

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use; Food Truck and Site Plan Review Findings and Decision

Permit Application Number: 3823

Date Received: September 11, 2025

Applicant: Zachary Corbin

Mailing Address: 243 School House Rd., Dummerston, VT 05346

Location of Property: Parcel 827, 792 US Rt. 5, Dummerston, VT

Owner of Record: Whetstone Station LLC

Application: Conditional Use; Food Truck and Site Plan Review

Date of Hearing: October 21, 2025

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for a Conditional Use; Food Truck and Site Plan Review under the Town of Dummerston Zoning Bylaw Sections: 121, 235, 720-727, at parcel #000827.
2. On October 1, 2025, notice of a public hearing was published in The Commons.
3. On September 23, 2025, notice of a public hearing was posted at the following places:
 - The Dummerston Town Office.
 - The West Dummerston Post Office.
4. On September 23, 2025, notice of a public hearing was posted at the following place: 792 US Rt. 5 Rd., Dummerston, VT, which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
5. On September 23, 2025, a copy of the notice of a public hearing was mailed to the applicant.
6. On September 23, 2025, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
 - a. Arcbest Property Management Llc, PO Box 10048, Fort Smith, AZ 72917
 - b. Casabona Steven & Catherine, PO Box 873, Putney, VT 05346
 - c. Chase Scott & Whitworth Darcy, 59 Poplar Commons, Dummerston, VT 05301
 - d. Everlith Daniel S & Jessica L, 73 Poplar Commons, Dummerston, VT 05301
 - e. Grover Michael, Keller Sharon, 795 US Rt 5, Dummerston, VT 05301

- f. McCormack Michael, Shulman-Ment Maya, 766 US Rt 5, Dummerston, VT 05301
 - g. Rink Matthew S, 775 US Rt 5, Dummerston, VT 05301
 - h. Town Of Putney, PO Box 233 Putney Vt 05346
 - i. Vinci Christopher J, 41 Poplar Commons, Dummerston, VT 05301
7. The application was considered by the Development Review Board (DRB) at a public hearing on October 21, 2025.
8. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended April 6, 2022.
9. Present at the hearing were the following:
- a. Members of the Development Review Board:
Chad Farnum (Vice-Chair), Patty Walior, Cami Elliott, Peter Doubleday.
 - b. Others:
Zoning Administrator: Roger Vincent Jasaitis. Applicant: Zachary Corbin. Lucila Corbin, Claudia Teachman-Blocher, Ed Anthes, Tom Simeon, Barb Simeon, Michelle Simpson.
10. A site visit was conducted on October 21, 2025.
11. Present at the site visit were the following:
- a. Members of the Development Review Board:
Chad Farnum (Vice-Chair), Patty Walior, Cami Elliott, Peter Doubleday.
 - b. Others:
Zoning Administrator: Roger Vincent Jasaitis. Applicant: Zachary Corbin, Lucila Corbin.
12. During the course of the hearing the following exhibits were submitted to the DRB:
- a. Application for Zoning Permit, number: 3823.
 - b. Application to the Development Review Board for a Conditional Use; Accessory Dwelling Unit and Site Plan Review number: 3823.

FINDINGS OF FACT

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

1. The applicant seeks a Conditional Use permit for Conditional Use, Food Truck, under Sections 121, 235, 720 -727 of the Dummerston Zoning Bylaw, at parcel #000827, 792 US Rt. 5., Dummerston, VT. The subject property is a 17.48 acre parcel located at 792 VT Route 5, in the Town of Dummerston (tax map parcel no. 000827). The property is more fully described in a Deed recorded at Book 119, Page 406, in the Town of Dummerston Land Records.

