

Town of Dorset Planning Commission June 7, 2011 Minutes

Members Present: B. Breed (Chairman), B. Herrmann, D. Pinsonault, G. Squire, T. Dee, C. Ferguson, B. Beavin, D. Lawrence

Members Absent: Tyler Yandow (Zoning Administrator)

Also Present: R. Gaiotti (Town Manager/Acting Zoning Administrator), Brad Tyler, Robert Menson, Joan Menson, Leil Landres, D. Green, Bob Escher (DRB), Janet Saint Germain, Isabel Hein

B. Breed, Chairman, opened the meeting at 7:00 p.m.

Approve Minutes of June 7, 2011

C. Ferguson questioned a comment by D. Pinsonault on page 4, 2nd paragraph concerning D. Sands having or not having an agenda. N. Aversano is to listen to the tape to clarify. C. Ferguson moved and D. Lawrence seconded to approve the minutes as presented with clarification for D. Pinsonault's comment. Motion carried 8-0.

(N. Aversano checked the June 7th tape recording and D. Pinsonault's comment was: *"I like the fact that Mr. Sands, when he mentioned that he has no agenda and he doesn't belong to any particular groups or anything."*)

Report from the Zoning Administrator

R. Gaiotti presented the ZA report and noted that the BCRC has completed a broad overview of a build-out study for the PC to review and discuss to see what parameters to add. Grant money may be available to allow for a more in-depth study. B. Breed stated that the members should not be shocked by the initial map as big changes were detailed.

R. Gaiotti announced that there would be a work party on Saturday, July 23rd from 9:00 a.m. to 2:00 P.M. for the Pinnacle property and the Conservation Commission would welcome community members to help clean up the park for the 250th celebration on Saturday, August 20th.

B. Breed asked the Board members how they felt about getting all the PC information by email. He did not feel the need to have all the permitting details and was satisfied with a summary. He would like to have only the information that the PC needs to focus on at the meetings. Most members agreed.

Report from the Design Review Board

- Sign for Tilli Hat Store ~ a soft pink color, 38" x 16" sign to be hung on a wrought iron bracket was approved as it conformed to Criteria 3.0. There will be no lighting.
- Sign for Massage Therapist ~ S. Crepeau presented a hand drawn sign for her massage therapy studio to be located in her residence. The sign is to be 18" by 22", double sided on a white wood post with no lighting. The DRB members were concerned that a

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homemade sign would not measure up to the standards of the other professional signs in the area. A redesigned drawing was presented on July 3rd and the DRB gave approval as a temporary sign in order for S. Crepeau to open her business. She will attend the next DRB meeting with the final handmade sign for approval.

B. Beavin said that it didn't seem essential to have a professional make the sign and B. Escher responded that they try hard to keep a high standard and be consistent in the District.

T. Dee moved and G. Squire seconded to approve the Design Review Board minutes of June 21, 2011 as presented. Motion carried 9-0.

B. Escher requested input regarding G. Holman's request to have a sculpture and sign on the Bickford property next to the Dorset Union Store for one month for the 250th Dorset celebration. He asked if there was some latitude to allow for this request without going through all the criteria and paperwork. B. Breed noted that temporary signs in the Design Review District need approval and D. Lawrence asked if this was a non-profit organization. B. Escher responded that it was an art gallery and not a non-profit. It was asked how the DRB could circumvent the process for only one person and if there was anything in the criteria that says it is not necessary to have a review. It was recommended that thought be given to changing the criteria for temporary signs as currently there is an approval process that has to be followed and special exemptions cannot be made.

Discussion of Rules of Procedure Draft

Questions, comments and changes were discussed regarding the Rules of Procedure and Conflict of Interest Policy. See attached draft for changes made.

R. Gaiotti is to double check page 5 (B) regarding the chair being able to make a motion and page 6 (G) the number of days a decision must be rendered after the final public hearing.

D. Green asked how a majority vote worked and B. Breed responded that the PC has nine members and they need five to make a quorum and it is a majority of the number of the Board, not the majority of the members present. N. Landres commented that he objected to the deletion under Section III (C) 1 regarding direct or indirect personal interest of a board member. C. Ferguson noted that it was the members' duty to be open minded and listen objectively for conflict of interest. It was stated by B. Breed that they can take a conservative stand and modifications can always be made in the future.

Reconsideration of Candidates for Open PC Seat

D. Pinsonault questioned why the second candidate was not voted upon by the SB after the first candidate was not approved. B. Breed explained that the reason the first candidate was not approved was because a member of the PC changed his vote and voided the quorum. B. Herrmann noted that all evidence was not brought to the table when the decision was made by the PC. B. Breed stated that this can happen if the right questions are not asked and did not think it was proper to change votes. If one member has a second chance at voting, then all should have the same opportunity. Decisions made at the table should be legally binding as decisions can

