

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

Meeting Minutes

**November 14, 2013
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 7:00pm by Chair Shippee. 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: Chair Sarah Shippee, Steve Montello, Ned McElroy & Jim Lynch
The Zoning Administrator, David Cerchio and Recording Secretary, Jeannette Eckert was also present along with Applicants Joshua Cohen, John Redd, Brett Sewing and Wayne Laudenslager. Sarah Daniels & Monroe Whitaker were also present.
- V. A draft of the minutes for the meeting will be posted by Tuesday, Nov 19, 2013 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 #13-RT034-10** by Joshua Cohen on behalf of APT Properties for an amendment to their PUD for a Change of Conditional Use from retail to office in accordance with Sections 380, 385 and Article 7 of the Dover Bylaw. The property is located at 114/116 Route 100 in West Dover. Parcel #RT034.

ZA Cerchio testifies that the hearing has been properly posted and warned.
The Applicant testifies that all abutters have been properly notified in a timely manner.
No conflict of interest was present.
Applicant Cohen reviewed ZA Cerchio's summary and testifies to its accuracy

The following exhibits were introduced:

Exhibit A: ZA Cerchio's summary of application

The Applicant testifies to the following:

- Applicant is currently renting the apartment at 114 Route 100
- Requesting change of zoning regarding 2nd floor of 114 Route 100
- Requesting to rezone for purpose of office space, not retail as currently zoned
- Amend PUD change of use—would require & use less parking space
- Space is 400 square feet

- No gallonage certificate from North Branch is required

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

VII. To consider application #13-RT095-10 by Brett Sewing for the construction of a 10'x10' outdoor walk-in freezer as a Conditional Accessory Use in accordance with Sections 300, 385 and 470 or the Zoning Bylaw. The property is located at 271 Route 100 in West Dover and is known as West Dover Joes. Parcel #RT095.

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

The Applicant testifies that all abutters have been properly notified in a timely manner. No conflict of interest was present.

Applicant Sewing reviewed ZA Cerchio's summary of application and testifies to its accuracy.

The following exhibits were introduced:

Exhibit A: ZA Cerchio's summary of application

Exhibit B: Sketch of the proposal

The Applicant testifies to the following:

- Approved for a 10 x 12 walk-in cold storage addition last year (8/10/12)
- Requesting to add a 10 x10 outside freezer adjacent to the walk-in
- Both additions would be housed on the same concrete slab and run parallel to the rear portion of the building
- Setbacks have been met
- Not impeding egress or access to/from the building
- No inside access to either walk-in or freezer
- Sufficient space for vehicles to pass in back of building
- No parking spaces will be affected

On a motion by Board member Montello, seconded by Board member Lynch, the Board unanimously agreed to close the hearing

VIII. To consider application #13-TV016-01 by Wayne "Bud" Laudenslager for the conversion of space to an Accessory Apartment in accordance with Sections 380, 385, 470 and 835 of the Zoning Bylaw. The property is located at 23 Woodsman Road in West Dover. Parcel #TV016

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

The Applicant reviewed ZA Cerchio's summary and testifies to its accuracy

The Applicant testifies that all abutters have been properly notified in a timely manner. No conflict of interest was present.

The following exhibits were introduced:

Exhibit A: ZA summary of application

The Applicant testifies to the following:

- Requesting the addition of an Accessory Apartment
- Will be the only apartment on the property
- Submitting a wastewater gallonage certificate from North Branch
- Setback requirements have been met
- Floor plan shows the apartment is 902 square feet which meets the square footage allowance for an accessory apartment
- Parking plan shows at least 5 spaces as required

On a motion by Board member Lynch, seconded by Alternate McElroy, the Board unanimously agreed to close the hearing.

IX. To consider application #13-FS000X-01 by John Redd on behalf of Seasons on Mount Snow, LLC for a 15 lot subdivision to be known as Sundance Village in accordance with Sections 335, 380, 385, 405, and 475 of the Zoning Bylaw. The property is located at the top of Season Drive in West Dover and will be accessed by a ROW from Seasons Drive. Parcel #FS000X

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

The Applicants testify that all abutters have been properly notified in a timely manner.

The Applicants testify that the summary is accurate

It was established on the application that John Redd & Monroe Whitaker have authority to represent the property owner, Seasons on Mount Snow

No conflict of interest was present.

Board member Steve Montello recused himself from this hearing and requested Interested Party Status. He is an abutter and resides at Seasons unit O-21, 1E Mountainside Village Way.

On a motion by Alternate McElroy, seconded by Board member Lynch, the Board voted 3-0-0 to grant IPS status to Mr. Montello.