2. The property is located in the Rural Commercial District as described on the Town of Dummerston Zoning Map on record at the Town of Dummerston municipal office and Section 235 of the Zoning Bylaw.
3. Applicant: Zachary Corbin presented an application for Conditional Use for a Food Truck on the premises of Kampfires campground. The applicant stated he was approached by Tim and Amy, who own Kampfire's campground. They had a mobile food truck there and they sold the restaurant portion of their business. They said they're in need of food at the campground and I thought it'd be a good location and a positive thing for the community and the locals and the campers. And so I plan on setting it up. It's at the location now, I'm finalizing it over the winter, doing work to it, and then plan on opening up this coming June, 2026 and running June through roughly this time next year.
4. Operations: To start out, it will be a Thursday through Sunday. Lunch to an early dinner and the food is going to be kind of crowd-pleasers, something for the kids, something for adults; burritos, burgers, fries, lobster roll, hot dogs, lemonade...fun summer stuff. No alcohol. I think they sell beer in the campground, but that's their separate thing. For hours I'm thinking 11am to 6pm, or something along those lines. I'm still drafting up the menus and the full plan. I haven't solidified it yet, but that's roughly what I'm thinking. Lunchtime to an early dinner.
5. Lighting; there's some floodlights on motion sensor floodlights on the food cart and I plan on putting patio lighting around it. The patio lighting will be off when I'm not in operation.
6. Signage; I'd like to do an awning on the Route 5 side of the Truck. It will provide a little shade or if it was a light rain while you're ordering your food. And on that awning, I want to write food on it at the very least, just so cars going by know that it's a food shack. There'll be some laminated printed menus that you can take at the counter.
7. I think it'll probably be a three-person operation.
8. The wastewater will be held in a plastic tank on site. They have a wastewater dump site at the campground. The only water I'll be using is for hand washing.
9. Electricity, I'll have my own meter and have set up my own account. And the cooking implements will be run off of propane, which I'll set up an account with. I use Dead River at the restaurant, so they'll just fill it.
10. The plan is to not utilize any seating around the truck but to have seating near the ice cream stand. I think it'd be safer for cars pulling in and out to have people get their food and go over to where they have seating for the ice cream already.
11. Parking, I'll be able to use the parking spaces that are along the side there.
12. There are no changes to the existing signage or structures on the parcel.

DECISION AND CONDITIONS

The DRB finds that this application meets the requirements of the Town Plan and the Zoning Bylaw and Approves the application with Conditions.

1. The DRB approves the proposed Food Truck.

- a. The application meets the requirements of *Sections 121 of the Zoning Bylaw.*
- b. The application meets the requirements of *Sections 235 of the Zoning Bylaw.*
- c. The application meets the requirements of *Sections 721 of the Zoning Bylaw General Standards.*
 1. The capacity of existing or planned community facilities;
 - a. The application meets this requirement.
 2. The character of the area affected;
 - a. The application meets this requirement.
 3. Traffic on roads and highways in the vicinity;
 - a. The application meets this requirement.
 4. By-laws then in effect;
 - a. The application meets this requirement.
 5. Utilization of renewable energy sources;
 - a. The application meets this requirement.
- i.
- d. As conditioned, the proposed development meets the requirements of *Sections 722 of the Zoning Bylaw Specific Standards:*
 1. *Section 235 Rural Commercial*
 - a. The proposed project will conform to the purpose of the zoning district (as stated in Sections 205-240 of these Bylaws) in which the land development is located. Specifically, to regulate commercial, light industrial, and residential uses in defined areas along the Route 5 corridor. Such development will make the most of existing or planned facilities and services to ensure wise use of resources and public investment, a healthy economy, a stable tax base, and the protection of the health, safety and welfare of the public. Thoughtful development should be encouraged using techniques such as shared access points, increased landscaping, sign control, and emphasis on pedestrian movement.
 2. *Section 620 Off-Street Parking Requirements*
 - a. The proposed development meets the requirements.
 3. *Section 625 Off-Street Loading Space Requirements*
 - a. The proposed development meets the requirements.

4. *Section 635 Landscaping Requirements*

- a. Following are the minimum landscaping requirements:
 - i. Commercial and industrial uses shall provide for a strip of land at least fifteen (15) feet in width which shall be maintained as a landscaped area in the front, side and rear yards.

5. *Section 640 Erosion and Sediment Control*

- a. The proposed development meets the requirements.

6. *Section 660 Performance Standards*

- a. The proposed development meets the requirements with the following conditions:
 - i. Noise: No noise which is excessive at the property line and represents a significant increase in noise levels in the vicinity of the development, so as to be incompatible with the reasonable use of the surrounding area, shall be permitted.
 - ii. Glare, lights, reflections: No proposed development or use shall create, cause, or result in glare, lights, or reflections which constitute a nuisance to other property owners or traffic on Rt. 5 which are detrimental to the public safety, health or welfare. All exterior lighting must be shielded to prevent glare to adjoining properties per the Conditions below.

