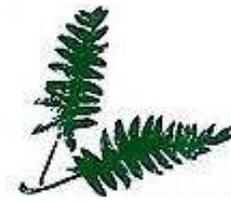


# Town of Dorset, Vermont



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## **Town of Dorset Planning Commission October 5, 2021**

**Present:** Gay Squire (Chair), Scott Thompson, David Berard, Conor Welch, Kit Wallace, Scott Durgin, Natalie Quigley, Scott Ross

**Also Present:** Tyler Yandow (Zoning Administrator), Brandy Saxton (part time), Glen & Linda Hueckel (part time), Nancy Faesy (BCRC representative)

**Absent:** Will Clarke

Gay Squire opened the meeting at 7:02 p.m.

### **Chair to Note Any Changes in Agenda**

The chair noted no changes to the agenda.

### **Disclosure of Any Conflicts of Interest**

None.

### **Recording of Meeting**

No one other than the Zoning Administrator recorded the meeting.

### **Approval of meeting minutes of September 7, 2021**

Motion to approve minutes made by K. Wallace and seconded by N. Quigley. Approved 8-1-0, S. Ross abstaining.

### **Report from the Zoning Administrator**

T. Yandow noted the town is continuing efforts to remediate flooding on and around Brookside Drive. S. Ross asked why the town was applying for a FEMA grant rather than the restaurant owner. T. Yandow replied the town initiated efforts to resolve the flooding problem and was simply continuing in that role. He suggested contacting the town manager for a more detailed explanation. The ZA has had correspondence with the Dorset Inn regarding installation of two air-conditioning units and associated pipes/wiring without a permit. The ZA encouraged attendance at Town Fair workshops which will be held virtually Oct. 4 – 8. See Zoning Administrator Report, included in this month's PC package.

### **Report from BCRC Representative**

N. Faesy noted the upcoming Housing Summit, October 13 in Arlington and encouraged others to attend.

### **Report from the Design Review Board**

Wallace presented the following application for the Design Review Board:

3191 Route 30. Replace cellar Bilco door with conventional swinging door; enlarge door vestibule as needed. K. Wallace noted the applicant provided an architectural drawing at the DRB meeting which was not included in the application received by the ZA. A motion to approve the application as submitted was made by S. Ross and seconded by S. Durgin. Motion approved 9 – 0.

### **Public Hearing – 50 Overlook Rd**

Request for waiver for side and rear yard setbacks. G. Hueckel presented the application. The side (right) yard setback is for a proposed shed/workshop. The rear yard setback is for a proposed deck. The lot is a pre-existing/non-conforming lot, being only 0.93 acres in size. No abutting property owners attended the hearing. The chair reviewed the waiver criteria in §3.13. The board found all were met. A motion to approve the request for side and rear yard setback waivers was made by S. Ross and seconded by S. Durgin. Motion approved 9 – 0.

### **Bylaw Discussion presented by B. Saxton, *Placesense* planning consultants**

The presentation focused on proposed section 320, Site Specific Use Standards. B. Saxton noted not all uses have standards and if the PC felt others should be added, that can be done. Highlights of the presentation were:

- Section 3202 – Accessory Dwelling – B. Saxton noted state statute has recently changed, raising the maximum livable area to 900 sq. ft. or 30% of the livable area of the primary residence. Restricting the number of bedrooms and number of occupants is no longer permitted. The question was raised regarding whether both the primary and accessory dwelling could be rented. S. Ross thought this was a bad idea, as it would compromise a “sense of community” if the owner was absent. It was the consensus of the board that the owner be required to occupy the primary residence.
- Section 3203 – Primitive Camps – The board seemed comfortable limiting the maximum number of camps on a parcel to four.
- Section 3204 – Home Occupation – Must be permitted by statute.
- Section 3205 – Home Business – S. Durgin expressed some concern about limiting the hours of operation for some businesses.
- Section 3206 – Family Childcare Home – See state regs.
- Section 3107 – Bed & Breakfast – This could be considered a home occupation, of sorts.
- Section 3208 – Short-Term Rental – T. Yandow asked why paragraph B required a property manager. B. Saxton replied this is needed in the event of an emergency when the owner is unavailable. B. Saxton noted paragraph C was more concerned about collecting taxes than enforcing life safety regulations. ZA to get copy of “Short Term Rental Safety, Health and Financial Obligations” checklist from hyperlink and provide to applicants, where applicable. K. Wallace expressed

concern regarding advertising signs for short term rentals. Statute defines short-term rentals as those rented for 14 or more days per year.

- Section 3209 – Care Home – This includes assisted living facilities.
- Section 3210 – Lodging Facility – These are not short-term rentals or bed & breakfasts. The question was raised regarding whether a maximum of 15 rooms was adequate in the VR district.
- Section 3211 – Campground – These will be required to close between 12/1 and 4/15, except if meeting the definition of “seasonal campground.” B. Saxton noted there is a new type of tiny home called a “park model home.” These can be moved but only by a large vehicle, and can be used year-round. These would be required to be moved off a campground facility during the dates noted above.
- Section 3212 – Repair Service – Need more discussion regarding storing vehicles in setbacks.
- Section 3213 – Fueling Station – B. Saxton noted electric car charging stations not associated with a fueling station are generally not subject to the provisions of this section.
- Section 3214 – Veterinary, Pet or Animal Service or Equestrian Facility – This includes “doggy daycare as well as a broad scope of other uses. It was noted this section does not apply to such uses when on a “farm” as defined by the Dept. of Agriculture. B. Saxton noted the provisions of this section are minimums and the PC could require larger setbacks from residences or other uses on adjacent lots if it felt this was appropriate.
- Section 3215 – Restaurant, Bar or Event Facility – **START HERE AT NOVEMBER MEETING.**

### **November PC meeting**

This meeting will be held November 2, 2021 (election day) at the town office as there are no elections this year.

### **Other Business**

None.

### **Public Comments Taken**

None.

### **Adjournment**

S. Ross moved and S. Thompson seconded a motion to adjourn the meeting at 9:05PM. Approved 9 – 0.

*An audio recording of this meeting was made and is kept at the Dorset town office.*

Respectfully submitted,  
Tyler Yandow  
Zoning Administrator