

***Town of Dover
Development Review Board
Meeting Minutes
February 22, 2024 at 7:00 PM***

THESE MINUTES ARE NOT OFFICIAL UNTIL THEY HAVE BEEN APPROVED BY THE DEVELOPMENT REVIEW BOARD

- I.** The regular meeting was called to order at 7:01pm by Chair Sarah Shippee.
- II.** The notice of hearing was read into the record. Board members introduced themselves.
- III.** Board members present in person: Chair Sarah Shippee, Vice Chair Jon Prial, Board member Steven Montello*, Board member Stephen Palermo, Board member Geraldine Golet, Alternate Jack Conway
Present via zoom: Admin Asst. Jeannette Eckert, Applicant Mary Jane Q Finnegan
Also present in person: ZA Tabi Freedman, John Lyddy, Joseph Giarratana, Richard Ticino, Jonathan Hryb
- IV.** 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. All parties intending to offer testimony were sworn in.
- V.** A draft of the minutes for the meeting will be posted by Tuesday, February 27, 2024 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.
- VI.** **To consider continuance of application #23-RT019-01** by Mary Jane Q Finnegan, 45 Route 100, West Dover, VT for an accessory building for storage use.
- The only item that was missing from the Applicant was whether the abutters had been notified in a timely manner – that has now been established in the affirmative

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

*After the minutes of January 11th were approved, Board member Montello exited the closed hearing as there was already a quorum of members to hear the additional two applications

- VII.** **To consider application #24-RT071-01** by J.T. Properties LLC, 201 Route 100, West Dover, VT for Change of Use (Conditional) to Multi-Business Center

ZA Freedman testifies that the hearing was properly warned and posted
Applicant Giarratana testifies that abutters were properly notified and in a timely manner
No Conflict of Interest was present among Board members

Applicant Giarratana & tenant Ticino testify to the following:

- A large amount of the building is to be rented to a cannabis grow company – wholesale only
 - Multi business center to house a cannabis nursery/processing warehouse

- No windows, all automated company
- Two employees at the most, State run and annually supervised by the State
- No advertising associated with the business
- Completely contained set up, environmentally controlled, grown in soil
- Plants are watered through humidity process
- Two bathrooms on site
- Fire Marshall will be inspecting as soon as Town agrees to the multi-use
- Back space is 4000 sq feet and is considered retail warehouse
- Front space is 6000 sq feet and is considered retail
- Building is in a commercial district
- Cannabis will not be sold retail – all run through the State’s website
 - Dispensaries will purchase the cannabis from that site
 - Would be delivered from this location to dispensaries
- One tenant is already renting a small back corner space
- Tenants have their own entrance
- Air purification system – every room is sealed – no odor would be vented outside
- Lights keep it warm in the winter time – use of air conditioning in summer
- Depending on electricity – generator use is being considered
- This building has been dependent on more than one business for decades in a 10,000 sq foot building
- Financial hardship for all involved the longer this takes to approve – requesting to process it as soon as possible
- One full time employee and two part time employees once a month for harvesting
- Existing building has North Branch sewer/water permit for up to 10 employees
 - No discharge except for the bathroom use
- Parking lot offer enough room for 45 parking spaces
- 1000 sq feet is for retail space – any changes of use to the retail spaces would need to be applied for again – back is still considered warehouse
- If a change of use happens, the Applicant would need to address the gallonage allocation with North Branch
- The State will issue the license for growing the cannabis
- DRB permit would be pursuant to receipt of the State permit

On a motion by Board member Golet, seconded by Board member Palermo, the Board unanimously agreed to continue the hearing to March 14, 2024

VIII. To consider application #24-RT015-01 by Chiropractic & Wellness Ctr of New Haven 33 VT Route 100, West Dover VT for an Accessory Use (Additional Business) to an existing Conditional Use.

ZA Freedman testifies that the hearing was properly warned and posted
 Applicant Hryb has permission from the property owner Walter Bansley to represent him
 and testifies that abutters were properly notified and in a timely manner
 No Conflict of Interest was present among Board members

Applicant Hryb testifies to the following:

- Seeking to provide chiropractic care from the mobile unit located adjacent to Snow Republic brewery
- Unit is 37 feet in length by 13 feet in width
- Unit has its own water - not sharing with other building (Snow Republic brewery)
- No waste water or rest facility in the unit
- Handwashing takes place inside the brewery
- Potentially open 7 days a week 7am to noon
- Only one employee (the Applicant) – one client at a time
- Running water – can use the water if it's not freezing cold out – has capacity to catch its own wastewater which gets emptied regularly – can do that if needed
- Power is contained in the unit
- Will parking spaces be taken away by the mobile unit? Concrete pad area on which the unit will be placed is no longer designated as parking spaces – waiting on updated parking map

On a motion by Vice Chair Prial, seconded by Board member Golet, the Board unanimously agreed to continue the hearing to March 14, 2024

- IX. To consider any other business** that may legally come before the Development Review Board
- Minutes of January 11 & 25 & February 8, 2024

On a motion by Board member Montello, seconded by Alternate Conway, the Board unanimously approved the minutes of January 11, 2024

On a motion by Sarah Shippee, seconded by Sarah Shippee, the minutes of January 25 and February 8 were approved. Chair Shippee was the only board member present for both of these hearings simply to open and continue them

On a motion by Board member Golet, seconded by Alternate Conway, the Board unanimously agreed to go into Deliberative at 7:45pm

The Board came out of deliberative session by unanimous consent at 8:06 pm

No decisions were made during the session

- X. Adjournment:** Chair Shippee adjourned the meeting at 8:07pm

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.