

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
July 28, 2016**

MEMBERS PRESENT: Mark Brooks, Dick Elkins, Kate Lalley, Jason Grignon, Don Posner. (Jaime Heins, Ann Hogan, and Peter Antinozzi were absent.)
STAFF PRESENT: None.
OTHERS PRESENT: Steve “Rocco” Antinozzi, Mary Kehoe.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Disclosure of Potential Conflicts of Interest
4. Approval of Minutes (7/14/16)
5. Commissioner Questions/Comments
6. Open to the Public
7. Zoning Issues
8. Shelburne Day Participation
9. Form Based Zoning Phase 2
10. Other Business/Correspondence
11. Adjournment

1. CALL TO ORDER

In the absence of Chairman Jaime Heins, Mark Brooks, Vice Chair, called the meeting to order at 7 PM.

2. APPROVAL OF AGENDA

MOTION by Kate Lalley, **SECOND** by Jason Grignon, to approve the agenda as presented. **VOTING: unanimous (5-0); motion carried.**

3. DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

None.

4. APPROVAL OF MINUTES

July 14, 2016

MOTION by Dick Elkins, **SECOND** by Jason Grignon, to approve the minutes of 7/14/16 as written. **VOTING: unanimous (5-0); motion carried.**

5. COMMISSIONER QUESTIONS/COMMENTS

None.

6. OPEN TO PUBLIC

None.

7. ZONING ISSUES

Paths and Sidewalks

Kate Lalley reviewed her analysis of the language in the regulations relative to connectivity and multi-modal access to public roads for pedestrians and bicyclists, goals noted in the town plan. The following comments were made:

- Kate Lalley stated it will be a challenge to achieve the goals of connectivity and multi-modal access with paths and sidewalks. The language needs clarity and strengthening in Article XIX.
- The Section 1900.A (Site Plan Review) should be clarified to say the provisions of the article are intended to promote context appropriate facilities that enable effective multi-modal connectivity within the site, between adjacent sites and neighbors, and to transit and public roads.
- Mary Kehoe said efforts to be more specific will be helpful to the DRB to avoid the challenge that the regulations are too vague and to avoid dissention.
- In Section 1900.2 (Applications) the narrative on a project should address bike/ped connectivity and infrastructure.
- Don Posner expressed concern about imposing on a developer something the town is not willing to build, especially in areas where there is nothing to tie into (i.e. sidewalk or path to nowhere).
- Kate Lalley said an easement should be secured for the future. The paths map should show easements for connectivity.
- Rocco Antinozzi said the Paths Committee looks at sidewalk and paths on a systems level and believes every major corridor should have infrastructure to allow pedestrian and bike circulation. The trigger for sidewalk/path requirement is 3,000 cars per day at an average of 30 mph. The state looks at projects in the center of town when writing regulations for grants rather than projects outside this area.
- Mark Brooks said the outlook is long term, but incremental. The infrastructure must be established. An easement will provide the ability for a path in the future.
- Kate Lalley suggested the Paths Committee monitor the easements needed for connectivity and communicate this to the DRB. Then when the opportunity arises the DRB can seek an easement.
- Rocco Antinozzi said the direction of the charge of the Paths Committee would have to be changed because the Paths Committee was advised to work at a conceptual level, not asking specifically for easements. There is agreement it is important to get easements.
- Dick Elkins said the DRB can ask for easements.
- Mark Brooks said how a proposed development connects should be shown and this information should be on the Paths Map.
- Kate Lalley said getting easements in place before development is easier than after the fact. The language needs to be clear to the applicant as to what is expected. The DRB should be able to call on the Paths Committee for their point of view.
- It was noted there are only a few main arteries in town and this results in high traffic volume on these roads and discourages pedestrian and bike circulation.
- Mary Kehoe said developers see paths/sidewalks as a selling point, but many of the roads calling out for a path are already developed.

- Rocco Antinozzi commented the highway budget does not consider how the infrastructure needs to change to have paths and sidewalks. When paving projects are being done other transportation needs should be considered.
- Mark Brooks said the Public Works Standards are going to be reviewed. Paths and sidewalks will be discussed.
- Kate Lalley stated the emphasis of the language needs to allow the inclusion of bike/ped needs, not just vehicular needs. The language needs to be clear.
- Mary Kehoe pointed out the town plan is not a rule or law, but a goal. The bylaws should be changed/clarified to better support paths and sidewalks, not the town plan. There are times, however, when the type of development is not appropriate to require bike/ped features (i.e. industrial area that is unsafe for pedestrians or bicyclists) so flexibility for this type of application is needed.
- Jason Grignon suggested having a waiver process with the burden on the applicant to prove why a waiver is needed.
- Dick Elkins cautioned that a waiver is perceived as the rule and that is a problem. A better approach is to be more specific in the regulations.
- Review standards should include bike/ped paths in the considerations so there is parity with vehicular considerations.
- Section 1900.7 (Pedestrian Circulation and Bicycle Accommodation Requirements) should include “and/or” language for flexibility and have the wording reflect that path facilities will be required.
- Rocco Antinozzi said paths should be built that address all activities and abilities (i.e. walkers, young bikers, and such). Separation of the path to the road is important so cars do not mistakenly use the path.
- Kate Lalley suggested having a developer contribute to a fund for paths if building a path does not make sense for a project.
- Dick Elkins said a list of situations where it is not reasonable for a path or sidewalk should be generated (i.e. industrial areas where it is unsafe for the public, outskirts of town with no connectivity).
- Section 1900.8 should include bike/ped access goals. Kate Lalley stated the goal is to have areas in the village and growth area to be walkable and bike-able, and to give the DRB priority to further that goal through the development review process. Easements should be secured in outlying areas.

The Planning Commission will further review the suggestions in Kate Lalley’s analysis for discussion at the next meeting. Forward any comments to Kate Lalley.

Setbacks on Private Roads

Mark Brooks stated the language reflects that private roads with no clear right-of-way will have a setback starting at the center line and going out 20’ on either side.

Dick Elkins asked about other private roads that will be impacted by the change, such as some small developments off Harbor Road, where the change would not be good. The roads where the new language applies should be specified.

The Planning Commission will continue discussion of setbacks on private roads at the next meeting.

8. SHELBURNE DAY PARTICIPATION

Members will respond to the Doodle poll to register their participation commitment. Material will be available at the table (conversation starter type materials and form based zoning maps to show the work that has been done).

9. FORM BASED ZONING PHASE 2

It was noted the section on deliverables is missing from the RFP and it was anticipated there would be more language from Regional Planning. The Planning Commission will continue discussion of the RFP at the next meeting.

10. OTHER BUSINESS/CORRESPONDENCE

None.

11. ADJOURNMENT

MOTION by Jason Grignon, SECOND by Dick Elkins, to adjourn the meeting.

VOTING: unanimous (4-0)[Don Posner not present for vote]; motion carried.

The meeting was adjourned at 8:50 PM.

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