

Unapproved

MINUTES
DUMMERSTON PLANNING COMMISSION
ZONING BYLAW REVISION
PUBLIC FORUM
MAY 6, 2014

Present: Deb Forett, Bev Tier, Maria Glabach, Sam Farwell, Rich Cogliano, Cindy Wilcox, Andrew MacFarland

Also Present: Charlotte Annis, Paul and Jody Normandeau, Zeke Goodband, Brenda Davis, Jerry and Sandy Morrison, Pam McFadden, Claudia Teachman, Bob Tryan, Linda Rood, Roger Turner, Ann Kerry, Read Miller, Miriam Dror, Charlie Laurel, Roger Haydock, Mary Ellen Copeland, Ed Anthes, Kevin Ryan, John Sommer, Elizabeth Catlin, Claiborne Coyle, Martha Webber, Jodi Kramer, Debbie Brooks, Nelson Jillson, Molly Stone, Pamela Cubbage, Casey Sayjak, Michael McGillion, Ghurudarm Khalsa

Sam called the hearing to order at 7pm. After reviewing purpose of the forum, process for bylaw revisions, and key changes in maps and language, he solicited comments.

Jody Normandeau noted definition of "family" in the bylaws needed revision.

Linda Rood noted that the residential district, which includes parts of E-W & Schoolhouse Rd. encourages uses not suited to area. Jody N. agreed and gave specific examples, such as auto repair & portable storage. After PC members discussed intent to increase flexibility of use through conditional uses, Paul N. noted that when classified as a conditional, the DRB could attach conditions to the use but the use was still allowed. He suggested PC review uses for districts.

Ed Anthes stated he thought the uses for rural and residential too intrusive for districts. He questioned why Productive Lands extended along only one side of Black Mt. Rd. in a section pointed out on the map. Elizabeth Catlin suggested it may be due to its proximity to conserved land.

Debbie Brooks supports PC's efforts to make bylaws flexible but expressed concerns about proximity of noisy business to houses and the impact it would have.

Jody N. pointed out that descriptions of Rural and Productive Lands are not consistent with some of the uses. Paul N. suggested changing uses, not descriptions.

Casey Sayjak pointed out that his land is now partly in Conservation district and partly in RR. Requested that RR go all the way to Putney line on Spaulding Hill Rd. Rich C. pointed out that the road classification

changed at approximately the same place the district changed and that was the likely reason for the change in district.

Debbie Brooks suggested road setbacks (e.g. 1000 ft.) as an alternative to current district boundaries. Molly Stone requested clarification about how setbacks were determined on geometrically irregular pieces of land. Discussion followed about difficulties for Zoning Administrator making that determination. Charlotte Annis, ZA, pointed out that the 300 ft. setback referred to subdivisions, not existing parcels.

Discussion followed about distinction between home business and home occupation. Linda R. and Paul N. clarified definitions using existing bylaws.

Roger T. emphasized need for care in defining conditional uses because a lot of money and a good lawyer can get DRB decisions overturned. He agreed to send written comments on specific uses and districts to PC.

Sandy Morrison noted that their parcel on Rte. 5 is changed to Rural from previous use as RC.

Requested it be returned to RC, as the change prohibits numerous uses, and the property loses value.

Clay Coyle stressed consideration for the rights of individual landowners and suggested a distinction be made between those currently owning land and whose district changes, and new owners who know the change prior to purchase. Zoning changes take away options and potential value from landowners.

Jerry Morrison agreed, stating that he and Sandy M. purchased the land from family as an investment and the change reduced value.

John Sommer? of Hague Rd. questioned why the zoning map for the Hague Rd. area was different from the Town Plan map. Sam responded with the Planning Commissions thinking on the change.

Claudia Teachman stressed the need for property owners to be vigilant about changes in land use.

Elizabeth C. pointed out that zoning strives to protect the rights of all landowners as well as the community and achieve the correct balance. The majority of residents want to protect the rural character of Dummerston and zoning is one way to do that. She thanked PC for work.

Michael McGillion expressed concerns about the small lot sizes in Settlement districts, specifically in Dummerston Ctr. He sees a distinction between the settlement pattern of the Ctr., West Dummerstons and Slab Hollow. He would like to see the Ctr. Changed to Residential.

Read Miller questioned the inclusion of PUD in low density districts. Sam explained PC's goal of encouraging cluster housing as an alternative to more spread out structures as a way to preserve larger tracts of undeveloped land. A brief discussion of variable lot sizes ensued. Andrew M. informed the group that Brattleboro PC was discussing it now. Sam F. remarked that no town in VT had instituted

variable lot size language in their bylaws and he preferred not to be the first but let another town work out the problems, if there are any.

Casey S. asked PC to reconsider and remove his land from Conservation.

Paul N. noted that perception of a town affects property values as well and zoning helps protect that value. Dummerston is a residential community and doesn't have the infrastructure to support major manufacturing /industrial /commercial enterprise in most of the town, with the exception of Rte 5 town borders with Brattleboro and Putney, which can offer water and sewer.

Jody N. expressed fear of Rte 5 corridor becoming Putney Rd.

Nelson reminded everyone to stay vigilant and keep track of meeting minutes and decisions. He supported the change in district of the Morrison property.

Molly S. asked for a review of the process. Sam and Rich reviewed.

Roger informed everyone that the Windham Regional Commission was holding a public hearing next Thursday, May 15 at Dummerston Town offices, as part of their approval process for the revised 2010 town plan.

Jody Kramer mentioned the concept of intentional communities as something for the PC to consider in its deliberations.

Meeting was adjourned at 9:15 and Sam urged participants to submit written comments to Planning Commission by email or USPS.

Respectfully Submitted,

Andrew MacFarland