

# **TOWN OF DUMMERSTON**

## **Development Review Board**

### **Application for Conditional Use; Conditional Use; Change of Use and Site Plan Review**

### **Findings and Decision**

**Permit Application Number: 3810**

**Date Received: May 8, 2025**

**Applicant: The Scott Farm**

**Mailing Address: 707 Kipling Rd., Dummerston, VT 05301.**

**Location of Property: Parcel 702, 707 Kipling Rd., Dummerston, VT**

**Owner of Record: Landmark Trust USA**

**Application: Conditional Use; Change of Use and Site Plan Review**

**Date of Hearing: June 17, 2025**

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

1. This proceeding involves review of an application for a Conditional Use; Change of Use and Site Plan Review under the Town of Dummerston Zoning Bylaw Sections: 204, 210, 715-726, at parcel #000702.
2. On May 28, 2025, notice of a public hearing was published in The Commons.
3. On May 28, 2024, notice of a public hearing was posted at the following places:
  - The Dummerston Town Office.
  - The West Dummerston Post Office.
  - The Dummerston School.
4. On May 28, 2025, notice of a public hearing was posted at the following place: 707 Kipling Rd., Dummerston, VT, which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
5. On May 28, 2024, a copy of the notice of a public hearing was mailed to the applicant.
6. On May 28, 2024, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
  - a. Chamberlin Leon W Jr, 739 Kipling Rd, Dummerston, VT 05301
  - b. Elder Rod W & Alison M, 966 Kipling Rd, Dummerston, VT 05301
  - c. Evans Barbara S Revocable Trust, 518 Kipling Rd, Dummerston, VT 05301
  - d. Schulick Paul & Barbi Trustees, 1064 Kipling Rd, Dummerston, VT 05301
  - e. Stevenson Malcolm Jr, 60 Prospect St, Rockville, CT 06066

- f. Wilcox Cynthia G W/Life Estate, 125 East Orchard Rd, Dummerston, VT 05301
  - g. World Learning Inc, PO Box 676, Brattleboro, VT 05302
- 7. The application was considered by the Development Review Board (DRB) at a public hearing on June 17, 2025.
- 8. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended April 6, 2022.
- 9. Present at the hearing were the following:
  - a. Members of the Development Review Board:  
Alan McBean - Chair, Chad Farnum, Cami Elliott, Patty Walior, and Peter Doubleday.  
Zoning Administrator Roger Vincent Jasaitis. Applicants and public: Simon Renault, Jack Markowski, Alex Wilson, and Shawn Stone.
  - b. Others:  
Zoning Administrator Roger Vincent Jasaitis. Applicants and public: Simon Renault (applicant), Jack Markowski, Alex Wilson, and Shawn Stone.
- 10. A site visit was conducted on June 17, 2025.
- 11. Present at the site visit were the following:
  - a. Members of the Development Review Board:  
Alan McBean - Chair, Chad Farnum, Cami Elliott, Patty Walior, and Peter Doubleday.
  - b. Others:  
Simon Renault (applicant), Alex Wilson, Roger Jasaitis (ZA).
- 12. During the course of the hearing the following exhibits were submitted to the DRB:
  - a. Application for Zoning Permit, number: 3810.
  - b. Application to the Development Review Board for a Conditional Use; Change of Use and Site Plan Review number: 3810.

## **FINDINGS OF FACT**

Based on the application, testimony, exhibits, and other evidence the DRB makes the following findings:

- 1. The applicant seeks a Conditional Use; Change of Use and Site Plan Review under the Town of Dummerston Zoning Bylaw Sections: 204, 210, 715-726, at parcel #000702 for the historic 1911 barn building.
- 2. The subject property is 571.1 acres, located at 707 Kipling Rd, in the Town of Dummerston (tax map parcel no. 000702). The property is more fully described in a Deed recorded at Book 59, Page 337, in the Town of Dummerston Land Records.
- 3. The property is located in the Productive Lands District as described on the Town of Dummerston Zoning Map on record at the Town of Dummerston municipal office and Section 210 of the Zoning Bylaw.

