

Town of Dorset Planning Commission March 30, 2009 Minutes

Members Present: B. Breed (Chairman), M. Canavan (Vice Chairperson), G. Squire, D. Pinsonault, T. Dee, C. Ferguson, B. Herrmann

Members Absent:

Also Present: Chris Schmelzenbach (Zoning Administrator), Bob Escher (DRB), Georgine Barrie, Cliff Beebe, Jane Beebe, Harold R. Beebe, Douglas Beebe, Thomas Hoffman, Kit Wallace

B. Breed, Chairman, opened the Public Hearing at 7:02 p.m.

Approve Minutes of February 2, 2010

T. Dee moved and B. Herrmann seconded to approve the February 2, 2010 minutes as presented. Motion carried 5-0 (M. Canavan & C. Ferguson abstained).

Report from the Zoning Administrator

C. Schmelzenbach reviewed the ZA report:

1. SSL & K, LLC (3033 Route 30) – Permit issued with conditions and sign proposal forwarded to SB for review.
2. Harold Beebe (2971 Route 7) – Coordination for Preliminary & Final Plat submission.
3. Barry & Susan O’Leary (300 Nims Road) – Boundary Line Adjustment application approved.
4. Abbott de Rham (590 Danby Mountain Road) – Coordination for moving an existing barn for an accessory building.
5. Christopher Cronin (255 Mad Tom Road) – Parking complaint with letter send inquiring about business activity.
6. Katherine Moreau (Peckham Lane) – Coordination for single family home/site improvements
7. Richard Manley (579 Owls Head Hill Lane) – Coordination for wood shed construction.
8. Robert Burke (Dorset West Road) – Certificate of Occupancy issued.
9. Gary Saunders (2435 Morse Hill Road) – Owner coordination for single family house.
10. Sarah Inglis (312 Upper Hollow Road) – Wastewater system and potable water supply permit received for 3 bedroom addition and one bedroom apartment.

There was one (1) permit issued for the period of January 19 – February 23, 2010; two in 2009 and two in 2008.

C. Schmelzenbach reported that a draft sign ordinance was reviewed by the Select Board; comments were received and a second draft will be presented at their next meeting.

Report from the Bennington Country Regional Commission Report from the Bennington Country Regional Commission

No report submitted. G. Squire noted that they were not receiving reports from either representative and requested that minutes of the BCRC meeting be available for the PC. B. Breed is to contact the BCRC and request minutes.

Report from the Design Review Board (DRB)

B. Escher reported that the former Essex Green/Café Bohemian restaurant will now be Mio Bistro who have presented a sign similar to the previous one and requested an awning over the patio area. The sign was approved and the awning will be discussed at their next meeting. B. Breed asked what the criteria were for sign colors and B. Escher responded that the sign ordinance was weak, but they are in the process of updating it. G. Squire moved and M. Canavan seconded to approve the DRB minutes of February 18, 2010 as presented. Motion carried 7-0.

Public Hearing – Harold & Jane Beebe – 2 Lot Subdivision – 2971 U. S. Route 7 – Preliminary/Final Plat Review

The Public Hearing for the Preliminary Plat was opened at 7:16 p.m. The Beebe's are proposing to subdivide an existing 193+/- acre parcel located t 2971 US Route 7 into two lots. Lot 1 of 2.0 acres will contain the existing single family home, a garage, barn and shed. Lot 2 will be the remaining lands of 190+/- acres which will be subject to State of Vermont Deferral Language. Subdivision Development Regulations Section 7.02 ~ Contents of Preliminary Plat Submission regulations were reviewed with all criteria in compliance. B. Breed asked about FLESA/LESA and C. Schmelzenbach responded that it was not necessary. It was noted that further development would require another Water and Waste Water permit application and further review. The Public Hearing was closed at 7:26 p.m. M. Canavan moved and T. Dee seconded to approve the Preliminary Plat Review as submitted and depicted on the site plan by Parks Associates dated February 1, 2010 and revised on February 16, 2010. Motion carried 7-0.