The following exhibits were introduced:

Exhibit A: ZA Cerchio's summary of application

Exhibit B: Site Map/Subdivision Plan by SVE Associates

Exhibit C: Email letter from Lisa Hochman dated 11/13/13

Exhibit D: Email letter from Marc Rudoltz dated 11/13/13

Applicant John Redd testifies to the following:

- Sundance Village project property was purchased in the late 80's
- Originally permitted as an 82 unit condo development
- Similar project to Snowdance Village development
- Redesigned as a 14 residential lot and a roadway lot (15 lot total)
 - Applicant's intent is that Sundance Village become a premier second home neighborhood similar to Snowdance
 - Direct access to Mount Snow's trails
- Project will be accessed via easement over Season's Drive to the Sundance Loop Rd which will be maintained by Sundance HOA

- Lots 2 & 11 do not have frontage on Sundance Loop but ROW's are provided for (shown on Exhibit B)
- When Mount Snow sold the property it maintained several easements—
 - Telecommunications line to connect main base area with Carinthia
 - Mountain bike trail, lots 2-5 have easements for that
 - Sweet Sixteen ski trail
 - Seasons pass trail- well is right on edge of Seasons pass trail
- In order to make lot usable, easement encroaching must take place
 - Easement from Lot 3 to gain access to Lot 2
- Lot 5 has frontage on Loop Road but also a ROW is provided on an adjacent lot because it is part of a protected stream zone
- Site plan also shows the limits of where structures can be built, taking into consideration views from adjacent properties, stream protection and setbacks
- Water will be provided by a well on Lot #2 and a storage tank located above the project on lands of Mount Snow
- Sewer treatment contract in place with North Branch for 65 bedrooms
- Lots 11 -12—accessed via easement; snow making line crosses lots 11 & 12
- Lot 10 can be accessed either by Loop Road or by ROW
- Easement back to Seasons for an existing ski trail, will be creating a tunnel for skier access
- Stormwater Retention Pond—noted on Exhibit B
- Slopeside lots—Applicant will not be building homes but roads and utilities
 - Homes will be designed and constructed by lot owners who will apply for their own permits
- Last opportunity for individual private homes on Mt Snow
- Worked out a lot of issues with the Association
- SVE is working on final technical plans for Act 250
- Road would be a 15th lot—owned by HOA—responsible for maintenance-- costs shared by individual homeowners
- Tried to maintain views to the north and across ski trails, vegetation also but there will be extensive landscaping
- Met with FD—sprinkler systems, fire retardant, grinder pumps installations

Section 335:

- Signed & dated Site Map includes lot dimension, existing structures, driveways, streams, wells etc.
- A copy of the deed will be provided by Applicant

Section 380: General Standards for Conditional Use

- Several traffic studies were performed, most recently 5 years ago
 - Traffic on Route 100 has gone down in the last 5 years
- Another study conducted by Doug Kennedy Advisors dated June 2012
 - Growth is characterized as healthy growth
- Local utilities and Town departments have been contacted regarding the project

Section 385: Specific Standards for Conditional Use

- Property is not in a flood plane

- Parking spaces are sited in pencil on Exhibit B for buildings O, P & Q
- Traffic circulation on Handle Rd—difficult for turning traffic to pass each other
 - Will work with Seasons Association on developing necessary signage
- Retaining walls of bridge will have field stone (cement) look
- Re vegetating when necessary and visibility will be maintained
- Lights from vehicles aimed toward K and Q buildings will be considered
- Conservation Commission has weighed in on project
 - Initially consulted with Commission—State Wildlife Biologist has also given written testimony, most recently a year ago, and had no issues—these can be provided by Applicants
- Steep area of open space that is not being developed
 - Approximately 3 acres will be undeveloped
- No construction will take place in the winter

Section 405: General requirements for all districts

- All ROW are at least 50 feet in width
- Minimum setbacks are met from all rivers, lakes, streams
 - Stream on property is intermittent

Section 475: Area, dimension and coverage standards

- Contained in lot calculations chart on Exhibit B

Sarah Daniels testifies to the following:

- Very specific permitting structures by the State are so tight that this project will be kept very close ties on—well monitored endeavor
- Typical Act 250 mandate
- North branch of the Deerfield River is an impaired watershed; storm water permit requirements for this particular construction are far and above what is normally required for a 14 lot single family home development
- No permanent construction going on; existing telecommunications easement remains intact
- The Peter's Way ski trail—only item inside that easement is the well construction which is already there and agreed to by Association
- Ski trail easement which crosses lots 4, 5 & 6 is being maintained in accord with easement with Mount Snow

ZA Cerchio introduced two email letters from abutting property owners Lisa Hochman and Marc Rudoltz of Seasons E-13, 5C Northbrook Village Way which were read into the record by Chair Shippee.

Steve Montello testifies to the following:

- Agent for Seasons on Mount Snow; owner of Seasons unit O-21, 1E Mountainside Village Way
- Working cooperatively with the project
- Most concerned with landscaping drawings—have not been seen yet
 - Will be presented to Seasons HOA by the Applicant
- Co-applicants on the Act 250 permitting process

- Concerned with vegetation & loss of access--walking up across lots 4, 5 & 13 to get to Seasons double lift—not a legal easement but has become a convenience for home owners
- Request adequate screening between developments

The Board took a brief recess at 8:38pm; resumed at 8:40pm

On a motion by Board member Lynch, seconded by Alternate McElroy, the Board unanimously agreed to continue the hearing to Dec 12th

- X. To consider any other business which may legally come before the Dover Development Review Board.

Approve Minutes of October 24, 2013:

On a motion by Board member Montello, seconded by Board member Lynch, the Board voted 3-0-0 to approve the minutes

On a motion by Board member Lynch, seconded by Alternate McElroy, the Board unanimously agreed to move into Deliberative Session at 8:49pm

The Board came out of Deliberative Session at 9:10PM
Meeting was adjourned at 9:10PM

Next hearing is scheduled for December 12th.

Respectfully submitted,
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.*