

## **UPDATED AND APPROVED 5-21-19**

Dummerston Development Review Board Meeting 4-22-19

Attending: Chad Farnum, Dennis Mewes, Cami Elliott, Jen Sargent, Alan McBean, Patty Walior and ZA Roger Jasaitis. Other interested parties in attendance: Brian Tyler, Dan Tyler, Tim Scott, Michelle and Steve Grover, Roger Haydock, Carl Noe, Jill Green, Joe and Jolene Garelli, Paul Deer, Kelly and Zach Grover, Mary Ellen Copeland.

Meeting called to order at 7:00 by Chair Alan McBean. Alan reminded us to make any comments to PC document. March minutes were approved with change. Selectboard is looking for 1 DRB member if anyone knows of someone who may be interested. We have 2 applications for May and 1 for June at this point. We will need to discuss June date via e-mail with school graduations going on.

Alan read warning and swore in all interested parties. Chad and Alan reported that they have done work for Grover's and no one had any issues. Hearing for application#3544 for a Conditional Use Permit for Short Term Rental began at 7:05. Tim Scott is looking for a short term rental at 290 Roel Road, a rural Conservation District. It will be 2 bedroom, 2 bath. There is ample parking for at least 6 cars. There will be no extra lighting and no signage added. Roger asked about a permit # for waste water and one was not needed. Roger has sent all the state regulations to Tim. Hearing closed at 7:13.

Hearing for application #3539 for a Conditional Use Permit under Zoning Bylaw section 605 for a home business located at 141 Prospect View Drive a rural Conservation District began at 7:15. Kelly and Zach Grover have been operating Grover Services out of their home and Kelly stated that she didn't realize she needed a permit. Mary Ellen Copeland read a letter from the Dummerston Conservation Commission requesting that a permit not be given, it does not fit into the zoning bylaw and land and animal habitat has been compromised. Letter

was submitted into evidence. Michelle Grover said she doesn't believe that anything has been affected, there are still deer, skunks and bear around. Mary Ellen stated that that is not what their expertise would suggest, she is glad they are seeing animals. Alan asked about hours of operation. Zack stated that employees arrive at garage around 6:30 and they leave the shop between 7 and 7:30. Everyone generally leaves for the day between 4:30 and 6. This is Monday – Friday, with occasional Saturday mornings. There are 4 additional employees who are not family. In the winter they work shorter hours on firewood to keep workers employed. Zach will often work on their property on weekends. They are pretty much done with the work to their own property, it's hayed and seeded. They were asked about material storage on their property. They have lumber, pipes, telephone poles that they would like to be able to stock pile on property by shed. He sells mulch and firewood. Zach and Kelly own the property but the business is Zack and his parents. There was a permit for Steve and Michelle's property but a permit goes with property not the business. Jill Green who is a neighbor, read a letter that she wrote concerning having a business on that property. She said she thinks they are great neighbors but wishes they were residential neighbors. She has been there for 36 years and was happy to have someone there. However; she feels it has changed the character of the landscape. She feels traffic on road has been affected, there is noise pollution from the trucks. She is concerned about the grade, she feels the topography has been altered. There were water bars and streams that have been forced underground and now come up on her property. She believes, but can't prove that her spring fed well was contaminated with Manganese. She said she has since had a new well and filtration system put in. Jill stated that this happens when rock and gravel are broken up. Kelly would like Jill to recognize that this is just her opinion. Jill also reported that there is a light on the large garage that has an annoying glare at night however that is the least of her concerns. Zach stated that it is a 90 foot perimeter light that is used at other businesses in town. However those businesses are zoned as commercial. Steve Grover stated that Zach and Kelly can't drink their water either. Cami asked about the timeline for buildings on the property. House was first, 5 years ago, the smaller garage was put up 3 years ago and the large garage, just last year. There was no permit for the sand shed, Roger reported that permits are needed. Zack

was asked about how much equipment he has, reported 7 total pieces of equipment with 7 trailers. Dennis asked about the sand and salt in shed, Zack said it is on pavement and under cover. There is also fuel stored on property, they have checked with Burrows and believe that they are in compliance with state regulations. Act 250 required if more than 110 gallons are stored. Zach said he did what Barrow's asked and they filed with state. He has 275 gallons in 2 tanks, for a total of 550 gallons. He gave a statement as evidence. Permit however was only for 1 tank. Paul Deer another neighbor said that he is home quite a bit and doesn't notice noise however he is located closer to East West Rd. Roger Haydock suggested that light could be mitigated by putting up a flag to help block. Joe Garelli is an abutter and stated that he feels there is more wildlife this year and that the neighborhood hasn't changed. He also said that since Jill took down some trees (that were dead and a danger according to Jill) he can see lights in her house now. Zach feels he addresses neighbor concerns when he is made aware of them. Michelle stated that the business does upkeep on the road at no expense to residents. Mary Ellen Copeland stated that this is not acceptable in a Conservation district, the area around Black Mtn. is fragile and travel patterns of animals are affected. Taking care of the road doesn't make up for the Zoning not being allowable. It is not the intention of the Selectboard and Town Plan to have a business located there. Roger read a letter of support from Larry and Ellen Crocket that was entered into evidence. Hearing closed at 8:05.

Respectfully submitted,

Patty Walior, DRB member.