

Town of Dover
Development Review Board

Meeting Minutes

May 23, 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 Daniels. 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 Daniels, Jim Lynch, Andy Childs, Geri Golet & alternate Ned McElroy
The Zoning Administrator, David Cerchio and Recording Secretary, Jeannette Eckert was also present along with Applicants David & Heather Kelly, Patricia Sweeney and Travis Wendel.
- V. A draft of the minutes for the meeting will be posted by Tuesday, May 28, 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. 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.
- VII. **Hearing for 13-RT016C-01** by Patricia Sweeney and Barker Willard to establish a mix-use PUD for a service and office space use in accordance with Article 7 of the Zoning Bylaw. The property is located at 78 Route 100 in West Dover.

ZA Cerchio testifies that the hearing was properly posted and warned.

Applicant testifies that all abutters have been notified, letters were sent out on Monday, May 20, 2013

The Board recessed to consider the short timing of the notification.

On a motion by Jim Lynch, seconded by Ned McElroy, the Board unanimously agreed to continue the hearing to June 13th due to inadequate timing for abutter notification.

VIII. Hearing for 13-RT068-01 by David and Heather Kelly for a variance of the center-line road set-back requirement from 50' to **37'** for the construction of a covered porch in accordance with Section 1140 of the Zoning Bylaw. The property is located at 210 Route 100 in West Dover and is known as the *personal residence of the owners* of Sticky Fingers bakery.

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

Applicants testify that all abutters have been properly notified.

Applicants reviewed the ZA's summary of the application and agreed with the corrections as noted in italics above.

Applicants testify to the following:

- Proposing to build a covered porch which begins at the center of the home in between the garage and the part of the home that already extends the furthest out to Route 100.
- It will not go any further than the existing home
- Asking for variance in order to create the look of one home rather than three separate buildings

Chair Daniels noted for the record that the Bylaws currently in use were amended March 5, 2013

Chair Daniels walked through the Zoning Bylaws Article 11, Section 1140: Variance requirements with the Applicants:

1. *Unique physical circumstances or conditions*: A portion of the home was built in 1825; approximately 1980 the addition of the final third of the structure (garage/apartment area) was completed.
2. *Variance is necessary due to the unique circumstances or conditions*: Shape of the lot is approximately 2 acres, very narrow and poised practically on Route 100 with the river behind us. Home existed prior to the road. Road was built too close to the home in the owner's opinion.

Chair Daniels: Is there any other location where you could put the porch?

Applicants: No. There is already a wooden covered porch on the back of the house. Proposing a covered porch on concrete for the front of the property, measuring 10 feet by 29 feet. We have done a lot of improvement to the home since purchasing and desire to stay in line with the rest of West Dover.

3. *Hardship* was not created by the current owners
4. *Variance will not alter the essential character of the neighborhood*: If anything we are trying to bring our character up to the standard of the rest of the neighborhood. This would take care of a lot of issues at the front of the house.
5. *Least deviation possible*—not extending beyond the existing footprint of the house

Board member Childs: Confirms that the original sketch submitted with the application does not include a cover on the porch. There is also a pathway leading up to the house. You are not planning to extend that--pouring of concrete will not extend beyond the 37 feet?

Applicants: Submitting an updated sketch of the porch with covering (Exhibit C).
Already 6 feet of concrete in front of the doorway; not extending beyond what is
already there. It will be a covered porch with railings around it.

Exhibit A: ZA Cerchio's summary of application

Exhibit B: Site plan from tax map

Exhibit C: Updated sketch of the proposed porch

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

On a motion by Board member Golet, seconded by Board member Lynch, the Board moved
into Deliberative Session at 7:30pm

The Board came out of Deliberative Session at 7:34pm and the meeting was adjourned.

Next hearing is scheduled for June 13th.

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 month from date of meeting at www.doververmont.com.*