

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

DOVER DEVELOPMENT REVIEW BOARD
NOTICE OF DECISION
Application 13-WH010D-02

A. PROCEDURAL HISTORY & APPLICANT REQUEST

1. Landowner: Sean & Nicole Kirby
2. Applicant: Sean & Nicole Kirby
3. Brief Description of Request: Construct an 8' x 24' shed on property in the Sensitive Wildlife Resource Overlay District (SWROD)
4. A copy of the application was received by the Zoning Administrator on July 11, 2013.
5. On August 1, 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.
6. Public notice of the hearing was posted at the following locations on August 1, 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 August 8, 2013 and in the Brattleboro Reformer on August 3, 2013.
7. 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 requests for Interested Party status were made or granted.
8. A public hearing was held and closed on August 22, 2013.
9. At the outset of the hearing, the Applicant was given and accepted the opportunity to review all information submitted by the Zoning Administrator, Exhibit A. The Applicant agreed with the application summary provided by the ZA.
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.

B. FINDINGS OF FACT:

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

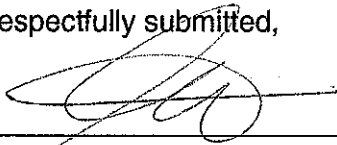
1. The Kirby property is located at 28 Pasture Lane in East Dover VT.
2. The property is located in the Conservation District (CON) and is in the Sensitive Wildlife Resource Overlay District.
3. The hearing was properly warned.
4. All abutters were notified by the Applicant.

5. The Applicant was properly sworn prior to providing testimony.
6. The shed meets all applicable setbacks in the district.
7. An email from Ryan Smith, State Wildlife Technician, was read into testimony. This email states that he finds no negative impacts to critical wildlife habitat will be created by the construction of the shed.

C. DECISION

Based on the evidence presented, by a vote of 4-0-0, the Board approves this Application, subject to receipt of a letter from the State Wildlife Biologist confirming that the shed will not create negative impacts to critical wildlife habitat.

Respectfully submitted,



Sarah K. Shippee
Chairperson, Dover Development Review Board

10-10-13
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.