

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use and Site Plan Review

Findings and Conditions

HEARING SPECIFICS

Permit Application Number: 3836

Date Received: December 22, 2025

Applicants: Jesse Palmer

Mailing Address: 690 Rice Farm Rd.,Dummerston, VT 05301

Location of Property: Parcel 098, 3219 West River Rd.,Dummerston, VT 05301

Owner of Record: Sugar Mountain Holdings LLC

Application: Conditional Use: Food Shack

Date of Hearing: January 20, 2026

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of application #3836 for Conditional Use and Site Plan Review under the Town of Dummerston Zoning Bylaw Sections 121, 205, 235, 720-727.
2. The subject property is 384.7 acres, located at 3219 West River Rd.,Dummerston, VT 05301, in the Town of Dummerston (tax map parcel no. 000098). The property is more fully described in a Deed recorded at Book 123 Page 355-361 in the Town of Dummerston Land Records.
3. The property is located in the Conservation and Rural Commercial districts, as described on the Town of Dummerston Zoning Map on record at the Town of Dummerston municipal office and Sections 205 and 235 of the Zoning Bylaw.
4. On December 29, 2025 notice of a public hearing was published in The Commons.
5. On December 30, 2025 notice of a public hearing was posted at the following places:
 - The Dummerston Town Office.
 - The West Dummerston Post Office.

6. On December 30, 2025, notice of a public hearing was posted at the following place: 3219 West River Rd., Dummerston, VT 05301, which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
7. On December 30, 2025, 2025, a copy of the notice of a public hearing was mailed to the Applicant.
8. On December 30, 2025, 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. Bills Marlene O, 3311 West River Rd, Dummerston, VT 05301-9667
 - b. Casabona Matthew, Streeter Amanda J, 3283 West River Rd, Dummerston, VT 05301
 - c. Clark & Sons A Stewart, Po Box 187, Newfane, VT 05345
 - d. Franklin Donald J, 170 Sugar House Rd, Dummerston, VT 05301
 - e. Gendron Morris A & Cynthia K, 3319 West River Rd, Dummerston, VT 05301
 - f. Labelle Patricia & Gilfillan Brenda, 143 Sugar House Rd, Dummerston, VT 05301
 - g. Latulippe Martin, 705 Guilford Center Rd, Guilford, VT 05301
 - h. Murano Robert G & Janet, 3333 West River Rd, Dummerston, VT 05301
 - i. O'donnell Aidan, 130 Sugar House Rd, Dummerston, VT 05301
 - j. Placey Judy D, 159 Sugar House Rd, Dummerston, VT 05301
 - k. Reed Jon P & Lois R & Sargent Jennifer R, 122 Sugar House Rd, Dummerston, VT 05301
 - l. Rose William E Jr & Amber, 87 Sugar House Rd, Dummerston, VT 05301
 - m. Schlieben Edward K & Thea A, 3272 West River Rd, Dummerston, VT 05301
 - n. Sergio Guindon & Lindsay Hodgman, 290 Roel Rd, Dummerston, VT 05301
 - o. Sorensen Thomas P, 100 Sugar House Rd, Dummerston, VT 05301
 - p. Stamp Lucy, 169 Sugar House Rd, Dummerston, VT 05301
 - q. Tyler Brian & Joann, 14 Sugar House Rd, Dummerston, VT 05301
9. The application was considered by the Development Review Board (DRB) at a public hearing on January 20, 2026.
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,, Chad Farnum, Christine Goepp
Others: Roger Vincent Jasaitis (ZA), Jesse Palmer (Applicant), Alex Lockie, Keith Arnold, Judy Palmer, Marvin Resnikiff.
12. During the course of the hearing the following exhibits were submitted to the DRB:
 - a. Application for Zoning Permit, number: 3836.
 - b. Application to the DRB for Site Plan Review number: 3836.
 - c. Revised Site Plan map.

