

A VIDEO RECORDING OF THE MEETING IN ITS ENTIRETY IS AVAILABLE THROUGH VERMONTCAM.ORG. THE WRITTEN MINUTES ARE A SYNOPSIS OF DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES SUBJECT TO CORRECTION BY THE SHELBURNE PLANNING COMMISSION. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE COMMISSION.

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
March 10, 2016**

- MEMBERS PRESENT:** Ron Bouchard (Chairman); Jaime Heins, Ann Hogan, Kate Lalley, Dick Elkins [via teleconference]. (Mark Brooks was absent.)
- STAFF PRESENT:** Dean Pierce, Planning Director; Chris Robinson, Waste Water Treatment Plant Director.
- OTHERS PRESENT:** Marc Gamble, Steve “Rocco” Antinozzi, Peter Antinozzi, Mark Sammut, Mary Kehoe, Don Rendall, Sean MacFaden, Gail Albert, Josh Dein, Tom DiPietro, Dave Wheeler.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (2/25/16)
4. Commissioner Questions/Comments
5. Open to the Public
6. Proposed Amendments to Town Plan
7. Bylaw Issues
8. Storm Water Issues
9. Housing Issues
10. Other Business/Correspondence
11. Adjournment

[Note: Minutes reflect the order of the published agenda.]

1. CALL TO ORDER

Chairman Ron Bouchard called the meeting to order at 7 PM.

2. APPROVAL OF AGENDA

MOTION by Jaime Heins, **SECOND** by Ann Hogan, to approve the agenda as presented. **VOTING** (by roll call): Ron Bouchard – aye, Ann Hogan – aye, Jaime Heins – aye, Kate Lalley – aye, Dick Elkins – aye (unanimous); motion carried.

3. APPROVAL OF MINUTES

February 25, 2016

MOTION by Ann Hogan, **SECOND** by Dick Elkins, to approve the minutes of 2/25/16 with the clarification that Ann Hogan did not volunteer to work on the zoning changes relative to Excavation and Fill and Signage on Shelburne Road. **VOTING** (by roll call): Ron Bouchard – aye, Ann Hogan – aye, Jaime Heins – aye, Kate Lalley – aye, Dick Elkins – aye (unanimous); motion carried.

4. COMMISSIONER QUESTIONS/COMMENTS

- Ann Hogan brought greetings from Dan Burks and his wife in Florida.
- Ann Hogan noted there are now 118 towns that signed in support of more local voice in solar siting of commercial energy facilities.
- Ron Bouchard noted a letter from Johanna White, Town of Hinesburg, regarding a meeting on March 31, 2016 on protecting waterways in the Champlain Valley.
- Jaime Heins reported he will testify on S.230 solar siting legislation which will make crossover from the House to the Senate. Townspeople are urged to send comments to Rep. Webb and Rep. Lenex.

5. OPEN TO PUBLIC

None.

6. PROPOSED AMENDMENTS TO TOWN PLAN

The public hearing on proposed amendments to the town plan was opened at 7:06 PM.

Bike/Ped Paths Map

Marc Gamble, Chair of the Shelburne Bike/Ped Paths Committee, explained the current paths map is out of date and does not include details and the current vision of the committee. The value of the map is the vision that is shown may excite people and having the map helps with the ability to pursue and secure grants. There are 21 proposed paths on the map including a path that crosses the Vermont Railway property west of the tracks and follows the current easement on the property. The path was in the 2007 town map, but has been in the plan since 1993. Dean Pierce noted there was a regional bike/ped plan through eight or nine towns that was part of the MPO. Both the regional and the town plan show the path extending north of the village to South Burlington alongside the rail corridor.

There was discussion of where the plan (map) should be in the town plan. Dean Pierce suggested updating the existing Priority Pathways and Sidewalk Map in the Map Volume of the plan. There is another map that “windows” into the village portraying the same information on a smaller scale. The village portion can be pulled out, the new map inserted, and the maps renumbered or a version of the “window into the village” map could be included in the material sent to the Selectboard. Marc Gamble noted the Paths Committee has only one project in downtown Shelburne so having a “window in” map is not necessary. It was noted Map 23 is “Priority Sidewalks and Crosswalks” and Map 24 is “Priority Paths, Trails, and Lanes”. The projects in Map 23 are complete except for sidewalk along Route 7 in front of the Shelburne Museum to the top of the hill. Following further discussion the Planning Commission agreed to replace the town-wide map and update the village map.

