

## **Town of Dorset Planning Commission May 3, 2016**

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

Members Absent: Adam Danaher

Also Present: Tyler Yandow (Zoning Administrator), Robert Menson, Joan Menson, Nancy Faesy, Douglas Beebe, Harold Beebe (Beebe Farm), David Beebe (Beebe Farm), Frank Parent (Lawrence School), Cliff Beebe (Beebe Farm), Sharon McNamara, Richard McNamara, Rick Travers, E. Bielhwsich, S. Connell, F. Chiapperini, G. Callen

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

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

B. Addington stated that agenda item #9 - 3323 Route 30 – Determination of Review Needed for New Business - was withdrawn.

### **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**

The Board introduced themselves and B. Addington extended the Board's congratulations to Adam Danaher who became a father for the fourth time yesterday explaining his absence from the meeting.

### **Approve Minutes of April 5, 2016**

G. Squire moved and B. Herrmann seconded to approve the April 5, 2015 minutes as presented. Motion carried 5-0 (C. Wise absent for vote ~ K. Wallace & S. Thompson abstained).

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

T. Yandow's report included the following topics:

- 108 Church Street permit violation
- S.230 - pending legislation regarding siting of energy projects
- S.241 – pending legislation regarding marijuana
- Town Officers' Education Conference – informative meeting with topics such as merging GIS and tax mapping info for public use on Town web sites and using drones for mapping.
- Review of permits

B. Addington asked T. Yandow to keep the Board informed on the siting of energy projects legislation and T. Yandow noted that this was a good topic for PC discussion. B. Addington asked

to have the topic placed on a future agenda and explained that the S.230 legislation entails how much control a town may or may not have over the location of installations of wind or solar energy projects. G. Squire commented that energy projects cannot be banned, but the Town Plan can be used as a principle guide for location. T. Yandow stated that revisions to both the Town Plan and Zoning Bylaws may be needed as the Town Plan is not a regulatory document. B. Addington suggested that the PC have a discussion regarding these types of projects at the next (June) PC meeting and then ask J. Sullivan to attend the following July meeting for his input.

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

1. Howe Residence – 45 Dorset Hollow Road ~ removal of a wooden fence and replacement with a low stone wall was approved as appropriate.
2. Buber House – 3269 Route 30 ~ addition of a landing/deck in the back; replace porch door; replace windows and add a fence was approved as appropriate.
3. Connell Residence – 3259 Route 30 ~ installation of retractable awning to shield rear patio and addition of white railing to north side of house was approved with the black, grey and white color awning.
4. Callen Residence – 108 Church Street ~ Original permit for front porch columns is in violation status. Submission of a new application by G. Callen listing the completed portions of the projects approved on May 20, 2015 and the new front porch column design replacing the originally approved columns and the installed unapproved columns. New column design requested by G. Callen was for round, Doric cap/base style columns which was denied on April 25, 2016. With multiple, lengthy discussions at the DRB level and a discussion with the PC tonight, K. Wallace expressed that the DRB is tasked with maintaining the historic integrity of the area and they felt the original design of the columns should remain. B. Addington mentioned that consistency is an important aspect along with clearer and cleaner criteria for the new ZBL update. G. Callen noted that he had hired an architect who supported the Doric columns as historically correct and felt that other renovations in close proximity to his house were significant changes which could be seen from the street and were allowed. G. Callen stated that he is trying to make the house look better and fit into the historic area, but felt the decisions by the DRB were inconsistent. G. Squire asked why Mr. Callen would not agree to use the columns originally agreed upon and G. Callen responded that he could not purchase fiber glass columns like that. B. Herrmann suggested he use wood and expressed that M. Callen okayed the original design and then just did what he wanted without going back to the DRB for approval. T. Yandow stated that the DRB held three meetings to discuss G. Callen's applications and he supports their decision to deny the applications. He recommends that the PC approve the DRB minutes as presented as it is the purpose of the DRB to maintain the consistency of the historic architecture. B. Addington asked if there was a possibility to find an amicable solution and T. Yandow replied that the DRB tried compromise discussing important architectural details for hours, but the granted permit was ignored. G. Squire expressed concern that a precedent would be set making the DRB an ineffective group if their decision was not upheld. B Herrmann moved and G. Squire seconded to approve the April 25, 2016 DRB minutes as presented. Motion carried 6-0 (K. Wallace & B. Addington abstained).

## **Site Development Plan Review – Lawrence School for Young Children & Dog Grooming Business**

Frank Parent, Long Trail Engineering, was present to represent Kathy Lawrence. Lawrence School for Young Children is an existing day care facility currently with 26 children attending. K. Lawrence would like to increase enrollment to 40 children with six staff members (K. Lawrence is one of the staff). The daycare will remain in the current building with no changes proposed and appropriate State permits have been applied for.

K. Lawrence's daughter is proposing to use the existing barn for a dog grooming business with one employee and a policy of one dog at a time for grooming purposes. The barn entrance is not located near the daycare entrance and there is a fence separating the areas.

K. Wallace asked about parking for the school facility and F. Parent responded that a parking analysis sheet was included with his letter explaining the number of spaces and drop-off/pick-up pattern. There might be three special events held during the year. It was noted that there were no criteria for parking for a daycare/school facility in the ZBL and K. Wallace felt this was a shortfall in the zoning regulations.

