



Town of Shelburne, Vermont

SELECTBOARD MEETING AGENDA

Tuesday, September 8, 2020

VIRTUAL/REMOTE MEETING -- LOGIN/CALL IN DETAILS BELOW

Join SELECTBOARD Zoom Meeting

<https://us02web.zoom.us/j/89253024676?pwd=ckRDN3NGb1luZXM3Q3pVTXpBOVVqUT09>

Meeting ID: 892 5302 4676

Passcode: 4NxL09

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 892 5302 4676

Passcode: 024963

Call to Order/Roll Call	7:00 P.M.
*Approve Agenda	7:00 P.M.
*Approve meeting minutes of August 25, 2020	7:00 P.M.
Public Comments	7:05 P.M.
Selectboard Comments	7:15 P.M.
Town Manager Report/Update	7:20 P.M.
*Appoint Treasurer	7:25 P.M.
*Tree Policy Amendments	7:35 P.M.
*Regulatory reform, continued: Dean Pierce's 'top ten'; Planning Commission request to consider approving an application for a Municipal Planning Grant	7:45 P.M.
*Confirm budget schedule	8:00 P.M.
*Second class liquor license – Shelburne Farms	8:05 P.M.
*VLCT voting delegate and alternate for virtual Town Fair	8:10 P.M.
*Borrowing authorization for a Highway truck	8:15 P.M.
*Executive Session – labor relations agreements with employees	8:20 P.M.
*Executive Session – pending or probable civil litigation	8:35 P.M.
*Adjourn	9:00 P.M.
* Decision Item	

Times allotted to each agenda item are approximate and may vary depending on the discussion.



Town of Shelburne, Vermont

SELECTBOARD MEETING
ANNOTATED AGENDA
Tuesday, September 8, 2020

VIRTUAL/REMOTE MEETING -- LOGIN/CALL IN DETAILS BELOW

Join SELECTBOARD Zoom Meeting

<https://us02web.zoom.us/j/89253024676?pwd=ckRDN3NGb1luZXM3Q3pVTXpBOVVqUT09>

Meeting ID: 892 5302 4676

Passcode: 4NxL09

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 892 5302 4676

Passcode: 024963

Call to Order/Roll Call	7:00 P.M.
*Approve Agenda	7:00 P.M.
*Approve meeting minutes of August 25, 2020	7:00 P.M.
Public Comments	7:05 P.M.
Selectboard Comments	7:15 P.M.
Town Manager Report/Update	7:20 P.M.
*Appoint Treasurer	7:25 P.M.

With appreciation to Colleen Haag for her extended service as Town Treasurer, and to Sue Moraska for her diligent service as Assistant Treasurer, we will have a recommendation for appointment for you on Tuesday evening.

*Tree Policy Amendments	7:35 P.M.
--------------------------------	------------------

Attached please find policy amendments proposed by the Tree Committee. Changes include minor grammar or syntax; confirming the present name as the Tree Committee (no longer "advisory" per prior Selectboard decision); and deleting a clause in Section IX that gave the Town the authority to remove hazard trees on private property and charge landowners for that work if they failed to do so.

The Committee does not believe this is a proper role for the Town, and as a former Tree Warden myself, I agree. Presuming that the Selectboard finds these changes appropriate, then a motion and vote to accept the revised Tree Policy would follow.

***Regulatory reform, continued: Dean Pierce's 'top ten'; Planning Commission request to consider approving an application for a Municipal Planning Grant**

7:45 P.M

As previously suggested, please find attached Planning Director Dean Pierce's own 'top ten' suggested zoning changes and other associated documents. This is also a prelude to a Planning Commission inquiry whether the Selectboard would support applying for a municipal planning grant from the State to support these or other zoning change considerations. It is a timely request in light of recent and ongoing priorities and discussions, and helpful for the PC and staff to learn in advance whether such an application would be supported.

My own take on this, with all due respect, is that the time spent to prepare an application, await hoped-for approval, issue RFPs for consulting assistance, and then finally launch that process sometime next year would be far better spent just doing the work. As Kate Lalley has also stated, the suggestions raised to date are neither difficult nor complicated. We have professional staff who should have plenty of expertise in house to do this work ourselves on a much shorter timeframe, and at no additional cost otherwise required with a local match for a grant.

There is nothing to be afraid of here. We just need the will, desire, and focus to get it done.

***Confirm budget schedule**

8:00 P.M.

An updated draft budget schedule is attached. Please note that it includes an additional meeting in both October and December, presumably focused primarily on the budget, to keep the process moving forward timely and efficiently while still reserving for ourselves some bandwidth for the many other matters that also need our time and attention. Note that it also splits the usual all-day budget hearing into two evenings, as an all-day event via Zoom would be challenging for us all. We will also want and need to have Departments and CBCs present clear, concise, condensed proposals, without the lengthy presentations that are sometimes offered in these budget hearings, if we are to get through this process in a reasonable manner. Toward that end, I will be asking all to prepare a one-page (maximum) summary cover page of key issues for our advance review, and to help focus these proposals in an effective and efficient manner. Between both budget and time restrictions, it may be frustrating for departments and committees, but they will just have to accept that these are extraordinary times which require extraordinary measures.

***Second class liquor license – Shelburne Farms**

8:05 P.M.

This is a straightforward request to sell beer and wine at the Farm Store as an adjunct to the fresh produce and prepared foods they have been offering. We are not aware of any problems here.

***VLCT voting delegate and alternate for virtual Town Fair**

8:10 P.M.

This is an annual occurrence, being the annual meeting of the Vermont League of Cities and Towns, in conjunction with the meetings of the VLCT Property and Casualty Intermunicipal Fund (PACIF) and the VLCT Employment Resource and Benefits Trust (VERB), all as part of the “Town Fair” annual conference and policy-setting venue. Delegates for municipalities have often been Selectboard members and/or Town Managers/Administrators.

The Chair has often been our voting delegate; perhaps another Selectboard member wishes to participate, as well. The date for these events is September 30.

***Borrowing authorization for a Highway truck**

8:15 P.M.