Village Center Designation

Dean Pierce explained another component to be incorporated into the town plan is the Village Center Designation. There is a map and text in the comprehensive plan referring to the destination and the area governed by the designation. The Planning Advisory Committee of Regional Planning has reviewed and accepted the text.

Ann Hogan suggested inserting “aka Neighborhood Development Area” with each occurrence of “Vermont Neighborhood” in the document.

Dick Elkins suggested “Shelburne Falls Area” should be removed from the Mixed Use Designated Area noted in the Land Use Summary and put into Residential. Following further discussion there was agreement to discuss the matter at a future meeting and gather input/comment from the public.

There were no further comments.

MOTION by Kate Lalley, SECOND by Jaime Heins, to close the public hearing and forward to the Selectboard amendments to Shelburne’s Comprehensive Plan that would:

- **Add text and map responding to statutory requirements governing designated village centers and designated neighborhoods as amended on 3/10/16 (i.e. insert “aka Neighborhood Development Area” with each occurrence of “Vermont Neighborhood”).**
- **Update the existing Priority Paths, Trails, and Lanes Map in the Map Volume of the Plan with a new version prepared by the Bike and Pedestrian Paths Committee.**
- **Update the Priorities Sidewalks and Crosswalk Map (Conceptual Locations) with the new version to be prepared by staff.**

VOTING (by roll call): Ron Bouchard – aye, Ann Hogan – aye, Jaime Heins – aye, Kate Lalley – aye, Dick Elkins – aye (unanimous); motion carried.

MOTION by Jaime Heins, SECOND by Ann Hogan, to direct staff to transmit to the Selectboard for review and action the proposed amendments to the Town’s Comprehensive Plan addressed by the prior motion along with the “Plan Change Report” prepared in fulfillment of statutory requirements as modified by the previous motion. VOTING (by roll call): Ron Bouchard – aye, Ann Hogan – aye, Jaime Heins – aye, Kate Lalley – aye, Dick Elkins – aye (unanimous); motion carried.

7. BYLAW ISSUES

Pet Care Facilities as Conditional Use

A majority of the Planning Commission is in support of allowing pet care facilities as a conditional use in Commerce & Industry with up to 100 animals. Dick Elkins spoke in favor of allowing up to 75 animals until the matter with the railroad property and the traffic impact is known then the number can be reconsidered.

MOTION by Ann Hogan, SECOND by Kate Lalley, to direct staff to warn a public hearing on April 14, 2016 regarding amendment of the zoning bylaw to add Pet Care Facility to the list of conditional uses allowed in the Commerce and Industry District and Commerce and Industry South District as reflected in documents previously distributed, discussed, and approved, and amended on 3/10/16 to reflect the maximum number of animals allowed as 100. VOTING (by roll call): Ron

Bouchard – aye, Ann Hogan – aye, Jaime Heins – aye, Kate Lalley – aye, Dick Elkins – nay (4-1); motion carried.

MOTION by Ann Hogan, SECOND by Jaime Heins, to approve the Zoning Change Report prepared by staff and dated March 3, 2016 and to direct staff to distribute the report and copies of the amendment proposal as required by statute. VOTING (by roll call): Ron Bouchard – aye, Ann Hogan – aye, Jaime Heins – aye, Kate Lalley – aye, Dick Elkins – aye (unanimous); motion carried.

Zoning Changes Suggested by DRB

Mark Sammut noted signage in the Shelburne Road corridor is tied to lighting requirements. Signs on Shelburne Road have an impact. Enforcement is needed to ensure the lighting is in compliance. The requirement of lights turned off when the business is not operating is not enforced. Also, the DRB does not review when a building is remodeled or the façade is redone and light fixtures are changed to ensure the regulations are met. Perhaps this could be done at the permit level. Language in the zoning regulations needs to be prescriptive and concrete so the applicant knows what has to be done to comply with the regulations.

Staff will forward the sign lighting comparison chart to DRB members.

8. STORM WATER ISSUES

Tom DiPietro, South Burlington, gave a presentation on storm water runoff TMDL and best management practices. Mr. DiPietro reviewed components of the storm water permit, operational permit, one acre threshold (one acre impervious, one acre disturbance), three acre regulation (in 2018), and the municipal roads permit. Mr. DiPietro also reviewed Shelburne's subdivision regulations and storm water runoff control and water quality protection regulations. The following was highlighted:

- Storm water drains to the lake and treating storm water helps control algae blooms, e-coli, and phosphorus going into the lake.
- Sources of pollution include agricultural runoff, streambank erosion, waste water overflows, catch basins, and outfalls.
- Shelburne is an MS4 permit holder and must meet all permit requirements or provide proof the town is not subject to the requirement.
- Shelburne's storm water regulations have good elements, referring back to the state permit(s), but the information is found in several different places in the document. It would be good to put all the pieces in one place and the language to be specific.
- Shelburne's subdivision regulations require five standards to be met (water quality treatment, channel protection treatment, recharge treatment, flood control, low impact treatment where feasible to capture and infiltrate water back into the ground on site). The regulations note the size of culverts and consider up/down stream impacts, but clarification may be needed with regard to current build-out or full build-out, and defining the storm event (i.e. 10 year storm, 25 year storm, and such). The regulations need to treat storm water runoff before the water gets to natural areas and wetlands.