T. Yandow's memo dated May 3, 2016 was reviewed by the PC members with regard to the Site Development Plan Review (Section §3.8.2). K. Wallace moved and C. Wise seconded to approve the application submitted by Kathy Lawrence as presented with the following conditions:

1. Receipt of a letter from the East Dorset Fire Department confirming the ability to provide fire protection for the proposed expansion to the school and the dog grooming barn.
2. Designation on the submitted drawing of the existing utilities on the subject lot and within 200 feet of the subject lot.
3. Contingent upon receipt of the appropriate State permits.
4. That the applicant is made aware that the PC Board members expressed concern regarding the safety aspects of having a daycare facility and a dog grooming facility separated by a low fence.

Motion carried 8-0.

## **Site Development Plan Review – Annual Horse Show, Beebe Farm**

T. Yandow noted that the review is for a temporary use of open space and his memo dated May 3, 2016 covers a review of ZBL Section §3.8.2 (1 to 28) with no issues raised. The horse show venue has not changed significantly in the past five years and there are no proposed changes for the immediate future.

The Board reviewed ZBL Section §3.8.3 (1 to 5) with the following being mentioned:

- There are three designated access/exit points which have been operating without problems
- The lighted scoreboard should be turned off by 9:00 p.m. every night.
- K. Wallace asked about drainage near the Battenkill River and Otter Creek headwaters with regard to manure run-off ~ D. Beebe noted that most everything was grass and solid gravel so it does not run-off and that the manure is trucked out daily.

- C. Wise asked about the horses with regard to flies and pest control treatment and D. Beebe replied that the show owners have vet certifications and C. Rawson added that the horses cannot be transported without health certifications.
- B. Addington asked that the new Frost well be marked on the submitted drawings and T. Yandow added the well to the drawing.  
The Beebe's requested that the permit be approved for permanent status unless there is a change which warrants an application for a new permit. Discussion ensued with the Board agreeing that the horse show was invaluable to the area and various suggestions were made for the term of the permit. S. Thompson moved and B. Herrmann seconded to approve the Beebe Farm LLC application as submitted for permanent permit status with a five (5) year review before the PC Board having a deadline of mid-April for submission of changes for review. Motion carried 8-0.

### **Discuss Proposed Rules & Ethics Manual for Planning Commission**

B. Addington stated that in his review of the manual, he found two different policies included and questioned if changes could be made and what were the legal ramifications of the document. The discussion of implementing the proposed Rules & Ethics Manual was tabled until next month so that everyone would have copies and have reviewed the document for changes to be made.

### **Public Comments Taken**

None

### **Other Business**

1. N. Faesy offered the Energy Committee's help with the discussion/drafting of guidelines for the ZBL and Town Plan due to the pending legislation regarding siting of energy projects.
2. Discussion of having a crosswalk on Route 30 in proximity to the green, post office or library. T. Yandow stated that Route 30 is a State maintained roadway and B. Addington mentioned that they could start the discussion about the safety of people crossing Route 30 and see if there is any support for the idea. C. Wise asked if it was the job of the PC to initiate proposals or wait until someone recommends PC involvement. T. Yandow noted that R. Gaiotti can try to prioritize infrastructure projects and search for grants if interest is shown. It was mentioned by S. Thompson that if crosswalks were of interest, the time to do so was while they were working on the curbing as curb cuts would be needed. T. Yandow suggested placing the topic on the agenda for public feedback. G. Squire commented that striped crosswalks would help to slow down traffic.
3. G. Squire moved and C. Wise seconded to appoint Brooks Addington as Chairman of the PC Board. Motion carried 7-0 (B. Addington abstained).
4. C. Rawson moved and D. Coss seconded to appoint Gay Squire as Vice Chairwoman of the PC Board. Motion carried 7-0 (G. Squire abstained).

### **Adjournment**

K. Wallace moved and D. Coss seconded to adjourn the meeting at 9:50 p.m.

Respectfully submitted,  
Nancy Aversano

Town of Dorset ~ Planning Commission

Date 5/3/16

Regular Meeting X

Special Meeting     

(Please Print)

Testifying

Name	Mailing Address	Representing	(Yes or No)
ROBERT MENSON	1131 ROUTE 30	SELF	No
JOAN MENSON	"	"	—
Waney Fessy	<del>3284 Rt 7</del> PO 817	self	# —
Douglas Beebe	3075 vt Rd 7 E. Dorset	Beebe Farm	Y
Harold Beebe	2971 Rd 7	Beebe	N
David Beebe	P.O. Box 291 Dorset	Beebe Farm	Y
Frank Parent	P.O. Box 714 E. Dorset	Lawrence School	Y
CLIFF BEEBE	P.O. Box 66 E. DORSET	BEEBE FARM LLC	MAYBE
Sharon McManara	PO Box 36 2804 Rt 7 E. Dorset	Beebe Farm	N
Richard McManara	Box 36 - 2804 Rt. 7 E. Dorset	Self	N
Pick Travers	2977 Mad Tom Rd East Dorset	self	N
E. BIELAWSKA	70 BOX 834 DORSET	Marble Forge Mill	No
S. Connell	PO BOX 592 DORSET	SELF	MAYBE
F. CHIAPPERINI	PO Box 592 Dorset	self	"
G. Callin	282 Sargeant Hill Rd Dorset	Self	MAYBE
Tyler Anderson	126 Dorset Hollow Rd.	Town	Y