

*Town of Dover*  
*Development Review Board*

*Meeting Minutes*

**November 12, 2015 at 7:00 PM**  
**Dover 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 7:00pm by Chair Shippee.
  - II. All parties present were asked to sign in.
  - III. The notice of hearing was read into the record.
  - IV. Board members present were: Chair Sarah Shippee, Vice Chair Jim Lynch & Alternate Laurie Newton. They introduced themselves to the audience.  
The Zoning Administrator, David Cerchio and Recording Secretary, Jeannette Eckert was also present along with Donald Mondani, John Quigley, Bryan Vincent, Brian Krupa, Clifford Turpin, Jon Prial, Tony Tribuno, Joan Judd, Trudy Mueller, Mary Jane Finnegan, John Lyddy, Robin Gallup, Randy Johnson, Elizabeth Fryer.
  - V. A draft of the minutes for the meeting will be posted by Tuesday, November 17, 2015 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. A general description of the evening's proceedings was presented by the Chair, as well as a brief explanation of Interested Parties. All Interested Parties were notified of their rights as Interested Parties to speak on the application and to appeal the application. Interested Parties were notified that participation in the hearing, either by verbal or written testimony, is required in order to appeal the Decision to the Environmental Court.
1. **To consider application #15-RT032-05** by Fryer Realty VT, LLC for a Change of Conditional Use from office to retail in accordance Sections 300, 375, 380, 385 and 470 of the Zoning Bylaw. The property is located at 112 Route 100 in West Dover. Parcel #RT032.

ZA Cerchio testifies that the hearing has been properly warned and posted.

Applicant Elizabeth Fryer, property owner, testifies that all abutters have been notified and in a timely manner.

Applicant Fryer testifies to the following:

- Renovating 1<sup>st</sup> floor and turning it back into a one floor open plan for retail space
- 700 square feet will be used for retail space
- Whole 1<sup>st</sup> floor is 1200 square feet
- Building was previously being used as a real estate office

- There are seven parking spaces (9x20) provided which meet the requirements
- Second floor space will remain as an apartment
- 10x14 foot deck on the second floor—will not have staircase egress
- Footprint of the building will remain the same

Tony Tribuno, abutting property owner on the north side, requests and is granted Interested Party Status (IPS)

Mr. Tribuno testifies that he does not see anything on the application that would affect his property

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

2. **To consider application #15-RT019-23** by Twice Blessed, Inc. on behalf of Windsor Gold Star, LLC for a Change of a Non-Conforming Conditional Use from a hotel to a community structure in accordance with Sections 300, 330, 375, 380, 385 and 470 of the Zoning Bylaw. The property is located at 45 Route 100 in West Dover and is known as the Red Oak Lodge. Parcel #RT019.

ZA Cerchio testifies that the hearing has been properly warned and posted.

Applicant Mary Jane Finnegan testifies that abutters have been properly warned and in a timely manner

Applicant Finnegan testifies to the following:

- Request to move Twice Blessed from its current location at 716 Route 100 in Wilmington to the property now known as Red Oak at 45 Route 100 in Dover so that it can have a permanent home
- Proposing to use space for some community events as well—Holiday Giving Tree, Senior citizen exercise programs, etc.
- Twice Blessed is a 501c3 non-profit organization (State and Federal)
- 6,850 square feet for retail space/community events
- Entire building is 12,000 square feet
- Also staff lunch room, office space & storage is separate from retail space
- 57 parking spaces including 2 handicapped spaces
- Minimum of 20 x 20 room for community events—non retail

Brian Krupa, abutter at 24 Dover Green Road, requests Interested Party Status for himself and John Mady of 26 Dover Green Road. Mr. Krupa offers a letter from Mr. Mady authorizing him to represent Mr. Mady.

Chair Shippee clarifies that since John Mady did not offer any written or oral testimony in his letter, he is not granted IPS. Mr. Krupa is granted IPS.

Mr. Krupa testifies to the following:

- In the conversion of the property from a commercial overnight dwelling property to a retail space—will there be any overnight accommodations? Lodging or housing in general?
- Outside storage—limited where they are now—will there be any outside storage, temporary or permanent, at the new location?