At this time, this matter is more appropriately considered as a request for authorization to purchase. The Highway Department plans to replace a 2013 plow truck, which has experienced increased maintenance issues, and for which the extended warranty has expired. Paul Goodrich was able to negotiate a replacement truck with Clarks Truck Center at price of \$60,874, (after trade allowance). He has also negotiated a price for the body and plow at a cost of \$74,100. In order to have the body and plow installed in time for winter, we seek authorization to purchase the truck now so the body and plow can be scheduled. Another advantage of buying now is that Paul has negotiated with the vendor such that they will install a stainless steel body for the same price as regular steel. This is a significant savings up front, as well into the future, as this more durable material will not need painting now, nor rust prevention/remediation over time.

Our cash balance is sufficient at this time to purchase the truck, and after discussion to be held with the Finance Committee, we will bring a subsequent financing proposal to the Selectboard for approval at another time. MOTION to approve the purchase of a 2021 International Truck from Clarks Truck Center for \$60,874.

***Executive Session – labor relations agreements with employees**

8:20 P.M.

Motion 1: Pursuant to 1 VSA 313, I move to find that premature general public knowledge of the Town’s strategy in contract negotiations would clearly place the Town at a substantial disadvantage.

Motion 2: Pursuant to 1 VSA 313, I move to enter executive session to consider the Town’s strategy in contract negotiations with the Police/Dispatch Union, and to invite the Town Manager, Finance Director, and Police Lieutenant to participate.

***Executive Session – pending or probable civil litigation**

8:35 P.M.

Motion 1: Pursuant to 1 VSA 313, I move to find that premature general public knowledge of the Town's strategy in pending or probable civil litigation would clearly place the Town at a substantial disadvantage.

Motion 2: Pursuant to 1 VSA 313, I move to enter executive session to consider the Town's strategy in pending or probable civil litigation, and to invite the Town Manager and Town attorney to participate.

***Adjourn**

9:00 P.M.

Thank you.

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
August 25, 2020**

***Meeting held via teleconference.**

MEMBERS PRESENT: Jerry Storey (Chair); Mike Ashooh, Mary Kehoe, Jaime Heins, Kate Lalley.
ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Ted Nelson, Town Assessor, Courtney Brown, Assistant Assessor.
OTHERS PRESENT: Members of the public participating in the meeting included Joyce George, Don Porter, Gail Albert, Ken Albert, Jason Grignon, Neil Curtis, Rep. Jessica Brumsted, Tom Tompkins, Susan McLellan, Ken Scott, Julia Curry, Megan McBride.

1. CALL TO ORDER

Chair Jerry Storey called the teleconference meeting to order at 7 PM, explained the procedure to be followed, and held a roll call.

2. APPROVE AGENDA

MOTION by Jaime Heins, SECOND by Kate Lalley, to approve the agenda with the addition of discussion of Selectboard meeting efficiencies. VOTING by roll call: unanimous (5-0); motion carried.

3. MINUTES

August 11, 2020

MOTION by Mike Ashooh, SECOND by Jaime Heins, to approve the minutes of 8/11/20 as presented. VOTING by roll call: unanimous (5-0); motion carried.

4. PUBLIC COMMENT

- Gail Albert asked if the CBC survey has been done. Jerry Storey said the survey will be discussed later in the meeting.

5. SELECTBOARD COMMENTS

- Thanks were extended to all for a successful Shelburne Day on 8/15/20. There was great media coverage as well.
- First tax installment is 9/15/20.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- Shelburne Day was a great success.
- Request for Qualifications has been issued for an economic development consultant. Inquiries have been received. Deadline is 9/2/20.

- Culverts on the Bay Road running path/trails have been replaced, trail improvements continue and improvements will be done this season on Bay Road by the LaPlatte Bridge.
- Extension of the timeframe for permitting of the Healthy Living and Fire/Rescue project has been requested due to delay of local and state processes.
- Complaints were received about noise from helicopters at the airfield in Shelburne. Action has been taken to try to mitigate the impact on neighborhoods in the area.

7. NEW BUSINESS UPDATE: Furchgott/Sourdiffe Gallery

The Selectboard recognized Lara Maloy, owner of the Furchgott/Sourdiffe Gallery in Shelburne.

8. REAPPRAISAL UPDATE

Town Assessor, Ted Nelson, and Assistant Assessor, Courtney Brown, updated the Selectboard on progress to date with the townwide reappraisal. Inspections will begin again shortly, with letters going out in advance to property owners. An increase in sales prices is being seen, mainly in houses in the \$250,000 to \$400,000 price range selling for up to 30% more. Also, there is new housing and infrastructure from the Kwiniaska Ridge development.

9. REGULATORY REFORM ACTION PLAN

Lee Krohn reviewed the list of suggested changes to the zoning regulations to simplify and streamline the review process, emphasizing process changes as first steps forward. Suggestions from the Selectboard included getting feedback on the changes from the CBCs, reviewing on-the-record review, and doing a community survey on a short list of suggested changes. Dean Pierce, Planning Director, mentioned that he also had a prior list of proposed changes.

Gail Albert, Shelburne Natural Resources Committee, suggested involving the Natural Resources Committee earlier in the review process.

Joyce George, resident, urged doing whatever is necessary to lighten the burden on Planning & Zoning and streamline the process.

Staff will gather feedback from the CBCs and do the community survey.

10. PRELIMINARY SCHEDULE & PROCESS FOR BUDGET REVIEW

There was discussion of the date for a draft budget, receiving budget numbers earlier, having clear criteria for comparing budget needs, meeting more frequently if needed, trying to be more efficient with handling department budgets, giving more time to the largest budgets. There will be a data point on revenues by 9/29/20. Budget items that can be deferred need consideration. Be clear on where prioritizing and why.

Don Porter, Financial Advisory Committee, said there are essential public services that must be part of the core budget. Priorities can be built from there. The Finance Committee can provide data and guidance.

11. HEARING DATE: Shelburnewood CDBG Application

Julia Curry, Shelburnewood Co-Op, said the grant is for expansion of the mobile home park to add manufactured homes. This would be a reapplication for the same grant sought previously; the project was thought worthy, but with limited funds available, the grant was not awarded the last time around.

