

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

Meeting Minutes

**September 28, 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, Steven Montello, Jon Prial, Stephen Palermo. The Board introduced themselves to the audience. The Zoning Administrator, Wayne Estey and Administrative Assistant, Jeannette Eckert was also present along with Richard Werner, Andrew & Marie Nystrom.
- 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, October 3, 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 application # 17-RT101-01** by Andrew and Marie Nystrom for an addition to an existing retail/commercial establishment. Located at 321 Route 100, this property contains multiple businesses in a commercial plaza and in the commercial zone and is known as Snow Mountain Market Plaza.

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

Applicant Werner & owners Andrew & Marie Nystrom testify that all abutters have been properly warned & in a timely manner.

Applicants review ZA summary and testify to its accuracy with corrections to the spelling of last name "Nystrom" and plaza name "Dover Center Plaza" (Exhibit 1)

The following exhibits created by JG Design Services were introduced:

Exhibit 2: Sketch 1-A2: Bird's eye sketch view from south west

Exhibit 3: Sketch 1-A3: Rendering views from South & North entries

Exhibit 4: Sketch 1-A1: Proposed plot plan with 1st floor level

Applicants testify to the following:

- When the property was purchased there was an Act 250 permit in place
- Original plan by previous owner was for 4 buildings; each 4000 square feet—4th building was never built
- Two buildings were constructed under the Act 250 permit
- Act 250 attorney was consulted and believe the permit to still be valid
- Current owners would like to create something nicer; dress up that part of town
- Would like to still incorporate the round building but it has structural problems and foundation issues
 - It will be torn down & the new building shifted back
 - Outdoor patio seating added behind
 - Barn style, post & beam, more of a Vermont look
 - Will double square footage of the store
 - Partially took building #4's (which was never built) square footage & added on to north side of store (existing building #2) as well as proposed new round building (existing building #1)
 - Act 250 attorney feels that it is well within the permit
 - Between all the buildings, there is enough parking spaces
 - Requires 1 parking space for every 200 square feet
 - 65 parking spaces exist
 - No parking in the rear of the buildings; deliveries will still be made at the rear of the buildings; will add green space
 - Every store is supposed to have an air lock entry—was part of the original Act 250 permit but never done; can make as a condition of this application
 - This is just one of many permits that need to be obtained
 - Act 250 will need to be amended & reviewed
 - Fire safety addressed by the Fire Marshall's office
 - New plans will be drawn up to submit for the above permits
 - A separate application will be needed for any new signage

ZA Estey noted that he was recently given packages for new construction based on energy conservation legislation passed by the State of Vermont that is applicable to all new construction/renovation. Have not had a chance to look at it but besides air lock entries, there may be other new requirements

- Lot coverage of all the buildings is 12,443 square feet
 - DRB decision from March 2012 stated 59 parking spaces were required
 - Market & Coffee Shop have overlapping hours; shared parking spaces
 - 50 spaces marked out on the sketch plan
- If installation of gas pumps become an issue, they will be dropped
 - Request to consider as a 'service center'; strictly used for the sale of gas
 - Section 665—Motor Vehicle Service Stations; partly meets these requirements but is also not a true 'service station'
- Setback required is 15 ft.—14.4ft on one of the buildings; existed prior to zoning
- A lot of considerations will need to be approved by both Act 250 and Fire Safety

ZA Estey brought up the issue of bears getting into dumpsters that was also stated in a previous DRB decision for this property—DRB may want to address with this application

The Board took a brief recess at 7:40pm; returned at 7:42pm

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

2. **To consider application # 17-RT123-01*** by Michael Garber to approve the siting of a storage container. Located at 397 Route 100 and known as Vermont Wild Hotel Inc.
***This application has been postponed until Oct 12, 2017**
3. **To consider any other business** which may legally come before the Development Review Board.

- Approve Minutes of August 10, 2017 & March 30, 2017

On a motion by Board member Montello, seconded by Board member Prial, the Board voted 3-0-1 to approve the minutes of August 10, 2017 (Palermo abstained)

On a motion by Board member Prial, seconded by Alternate Palermo, the Board voted 3-0-1 to approve the minutes of March 30, 2017 (Montello abstained)

On a motion by Board member Montello, seconded by Board member Prial, the Board unanimously agreed to go into Deliberative Session at 7:47pm

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

4. **Adjournment 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.