

# Application for Conditional Use Review

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## TOWN OF DUMMERSTON

### Development Review Board

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

**Applicant:** Timothy Scott  
**Mailing Address:** 2257 Sunset Lake Rd Dummerston, VT 05301  
**Location of Property:** Parcel # 132.1 290 Roel Rd. Dummerston, VT  
**Owner of Record:** Timothy Scott  
**Application:** Permit for short term rental of an existing dwelling, a conditional use in the Conservation zoning district.

**Permit Application No. 3544**  
**Date Received: March 19, 2019**

#### INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use submitted by Timothy Scott under the Town of Dummerston Zoning Bylaw.
2. The application was received on March 19, 2019
3. On April 3 2019, notice of a public hearing was published at the municipal clerk's office, Town Post Office and School.
4. Notice of a public hearing was mailed to the applicant and the following abutters of Timothy Scott at 290 Roel Road:
  - Latulippe, Martin 705 Guilford Center Rd. Guilford, VT 05301
  - Sugar Mountain Holdings LLC. 5 Adams Rd. Weatogue CT 06089
  - Tier, Ronald C & Jo- Ann 36 Hibbard Point Rd, North Hero, VT 05474
5. A site visit was made to 290 Roel Rd. at 6 pm on April 23, 2019.

6. The application was considered by the Development Review Board at a public hearing on April 23, 2019. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended September 23, 2015.
7. Present at the hearing were the following members of the Development Review Board
  - Alan McBean, Chair
  - Cami Elliott
  - Patty Walior
  - Jen Sargent
  - Dennis Mewes
  - Chad Farnum
8. Present at the hearing for this permit review were the following persons:
  - Roger Jasaitis, Zoning Administrator
  - Timothy Scott, Applicant
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 April 23, 2019
  - D. Permit Application #3544 Dated March 19, 2019.

## **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 to use an existing dwelling for the purpose of short-term rental.
2. The dwelling is a permitted structure.
3. There is no permit to show compliance with State Water and Wastewater rules, as the dwelling was built prior to State wastewater permit.
4. The dwelling has its own drilled well.
5. The dwelling is a 2-bedroom 2 bath structure
6. There are two parking spots designated for each of the two bedrooms, 6 in total.
7. The location and size of the dwelling meet the zoning requirements for setback and percent coverage of the parcel.
8. Access to the dwelling will be from the existing driveway so there is no change to the access to Roel Road.
9. No signage will be used for identification or promotion of the rental property.

10. No lighting beyond typical residential lighting will be used and the lighting pools will not extend beyond the property boundaries.
11. There are no objections from the abutter present at the hearing regarding the intended use.

### **DECISION AND CONDITIONS**

Based upon these findings, and subject to the conditions set forth below, the Development Review Board grants the application for short term rental of the existing dwelling described above. The proposed short term rental is deemed a conditional use for a parcel in a Conservation district and meets the requirements of Sections 205, 620, 715 and 720-722 of the Zoning Bylaw. All setbacks, building area, dimensional, and coverage requirements are met.

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

DUMMERSTON DEVELOPMENT REVIEW BOARD



Chad Farnum

Dated: May 21, 2019