

# Application for Conditional Use Review

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## TOWN OF DUMMERSTON

### Development Review Board

#### Application for Conditional Use Review Findings and Decision

**Applicant:** Green Mtn. Well Co. Inc.  
**Mailing Address:** P.O. Box 13 Putney, VT 05346  
**Location of Property:** 165 Kathan Meadow RD. Dummerston, VT 05346  
**Owner of Record:** Green Mtn. Well Co. Inc.  
**Application:** Permit for accessory structure (Portable Storage Container) and Storage Facility (Outdoor Storage), a conditional use in a Commercial / Lt. Industrial District.

**Permit Application No. 3599**

**Date Received: June 3, 2020**

#### INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use submitted by Green Mtn. Well Co. Inc. under the Town of Dummerston Zoning Bylaw.
2. The application was received on June 3, 2020.
3. On July 1, 2020, notice of a public hearing was published at the Town Office board, Post office, and The Commons.
4. Notice of a public hearing was mailed to the applicant and the following abutters of 165 Kathan Meadow RD.:
  - Chechile, Nathan A & Elizabeth M 118 Kathan Meadow Rd E Dummerston, VT 05346
  - Green Mt Well Co Inc. PO Box 13 Putney, VT 05346
  - Lake, Bruce & Debra 128 Kathan Meadow Rd E Dummerston, VT 05346
  - Putney Station Road LLC PO Box 728 Putney, VT 05346-0728
  - Soundview Vermont Holdings LLC C/O Putney Paper Company Inc. PO Box 226 Putney, VT 05346
  - Agency of Transportation 219 N. Main Street Barre, VT 05641

5. A site visit was made to 165 Kathan Meadow RD. Dummerston, VT 05301 at 5:30 pm on Tuesday, July 21, 2020.
6. The application was considered by the Development Review Board at a public hearing via Zoom videoconference on July 21, 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
  - Josh Pacheco
8. Present at the hearing for this permit review were the following persons:
  - Roger Jasaitis, Zoning Administrator
  - Richard Stromberg
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. Town of Dummerston "Development Review Board - Attendance Sign-In" dated July 21, 2020 obtained by video conferencing.
  - D. Permit Application #3599 Dated June 3, 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 permit for accessory structure (Portable Storage Container) and Storage Facility (Outdoor Storage).
2. The Portable Storage Containers dimensions are: 35 feet long / 12 feet high / 12 feet wide.
3. The portable storage and storage facility are contained on a 2.3 acre lot.
4. The storage contains drilling supplies and water system installation supplies for and from operation of the business.
5. Green Mtn. Well Co. Inc. currently has an active 250 permit.
6. There is a scrap pile (metal and assorted excess from course of work) that is generated through the progress of the business on the premises.

## DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board approves the application for Accessory Structure (Portable Storage Container) and Storage Facility (Outdoor Storage). Under Zoning Bylaw section 256 and section 720 with the following conditions:

1. The use of the Portable storage container and the Storage Facility falls under the guides of a Conditional use and follows the guidelines for setback requirements.
2. This permit will supersede all previous conditional use permits.
3. This application approval allows for the use of the Accessory Structure (Portable Storage Container) and Storage Facility (Outdoor Storage) as defined by the bylaws and does not permit the usages of junk/junkyard/solid waste facility.
  - a. Some Bylaw definitions of note:
    - i. **STORAGE FACILITY**: a commercial use of land for temporary storage of goods, materials, or supplies.
    - ii. **JUNK**: old or scrap copper, brass, iron, steel or other old or scrap or nonferrous material-, including but not limited to rope, rags, batteries, glass, rubber debris, waste of any discarded, dismantled, wrecked, scrapped, abandoned or ruined motor vehicles or parts thereof.
    - iii. **JUNKYARD**: any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated or used for storing, keeping, processing, buying or selling junk, junk motor vehicles, or a scrap metal processing facility. See Solid Waste Facility.
    - iv. **SOLID WASTE FACILITY**: a facility for the processing, temporary storage, recycling, transfer or buying or selling junk, junk motor vehicles, or a scrap metal. Includes junkyards, hazardous waste processing, dumpster storage and recycling centers.
4. The scrap/junk pile shall be dealt with on a regular basis with removal occurring before 1 years' time at the latest.
5. Any additional buildings will need further permitting beyond the ones herein.

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, and Josh Pacheco.

DUMMERSTON DEVELOPMENT REVIEW BOARD

  
Joshua Pacheco

Dated: August 18, 2020