MOTION by Mary Kehoe, SECOND by Kate Lalley, to set the hearing date for the Shelburnewood community development block grant application on 9/22/20.
VOTING by roll call: unanimous (5-0); motion carried.

12. WASTEWATER ALLOCATIONS

Collins, Bourgea Lane (210 gpd)

There was discussion of not approving the allocation, or approving with conditions unless and until the bond vote on the sewer line improvement project is successful, and construction is complete.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to grant a conditional permit to Jim Collins for 210 gpd of sewer allocation for Bourgea Lane with the condition the allocation cannot be used and the connection to the wastewater system cannot be made until the sewer line upgrade and capacity issue are resolved, and further, the property owner will pay the additional mitigation fee to help with the cost of the upgrade. VOTING by roll call: 3 ayes, 2 nays (Jerry Storey, Jaime Heins); motion carried.

Wygmans, Lot 1A, Milkweed Lane (210 gpd)

Fischer, 165 Lakeview Drive (140 gpd for accessory apartment)

Toohy/Mindell, 164 Pierson Drive (140 gpd for accessory apartment)

MOTION by Mary Kehoe, SECOND by Jaime Heins, to approve the following wastewater allocation requests:

- **Justin Wygmans, 210 gpd for Lot 1A, Milkweed Lane**
- **Christopher Fischer, 140 gpd, accessory apartment, 165 Lakeview Drive**
- **Sean Toohy/Maureen Mindell, 140 gpd, accessory apartment, 164 Pierson Drive**

VOTING by roll call: unanimous (5-0); motion carried.

13. MOU & RESOLUTION: Wake Robin Water Tank

Lee Krohn said the second water tank at Wake Robin was required to ensure domestic water supply as well as fire protection in case the main water tank is taken off line. It was agreed during prior permitting for the new building that Wake Robin would have to build this reserve tank, and then the Town would take ownership and be responsible for maintenance thereafter.

MOTION by Mary Kehoe, SECOND by Mike Ashooh, to authorize the Town Manager to accept the Memorandum of Understanding and associated documents for the Wake Robin water tank and sign the resolution and any other needed documents on behalf of the Selectboard. VOTING by roll call: unanimous (5-0); motion carried.

13.a SELECTBOARD MEETING EFFICIENCIES

There was discussion of how to make the Zoom Selectboard meetings more efficient. Suggestions included holding Executive Session prior to the regular meeting, penciling in a third meeting monthly if necessary, getting approval for agenda items to exceed the 15-minute time allotment.

14. ADJOURNMENT

MOTION by Mike Ashooh, SECOND by Kate Lalley, to adjourn the meeting. VOTING by roll call: unanimous (5-0); motion carried.

The meeting was adjourned at 9:08 PM.

RScty by tape: MERiordan

For the Selectboard

Date



Town of Shelburne, Vermont

CHARTERED 1763

P.O. BOX 88 5420 SHELBURNE ROAD SHELBURNE, VT 05482

Clerk/ Treasurer
(802) 985-5116

Town Manager
(802) 985-5111

Zoning & Planning
(802) 985-5118

Assessor
(802) 985-5115

Recreation
(802) 985-5110

FAX Number
(802) 985-9550

Town of Shelburne Tree Policy 18-02

I. Purpose

The purpose of this policy to promote, protect, and enhance public health, safety, and general welfare by providing a policy governing the planting, maintenance, protection, and removal of trees, shrubs, and other woody plant material within public rights-of- ways and public places within the Town of Shelburne.

II. Authority

The Selectboard shall appoint a Tree Warden, under 24 V.S.A. § 871. The Tree Warden may appoint a Deputy Tree Warden under 24 V.S.A. § 2505. Through its Tree Warden, the Town shall have control of all public trees and shall have the authority to plant, maintain, protect, and remove such trees. The Tree Warden, where possible, should be a person skilled or trained in forestry, horticulture, or other closely related field.

No public tree shall be pruned, removed, or harmed in any way without the written permission of the Tree Warden.

No person shall plant any tree within Town rights-of-way or on Town property without written permission of the Tree Warden.

It is recommended that the Tree Warden should be a member of the Tree Advisory Committee.

III. Applicable Regulations

The Town of Shelburne Public Works Specifications and Zoning Bylaws both address the planting of trees within the Town. Shelburne's Subdivision Regulations require the planting of trees along both sides of streets (Section 810(4)), although the precise location of plantings relative to the right-of-way is not specified. This policy is consistent with and provides supplemental detail to both documents.

IV. Definitions

Certified Arborist: A person certified by the International Society of Arboriculture as having specialized knowledge, experience, and training related to arboriculture.

Diameter at Breast Height (DBH): The diameter of a tree measured in inches at a height of four (4) feet five (5) inches from the finished grade at the base of the tree.

Public Tree: All trees and shrubs for which any part of the trunk at DBH is located within the town right-of-way or on town property.

V. Tree Committee

The Selectboard may appoint a Tree Committee for specific purposes outlined in the Tree Committee's Charter. In general, the Committee shall develop a written plan to include an inventory of all Town trees and for the planting and care of additional trees. They shall also educate the citizens of Shelburne about the benefits and care of this resource. In concert with Town staff, the Committee may apply for grant funds to accomplish the Tree Inventory and Plan, to plant and care for Town trees and other similar purposes.

VI. Construction in the Vicinity of Public Trees

Any construction within 10 lateral feet of the drip line of public trees requires consultation with the Tree Committee and Tree Warden who may provide specific written requirements for additional protections of trees.

VII. Public Tree Planting, Maintenance and Removal

The Town is supportive of planting and maintaining trees along its streets, roads and on other Town and private property. The benefits of street trees are well documented, and this policy is consistent with and recognizes those benefits.

The Town shall have the right to plant, maintain and remove public trees as may be necessary to ensure public safety, or to preserve or enhance the symmetry and beauty of public ways and places as set forth in the following guidelines.

