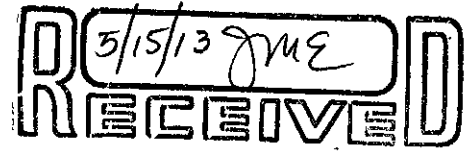


Town of Dover
P.O. Box 428
West Dover, VT 05356
(802) 464-8720



DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION

A. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Application Number: 13-HL002-01
 2. Landowner: Hermitage Real Estate Holding Co., LLC
 3. Applicant: Robert Fisher, Esq.
 4. Brief Description of Request: Subdivision of a 5-acre lot previously approved for (1) single family residence
 5. A copy of the application was received by the Zoning Administrator on March 28, 2013.
 6. On April 4, 2013 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.
 7. Public notice of the hearing was posted at the following locations on April 4, 2013:
 - Town Clerk's Office
 - Town Office Meeting Room
 - Dover Elementary School—via email
 - Dover Free Library—via email
 - East Dover Post Office—sent regular mail
 - Chair DRB—via email
- The notice of hearing was published in The Deerfield Valley News on April 11, 2013 and in The Brattleboro Reformer on April 6, 2013.
8. 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 requested such status and no written testimony was received.
 9. At the outset of the hearing, the Applicant was given and accepted the opportunity to review all information submitted by the Zoning Administrator.
 10. A public hearing was held and closed on April 25, 2013.
 11. 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:

Based on the application, testimony, exhibits and other evidence, the Dover DRB finds as follows:

1. The property in question is located at 25 Handle Road in West Dover.
2. The property is located in the Productive Residential (PRO) District.
3. The hearing was properly warned by the Zoning Administrator.
4. All abutters were notified by the Applicant(s).
5. No Interested Parties were identified.
6. The application seeks to create (1) 5-acre parcel that will remain wholly within the overall PUD,

to be accessed via a 50-ft Right-of-Way. Approval of the change is required by the PUD regulations.

7. The subdivision is shown on Exhibit A; "Survey Plat prepared for the Hermitage Inn Real Estate Holding Company, LLC" dated 2/18/13.
8. The estimated length of the proposed ROW is 800-ft; the width of same is 50-ft.
9. The subdivided parcel is located within the Sensitive Wildlife Overlay District.
10. This application and decision address only the subdivision of land.
11. Through application 10-HL002-01, this Board previously approved construction of a single family dwelling on these 5-acres. A land swap with the Vermont Land Trust was proposed to facilitate the proposal, though the 5-acres were not a separate parcel at the time.
12. The proposal herein does not change the proposed density of the 5-acre parcel or of the overall PUD.
13. The house location as proposed herein is modified from application 10-HL002-01: the proposed house location has been moved further from the regulated wetland buffer, thereby increasing the proposed buffer by approximately 150-ft.
14. Ongoing coordination with the State wetlands department has been ongoing, although no written comments are in hand at this time.

C. DECISION


This Decision addresses only the subdivision of land and does not address construction of the single family residence within the Sensitive Wildlife Overlay District. A separate application will be necessary to request review and approval for a single family residence.

Based on the evidence presented, by a vote of 3-0-0, the Board approves Application No. 13-HL002-01.

Respectfully submitted,



Sarah A. H. Daniels
Chair, 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 802-885-8850 to speak to the regional Permit Specialist before beginning any construction.