

***Town of Dover
Development Review Board***

Meeting Minutes

July 24, 2014

7:00pm at Town Office

***THESE MINUTES ARE NOT OFFICIAL UNTIL THEY HAVE BEEN APPROVED BY
THE DEVELOPMENT REVIEW BOARD***

- I.** The regular meeting was called to order at 7:05pm by Acting Chair Childs. *Vice Chair Lynch joined the Board at 7:15pm. The Board introduced themselves to the audience.
- II.** All parties present were asked to sign in.
- III.** The notice of hearing was read into the record.
- IV.** Board members present were: Andy Childs, Jim Lynch*, Geri Golet and Steve Montello. The Zoning Administrator, David Cerchio, and Recording Secretary Jeannette Eckert, was also present. Robin Stern, John Angelieri, Joe Angelieri, Diane Angelieri, Debbie Angelieri, Cory Frehsee, Mike Jacobs & Richard Caplan were also present.
- V.** A draft of the minutes for the meeting will be posted by Tuesday, July 29, 2014 and all Applicants are encouraged to review those minutes for accuracy and any comments or inconsistencies should be sent to the ZA before the next meeting. All exhibits presented are available for public viewing through the ZA or Recording Secretary. All parties intending to give testimony were sworn in.
- VI.** **To consider application #14-AL111-03** by Cory Frehsee of Stevens & Associates on behalf of John Angeleri, Partner, for an extension of the completion date of their Planned Unit Development (PUD) in accordance with Article 7 of the Zoning Bylaw. The property is located at 229 Blue Brook Road, West Dover (west side of Blue Brook Road) and is known as Summit at Timber Creek. Parcel Number AL111.
 - ZA Cerchio testifies that the hearing has been properly warned & posted
 - The Applicants testify that although well over 200 abutters were notified there is a possibility that not all abutters were notified
 - Applicants will take responsibility for any abutters not notified and desire to move forward with the application tonight
 - Robin Stern of Potter Stewart Law Office and Cory Frehsee of Stevens & Associates have permission to represent the Angelieri's.
 - Applicants testify that the ZA summary is accurate

Applicants testify to the following:

- ❖ Requests extension of 20 more years for completion of PUD due to economic conditions
- ❖ There are no changes to the PUD
- ❖ All other permits have been extended
- ❖ Invested over \$800,000 in the property over the past 47 years
- ❖ Applicants own the property free and clear—poised to finally move forward
- ❖ Original permit approved by Dover DRB in 2005
- ❖ Act 250 and other environmental permits were approved in 2007

- ❖ 5 drilled wells were approved between 2005 and 2007
- ❖ 2 wells are dedicated to the public water supply
 - 100 gallons per minute on 1st well
 - Hydro fracked the 2nd well at 172 gallons per minute
 - Full report is available
- ❖ Kingswood extension is for 25 years but it is a project already under way
- ❖ This is a phased project for 72 units
 - Don't want to keep revisiting this
 - 9 units are proposed for phase one
- ❖ Original phase schedule was 8 years but due to recession it has not begun
- ❖ Straightforward request for an extension
- ❖ No other changes are being requested
- ❖ Real Estate market showed a decline in 2007 and the decision was made to not go forward with construction at that time
- ❖ Would now like to see it go forward; excited and ready to break ground
 - Current permit expires Oct 1, 2014
- ❖ Regarding the number of years on the extension—Applicants are open to a shorter extension period
- ❖ Infrastructure work done to date:
 - Road was put in & improved
 - Wells were dug
 - The farmhouse was restored
- ❖ Northbranch extended gallonage contract for 2 years
- ❖ Act 250 and wells permits were extended to 2016
- ❖ DRB is the last step in the chain
- ❖ Some successes in the Valley—wanted to wait until market came back stronger
 - Market is coming back in our estimation
 - \$10,000 was spent on a market study
- ❖ Expect to see shovels in the ground as soon as we are comfortable

The following exhibit was introduced by ZA Cerchio:

Exhibit A: Email from Bob & Inez Kelso, abutting property owner of 222 Blue Brook Rd, dated July 24, 2014

Exhibit A was read into the record by Acting Chair Andy Childs

- Concerns with ground run off water draining onto their property and into their septic system
- Proposed project at 229 Blue Brook Rd is located opposite their property

Applicant's response:

- ❖ Was made aware of this concern
- ❖ Looked at the culvert that crosses underneath Blue Brook Rd
- ❖ In reviewing the plans, there is an approved storm water system that meets the State of Vermont requirements for detaining post development flow
- ❖ VT law requires the you only discharge off your property what currently discharges
 - Post development flow and pre development flow must be equal
 - This has been approved by the State of Vermont
- ❖ No signs of septic system within 50 feet of this project
- ❖ Drainage is towards the brook not south towards the Kelso property
- ❖ These plans were part of the original permit

The Board took a brief recess at 7:42pm and returned at 7:45pm

On a motion by Vice Chair Lynch, seconded by Board member Golet, the Board unanimously agreed to close the hearing.

VII. To consider application #14-RT065-04 by Richard Caplan of OMT for an additional sign in accordance with Section 130 of the Dover Sign Ordinance. The property is located at 183 Route 100, West Dover and is known as OMT Parlor and Tavern/Forge. Parcel Number RT065.

- ZA Cerchio testifies that the hearing has been properly warned & posted
- Applicant testifies that all abutters were not notified
 - Was not aware that abutters needed to be notified for a sign application
 - Will therefore remove this application & reapply

On a motion by Acting Chair Childs, seconded by Board member Montello, the Board agreed to close the hearing.

Applicant requested opinions from the Board on the conceptual plans of placing a kiosk on his property:

- Considered a sign but Applicant is not viewing it as a sign
- Informational kiosk advertising two businesses: restaurant and real estate office
- Kiosk will stand approximately 7 feet tall and 8 feet wide
- Advertising space of 4' by 5'
- 33 foot setback off the Valley Trail

ZA Cerchio testifies that this concept is a sign

Sign ordinance clearly states how many signs a property can have

This falls under Section 130: Conditional Sign Permits which may be granted by the DRB

Applicant will resubmit an application and can be heard on September 11, 2014

VIII. To consider any other business which may legally come before the Development Review Board.

On a motion by Board member Montello, seconded by Board member Childs, the Board unanimously agreed to move into Deliberative Session at 8:03pm

On a motion by Board member Golet, seconded by Vice Chair Lynch, the Board unanimously agreed to move out of Deliberative Session at 8:19pm

On a motion by Board member Montello, seconded by Board member Golet, the meeting was adjourned at 8:25pm.

Respectfully submitted,
Jeannette Eckert, Recording Secretary

*POSTED AT: Town Clerk's Office, Administration Office, Dover Free Library,
East Dover Post Office & www.doververmont.com.*