1) Planting Specifications

- a. Trees to be planted within Town rights-of-way and on Town property should be appropriate for the site, meet the intended planting functions and increase the overall tree diversity of the town. To help assure that appropriate trees are selected, trees shall be chosen by a licensed landscape architect, certified arborist, or other appropriate professional staff with concurrence of the Tree Committee and the Tree Warden.
- b. The quality of public trees to be planted must conform to the most current version of the American Standard for Nursery Stock for landscape trees.
- c. All public trees shall be planted in accordance with the most current version of American National Standards Institute (ANSI) A300 Standards for Tree Care Operations.

- d. Public trees should be sited based on above and below ground site conditions:
Minimum offsets from the tree trunk for intrusion elements should be as follows:
 - Light standard: 18 feet
 - Utility pole: 10 – 18 feet depending on cross arm size
 - Hydrant: 15 feet
 - Driveway: 10 feet
 - Cross walk: 5 feet
 - Transformer, connection box: 6 feet
 - Underground utility connection: 15 feet
 - Street sign: 6 feet

Exceptions may be granted only by approval of the Tree Warden.
DigSafe shall be called prior to digging.

2) Maintenance

- a. The care of all public trees shall be in accordance with the current version of ANSI A300 Standards for Tree Care Operations.
- b. All contractors who work on public trees shall have a certified arborist on staff or in their employ.

3) Removal

- a. The Town, in consultation with the Tree Committee and Tree Warden, may remove or cause to be removed, any public tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to the municipal infrastructure or other public improvements, or is affected with any injurious disease, insect, or other pest.
- b. If, in the opinion of the Tree Committee and the Tree Warden, a public tree constitutes no hazard to public safety and is determined to be healthy but needs to be removed, then the Tree Warden will warn a public hearing, giving two weeks' notice, and shall be held in accordance with 24 VSA §2509. Written appeals must be submitted to the Tree Warden and Selectboard within two weeks. The Selectboard's decision is final.

VIII. Obstruction of Streets and Sidewalks

It shall be the responsibility of each property owner of any tree overhanging any town right-of-way or property to ensure the trees and shrubs on that property are maintained in a manner that will not obstruct: street lights from illuminating street level; the passage or visibility of vehicles or pedestrians; vision of traffic signs and signals; or the view of any intersection. If said owners fail to comply, the Town shall have the right to prune any tree or shrub on private property.

IX. Tree Removal on Private Property

In the event of any dead, diseased or hazard trees on private property within the Town, when such trees constitute a hazard to life and property, or harbor insects or disease which constitutes potential threat to other trees within the Town, the Tree Warden will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty (60) days after the date of service of notice.

X. Street Trees in the Village

The Village is a densely settled portion of Town that includes a large portion of publicly owned property. Within the Village, buildings are closer together and closer to the street than in most other areas of Shelburne. The Village Plan includes streetscapes for the streets and roads within the village with trees planted in proposed green belts and in other areas. In this instance, consideration should be given to plant trees along the street and possibly within a green belt next to the street.

Adopted the 28th day of September 2010.

Amended February 27, 2018.

Amended , 2020

The Shelburne Selectboard

Jerry Storey, Chair

Jamie Heins, Vice Chair

Michael X. Ashooh

Kate Lalley

Mary Kehoe

Entirely subjective 'Top 10'

Changes that could be considered

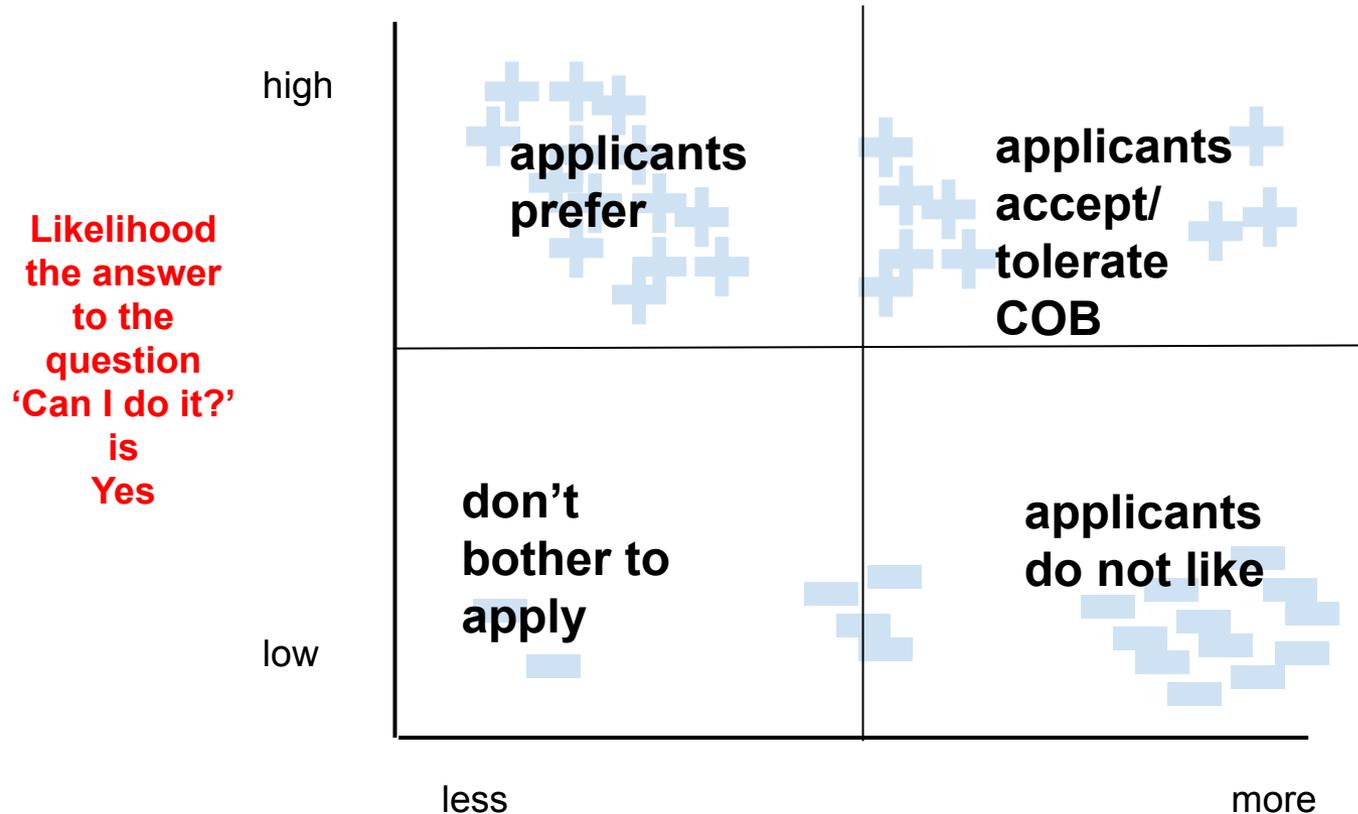
(In no particular order)

