

Application for Conditional Use Review

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use Review Findings and Decision

Applicant: Dummerston Historical Society
Mailing Address: 1523 Middle Road E. Dummerston, VT 05346
Location of Property: Parcel # 290, 1523 Middle Road, E. Dummerston, VT
Owner of Record: Dummerston Historical Society
Application: Conditional Use Permit for an addition to an existing non-conforming structure

Permit Application No. 3362

Date Sent: May 15, 2014

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use submitted by the Dummerston historical Society under the Town of Dummerston Zoning Bylaw.
2. The application was received on May 15, 2014.
3. On May 30, 2014, notice of a public hearing was published at the municipal clerk's office.
4. Notice of a public hearing was mailed to the applicant and the following abutters of the Dummerston Historical Society at 1523 Middle Road:
 - Roland and Dawn Hubbard 33 Bunker Road E. Dummerston, VT 05346
 - Deborah Brookes 97 Dummerston Station Road E. Dummerston, VT 05346
 - West Dummerston Fire Dept. PO Box 40 West Dummerston, VT 05357
 - Catherine Dianich Gruver 1022 East West Road, E. Dummerston, VT 05346
 - Dummerston Congregational Church 32 Park Laughton Road E. Dummerston, VT 05346
 - Evening Star Grange PO Box 9 West Dummerston, VT 05357
 - David and Janet Baxendale PO Box 6426 Brattleboro, VT 05302
 - Thomas and Barbara Johnson 1375 Middle Road Dummerston, VT 05301
 - Steven and Susan Meggiolaro 1435 Middle Road Dummerston, VT 05301
 - Patty Blomgren 21 Bunker Road E. Dummerston, VT 05346

5. The application was considered by the Development Review Board at a public hearing on June 17, 2014. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended February 21, 2014.

6. Present at the hearing were the following members of the Development Review Board
 - Hugh Worden, Chair
 - Alan McBean
 - Sam Griffis
 - Beverly Kenney

7. Present at the hearing were the following persons:
 - Charlotte Neer Annis (Dummerston Zoning Administrator)
 - Gail Sorenson
 - Charles Fish
 - Jody Normandeau
 - Thomas Zopf
 - Cindy Wilcox
 - Catherine Dianich Gruver

8. During the course of the hearing the following exhibits were submitted to the Development Review Board:
 - A. Applicant Certification of Notice
 - B. Zoning Permit Application, Permit # 3362, dated 5/15/2014
 - C. Copy of “Town of Dummerston DRB List of Adjoining Property Owners” for application # 3362
 - D. Town of Dummerston “Development Review Board - Attendance Sign-In” for permit #3362

FINDINGS

Based on the application, testimony, exhibits, and other evidence the Development Review Board makes the following findings:

1. The applicant seeks a conditional use permit to construct additions of 16’6”x16’ and 24’x8’ to an existing non-conforming structure. The property is located in the RR (Rural Residential) District as described on the Town of Dummerston Zoning Map.

2. The applicable Zoning Bylaw section is 255(1), Expansion of a non-conforming structure.
3. The purpose of the addition is to provide storage, office and work space.
4. No plumbing will be added to the building.
5. Restroom and hand washing facilities will remain at the Town Office Building. The use is granted as a trade for use of the Historical Society building by the Town on an as needed basis.
6. The roof lines and finishes of the addition will be uniform with the existing structure.
7. An Act 250 permit is required as the work constitutes a major change to a public building.
8. The Historical Society reserves the right to reduce the scope of the project to match available funds.
9. Lighting on the new building will be minimal and only that required by the State Department of Public Safety.
10. There will be no change to the current demand for parking or traffic circulation patterns.
11. The building addition will be constructed to ADA requirements for accessibility.

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board grants the application for the construction of a 16'6"x16' and a 24'x8' addition to the Dummerston Historical Society building located at 1523 Middle Road. The proposed development is deemed an appropriate addition to an existing non-conforming structure and meets the requirements of Sections 255 and 721 of the Zoning Bylaw. The proposed development also meets the requirements set forth in the Bylaw for site plan review under sections 245 and 724. All setbacks, building area, dimensional, and coverage requirements are met.

The Board also grants the Historical Society the right to reduce the scope of the project based on available funds with no further review provided the addition remains within the footprint and design elements remain consistent with those presented at the hearing on June 17, 2014.

It is the Applicant's responsibility to obtain and be in compliance with all State issued permits at all times.

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 statutes.

Dated: July 11, 2014

Hugh Worden, Chair, Sam Griffis, Alan McBean and
Beverly Kenney

DUMMERSTON DEVELOPMENT REVIEW
BOARD

Hugh Worden, Chair