

Town of Dover
Development Review Board

Meeting Minutes

July 12, 2018 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, Jonathan Prial, Steve Montello & Heather Kelly. The Board introduced themselves to the audience. Zoning Administrator Wayne Estey and Administrative Assistant, Jeannette Eckert was also present along with Ashley Havreluk, Laurie Newton, Stephanie Greene, Marshall Brooks, Susan Ballantine.
- V. 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.
- VI. A draft of the minutes for the meeting will be posted by Tuesday, July 17, 2018 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.
- VII. **To consider Application # 18-MS100-01** by Mount Snow Limited for an amendment to their PUD for a temporary campground during the Eastern States Cup Downhill.

ZA Estey testifies that the hearing has been properly warned and posted.
Applicant Ashley Havreluk has written permission to represent Mt Snow and testifies that all abutters have been properly warned & in a timely manner.
Applicant Havreluk reviews ZA summary and testifies that it is accurate
No interested parties were present or provided written testimony.
No conflict of interest was present.

The following exhibits were introduced:

Exhibit A: ZA summary

Applicant Havreluk testifies to the following:

- Plan is similar to last year's application
- No entertainment will be provided
- Dates are Oct 12-15, 2018; Friday to Monday morning
- Water will not be provided on site

- Base lodge will be open and accessible
- No showers will be available—no one used them last year so it was decided not to spend the extra money
- Access to the drop zone & all other areas will remain in effect
- Extra 24-hour security will be in place
- Last year used 6 porta johns & that number was deemed sufficient
 - Approximately 50 people camped overnight last year
 - 150-200 people participated in the event
 - Placement of camp sites will begin in close proximity to the porta johns
- 12 recreational vehicles per acre—5 to 6 acres for a maximum of 72 camp sites but opted for 66 camp sites
 - Includes RV's and tents

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

VIII. To consider application #18-RT133B-01 by Marcus Munsill to construct a single- family home in a Sensitive Wildlife Resource Overlay District.

Applicant Marcus Munsill had a family emergency and was unable to attend the hearing. The Board agreed to continue the hearing to a date certain of **August 9, 2018 at 7pm**. Interested Parties were present and provided oral testimony to maintain their Interested Party status. No conflict of interest was present.

The following exhibits were introduced:

- Exhibit A: sheet 1 of 3: Overall Plot Plan
- Exhibit B: sheet 2 of 3: Sewage Treatment System Plan
- Exhibit C: sheet 3 of 3: Sewage Treatment System, Cross Sections, Pump and Tank Details

Interested parties:

Marshall Brooks and Stephanie Greene, owners of 38 Greene Road (parcel HU021) which abuts Applicant Munsill's property were identified as Interested Parties. Mr. Brooks and Ms. Greene testified to the following:

- Rec'd notice of the hearing but a detailed description of the project was not included
- Unable to read the Applicant's name & unsure what it was all about
- Met with ZA Estey twice and gained access to plans, although they were overwhelming to view as a layperson
- Exhibit A depicts a portion of both abutters parcels HU021 & HU021A
- Teardrop shape highlighted in blue on Exhibit A noted as well shield—does this mean that nothing can happen on our land that disturbs this water shield for his well?
 - Notation: 200 foot minimum uphill from drilled well to any leach areas (effective basal area) Well protection zone
 - If one of our kids wants to build here, we are out of luck? *Appears to be the case but requires testimony from the Applicant*
- A basic idea of what is intended here is needed

Susan Ballantine, owner of 8 Far Beyond Road (parcel HU021A) which abuts Applicant Munsill's property was identified as an Interested Party

Ms. Ballantine testifies to the following:

- A full set of plans would be appreciated
- Applicant Munsill did not post the notice of hearing on his property as directed in the letter to abutters; also no description of the project; protocol has not been followed & want to bring it to the Board's attention
 - We were notified and that is good, but we had to come to the ZA for details
- Believe it to not be a home but a trailer that is being built on the property
- For myself as well as the other abutter, if you multiply out these leach areas, we are both losing approximately 3/4 acre each of usage of land for future septic, well for either of our children (41,250 square feet would be unusable on my property)
 - Possibly more than an acre for the other property owner
- The plans would infringe on the uphill area where a well could prospectively be drilled (this area has been considered by Ms. Ballantine for a house lot for her son)
- Applicant is potentially filling in a water hole on parcel RT131 as indicated on Exhibit B (southernmost part of parcel, blue shaded area)
- Natural watershed; sensitive wildlife area—these should come into play as well
- Concerns for the future use of my property; plan takes away considerable acreage from both abutting properties

ZA testifies that the Applicant was told to contact the State wildlife biologist and retain a response within 30 days; ZA is unsure whether this has been satisfied

The Board agrees that there are too many questions that can't be answered without the Applicant being present, they will remain unanswered until the August 9th continuance
A letter will be drafted and sent to Applicant Munsill requesting additional information

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

- Approve minutes of March 22, 2018 & May 10, 2018
 - Approvals deferred to next hearing
 - Applicant Schaubert's comments from May 10th minutes will be forwarded to Jon and Heather for review

On a motion by Vice Chair Lynch, seconded by Board member Montello, the Board unanimously agreed to move into Deliberative Session at 7:42pm

On a motion by Vice Chair Lynch, seconded by Alternate Kelly, the Board unanimously agreed to move out of Deliberative Session at 8:00pm

X. Adjournment at 8:02pm

Respectfully submitted by Jeannette Eckert, DRB Administrative Assistant

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