FINDINGS OF FACT

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

1. The application (#3836) describes a request for a Site Plan Review for a Conditional Use Permit for "Bigfoot Coffee" (Food Shed) at Maple Valley.
2. The applicant, Jesse Palmer (Bigfoot Coffee), seeks a Conditional Use permit to operate a food shed on skids at the Sugar Mountain Holdings parcel.
3. The application was reviewed under Section 121 (Unspecified Uses), as the current bylaws do not explicitly define "food trucks" or "food sheds". Moreover, the proposal does not fall within the current Maple Valley Conditional Use permit, #3571, as it proposes a shed structure rather than a truck and requests hours of operation outside those approved in the Maple Valley permit. The signage requested is not on CU permit #3571 as well.
4. **Project Description:** The proposal involves a semi-permanent "food shed" on skids rather than a traditional vehicle-based food truck.
5. **Zoning Districts:** The parcel is located within both the Rural Commercial and Conservation districts.
6. **Traffic and Circulation:** A previous traffic study for the site indicates a capacity for approximately 50-56 trips per hour. The applicant originally proposed a drive-thru service model.
7. **Hours of Operation:** The applicant requested hours of 7:00 AM to 7:00 PM, seven days a week, to capture morning and evening commuter traffic.
8. **Signage:** The request includes two double-sided sandwich board signs, approximately 2' x 3' in size.
9. **Lighting:** The applicant states that there will be no additional exterior lighting.
10. **Site Constraints:** The board noted that the site lacks natural barriers or specific infrastructure (like canopies or corralled lanes) typically required to safely manage drive-thru traffic alongside pedestrians.

CONCLUSIONS OF LAW

1. **Section 121 (Unspecified Use):** The DRB has the authority to treat unspecified uses as requests for conditional use permits.

2. **Section 235 (Rural Commercial):** This section emphasizes pedestrian movement and the protection of health, safety, and welfare. The board concluded that a drive-thru would conflict with these goals by creating potential "vehicular issues" and hazards for walk-up customers.
3. **Conditional Use Criteria (Section 721):** The board finds that the proposed walk-up use, with restricted hours, will not adversely affect the character of the area, traffic on local roads, or community facilities, provided the drive-thru component is removed.
4. **Town Plan:** The Plan encourages compatible development: Support residential and commercial uses that align with the existing character of the area, avoiding strip development and minimizing negative impacts through shared access points, landscaping, sign control, and pedestrian-friendly designs.

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 Conditional Use Permit:

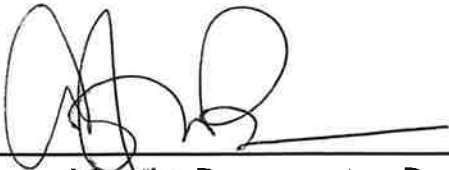
The Dummerston Development Review Board hereby **APPROVES** the application for Bigfoot Coffee for **walk-up service only**, subject to the following conditions:

1. **Denial of Drive-Thru:** No drive-thru or drive-up service is permitted. The use is limited strictly to walk-up customers to ensure pedestrian safety and maintain proper traffic flow.
2. **Hours of Operation:** Permitted hours are 7:00 AM to 7:00 PM, seven days a week.
3. **Signage:** The applicant is authorized to display two double-sided sandwich boards (maximum 2' x 3' each equalling 24 square feet total). Directional signs (e.g. entrance, exit, etc. are not included in this permit but are limited to 6 square feet each per **Section 669 (5c) Permit Criteria for Outdoor Advertising Signs**.
4. **Site Plan:** The operation shall follow the revised site plan submitted by the applicant on January 20, 2026.
5. **Operational Restrictions:**
 - No food preparation shall take place on-site.
 - No wastewater disposal or trash processing shall occur on-site.
 - No exterior lighting is permitted on the food shed.

6. 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.
7. 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, Patty Walior, Christine Goepp.

Dated at Dummerston, Vermont, this 27th 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.