

Application for Conditional Use Review

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use Review Findings and Decision

Applicant: Town of Dummerston by Zeke Goodband, Selectman
Mailing Address: 1523 Middle Rd. E. Dummerston, VT 05346
Location of Property: Parcel # 824.5, Winterbell Drive and 827.1, US Route 5, Dummerston, VT
Owner of Record: Michael Renaud
Application: Applying to extend permits #3309 and #3059 an additional 50 years
Permit Application No. 3309 and 3059
Date Sent: December 13, 2018

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application to extend Conditional use permits #3309 and #3059 governing the operation of a gravel pit and aggregate quarry in a Rural Commercial District, an additional 50 years. The application was submitted by Zeke Goodband representing the Town of Dummerston under the Town of Dummerston Zoning Bylaw.
2. The application was received on December 13, 2018.
3. On December 18, 2018, notice of a public hearing was published at the municipal clerk's office.
5. Notice of a public hearing was emailed to the applicant on December 18, 2018 and abutters of Parcels #824.5 and #827.1 on December 18, 2018.
6. The application was considered by the Development Review Board at a public hearing on January 8, 2019. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended March 28, 2018.

7. Present at the hearing were the following members of the Development Review Board

- Cami Elliott
- Alan McBean, Chair
- Jen Sargent
- Chad Farnum
- Patty Walior

8. Present at the hearing were the following persons:

- Roger Jasaitis, Zoning Administrator
- Michelle Cherrier
- Lewis White
- Zeke Goodband
- Robert Etzweiler
- Claudia Teachman
- Leon Chamberlain

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

- A. DRB Hearing Checklist with dates of notifications.
- B. Development Review Board Application, # 3309 and #3059, dated 12/13/2018.
- C. Town of Dummerston “Development Review Board - Attendance Sign-In” dated 01/08/2019.

FINDINGS

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

1. The applicant seeks to extend conditional use permits #3309 and #3059 for an additional 50 years for the purpose of extracting and crushing gravel and blasting and crushing bedrock on parcels #824.5 and #827.1.
2. The Towns of Dummerston and Putney will present voters at their 2019 Town Meetings the opportunity to approve purchase of the parcels for the sole use of the municipalities.
3. If the sale does not occur then this application will be rescinded.
4. The total volume of material extracted for the two Towns on an annual basis will remain 15,000 cy.

5. It is anticipated that blasting will occur every 5 years until 2033 when gravel reserves will be largely exhausted. After 2033 blasting will occur more frequently as the operation shifts to primarily blasting and crushing of bedrock.
6. The current permits are due to expire in 2022 (#3059) and 2028 (#3309).
7. Access to the pit/quarry will remain the same, utilizing Winterbell drive at the north end of the pit and Route 5 at the southwest corner of the property.

DECISION AND CONDITIONS

Based upon these findings the Development Review Board approves the application for a 50 year extension of permits #3059 and #3309. All existing conditions specified in these permits to date remain in effect.

Upon successful purchase of the property a review of all permits will occur after 1 and 5 years of operation and every 5 years thereafter. There will also be a review the year blasting commences regardless of the stated review intervals should they not coincide.

Should the sale of this property to the Towns of Dummerston and Putney not occur this decision will be null and void and conditions set forth prior to this decision in permits #3059 and #3309 shall remain unchanged.

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: February 7, 2019 Cami Elliott, Alan McBean, Chad Farnum, Jen Sargent
and Patty Walior

DUMMERSTON DEVELOPMENT REVIEW BOARD



Alan McBean, Chair