

Town of Dorset, Vermont



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

Regular Meeting Minutes

Dorset Selectboard

June 15, 2023

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

Others in attendance: Rob Gaiotti, Tyler Yandow, Scott & Daniela Stewart, Suzanne Dortch, Jones & Jason Marais, Nancy & Stephen Ludlam, Meg Canavan, John Rano, Carmen Ligato – GNAT, Daivd McAneny, John Wight, Howard & Lynn Coolidge, Hal Coolidge, Gay Squire, Philip Tartaglione, Brandy Saxton, Rod Francis, Jen Rich, Bob Schwartz, David Berard, Kyle Bushee, Darren Hadlock.

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

Minutes:

Jim Salsgiver moved and Frank Parent seconded to approve the minutes of 5/16 as presented. Motion passed 4-0.

Public Comment:

Bob Schwartz inquired about what the Town's plan was with regard to the beaver dam that recently failed on Mad Tom Road. Rob Gaiotti replied that the Town shares concerns about life safety, and infrastructure impacts from the dam failing. He noted that in 2019 the Town worked with Fish & Wildlife to install a beaver baffle, which lowers the volume of water in the pond. The 2023 failure caused much less damage because the baffle lowered the water level. He also noted that the current plan is to have Fish & Wildlife re-position the current baffle and add a second baffle. Bob Schwartz asked what the plan was to prevent the beaver dam from failing again. Rob Gaiotti noted that the Town will partner with Fish & Wildlife to lower the water level. Bob Schwartz stated that it seems the Town does not have a plan. Board members noted that the Town is working with the community to mitigate the threat as much as feasible. Stephen Ludlam inquired as to what the plan was to stop future flooding and wanted to know who inspected the beaver dam. Rob Gaiotti noted that the beaver dam was on private property and that Fish & Wildlife checked on the baffle a few times a year. The Town and Fire Department periodically check the water level of the pond. Stephan Ludlam stated that the Town has no plan. Rob Gaiotti reiterated that there were steps being taken.

Coolidge Lane Discussion (continued):

Rob Gaiotti noted that in 2022, a resident on Coolidge Lane expressed concerns with the condition of the legal trail portion of the road and asked the Town to discontinue the right of way. After discussion and thought the Town decided to retain the Legal Trail and work with property owners to find a path

forward for making improvements. Rob Gaiotti presented a memo that was created outlining options. The Town met with Coolidge Lane residents twice this spring and came up with these options. The Town would provide equipment time and labor to make up grades to the road. The materials costs are estimated at \$16,000 and would likely be less. Discussion ensued about the options and the level of investment from the Town. Additional discussion was had about the cost share option where the Town would cover some of the materials costs and the residents would cover the rest. Darren Hadlock noted that these options were acceptable and they would be happy to have the legal trail portion of the road improved. John Wight noted that the 5 homes on Coolidge Lane pay a decent amount of property taxes and have always maintained the road themselves. Kyle Bushee noted that residents would do all winter and summer maintenance and recently spent \$2,500 to have trees removed. Lynn Coolidge asked about whether the costs could go up, and Rob Gaiotti noted that the materials costs were a conservative number and would not exceed \$16,000. Frank Parent noted that a cost share option made the most sense. Henry Chandler moved and Jim Salsgiver seconded to have the Town provide equipment and labor time and up to \$8,000 in materials costs, with the remained covered by Coolidge lane residents, motion passed 4-0.

Dorset Zoning Bylaw Public Hearing Continued:

Suzanne Dortch noted that she believed that Dorset should allow helipads and that there could be significant life safety reasons and concerns to having a helipad located at Raptor Lane. Gay Squire noted that the helipad/air craft landing field prohibition was located in the Town Plan, based on aesthetic concerns.

James Marais noted that he had concerns with the short-term rental language in the bylaw as written, because of negative impacts. He hoped the Board would remove the language from the bylaw.

Rosalie Fox inquired about some of the permitted uses in the rural residential zone, as she has concerns about commercial activity moving into the residential zone. She asked about primitive camps and religious institutions being allowed in rural residential. Additionally, she asked about the permitted height of communication antennas or towers. Brandy Saxton replied that the public utility commission permits cell towers and height and the Town is currently not allowed to regulate them. She noted that the language is in the bylaw just in case the State process changes. She also noted that federal law regulates the tower heights and also allows for religious institutions in rural zones.

Henry Chandler asked Brandy Saxton about whether it would be more prudent to regulate short-term rentals through a separate ordinance. Brandy answered that it would likely be more effective for the Town to regulate them outside of the zoning documents if possible.

Phil Tartaglione stated that he had driven from New Jersey and gotten in late because he was concerned with the impacts of the short term rental language on his property in Dorset. He noted that he had concerns about his kids owning the property and being able to continue renting. He also noted that he appreciated the fact that current owners are grandfathered, but he hoped the Town would decide to take the section out of the bylaw.

Suzanne Dortch re-stated that she had made a big effort to attend in person due to the short-term rental issue and agreed with much of what Phil had presented.

Laura Beckwith inquired about why the new bylaw would regulate patios and how the Town used the 200 square feet mark to require a permit for a patio. Brandy Saxton noted that patios under 200 square feet would not require a permit.

