

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

DOVER DEVELOPMENT REVIEW BOARD NOTICE OF DECISION

I. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Application Number: 13-RT030-01
2. Owner/Applicant: Green Mountain Nutmeggers
3. Brief Description of Request: Change of use from office (conditional use) to multi-family dwelling (conditional use).
4. A copy of the Notice of Hearing was mailed to the Applicant on June 3, 2013 along with a sample letter and abutter's list for notifying all abutters.
5. Public notice of the hearing was posted at the following locations on June 3, 2013.
 - a. Dover Town Clerk's Bulletin Board
 - b. Dover Town Meeting Room Bulletin Board
 - c. Dover Free Library
 - d. East Dover Post OfficePublic notice of the hearing was also published in the Deerfield Valley News on June 6, 2013 and in the Brattleboro Reformer on June 5, 2013.
6. 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 such requests were made.
7. A public hearing was held and closed on June 27, 2013.
8. 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.
9. 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 property in question is located at 110 Route 100 and was most recently the location of the Wallace Properties office.
2. The property is located in the Village District
3. The hearing was properly warned by the Zoning Administrator.
4. All abutters were notified by the Applicant(s) far enough in advance of the hearing to afford each Applicant adequate time to come forward if interested in doing so.
5. Phillip Gilpin (Senior), abutting landowner, was granted Interested Party status (4-0-0).
6. The application seeks to change the use of an existing building from "office" to "multi-family dwelling".
7. The property is 0.2-acres in size and therefore does not meet the required density set forth in Section 475.

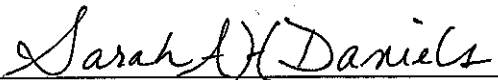
8. Per Section 470 of the Bylaw, office is a conditional use in the district and so is multi-family dwelling.
9. There are no exterior changes proposed at this time; all renovations will occur inside the structure.
10. Renovation will result in (2) 2-bedroom dwellings and (1) 1-bedroom dwelling for a total of (3) dwellings.
11. The existing use requires (8) parking spaces. The proposed use will require (6) spaces. Per the site plan, there are (7) parking spaces at the rear of the property which are not shared by abutting parcels and an additional (4) spaces around the building for any overflow.
12. The existing sewer gallonage allocated by the North Branch Fire District is 600-gpd (five bedrooms). Five bedrooms are proposed.
13. The deed has been submitted as part of the application.

III. DECISION

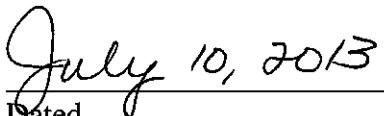
Section 330.1.b establishes the type of pre-existing non-conforming use, by not meeting the density requirements. Section 330.2.b.3 empowers the DRB to approve a change in such use, provided that said change does not increase the non-conformity with regard to off-street parking or loading requirements. In fact, this change in use lessens the degree of non-conformity with regard to parking – by requiring fewer parking space and providing more spaces.

The Dover Development Review Board **approves** application 13-RT030-01 by a vote of 4-0-0, without conditions.

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.