

TOWN OF DUMMERSTON

Development Review Board

Application for Site Plan Review

Findings and Conditions

HEARING SPECIFICS

Permit Application Number: 3833

Date Received: October 22, 2025

Applicants: Leonard Giordano Jr.

Mailing Address: 450 School House Rd.,Dummerston, VT 05346

Location of Property: Parcel 401, 450 School House Rd.,Dummerston, VT 05346

Owner of Record: Leonard Jr. & Julianne Giordano

Application: Site Plan Review

Date of Hearing: December 16, 2025

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of application #3833 for Site Plan Review under the Town of Dummerston Zoning Bylaw Section 616.
2. The subject property is .2 acres, located at 450 School House Rd.,Dummerston, VT 05346, in the Town of Dummerston (tax map parcel no. 000401). The property is more fully described in a Deed recorded at Book 125 Page 638-9 in the Town of Dummerston Land Records.
3. The property is located in the Settlement Area, Slab Hollow, as described on the Town of Dummerston Zoning Map on record at the Town of Dummerston municipal office and Sections 230 of the Zoning Bylaw.
4. On November 26, 2025 notice of a public hearing was published in The Commons.
5. On November 26, 2025 notice of a public hearing was posted at the following places:
 - The Dummerston Town Office.
 - The West Dummerston Post Office.

6. On December 1, 2025, notice of a public hearing was posted at the following place: 450 School House Rd., Dummerston, VT 05346, which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
7. On November 20, 2025, a copy of the notice of a public hearing was mailed to the Applicant.
8. On November 20, 2025, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
 - a. Clark Jared A, Nelson Jessica A, 434 School House Rd, E Dummerston, VT 05346
 - b. Faison Gordon Lane W/ Life Estate & Patterson Eleanora W/ Life Estate, 36 Miller Rd, E Dummerston, VT 05346
 - c. Lynch Carol W/ Life Estate, 488 East West Rd, E Dummerston, VT 05346
 - d. McGrath Edward T Jr, Johnson Julie A, 18 Miller Rd, E Dummerston, VT 05346
9. The application was considered by the Development Review Board (DRB) at a public hearing on December 16, 2025.
10. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended April 6, 2022.
11. Present at the hearing were the following:
 - a. Members of the Development Review Board:
Alan McBean, Patty Walior, Peter Doubleday, Chad Farnum, Cami Elliott
 - b. Others: Roger Vincent Jasaitis (ZA)
12. A site visit was conducted on December 13, 2025. Present at the site visit were the following:
 - a. Members of the Development Review Board:
Alan McBean (Chair), Patty Walior, Peter Doubleday.
 - b. Others:
Roger Jasaitis (ZA), Leonard Jr. & Julianne Giordano.
13. During the course of the hearing the following exhibits were submitted to the DRB:
 - a. Application for Zoning Permit and Site Plan Approval, number: 3833.
 - b. Application to the DRB for Site Plan Review number: 3833.

FINDINGS OF FACT

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

1. The application (#3833) describes a request for a Site Plan Review for a Zoning Permit for a fence more than 6 feet in height.
2. Applicant Testimony:
 - a. Fence to be constructed along the roadside. Height varies due to grade change; portions of the fence will reach seven feet in height.

- b. Applicant acknowledged the fence will be within the town right-of-way and accepts responsibility for potential damage from snowplowing.
- 3. The Zoning Administrator testified that the Road Foreman, Lee Chamberlin confirmed fences may be placed in right-of-way but owners must accept responsibility for damage by Town road maintenance. The Setback is 30 feet from the road centerline in this district. Fences are exempt from setback requirements but require a Zoning Permit and Site Plan Review if they are over 6 feet in height.

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board approves the application for Site Plan Approval for a Zoning Permit:

- 1. The DRB finds that this application for a Fence more than 6 feet in height meets the requirements of the Town Plan and Zoning Bylaw.
- 2. The application was considered under *Section 616 Exemptions to Setback Requirements:*
 - a. **Fences** and brick or stone walls are exempt from setback requirements; however, those exceeding six feet in height require a Zoning Permit and are subject to Site Plan Approval by the DRB.
- 3. The application was considered under *Section 724 of the Zoning Bylaw; Site Plan Review Criteria.*
 - 1. *Compatibility with adjacent land uses.*
The DRB finds that this application is compatible with the adjacent land uses.
 - 2. *Maximum safety of vehicular circulation between the site and the street network.*
The DRB finds that this application provides adequate safety and vehicular circulation. The fence does not hinder traffic sightlines.
 - 3. *Adequacy of circulation, parking and loading facilities with particular attention to safety.*
Not applicable.
 - 4. *Adequacy of landscaping, screening and setbacks in regard to achieving maximum compatibility and protection of adjacent property.*
The DRB finds that this application provides adequate setbacks from the road. The existing screening provides protection for the adjacent property.

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

Not applicable.

4. The Applicant acknowledges that the fence is within the town right-of-way and accepts responsibility for potential damage from snowplowing or road maintenance.
5. 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 be in violation of the Zoning Bylaw.
6. Expiration: This Zoning Permit approval will expire by limitation two (2) years from the date of approval. All work must be completed as shown on any approved plan before the expiration date.

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

Dated at Dummerston, Vermont, this 6th day of JANUARY, 2026.



Signed for the Dummerston Development Review Board

Alan J. MCBEAN

Print 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.