

Application for Land Division Review

Town of Dummerston

Development Review Board

Application for Land Division Permit Review Findings and Decision

Applicant: Mark D. Tice
Mailing Address: 230 Schoolhouse Road Dummerston, VT 05346
Location of Property: Parcel #411 Dummerston, VT 05346
Owner of Record: Mark D. Tice and Lee I. Tice
Application: Right of Way
Permit Application #LD377A

Introduction and Procedural History

1. This proceeding involves review of an application for Right of Way under the Town of Dummerston Zoning Bylaw.
2. The application was received 7/12/2018
3. A notice of public hearing was posted at the municipal clerk's office, at the West Dummerston Post Office and at the Dummerston School on 8/28/18.
4. Notice of public hearing was mailed to the abutters on 8/28/18.
5. A site visit was conducted on 9/18/18
6. The application was considered by the Development Review Board at a public hearing on 9/18/18.
7. Present at the hearing were the following members of the DRB

Dennis Mewes
Jen Sargent
Patty Walior
Chad Farnum
Cami Elliott

8. Present at the hearing were the following persons
Roger Jasaitis (Dummerston Zoning Administrator)
Mark Tice
Linda Ives

9. During the course of the hearing the following exhibits were submitted to the DRB.
 - A. Applicant Certification of Notice
 - B. Zoning Permit Application, Permit #LD377A, dated 7/12/18
 - C. Parcel map for proposed property lines

FINDINGS

Based on the application, testimony, exhibits and other evidence the DRB makes the following findings:

The applicant seeks a Right of Way for a previously approved subdivision.

The Right of Way will eliminate the need for a previously approved Right of Way by the Dummerston Review Board (Application 377, 6/21/18)

The Right of Way meets the requirement of a 20' width and is approximately 14' from the property line to the centerline.

The Right of Way will come off of a private driveway.

The applicant will give up the previously granted Right of Way (Application 377, 6/21/18)

The Right of Way has the support of neighbor.

DECISION AND DISCUSSION

1. Based on these findings, and subject to the conditions set forth below, The DRB grants the application for a Right of Way on proposed Lot #1, 230 Schoolhouse Road, Dummerston, Vermont.
2. The proposed Right of Way meets the requirements of Section 225 "Residential District RES"
3. The Right of Way meets the requirements of Section 715, "Development Review Board".
4. The applicant must show proof of a legal means of access to the proposed Right of Way, either by a permanent easement or a right of way to the existing private driveway to meet conditions of Sections 602 and 722, "Required Frontage on, or Access to, Public Roads or Waters".

5. The applicant gives up the previously granted Right of Way (Application 377, 6/21/18)

6. The Right of Way gives access to only one lot.

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

8. 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 10/10 /18

Dennis Mewes, Jen Sargent, Patty Walior, Chad Farnum, Cami Elliott

DUMMERSTON DEVELOPMENT REVIEW BOARD

Respectfully submitted,



Cami Elliott

