

# **Application for Conditional Use Review**

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## **TOWN OF DUMMERSTON**

### **Development Review Board**

#### **Application for Conditional Use, Sign Plan, Waiver for Setback Requirements and Site Plan Review Findings and Decision**

**Applicant:** Carolyn Mayo-Brown  
**Mailing Address:** 431 Holland Hill Rd. Putney, VT 05357  
**Location of Property:** Parcel #172.1 Hague Road, Dummerston, VT  
**Owner of Record:** Putney Mountain Association  
**Application:** Permit for Conditional Use in the Conservation zoning district for a trailhead parking area, entrance sign and informational kiosk.

**Permit Application No. 3598**

**Date Received: June 3, 2020**

#### **INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for conditional use, sign plan, waiver to setback requirements and site plan approval submitted by the Putney Mountain Association 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 municipal clerk's office.
4. Notice of a public hearing was mailed to the applicant and abutters of the Putney Mountain Association on July 1, 2020.
5. A site visit was made to Parcel #172.1 Hague Road at 5:00 pm on Tuesday, July 21, 2020.
6. The application was considered by the Development Review Board at a public hearing via zoom conference on July 21, 2020. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended May 22, 2019.

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
  - Glenn Juren
  - Lesley Fruncko
  - Richard Fletcher
  - Carolyn Mayo-Brown
  - Pat Shield
  
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, a waiver to setback for the entrance sign and an informational kiosk in a Conservation zoning district.
2. The parking area will be designed to accommodate up to 5 vehicles at any one time. It is anticipated that usage will be light and primarily Dummerston residents due to the parking lot's location.
3. There will be a single point of access on Hague Road with a "Trail Parking" sign located near the entrance 15 feet from the center line of Hague Road.
4. Road Foreman Lee Chamberlain has inspected improvements to the parking entrance and has determined that the "Trail Parking" sign location does not interfere with site distances for vehicles entering or leaving the parking area.
5. A waiver to setback requirements is needed for the "Trail Parking" sign of 10 feet as it will be located 15 feet from centerline instead of the required 25 feet.
6. The "Trail Parking" sign is 2 square feet in area and the trail "Kiosk" located at the trailhead approximately 200 feet north of Hague Road is 10.5 square feet in area.
7. The parking lot will be maintained by Trail maintenance personnel of which there are two currently living on Hague Road.

8. The Putney Mountain Association has a Trail Crew Chief who is the contact person for questions or issues with the parking area.
9. Allowed usages of the trail are foot traffic year round, hunting and snowmobiles during the winter months as snow cover allows.
10. Animals are allowed on the trail as long as they are under the control of the owner.
11. The parking area is for use during daylight hours which is defined as ½ hour before sunrise and ½ hour after sunset.
12. There is no plan to open the parking lot during the winter months.
13. Hague Road is a public thoroughfare in a residential neighborhood. There is pedestrian, bicycle and vehicular traffic on the road.

### **DECISION AND CONDITIONS**

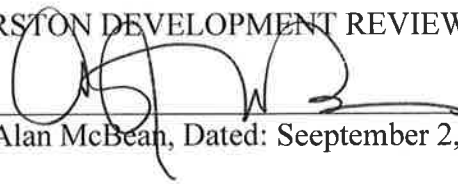
Based upon these findings, the Development Review Board approves the application for a trailhead parking area subject to the conditions set forth below. The application meets all dimensional requirements of the zoning district with the exception of the waiver specified in the Findings, qualifies as an unspecified use and meets the requirements of Sections 205, 665, 669, 715, 724, 725, 726 and 727. 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 Hague Road or resulting in property damage of the abutting parcels.
2. The hours of operation shall be daylight hours as specified in Finding #11 above to limit the impact of headlights on abutter's homes and yards.
3. The "Trail Parking" sign shall be placed at least 15 feet from the center line of Hague Road in accordance with the waiver to setback granted by this permit.
4. Abutters to the parking area shall be provided with a primary and alternate contact person within the Putney Mountain Association so that any 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. 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, and Josh Pacheco.

DUMMERSTON DEVELOPMENT REVIEW BOARD



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Alan McBean, Dated: Seeptember 2, 2020