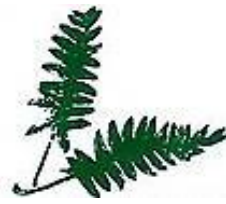


Town of Dorset, Vermont



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=====*Chartered 1761*=====

Regular Meeting of the Dorset Planning Commission January 5, 2021 (Via Zoom Call)

Present: Gay Squire (Chairperson), Scott Thompson, Kit Wallace, Scott Durgin, Natalie Quigley, Will Clarke, Conor Welch, Dave Berard, Scott Ross

Others Present: Tyler Yandow, Rob Gaiotti, Nancy Faesy, Danny Pinsonault, Cameron Perham, Amy MacDonald, John Esposito, Clarke Comollo, Toni Dee

Gay Squire, Chairperson, called the meeting to order at 7:04p.m.

G. Squire noted changes to the agenda, inquired about any conflict of interests, there were none. Board members introduced themselves.

Minutes of December 1, 2020:

Scott Durgin moved and Will Clarke seconded to approve the minutes of December 1, 2020 as presented, motion passed 8-0.

BCRC Report:

Nancy Faesy noted that BCRC had an upcoming online workshop in January with updates from Community Organizations and how they have helped during COVID. She also noted that the BCRC transportation advisory committee is looking for reps from all the Towns and thought a PC member or SB member would be a good fit. She stated that the BCRC is looking at a possible scoping study for a shared use path on the former Trolley line that ran between Williamstown and Bennington.

ZA Report:

Tyler Yandow gave the monthly Zoning Administrators Report. There were 5 permits issued in the previous month. No ZBA meeting was held. He noted that an update on the Dorset Village shared use path was included in the meeting information.

DRB Report:

Kit Wallace reported that the Design Review Board met in December to review

an application from the Harding family for their property on the corner of Dorset West Road and Church Street. The project involves a renovation and addition to the carriage house on the property. The application met applicable criteria and the applicant was very accommodating and wanting to make sure the character of the building and property are upheld. She noted that the application was approved and the group agreed to re-visit window design when the project gets to that point. She noted that the carriage house has arched garage doors that are currently functional but would not be functional as part of the new project. The arched doors would be retained as it is a character defining feature of the property. Scott Durgin moved and Scott Thompson seconded to approve the Design Review Minutes for December 21, 2020

Public Hearing: Customary Home Occupation referral from the Zoning Administrator, 100 Benedict Road:

Danny Pinsonault was present with applicant Cameron Perham who is the buyer of the property at 100 Benedict Road. Cameron is self employed and operates a property maintenance business. The home and buildings at 100 Benedict are in need of major renovations and the plan is to repair the former store building first so that the equipment for his business can be moved to the property and out of storage in Manchester. After that the plan is to make repairs to the home and live in the home and operate the business from the property as a customary home occupation. Cameron noted that the timing would be such that he would not be living in the home right away, but hoped to operate the business from the property as the home was being repaired. Tyler Yandow noted that the customary home occupation is a permitted use in the zone, the bylaw definition requires the business owner (or family member) to live at the property. In this case there would be a time lag between when the business starts to operate and when the owner would be living there. Gay Squire noted that she had spoken with Tyler about the application and understood that the Town Attorney stated that the Planning Commission could approve an applications with conditions, such as a period by which the owner must be living in the home while operating the business. Tyler confirmed that this was correct. Scott Ross asked Cameron if he had reached out to neighbors about the application, Cameron noted that all neighbors got a notice of the public hearing and he was willing to explain his plans with anyone. Scott Ross also asked about the number of employees and types of operations that would take place on site. Cameron replied that his equipment would be stored onsite and that maintenance of the equipment and parking of employees vehicles would be the main impacts on the property. Scott Ross asked about access to the property. Cameron noted that the property could be accessed from both Benedict Road and Route 7A, his plan is to have the business/employee access from Route 7 and the personal/homeowner access off Benedict Road. Gay Squire asked about the plan to possibly rent the home while the work was being done. Cameron noted that he needed to work on the house before it could be rented. Discussion ensued about timing and impacts.