- Shelburne's regulations provide authority to enforce erosion control which is good.
- The Storm Water Overlay District is the MS4 area. The MS4 area will encompass the entire town so the town can get a municipal roads permit.
- VLCT can provide guidance on storm water regulations/bylaws.

Ron Bouchard pointed out Shelburne is affected by runoff from towns that do not border the lake. The LaPlatte River originates in Hinesburg and flows through Shelburne. Mr. DiPietro explained Hinesburg is not an MS4 town, but must comply with the municipal roads permit and phosphorus reduction to the lake. In South Burlington re/development of a half-acre triggers the storm water regulations and treatment for that site. Development of over a half acre requires storm water treatment and other specifics for the entire site.

Gail Albert asked about green infrastructure items (raingardens, green roof, grass sections, tree conservation and protection) and maintenance of the systems. Tom DiPietro said low development impact techniques can be used to infiltrate the water from a storm event. South Burlington's regulations require the systems to be maintained. The systems are deeded to the city and the city maintains them (currently there are 40 systems to maintain and four staff in the department).

Mark Sammut suggested reviewing Burlington's storm water regulations for guidance or amending the state regulations to fit the town. Mr. Sammut asked if there is a plan for Shelburne's storm water management. Chris Robinson said the contract is being finalized with South Burlington to partner with Shelburne for storm water management. South Burlington will review development projects in Shelburne for storm water elements.

Gail Albert requested Shelburne Natural Resources Committee be involved when the town's storm water regulations are revised.

9. HOUSING ISSUES

The Planning Commission reviewed/edited the following description of the Housing Subcommittee:

Housing Subcommittee Charge

- The Housing Subcommittee of the Planning Commission has no agenda or role other than collecting, collating, and analyzing data on housing stock in Shelburne and to make housing information available to any town committee, commission, or board that requests it.

Data

The Housing data collected, collated, and analyzed by the Subcommittee may include:

- Number of houses
- Number of bedrooms per house
- Location of house
- Assessed price of house
- Fluctuation in assessed value of house

- District in which the house is located
- Number of building permits historically issued
- Increase/decrease in town/county/state population
- Household make-up (demographics) such as number of adults and ages, number of dependents and ages
- Pending building permits
- Current proposals for new houses
- Information from Walk Score
- Understanding Shelburne's housing in a broader context (county/state/national)

Information Sharing

The information can be used to assist a number of town entities in their duties:

- Planning & Zoning
- Public Works
- Education
- Library
- Police
- Parks & Recreation
- Bike & Ped
- Natural Resources
- Selectboard/Budgeting

Other Tasks

Once current housing data have been catalogued the Subcommittee will monitor new building permits and pending development to keep the information current.

Membership and Meeting Schedule

The Subcommittee will consist of five (5) members who will meet on the first Monday of each month. The Subcommittee will be assisted by Shelburne Planning & Zoning staff.

Membership Terms and Reappointment

Members of the Subcommittee will serve one year terms with reappointment addressed by the Planning Commission Chair at the organizational meeting.

MOTION by Kate Lalley, SECOND by Dick Elkins, that the Planning Commission hereby establish a Housing Subcommittee effective 3/10/16 with its charge, membership, appointment, and terms being as specified in the Housing Subcommittee document reviewed and amended by the Planning Commission on 3/10/16 and which will be recorded in the minutes of the 3/10/16 meeting. VOTING (by roll call): Ron Bouchard – aye, Ann Hogan – aye, Jaime Heins – aye, Kate Lalley – aye, Dick Elkins – aye (unanimous); motion carried.

10. OTHER BUSINESS

None.

11. ADJOURNMENT

**MOTION by Ron Bouchard, SECOND by Jaime Heins, to adjourn the meeting.
VOTING: unanimous (4-0)[Dick Elkins not present for vote]; motion carried.**

The meeting was adjourned at 9:15 PM.

RScty: MERiordan