- **Relax dimensional requirements including frontage and setbacks in all districts; end min lot size for special uses**
- **Modify subdivision review to allow combination of preliminary and final phases**
- **Increase allowed residential density (via bonuses if not by dimensional standards)**
- **Accommodate more than one (but limited number) of principal residential structures on one lot**
- **Simplify signage regulations**

- **Simplify procedures to modify non complying structures, including signs**
- **End /relax parking requirements in selected districts**
- **Expand Administrative Site Plan approvals to encompass amendments and the like**
- **Identify a list of structures exempt from permitting**
- **Align regulations with statewide schemes for childcare, energy devices, agricultural uses**

FRAMEWORK FOR PRIORITIZING REVISIONS (Part 1)

People want the answer to the question “Can I do it*?” to be “yes.”
And they prefer when permission can be granted quickly.

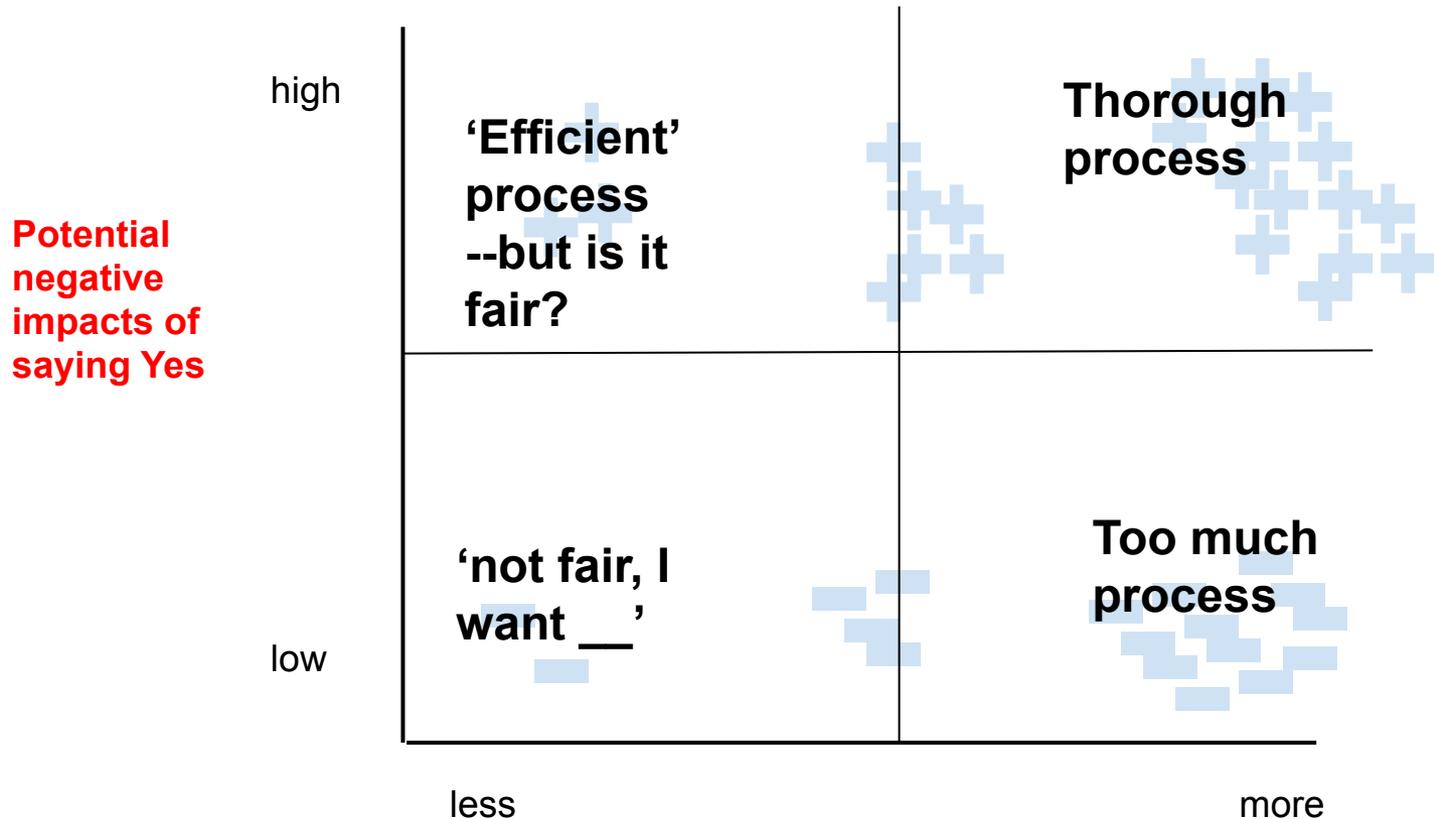


*Apologies in advance for the somewhat irreverent tone. But fundamentally, every permit process is centered on this question.