Gay Squire noted that she supported the application and thought that approving

the application and including a condition for the applicant to move into the house within a year, or for the board and applicant to revisit within a year, seemed reasonable. Scott Ross agreed that he supported the application because it was a business with employees that would come to Dorset. Scott Thompson noted that renovations of both the barns and the home within a year might be difficult to do. Cameron noted that he thought it could take a year to fix up the barns for the business and then the home could be addressed after that. Discussion ensued about the timing. Tyler Yandow noted that the 12 month clock for conforming with the customary home definition should not start until the business was actually taking place on the property. Scott Durgin agreed that this made more sense if the renovations were taking place. He also noted that other neighbors were at the meeting and wondered what their input might be. Amy MacDonald is the daughter of the owner at 88 Benedict and supported the project as it would repair the buildings. Clark Comollo stated that he lives across the street and would welcome the applicant to the neighborhood, and appreciates the fact that the business access would happen on Route 7A away from the residential portion of the street. Toni Dee also lives across the street and inquired about renting the property. Rob Gaiotti noted renting the property for residential use is permitted in the zone, and would be permissible until the customary home business began to operate.

Gay Squire noted that the agenda stated that Site Plan Review would be done for the application. Tyler Yandow noted that the application included a conforming map and narrative that went through the points under section 3.8 of the bylaw. Gay Squire read through the narrative for points to be reviewed individually. All parking and access for employees and the business would take place from the Route 7A side of the property. Kit Wallace asked about lighting, and Cameron noted that there isn't a plan to change the lighting. Kit Wallace noted that lighting should be mounted to the building vs. free standing. Scott Ross noted that having the lights be motion detected vs. on all the time would make sense. Cameron agreed that lighting would be building mounted and motion detected. John Esposito asked about any outside storage and the intensity of the activities held on the property. Cameron noted that equipment trailers for property maintenance would be store outside, but all equipment would be inside trailers or inside the building. The use would revolve around his employees coming to the site to get equipment and then head out to job sites. Gay Squire noted that this all made good sense and asked if the Board would entertain a motion.

Scott Ross moved to approve the customary home occupation permit for 100 Benedict Road with the following conditions:

1. The owner must be living in the home within a year of when the business starts to use the property, and the Planning Commission and applicant can revisit this when the year deadline is up.
2. Lighting for the business will be building mounted and motion detected
3. Access and parking for the business will take place on the Route 7A side of the property.

Motion seconded by Natalie Quigley; motion passed 8-0.

Zoning Bylaw Update/ Review: Brandy Saxton:

Brandy Saxton continued the bylaw review with the overlay sections regarding the Special Flood Hazard Area and the River Corridor Zone. It was noted that the SFHA bylaw language is determined by FEMA and is a requirement for the Town to be in the National Flood Insurance Program and allow property owners to gain access to federally subsidized flood insurance. In essence the language can't be changed from what is required. Brandy and Rod presented the differences between the SFHA and the River Corridor program. Flooding in most of the country is inundation based, and the FEMA maps and regulations contemplate this type of flooding. The normal flooding that occurs in Vermont is flash flood related, and the River Corridor program was developed by the State to better estimate the types of damage that could occur from flooding in Vermont. It was noted that the mapping in Vermont was completed a few years ago, and the data and accuracy can vary from town to town. Rod noted that currently 69 structures in Dorset fall within the SFHA and the River Corridor map would capture 59 new structures that currently don't fall within the SFHA. This would add fairly significant restrictions to these structures. Discussion ensued about the maps, planning, and additional FEMA compensation that the Town would be eligible for if they adopted the regulations. Scott Durgin noted that the River Corridor regulation sounded like it might not be a good fit for Dorset. Gay Squire noted that it was a lot of information and wondered if Brandy or Rod had a recommendation. Rod noted that every town was different, but generally the River Corridor program has not been adopted widely in Vermont. He noted that there is no process for property owners to challenge the accuracy of the maps like they can with the SFHA. Rod noted that he would not recommend Dorset adopting the River Corridor language for the bylaw at this time. Gay Squire thanked everyone for the time and noted the end of the planned 2 hours was at hand.

Next meeting date is February 2, 2021 at 7pm

S. Durgin moved and Scott Ross seconded to adjourn the meeting at 9:15pm, motion passed 8-0.

Respectfully submitted,

Rob Gaiotti
Town Manager