7. *Section 669 Permittable On-Premise Signs*

- a. The DRB, with this approval, will allow additional signage per the Conditions below.

2. As conditioned, the proposed development meets the requirements of *Sections 726 of the Zoning Bylaw Site Plan Review Procedure*:

- 1. Compatibility with adjacent land uses.
 - a. The proposed development meets the requirements per the Conditions below.
- 2. Maximum safety of vehicular circulation between the site and the street network.
 - a. The proposed development meets the requirements per the Conditions below.
- 3. Adequacy of circulation, parking and loading facilities with particular attention to safety.
 - a. The proposed development meets the requirements per the Conditions below.
- 4. Adequacy of landscaping, screening and setbacks in regard to achieving maximum compatibility and protection of adjacent property.
 - a. The proposed development meets the requirements per the Conditions below.
- 5. Lighting, noise, odors, protection of renewable energy resources.
 - a. The proposed development meets the requirements per the Conditions below.

3. The following Conditions apply to this Approval:

a. Signage:

- i. The business is limited to a lettered awning on the side of the structure so as to conform to *Section 665 Outdoor Advertising Signs*, and *Section 670 Outdoor Advertising Sign Restrictions: No outdoor advertising sign may be erected or maintained which: 7. Is located within twenty-five (25) feet of the center line of the road or within one hundred fifty (150) feet of any intersection of streets, unless it is mounted on, or is part of, the main structure of a building.*
- ii. Instructional signage is limited to under 4 square feet per sign per; *10 V.S.A. § 494(8) Small signs displayed for the direction, instruction, or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas or the like, with a total surface area not exceeding four square feet.*
 1. Menu board.
 2. Parking instructions.
 3. "Open" flag mounted on the structure.

- b. **Outdoor seating:** Seating is limited to tables in the approved enclosed seating area on the premises.
- c. **Landscaping Requirements:** In addition to the 15' buffer requirement of Section 635, the existing outdoor enclosed seating area must be used by patrons to separate them from the parking lot, consisting of fencing (6' or under) for safety between the dining and parking area. (Section 726(3) Adequacy of Circulation). Gates or openings are permitted for circulation.
- d. **Hours of Operation:** 9:00am to 9:00pm, 6 days per week, seasonally when the Campground is open for business.
- e. **Lighting:** Glare, lights, reflections: No proposed development or use shall create, cause, or result in glare, lights, or reflections which constitute a nuisance to other property owners or traffic on Rt. 5 or which are detrimental to the public safety, health or welfare. All exterior lighting must be shielded to prevent glare to adjoining properties and the roadway.
- f. **Waste water disposal:** Wastewater (graywater) will be collected in a tank on site and disposed of in the Campground Wastewater System per Vermont State Department of Environmental Conservation rules .
- g. **Parking:** Parking on the premises is available as needed for customers. No parking on Rt. 5 is allowed.

4. The provisions and conditions of previously approved Conditional Use permits remain in effect on this parcel.

5. This Conditional Use permit will be reviewed by the Zoning Administrator in 5 years (October 2030) per Section 727.

a. **Section 727 Conditional Use /Site Plan Permit Review:** *Conditional Use and Site Plan permits shall be reviewed every five (5) years by the Administrative Officer for compliance to the conditions granted in the permit.*

6. **Expiration:** All activities authorized by this approval shall be commenced within two years of the date of issue, or the zoning permit shall become null and void and re-application to implement any activities shall be required. (Section 703) All work must be completed as shown on any approved plan before the expiration date. One year extensions of this deadline may be granted by the Administrative Officer prior to expiration. Requests for extensions must be made in writing to the Administrative Officer.

7. It is the Applicant's responsibility to be in compliance with any and all Town or State required or issued permits at all times or this approval is null and void.

The following members of the Dummerston Development Review Board participated and concurred in this decision: Patty Walior, Peter Doubleday, Chad Farnum, Cami Elliott.

Dated at Dummerston, Vermont, this 31st day of October, 2025.

Patty Walior

Signed for the Dummerston Development Review Board

Patty Walior

Printed Name

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.