

Town of Dorset Planning Commission June 7, 2016

Members Present: Brooks Addington (Chairman), Gay Squire, Brent Herrmann, Carter Rawson, Dick Coss, Kit Wallace, Adam Danaher
Members Absent: Charlie Wise, Scott Thompson
Also Present: Tyler Yandow (Zoning Administrator), Nancy Faesy (BCRC), Tuck Rawls, Emily Heymann, Robert Menson, Joan Menson, Rosalie Fox, Bev Buber, Leo Ledoux

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

Chair to Note Any Changes in Agenda

Item #5 on the agenda was changed to add a report from Nancy Faesy, BCRC.

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

Approve Minutes of May 3, 2016

G. Squire moved C. Rawson seconded to approve the May 3, 2016 minutes as presented. Motion carried 5-0. (A. Danaher abstained & B. Herrmann not present for vote)

Report from the Zoning Administrator

T. Yandow's report included:

- 108 Church Street violation update – owner has requested another meeting with the DRB
- S230 – J. Sullivan and the Dorset Energy Committee to make a presentation tonight
- VLCT Spring Planning and Zoning Forum – June 15, 2016, Lake Morey Resort in Fairlee
- Variance approved for C. Mauro to cross 20% or greater slope for driveway access
- Presentation by Julie Campoli – June 8th at 6:00 p.m. at the Dorset Playhouse
- Eleven zoning permits were issued from April 27th to June 1st of 2016.

B. Addington noted that the C. Mauro address was listed differently on the two reports and asked why the ZBA approved the application. T. Yandow responded that their approval was based on the fact that there was no way to develop the pre-existing, non-conforming lot without the driveway crossing 20% slope or greater. C. Rawson expressed concern regarding having to use the variance process for 20% slope issues on a case by case basis. T. Yandow noted that the 20% slope issue can be discussed by the PC again and B. Addington said that if this Board enters discussions about slope again, proposed regulations would have to be consistent and practical. B. Addington asked T. Yandow to place a review of the discussions had on slope and elevation on next month's agenda so the Board can decide how they want to approach the issue.

After discussion regarding the Callen (108 Church Street) violation, the general feeling of the members was to have Mr. Callen live up to the original agreement with no further discussion/meeting.

N. Faesy reviewed her BCRC Annual Meeting report noting the speakers and their topics especially Dr. Moomaw who spoke about climate change and its impact. Dina Janis, a Dorset resident, will be a new commissioner on the Economic Development Committee for Bennington County.

Report from the Design Review Board

None

Site Development Plan Review – Proposed Food Concession. Location: 1430 Route 30, CI-1 Zoning District. Applicant: Bev Buber & Leo Ledoux. Owner: J. K. Adams

B. Buber and L. Ledoux submitted an application for a food concession trailer to be located in the north parking area of J. K. Adams. T. Yandow has included a summary of facts for the site development plan with regard to ZBL §3.8.3(4) I – xi. The application satisfies the requirements. B. Addington asked whether the coffee truck vendor is still using J. K. Adams and T. Yandow replied that they are only there when Someday Farm is open (Wednesday & Saturday). K. Wallace asked what the hours of operation were and L. Ledoux responded 11:30 a.m. to 7:00 p.m. B. Buber noted that J. K. Adams gave permission for them to be open every day from 7:00 a.m. to 7:00 p.m.

Discussion ensued regarding whether the concession trailer should be removed every night, parked behind the J. K. Adams building or remain in the parking lot. K. Wallace questioned the use of the accessory to retails sales category in the ZBL and T. Yandow said that he saw it as an accessory use to the kitchen store which has much more intensive retail sales. B. Addington brought up the parking detail document saying that one parking space for the Kitchen Store was not realistic. T. Rawls commented that J. K. Adams has the farmer’s market all winter and do not have issues with parking. He also informed the Board that as a neighbor, he has no problem with this application. K. Wallace expressed concern about setting a precedent for food concessions in Town.

B. Herrmann moved and G. Squire seconded to approve the L. Ledoux/B. Buber zoning permit application for a food concession trailer as presented with the condition that the trailer can be left on site at J. K. Adams overnight for extended periods of time while the business is in operation. Motion carried 7-0.

