

# Town of Dorset, Vermont



Dorset Town Offices:  
PO Box 715  
112 Mad Tom Road  
East Dorset, VT 05253

Dorset Town Manager's Office:  
Phone: 802-362-4571 x 3  
Fax: 802-362-5156  
Email: [townmanager@gmail.com](mailto:townmanager@gmail.com)  
Website: [www.dorsetvt.org](http://www.dorsetvt.org)

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*Chartered 1761*  
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## Town of Dorset Planning Commission May 2, 2017

Members Present: Brooks Addington (Chairman), Carter Rawson, Kit Wallace, Scott Thompson, Adam Danaher, Charlie Wise, Gay Squire, Brent Herrmann, Dick Coss

Members Absent:

Also Present: Tyler Yandow (Zoning Administrator), Jim Henderson (BCRC) Nancy Faesy (BCRC Rep), Clarissa Lennox, D. Green, Rosalie Fox

B. Addington, Chairman, opened the meeting at 7:06 p.m.

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

None

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

None

### **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**

### **Approve Minutes of April 4, 2017**

K. Wallace moved and C. Rawson seconded to approve the April 4, 2017 minutes as presented. Motion carried 7-0 (B. Herrmann & C. Wise abstained).

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

T. Yandow's report covered:

- Town Energy & Transportation Plan ~ T. Yandow explained that the Energy Committee will be reviewing and choosing important information to be included in a first draft for the Town Energy & Transportation plan to be created by J. Sullivan. The timeframe for

the first draft is the end of June. N. Faesy mentioned that this plan tries to advocate and promote energy planning and that Dorset has already done a lot.

- BCRC ~ Annual meeting to be held May 18, 2017 at the Publyk House in Bennington at 5:00 p.m. All members are encouraged to attend.
- No further information from the Select Board has been received regarding the sign or noise ordinance yet.
- Two permits were issued for April 2017

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

No report submitted.

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

K. Wallace reported on the following:

- A. Gottlieb ~ application for split rail fence was approved as presented.
- Three Pears Gallery ~ requested DRB opinion about placing a sculpture in front of their gallery for the summer through to the fall foliage season. The DRB does not have criteria to cover this request, but appreciated the information and raised safety concerns about stabilization of the sculpture.
- Dorset Village Library ~ replacement of windows is under discussion due to type of window to be used. If the windows are replaced with “like” windows, no application is necessary, but if the windows are different, an application will be needed. T. Yandow asked if the Inn replaced their windows with “like” windows and K. Wallace responded no, but they have asked if the Library would get an estimate on repair of the existing windows. B. Addington asked if there was an energy saving component to the choice of window and K. Wallace replied yes. S. Thompson noted that the new windows would be maintenance free and thought it would be a win-win situation for everyone. T. Yandow said that the new windows would look nicer than the current storm windows.
- J. Clubb has researched replacement signs to change the worn wooden Dorset Historic District signs around Town. K. Wallace will contact R. Gaiotti about payment for signs.
- J. Clubb will resume previously approved maintenance work on his house during the summer and B. Miller will be painting his house and asked the DRB about shutter installation which was deemed inappropriate for his house.

B. Addington moved and G. Squire seconded to approve the April 17, 2017 DRB minutes as presented. Motion carried 9-0.

**Bylaw Discussion ~ Commercial/Industrial Zones (CI-1, CI-2) – Review of Updated Maps & Letter to Landowners**

T. Yandow noted that the updated maps dated 4/13/2017 reflect the changes discussed at last month's meeting with regard to changing the boundaries. The proposed changes are outlined in a heavy red line with the properties to be changed showing in white instead of each zone color. T. Yandow reviewed the changes to be made to each area taking out cemetery, wetlands, State land, forestry lands, flood plains, and limited access areas due to the railroad tracks. B. Herrmann asked if the changes would affect density requirements for the properties involved and T. Yandow responded that if the land is wetlands, it would not be considered developable property anyway so it will not reduce the size of the parcel.

T. Yandow suggested sending a letter to three of the property owners and calling two others and J. Henderson felt that the Board should send the letter to all property owners along with calling the two full time residents. The Board members agreed with J. Henderson. C. Rawson pointed out that on the CI-1 Zone North map, the starred properties should be shown in white to delineate the changes. It was the consensus of the PC Board members to move forward with the letters, phone calls and map changes for the Commercial/Industrial Zones (CI-1North & South & CI-2).

**Bylaw Discussion ~ Formula Based Businesses**

A. Danaher explained that the formula based business bylaw in Wellfleet, MA was challenged by a Cumberland Farms and the court ruled in their favor. The forums he has researched recommend focusing on description of use for this type of bylaw. It was recommended by A. Danaher to have a separate committee dedicated to researching and drafting a formula based business bylaw that is not easily challenged. The Board will continue to work on this bylaw language. T. Yandow is to consult with the VLCT and other Zoning Administrators about language for the bylaw.

**Bylaw Discussion ~ Section 3.13 (Waivers)**

Waivers are to be added to the list of bylaw amendments which are to be moved forward for further action.

**Bylaw Discussion ~ Section 12.1 (Certificate of Occupancy)**

T. Yandow explained that a Certificate of Occupancy is required for a residential property and the criteria should be added to the bylaws. B. Addington requested that this be added to the list of bylaw amendments which are to be moved forward for further action.

**Letter from Select Board ~ Restricted Landing Areas**

The Select Board in a letter dated April 10, 2017 has directed the PC Board to review the issue of a restricted landing area (helipad) due to the concerns raised during a recent helipad application that was before the State Transportation

Board for Dorset. The application has been withdrawn, but the Select Board would like the PC to determine how to regulate and restrict the use of land in Dorset as a restricted landing area so that any future application will be thoroughly reviewed. The PC Board raised numerous questions concerning: open air space, frequency, leased versus owned helicopters, noise levels, asset to have if emergency, other landing zones in the area, pleasure versus commercial use, and other Towns'/State regulations. B. Addington noted that the Board needs more information and suggested starting with State regulations following up with other Town's criteria.

**Other Business**

None

**Public Comments Taken**

None

**Poll Members for Attendance at Next Month's Meeting**

B. Herrmann and A. Danaher will not attend next month's meeting.

**Adjournment**

C. Rawson moved and B. Addington seconded to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Nancy Aversano

