

Application for Conditional Use Review, Waiver for Watercourse Setback, Site Plan and Sign Approval

TOWN OF DUMMERSTON

Development Review Board

Applicant: West Dummerston Volunteer Fire Department
Mailing Address: P.O. Box 40 West Dummerston, VT 05357
Location of Property: 1049 East West Road, Dummerston VT 05346
Owner of Record: West Dummerston Volunteer Fire Department
Application: Application for Conditional Use Review, Waiver for Watercourse Setback and Sign Approval
Permit Application No. 3427
Date Sent: March 24, 2015

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an Application for Conditional Use Review, Waiver for Watercourse Setback, Site Plan and Sign Approval submitted by Richard Looman for the West Dummerston Volunteer Fire Department under the Town of Dummerston Zoning Bylaw.
2. The application was received on March 24, 2016.
3. Notice of a public hearing was posted at the municipal clerk's office and the school on April 1, at the post office on April 5, 2016.
4. On April 1, 2016, the notice was published in the Commons newspaper.
5. Notice of the public hearing was e-mailed to the applicant on April 19, 2016. Paper posting of the hearing notice on the property was completed on April 4, 2016.
6. Notice of a public hearing was mailed on April 4, 2016 to all abutters. The list of abutters can be found in the zoning file for this application.
7. The application was considered by the Development Review Board at a public hearing on April 26, 2016. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, adopted September 23, 2015.
8. Present at the hearing were the following members of the Development Review Board

- Alan McBean, Chair
- Sam Griffis
- Patty Walior
- Cami Elliot
- Beverly Kenney

9. Present at the hearing were the following persons:

- Charlotte Neer Annis (Dummerston Zoning Administrator, interim)
- Cindy Wilcox (representing Dummerston Congregational Church)
- Hugh Worden (Selectman not representing Selectboard)
- Rich Cogliano (West Dummerston Volunteer Fire Department)
- Rick Looman (West Dummerston Volunteer Fire Department)
- Marty Forrett (West Dummerston Volunteer Fire Department)

10. During the course of the hearing the following exhibits were submitted to the Development Review Board:

- A. Applicant Certification of Notice and Hearing Checklist
- B. Zoning Permit Application, Permit # 3427, dated March 24, 2016.
- C. Town of Dummerston "Development Review Board - Attendance Sign-In" for permit #3427.
- D. Plot Plan - Water/Wastewater Plan dated April 1, 2016.

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 Review, Waiver for Watercourse Setback, Site Plan and Sign Approval to replace the existing fire station with a larger single story 66'x34' fire station.
2. The footprint of the building will be extended towards the Town Hall.
3. The lot size is 0.7 acres in a zoning district defined as Settlement Area known as Dummerston Center.
4. The current firehouse is not adequate in size for modern firetrucks, one of which is on order.
5. The second story cannot be made handicap accessible.
6. The exterior of the firehouse will be white vinyl which will compliment the surroundings.
7. The applicable Zoning Bylaw sections are 230, settlement district uses; 245 general requirements for all districts; 256, 257 waivers; 669 signs; 721-727 conditional use permits.
8. Abutters present at the hearing support the plan.

9. The ponds on the property are man-made to supply fire fighting water and no Act 250 permit is needed.
10. The existing underground oil tank will be dug up and replaced with an above-ground unit.
11. Lighting will be over the door and outside the bays with downward orientation.
12. Non-residential signs in settlement district are restricted to a total of 20 sq. feet and requested sign size is 50 sq. feet.
13. It was found that a waiver is not necessary as the current fire house is a non-conforming structure due to acreage. Section 255 applies and with a Conditional Use Permit, the building may be demolished and replaced with another, extended building, as long as there will not be more detriment to the area.

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board grants the application the applicant seeks for a Conditional Use Review and Site Plan and Sign Approval to replace the existing fire station with a larger single story 66'x34' fire station. All setbacks, building area, furtherance of town plan, area compatibility, use of renewable resources, odor, and noise requirements are met.

It is the Applicant's responsibility to be in compliance with town ordinances and state issued permits at all times. It is also expected that any additional lighting will be installed with safety in mind and will minimize glare off the property. Signage for the building will remain at present maximum size of 31.4 sq. Feet.

This decision will remain valid for one year beyond the current zoning ordinance limit for construction to begin and finish.

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: May 23, 2016

Alan McBean, Chair, Patty Walior, Cami Elliot,
Sam Griffis, and Beverly Kenney

DUMMERSTON DEVELOPMENT REVIEW BOARD

Submitted by:

Beverly Kenney

