



Town of Dover
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West Dover, VT 05356
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**DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION**

I. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Application Number: 14-MS100-01
2. Owner: Mount Snow Resorts
3. Applicant: Taylor Wilkins
4. Brief Description of Request: Amend a PUD to allow a Change of Conditional Use to include retail operations in sign-making facility
5. A copy of the application was received by the Zoning Administrator on May 8, 2014.
6. A copy of the Notice of Hearing was mailed to the Applicant by the Zoning Administrator on May 22, 2014 along with a sample letter and abutter's list for notifying all abutters.
7. Public notice of the hearing was posted on May 20, 2014 at the following locations:
 - 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.com

Public notice of the hearing was also published in the Deerfield Valley News and in the Brattleboro Reformer on May 22, 2014.

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. Kim Trinklein (17A Snowtree Lane), board member of the Snowtree Homeowners Board of Directors, was granted Interested Party status. Additionally, a letter was received from the Snowtree Homeowners Board of Directors and was read into the minutes as testimony from Interested Parties.
9. A public hearing was held on July 10, 2014 and was closed that same night.
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.
11. The current Zoning Bylaw is dated March 7, 2007.

II. FINDINGS OF FACT:

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

1. Applicant's property is located at 39 Mount Snow Rd, West Dover. It is located in the Resort (RST) District.
2. The hearing was properly warned by the Zoning Administrator.

3. Abutters were notified in a timely manner by the Applicant. The applicant notified condominium associations, not the individual owners within the associations. Discussion ensued regarding whether individual owner's failure to receive notice would provide grounds for appeal of the decision. The Applicant elected to submit the application with the understanding that abutters who were not directly notified could appeal.
4. The applicants were properly sworn prior to providing testimony.
5. The applicant was provided with a copy of the Application Summary prepared by the Zoning Administrator; the Summary was approved by the Applicant.
6. The property is not within the Flood Hazard Zone.
7. There are, currently, multiple uses approved within the PUD.
8. There is sufficient parking currently available for the change of use.
9. There is no increase in required gallonage, therefore a certificated from North Branch Fire District is not required.
10. The following information was provided in response to the questions raised in the Snowtree Board of Directors letter:
 - a. What will the building look like as a retail space (exterior)? There will be a change in the sign at Handle Rd & Snowtree Lane; no other exterior changes are planned.
 - b. What is the traffic impact? Service is by appointment only. At most, 2 customers will be on site at the same time (one leaving, one arriving)
 - c. Is the building up to fire codes? Yes.
 - d. What are the plans for outdoor lighting? No changes to existing lighting.
 - e. What will the screening be between Snowtree Lane and the new retail building? There will be no changes to the existing screening.
 - f. Can we have Mount Snow keep the grounds around the building clean and neat at all times? Signs and materials will be stored inside or in front of the building (parking side).
 - g. How will the noise of manufacturing be controlled with increased business? There will be no changes to the existing equipment and so noise levels are not expected to change.
 - h. Will there be a larger retail enterprise go into that area once it is granted a retail zone? No.

III. DECISION

Based on the preceding Findings of Fact, the Dover Development Review Board unanimously approves the Application. The Change of Use is granted, with the following conditions:

1. There will be no more than 3 employees working simultaneously in the sign shop.
2. The retail space will be no greater than 1,000 square feet.
3. The Applicant must submit an application to the Development Review Board for a Change of Use should the retail operation change from sign shop to any other kind or type of retail operation.
4. Storage of any type, including raw materials, signs or any other materials, must be kept on the opposite side of the building from Snowtree Lane (the parking side of the building).

Respectfully submitted,



July 22, 2014

Sarah K. Shippee
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: Additional State permits may be required for this project. Call 802/885.8850 to speak to the regional Permit Specialist before beginning any construction.