

Dummerston Development Review Board Meeting

June 20, 2017

Attending: Chad Farnum, Dennis Mewes, Sam Griffis, Alan McBean, Cami Elliott, Patty Walior and ZA Roger Jasaitis

Other Parties in attendance: Tony Asche, Charlie Baker, Carolyn Mayo-Brown, Cathryn Abbott, Victor Baisley, Bibiana Heyman, Fletcher Proctor, Ed Anthes, Maryellen Copland.

Meeting called to order at 7:00 by Alan McBean, Chair

Minutes from May 16th meeting approved with changes. Roger informed us that there will be a July and August meeting, each with 2 applications. Meeting in July will be held a week early on the 11th rather than the 18th. Roger gave update on his letter to owners concerning short term rentals. This has caused a steady stream of applications. It is recommended that we write a letter to the Planning Commission about the wording in section 702 in bylaws for land development when no structures are planned. Also question about why subdivision on property located at 358 Purple Mt. doesn't show up on tax map.

Hearing for Application #LD374 called to order at 7:15 pm. Sam Griffis recused himself as he is an abutter of the property. Alan McBean also recused himself as voting DRB member because he has done work on the Heyman property. He did however continue to run the hearing with approval from all parties. Chad Farnum also disclosed that he had done some work on property however did not recuse himself with approval from all parties. Alan read notice and warning, and oath. Site visit was conducted prior to hearing.

Cathryn Abbott reported as author of the appeal of prior subdivision approval by ZA Roger Jasaitis for property belonging to Bibiana Heyman. She stated that she had concerns with the permitting process. She felt that the application to subdivide property located at 358 Purple Mt. should have been brought to the entire board. It is her opinion that the new lot doesn't have access to the main road. She questions whether it is safe and adequate. Cathryn presented a letter

written in 1975 by an engineer that said that this would be a logging road only. She and Victor Baisley are concerned that there will be a negative impact on the ecological and aesthetic character of the property. They presented a list of documented wildlife.

Roger reported that there is nothing in the Zoning bylaws that would have prevented him from denying the subdivision. He read the permitted uses from bylaws. The lot was already subdivided, owner changed subdivision line.

Catheryn and Victor questioned the validity of permit as there were no building plans included. It was explained to them that this is not a building permit but a land use, subdivision permit. This is generally a two part process, once the application for subdividing is granted they will apply for a building permit when owners are ready to build.

Fletcher Proctor, Attorney for Bibiana reported there are no plans yet for building. He also reported that this has been a drivable road since 1978 and it is included in the deed that there is a right of way to Holland Rd. Roger concurred that it has adequate access. John Rawley also stated that road meets town requirements for fire truck access.

The state issued an Act 250 Permit back in 1975 that is still in effect. All 7 properties located on Purple Mt. Road have a Right of Way in their deeds. Bibiana's plan for subdividing have relocated the Right of Way so that it in fact does not cross onto Catheryn and Victor's property as it does now. It was established as precedent that every time there was new construction along this road the homeowner did improve the road to their new home. Chad asked about our ability as a board to change an Act 250 permit. We can't.

Hearing closed at 7:40 for deliberations.

Hearing for permit # 3467 opened at 8:10. Alan read warning. No one present for hearing, closed at 8:12 for deliberations.

Respectfully submitted,

Patty Walior, DRB board member