

Unapproved

MINUTES
DUMMERSTON PLANNING COMMISSION HEARING
NOVEMBER 13, 2012

Present: Deb Forett, Steve Glabach, Bev Tier, Sam Farwell, Rich Cogliano, Bill Schmidt, Cindy Wilcox
Also Present: Maria Glabach, Lew Sorenson, Gail Sorenson, Charlotte Annis, Paul Normandeau, Jody Normandeau, Zeke Goodband, Brenda Davis, Jean Momaney, Herb Rest, Dan Normandeau, Mark Whitaker, Brownlow Towle

Sam called the hearing to order at 7pm

After reviewing the posted hearing notice he solicited comments and questions on the proposed amendments.

Waivers Amendment

Lou Sorenson expressed concern about possible conflicts between language and state statute regarding waivers, specifically a provision for appeal, noted the language in the proposed amendment refers to section 717 which doesn't include waivers and questioned the need for variance bylaw if we have a waiver bylaw, since any variance request could be handled as a waiver request. He supported the need for a waiver amendment.

There were numerous questions about what the provisions would mean in terms of boundaries, subdivisions, rights of heirs and assigns and differences from variance language.

Special Events

There was extended conversation about the definitions of agriculture and agri-tourism. Generally the definition of agriculture was supported. There was both support and concern voiced about the agri-tourism definition. Many felt it was too broad. Regarding Special Events definition, a number of people expressed concern about the exemption of agri-tourism from special events, especially without having any conditional use language for agri-tourism currently in the bylaws. Jean Momaney objected to the different standards for villages. Dan Normandeau stated we don't have a special events problem and proposed eliminating special event language and replacing section 690 with language allowing events such as weddings at Scott Farm to get conditional use permit. He agreed to submit proposed language in writing. There was substantial discussion about the role of Selectboard vs. role of Planning Commission

in regulating Special Events. Lou Sorenson urged Planning Commission to make a distinction between a temporary event and a land use. He urged PC to avoid trying to regulate temporary activities through zoning and instead concentrate on land use, which he sees as recurring use. If temporary activities are to be regulated he sees it as the role of SB. Brownie Towle expressed concern that whatever the solution be there be a pathway for village residents to address problems of noise, traffic and parking in the village.

Unspecified Use

Lou Sorenson expressed concern about amendment. He stated it lacks certainty and clarity and both are important for applicants. Believes it may have unintended consequences such as conflict and best way to address the concern is to write allowed and conditional uses in inclusive language and amend bylaws when necessary. Herb Rest stated he believed the language as written would give the DRB the flexibility and guidance it needed to protect districts and neighbors.

Exemptions to Setback Requirements

Maria Glabach asked if retaining walls were included. And suggested might need to be clarified.

Meeting was recessed at 8:45 and it was agreed testimony would be accepted in writing until 5pm Friday, November 16.

Respectfully Submitted,
Andrew MacFarland