

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

**DOVER DEVELOPMENT REVIEW BOARD**  
**NOTICE OF DECISION**  
**Application 17-RT039-01**

**A. PROCEDURAL HISTORY & APPLICANT REQUEST:**

1. Landowner: Scott & Kathryn Meade
2. Applicant: Robert Fisher
3. Brief Description of Request: Amendment of a PUD from mixed residential and commercial use to residential use, pursuant to Sections 385, 420, 470, 475, 634, and Article 7 of the Dover Zoning Bylaw. The property is known as Tollgate Village.
4. A copy of the application was received by the Zoning Administrator on June 15, 2017.
5. On June 20, 2017, 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 June 20, 2017:
  - 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 on June 23, 2017.
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; abutter Fred Greenewalt, 1 Bogle Rd, West Dover requested and was granted Interested Party status.
8. A public hearing was held and closed on July 13, 2017 and continued to August 10, 2017. The hearing was closed on August 10, 2017.
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 85 Route 100 in West Dover VT and is located in the Village District (VIL).

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 property is currently permitted as a mixed-use PUD; the PUD includes both commercial and residential units.
6. PUD is a conditional use in the VIL District.
7. The Applicant proposes five (5) residential units; four (4) of these units shall be one bedroom, and one (1) unit shall be two bedroom. There will be no commercial units.
8. There are 22 parking spaces at present. Per Section 634, two (2) parking spaces per residential unit are required. Ten (10) parking spaces are required; therefore, the parking requirement is met.
9. Per Section 475 of the Bylaw, the density requirement for the VIL District is a half-acre per residential unit. The lot is 2.57 acres; therefore, it may contain up to five (5) residential units. The density requirement is met.
10. 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.
11. Pursuant to Article 7, Planned Unit Development, Section 715, the Board finds and concludes as follows:
  1. Per Section 715.A, the requisite documents and information have been supplied.
  2. Per Section 715.B, the requisite survey has been supplied.
  3. As no new exterior construction is planned, Sections 715.C and 715.D are not applicable.
  4. Per Section 715.E, a contract with North Branch Fire District, providing evidence that sufficient gallonage is available to the PUD, has been supplied.
  5. To satisfy the requirements of Section 715.F, the Applicant has supplied a copy of the original Notice of Decision, dated May 22, 1991, which specifies that there will not be adverse impact on traffic. There is no expected change of impact on fire protection, educational facilities, or other municipal services.
  6. Section 715.G and 715.H are not applicable.
12. Pursuant to Article 7, Planned Unit Development, Section 720, the Board finds and concludes as follows:
  1. Per Section 720A, the PUD shall consist of uses that are permitted in the VIL District.
  2. Per Section 720.B, the PUD is consistent with the Town Plan
  3. Per Section 720.C, the overall density does not exceed the number of residential units permitted if the land were subdivided into lots.
  4. Sections 720.D, 720.E, and 720.G are not applicable.
  5. The requirements of 720.F, that all other zoning requirements of the district be met, are met.
  6. The requirements of Section 720.H, that the purpose or uses in the PUD are permitted or conditionally permitted in the VIL District, are met.

### C. DECISION

Based on the evidence presented, by a vote of 5-0-0, the Board approves this Application.

Respectfully submitted,



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Sarah K. Shippee  
Chairperson, Dover Development Review Board

**August 27, 2017**

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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.**