

# TOWN OF DUMMERSTON

## Development Review Board

### Application for Conditional Use

#### Findings and Decision

**Permit Application Number: 3658**

**Date Received: June 7, 2021**

**Applicant: Jason Peter Doubleday**

**Mailing Address: 470 Rice Farm Rd., Dummerston, VT 05301**

**Parcel Number: 000738**

**Location of Property: 470 Rice Farm Rd., Dummerston, Vermont**

**Owner of Record: Jason Peter Doubleday**

**Application: Conditional Use; Section 255 Non-Conforming Use or Structure and Development Review Board; Section 715**

**Date of hearing: September 21, 2021**

#### INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for a Conditional Use under Section 255 (1), submitted by Jason Peter Doubleday under the Town of Dummerston Zoning Bylaw.
2. The application was received by the Zoning Administrator on June 7, 2021.
3. On August 30, 2021, notice of a public hearing was published in The Commons.
4. On September 1, 2021, notice of a public hearing was posted at the following places:
  - a. The Dummerston Town Office.
  - b. The West Dummerston Post Office.
  - c. The Dummerston School.
5. On September 6, 2021, notice of a public hearing was posted at the following place: 470 Rice Farm Rd., which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
6. On September 1, 2021, a copy of the notice of a public hearing was mailed to the applicant.
7. On September 1, 2021, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
  - a. Wright Brianna N & Contino Frederic W, 496 Rice Farm Rd, Dummerston, VT 05301
  - b. Leacock, James W/ Life Estate, PO Box 43, W. Dummerston, VT 05357
8. The application was considered by the Development Review Board (DRB) at a public hearing on September 21, 2021.
9. The Development Review Board reviewed the application under the Town of Dummerston Zoning Bylaw, as amended May 22, 2019.

5. Utilization of renewable energy sources;
  - a. The application does not affect this requirement.
3. The proposed development meets the requirements of *Sections 722 of the Zoning Bylaw Specific Standards*:
  1. *Section 220 Rural Residential Districts*
    - a. The proposed project will still 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, although the structure is non-conforming, this reconstruction will not increase the degree of non-conformity.
  2. *Section 615 Setback Requirements*
    - a. The proposed development is exempted from setbacks as non-conforming due to previous permitting.
  3. *Section 620 Off-Street Parking Requirements*
    - a. The proposed development meets the requirements.
  4. *Section 635 Landscaping Requirements*
    - a. The proposed development meets the requirements.
  5. *Section 640 Erosion and Sediment Control*
    - a. The proposed development meets the requirements.
  6. *Section 660 Performance Standards*
    - a. The proposed development meets the requirements.
4. Expiration: Zoning Permit approvals shall expire by limitation if work is not completed within two (2) years from the date they are approved. 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.
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 this approval is null and void.

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

Dated at Dummerston, Vermont, this 30<sup>th</sup> day of September, 2021.



Signed for the Dummerston Development Review Board

**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.