

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

DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION
Application 18-HL021D-01

A. PROCEDURAL HISTORY & APPLICANT REQUEST:

1. Landowner: Greg & Julia Gilbert
2. Applicant: The Wadsworth Company & Vermont Barns
3. Brief Description of Request: Construction of an Accessory Structure (storage barn) to a Single-Family Dwelling in the Sensitive Wildlife Resource Overlay District, in accordance with Section 335, 415, 470, and Article 9 of the Dover Zoning Bylaw (the "Bylaw" herein).
4. A copy of the application was received by the Zoning Administrator on Sept 20, 2018.
5. On September 21, 2018, 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 September 24, 2018
 - 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 September 28, 2018.
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 and closed on October 11, 2018.
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 67 Handle Rd in West Dover VT and is located in the Productive Residential District (PRO), and the Sensitive Wildlife Resource Overlay District.
2. The hearing was properly warned.

3. All abutters were notified by the Applicant, in a timely manner.
4. The Applicant was properly sworn prior to providing testimony.
5. An accessory structure to a single-family dwelling is a permitted use in the PRO District but is subject to conditions as part of the Sensitive Wildlife Resource Overlay District.
6. The Applicant proposes to construct a 1,248 square foot accessory structure (storage barn) to a single-family dwelling. This structure will be sited in existing building envelop and served by an existing driveway.
7. Pursuant to Section 930: Special Requirements for Development in the Overlay District, the Board finds and concludes as follows:
 1. The proposed development on the subject property minimizes the impact on the sensitive wildlife resource to the greatest extent possible. All development is limited to the existing building envelop.
 2. There are no streams located on the parcel being developed; therefore, this condition is not applicable.
 3. A signed letter from the District Wildlife Biologist from the Vermont Department of Fish and Wildlife, indicating that the development plan has been reviewed and that there are no objections to said plan, was submitted as part of the Application.

C. DECISION

Based on the evidence presented, by a vote of 5-0-0, the Board approves this Application with the following conditions:

1. Per the testimony provided by the Applicant, no more than twelve (12) trees will be removed to facilitate construction of the storage barn.
2. The "Future Shed" noted on the submitted plans was withdrawn from consideration in this Application. A separate application must be made prior to its construction.
3. All provisions and conditions of previous approvals and stipulations shall remain in full force and effect except as amended herein.
4. This project must be completed, operated and maintained as set forth in the plans and exhibits approved by the Development Review Board and on file in the Town Office, and in accordance with the conditions of this Notice of Decision.
5. Any changes to the final plat plans must be approved by the Development Review Board.

Respectfully submitted,



October 26, 2018

Sarah K. Shippee
 Chairperson, Dover Development Review Board

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 802-282-6488 to speak to the regional Permit Specialist before beginning any construction.