

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

Meeting Minutes

March 30, 2017 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, Jon Prial, Stephen Palermo. The Board introduced themselves to the audience.
The new Zoning Administrator, Wayne Estey and Administrative Assistant, Jeannette Eckert was also present along with Applicant Megan Sparks and Elisabeth Prial.
- 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, April 4, 2017 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.
 1. **To consider appeal #17-JH005-03** by Megan Sparks of the Zoning Administrator's issuance of a Notice of Violation. The Notice of Violation states that land-development on the property commenced without obtaining a valid zoning permit. The land-development on the property includes but is not limited to violations of Sections 300, 655, 651 and 830 of the Bylaw. The property is located at 65 Jockey Hollow Road in East Dover, VT. Parcel Number JH005

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

Applicant Sparks testifies that all abutters have been properly warned & in a timely manner.

Applicant Sparks testifies to the following:

- Apologizes for the issue getting this far
- Attempts have been made to get Mr. Hescock off the property

- Offered him monetary value of the property with no response
- Gave him 30 days to leave the property with no response
- A formal eviction notice was served on 2/21/2017
- Has 90 days to leave the property
 - Otherwise he will be escorted off the premises
- Completely unaware of what was being built on the property
- Ms. Sparks' attorney and potential property purchaser all tried to contact Mr. Hescok
- Mr. Hescok has been threatening in the past when Ms. Sparks attempted to check on the property
 - He was incarcerated for a time in NH
- He began building a shed like structure and an RV is backed up to it; also trucks parked on the property
- Once Mr. Hescok has left, the property will be cleaned up completely and sold
- Was not aware of the Bylaw; why isn't Mr. Hescok being held liable? Thought he would be responsible for obtaining the proper permits

Chair Shippee:

- Notice of violation was specifically issued due to the construction without a valid zoning permit
- While the Board understands that the Applicant is not the one who did the construction, the Applicant is the only chargeable party
- Bylaw dictates that the land owner is the responsible party

Applicant Sparks testifies that former ZA Cerchio's summary is accurate (Exhibit 1)

ZA Estey testifies that he drove by the property in question and the shed is still there as well as several vehicles & debris. Photograph of the property taken 2/23/17 is still accurate.

Chair Shippee reads written testimony into the record:

Exhibit 2: Email from abutter Glenn Dulmage (93 Jockey Hollow Rd)

Key points of concern:

- Would like to see a conforming structure or no structure at all
- Clean the property of junk vehicles that don't work
- Stop the unpleasant, continuous generator noise
- Stop the property being used as a metal scrap yard
- Concerns about proper disposal of human waste from the RV

Exhibit 3: Email from abutter Jeffrey Tullman (70 Jockey Hollow Rd)

Key points of concern:

- Continuous running of gas generator
- Numerous vehicles in disrepair parked on property
- Stacks of used tires; several rolling into Adams Creek
- Oil and gas from vehicles draining into the soil
- Vehicle debris thrown into the creek

On a motion by Alternate Prial, seconded by Alternate Palermo, the Board unanimously agreed to close the hearing

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

- Approve minutes of February 23, 2017 & March 23, 2017

On a motion by Alternate Palermo, seconded by Alternate Prial, the Board voted 3-0-0 to approve the minutes of February 23, 2017

On a motion by Chair Shippee, by a vote of 1-0-0, the minutes of March 23, 2017 were approved (Chair Shippee was the only Board member present at this hearing)

- Appoint Alternates for 1 year terms: Stephen Palermo & Laurie Newton
- Appoint new Board member: Jonathan Prial

Chair Shippee will submit a letter of recommendation to the Select Board after confirming with all Board members & Alternates

On a motion by Alternate Prial, seconded by Alternate Palermo, the Board unanimously agreed to move into Deliberative Session at 7:17pm

On a motion by Alternate Palermo, seconded by Alternate Prial, the Board unanimously agreed to move out of Deliberative Session at 7:30pm

3. **Adjournment at 7:30pm**

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.