

Application for Conditional Use Review

TOWN OF Dummerston

Development Review Board

Application for Conditional Use Review Findings and Decision

Permit Application No. 3498

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use submitted by Stan Odachwoski, agent for Morin Contracting Services for Fair Point/Communications Consolidated under the Town of Dummerston Zoning Bylaw.
2. The application was received by Roger V. Jasaitis on March 14, 2018. A copy of the application is available at Dummerston Town office.
3. On March 15, 2018, notice of a public hearing was published in the The Commons and The Brattleboro Reformer.
4. On March 20, 2018, notice of a public hearing was posted at the following places:
 - a. The Dummerston Town office board
 - b. West Dummerston Post Office
 - c. Dummerston Elementary School
5. On March 20, 2018, a copy of the notice of a public hearing was mailed to the applicant. On March 20, 2018, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application
 - John and Kathryn O. Greenberg
 - The Housing Foundation
 - Godfrey W. Renauld and Christie Turner
6. The application was considered by the development review board at a public hearing on April 10, 2018.

7. Present at the hearing were the following members of the development review board

- Alan Mc Bean
- Dennis Mewes
- Patty Walior
- Jen Sargeant
- Chad Farnum
- Cami Elliott

8. During the course of the hearing the following exhibits were submitted to the development review board:

- Town map of site
- Illustration of existing sign and proposed sign

These exhibits are available at: Dummerston Town Office.

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 replace existing sign from FairPoint to Consolidated Communications. The subject property is a 5.88 acre parcel located at 917 US Route 5 in the Town of Dummerston (tax map parcel no. 000801.1).
2. The property is located in the Rural Commercial District as described on the Town of Dummerston Zoning Map on record at the Town of Dummerston municipal office.
3. Conditional use approval is requested for the project as a conditional use as that term is defined in section 720 of the Zoning Bylaw. The application requires review under the following sections of the Town of Dummerston Zoning Bylaw:
 - Section 665
4. Section 665 of the Town of Dummerston Zoning Bylaw “Outdoor Advertising Sign”
5. The application will replace existing 3’-9”x6’-0” Aluminum /vinyl pan sign with like replacement. There will only be a name change.

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the development review board grants the application for replacing existing sign with FairPoint name to new sign with Consolidated Communications name.

As conditioned, the proposed development meets the requirements of Section 665 of the Zoning Bylaw.

1. The application meets the criteria of Section 665 for an on-premise outdoor advertising sign.
2. It is the applicant's responsibility to obtain and be in compliance with all state issued permits at all times.

The development review board approves the application subject to the following conditions:

Dated at Dummerston, Vermont, this 25 day of April, 2018.



Cami Elliott

Alan Mc Bean, Chair
Dennis Mewes
Patty Walior
Jen Sargeant
Chad Farnum
Cami Elliott

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the development review board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.