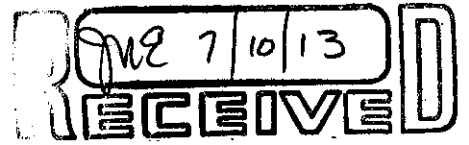


Town of Dover
P.O. Box 428
West Dover, VT 05356
(802) 464-8720



**DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION**

A. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Application Number: 13-HL002-01 AMENDED
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:
 - Dover Town Clerk's Bulletin Board
 - Dover Town Meeting Room Bulletin Board
 - Dover Free Library & Dover Elementary School via email
 - East Dover Post Office via regular mailPublic notice of the hearing was also 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. On June 13, 2013, by a vote of 5-0-0, the hearing was re-opened for June 27, 2013 in order to discuss the addition of a condition recommended by the Town of Dover's legal counsel.
10. The re-opened public hearing was held and closed on June 27, 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:

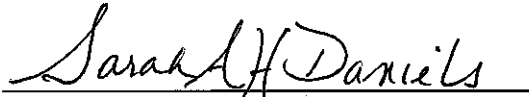
1. The original decision remains in effect.
2. The Zoning Administrator consulted with the Town Attorney. Consultations centered around the fact that per the Dover Zoning Bylaw, the entirety of the property included within the PUD shall be held by a common landowner. The concern was that the DRB had just granted a subdivision approval which would create multiple owners within the PUD lands.
3. An email correspondence between the Zoning Administrator and Town Counsel was provided to the Board via email, dated June 11, 2013 at 9:19am.

C. DECISION

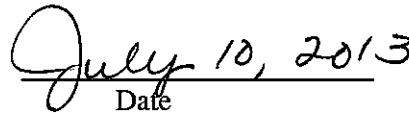
This Decision is intended as an amendment to the original decision issued on April 25, 2013. Based on the evidence presented, by a vote of 4-0-0, the Board approves Application No. 13-HL002-01 WITH THE FOLLOWING CONDITIONS:

1. For all Town zoning and subdivision purposes, the lots and lands, referenced in the original decision, shall be reviewed as, and remain components of, the Planned Unit Development approved by decision of this Board dated April 25, 2013 (Application 13-HL002-01), regardless of any subsequent conveyance or change of ownership. No lot or lots may be withdrawn from the PUD without prior approval of the DRB. Except as modified by this decision, the terms and conditions of all prior plans and approvals shall continue in full force and effect.

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.