

Application for Conditional Use Review

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use Review Findings and Decision

Applicant: David Hodges
Mailing Address: 615 Beaver Pond Road, VT 05301
Location of Property: Parcel # 479, 615 Beaver Pond Road, VT
Owner of Record: David Hodges
Application: Conditional Use Permit for a single family residence to be used as a bed and breakfast.

Permit Application No. 3422
Date Sent: December 15, 2015

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use and site plan approval submitted by David Hodges under the Town of Dummerston Zoning Bylaw.
2. The application was received on December 15, 2015.
3. Notice of a public hearing was posted at the municipal clerk's office on December 18, at the post office and the school on December 21, 2015.
4. On December 23, 2015, the notice was published in the Commons newspaper.
5. Notice of the public hearing was mailed to the applicant on December 18, 2015. Posting of the hearing notice on the property was completed on January 04, 2016.
6. Notice of a public hearing was mailed on December 21, 2015 to all abutters. The list of abutters can be found in the zoning file for this application.
7. The application was considered by the Development Review Board at a public hearing on January 19, 2016. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, adopted September 23, 2015.

8. Present at the hearing were the following members of the Development Review Board

- Alan McBean, Chair
- Sam Griffis
- Patty Walior
- Cami Elliot
- Beverly Kenney

9. Present at the hearing were the following persons:

- Charlotte Neer Annis (Dummerston Zoning Administrator)
- David Hodges
- Natalie Pelham

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

- A. Applicant Certification of Notice
- B. Zoning Permit Application, Permit # 3422, dated 12/15/2015
- C. Copy of "Town of Dummerston DRB List of Adjoining Property Owners" for application #3422
- D. Town of Dummerston "Development Review Board - Attendance Sign-In" for permit #3422.

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 to operate a bed and breakfast business in an existing single family residence in a rural district.
2. The residence is on 65 acres and was built 5 years ago for with an expected occupancy of 12.
3. Four bedrooms will be rented with a maximum of two people per room.
4. No pets will be allowed with guests.
5. The business will be three season (no winter) with an expected occupancy of 25-40%.
6. Beaver Pond Road in front of the property is a class 4 road.
7. There is adequate parking on site for expected business.
8. A wood boiler is used for hot water generation.
9. The applicable Zoning Bylaw sections are 215, rural district uses, 245 general requirements for all districts, 721-727 conditional use permits.

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board grants the application for the conditional use of a single family residence as a bed and breakfast located at 615 Beaver Pond Road. The proposed business is deemed an appropriate use and meets the requirements of Sections 215, 245, and 721-727 of the Zoning Bylaw. All setbacks, building area, dimensional, furtherance of town plan, area compatibility, use of renewable resources, odor, and noise requirements are met.

It is the Applicant's responsibility to be in compliance with town ordinances and state issued permits at all times. It is also expected that any additional lighting will be installed with safety in mind and will minimize glare off the property. Signage for the business will adhere to Sections 667-670 of the bylaw.

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: February 8, 2016

Alan McBean, Chair, Patty Walior, Cami Elliot,
Sam Griffis, and Beverly Kenney

DUMMERSTON DEVELOPMENT REVIEW BOARD

Submitted by:

Beverly Kenney

