

# Town of Dorset, Vermont



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

## Regular Meeting Minutes

### Dorset Selectboard

**May 16, 2023**

Members in attendance: Megan Thorn, Henry Chandler, Liz Ruffa, Jim Salsgiver, Frank Parent

Others in attendance: Rob Gaiotti, Tyler Yandow, Kate LeVigne, Bo Thorn, Ken Gilbert, Suzanne Dortch, Alexander Miranda, Ruby Miranda-Anderson, Gay Squire, Nancy Faesy, Ellen Maloney, Roberta White, Tatsiana Clark, Lynn Rawson, Daniela Stewart, Scott Stewart, Roger Squire, Kit Wallace, Scott Thompson, Conor Welch, Michael Flett, Natalie Quigley, Rod Francis, Brandy Saxton, David Berard, Kyle Huber, Greg Sukiennek, Ron Van Abman, Frank Molgano, Suzie Marais, Noel Dydo, Steven Bryant, Silas Casey, Sonya Casey, Kate McPhee, Justine Cook, David Bulick.

Megan Thorn called the meeting to order at 7:00pm

#### **Minutes:**

Jim Salsgiver moved and Frank Parent seconded to approve the minutes of 4/24 and 5/9 as presented. Motion passed 4-0.

#### **Public Comment:**

None

#### **Town Plan Public Hearing:**

Megan Thorn opened the Public Hearing for the proposed amendments to the Dorset Town Plan. Megan Thorn referenced the proposed changes in the Planning Commission Town Plan Report of 2-28-23:

- Land Use and Economy – See section 3.1.1. Add the word “historic” after “residential.”
- Natural, Scenic, Historic Resources – See section 3.4. Change section 3.4.9 to read: “Maintain the small rural, primarily residential appearance of the historic districts. Preserve historic structures and ensure new development and redevelopment reinforce the historic development pattern in historic centers by complementing existing building massing, siting, and architectural themes. A regulatory tool for advancing this goal is the use of design controls.” Renumber subparagraphs 9 and 10 to be 10 and 11 respectively.
- Mixed Use – See section 4.2.1.1.d.1. Change this section to read: “Support uses, building types

and styles, and scale of development compatible to village scale and, in the historic villages, ensure that new development and redevelopment complement the massing, siting, and architectural themes of surrounding historic development.

- Historic Resources – See section 5.3. Change this section to read: “. . . and neighborhoods of historic value. In particular, the Dorset Village Historic district is an iconic village landscape which is beloved by residents and visitors alike. At present . . .”
- Transportation Policies – Add section 7.5.17 to read: “The Town of Dorset prohibits helipads and landing strips in every zoning district. While helicopters and private planes might provide convenience to a small number of residents or visitors, they are inconsistent with the rural and small village character of the Town of Dorset and incompatible with existing and planned uses in the Town. See Sections 3.1, Land Use and Economy, Section 3.4, Natural, Scenic, Historic Resources, and Section 4, Land Use Plan. Furthermore, the proximity of two public airports (Rutland Regional Airport in N. Clarendon and Bennington Airport in Bennington), each less than an hour’s drive from Dorset, negates the necessity for such facilities within the town itself.”

It was noted that the Transportation policy would prohibit helipads and landing zones as a permitted use in Dorset. Suzann Dortch noted that she was a commercial pilot and that aircraft noise and impacts would not be that noticeable, and felt that it shouldn’t be restricted. Rob Gaiotti noted that the language arose after some first hand experience where a resident attempted to permit a helipad on Dorset Hollow Road and the community came out very much opposed to it.

Frank Parent moved and Jim Salsgiver moved to close the hearing. Henry Chandler stated that he preferred to discuss the Town Plan approval at the same time/meeting as the bylaw because they work hand in hand. It was the consensus of the Board to discuss and deliberate the Town Plan Amendments at the June 15<sup>th</sup> meeting.

### **Zoning Bylaw Public Hearing:**

Megan Thorn opened the Public Hearing for the proposed Zoning Bylaw.

Ron Van Abman inquired as to why the bylaw would now regulate short term rentals.

