

**TOWN OF DUMMERSTON
DEVELOPMENT REVIEW BOARD
LAND USE DECISION**

Applicant: Douglas R. McCorkle
Mailing Address: 247 Canoe Brook Road, East Dummerston, VT 05346
Location of Property: 247 Canoe Brook Road, East Dummerston, VT
Application: #3228, dated 5/14/10 to erect an on-site sign with dimensions 30" by 16", 25' from the road center, requiring approval of DRB under Section 665-2.

The matter came before a duly warned public hearing of the Dummerston Development Review Board (DRB) held on July 1, 2010, at the Town Office, Dummerston Center, Vermont. This application was noticed for hearing by the DRB for June 16, 2010 by publication in the Brattleboro reformer and posting at three established locations in Town. The required Posting Notice by the appellant and notification of the adjacent property owners was completed and certified by the applicant (Exhibits 3 and 4). On June 14th the Chair determined that a quorum of DRB members, including alternates, would not be available for the scheduled hearing and therefore scheduled a special meeting for July 1, 2010. DRB member, John Warren, appeared at the June 16th scheduled time and place, found no other DRB members or members of the public in attendance, and consequently declared that no quorum was available and continued the hearing to July 1. The replacement July 1 meeting was properly noticed.

Present and participating were the following members of the Development Review Board: Cynthia Wilcox, Patricia Jaquith, Herb Rest, and Lew Sorenson; seated as voting member, was alternate John Warren. Also present were Charlotte Neer Annis, Zoning Administrator, and Timothy Severence.

The public hearing was adjourned following testimony of the applicant. Following the public meeting, deliberations and motions of the Development Review Board took place.

FINDINGS OF FACT

The Board finds as follows:

1. The applicant proposes the placement of a wooden 30" by 16" sign with the words "Doug McCorkle, Physical Therapist" routed into it. The sign will hang from an arm on a light post, such that the edge of the sign will be 25' from the center line of the road. The top of the sign will be 5' from the ground. There will be no additional lighting on the sign.
2. The applicant filed the Zoning Permit on May 14, 2010.
3. The Zoning Administrator denied the application for permit #3171 on May 19, 2010, after finding that outdoor advertising signs must be approved by the Dummerston Review Board under Section 665-2 of the Town of Dummerston Zoning Ordinance.

4. The Dummerston Development Review Board held a site visit on the property on July 1, 2010, at approximately 6:45 p.m.

5. The property is located in a Rural Residential District.

6. The posting requirements for notices to abutters were delivered by the applicant. There were no objections raised to this sign proposal.

CONCLUSIONS OF LAW AND DECISION

1. The Board finds that a sign is a reasonable addition to the existing home business, which is a conditional use in the Rural Residential district.

2. The Board finds that the sign, as described, will have no adverse effect or alteration to the existing character of the neighborhood.

3. The Board finds that the proposed use shall meet the Specific Standards outlined in Section 727, Conditional Use/Site Plan Permit Review. The on-site Sign is unanimously approved as submitted.

The following members of the Dummerston Development Review Board participated and concur in this decision. The Decision is subject to appeal as provided by Vermont statute.

Herb Rest, Patricia Jaquith, Lew Sorenson, Cynthia Wilcox, members; and John Warren, Alternate

Dated: July 10, 2010

DUMMERSTON DEVELOPMENT REVIEW
BOARD

Herb Rest
On behalf of the Board

EXHIBITS:

1. Application for Zoning Permit #3228
2. Newspaper Public Hearing Legal Notice
3. Applicants' Posting and Adjoining Property Owner Notice Certification
4. DRB Attendance Sign-in Sheet

