

Town of Dorset Planning Commission May 4, 2010 Minutes

Members Present: B. Breed (Chairman), M. Canavan (Vice Chairperson), G. Squire, D. Pinsonault, C. Ferguson,
 Members Absent: B. Herrmann, T. Dee
 Also Present: Chris Schmelzenbach (Zoning Administrator), Thomas Hoffman, Kit Wallace, Joan Menson

B. Breed, Chairman, opened the Public Hearing at 7:01 p.m.

Approve Minutes of April 6, 2010

C. Ferguson moved and G. Squire seconded to approve the April 6, 2010 minutes as presented noting that the B. Hartwell statement was not attached. Motion carried 5-0

Report from the Zoning Administrator

C. Schmelzenbach reviewed the ZA report:

1. John Conte (256 Havoc Hill) – approval for barn addition and home occupation.
2. John Pucell (612 Route 30) – approval for screened porch
3. Gary Saunders (2435 Morse Hill Road) – application assistance single family home
4. Ben Weiss (154 Spruce Lane) – engineer coordination for boundary line adjustment
5. Peter Nicholson (192 McNamara Road) – approval for screened porch
6. Jennifer Langstaff-French (375 Lane Road) – permit issued for rebuilding a barn
7. C. Burleigh Wellington (94 Mt. Aeolus) – letter issued concerning possible home occupation.
8. Ira Wickes (573 Tower Road) – coordination for a subdivision
9. Jesse Torregrossa (5 Luge Run) – approval of boundary line adjustment
10. Austin Chinn (104 Kirby Hollow) – coordination for barn addition
11. Judd Gregory (147 Spring Hill Lane) – letter of compliance issued
12. David Beckley (607 Mad Tom Road) – approval for demolition of existing barn/construction of a new 2 car garage
13. Brian Palmiter (Nichols Hill Road) – coordination for a single family house

There was ten (10) permit issued for the period of April 1, 2010 – April 27 2010; five (5) in 2009 and six (6) in 2008.

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

No report submitted

Report from the Design Review Board (DRB)

No report submitted.

Public Hearing ~ SSL&K, LLC ~ Change of Use of Lands at 3057 Route 30 to Office Spaces, Access Reconfiguration and Site/Parking Improvements

C. Schmelzenbach explained that SSL & K wanted to designate the barn apartment as office space which triggers a change of use and additional parking. T. Hoffman noted that they have reconfigured the parking spaces deleting one in front; adding one in front of the cottage and two in front of the barn. The catch basin in front has been taken out and the water flow has been changed with re-grading so that all water is controlled. They have spoken to C. Brooks and K. Adams who have accepted all the changes. There is a question as to the size of the lot (.98 acres listed in deed vs .71 acres listed by GIS & Listers) C. Schmelzenbach commented that no more than 60% of the property can be covered by parking and buildings and, with the proposed increase in parking, he wanted to make sure this is in compliance. Reference was made to an email dated April 15th which gave figures supporting compliance for 60%. B. Breed asked when the last survey was done and T. Hoffman responded that it appeared that some sort of property exchange was made after the original deed was made. B. Breed asked that this issue be clarified for the future as it has to be accurate and correct going forward. Discussion ensued regarding the number of employees and offices. B. Breed reviewed ZBL Section 10.3.1(6) noting that parking hinges on the number of businesses. K. Wallace noted that there are seven offices which will probably be one person offices. T. Hoffman stated that the goal was to create a more attractive entity to help the local economy and not take advantage or do retail. B. Breed stated that seven businesses with one employee each would require 21 parking spaces with one handicap space. C. Schmelzenbach noted that with what is depicted on the plan, they can do seven one-employee businesses. B. Breed expressed that enforceable conditions must be considered and that the owner should deal with the configuration of space, but must not exceed the requirements of 21 parking spaces. G. Squire moved and D. Pinsonault seconded to approve the site development plan for Lot 3 of SSL & K, LLC as presented with the condition that criteria be met for ZBL Section 10.3.1(6). Motion carried 5-0.

Other Business

1. A discussion of the next steps for addressing groundwater was opened at the request of J. Menson with B. Breed noting that specific recommendations were not made at the groundwater meeting and he felt that first seeing overlay areas to be protected is important. Not enough information was available yet for the areas of potential development to add specific protection language. A grant for a build out study has been applied for to identify areas of development and growth; then the PC can re-evaluate the need for protection language in the Town Plan. He would like to see the groundwater issue tied into future development and if an area is found that needs protection, it can be discussed. D. Pinsonault noted that some groundwater might be on personal property and that educated steps should be taken after careful review. J. Menson urged the PC to think ahead about protecting potential public water supplies and not wait until development has taken place. Discussion ensued regarding ponds being built uphill and water not reaching other ponds; protection against pollution of water; delineation of protection areas on older maps & none showing on current maps; 75% of major springs in Dorset exist in karst terrain and that it is now up to the PC to determine where recharge areas exist.

J. Menson read protection language that she urged the PC to include in the Town Plan. She noted that J. Groveman said it was very important for the PC to include something in

the Town Plan as soon as possible. B. Breed stated that he was not comfortable with the language as it was not specific and they did not have the data yet. Specific studies and guidelines are needed to add the correct protection language. G. Squire suggested including language such as “Dorset is having a study done and overlay maps created and that the PC will use them for any and all future development.” J. Menson expressed that the current Town Plan water references are outdated and that water is an important resource. B. Breed repeated that criteria cannot be included in the Town Plan without specificity.

2. C. Schmelzenbach informed the Board that a client of Speath Engineering was interested in development of a propane and distribution center in Dorset in the CI-1 zone near Harmony Lane which has been rejected.

C. Ferguson moved and M. Canavan seconded to adjourn the meeting at 8:50 p.m. Motion carried 5-0.

Respectfully submitted,

Nancy Aversano