

Date 2.15.11 Official Minutes of the DRB Meeting Approved 8.15.11.

Members Present: Herb Rest, John Warren, Pat Jaquith, and Cindy Wilcox. Rick Sullivan, Alternate, was seated as a voting member.

Also present Charlotte Neer Annis, Zoning Administrator; Dewey Lankford, and Tim Severance, appellants.

Herb Rest called the meeting to order at 7:00 p.m. The minutes of 11.16.10 were approved as revised and circulated.

The next meeting is scheduled for 3.15, but no applications which will warrant a meeting have been received at this date. Herb will confirm the plan at a later date.

Cindy Wilcox reported on the work of the Planning Commission and the Zoning By-law revision.

Prior to the meeting, the Board (minus Cindy Wilcox) conducted a site visit to The Colonel's Cabin on Rt. 5. At 7:05, Herb Rest opened the hearing to consider the application #3251 of Carrie Plankster Estate, (Dewey Lankford/The Colonel's Cabin) of Dummerston Vt. for a variance and site plan approval for an non-compliant existing storage area within the front yard setback restriction at the 940 Rte. 5 rural commercial district location in East Dummerston.

Herb Rest reviewed the procedure of the meeting and administered the oath to Dewey Lankford, applicant. Dewey Lankford reviewed the proposed application for the 8' x 16' storage area for the storage of dry goods, empty returnable bottles, and similar items which already exists, attached to the back of the building.

Mr. Lankford addressed the 5 provisions of Section 728, Variances.

The Board recessed for deliberative session at 7:20 p.m. The written decision will issue and control.

The meeting re-convened at 7:35 p.m. to hear the previously recessed reconsideration of the proposed alternative funding-guarantee to the bond required in the conditional use permit granted to SB Land Partnership, LLC for the reclamation of the land at their gravel pit operation at Winter Bell Drive, Dummerston, a Rural Commercial District.

Mr. Severance was under oath from the previous meeting. He reported that the amount of \$32,000 would be in the Town's name, for the dispersal for reclamation. His bank would require one person from Dummerston would have to have their name on it; that person would have to provide their financial information to the bank. He testified that he was able and willing to cover 10% over for possible increases in cost over time.

Herb Rest spoke to their recent telephone discussion about requiring 25% over. Mr. Severance said that the company would be amenable to that, which would amount to a total of \$40,000. It was agreed that the DRB will make a recommendation to the Select Board regarding this agreed-upon amount, and the Select Board will follow up with the legal arrangements.

The hearing recessed for deliberation at 7:51. The written decision will issue and control.

Respectfully Submitted,

Patricia Jaquith  
Clerk