

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

***Meeting Minutes  
September 12, 2019 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 7:14pm by Vice Chair Jim Lynch.
- II. All parties present were asked to sign in.
- III. The notice of hearing was read into the record.
- IV. Board members present were: Vice Chair Jim Lynch, Stephen Palermo, Steven Montello & Alternate Heather Kelly. The Board introduced themselves to the audience. Administrative Assistant Jeannette Eckert & Zoning Administrator Tabi Freedman was also present along with Applicants Richard & Regina Werner.
- 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, September 17, 2019 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 #19-RT056-01** for a conditional sign permit for W&B Property Management / Fabian at 164 Route 100 West Dover VT 05356, to update the signage for the gas station identity and pricing.

ZA Freedman testifies that the hearing has been properly warned and posted.  
Applicant Werner testifies that all abutters have been properly warned & in a timely manner.

No conflict of interest was present.

Applicant Werner reviewed the ZA summary and agreed it was accurate

Applicant Werner testifies to the following:

- Been in the process of buying this property over the last three years with John Chadwick
- History of the property:
  - Featured in the book The Death of Dover
  - Three additions had been made to the building
  - Went through a couple of different owners
  - Operated as a convenience store for many years
- In the meantime, John Chadwick passed away
- Werner's purchased the property in Dec. of 2018
- Had to find someone to supply gas—a real learning experience

- Ownership of the fuel tanks needed to be reported to the State
- Went through the permitting process
- After several attempts at finding a distributor, contacted Fabian who was interested in dealing with it and willing to supply the gas
- Fabian was to take care of the signage

The following exhibits were introduced:

Exhibit A: Colorized version of the proposed sign by Burr Signs for Fabian Oil

Exhibit B: Actual color photograph of proposed sign as depicted in the vinyl sign presented at the meeting

Continued testimony by the Applicant:

- Existing sign is grandfathered but didn't like the look of it
- Fabian will pay for the sign which will be red and white
- Digital signage is what is in question—wasn't in favor of it at first
  - But the 'change out' numbers are hard to manipulate
- There are only a couple of gas stations in town
- Desire to dress the property up to be a benefit to the town
- Solid surface for pricing, no inside lighting
- Lit version will be the Fabian side of the sign and the digital faces of the numbers
- The digitized aspect of the sign is what is being addressed in this application
  - Clear acrylic digit faces with applied vinyl graphics
- The other portion of the sign can be approved by the ZA
- The lit sign will be on 24-7 as the property will be open those hours

Vice Chair Lynch: This application seems to be driven by Section 133 of the Sign Ordinance: Preexisting Signs, although no section was cited on the application: *“The following pre-exist the adoption of this Ordinance and are only required to obtain a Sign Permit if they are expanded, extended, moved or relocated”*

ZA Freedman offers that Section 124 A.: Illumination, also applies.

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

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

- Minutes of May 23 & June 13 cannot be approved given the board members present

On a motion by Board member Montello, seconded by Alternate Kelly, the Board unanimously agreed to move into Deliberative Session at 7:41pm

On a motion by Board member Montello, seconded by Alternate Kelly, the Board unanimously agreed to move out of Deliberative Session at 7:50pm

The Board approves the application with the condition that the Town Attorney review Section 133 of the Sign Ordinance and determine its applicability to the application

**IX. Adjournment:**

On a motion by Alternate Kelly, seconded by Board member Montello, the Board unanimously agreed to adjourn at 7:50pm

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](http://www.doververmont.com).*