

Application for Conditional Use Review

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use, Sign Plan and Site Plan Review Findings and Decision

Applicant: Green Mountain Conservancy, Inc.
Mailing Address: PO Box 301 West Dummerston, VT 05357
Location of Property: Parcel #1.1 Camp Arden Road Dummerston, VT
Owner of Record: Green Mountain Conservancy, Inc.
Application: Permit for Conditional Use in the rural zoning district for a trailhead parking area, entrance sign and informational kiosk.

Permit Application No. 3585
Date Received: February 20, 2020

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use, sign plan and site plan approval submitted by Green Mountain Conservancy, Inc. under the Town of Dummerston Zoning Bylaw.
2. The application was received on February 20, 2020
3. On April 29, 2020, notice of a public hearing was published at the municipal clerk's office.
4. Notice of a public hearing was mailed to the applicant and abutters of Green Mountain Conservancy, Inc. on April 29, 2020.
5. A site visit was made to Parcel #1.1 Camp Arden Road at 5:30 pm on Tuesday, May 19, 2020.
6. The application was considered by the Development Review Board at a public hearing via zoom conference on May 19, 2020. 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

- Alan McBean, Chair
 - Cami Elliott
 - Patty Walior
 - Chad Farnum
 - Josh Pacheco
8. Present at the hearing for this permit review were the following persons:
- Roger Jasaitis, Zoning Administrator
 - Sam Farwell
 - Ed Anthes
 - Eric Lineback
 - Carolyn Mayo-Brown
 - John Quain
 - Martha Werman
9. During the course of the hearing the following exhibits were submitted to the Development Review Board:
- A. Applicant Certification of Notice.
 - B. DRB Hearing Checklist.
 - C. Permit Application #3585 Dated February 20, 2020.

FINDINGS OF FACT

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 for a Trailhead parking area, an entrance sign and an informational kiosk in a rural zoning district.
2. The parking area will be designed to accommodate 5 vehicles at any one time with an anticipated average of 10 vehicles per week. As many as 16 -17 vehicles have been noted on a heavy use weekend.
3. There will be a single point of access with a gate or other suitable barrier securing the entrance.
4. Camp Arden Road near the parking area is narrow and concern was voiced for the limited sight distance for cars approaching the entrance from the west.
5. Camp Arden Road is a dead end west of the entrance to the parking lot.
6. The narrow width and steep banks of Camp Arden Road in the vicinity of the entrance would impede the travel of emergency vehicles if overflow parking occurs on the roadside near the proposed entrance.
7. Headlights from vehicles entering and exiting the parking area can be seen by neighboring property owners from their homes and yards.
8. The parking area is for use during daylight hours which is defined as ½ hour before sunrise and ½ hour after sunset.
9. There is no plan to open the parking lot during the winter months.
10. There is 16 sf of signage between 2 locations proposed for the parking area.

11. The parking area surface will consist of mowed grass and soil with no plan to gravel the surface.
12. Green Mountain Power uses the drive through the parking area to access power lines east of the parking lot.
13. Camp Arden Road is a public thoroughfare in a residential neighborhood. There is pedestrian, bicycle and vehicular traffic on the road.

DECISION AND CONDITIONS

Based upon these findings, the application, site and sign plans and subject to the conditions set forth below, the Development Review Board approves the application for a trailhead parking area. The application meets all dimensional requirements of the zoning district, qualifies as an unspecified use and meets the requirements of Sections 121, 215, 665, 669, 721 and 724. The following specific conditions are placed on the proposed use of this property;

1. It is the responsibility of the applicant to insure the volume of cars using the parking area does not overflow into the roadway or onto abutter's properties impeding traffic flow on Camp Arden Road or resulting in property damage of the abutting parcels.
2. The hours of operation shall be daylight hours as specified in Finding #7 above to limit the impact of headlights on abutter's homes and yards.
3. The parking area will be screened from view to the south and east by plantings or a physical barrier to a minimum height of 6 feet to mitigate the visual impact of the parking lot.
4. Abutters to the parking area shall be provided with a primary and alternate contact person within the Green Mountain Conservancy organization so that complaints of misuse of the parking area can be addressed in a timely manner.
5. The accumulation of refuse of any kind on or around the parking area is strictly prohibited.
6. It is the responsibility of the Green Mountain Conservancy to comply with all requirements of any existing Rights of Way existing on the property.
7. A review of this permit will be scheduled 1 year after commencement of operations, and 5 years thereafter.

It is the Applicant's responsibility to be in compliance with any State issued permits at all times.

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. Alan McBean, Cami Elliott, Patty Walior, Josh Pacheco and Chad Farnum.

DUMMERSTON DEVELOPMENT REVIEW BOARD

A handwritten signature in black ink, appearing to read 'AMC', is written over a horizontal line.

Alan McBean

Dated: July 3, 2020