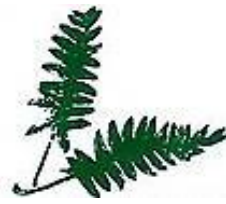


# Town of Dorset, Vermont



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Approved by the PC / / 17

## Town of Dorset Planning Commission February 15, 2017

Members Present: Brooks Addington (Chairman), Brent Herrmann, Dick Coss, Kit Wallace (by phone), Scott Thompson, Adam Danaker, Gay Squire, Charlie Wise,

Members Absent: Carter Rawson

Also Present: Tyler Yandow (Zoning Administrator), Jim Henderson (BCRC), Elizabeth Karet (Northshire Merger Committee), Nancy Faesy (BCRC Dorset Rep), Merill Bent (Callen Rep), Arnie Gottlieb (DRB), Laurie Callen, Glenn Callen

B. Addington, Chairman, opened the meeting at 7:14 p.m.

### **Chair to Note Any Changes in Agenda**

The agenda was changed to allow Elizabeth Karet, Northshire Merger Committee, to speak after agenda item #5 ~ approval of minutes.

### **Disclosure of Any Conflicts of Interest**

M. Bent, referring back to the November 1, 2017 minutes, asked B. Addington is he would acknowledge a conflict of interest if he decides to vote on the Callen application tonight. B. Addington responded that he would not acknowledge a conflict of interest with L. Callen that would affect his decision in the process. M. Bent requested that B. Addington abstain from voting based on a conflict of interest arising from a personal issue involving the Callen and Addington children. He noted that he abstained at the November meeting due to his concern at the time that it would be perceived as a conflict of interest by Mrs. Callen and did not believe this was the case now. M. Bent asked L. Callen if she thought there was still a conflict of interest issue and L. Callen replied that there probably is still a conflict, but would like to move forward.

### **Have Board Members Introduce Themselves. Invite Other Attendees to Do the Same and State Why They Are Attending**

### **Ask If Anyone Other Than the Secretary Intends to Make an Audio or Video Recording of the Meeting**

M. Bent, representative for the Callen's, disclosed that she is making an audio tape of the proceedings.

### **Approve Minutes of November 1, 2016, December 6, 2016 and January 3, 2017**

B. Addington moved and D. Coss seconded to approve the November 1, 2016 minutes as presented. Motion carried 5-0 (B. Herrmann, A. Danaker, C. Wise abstained)

B. Herrmann moved and G. Squire seconded to approve the December 6, 2016 minutes as presented. Motion carried 7-0 (B. Addington abstained)

Due to a lack of the required number of voting Board members, the January 3, 2017 minutes could not be approved.

### **Northshire Merger Committee**

E. Karet stated that it was important to all committee members and residents of Dorset to be aware of the vote on March 7, 2017 for merging school districts under Act 46. She urged everyone to read their Town reports which includes the Merger Committee Report, FAQ's and a sample ballot. There will be an informational meeting at the Manchester Community Library on March 2, 2017 at 6:30 p.m. and E. Karet urged everyone to attend. Information is on the merger website, and posted at the post offices.

### **Report from the Zoning Administrator**

T. Yandow's report covered:

- Due to lack of current financial resources, the discussion of cross walks will be delayed.
- Act 174 ~ T. Yandow attended the December 15<sup>th</sup> meeting which discussed draft standards for energy siting. The BCRC continues to work on getting a regional energy plan finished and it is likely that theirs will be used a model around the State.
- ZBA – Quigley application for a variance was denied
- BCRC ~ T. Yandow attended the bimonthly meeting
- Permits were down: 2 permits were issued December 28, 2016 to January 31, 2017

### **Report from Representative to BCRC**

N. Faesy submitted a BCRC report which included information about the easing of regulations for management in rivers in case of flood emergencies. Public hearings will be held in March for the BCRC Energy Plan.

### **Resolution to Request Assistance from BCRC for Energy Plan**

B. Addington moved and D. Coss seconded to accept the Resolution to Request Assistance from the BCRC for an Energy Plan. Motion carried 8-0.