Mark Phillips stated that he appreciated the level of effort made by the Planning Commission and the Town and wanted to thank the Selectboard for giving the chance for residents to speak and become more informed.

Megan Thorn noted that as a matter of process the Selectboard would hear any/all public input in the public hearing and then would close the hearing so that the Board could deliberate and ask questions of the planning consultants and staff. The Board requested any additional input from the public prior to closing the hearing.

Frank Parent moved and Liz Ruffa seconded to close the Zoning Bylaw Public Hearing, motion passed 4-0.

Megan Thorn noted that the Board could now discuss and review possible edits to the document. She noted that this process could take a few meetings to accomplish.

Short Term Rentals:

Henry Chandler noted that he believed STRs would be better regulated in a separate ordinance. Jim Salsgiver agreed that the issue is complicated and needs additional research and input from the community to better understand impacts. Liz Ruffa noted that she agreed with this approach. Frank Parent moved and Liz Ruffa seconded to remove section 3208 on Short Term Rentals from the Draft Bylaw, motion passed 4-0.

Steep Slopes:

Henry Chandler noted that he had concerns with the impacts to slopes and areas above 1,600' in elevation. He noted that the building envelope states that no building can occur above 2,000' in elevation and wondered if that could be lowered. Discussion ensued about lowering the elevation restriction for not building to 1,600'. Brandy Saxton noted that the new process requires any proposed development on steep slopes would be reviewed as a conditional use and would have to comply with a host of requirements, from driveway grade requirements (average grade of 12% or less) to subjective review of impacts to the character of the area in the conditional use process. Also included is an ability to restrict the cutting of trees to assure viewshed concerns are addressed. The Board will consider lowering the restriction on building from 2,000' to 1,600' at the next meeting.

Misc:

Discussion was held about minimum lot sizes and the impacts of going from 2.75 acres in the rural residential zone to 3 acres. Brandy Saxton noted that when all other constraints are factored in there are very few properties that are negatively impacted so the PC chose 3 acres.

Brandy also noted that new waiver language in the bylaw will allow for waivers to be used in the place of variances. Dorset has used variances in the bylaw in a manner that is not consistent with State statute and this bylaw update will correct that issue. Frank Parent noted that it was good for the new bylaw to exclude outside constraints from the "developable" area definition.

It was the consensus of the Selectboard to table the bylaw discussion until the July meeting.

Vanguard Investment Account:

Rob Gaiotti presented the memo on the Town opening an investment account with Vanguard. The plan is for the Town to place the bond funds into the account (which is a government money market account); the bond interest rate will be around 4% and the Vanguard account could pay as much as 5% interest. This would allow the Town to cover some of the interest costs associated with the bond as the

Town Office project rolls out. Henry Chandler moved and Frank Parent seconded to approve the resolution to open the Vanguard account, motion passed 4-0.

Voter Approved Appropriations:

Rosalie Fox was present to note that she and Alison Clarke wanted to bring to the attention of the Board how the non-profit appropriation process currently doesn't work for all voters to have a voice. Currently all non-profit appropriations are a voice vote on the floor and she believes that it would be fairer to have everything on Australian Ballot and to require a petition annually from each organization. Discussion ensued and Megan Thorn noted that the Board shares some of the same concerns.

Old Business 6-15-23

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:

Road crew will begin working on the Benedict Road Veterans greenspace soon.

Read Farm Lane

We have been going back and forth with the State about info needed for them to make a decision on whether and how much to give further support for the Chantecleer buyout. My best guess is that the State will come up with additional money but not sure how much, some of the additional funding they are trying to source from FEMA (which is a slow process).

The debris removal project has run into a snag, VELCO rents timber mats and we had coordinated with them last winter and have just followed up about 6-8 weeks ahead of the work. Unfortunately, they are telling us all their mats are rented. Renting timber mats through private vendors is extremely expensive, we have received quotes from \$90,000 to \$110,000. The whole project is slated to be around \$50,000 with the grant paying \$40,000. If the mats aren't available before October, it looks like we may have to de-commit the grant, as it's already been extended for over 18 months beyond the end date. Will report more when I have it.

Broadband:

Requested a meeting with the Consolidated communications contact, hoping to meet soon.

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:

Memo attached, residents will attend the 6/15 meeting.

Route 30 Village Concerns:

Installed the 2nd speed sign, and have had good feedback about current status of traffic and speeding in the Village.

Finance Report:

Rob Gaiotti presented the monthly finance report. FY23 is nearly done and the budget and the Town is projecting to be at or a small amount over budget (1% or so). 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.

Road Name:

Rob Gaiotti presented a road name request for properties off the Dorset West Road. Option 3 was chosen because the first 2 options were too similar to existing road names and could cause confusion for dispatchers and first responders.

Henry Chandler moved and Frank Parent seconded to approve the name: Sanford Lane, motion passed 4-0.

Frank Parent moved and Henry Chandler seconded to adjourn the meeting a 10:00pm, motion passed 4-0.

Respectfully Submitted,
Rob Gaiotti, Town Manager