Frank Parent asked to provide context for attendees to understand the work that has been done on the bylaw to date. Rob Gaiotti responded that the Planning Commission hired Place Sense in 2019 to assist with an updating to the Zoning Bylaw. After initial review there was a host of updates that were needed because State statute had actually changed. Generally the goal of the town was to make the process easier and to accommodate “pre-existing” uses. During the process housing was discussed as a major issue, and it was decided that STRs had enough of an impact on local housing that it was included to be regulated.

Suzanne Dortch noted that her family had visited Dorset for many years and she purchased property in 2014 and has used it as a short term rental to help defray the costs of owning a second home in Dorset. She feels that STRs give a lot back to the community economically. She has brought the children of her housekeeper to the meeting to illustrate this. She does not feel that STRs should be regulated.

Daniela Stewart noted that only 2% of homes in Dorset and 2% of homes in the State were actually used as STRs. She requested that STRs should not be regulated in the bylaw because it was an important source of income. She also noted that real estate in Dorset is just too expensive and that affordable housing isn’t appropriate in Dorset.

Joy Ray owns property in East Dorset, that has been in her family for many years. She understands the need to possibly regulate STRs, but has problems with the 4 month residency requirement. She noted

that they had previously rented the house long term and had some difficult experiences so they switched to STR. She noted that her family hoped to downsize to the home someday and the STR ability allowed the family to keep the property by defraying costs.

Frank Molgano noted that he has stayed at STRs in our region and has been in real estate and rentals for many years in our community. He feels that STRs should not be regulated by zoning.

Phil Tartaglione stated that he owns a property on Morse Hill Road and uses it as an STR and has had great success with repeat families visiting Dorset and spending a lot of money in the local economy. He noted that real estate prices in Dorset are very high and that workforce housing is out of reach for most. He felt regulating STRs will not provide workforce housing and noted that it's normal for employees to travel up to an hour to work.

Frank Parent noted that he felt strongly that it is not unreasonable for the community to want to support workforce housing because Dorset is a community. Having teachers and contractors living in the community is an important sign of a healthy community.

Tatsiana Clark noted that she has been in real estate in our area for a long time and noted that STRs were very helpful for property owners when the real estate market was not great. She stated that after COVID much of the real estate was bought up at high prices and that STRs are not to blame for the lack of housing. She also gave an example of private subdivisions having a 30 day rental minimum to avoid allowing STRs in their neighborhood.

Kate McPhee noted that she supported the STR language as she feels that they do take away long term housing on some level. She also noted that she like the mixed-use zone changes on Village Street in East Dorset, and noted that it would allow for exciting new opportunities.

Michael Flett noted that he shared a lot of the same concerns against the STR regulations. He noted that it was very helpful to know that 3208.E would allow current STRs to continue unregulated if they conform with the section. He noted that his family loves Dorset and that they've made major investments in a home they live in and the adjoining property which they rent as an STR.

Roberta White stated that she lives in Nantucket but also owns property in Dorset. The Dorset property is an STR and they have great stories about families visiting and then coming back to purchase property of their own in Dorset. She feels that the good far outweighs the bad. She also noted that Nantucket had decided to regulate STRs, and created a working group to review it.

Ryan Downey thanked the PC and SB for the work on the bylaw to date. He cautioned that the Town should be mindful of any impacts that could occur on the Horse Show if STRs are regulated. He noted that the Horse Show is such a critical economic driver and making things more difficult for them property does not make sense. He requested to that the SB remove the STR language from the draft if it proved to be controversial.

Mark Miller owns property on Kent Hill Road, he noted that the 4 month requirement in 3208 is a heavy lift and would punish people that might actually use the property for over 6 months, just not continuous time. He gave an example of a family that skied for 3 months and then came back in the summer for 3 months. They still wouldn't be able to meet the STR rule.

Scott Stewart asked the Board to strike 3208.B from the section of 3208. He inquired as to when the sentence was added to the draft by the PC. He had done some research on timing and could not understand. He also noted that he felt other parts of Town were being down zoned which would make

it more difficult to develop in many areas.

Megan Thorn noted that STRs had dominated almost 2 hours of the discussion thus far and the Board would like to get any input on the many other items in the bylaw.