- Community events—estimate of frequency and numbers of attendees? Traffic impact?
- Non selling activities—would they be outside normal business hours?

Applicant's response:

- No emergency housing or rental of rooms or apartments—possibly could be one security person staying overnight—possibly living there but unsure
- No outdoor storage going forward—none in the plans at this time
- Community event schedule:
  - Jill Robart's senior exercise classes, potentially twice a week, hours to be determined
  - Holiday Giving Tree activities all during regular hours—one day period—each family is given a specific time to come—currently occurs at present location
- Hours are Tues-Sun 10 to 5; don't foresee that changing

Cliff Turpin, resident at 55 Route 100—not notified for this application but for the next application (15-RT019A-12); direct abutter to Deli but not Red Oak

After a brief recess, the Board determined that Mr. Turpin has IPS

- Will activities be held in the evening and will there be a security guard available for those activities?

Applicant response:

- No evening activities planned as of today
- Extend hours to 10am to 9pm
- Anticipate that security guard would be present if any evening activities occur

Chair Shippee:

- Is there a possibility that exercise classes would be scheduled earlier than 10am?
- Applicant amends hours of operation to 8am to 9pm, at a maximum if needed

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

3. **To consider application #15-RT019A-12** by Bryan Vincent on behalf of Windsor Gold Star, LLC for a Change of Conditional Non-Conforming Use from a deli/restaurant to retail use in accordance with Sections 300, 330, 375, 380, 385 and 470 of the Zoning Bylaw. The property is located at 45A Route 100 in West Dover and is formerly known as the Red Oak Deli. Parcel #RT019A.

ZA Cerchio testifies that the hearing has been properly warned and posted.

Applicant Brian Vincent testifies that all abutters have been notified and in a timely manner.

Applicant Vincent testifies to the following:

- Proposes to “lease to buy” the property for a high end spa retail environment & pool/spa service company
- 6 parking spaces (9x20 each) meet the requirement

Donald Mondani, owner of the property, Windsor Gold Star, LLC testifies to the following:

- Square footage of the building is about 1,170 feet

ZA Cerchio testifies that the property is in the Productive Residential Area and that no square footage is noted on the application as there will be no construction occurring.

Applicant Vincent:

- Roughly 600 square feet of the 1,170 is going to be retail space; rest is for storage
- Hours of operation will be 8am to 9pm, seven days a week, at a maximum if needed

Abutter Brian Krupa requests the following:

- Will there be any enclosed or unenclosed outside storage?
- Will there be any type of outside full size display fixtures?

Applicant response:

- Not planning on either of the above
- If that should change, will have to come back to the Board to amend

Vice Chair Lynch:

- Regarding delivery of hot tubs—would there be any outside storage of those items for any number of days?

ZA Cerchio testifies that a separate permit would be needed for a permanent outside storage facility. If hot tub remains outside for more than 90 days, a permit is needed. It would be a change of use.

Applicant response:

- Applicant is the owner of Vermont Tees in Chester—has storage warehouse available at that location
- Does not care for outside storage for security reasons—high end products
- Amend application to accommodate storage for 4 spas for 90 days

Alternate Newton testifies that it may be up to the Board to determine as to a time frame and what qualifies as a storage facility.

On a motion by Alternate Newton, seconded by Vice Chair Lynch, the Board unanimously agreed to close the hearing

On a motion by Vice Chair Lynch, seconded by Alternate Newton, the Board unanimously agreed to move into Deliberative Session at 8:10pm

On a motion by Vice Chair Lynch, seconded by Alternate Newton, the Board unanimously moved out of Deliberative Session at 8:55pm and the meeting was adjourned.

**Next hearing is scheduled for December 10th**

Respectfully submitted by Jeannette Eckert, Recording Secretary

*POSTED AT: Town Clerk's Office, Administration Office, Dover Free Library and East Dover Post Office. After minutes are approved, they will be posted on the Town website for a period of six months from date of meeting at [www.doververmont.com](http://www.doververmont.com).*