

**TOWN OF DUMMERSTON  
DEVELOPMENT REVIEW BOARD  
One-Year Review**

Applicant: SB Lands partnership, LLC  
Mailing Address: 142 Aiken RD, Putney VT 05346  
Agent: Stevens & Associates, Cory Frehsee  
122 Birge ST, PO Box 1586, Brattleboro, VT 05301  
Location of Property: Winter Bell Drove off Dummerston Station Road  
Application: N/A  
Issue: One-Year Review of Consolidated Conditional Use Permit  
and Site Plan Review of permit 3308 amending permit  
3059

The matter came before a duly warned public hearing of the Dummerston Development Review Board held on Tuesday, November 19, 2013, at the Town Office, Dummerston Center, Vermont.

Present and participating at the meeting on November 19<sup>th</sup> were the following members of the Development Review Board: Hugh Worden, Marty Forrett, Sam Griffis, and Patty Walior. Also present were Steve Jarosak, Charlotte Annis, Zoning Administrator, Ingun Hamill, Claudia Teachman, Steve Glabach, Tim Severance, Mike Renaud, Cory Frehsee, Zeke Goodband, Leon Chamberlin, Brian Harlow, Christopher Vinci and David Baxendale.

**FINDINGS OF FACT**

The board finds as follows:

1. A consolidated and amended Conditional Use Permit, Site Plan Review and Variance was issued to the Applicant on October 15, 2012 for the continued development and operation of an active gravel pit on the Primary Parcel as described in permit 3059 issued 3/12/2007 located off Dummerston Station Rd in East Dummerston, VT.
2. The conditions of the original permit provide for a maximum initial operation not to exceed 10 years (with an option to reapply for an additional 5 years) and include operational and reclamation requirements. The DRB amended and retained jurisdiction of the permit, which provides for reviews as conditioned in the decision dated 15 Oct 2012. Notification of the adjacent property owners was completed. The meeting was posted at three established locations in Town and published in the Brattleboro Reformer.
3. The one-year review of the conditional Use requirements was reviewed at the DRB meeting November 19, 2013.
4. The decision for amended permit 3308 dated October 15, 2012 requires the continued operation and development of the SB gravel pit into the southern setback to be dependent on the concurrent opening and operation of the gravel pit described in permit 3309.

## CONCLUSIONS OF LAW AND DECISION

1. The board finds that the applicant has secured all State and Local permits necessary and is operating as outlined in permits 3059 and 3308.
2. All conditions of permit 3059 that were not specifically altered in the permit amendment 3308 remain in effect. All new conditions established in permit 3308 remain in effect.
3. Blasting has not begun as of this date. Applicant is aware of notifying neighboring properties. Once dates are determined there will be blasting surveys conducted of neighboring properties.
5. The board finds that once notified by neighboring property owners of noise concerns caused by truck back-up alarms they have since been changed to proximity detector alarms.
8. Any noise concerns should be immediately reported the town office to insure that they are addressed at the time of infraction.
9. Permit's 3308 and 3309 (dependent on one another) will be reviewed again by the DRB and Zoning Administrator after one year, on or about November 2014 as defined in the initial conclusion relating to this application. The DRB retains jurisdiction.

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

Hugh Worden, Marty Forrett, Sam Griffis, Patty Walior

Dated: 26 Feb 2014

Hugh Worden  
For the Board