

# **Application for Conditional Use**

## **Town of Dummerston**

### **Development Review Board**

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

**Applicant:** Stephen Tavella  
**Mailing Address:** 1171 Wickopee Hill  
Dummerston, VT 05301  
**Location of Property:** Parcel # 622  
1171 Wickopee Hill  
Dummerston, VT  
**Owner of Record:** Stephen Tavella  
**Application:** Conditional Use Permit for  
conversion of existing structure  
to accessory apartment

**Permit Application No. 3367**

**Date Sent: June 25, 2014**

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

1. This proceeding involves review of an application for conditional use by Stephen Tavella under the Town of Dummerston Zoning Bylaw.
2. The application was received on June 23, 2014
3. On July 1, 2014 a notice of public hearing was posted at the municipal clerk's office.
4. Notice of public hearing was mailed to the applicant and the following abutters of 1171 Wickopee Hill.

- \* Chloe E. Leary, 1219 Wickopee Hill, Dummerston, VT 05301
- \* Stephen & Gail S. Brown 46 Meyers Rd. Dummerston, VT 05301
- \* Paul M & Gladys W Brown 20 Meyers Rd. Dummerston, VT 05301
- \* Donald R & Deborah J Wood PO Box 2034 Brattleboro, VT 05303
- \* Harold Andrew Wood 71 Woody's Drive, Dummerston, VT 05301

5. The application was considered by the Dummerston Development Review Board at a public hearing on July 15, 2014. The application was reviewed under the Town of Dummerston Zoning Bylaw 603.4d.

6. Present at the hearing were the following members of the DRB:

- \* Hugh Worden
- \* Alan McBean
- \* Patty Walior
- \* Beverly Kenney

7. Present at the hearing were the following persons:

- \* Charlotte Neer Annis ( Dummerston Zoning Administrator)
- \* Stephen Tavella

8. During the course of the hearing the following exhibits were submitted to the Development Review Board:

- A. Application Certification of Notice and posting
- B. Zoning Permit Application, Permit #3367, dated 6-25-2014
- C. Copy of "Town of Dummerston DRB List of Adjoining Property Owners" for application #3367

## **FINDINGS**

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 the conversion of an existing structure to accessory apartment, greater than 30% and less than 50% of main residence. The property is located at 1171 Wickopee Hill.
2. The applicable Zoning Bylaw section is 603.4d, Equal Treatment of Housing.
3. The purpose of the conversion is to produce rental income.

4. Building has been used as a rental by the previous 2 owners, although it hasn't been rented in approximately 2 years due to poor condition of property.
5. All electrical and plumbing is new. Water for unit will come from existing well shared with main residence.
6. Property has it's own septic system.
7. The rental will have parking on site near barn.
8. Applicant is reminded to contact the state to ensure that he is in compliance with all state requirements for electric, plumbing and water.

## **DECISION AND CONDITIONS**

Based upon these findings, and subject to conditions set forth below, the Development Review Board approves the application as proposed for a single unit rental of existing structure on property owned by Stephen Tavella and located at 1171 Wickopee Hill. The proposed renovation is an appropriate addition to the property and meets the requirements of Section 603.4d of the zoning bylaw. All setbacks and dimensional requirements are met.

It is the applicants responsibility to obtain and be in compliance with all State issued permits and requirements.

Any lighting must not extend beyond the property line.

The following members of the Dummerston Review Board participated and concur with this decision. The decision is subject to appeal as provided by Vermont Statutes.

Dated July 24, 2014

Hugh Worden, Chair, Alan McBean, Patty Walior and Beverly Kenney

Development Review Board  
Hugh Worden, Chair