

Regular Meeting Minutes
Dorset Planning Commission
February 2, 2021

Members Present: Gay Squire, Scott Thompson, Natalie Quigley, Scott Ross, Will Clarke, Kit Wallace, Scott Durgin, Dave Berard, Tyler Yandow (ZA).

Others Present: Brad Tyler, Chris Ponessi (Mance Engineering), Andy Mellett.

Gay Squire called the meeting to order at 7:02pm.

No Conflicts of Interest were noted.

January 5, 2021 Minutes:

Kit Wallace moved and Scott Durgin seconded to approve the meeting minutes as presented, motion passed 9-0.

BCRC Report:

NONE. Tyler Yandow noted that the BCRC had a virtual meeting about trolley service and recreation paths for the Bennington Area. This information was included in the monthly BCRC newsletter and was useful as the PC continues to pursue the path idea for Dorset Village.

ZA Report:

Tyler Yandow noted that he approved 2 permits in the last month and that there was no ZBA meeting last month. A pretty quiet month all in all.

DRB Minutes:

Kit Wallace gave the update about the DRB meeting on January 18th where the DRB approved a sign application for Kelly Gaiotti at 3155 Route 30. Additionally, the DRB worked with Place Sense consulting to review bylaw changes and information related to the operation of the DRB process in Dorset. **Scott Durgin moved and Natalie Quigley seconded to approve the minutes as presented, motion passed 9-0.**

Public Hearing: Site Development Plan – Storage Building on Route 30 (Brad Tyler)

Chris Ponessi noted that the project was for a garage and materials storage building that will be an accessory building for the existing commercial use on the property. The building is 2,000 square feet which meets zoning and meets all applicable setbacks. He noted they put the building in line with the Homestead buildings and the Rising Sun building to try and keep the front group of buildings in line. He noted that it was a little west of the existing building due to set backs from septic. All landscaping and trees would be kept in place and the building will look nice when finished. Elevation of the building was provided in the application. The color of the building will match the main commercial building. No additional employees or traffic as part of this project.

Kit Wallace inquired about any limitations on the number of buildings. Chris Ponessi noted that the buildings are on the same lot, and the 2,000 sq foot building meets the zoning bylaw, and the project meets the building coverage requirements of the bylaw. Gay Squire led the Board through the Site Development plan criteria, no negative impacts on the criteria were noted. Chris Ponessi answered questions about traffic, landscaping, stormwater etc. Gay Squire noted that the application looked good. Kit Wallace inquired about stormwater impacts for the Battenkill. Chris Ponessi replied that the project does not trigger additional storm water permits, and the existing infrastructure works to treat the stormwater for the property. Scott Ross noted that the thought the application looked good and was in conformance with the bylaw.

Will Clarke moved and Scott Thompson seconded to approve the application as presented, motion passed 9-0.

Request for Waiver: 1237 Dorset West Road:

Kit Wallace asked for clarification on the use of waiver vs. variance. Tyler Yandow replied that the application of the section is pretty vague and the board can review as deemed appropriate. In this case the owner would be crossing a small amount of 20% slope with a driveway. Tyler noted that the inclusion of the waiver in the bylaw allows for residential projects. Discussion ensued about practical application of this portion of the bylaw. Chris Ponessi noted that he has had 4 applications approved for waivers for driveway access slopes over the years. Tyler Yandow noted that this was correct, the PC had reviewed and granted the waivers.

Chris Ponessi presented the application and plans for the project. The project will be a guest house and this particular application is for a waiver to have the driveway cross slopes of 20% or greater. He noted that most of the property can not be reached without the driveway; He further stated that the driveway was designed to be as reasonable as possible with an average grade of a little less than 10% and will allow for reasonable access to the remainder of the property. Gay Squire asked how long of a distance of 20% slope would the driveway cross. Chris

Ponessi replied that it was about 30-35' of distance. Gay Squire read through the criteria for the waiver to be granted; the project is not a building, the project would improve the property, and would not negatively impact the area, the project would allow for reasonable use of the property; Chris Ponessi noted that he had looked at other options and this was the most reasonable option and would allow for reasonable use of the property. Discussion ensued about the building being an accessory dwelling vs. secondary residence. Chris Ponessi noted that the building would not use the 30% square footage limitation in this case conforms with the bylaw. **Scott Thompson moved and Will Clarke seconded to approve the request for a waiver for 1237 Dorset West Road, motion passed 9-0.**

Bylaw Review (Continued):

Brandy Saxton and Rod Francis were on hand to continue the consulting work around the zoning bylaw. Discussion for tonight will center around mission of advisory committees under statute and meeting with the Design Review Board members. Discussion ensued about the application process for the Design District and Board review process and approval by the Planning Commission. Brandy and Rod noted that they planned for a different process with minor and major review based on the type of work planned by an applicant. Simple and minor issues would only be brought to the Design Review Board and the DRB would make recommendations, but the Zoning Administrator would issue permits incorporating the recommendations of the DRB. If the applicant did not agree with the recommendation of the DRB, it could be appealed to the Planning Commission. The Planning Commission review would be warned as a public hearing vs. only being an agenda item. Further discussion ensued about public warning notice periods and delays in projects etc. Brandy noted that she worked with the Town of Shelburne on updating design guidelines. Discussion shifted over to content of the Design section of the bylaw. Brandy noted that much of the content revolves around materials and types of materials that are permissible. She further explained that often sourcing some of the historic materials can become difficult and very expensive, and that many other new materials often come in. Rod echoed that when money isn't an issue, it's often easy to find solutions to the historic materials issue, but when institutions or commercial entities are involved and money is an issue it can be difficult to not have other options or waivers in place. Discussion continued around materials like slate for rooves, fencing, hedges, sidewalks etc. Gay Squire noted that it would be good for the DRB to continue the discussion with Brandy and Rod directly to deal with specific aspects of the DRB section of the bylaw.

Scott Thompson moved and Scott Durgin seconded to adjourn the meeting at 9:06pm.

Respectfully Submitted, Rob Gaiotti Town Manager