Complexity / Time required to obtain Yes answer

FRAMEWORK FOR PRIORITIZING REVISIONS, (Part 2)

However, Communities adopt regulations to achieve policy goals. Sometimes the answer to “Can I do it?” is “no, the impacts are too great.” Or sometimes it is “yes” but takes considerable time to be sure the answer is yes.**

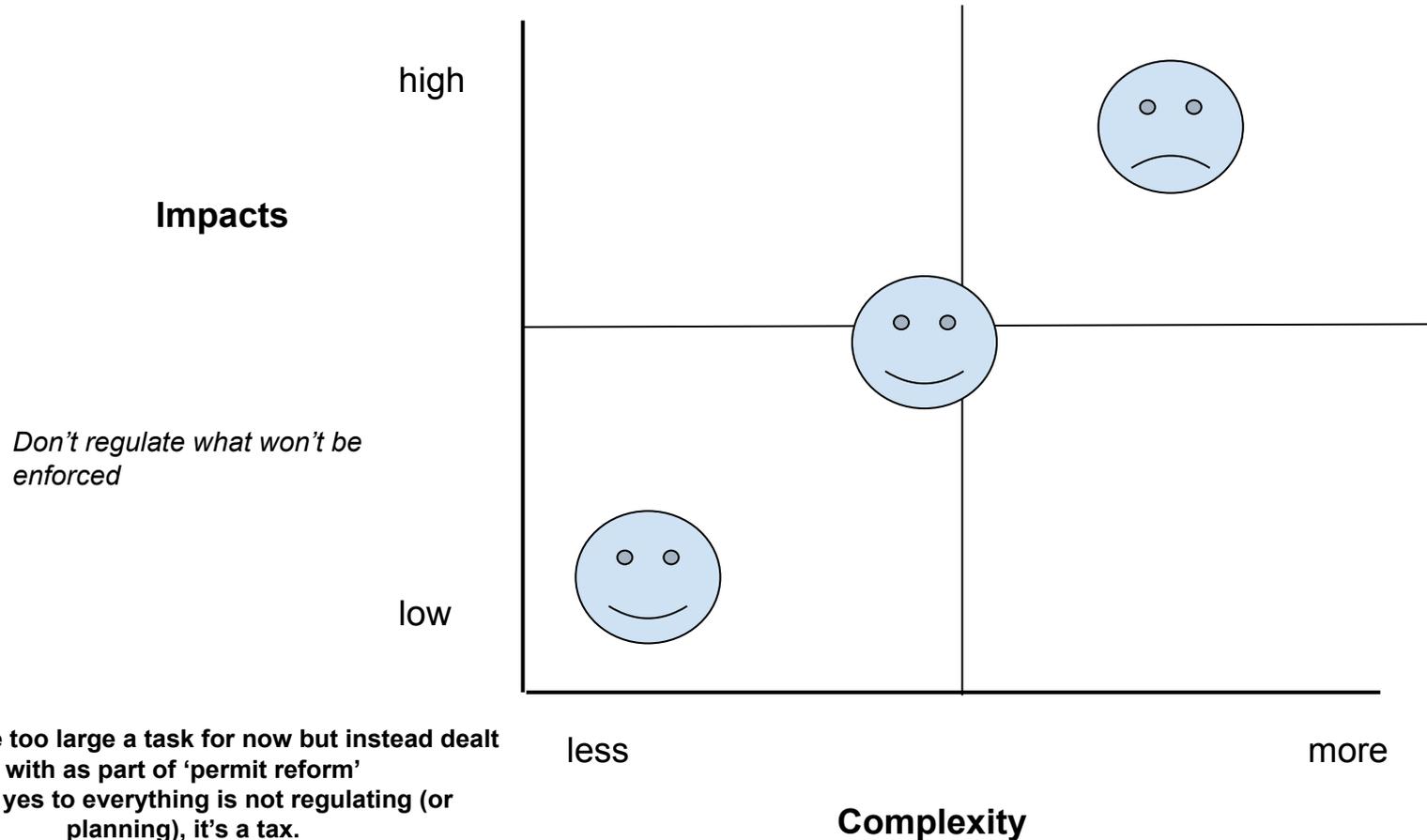


**This is the heart of what we know as the governmental police powers. Municipalities can take steps to protect health, safety, and welfare.

Complexity / Time required to be sure answer is Yes (which sometimes means saying no)

FRAMEWORK FOR PRIORITIZING REVISIONS (Part 3)

- Identify changes that would simplify or minimize review for low impact 'yes'
 - Identify changes that would simplify for moderate impact 'yes'
- Identify changes where high complexity and long 'yes' perhaps should be no.***



***Might be too large a task for now but instead dealt with as part of 'permit reform'
Saying yes to everything is not regulating (or planning), it's a tax.
Reactively saying yes to more things is not 'permit reform'
Saying no after a long and deliberative process leads to litigation and potentially permit by settlement

ZONING REGS

General changes

- Allow two SF homes on one lot with enough land
- Allow duplexes anywhere SF allowed currently. (makes certain accessory apt changes moot)
- End frontage requirement
- Change (increase) max height allowed
- Define principal structure
- Add Transitional language if PUD dissolving is allowed?
- Revisit /expand density bonuses? Via PUDs or otherwise?
- Clarify zoning limitations on wastewater
- Make enforcement more effective/palatable (Ticket system?)
- Allow exceptional lot sizes for special uses like family cemeteries
- Simplify the scheme for day care, many of which now must be treated as SF homes
- Clarify the language having to do with land required for multiple uses ("The area required for another allowed use plus the applicable lot area required for each dwelling unit.")
- Create an incentive for retroactive stormwater improvements (higher coverage allowance?) Shift to floor area ratio?
- Relax outdoor dining?

Article II Districts

- Fewer Districts? Change districts?
- Allow larger changes in boundaries? Allow changes to match property lines? (in some locations?)
- Update table to reflect all other changes

Article III Rural

- Allow expanded commercial since the legislature has pushed open allowances for 'ag' related? (alternative is to hold the line)
- Expand options in existing ag buildings?
- Allow conversion of larger SF homes existing as of today?
- Expand caretaker home idea and/or make easier (perm not conditional)
- REduce setback requirements/change scheme that pushes to center on larger lots
- Revisit scheme for land required per lot?
- End lot width requirement (not needed if all are PUDs)
- Add a lot coverage limit?
- But add growth management system like Williston?

