

Town of Dover

P.O. Box 428 West Dover, Vermont 05356
(802) 464-5100

DOVER DEVELOPMENT REVIEW BOARD NOTICE OF DECISION Application 18-SO000-01

A. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Landowner: Slopeside Owners' Association, Inc.
2. Applicant: Richard Werner, W&B Management
3. Brief Description of Request: Amendment of the Planned Unit Development for construction of a pump house, in accordance with Sections 375, 380, 385, 435 and Article 7 of the Dover Zoning Bylaw (the "Bylaw" herein).
4. A copy of the application was received by the Zoning Administrator on July 25, 2018.
5. On July 26, 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 July 27, 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 August 3, 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. There were no requests for Interested Party Status and none were granted.
8. A public hearing was held and closed on August 23, 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 and concludes as follows:

1. The property is located on Slopeside Rd in West Dover VT and is located in the Resort Center District (RST).
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. Applicant's application materials included the application, and Exhibits A-F.
6. The Applicant proposes to construct a water supply building on the common land in the Slopeside Condominium Association.
7. The structure shall be up to twenty-four (24) x twenty-four (24) feet and the height will not exceed fourteen (14) feet. There shall be a single door for entry.
8. There will be electrical service to the building.
9. Any exterior lighting shall be down-shielded and dark-sky compliant.

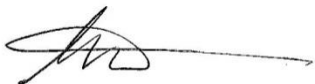
10. Pursuant to the Specific Standards for Conditional Use in Bylaw Section 385, the Board finds and concludes as follows:
 1. The lands under consideration do not fall within a Flood Hazard Zone; therefore Article 5 is not applicable.
 2. The standards of area, dimension, and coverage are met (Section 385.2).
 3. Sections 385.3, 385.4, and 385.6 are not applicable.
 4. The existing plantings will be removed only as needed for construction of the water supply building (Section 385.5).
11. Pursuant to the General Development Standards for PUDs in Bylaw Section 720, the Board finds and concludes as follows:
 - A. The Application proposes construction of a water supply building, which is an accessory building. Accessory buildings are conditionally permitted in the District.
 - B. The Application is consistent with the provisions of the Town Plan (the "Plan") adopted October 15, 1991 and revised January 4, 2016.
 - C. Sections 720.C, 720.D, 720.E, and 720.H are not applicable.
 - D. This approval shall expire December 31, 2019.
12. The Board finds and concludes that the Additional Development Standards in Section 725 are not applicable.

C. DECISION:

Based on the evidence presented and the Board's Findings of Fact and Conclusions of Law, by a vote of 4-0-0, the Board approves this application with the following conditions:

1. Prior to issuance of the permit, the Applicant shall present a copy of the deed to be retained in the record of the Application.
2. To the extent possible, the final placement of the water supply building shall be such as to maximize the distance to Building #15D.
3. Final placement shall not impinge on any setback requirements, either from the property line or from existing structures.
4. Prior to the onset of construction, a final plan showing the placement of the water supply building shall be submitted to the Zoning Administrator. The plan shall include all dimensional information for the building, as well as placement and description of any exterior lighting.

Respectfully submitted,



Sarah K. Shippee
Chairperson, Dover Development Review Board

Date: September 16, 2018

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 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.