into line with the post and beam section. There will be one additional bathroom, no additional bedrooms (3 existing). The roof line will be raised to accommodate safe access stairs to the upstairs rooms and to allow reasonable use of the rooms resulting in a peak height approximately 6" higher than the height of the post and beam portion of the building. The application is for a 19-foot side yard variance on the south; a 4-foot side yard variance on the north side. Since the front of the building will remain in the footprint of the original construction, no front yard variance will be required.

Domestic water comes from a spring across the road; Dick Looman (previous owner) told him that he replaced the septic tank and dry well approximately 20 years ago and that they are in working order. Mr. Marchese reported that the State informed him that an existing septic system that is functioning will not need a review. Parking will be on the property in the front of the building, parallel to the street.

In addressing the 5 conditions of Zoning By-Laws, Section 728, Mr. Marchese reported the hardships being the low ceilings that do not allow for an adult to stand upright; the unsafe access to stairs, and the historic small lot in this village setting.

A concern from a citizen was relayed by Herb Rest regarding use of the Town driveway access for the Community Center. Mr. Marchese reported that he would be willing to work with the Town on those concerns.

There will be two small outside lights at the front of the house; one in the back. Much illumination of the property is provided by street lights on West Street.

Mr. Marchese addressed the conditions of Section 728, Variances. Hearing adjourned at 8:25. The written decision will issue and control.

The hearing on Application #3228, by Douglas McCorkle to erect an on-site sign measuring 30" by 16", 25 feet from the road center, on the edge of a home physical therapy business parking area located at 247 Canoe Brook Road opened at 8:30 p.m. A site visit was conducted prior to the meeting, at approximately 6:45, by the members noted below.

Members sitting and voting on this hearing: Herb Rest, Pat Jaquith, Cindy Wilcox, and Lew Sorenson, and John Warren, Alternate. Rick Sullivan recused himself from this hearing and left the meeting.

Mr. McCorkle described his sign plan: The one-sided sign will be hung from an arm attached to a light post. The 30" by 16" sign will be no closer than 25' from the center of Canoe Brook Road. The height of the top of the sign is 5' from ground level. Construction of sign will be of wood, with "Doug McCorkle, Physical Therapy" routed into the wood. The sign itself will not be illuminated by other than the yard light on the post.

Hours of operation of the home business are M,W. 10 – 6; T,Th 8 – 4.

The Physical Therapy business, located in the basement level of the house, consisting of one room plus a bathroom and a 5'x5' entrance, encompasses 18% of the square footage of the building. House parking is at the west side of the building. There are no employees other than Mr. McCorkle and his wife who does some of the bookkeeping. The parking area is large enough for two cars in the event that a second client arrives prior to the departure of the first. Hearing closed at 8:40. The written decision will issue and control.

S. B. Land Partnership, Inc. review. Timothy Severance, co-owner representing the company, presented his request for an alternative to the \$125,000 bond required as a condition of his permit. He secured an offer of a bond from a bond company that would require 90% of the funds up front in cash, and a \$5000 annual fee for insurance. He felt this was too burdensome. He has an alternate plan for covering the requirement under discussion with a local bank. Discussion of reasonable methods for ensuring the reclamation of the site will be completed without incurring a burden on the Town ensued. The issue was tabled to the August 17 meeting.

The Public hearing adjourned at 9:30 p.m.

Respectfully Submitted,

Patricia Jaquith, Clerk