

Application for Conditional Use Review

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use for Short Term Rental Review Findings and Decision

Applicant: Brianna N. Wright and Frederic W. Contino
Mailing Address: 496 Rice Farm Rd., Dummerston, VT 05301
Location of Property: Parcel # 739, 496 Rice Farm Rd., Dummerston, VT 05301
Owner of Record: Brianna N. Wright and Frederic W. Contino
Application: Conditional Use for Short Term Rental

Permit Application No. 3533

Date Sent: December 12, 2018

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use for short term rental submitted by Brianna N. Wright and Frederic W. Contino, under the Town of Dummerston Zoning Bylaw.
2. The application was received on December 12, 2018.
3. On December 26, 2018, notice of a public hearing was published at the municipal clerk's office, Post Office and School.
4. Notice of a public hearing was mailed to the applicant and the following abutters of Brianna N. Wright and Frederic W. Contino at 496 Rice Farm Rd., Dummerston, VT
 - Doubleday, Jason Peter & Kuralt. Lynn M. 470 Rice Farm Rd., Dummerston, VT 05301
 - Stahl, Erika E. 200 W. 109 St. Apt D5, New York, NY 10025
5. A site visit was made to 496 Rice Farm Rd. at 10:00 A.M. January 12th, 2019.

6. The application was considered by the Development Review Board at a public hearing on January 15, 2019. 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
 - Patty Walior
 - Sam Griffis
 - Jen Sargent
8. Present at the hearing were the following persons:
 - Roger Jasaitis (Dummerston Zoning Administrator)
 - Richard Epstein
 - J. Peter Doubleday
 - Rick Contino
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 1/15/19.
 - D. Copy of water/ waste water permit issued August 2005.
 - E. Permit Application #3533 Dated December 12, 2018.
 - F. Town of Dummerston map for parcel # 739 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 conditional use permit for short term rental in an existing structure with 4 units previously permitted as long term rental.
2. The buildings current footprint will remain unaltered.
3. Access to the property will remain as is.

4. There is no anticipated change in landscaping on the property.
5. Exterior lighting exists at the building's entrance location.
6. No signage will be used for identification or promotion of the rental property.
7. As identified during the site visit, 10 parking spaces are available with extra parking at a nearby site located on the property. Two parking spaces per rental unit and 2 spaces for the house meet the requirement.
8. The existing barn / apartment structure has its own septic system and shares a water supply with the house located on the same parcel.
9. As required by the State wastewater permit a maximum of 2 occupants per rental unit is allowed.

DECISION AND CONDITIONS

Based upon these findings and subject to the conditions set forth below, the Development Review Board grants the application for a conditional use permit for short term rental of 4 units previously deemed long term rental in a rural residential district while also meeting the requirements of sections 220, 620-1, 715 and 720 – 722 of the Zoning Bylaw. All setbacks, building area, dimensional, and coverage requirements are met.

Because the four rental units are currently permitted as long term rentals, 2 parking spaces per unit are required. The house on the property also requires 2 parking spaces. A total of 10 spaces shall be maintained at all times as per requirement of section 620-1 of the Dummerston Zoning Bylaw.

The State wastewater permit allows for a maximum of 2 occupants per rental unit.

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 all Vermont State regulations concerning short term rentals.

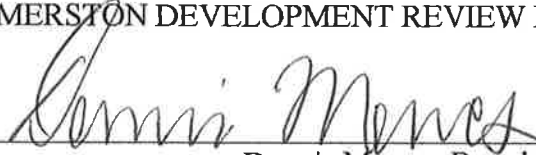
All previous permits will remain in effect.

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 14, 2019

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

DUMMERSTON DEVELOPMENT REVIEW BOARD

A handwritten signature in cursive script, reading "Dennis Mewes", is written over a horizontal line.

Dennis Mewes, Board Member