Article IV Residential

- Allow elder housing in non PUDs? Or at least raise the max number of units? (on large lots?)
- Remove ag restrictions (like keeping of farm animals as cond use)
- Allow Nursing homes to have more beds?
- Reduce FY setback requirements to twenty?

Reduce SY requirements to 10 (and allow small structures to within 5)
Increase building coverage allowed from 20 to 30? But ADD a lot coverage limit

Article V Stormwater overlay

keep minimal/match state system only? But charge a fee?

Article VI Village Residential

(merge with another district...?)

Allow higher density in a system modeled after that used in Village Center?

Reduce FY setback requirements to 15? (Max setback?)

Reduce SY requirements to 10 (and allow small structures to within 5)

Increase building coverage allowed from 20 to 30?

Add max lot size?

But ADD a lot coverage limit

Article VII Museum

Reduce FY setback requirements to 15? (Max setback?)

Reduce SY requirements to 10 (and allow small structures to within 5)

Increase building coverage allowed from 20 to 30?

But ADD a lot coverage limit

Article VIII Village Center

(institute changes that limit need for village core overlay?)

Reduce FY setback requirements to 15? (Max setback?)

Reduce SY requirements to 10 (and allow small structures to within 5)

Increase building coverage allowed from 20 to 30 or maybe even 40?

But ADD a lot coverage limit

Allow multiple principal buildings on a lot outside a PUD

End vehicle parking requirement

Drop use restrictions and shift to FAR?

Update drive through requirements

If FAR not used then allow for easier density bonuses? Or in more than Mixed use PUDs?

Article IX Shelburne Falls

RE FY Continue with average of surrounding but clarify. Or blanket Reduce FY setback requirements to 15? (establish a Max setback?)

Reduce SY requirements to 10 (and allow small structures to within 5)

Increase building coverage allowed from 20 to 30?

But ADD a lot coverage limit

If Elder uses are realistic then make them easier eg not in PUDs or increase max size (if not drop?)

Allow multiple principal buildings on a lot outside a PUD

End vehicle parking requirement

Drop use restrictions and shift to FAR?

Update drive through requirements

If FAR not used then allow for easier density bonuses? Or in more than Mixed use PUDs?

Article X Mixed Use

(institute changes that limit the need for FBZ overlay?) (redraw boundaries to exclude back residential areas; make those residential?)

Reduce FY setback requirements to 30? (Set a Max setback?)

Reduce SY requirements to 15 except when abutting residential use

Increase building coverage allowed from 30 to 40 or maybe even 50?

Increase lot coverage limit to 60?

Allow multiple principal buildings on a lot outside a PUD

End vehicle parking requirement

Increase max allow height

Update drive through requirements

Or if really ready to get bold Drop use restrictions and shift to FAR?

Alternatively, add Commercial parking as use?

If FAR not used then allow for easier density bonuses?

Drop consolidation of existing buildings allowance

incorporate Live-work unit concept ?

Remove oddball ag restrictions

Address WASTEWATER limitations?

Article XI Commerce and Industry

Reduce FY setback requirements to 30 or 40?

REduce SY requirements to 30 except when abutting residential use

Increase building coverage allowed from 25 to 30 or maybe even 40?

Increase lot coverage limit to 60?

Remove oddball ag restrictions

Article XII Commerce and Industry South

Reduce FY setback requirements?

REduce SY requirements except when abutting residential use

Increase building coverage allowed from 25 to 30 or maybe even 40?

Increase lot coverage limit to 60?

Remove oddball ag restrictions

The biggest question of all is: should this district be a commercial core. Will allowing even more commercial uses undermine objectives in village and other areas. Promote auto dependency, traffic congestion, pollution,

Article XIII Conservation

Allow limited signage

Remove wonky ag language?
Clean up the boundary of the district?

Article XIV Neighborhood overlay

Would be nice to obviate. But that would require revising zoning map
If kept, one question that has been asked before is ... are there other places where it makes sense (e.g., like Ordway Shore road area, area between airport and Mt Philo Road, etc
Would prob need to incorporate revised lot sizes?

Article XV Village DR overlay

Most important potential changes prob already proposed via the amendment in front of Selectboard
Demolition by neglect would be nice add on but is a big challenge.

Article XVI Village Core Overlay

By relaxing the setback requirements and expanding allowances under 1920 perhaps this does not need to be retained?
Has a very narrow benefit. Lots of process. Some issues might be better handled via a waiver process?

Article XVII Lakeshore setback

This portion of regs has been revised so many times in last decade i actually would see it as a low somewhat low priority for attention. That said, it does give rise to some enforcement challenges (cutting, seawalls). Owners of Lake shore property commonly have an expectation they will enjoy certain benefits as a result of having spent so much for a piece of ground. While there are good policy reasons to discourage if not disallow seawalls, this could be another area where a DRB would refuse to implement the policy that is written.

Part of the logic of what I'm writing is that certain areas (in the core or SSA) have restrictions that really are unnecessary whereas there are highly valued areas (lakeshore, rural areas) that should probably have more strict requirements but there will be too many political obstacles to doing so.

Article XVII.A FBZ

Another much larger discussion

Article XVIII Flood plain and watercourse overlay

With the exception of the map I would not be inclined to visit owing to the federal and ANR interests.
In terms of the map, the decision could be made to modify it to rely solely on the fed maps with no additional buffer.

Article XIX General regs

1900

The landscaping requirement should not be about the dollar value.

Language needs to be cleaned up ("shall be encouraged") since it creates confusion and has little effect. Current regs reflect an earlier time when people were overly deferential about things like the location of parking.

The group should also confirm if the goal is to hide view from Rt 7 or not. (the green band requirement). There are landscaping screening requirements for the Mixed Use zone that get very little attention and could be removed with little ill effect I suspect. (since they are not being followed)

Site design requirements could be beefed up to be more like the FBZ. Could also use more graphics

A problem persists with the DRB not wanting to impose non motorized transportation requirements on applicants. Does the PC want these provided or not? Or is the answer to establish a fund and have deposits made to fund, with the town responsible for planning and implementing all projects?

