

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

DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION
Application 15-AIR00-02

A. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Landowner: Hermitage Inn Real Estate Holding Co., LLC
2. Applicant: Robert Rubin
3. Brief Description of Request: Construction of a maintenance/storage facility or hangar as a Permitted use to a Conditional use, in accordance with Sections 380, 385, 470, 475, and 632 of the Dover Zoning Bylaw.
4. A copy of the application was received by the Zoning Administrator on March 31, 2015.
5. On April 2, 2015, 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 April 2, 2015:
 - 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 on April 9, 2015 and in the Brattleboro Reformer on April 8, 2015.
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 on April 23, 2015. It was continued to and closed on May 28, 2015.
9. 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 Airport facility owned by Hermitage Inn Real Estate Holding Co., LLC is located at 61 Airport Rd in West Dover VT and is located in the Light Industrial District (IND).
2. The hearing was properly warned.
3. All abutters were notified by the Applicant.
4. The Applicant and Associates offering testimony were properly sworn prior to providing testimony.

5. The storage facility/hangar meets all applicable setbacks in the district.
6. There will be one down-shielded exterior light and interior lighting in the structure.
7. The structure will be heated.
8. The structure will be used for primarily short-term aircraft storage.
9. There will be no storage of fuel or gas in the facility, excepting that which may be in the fuel tanks of the aircraft.
10. There is an area of vegetation between the structure and the abutting residential area.

C. DECISION

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

1. There will be no fuel storage in the structure with the exception of the fuel in the aircraft's tanks.
2. The Applicant shall provide to the Zoning Administrator a copy of the fire safety document prepared in conjunction with the Dover and Wilmington Fire Departments.
3. The structure shall be constructed as identified in the application.
4. A vegetated buffer of at least 25' in width shall be maintained between the structure and the abutting residential area.
5. The Applicant shall provide an 'as built' survey that includes setbacks and landscaping as required by Section 632 of the Bylaw.
6. The surveying company shall submit a Mylar to the Zoning Administrator to be recorded in the Town records.

Respectfully submitted,



Sarah K. Shippee
Chairperson, Dover Development Review Board

June 1, 2015

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.