### **Report from the Design Review Board**

K. Wallace informed the Board that the DRB members denied the Callen's sign application as outlined in the December 19, 2016 minutes. Included in the minutes is a copy of L. Callen's letter which she read at the meeting and in which she asked the PC Board members to vote to overturn the DRB decision.

K. Wallace explained that the DRB decision was based on the fact that the house is located in a historic, residential zone in Dorset allowing only residential signs to be displayed and the Board felt it was a reasonable compromise to allow the house identifier sign with a real estate sign in the ground so as not to set a precedent. A. Gottlieb added that the residential zone allows for 1.5 SF sign, but the proposal was for two attached 1.5 SF signs which was viewed as one 3 SF sign on a pole, permanent in nature and advertising a business. B. Herrmann felt that the 1.5 SF sign hanging below the identifier sign would look better than a tin real estate sign in the ground and L. Callen agreed that it was more aesthetically appealing. G. Squire noted that she did not object to the metal ground sign, but felt that the two piece sign was too commercial in a residential area. B. Addington noted that the PC Board were not professionals, but volunteers who are working with laws that are not always perfect especially given the changes in the market place for rentals. Laws do not reflect the change and letters have been received from neighbors expressing concern for a picturesque area that defines Dorset. He further said that he

appreciates that the applicant and Boards both want to do the right thing and neither solution is ideal, but the DRB has decided that the sign should fall under the residential guidelines. A. Danaker felt there were a lot of grey areas and T. Yandow explained that the Select Board has appointed a member to review and give recommendations for the sign ordinance. M. Bent asked for clarification about the two separate signs saying the sign ordinance is clear that you can have more than one sign and a sign cannot be denied based on content. T. Yandow responded that the ordinance allows for only one free standing sign per lot based on size. Discussion continued pro and con for the size and type of sign.

G. Squire moved and D. Coss seconded to approve the DRB minutes of December 19, 2016 as presented. Motion carried 7-0 (B. Herrmann abstained).

B. Herrmann moved and S. Thompson seconded to approve a single residential sign of 1.5 SF with the name of the house – Musser House – only which conforms to the Dorset sign ordinance. Motion carried 8-0.

L. Callen expressed her appreciation of the volunteer board members, but felt that some members of the DRB were rude and should be checked on how to conduct themselves as it is intimidating to face such behavior. B. Addington noted L. Callen’s statement.

**Bylaw Discussion ~ Formula Based Businesses; Commercial/Industrial Zones (CI-1, CI-2) ~ Jim Henderson/BCRC**

J. Henderson presented maps detailing the commercial zones noting that they were deceptive in that they showed large areas of commercial lands, but a lot is not developable for various reasons. As an example, the zone south along the Manchester line is listed as 285.8 acres zoned as commercial, but the Green Mountain National Forest and/or the State own most of the land and there are also wetlands and flood zones. This means that less than one half of the district (40%) is developable for commercial. J. Henderson continued to explain the maps and noted that the idea is to start looking at the zones more realistically to maybe re-zone the areas. T. Yandow stated that the Town has one small successful industrial park (Tennis Way) and thought should be given on how to create/reconfigure existing commercial zones to support a well thought-out commercial environment. E. Maloney noted that Route 7 has historic value along with the need to protect the Battenkill and Otter Creek and asked that the Board be aware that it is important to avoid sprawl. The Board asked J. Henderson to refine the maps for a more factual picture of the commercial zones and to add in 20% slopes. J. Henderson stated that there is a statewide parcel mapping program that Dorset can be part of which will help with parcel identification and data. It was the consensus of the Board to participate in the Statewide Property Parcel Mapping Program at no cost to the Town.

C. Wise and A. Danaher are working on the language to be used for Formula Based Businesses. E. Maloney urged the Board to have any language to be used reviewed by a lawyer familiar with Formula Based Businesses bylaws.

**Other Business**

1. The March PC meeting will be held on Wednesday, March 8, 2017 at 7:00 p.m.

**Public Comments Taken**

None

**Adjournment**

B. Herrmann moved and A. Danaher seconded to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Nancy Aversano