Access requirements might need to be updated in the event PWS are changed. Does the Town want to continue the 30 units served by one road requirement (boards are quick to waive so is it pointless)?

Curb cuts on route 7 controlled by state. Point that out?

EXPAND ADMIN REVIEW OF SITE PLANS? (model after South Burlington? Winooski?)

This is perhaps one of the biggest/most meaningful potential adjustments

Could grow as much as the board might desire--but keep in mind interplay with CU process and the fact many projects might need both SP and CU approval.

1910

Clarify the Exemption paragraph . It goes without saying in some respects. Would the Town want to expand the exemption? (keeping in mind continuing jurisdiction over apps)

Certain CU standards would need to be revisited (eg for vill res and Shelburne Falls districts) if the dimensional standards in those districts are relaxed

Certain CU standards must be rewritten to be meaningful, e.g. requirement for traffic to be similar to other uses in the area.

1920

There are models available that present alternative approaches to non conformities. Statute gives much discretion. Shelburne's approach is more conservative (true to the original concept) than some. Instead of disallowing certain changes to noncoms the regs could allow them. And instead of requiring hearings they could be allowable administratively. Focus could be on noncom structures. Eg., All structures could be afforded opportunity to expand like in Mixed use district and caps on footprint changes could be increased or removed. The standard could be changed from least nonconforming solution feasible to less nonconforming

1925

Leave alone for now except perhaps to add a setback requirement from quasi lot boundaries?

1926

No change?

1930

Although the SNRCC is working on changes to this section there are still some changes that might be generally applicable.

Questions to address include :

Should PUD buffers be retained or dropped? And if retained in what fashion? Should they be malleable like other PUD features? Would a graphic make the concept clearer?

Do we need so many types of PUDs? Are the redevelopment PUDs needed? Should PUDs in C&I and CIS be more like MU ?

Can the number of steps be reduced? Must they always be classified as major subdivisions? (Might be able to tackle on the subdivision side by allowing 2 step process.)

Do we really want to encourage PUDs? Or are they more of a nuisance we should tolerate?

Can we tighten/clean up language such as 'shall be compatible with neighboring properties'?

Address Rural Mixed Use PUD with input from Shelburne Farms?

1940

I wouldn't see much change in this section (Home Occupations) unless there was a desire to recast as Home Occ and Home industry--which some might want but I see as having big problems except perhaps as a limited vehicle in Rural District.

1950

We could probably do more with Performance standards or performance regulations. The problem comes with administration/enforcement unless there has been some permit process.

1960

Parking

Is Shelburne prepared to do what more and more communities are doing and end the parking requirement in certain core districts?

At the very least the regs could be changed to require less parking for residential based on number of bedrooms and/or proximity to transit. ANother approach would be to allow greater waiver.

1970

Signs

The existing regs are vulnerable to challenge owing to recent federal court decisions.

They should be simplified, and there should be more consistency across locations/districts.

There should be fewer exemptions (and fewer special allowed) and then only based on size, not function.

Temporary sign requirements should have similar scrutiny.

It should be possible to reduce much of the system to a table with sign allowances per property by district. A key question is whether the Town wants to open the gates on signs. Consistent restrictive requirements can be legal. We just need to decide that is what is desired. If we relax on signs, which is what some desire, we can expect more abuse of requirements.

Technology really makes signs less and less important, regardless of what operators will tell you.

Nonconforming sign allowances could be expanded so that CU review not required.

IF signs prescribed by district be sure to add any missing districts.

1975

This section could use updating but might require specialized assistance. There are model lighting regulations that can be used. But, this is a complex topic and needs to balance demands.

No doubt some lighting designers would say that the current requirements are too strict and should allow for higher average footcandle levels. That could be done but might be best done as part of a more comprehensive evaluation? There are also review processes that probably are not followed/enforced. So if not should they be retained?

1980 miscellaneous

1980.3 Expand allowances for principal structures on one lot? (Define)

1980.6 On the one hand Allow more items in setbacks? On the other hand Make clear setbacks are not buffers.

1980.7 relax Outdoor display of merch?

1980.9 Relax temp storage structures?

Article XX

Update to reflect statutory language in 4413 and 4414>

Exempt flag poles dog houses flower beds etc from permit requirements (or if they meet setback requirements) (join single dock)

Should we end the CO requirement for SF unless applied as a condition by DRB?

Article XXI

Definitions

See above. Perimeter.periphery principal

SUBDIVISION CHANGES

Add provisions for admin approval of simple subdivisions or BLAs?

Change def of Major Subdivision to include PUDs over a certain size?

OR give DRB discretion to categorize down to minor? Or allow simultaneous Prelim and Final?

Think about how subdivision process could be grafted on zoning regs as a first step in unified bylaw?

Simplify the process for extensions? Or extend the deadlines to 12 months?



Town of Shelburne, Vermont

CHARTERED 1763

P.O. BOX 88 5420 SHELBURNE ROAD SHELBURNE, VT 05482

Clerk/Treasurer
(802) 985-5116

Town Manager
(802) 985-5111

Zoning & Planning
(802) 985-5118

Assessor
(802) 985-5115

Recreation
(802) 985-5110

FAX Number
(802) 985-9550

PROPOSED BUDGET DEVELOPMENT TIMELINE FOR FISCAL YEAR 2022

- | | |
|-------------|--|
| September 8 | Approve draft budget schedule |
| October 13 | First draft of CIP |
| October 20 | Second draft of CIP |
| October 27 | First review of budget proposals from department heads |
| November 10 | Second review of budget proposals from department heads |
| November 24 | Selectboard/Manager discussion of budget proposals and budget impacts related to identified priorities, opportunities, and constraints |
| December 8 | Partial budget discussion – half of departments/CBCs |
| December 15 | Continued budget discussion – other half of departments/CBCs |
| December 22 | Conclude budget discussion; warn hearings for January 12, 2021 |
| January 5 | Town Manager submits budget to Selectboard |
| January 12 | Selectboard public hearings on Town/School budgets and CIP |
| January 19 | Approve budget and warn Town Meeting |
| March 1 & 2 | Annual Town Meeting |