

DESIGN REVIEW BOARD

OFFICES OF PLANNING COMMISSION
PO BOX 715
EAST DORSET, VT 05253

TELEPHONE (802) 362-4571

FAX (802) 362-5156

DORSET DESIGN REVIEW BOARD
January 18, 2021

Members present: Kit Wallace, Chair, Arnie Gottlieb, Jim Clubb, Lindy Bowden, and Ruth Tanenhaus

Absent: Michele Pagan

Also present: Tyler Yandow, Zoning Administrator; Rob Gaiotti, Town Manager; Brandy Saxton and Rod Francis of the consulting firm Placesense.

Minutes: R. Nawrath

Chair K. Wallace opened the meeting at 5:33 PM via Zoom

Application: Free-Standing Two-sided sign for Dorset Physio and Dorset Ballet Theater

Applicant: Kelly Gaiotti

3155 VT Route 30

K. Wallace asked R. Gaiotti to give us an overview as the spokesperson for his wife's application:

R. Gaiotti for the applicant:

- Application for wooden two identical signs that are back to back (visible from north and south).
- Former business was for Lars Jacob Wingshooting
- The size is 27 x 38 with a white background and logos for each business.
- 15 sq ft is maximum allowed for signs in Village Commercial; this is 6 sq ft.
-

Arnie Gottlieb moved we approve as submitted.

L. Bowden 2nd

Approved unanimously.

Discussion of Dorset Zoning By-Law – relevant section about Design Overlay District

Randy Saxton and Rod Francis of Placesense as the consultants.

Rod suggested we need to have a conceptual discussion first about the DRB/Planning Commission process.

- Discussion on the relevant State statutes: Home Rule is broad rule. Dillon's Rule (applicable in Vermont): can only do what's listed in statute.
- Dillon's Rule: "State constitutions vary in the level of power they grant to local governments. However, Dillon's Rule states that if there is a reasonable doubt whether a power has been conferred to a local government, then the power has not been conferred."
- This is important in this procedural sense the design review is laid out in statute.
- Brandy: The DRB does not warn its meetings. They meet and send their minutes to the Planning Commission (PC) to be approved. One body approving the minutes of another body isn't really a great way to do things.
- Normally the same body would approve its own minutes at the next meeting. Having the PC approve a different body's minutes (i.e. the DRB minutes) is unusual.

- More customary steps to take (look at these statutes):
 - Chapter 117: Section 4414 which authorizes the establishment of the DRB.
 - DRB is advisory to the PC. Section; 4464
 - Now, Dorset permits have 2 paths: Zoning permit to add a deck for example. If in Design overlay, need design review. Could have been an administrative permit if not in DRO district.
 - It is not entirely clear how an applicant or neighbor can appeal a project.
 - We have a hybrid process. The appeal process isn't exactly clear.
- Suggestion: call this group, formerly the Design Review Board, the Design Advisory Committee
 - Do we want our meetings to constitute a hearing? In that case, procedures for neighbor and other party notification must be followed.
 - If following a more clear process, you would end up with a cogent, clear decision.
- Due process is important.
- The consultants will draft up the different flow charts of different pathways for a permit application to follow. The DRB will review these before the next meeting.

The committee discussed this issue for quite a while.

R. Gaiotti suggested that perhaps we have the consultant's suggestions sent to the town attorney. Agreed.

J. Clubb moved we adjourn at 6:47 PM

Arnie Gottlieb seconded it.

Approved.

Respectfully submitted,

Kit Wallace, Chair