K. Wallace recommended the PC Board discuss mobile food concessions in the future.

Discussion of S.230, A Bill Regarding the Siting of Alternative Energy Projects - Jim Sullivan/BCRC & the Dorset Energy Committee

J. Sullivan informed the Board that the Governor vetoed the S.230 bill (improvement of energy projects siting) , but it was still feasible for the Town to have as much voice as possible, not to discourage energy projects, but to not have locations destroy beautiful land. Many towns and people expressed frustration regarding wind/solar projects going through even when valid objections were raised regarding location. B. Addington noted that wind arguments were about the noise and migraine headaches and asked what was the argument against solar. J. Sullivan

responded that it was the impact on scenic landscape, size, and visual placement and that it was not the singular wind or solar panel that was the issue. B. Addington asked if the existing ZBL regulations would apply to wind/solar projects and J. Sullivan responded that there is no direct jurisdiction, but you could incorporate screening and setback standards in to the Town Plan and ZBL in an effort to have something in place. S.230 tried to give Towns more power with the premise that if towns developed comprehensive plans that meet certain standards (transportation, energy, and renewable efficiency goals) and get certified, they would have a stronger standing. R. Fox suggested that the PC consider adding setbacks, screening and ridgeline aesthetics criteria to the Town Plan along with sound issues as anything over 85 decibels is damaging. J. Sullivan noted that there was only so much that could be done at the town/regional level and the regional plan tried to identify strategies like reinforcing land use plans, concentrating village centers to lessen automobile use, supporting public transportation, etc. A. Danaher explained that in tribal lands, they encouraged people with incentives to do small projects so that larger scale projects were not done impacting the landscape. J. Sullivan reviewed solar and wind resource maps with the Board showing possible locations. J. Sullivan noted that he hope to have a model plan with ideas to pick from that would work best for Dorset and E. Maloney stated that the Dorset Energy Committee would be willing to work with the PC Board too. B. Addington said that tonight's conversation will be re-capped at the next meeting and discussion to continue on how to move forward – formulate what is important as a group and town. N. Faesy commented that the Campoli workshop would include energy issues, transportation, downtown density, bike racks, sidewalks, etc.

Town Infrastructure Improvements – Pedestrian Crosswalk on Route 30 Near Town Green

B. Herrmann stated that ADA crosswalks would be necessary if the Town decides to pursue installation of crosswalks and T. Yandow said that, if it was decided that crosswalks were a good idea, the sidewalks could be modified. K. Wallace noted that in researching crosswalks, she found that crosswalks did not necessarily create safer areas. J. Sullivan remarked that the State said that crosswalks could create a false sense of security when the Town tried for traffic calming on Route 7 and Mad Tom Road. T. Yandow said that if the PC is in favor of crosswalks, then it would passed along to the Select Board who would then direct R. Gaiotti to enter discussions with the State. B. Addington commented that the walkway near the library has been increased, but you can't get across the street to walk and he would like to see a sidewalk all the way down to the Inn at West View Farm. T. Yandow noted that sections between Barrows House and H. N. Williams also needs to be re-designed so people could walk. J. Sullivan encouraged the Board to start the discussion and then do a scoping study to see if funding is available.

Discuss Proposed Rules & Ethics Manual for Planning Commission

Corrections to be made:

- Page 33 in Policy II – Section XIII: Progressive Consequences for Failure to Follow the Conflict of Interest Procedures ~ use this section in place of Policy I -Section XIII: Removal
- Insert appropriate names and/or numbers in blank/bracketed spaces
- Page 15-16 ~ Remove Section V: Alternate Members
- Page 16 ~ Section VI: Regular and Special Meetings (E) ~ first sentence, remove “*with time allotted for each item or group of items to be considered.*”

- Page 17 ~ Section VI: Regular and Special Meetings: (H) ~ first sentence to read: *At each meeting, there shall be a period of time reserved for public comment near the end of the meeting.*
- Page 17 ~ Section VII: Public Hearings and Order of Business ~ first paragraph, remove last sentence: *Hearings shall not exceed (three hours) in length....* And second paragraph, remove “[three minutes] per speaker,”
- Page 18 ~ Section VII: Public Hearings and Order of Business(G) ~ remove entire section G
- Page 19 ~ Section IX: Service List ~ first paragraph, revise as: *The Clerk/Zoning Administrator shall create a list of all individuals who participated in a hearing. The list shall include those who participated orally and those who participated in writing. All decisions of the Board shall be mailed to those on the list as to comply with 24 VSA §4464 (b)(3). Remove Sections A, B and C.*
- Page 20 ~ Section XII: ExParte Communications (A) ~ Disclosure. Remove first sentence and start second sentence with At each hearing, Board members who have received written....

Public Comments Taken

None

Other Business

None

Adjournment

B. Herrmann moved and G. Squire seconded to adjourn the meeting at 10:15 p.m. Motion carried 7-0.

Respectfully submitted,
Nancy Aversano

Town of Dorset ~ Planning Commission

Date 6/7/16

Regular Meeting X

Special Meeting

(Please Print)

Name	Mailing Address	Representing	Testifying (Yes or No)
TUCK RAWLS	PO Box 313 Dorset	SELF	?
Emily Heymann	4711 Waterbury-Stowe Rd	GMC & self	no
ROBERT MENSON	1131 ROUTE 30	SELF	NO
JOAN MENSON	"	"	"
Rosalyn Fox	POB 1011	self	No
Nancy Ferris	PO BOX 817 Dorset	" BKRC	?
Ben Buber	PO 643, Dorset	self/mio	No
Leo Udoux	"	self/mio	Yes