

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

DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION
Application 15-RT025-01

A. PROCEDURAL HISTORY & APPLICANT REQUEST:

1. Landowner: Rosemary Gillespie
2. Applicant: Rosemary Gillespie
3. Brief Description of Request: Installation of an 880 square foot covered deck, 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 December 28, 2015.
5. On January 7, 2016, 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 January 7, 2016:
 - 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 January 7, 2016 and in the Brattleboro Reformer on January 9, 2016.
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 such requests were made or granted.
8. A public hearing was held and closed on January 28, 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 as follows:

1. The property is located at 7 Waldwinkle Rd in West Dover VT and is known as The Austin Hill Inn. It is located in the Productive Residential District (PRO).
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 Applicant proposes to construct a covered deck along a portion of the front and


right sides of the building. The proposed dimensions of the deck are 10' x 10' along the right side of the building and 60' x 13' along the front of the building.

6. "Lodge/Inn" is a conditional use in the PRO District. Pursuant to the General Standards for Conditional Use in Bylaw Section 380, the Board concludes the improvements proposed in the Application have no undue adverse effect on, and therefore satisfy, 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 PRO District, which are: to minimize development and fragmentation of lands with significant economic value when in productive use, significant scenic, and recreational use.
 3. Traffic on roads or highways in the vicinity.
 4. The current Bylaw and other Town ordinances.
 5. Utilization of renewable energy resources.
7. 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 proposed use meets the General Regulations of the Bylaw; therefore, Article 6 is satisfied.
 2. The standards of area, dimension, and coverage are met.
 3. The proposed use does not cause alterations to the areas covered by Sections 385.3, 385.4, 385.5 and 385.6 of the Bylaw.

C. DECISION

Based on the evidence presented, by a vote of 4-0-0, the Board approves this Application.

Respectfully submitted,



Sarah K. Shippee
Chairperson, Dover Development Review Board

February 21, 2016

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.