

**DOVER DEVELOPMENT REVIEW BOARD  
NOTICE OF DECISION**

**I. PROCEDURAL HISTORY & APPLICANT REQUEST**

1. Application Number: 13-HL005A-01
2. Owner: Richard and Nancy St. Jean
3. Co-Applicants: Scott Dupuis, Dupuis Carpentry LLC
4. Brief Description of Request: Construction of a single family dwelling in the Sensitive Wildlife Resource Overlay District
5. A copy of the application was received by the Zoning Administrator on May 21, 2013.
6. On May 24, 2013 a copy of the Notice of Hearing was mailed to the Applicant, along with a sample letter and abutters list for notifying all abutters.
7. Public notice of the hearing was posted at the following locations on May 24, 2013:
  - 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 mailPublic notice of the hearing was also published in the Deerfield Valley News on May 30, 2013 and in the Brattleboro Reformer on May 30, 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. There were no such requests.
9. A public hearing was held and closed on June 13, 2013.
10. 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, as is a copy of the complete application.
11. The current Zoning Bylaw is dated March 5, 2013.

**II. FINDINGS OF FACT:**

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

1. The project is located at 40 Handle Road in West Dover.
2. The property is located within the Sensitive Wildlife Overlay District.
3. The hearing was properly warned.
4. All abutters were notified by the Applicants.
5. The application is in compliance with all other aspects of the Dover Zoning Bylaw.
6. The State of Vermont has issued WW-2-3904, approving design of the septic system.
7. The Applicant has consulted with the State of Vermont Wildlife Biologist, Chris

Bernier [Exhibit C].

8. The driveway will be gravel.
9. Most of the lot is located in a sensitive wildlife area as defined by the State of Vermont, Department of Fish & Wildlife. Chris Bernier's comments are provided in Exhibit C.

### III. DECISION

The State of Vermont has long recognized this general area and a neighboring parcel as a critical wetland food source for bears. In addition, the area has recently been designated as a deer wintering area. Chris Bernier's comments on the project clearly document the likelihood that bears will frequent the parcel if food sources are not properly managed by the homeowners – both the Applicant and future homeowners.

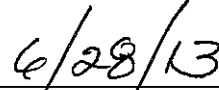
By a vote of 5-0-0, the Board **approves** Application No. 13-HL005A-01 for construction of the single family dwelling at 40 Handle Road in West Dover, WITH CONDITIONS – in light of the sensitive location:

1. The homeowner shall be responsible for making human foods, garbage and bird seed unavailable to black bears. Collection and storage of garbage shall be in containers that are inaccessible to bears and other wildlife. In the event that bears begin obtaining such foods from the residence, it will be the responsibility of the landowner to correct the problem.

Respectfully submitted,



Sarah A. H. Daniels  
Chair, Dover Development Review Board



Dated

**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.