

Application for Conditional Use Review

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use Review Findings and Decision

Applicant: Lauren Shockley and Daniel Folgar
Mailing Address: P O Box 110 Putney, VT 05346
Location of Property: Parcel # 126.100,2915 W. River Rd. Dummerston, VT
Owner of Record: Lauren Shockley and Daniel Folgar
Application: Conditional Use Permit for short term rental of an Accessory Dwelling in the Rural Commercial Zoning District, under Section 603 of the Zoning Bylaw.

Permit Application No. 3579
Date Received: December 19, 2019

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use submitted by Lauren Shockley and Daniel Folgar under section 603 of the Town of Dummerston Zoning Bylaw.
2. The application was received on December 19, 2019.
3. On December 27, 2019 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 Lauren Shockley and Dan Folgar at 2915 W. River Road, Dummerston VT
 - David and Rebecca Koski, PO Box 504, West Dummerston, VT 05357
 - Mapleton Farm, Inc., 19 Timber Lane, Brattleboro, VT 05301
 - Kevin Koski, PO Box 466, West Dummerston, VT 05357
5. No site visit was made.

6. The application was considered by the Development Review Board at a public hearing on January 21, 2020. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended May 22, 2019.
7. Present at the hearing were the following members of the Development Review Board
 - Alan McBean, Chair
 - Patty Walior
 - Dennis Mewes
 - Cami Elliott
 - Josh Pacheco
8. Present at the hearing were the following persons:
 - Roger Jasaitis, Zoning Administrator
 - Lauren Shockley
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 1/21/2020.
 - D. Permit Application #3579 dated December 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 for short term rental of an accessory dwelling.
2. The dwelling is a 30' diameter, 706 sf, 14'4" high yurt, which was previously permitted.
3. The structure which is a 2 bedroom and maximum occupancy of four, has it's own septic system.
4. The structure will share the well with the primary dwelling
5. There are at least two extra parking spaces which have a minimum size of 9' x 22' designated for the rental property.
6. Access to the accessory dwelling will be from the existing driveway so there is no change to the access to West River Road.
7. No signage will be used for identification or promotion of the rental property.
8. No lighting beyond typical residential lighting will be used and the lighting pools will not extend beyond the property boundaries.

9. There were no abutters to the property in attendance.
10. The applicant has received the required State water and wastewater permit.

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 an Accessory Dwelling as described above. The proposed use is deemed a conditional use for a parcel in a Rural Commercial district and meets the requirements of Sections 235, 603, 620 and 720-722 of the Zoning Bylaw. All setbacks, building area, dimensional, and coverage requirements are met. Any change in the accessory dwelling structure requires resubmission of this permit for conditional use approval.

It is the Applicant's responsibility to be in compliance with any State issued permits and State regulations pertaining to short term rentals 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, Patty Waliior, Dennis Mewes, Cami Elliott and Josh Pacheco.

DUMMERSTON DEVELOPMENT REVIEW BOARD



Dennis Mewes, DRB Member

Dated: February 26, 2020