

**OFFICIAL MINUTES APPROVED BY THE DUMMERSTON DEVELOPMENT REVIEW
BOARD**

Minutes of the DRB Meeting

November 20th, 2012

Members Present: Herb Rest (Chair), John Warren (Vice Chair), Lew Sorenson, Hugh Worden (Alternate), Steve Jarosak (seated Alternate), and Jack Lilly (Clerk)

Also present: Charlotte Annis, Zoning Administrator, Jo Carol Ratti, and Stella White

7:00 pm. The meeting was called to order by Herb Rest. Minutes of the September 18th and November 8th meetings were approved. Charlotte indicated that there are no items yet on the agenda for the December meeting. Charlotte distributed new/replacement pages to update pages 39 and 40 of the bylaw dated November 19th, 2008 and Sections 615 and 616 approved by the selectboard on 12/13/2011.

The Board discussed the recent appeal of Application #3307 (John and Lori Thibault fence site plan review) to the Vermont Environmental Court and the Select Board's and town Lawyer's decision not to have the town represented in the appeal. Herb and Lew had suggested that the town should be represented and had volunteered. There was concern that the selectboard might not understand the appeal process. Hugh provided the results of research he had done on the Vermont Land Use website establishing that the appeal process is *de novo* meaning the case is heard "anew". The website also indicated that the DRB decision document is not accepted as evidence in the Environmental Court and that the Court finds its own facts, applies those facts to the municipality's bylaws, and issues a decision.

7:33 pm. Public Hearing for the review of Application # 3318 of Jo Carol Ratti, Principal and agent of the Dummerston School for new 3 foot by 5 foot oval sign. Jo Carol indicated that the PTFO has donated money for a new sign and that Dummerston would like to have a sign similar to the signs in other towns. The sign would be located at the corner of the building near the east driveway entrance which is the only entrance and is one way in. The other two driveways are

exit only. The location would help establish traffic flow. There is an existing sign over the building entrance that is about 2 foot by 3 feet. It was noted that applicable bylaw section 669 allows only one sign of no more than 50 square feet. Jo Carol and Stella discussed how the new oval sign would be resized to meet the bylaws and presented reasons the Board should allow two signs. The hearing was adjourned at 7:50 pm.

Following the hearing, the Board discussed having the Zoning Administrator participate in deliberations and review the final draft of the decisions. Lew volunteered to draft a revision to the DRB Procedures for Board review.

Respectfully submitted,

Jack Lilly, Clerk