

# Application for Conditional Use Review

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## TOWN OF DUMMERSTON

### Development Review Board

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

**Applicant:** Jason Doubleday and Lynn Kuralt  
**Mailing Address:** 470 Rice farm Road Dummerston, VT 05301  
**Location of Property:** Parcel # 740, 470 Rice Farm Rd. Dummerston, VT  
**Owner of Record:** Jason Doubleday, Lynn Kuralt  
**Application:** Approval of Right-of-Way to access proposed subdivision of Lot#470.

**Permit Application No. LD 376**

**Date Sent:** April 25, 2018

#### INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for a Right-of-Way by Jason Doubleday and Lynn Kuralt under the Town of Dummerston Zoning Bylaw.
2. The application was received on April 25, 2018.
3. On May 23, 2018 notice of a public hearing was published in The Commons.
5. Notice of a public hearing was mailed to the applicant and the following abutters of the Nature Conservancy on May 29, 2018:
  - James and Anne Leacock PO Box 43 W. Dummerston, VT 05357
  - Richard Epstein 21 Dupont Circle NW #330 Washington, DC 20036
  - Wilder Cemetary
  - Catherine, Holly and Vernon David 38 Fern St. Lexington, MA 02421
  - William and Suzanne Flynt 626 Rice farm Rd. Dummerston, VT 05301
  - Erica Stahl 200 W109 St Apt D5 New York, NY 10025
6. The application was considered by the Development Review Board at a public hearing on June 19, 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
  - Cami Elliott
  - Jen Sargent
  - Patty Walior
  
8. Present at the hearing were the following persons:
  - Roger Jasaitis (Dummerston Zoning Administrator)
  - Jason Peter Doubleday
  
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 June 19, 2018.
  - D. Permit Application #3497 Dated April 25, 2018.
  - E. Plat of subject parcel indicating location of proposed subdivision and right-of-way.

## **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 Right-of Way to a proposed subdivided lot utilizing an existing driveway on Parcel #740.
2. The subdivision consists of dividing Parcel #740, consisting of 101 acres, into a 22 acre parcel with existing house and a 79 acre parcel.
3. The right-of-way meets the dimensional requirements for the zoning district and access requirements to public roads.

## DECISION AND CONDITIONS

Based on these findings, and subject to the conditions set forth below, The DRB grants the application for a Right of Way to access the proposed 79 acre lot created by the subdivision of Parcel #740 at 470 Rice Farm Road, Dummerston, Vermont.

The proposed right-of-way meets the requirements of Section 225 "Residential District RES" and Section 602 "Required Frontage on, or Access to, Public Roads or Waters". The Right of Way also meets the requirements of Section 715, "Development Review Board".

It is the applicant's responsibility to obtain and be in compliance with all required 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: July 30, 2018

Alan McBean, Chair, Chad Farnum, Dennis Mewes  
Cami Elliott, Jen Sargent, and Patty Walior

DUMMERSTON DEVELOPMENT REVIEW BOARD

A handwritten signature in black ink, appearing to read 'AMC', written over a horizontal line.

Alan McBean, Chair