sometimes go to court. D. Pinsonault noted that this did not change the SB vote and B. Breed responded that it was his understanding that it did. B. Tyler, Select Board member, stated that the letter was brought up at the meeting, but had no bearing on the outcome of the vote (2 for and 3 against the candidate) and the second choice was never brought forth for a vote. B. Breed wanted to be clear and asked B. Tyler if the primary candidate chosen by the PC by a vote of 5 members was voted down by the SB on her own merits and basically disregarded the PC preference. D. Pinsonault asked why the PC gave a second name if it was not going to be considered. It was B. Breed's understanding that the letter negated everything and since many people interviewed well, they were given an option to bring the matter back to the PC. B. Tyler reiterated that it was said by the Chair that the letter had no bearing on the SB decision. D. Pinsonault read C. Brook's email (attached). B. Breed expressed that in twelve years the SB has never taken the primary selection of the PC and voted them down. B. Tyler stated that all candidates had been interviewed by the SB and had interviewed very well giving options for the vote. He asked B. Breed where he had gotten his information and it was answered at the same meeting you were at, but with a difference of opinion. G. Squire was disturbed that the candidate was voted down without a stated reason and B. Tyler answered that the reason was that there were many qualified candidates. When asked by G. Squire why he changed his mind, B. Herrmann said that as a Chamber of Commerce representative, B. Meachem should not be signing petitions against businesses. G. Squire felt there was bias in one direction and D. Pinsonault expressed that the second candidate was not given a chance to be voted on. B. Beavin stated that it was the PC's job to send selections to the SB who has the purview to choose one of the selections. He felt it was offensive that the first choice of the PC was not taken, but the second choice should have been considered. B. Breed noted that he thought the matter was kicked back to the PC due to irregularities and the process would start over again, but now is told that the SB made the choice on merits which now changes things since there was a second choice. C. Ferguson stated that she would like to be on record that once the PC has voted, a member should not be able to pull their vote based on information that is not given to all members. If someone feels that strongly about any information, the member should bring it back to the entire group for discussion and re-vote. B. Breed stated that the members could not re-think their decisions after they are made. It was asked by C. Ferguson if another candidate would be forwarded to the SB and B. Breed replied that H. Coolidge should go before the SB to be voted on.

Public Comments Taken

J. Saint Germain wanted to refute the comment made by D. Lawrence at the June 7th PC meeting about the DCRG causing a lot of money to be spent. The petition was not by the DCRG, but by a grass-root group of whom many are not even members of the DCRG. The petition signers were told by the DCRG that they would be responsible for any costs incurred if the appeals were accepted. The petition defended the bylaws of this Town. J. Saint Germain quoted J. Hathaway who said that the petition was not against anyone, but was an action taken by citizens for the bylaws and so the DCRG did not cost the Town money. The DCRG has given the Town money for projects. D. Lawrence clarified that he did not say that it cost the Town a lot of money. B. Tyler noted that it was indicated by S. Jones through conversations with L. Lee that the DCRG was involved. J. Saint Germain noted that this was incorrect.

Other Business

None

D. Lawrence moved and C. Ferguson seconded to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

Nancy Aversano

Town of Dorset ~ Planning Commission

Date ___/___/___
 Regular Meeting ___
 Special Meeting ___

(Please Print)

Name	Address	Representing	(Yes or No) Testifying?
Brad Tyler	Dorset	SELF	
ROBERT MENSON	1131 ROUTE 30 DORSET		
JOAN MENSON	" "		
NEIL LANDRY	DORSET DORSET	SELF	
D. GREEN	POB #881 DORSET		
Bob Escher	Dorset	DRB	Yes
Janet Saint Germain	"	SELF	
Isabel HEIN	"	self	

Sandy Pinsonault

From: "Chris Brooks" <2brooks@comcast.net>
To: "Sandy Pinsonault" <dj-shp@comcast.net>; "Mike Connors" <mconnorssr@yahoo.com>; "Michael Oltedal" <navigate@sover.net>; "Brad Tyler" <tylerelectric@earthlink.net>
Cc: "Freed Margery (Freed Margery)" <margefreed@hotmail.com>
Sent: Monday, June 27, 2011 9:17 AM
Subject: Re: Next Planning Commission Meeting

Sorry Danny,

→ Your right, we should have considered Mr. Coolidge. Unfortunately tensions were running pretty high and I do not think that any of the board members thought to make the motion. No games just human error, hopefully you can understand. I expect that Brad has had a chance to speak with Mr. Coolidge and explain things. Now that the damage is done, I would hope that the planning commission would reaffirm Mr. Coolidge and we will have the chance to correct our mistake.

Chris Brooks

On 6/25/11 4:58 PM, "Sandy Pinsonault" <dj-shp@comcast.net> wrote:

What is up with this? The selectboard has DEFERRED their decision? Did I not see a 3 to 2 vote with Chris being the 5th vote? It sounds like a kids game. If I can't have my bestfriend at the party I just won't have a party. Now some of the selectboard have decided after nominating the first potential planning commission member and getting voted down by a 3 to 2 vote they do not want to even consider the other name we had given them? So if you are Mr. Coolidge a life long resident and an independent thinker that is not beholding to anyone but himself, well he should just sit on the side lines with the understanding that Dorset really doesn't need his kind. Shame on someone.

Danny Pinsonault

----- Original Message -----

From: Bill Breed <mailto:bill.breed@highmeadow.com>

To: Caroline Dee <mailto:tonidee@comcast.net>; Brent Herrman <mailto:Brenth541@AOL.com>; Danny Pinsonault <mailto:dj-shp@comcast.net>; Connie Ferguson <mailto:cctfinvt@yahoo.com>; Dave Lawrence <mailto:risingsunvt@myfairpoint.net>; Gay Squire <mailto:turtlerock@sqirehouse.com>; Brian Beavin <mailto:brianwbeavin@gmail.com>; dorset 2a <mailto:dorset2a@gmail.com>

Sent: Wednesday, June 22, 2011 8:40 AM

Subject: Next Planning Commission Meeting

PC Members and Tyler

? The Selectboard has deferred their decision on the new planning commission member. We need to discuss this during our next PC meeting. So it is very important that I know who can attend since we should have all members there to vote and/or discuss our options.

Let me know if you can or can't attend or have any questions.

6/30/2011