

Application for a Site Plan Review

Town of Dummerston

Development Review Board

Application for Site Plan Review pursuant to an application for a Land Use Permit

Findings and Decision

Applicant:	Robert Howe, Allyson M. Howe, Melissa E. Howe, Marilyn E. Howe
Mailing Address:	573 Old Ferry Road, Dummerston, VT 05301-9595
Location of Property:	573 Old Ferry Road, Dummerston, VT 05301-9595
Owner of Record:	Robert Howe, Allyson M. Howe, Melissa E. Howe, Marilyn E. Howe
Application:	Application for Land Division, Site Plan Review
Permit Application #	#LD386
Date Received	August 26, 2020

Introduction and Procedural History

1. This proceeding involves review of an application #LD386 for a Site Plan Review (Section 724, 726) and a Land Division Permit for a 4 lot Subdivision at parcel #859, 573 Old Ferry Rd, Dummerston, VT, a Productive Lands District.
2. Complete application was received 8/25/2020.
3. Notice to the Commons was submitted 9/24 2020, Published 9/30/2020.
4. Notice of public hearing was posted at the municipal clerk's office and at the West Dummerston Post Office on 9/30/2020.
5. Notice of public hearing was mailed to the applicant and the following abutters 09/30/2020.
Allard Clifford W, Allard Lumber Co, 74 Glen Orne Drive, Brattleboro, Vt 05301
Carpenter Kenneth F Trustee, 309 Green MT Camp Rd, Dummerston, VT, 05301
Depino Damian P &K E, 606 Old Ferry Rd, Dummerston, Vt, 05301
Howe Florence Estate, 103 Indian Acres Dr, Hinsdale, NH, 03451

Howe Robert W & June V, 458 Old Ferry Rd, Dummerston, VT, 05301

Jet Gas Inc, 11098 Clyde Savannah Rd, Clyde, NY, 14433

Jillson Nelson & Marilyn, 28 Wheeler Rd, Dummerston Vt, 05301

6. A site visit was conducted on 10/20/2020 at 5:30 pm. Persons attending:

Alan McBean

Cami Elliott

Chad Farnum

Patty Walior

Josh Pacheco

ZA Roger Jasaitis

June and Robert Howe

Allyson Howe

7. The application was considered by the Development Review Board at a public hearing on 10/20/2020 via Zoom video teleconference. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended May 22, 2019.

8. Present at the hearing conducted by Zoom were the following members of the DRB

Chad Farnum

Patty Walior

Cami Elliott

Josh Pacheco

Alan McBean

9. Present at the Zoom hearing were the following persons

Roger Jasaitis (Dummerston Zoning Administrator)

Robert and June Howe

Melissa Howe

Elizabeth North

10. During the course of the hearing the following exhibits were submitted to the DRB.

A. Applicant Certification of notice

B. Application for Land Division

C. Survey map of Howe Parcel #859

D. DRB Hearing Checklist.

E. Wastewater System and Potable Water Supply Permit #WW-2-6024

(This permit is for a 2 lot subdivision. The application is for a 4 lot subdivision)

FINDINGS

Based on the application, testimony, exhibits and other evidence the DRB makes the following findings:

1. The applicant seeks a review of a Site Plan Review (Section 724, 726) and a Land Division Permit for a 4 lot Subdivision at parcel #859, 573 Old Ferry Rd, Dummerston, VT, a Productive Lands District.
2. The original parcel will be divided into 4 lots
 - Lot 1- 5.02 acres
 - Lot 2- 16.70/11.23 acres
 - Lot 3 - 27.00 acres
 - Lot 4- 20.54 acres
3. There are no current plans to change the agricultural usage of the land, which is currently planted in corn.
4. The 80.49 acre property is in a Flood Hazard Zone and in a Riparian zone.
5. The 80.49 acre property is enrolled in the Current Use program.
6. To secure potable water, a well would need to be drilled, probably a depth of over 400 feet.

DECISION AND DISCUSSION

Based on these findings, and subject to the conditions set forth below, The DRB approves the application of a Land Division Permit for a 4 lot Subdivision at parcel #859, 573 Old Ferry Rd, Dummerston, VT. The application meets the requirements of Section 724, 726 (Site Plan Approval). The following specific conditions are placed on the proposed use of the site:

1. The subdivision meets the minimal requirements for lot division requirements.
2. The subdivision is compatible with the adjacent land uses.
3. **It is the land owner's responsibility to contact the state permit specialist to secure the additional State permits required for land division.**

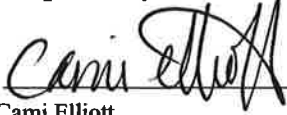
It is the applicant's responsibility to obtain and be in compliance with all state issued permits at all times.

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.

Dated Friday, November 13, 2020

Alan McBean, Chad Farnum, Patty Walior, Josh Pacheco, Cami Elliott
DUMMERSTON DEVELOPMENT REVIEW BOARD

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cami Elliott", written over a horizontal line.

Cami Elliott

Date 11/13/2020