

Town of Dover
P.O. Box 428
West Dover, VT 05356
(802) 464-8720

DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION
Application 14-RT094-01

A. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Landowner: Joseph and Wanda Kruszewski
2. Applicant: Joseph Kruszewski
3. Brief Description of Request: Installation of a storage facility as an accessory use to a conditional use, in accordance with Sections 375, 380, 385, and 470 of the Dover Zoning Bylaw.
4. A copy of the application was received by the Zoning Administrator on July 24, 2014.
5. On July 29, 2014 a copy of the Notice of Hearing was mailed to the Applicant, along with a sample letter and abutter's list for notifying all abutters.
6. Public notice of the hearing was posted at the following locations on July 29, 2014:
 - 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
 - e. Town of Dover website: www.doververmont.comPublic notice of the hearing was also published in the Deerfield Valley News and in the Brattleboro Reformer on July 31, 2014.
7. 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 requests for Interested Party status were made or granted.
8. A public hearing was held and closed on August 28, 2014.
9. At the outset of the hearing, the Applicant was given and accepted the opportunity to review all information submitted by the Zoning Administrator, Exhibit A. The Applicant agreed with the application summary provided by the ZA.
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.

B. FINDINGS OF FACT:

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

1. The Kruszewski property is located at 248 Route 100 in West Dover VT and is known as The Matterhorn Inn.
2. The property is located in the Planned Commercial District (COM).

3. The hearing was properly warned.
4. All abutters were notified by the Applicant.
5. The Applicant was properly sworn prior to providing testimony.
6. The storage facility meets all applicable setbacks in the district.
7. The storage facility will be erected on the existing tennis court.
8. There will be power inside the structure to allow for working on vehicles and for lighting.
9. The facility will be used to store snowmobiles, mowers and trailers for same.
10. There will be no storage of fuel or gas in the facility.
11. The property is not located in a FEMA flood zone; the Applicant has a document stating this, issued by FEMA.

C. DECISION

Based on the evidence presented, by a vote of 4-0-0, the Board approves this Application with the following conditions:

1. No flammable materials will be stored in the facility.
2. There will be no heat source in the facility.
3. The applicant will provide a copy of the FEMA document that states the property is not located in a FEMA-designated flood plain.
4. Interior lighting must be downward shielded.
5. The structure shall be as identified in the application, in the approved colors of green or gray.

Respectfully submitted,



Sarah K. Shippee
Chairperson, Dover Development Review Board

September 8, 2014

Date

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: State permits may be required for this project. Call 802-885-8850 to speak to the regional Permit Specialist before beginning any construction.