

# **Application for Conditional Use Review**

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## **TOWN OF DUMMERSTON**

### **Development Review Board**

#### **Application for Conditional Use and Site Plan Review Findings and Decision**

**Applicant:** Sugar Mountain Holdings, LLC  
**Mailing Address:** PO Box 488 West Dummerston, VT 05357  
**Location of Property:** Parcel #98 3219 West River Road Dummerston, VT  
**Owner of Record:** Sugar Mountain Holdings, LLC  
**Application:** Permit for Conditional Use in the rural commercial zoning district for a brewery and distillery with tasting room and small event space.

**Permit Application No. 3571**

**Date Received: September 17, 2019**

#### **INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for conditional use and site plan approval submitted by under the Town of Dummerston Zoning Bylaw.
2. The application was received on September 17, 2019
3. On September 25, 2019, 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 abutters of Sugar Mountain Holdings, LLC at 3219 West River Road Dummerston on September 25, 2019.
5. A site visit was made to 3219 West River Road at 5:45 pm on Tuesday, October 15, 2019.
6. The application was considered by the Development Review Board at a public hearing on October 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
- Cami Elliott
- Patty Walior
- Jen Sargent
- Dennis Mewes
- Chad Farnum
- Josh Pacheco

8. Present at the hearing for this permit review were the following persons:

- Roger Jasaitis, Zoning Administrator
- Keane Aures, Applicant Representative
- Ryan Schicker
- Jonathan Tobin
- Pat LaBelle
- Thea Schlieben
- Brad Sanderson
- Taylor Shulda
- Harry Cobb
- Kathy Cobb
- Carolyn Mayo-Brown
- Brian Tyler
- Dan Tyler
- Matthew Casabona
- Jeff Carmichael
- Lucy Stamp
- Naomi Pollica
- Greg Brown

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 October 15, 2019
- D. Permit Application #3571 Dated September 17, 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 for a brewery, distillery, tasting room and small events space at the former Maple Valley Ski Area, a rural commercial zoning district.
2. There will also be retail sales of branded merchandise.

3. Access to the site will be reduced from 3 access points to 2. The entrance at Sugarhouse Road will be eliminated and the existing u-shaped drive in front of the building will be used to access the north parking lot. The north entrance will be used as the main entrance and the south entrance as a service/employee entrance. Both entrances and the entire drive will be available for emergency vehicles.
4. A screen of trees will be planted between the north parking area and sugarhouse road.
5. Three new structures are proposed; a 60'x20'x24' pavilion for patrons and small events, a 35'x25'x20' wastewater pretreatment facility and a 48'x24'x26' whiskey storage barn.
6. A loading dock will be located on the southeast face of the existing structure and will be shielded from view by a decorative fence.
7. Parking will be provided in four areas; 41 spaces in the north lot for visitors, 12 spaces south of the existing structure for employees, 200+ spaces east of Route 30 for overflow parking and 3 spaces on the drive east of the existing structure for food trucks. Estimated parking spaces needed is 50.
8. The number of food trucks on site at any one time will be 3-4 with 2 being semi-permanent and 1-2 trucks changing on a more regular basis for variety of offerings.
9. A traffic study has concluded that the estimated trips, 50 entering and 56 exiting, for a peak hour will not adversely affect traffic flow on Route 30.
10. Lighting will be shielded and limited to parking areas and walkways and structure entrances as necessary.
11. Special events will be held for groups up to 150 people.
12. The existing "Maple Valley" sign will be repurposed for the new business.
13. It is expected that there will be 12 employees at the business
14. Business hours will be 8-5 Monday through Friday and 12 to 9 Saturday and Sunday. Special events may require extended hours.

## **DECISION AND CONDITIONS**

Based upon these findings, the application and site plan and subject to the conditions set forth below, the Development Review Board approves the application for a brewery, distillery, tasting room and event space. The application meets all dimensional requirements of the zoning district, qualifies as an unspecified use and meets the requirements of Sections 121, 235, 721 and 724. The following specific conditions are placed on the proposed use of this property;

1. Merchandise sales shall be limited to branded items associated with activities at the property.
2. The overflow parking area shall be maintained in a safe and serviceable condition for event/overflow use.
3. Music being played for special events outside the building will end by 10 pm Sunday through Thursday and 11 pm on Friday and Saturday.

4. Hours of operation may be extended to 1 am on January 1<sup>st</sup>.
5. A review of this permit will be scheduled 1 year after commencement of operations, and 5 years thereafter.
6. This Conditional Use permit supersedes all prior Conditional Use permits for this property.

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, Josh Pacheco and Chad Farnum.

DUMMERSTON DEVELOPMENT REVIEW BOARD



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Alan McBean

Dated: December 5, 2019