

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

**DOVER DEVELOPMENT REVIEW BOARD**  
**NOTICE OF DECISION**  
**Application 15-RT028-18**

**A. PROCEDURAL HISTORY & APPLICANT REQUEST**

1. Landowner: Philip & Kathy Gilpin
2. Applicant: Clifford Bouchard
3. Brief Description of Request: Construction of an accessory storage structure as a Permitted use to a Conditional use, in accordance with Sections 300, 375, 380, 385, and 470 of the Dover Zoning Bylaw (the "Bylaw" herein).
4. A copy of the application was received by the Zoning Administrator on October 31, 2015.
5. On November 10, 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 November 10, 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.com](http://www.doververmont.com)Public notice of the hearing was also published in the Deerfield Valley News and in the Brattleboro Reformer on November 12, 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 opened on December 10, 2015 and continued to January 14, 2016 at the request of the Applicant. The hearing was closed on January 14, 2016.
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 AND CONCLUSIONS OF LAW:**

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


1. The property is located at 108 Route 100 in West Dover VT and is located in the Village District (VIL). The property is known as the West Dover Inn.
2. The hearing was properly warned.

3. All abutters were notified by the Applicant.
4. The Applicant was properly sworn prior to providing testimony.
5. A temporary structure was constructed to protect 2 propane tanks on the advice of the fuel provider. The tanks froze last winter.
6. Tanks are 16' x 12' and each contains 1,000 gallons of propane.
7. The structure is held in place by its own weight; it is not anchored to the ground.
8. Sides, 4' in height, will be constructed around the entire structure.
9. All setback requirements from roads and property boundaries are met.
10. During the spring and summer months, when trees are covered in foliage, the tanks and the structure will not be visible from the road.
11. "Lodge/Inn" is a conditional use in the VIL District. Pursuant to the General Standards for Conditional Use in Bylaw Section 380, the Board concludes the structure for which this Application has been submitted has no undue adverse effect on, and therefore satisfies, the following:
  1. The capacity of existing or planned community facilities.
  2. The character of the area affected, as defined by the purpose or purposes of the VIL District, which are: to support the traditional role of the village as the focus of the Town's economic, cultural, and social activities and to provide for residential and related development, which are compatible with the needs of the village and the Town.
  3. Traffic on roads or highways in the vicinity.
  4. The current Bylaw and other Town ordinances.
  5. Utilization of renewable energy resources.
12. Pursuant to the Specific Standards for Conditional Use in Bylaw Section 385, the Board finds and concludes as follows:
  1. The lands under consideration do not fall within a Flood Hazard Zone; therefore Article 5 is not applicable. The standards of Article 6 do not suffer undue adverse effect as a result of this Application; therefore, Article 6 is satisfied.
  2. The standards of Section 385.2, 385.3, 385.4, 385.5 and 385.6 are not applicable to this Application.

### **C. DECISION**

Based on the evidence presented and the Boards Findings of Fact and Conclusions of Law, by a vote of 4-0-0, the Board approves this Application.

Respectfully submitted,



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Sarah K. Shippee  
Chairperson, Dover Development Review Board

**January 25, 2016**

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Date

**NOTICE:** This decision may be appealed to the Environmental Division of Vermont Superior Court by an interested party who participated, by offering oral or written testimony, evidence or a statement of concern regarding this application 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.