

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

DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION
Application 20-CH017-01

A. PROCEDURAL HISTORY & APPLICANT REQUEST:

1. Property Owner: Ryan Guthrie
2. Applicant: Ryan Guthrie
3. Brief Description of Request: Construction of a Camp structure pursuant to Article 2, and Sections 335, 375, 380, 385, 405, 415, 445, 470, & 475 of the Dover Zoning Bylaw. The property is located at 37 Cooper Hill Rd in East Dover.
4. A copy of the application was received by the Zoning Administrator on March 31, 2020.
5. On April 6, 2020, 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, 2020.
 - 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 2, 2020.
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 one was granted Interested Party status; however, Joe Mahon expressed interest as a concerned citizen with property in the vicinity of but not abutting the subject property. He did not offer testimony.
8. A virtual (zoom) public hearing was held and closed on April 23, 2020. 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 37 Cooper Hill Rd in East Dover VT and 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 camp structure on the subject property. "Camp" is

defined as “a single structure which will have no plumbing and shall have no running water that must meet all other standards for residential development in the District”.

6. The camp structure will be 22.91 feet in height and raised off the ground by at least five (5) feet.
7. The footprint of the camp structure measures twenty (20) feet by thirty (30) feet.
8. The camp structure is sited 346 feet from Cooper Hill Rd and 272 feet from the nearest side property boundary, and so exceeds the minimum setback requirements for the district.
9. Pursuant to Permit Application and Requirements in Bylaw Section 335, the application is complete.
10. Pursuant to Section 470, “Camp” is a conditional use in the PRO District.
11. Pursuant to General Standards for Conditional Use in Bylaw Section 380, the Board finds and concludes that the proposed project will have no undue adverse effect on any of the items noted in the Section.
12. 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 Area; therefore Article 5 is not a consideration for this Application.
 2. The proposed use meets the General Regulations of the Bylaw; therefore Article 6 is satisfied.
 3. The standards of area, dimension, and coverage are met.
 4. The proposed use does not cause alterations to the items covered by Sections 385.3, 385.4, 385.5 and 385.6 of the Bylaw.
13. Pursuant to General Requirements for all Districts in Bylaw Section 405, the Board finds and concludes that the project as proposed meets all the requirements of the Section.

C. DECISION

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

1. Pursuant to Permit Applications and Requirements in Bylaw Section 475, the camp structure shall not be raised off the ground by more than thirteen (13) feet, so that the overall height of the building from ground level shall not exceed thirty-six (36) feet.

Respectfully submitted,



May 26, 2020

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 802-279-4747 to speak to the regional Permit Specialist John Fay before beginning any construction.