

Application for Conditional Use Review

Town of Dummerston

Development Review Board

Application for Conditional Use Review Findings and Decision

Applicant:	Jack and Karen Manix
Mailing Address:	1190 US RT 5, E. Dummerston, VT 05346
Location of Property:	Elysian Hills, 223 Knapp Rd, Dummerston, VT
Owner of Record:	Jack and Karen Manix
Application:	Conditional use permit for Agri-tourism in Existing structure
Permit Application #	3492
Date Sent:	November 14, 2017

Introduction and Procedural History

1. This proceeding involves review of an application for conditional use Conditional use permit for Agri-tourism in an existing structure
2. Application was received 11/14/17
3. A notice of public hearing was posted at the municipal clerk's office, at the West Dummerston Post Office, and at the Dummerston School on 12/20/17.
4. Notice of public hearing was mailed to the abutters, and to The Commons on 12/14/17.
5. A site visit was conducted on 12/11/18.
6. The application was considered by the Development Review Board at a public hearing on 1/9/18.
7. Present at the hearing were the following members of the DRB
 - Jen Sargent
 - Dennis Mewes
 - Chad Farnam
 - Patty Walior
 - Cami Elliott

5. Present at the hearing were the following persons
 - Roger Jasaitis (Dummerston Zoning Administrator)
 - Tristan Johnson
 - Jodi Normandeau
 - Paul Normandeau
 - Jack Manix
 - Margaret Lyons
 - Jim Johnson
6. During the course of the hearing the following exhibits were submitted to the DRB.
 - A. Letter of support from Rick Bryck
 - B. Letter testimony concern from Dan Normandeau
 - C. Applicant Certification of notice
 - D. Application for Conditional Use application #3492, dated 11/14/16

FINDINGS

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

The applicant seeks a conditional use permit for Agri-tourism in an existing structure at 223 Knapp Road, Dummerston, VT, a Conservation district.

The existing structure, a barn, will be used for events such as weddings.

There will be four events per year.

Event music will end at 11PM.

Events will have a limit of 90 people.

The events will be serviced by portable restrooms

Parking area used during Christmas Tree seasonal sales will be used.

No additional outside lighting will be used.

The entire barn has been rewired.

Applicant is looking for alternative sources of funding to pay for farm taxes.

Vermont Land Trust has given permission for 10 events per year.

DECISION AND DISCUSSION

Based on these findings, and subject to the conditions set forth below, The DRB grants the application for Agri-tourism in an existing structure at 223 Knapp Road, Dummerston, VT, a Conservation district:

- Events will be limited to 4 events per year, for the life of the permit.
- Music will be contained in the building and will end at 11pm.
- Temporary signs must be removed the day after the event.
- Number of guests will not exceed 90.

The proposed change of use meets the requirements of Section 620, Off Street Parking Requirements, Section 660, Performance Standards, Section 721, the General Standards for Conditional Use Permits. The proposed change also meets the definition of Agri-tourism (refer to Zoning Bylaw, pg 54 .

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

In addition, the structure must conform to the State Fire Codes for Public Buildings, which includes, inspection by the Vermont State fire Marshall.


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 1-10-18

Jen Sargent, Dennis Mewes, Chad Farnam, Patty Walior, Cami Elliott

DUMMERSTON DEVELOPMENT REVIEW BOARD

Respectfully submitted,


Cami Elliott

1-17-18
Date