

# Application for Conditional Use Review

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## TOWN OF DUMMERSTON

### Development Review Board

#### Application for Change of Use and Conditional Use for Short Term Rental Review Findings and Decision

**Applicant:** Alexander T. Wilson  
**Mailing Address:** 251 Leonard Road, Dummerston, VT 05301  
**Location of Property:** Parcel # 549.1, 39 Leonard Rd, Dummerston, VT 05301  
**Owner of Record:** Alexander T. Wilson  
**Application:** Change of Use and Conditional Use for Short Term Rental

**Permit Application No. 3503**

**Date Sent:** April 12, 2018

#### INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for a change of use and conditional use for short term rental submitted by Alexander T. Wilson, under the Town of Dummerston Zoning Bylaw.
2. The application was received on April 12, 2018.
3. On April 26, 2018, notice of a public hearing was published at the municipal clerk's office.
4. Notice of a public hearing was mailed to the applicant and the following abutters of Alexander T. Wilson at 39 Leonard Road, Dummerston, VT
  - Richard A. & Gail B. Bryant, P.O. Box 491, W. Dummerston, VT 05357
  - Nancy J. Chamberlin, 30 Leonard Rd., Dummerston, VT 05301
  - Richard & Julie A. Cogliano, 110 Beaver Pond Rd., Dummerston, VT 05301
  - Lindsay Cox & Remigio C. Beltran, 121 Leonard Rd., Dummerston, VT 05301
  - Edward W. & Joan E. Douglas, 143 Carriage Hill, Brattleboro, VT 05301
  - Sylvio L. & Mary M. Forrett, 54 Leonard Rd., Dummerston, VT 05301
  - Herbert F. Rest Trust & Susan C. Talbot Trust, 380 Pinellas Bayway S, Apt. J, St. Petersburg, FL 33715

- Edward F. & Jane L.B. Sbardella, 158 Beaver Pond Rd., Dummerston, VT 05301
5. A site visit was made to 39 Leonard Road at 6:00 P.M. on May 15, 2018.
  
  6. The application was considered by the Development Review Board at a public hearing on May 15, 2018. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended March 28, 2018.
  
  7. Present at the hearing were the following members of the Development Review Board
    - Alan McBean, Chair
    - Chad Farnum
    - Dennis Mewes
    - Sam Griffis
    - Jen Sargent
  
  8. Present at the hearing were the following persons:
    - Roger Jasaitis (Dummerston Zoning Administrator)
    - Alexander Wilson
    - Dan Ridlehauer
    - Carter Chamberlin
    - Nancy Chamberlin
    - Nate Weeks
    - Leslie Wilson
    - Lois Reed
  
  9. During the course of the hearing the following exhibits were submitted to the Development Review Board:
    - A. Applicant Certification of Notice.
    - B. DRB Hearing Checklist.
    - C. Town of Dummerston “Development Review Board - Attendance Sign-In” dated 5/15/18.
    - D. Building sketch for proposed change of use.
    - E. Permit Application #3503 Dated April 12, 2018.
    - F. Town of Dummerston map for parcel # 546.1 and abutters.

## **FINDINGS OF FACT**

Based on the application, testimony, exhibits, and other evidence the Development Review Board makes the following findings:

1. The applicant seeks a permit to change the use of office space in an existing structure, to an accessory apartment and a conditional use permit for use as a short term rental.
2. The building's current footprint will remain unaltered.
3. The building shall contain 2 existing garage spaces at ground level and a 1 bedroom accessory apartment with a small kitchen and 1 bathroom on the second floor.
4. There is no anticipated change in landscaping on the property
5. Exterior lighting will be added at the building's entrance location.
6. No signage will be used for identification or promotion of the rental property.
7. Parking is more than adequate. Several spaces are available.
8. The apartment will share a well and septic system with the primary dwelling located at 39 Leonard Road.
9. Access to the property will remain as is.

## **DECISION AND CONDITIONS**

Based upon these findings and subject to the conditions set forth below, the Development Review Board grants the application for change of use of the existing structure described above. The proposed change of use is deemed a conditional use for short term rental in a rural residential district and meets the requirements of sections 220, 620, 715 and 720 – 722 of the Zoning Bylaw. All setbacks, building area, dimensional, and coverage requirements are met.

A review of this application and permit will take place in 5 years as required in section 727 of the town of Dummerston Zoning Bylaw.

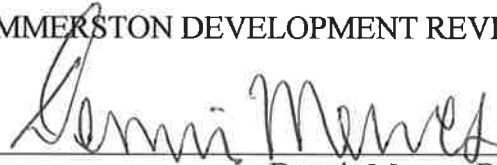
It is the Applicant's responsibility to be in compliance with any State issued permits at all times.

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: June 15, 2018

Alan McBean, Chair, Sam Griffis,  
Dennis Mewes, Chad Farnum  
and Jen Sargent

DUMMERSTON DEVELOPMENT REVIEW BOARD

A handwritten signature in cursive script that reads "Dennis Mewes". The signature is written in black ink and is positioned above a horizontal line.

Dennis Mewes, Board Member