

MINUTES OF THE DUMMERSTON DEVELOPMENT REVIEW BOARD
DUMMERSTON REVIEW BOARD

Minutes of the DRB Meeting
April 23, 2013

Members Present: Jack Lilly, Hugh Worden, Lew Sorenson, Patricia Walior, and Samuel Griffis

7:00 pm. The meeting was called to order by Jack Lilly as Clerk, as the previous Chair and Vice Chair had completed their terms of DRB membership. The following elections took place: Jack Lilly was elected Chair, Hugh Worden was elected Vice Chair, and Samuel Griffis was elected Clerk. Minutes of the February 26, 2013 minutes were approved. There was discussion concerning: updates to the rules of procedures and the need to discuss and incorporate them; a suggestion that in cases in which applicants disagree with portions of a decision that their request for clarification and/or changes should be reconsidered through the same process by which the decision was originally determined; and that the term "development", as previously construed, does not adequately address whether or not such "development" may have an impact on a flood zone. These issues were tabled for further discussion at the next DRB meeting.

The Subject of the DRB meeting consisted of 3 applications: Application #LD355 (Robert N. and Margaret Evans subdivision), Application #3322 (Jack Hutchins above ground swimming pool), and Application #3330 (MVS Associates Conditional Use Permit to resume operation of property as a 4 season recreational area).

7:30. The Board discussed the Application #LD355 (Robert N. and Margaret Evans subdivision). Robert and Margaret Evans introduced a survey dated March 17, 1983 as well as a copy of the deed by which they hold title to the parcel concerned. Proposed parcel #1, while having frontage on the highway, requires a right of way as is currently accessible across the applicant's homestead parcel. Parcel #2 might have been served by an existing right of way across the southerly boundary of subject parcel except for the fact that said right of way had been excepted from the Evans' parcel rather than granted to their parcel, and they consequently do not have the authority to convey this right of way. However, Parcel #2 could be served by an additional right of way across the parcel of appellants adjacent to the pre-existing right of way.

The written decision of the Development Review Board will issue and control.

8:15. The Board discussed the Application #3322 (Jack Hutchins above ground swimming pool). In the summer of 2011 Jack Hutchins installed an above ground swimming pool on his property, and in the summer of 2012 installed a deck surrounding the swimming pool, the deck averages about 3-4 feet above grade, with a maximum height of approximately 6 feet above grade. Both the pool and the deck meet the setback requirement from the road right of way, but neither meets the side yard setback requirement. The deck is about 14 feet from the neighboring property line. Jack Hutchins stated that he did not know that he needed a zoning permit to install the pool and deck at the time they were installed, and did not provide responses to questions from the Development Review Board for reasons why the swimming pool and deck might meet the conditions for variance and/or waiver as provided for in the Zoning Bylaws. The Zoning Administrator stated that she had provided Jack Hutchins a copy of the Zoning Bylaw prior to the meeting.

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8:45. The Board discussed Application #3330 (MVS Associates Conditional Use Permit to resume operation of property as a 4 season recreational area). Mr. Nicholas Mercede expressed the intention to recreate the activities at Maple Valley Ski Area in a similar way that they had historically been. A vast array of potential activities was proposed, but there was not a lot of specificity. Members of the public present expressed various opinion: Beverly Kenny, owner of KOA Campground, considered the overall idea to be a potential draw to the area, with employment opportunities; Tom Zopf of Camp Arden Road, and Mary Louise Nelson of Hague Road, expressed concern about noise and lights at night; Judy Placey of Sugar House RD stated that the nature of the neighborhood had changed since Maple Valley was in operation and is now more of a residential area, and also opposed the idea of a “theoretical permit” and wanted to see specifics on new equipment to be used; Art Benedict, a close neighbor, liked having the ski area open and felt that it brought life and enjoyment to the area; Tom Simeon, of Camp Arden Road, stated that he used to enjoy skiing at Maple Valley and thought it might be possible to bring it back, but hoped that snow-making and lighting equipment would be improved to minimize the impact on the neighborhood; and John Willis of Camp Arden Road also enjoyed skiing at Maple Valley and would welcome its return so long as noise, light and environmental concerns were adequately met. The Board agreed to meet and discuss the MVS Associates permit at a later date: May 6, 2012 at 7:00 pm.

The written decision of the Development Review Board will issue and control.

Respectfully submitted,
Samuel Griffis, Clerk