The Public Hearing for the Final Plat was opened at 7:27 p.m. Subdivision Development Regulations Section 8.02 ~ Contents of Final Plat Submission were reviewed with the conclusion that the subdivision was in compliance with all criteria. The Public Hearing was closed at 7:30 p.m. T. Dee moved and G. Squire seconded to approve the Final Plat Review for the Beebe's as presented (dated February 1, 2010/revised February 16, 2010. Motion carried 7-0.

Public Hearing – Amendment to Zoning Bylaw Section 11 ~ Wireless Communication Facilities: 11.2 Where Permitted.

The Public Hearing was opened at 7:32 p.m. Section 11.2 of the Zoning Bylaws was read by B. Breed who noted that the proposal was to add the words "*with the exception of deer yards*" to Section 11.2(1) which would allow development in deer yards with ZBA approval. M. Canavan moved and C. Ferguson seconded to approve the proposed changes to Section 11.2(1) of the Zoning Bylaws as presented. Motion carried 7-0.

Other Business

1. C. Schmelzenbach noted that T. Hoffman was present to discuss SSL & K, LLC's current approved permit as there has been a change in interested clients to all office space which will need increased parking. T. Hoffman explained that an electric pole in the middle of the entrance way limits parking spaces and they have re-worked the sketches originally presented with a new one way entry and exit and shrinking the green/planted space. Discrepancies in the first drawing have been corrected and the total amount of parking spaces is close to what is necessary. C. Schmelzenbach noted that the parking spaces constrain how many offices can be put in. K. Wallace stated that there was a potential for eight businesses, but two would be single person offices. D. Pinsonault noted that if the

PC did not follow the regulations a precedent would be set. B. Breed stated that they would be limited by the number of parking spaces and would need to designate each office to the spaces available. Flexibility can be given within the entire site with some businesses having more than others, but there has to be a total for the location. B. Breed asked if the septic would limit the number of people and K. Wallace responded no, as it was designed for more. Zoning Bylaw #10.3.1(3) was reviewed. K. Wallace noted that there would potentially be eight offices – five in the main building, two in the barn and one in the cottage. B. Breed commented that they would be short four spaces as they only have twenty (8 offices x 3 spaces for each). G. Squire requested that the drawings be combined for easier review next time and B. Breed noted that they would have to work within the Zoning Bylaws. Discussion continued about extra parking spaces, flexibility, setback issue with two parking spaces near the property line, applying for a variance and having another site development review. B. Breed stated that he was in favor of the new one way entry and exit.

2. T. Dee noted that her term expires April 30th and has agreed to be appointed to another term. It was the concensus of the PC Board members to have T. Dee re-appointed for another term on the Planning Commission. C. Schmelzenbach reminded everyone that two more members were needed for a full PC Board and M. Canavan has been actively recruiting members and may have someone who is willing to serve.
3. M. Canavan moved and C. Ferguson seconded to appoint B. Breed as Chairman of the Planning Commission Board. Motion carried 6-0.
4. G. Squire moved and C. Ferguson seconded to appoint M. Canavan as Co-Chairperson of the Planning Commission Board. Motion carried 6-0.

T. Dee moved and G. Squire seconded to adjourn the meeting at 8:15 p.m. Motion carried 7-0.

Respectfully submitted,

Nancy Aversano

Dorset Select Board Meeting

Date: March 30, 2010

Regular

Special

Please Print Name & Address

| | | | |
|-----|------------------------|------------------|------------|
| 1. | <u>Boddescher</u> | <u>DRPS</u> | <u>yes</u> |
| 2. | <u>GORGIANE BARKER</u> | <u>DORSET</u> | <u>YES</u> |
| 3. | <u>CLIFF BEEBE</u> | <u>D. DORSET</u> | <u>YES</u> |
| 4. | <u>Jane Beebe</u> | <u>D. Dorset</u> | <u>yes</u> |
| 5. | <u>HAROLD R. DEEBE</u> | <u>E. Dorset</u> | |
| 6. | <u>Paula Decker</u> | <u>E. Dorset</u> | |
| 7. | <u>Thomas Hattum</u> | <u>Dorset</u> | |
| 8. | <u>Kt Wolla</u> | <u>Dorset</u> | |
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