

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

DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION
Application 15-RT065-03

A. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Landowner: Andirons Re-Development
2. Applicant: Richard Caplan
3. Brief Description of Request: Construction of a tent-like structure to be used as a restaurant annex and farmer's market on a seasonal basis, as an amendment to a PUD, in accordance with Article 7 of the Dover Zoning Bylaw.
4. A copy of the application was received by the Zoning Administrator on March 19, 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 property is located at 183 Route 100 in West Dover VT and is located in the Planned Commercial District (COM).
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. The structure meets all applicable setbacks in the district.

6. The frame supporting the tent "skin" and the doors to the structure shall remain up throughout the year. The tent portion shall be taken down in the winter.
7. The Applicant has adequate parking to support the addition of the structure to the PUD.
8. The Applicant has received a re-alignment of gallonage from North Branch Fire District.

C. DECISION

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

1. The structure shall be built and maintained as described in the Applicant's testimony.

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.