Kate McPhee restated that she liked the mixed use zone on Village Street

Ken Gilbert state that he appreciated all the work that was done by the Planning Commission. While he didn't agree with all the changes he thought the groups have worked very hard for the community and deserve credit.

Tom Lenz noted that he supported the regulation of shooting ranges and has concerns due to safety in part of East and North Dorset. He also noted that there should be concerns with backyard shooting ranges and level of activities that are unsafe and disturb neighborhoods greatly.

Tatsiana Clark noted that noise pollution is one of the greater problems that people have in Dorset. She noted that more should be done related to noise.

Megan Thorn asked for a point of clarification on the new slope rule. Brandy Saxton noted that currently Dorset prohibits any development on slopes of 20% or greater. The new bylaw would allow for certain types of development in areas with slopes over 20%, but they would have to meet a strict list of benchmarks.

Frank Parent noted that he had concerns with adding a layer of stormwater review that wasn't being done by the State. He suggested that section 3018.F (4) be removed or edited. Discussion ensued about what was the appropriate level of review.

Frank Parent moved and Liz Ruffa seconded to continue the hearing to June 15<sup>th</sup> at 7pm, motion passed 4-0.

### **Grand List Abstract Extension:**

Henry Chandler moved and Liz Ruffa seconded to approve the form PVR 4342 to extend the deadline to submit the grand list abstract by up to 30 days, motion passed 4-0.

### **Appoint BCRC Rep:**

Jim Salsgiver moved and Henry Chandler seconded to appoint David McAneny to the role of BCRC commissioner for Dorset, motion passed 4-0.

### **Old Business 5-16-23**

#### **New Town Office (no change):**

Town now has signed agreement with Maclay, they are working through the design process.

Permitting will take place in April-June; Design April-August; Bidding/Pricing Sept-Dec; Site Work possibly by winter 2023 with building starting in spring of 2024.

#### **East Dorset Village:**

We wanted to get input from the Board on building a greenspace dedicated to Danny Pinsonault on the south part of Benedict Road. There is a small portion of land on the corner of Benedict that is in the ROW of Benedict and Route 7, but far from the roads. It would make a really nice memorial park, we are thinking to reseed with grass and put a flagpole and plaque there. Map attached.

**Read Farm Lane**

The real estate appraisal was updated and came in at \$1,200,000 the business valuation came in at \$287,000 (this is called a value of going concern). FEMA has provided \$531,000 for the purchase. We have requested the balance from the State from the flood resilient communities fund.

**Broadband:**

Consolidated technicians and PR people have reached out to the Town about upcoming service. The work has begin in Dorset and East Dorset.

**Legal Trail 6 (no change)**

Tread Lightly! Has documented lots of ATV use on the legal trail, some users have been covering up the cameras and cutting trees to access the road on their ATVs.

**Coolidge Lane:**

Cost to do some minor improvements is \$16,000 for materials only. Going to meet with neighbors to see where we come out.

**Route 30 Village Concerns (No change):**

1<sup>st</sup> of 2 speed signs is up in Dorset Village. Cpl. Thomas continues to do a nice job with directed patrols. We are getting ready for spring/summer.

**Finance Report:**

Rob Gaiotti presented the monthly finance report. He noted that the Town had applied to the Bond bank this week and that in June the board could approve opening an investment account. FY23 is nearly done and the budget is tracking along like normal. Henry Chandler moved and Frank Parent seconded to approve the finance report, motion passed 4-0.

**Manager's Report:**

Rob Gaiotti gave the monthly update for the Town Manager. Items included: status of the DFD project, Route 30 pathway planning, approval of an AOT grant for Mad Tom Road.

**Liquor License:**

Henry Chandler moved and Liz Ruffa seconded to recess from the regular meeting and convene as the Liquor Control Board for Dorset, motion passed 4-0.

Frank Parent moved and Henry Chandler seconded to approve the Liquor License for the Chantecleer Restaurant, motion passed 4-0. Jim Salgiver moved and Henry Chandler seconded to reconvene the regular meeting, motion passed 4-0.

Frank Parent moved and Henry Chandler seconded to adjourn the meeting a 9:48pm, motion passed 4-0.

Respectfully Submitted,  
Rob Gaiotti, Town Manager