4. The DRB Application states Conditional Use; Change of Use from storage to event (assembly) use for events at the 1911 barn building and Site Plan Review approval is requested for the application.
5. The application requires review under the following sections of the Town of Dummerston Zoning Bylaw: 204, 210, 715-726.
6. Applicant: Simon Renault: Presented plans for changing the Use as an additional event space in a historic barn building. The applicant plans to adaptively reuse the 1911 horse barn. The project aims to preserve historic properties and support the business model of the Scott Farm. The project is the conversion of the existing historic 1911 barn, one of the outbuildings on the Scott Farm, into event space. The project would be a change of use from storage to event space with no change to the building's footprint or exterior appearance.
7. Structural analysis was completed and fire safety and electrical improvements are planned to bring the space up to current code.
8. No changes to parking or outdoor lighting, or signage are proposed.
9. No increase in the total number of events beyond the current Act 250 permit are proposed. Agricultural events would not count toward event limits per Accessory On Farm Business statute.

## **DECISION AND CONDITIONS**

**The Development Review Board (DRB) finds that this application meets the requirements of the Town Plan and the Zoning Bylaw and Approves the application.**

1. The DRB approves the Conditional Use: Change of Use for the historic 1911 barn building.

The proposed development meets the requirements of *Sections 721 of the Zoning Bylaw General Standards*:

1. The capacity of existing or planned community facilities;
  - a. The application meets this requirement.
2. The character of the area affected;
  - a. The application meets this requirement.
3. Traffic on roads and highways in the vicinity;
  - a. The application meets this requirement.
4. By-laws then in effect;
  - a. The application meets this requirement.
5. Utilization of renewable energy sources;
  - a. The application meets this requirement.

As conditioned, the proposed development meets the requirements of *Sections 722 of the Zoning Bylaw Specific Standards*:

1. *Section 210 Productive Lands*

- a. The proposed project will conform to the purpose of the zoning district (as stated in Sections 205-240 of these Bylaws) in which the land development is located. Specifically, to preserve extensive woodlands and undeveloped fields, while accommodating low residential development that avoids the need for new roads. Clustering of detached dwelling units is encouraged as a means for leaving land undeveloped and protecting natural resources and allowing for low intensity recreation. This is a low impact Use of an historic structure.

2. *Section 660 Performance Standards*

- a. The proposed development meets the requirements of this Section.

The proposed development meets the requirements of *Sections 726 of the Zoning Bylaw Site Plan Review Procedure*:

1. Compatibility with adjacent land uses.

- a. The proposed development meets the requirements.

2. Maximum safety of vehicular circulation between the site and the street network.

- a. The proposed development meets the requirements.

3. Adequacy of circulation, parking and loading facilities with particular attention to safety.

- a. The proposed development meets the requirements.

4. Adequacy of landscaping, screening and setbacks in regard to achieving maximum compatibility and protection of adjacent property.

- a. The proposed development meets the requirements.

5. Lighting, noise, odors, protection of renewable energy resources.

- a. The proposed development meets the requirements.

6. Furtherance of the provisions of the Dummerston Town Plan.

- a. The proposed development conforms to the Town Plan by helping to preserve historic structures.

- b. The following structures in Dummerston are listed on the National Register of Historic Places:

- i. The Scott Farm Historic District.

7. Expiration: All activities authorized by this approval shall be commenced within two years of the date of issue, or the zoning permit shall become null and void and re-application to implement any activities shall be required. (*Section 703*) All work must be completed as shown on any approved plan before the expiration date. One year extensions of this deadline may be granted by the Administrative Officer prior to expiration. Requests for extensions must be made in writing to the Administrative Officer.

8. It is the Applicant's responsibility to be in compliance with any and all Town or State required or issued permits at all times or this approval is null and void.,

**The following members of the Dummerston Development Review Board participated and concurred in this decision:** Patty Walior, Alan McBean, Chad Farnum, Peter Doubleday.

**Dated at Dummerston, Vermont, this** 3 **day of** July, 2025.



**Signed for the Dummerston Development Review Board**



**Printed Name**

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.