

**Town of Dummerston
Special Joint Meeting of the Selectboard, Development Review
Board, and Planning Commission
Thursday June 27,2013 6PM
Downstairs at the Church
Dummerston, Vermont 05301**

Administrative Items

Selectboard Chair, Zeke Goodband, called the meeting to order at 6:00 PM

Public Comments opened with Greg Brown questioning the legality of agenda item #3, particularly the issue of providing " guidance to the ZA on what areas of the Zoning By-laws to enforce, specifically at this time the Hutchins decision."

It was requested 8 minutes into the meeting that everyone in attendance identify himself or herself.

Annamarie Pluhar - Planning Commission (PC)
Deb Forrett - PC
Bev Tier - PC
Patty Walior - Development Review Board (DRB)
Andrew McFarland - PC
Bill Schmidt - PC
Sam Farwell - PC
Jack Lilly - DRB
Steve Jarosak - DRB
Joe Cook - Selectboard (SB)
Charlotte Annis - Zoning Administrator
Zeke Goodband - SB
Samuel Griffis - DRB
Steve Glabach - SB
Bill Holiday - SB
Hugh Worden - DRB
Lew Sorenson - DRB
Maria Glabach
Paul Normandeau
Jody Normandeau
Gail Sorenson
Tom Simeon
Greg Brown

Zeke Goodband provided a detailed accounting of the chronology of events from Selectboard on their mediation of the Thibault decision. Goodband also justified "Selectboard meddling" in DRB decisions citing the Abel case. Paul Normandeau offered historical information of the Abel case.

Hugh Worden identified himself as the person responsible for placing the Hutchins decision on the agenda for discussion suggesting that "we need to look forward." The question of mediation came up in this case and Worden asked, "Is Charlotte going to get guidance on what to do with him?" That directed the conversation to enforcement. Patty Walior offered, "Nothing about that decision (DRB) felt good or right and I hated writing it."

Lew Sorenson, speaking of the Selectboard decision to mediate in the Thibault case said, "That could have, would have, should have been handled differently and what can we learn from it as we move forward." And now "we have a similar (Hutchins) case." Precedent has been set and "how do we deal fairly with all of our citizens?"

Samuel Griffis suggested that words like "practical, reasonable, fair, just...none of those words are in the variance and waiver process." The DRB, "even if it's just plain stupid" has no choice but to enforce the Bylaw.

Bev Tier, speaking about the side and rear yard setbacks requirements which limit the ability of residents with smaller lots to utilize their property to the maximum extent possible while still maintaining reasonable coverage limits, suggested "we need to make smaller setbacks for smaller lots and I don't know why that should take us forever."

Sam Farwell said, "We already have it in our draft."

Lew Sorenson said, "You had it in a draft 4 years ago. It didn't make it to adoption."

Hugh Worden said, "This is the biggest challenge we have is the smaller lots. People who are trying to do legitimate things."

It was pointed out that there is confusion at times about the roles of the Planning Commission and the Development Review Board and Sam Farwell said, "I'd like it in writing. It would be great to get something in writing from the DRB saying 'please clarify'."

Samuel Griffis, late in the meeting, said, "The DRB should do a better job of quantifying where we see our conflicts, where we see our difficulty interpreting the bylaw and send that to the Planning Commission and we should copy the Selectboard as well."

It was offered that the Selectboard not enforce the penalties in the Hutchins case. Joe Cook said, "I'd like to see the PC make that a priority so that we can justify our (Selectboard) not enforcing the decision with which nobody seems to be pleased."

Sam Farwell commented, "We definitely want to get to the place in this town where we can actually be enforcing every single decision consistently."

On the agenda item - How will we create and maintain ongoing communication between the DRB and the Planning Commission, and the Selectboard when appropriate and discuss the requirement for a member of the PC to also be a seated member of the DRB -

Bill Holiday offered, "There might be a Selectboard liaison and someone selected from the PC and DRB to keep that threesome informed with the instruction that it inform its full board."

Bill Schmidt added. "(This) argues for continuation of a DRB member being on the Planning Commission." Lew Sorenson supported this idea with historical justification.

Lew Sorenson said, "This type of meeting is very valuable."
Meeting was adjourned at 8:03 PM

Submitted by Bill Holiday, Clerk, Dummerston Selectboard. The meeting was digitally recorded and can be made available.