

**Town of Dover
PO Box 428
West Dover, VT 05356
802/464.8720**

**DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION**

I. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Application Number: 13-RT034-10
2. Owner: APT Properties
3. Applicant: Joshua Cohen
4. Brief Description of Request: Amend a PUD to allow a Change of Conditional Use from retail to office
5. A copy of the application was received by the Zoning Administrator on October 16, 2013.
6. A copy of the Notice of Hearing was mailed to the Applicant by the Zoning Administrator on October 22, 2013 along with a sample letter and abutter's list for notifying all abutters.
7. Public notice of the hearing was posted on October 22, 2013 at the following locations:
 - a. Dover Town Clerk's Bulletin Board
 - b. Dover Town Meeting Room Bulletin Board
 - c. Dover Free Library & Dover Elementary School via email
 - d. East Dover Post Office via regular mail

Notice of hearing was also published in the Deerfield Valley News on October 24, 2013 and in the Brattleboro Reformer on October 24, 2013.

8. At the outset of the hearing, the Chair afforded all persons wishing to establish status as an Interested Party the opportunity to do so. No such requests were made and no Interested Party Status was granted.
9. A public hearing was held on November 14, 2013 and was closed that same night.
10. A complete list of exhibits and attendees is included in the meeting minutes. Minutes, Application and exhibits are available for viewing in the Dover Town office through the Zoning Administrator.
11. The current Zoning Bylaw is dated March 7, 2007.

II. FINDINGS OF FACT:

Based on the application, testimony, exhibits and other evidence, the Dover DRB finds as follows:

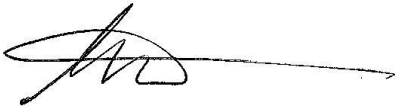
1. Applicant's property is located at 114/116 Route 100 in West Dover and is located in the Village District (VIL).
2. The hearing was properly warned by the Zoning Administrator.
3. All abutters were notified in a timely manner by the Applicant.
4. The applicants were properly sworn prior to providing testimony.

5. The applicant was provided with a copy of the Application Summary prepared by the Zoning Administrator; the Summary was approved by the Applicant.
6. The property is not within the Flood Hazard Zone.
7. There are, currently, multiple uses approved within the PUD: residence, accessory apartment, and retail space.
8. Retail space requires 1 parking space per 200 square feet; office space requires 1 parking space per 400 square feet. Therefore, the parking requirements do not increase and adequate parking is provided in the existing configuration.
9. There is no increase in required gallonage; therefore a certification from North Branch Fire District is not required.

III. DECISION

Based on the preceding Findings of Fact, the Dover Development Review Board unanimously approves the Application. The Change of Use is granted, without additional conditions.

Respectfully submitted.



Sarah K. Shippee
Chair, Dover Development Review Board

11/26/13

Dated

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested party who participated, through oral or written testimony, in the proceeding(s) before the DRB. Such appeal must be taken within 30-days of the date of this decision, pursuant to 24 V.S.A. Section 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

NOTICE: Additional State permits may be required for this project. Call 802/885.8850 to speak to the regional Permit Specialist before beginning any construction.