

# Application for Basement Apartment

## TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use Permit for a Third Apartment  
Findings and Decisions

**Applicant:** Lisa Blake  
**Mailing Address:** P.O Box 41 West Dummerston VT 05357  
**Location of Property:** Parcel # 506 182 West St West Dummerston, VT 05357  
**Owner of Record:** Lisa Blake  
**Application:** Conditional Use permit and Site Plan Review to renovate and construct a third apartment in the basement of 182 West Street.

Permit Application No.3446

Date sent to DRB: July 22,2016

### INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves the review of and application for a third apartment under the Town of Dummerston Zoning Bylaws.
2. The application was received on July 12, 2016 and completed with the submission of a drawing on July 25, 2016.
3. Notice of a public hearing was posted on July 28, 2016 at the Town Office, East Dummerston School and West Dummerston Post Office. On July 27, 2016 it was printed in the Commons newspaper.
4. Notice of a public hearing was mailed to the applicant on July 26, 2016, and all abutters on July 28, 2016. The posting notice was posted on the property on August 1, 2016.
5. The application was considered by the Development Review Board at a public hearing on August 16, 2016. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaws, as amended September 23, 2015.
6. Present at the hearing were the following members of the Development Review Board:  
Alan McBean, Chair  
Cami Elliott  
Marty Forrett  
Chad Farnum
7. Present at the hearing were the following persons:

Kathleen Hathaway (Dummerston Zoning Administrator)  
Carrie Towle  
Jean Newell  
Harold Newell  
Theresa Chapman  
Paul Chapman  
Elinore Towle  
Lisa Blake

8. During the course of the hearing the following exhibits were submitted to the Development Review Board:
  - A. Applicant Certification Notice dated August 1, 2016.
  - B. Zoning Permit Application #3446 dated July 25, 2016.
  - C. Copy of the Town of Dummerston DRB List of adjoining Property Owners.
  - D. Town of Dummerston DRB - Attendance Sign- in for permit #3446.
  - E. Drawing of proposed apartment.
  - F. Drawing of proposed parking area
  - G. Letter from Carrie Towle.
  - H. Letter from Hugh Worden.

## FINDINGS OF FACT

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

1. The applicant is seeking to add a third apartment at 182 West Street in the basement of the building.
2. The applicable Zoning Bylaw sections are 230, 245, and 620
3. The purpose of the apartment is so the applicant doesn't have to climb stairs as she gets older.
4. The site plan does not show six adequately sized parking spaces. There were conflicting site plans submitted. One plan shows two parking spaces in front of the building. The current State Waste Water permit shows one parking space available in front if the well is constructed.
5. The well has been constructed as the primary water supply for the building and therefore parking is limited to one car in front of the building.
6. The current Waste Water permit design flow is 540 gallons per day. 2 -1 bedroom apartments @140 gallons per day and 1-2 bed room apartment @ 280 gallons per day will total 560 gallons per day design flow and therefore the permitted waste water capacity would be exceeded by the addition of a third apartment.

## DECISION AND CONDITIONS

Based upon these findings, the Development Review Board denies the application for a basement apartment at 182 West Street.

1. The parking as per application will not support three apartments. Town Bylaw section 620 - Paragraph One, requires two parking spaces for every dwelling. The size shall be nine feet by twenty-two feet.
2. The State Waste Water permit needs to be revised if a third apartment is added.
3. A State permit from the Vermont Division of Fire and Safety must be in place.

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

Dated September 15, 2016

A handwritten signature in black ink, appearing to be 'AMcBean', written in a cursive style.

Alan McBean, (chair), Cami Elliott

Chad Farnum, Marty Forrett

DUMMERSTON DEVELOPMENT REVIEW  
BOARD

Submitted by: Marty Forrett DRB Alternate