

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  
September 22, 2016**

**MEMBERS PRESENT:** Jamie Heins (Chairman); Mark Brooks, Ann Hogan, Dick Elkins, Jason Grignon, Kate Lalley (arrived 6:55 PM).  
(Don Posner and Peter Antinozzi were absent.)

**STAFF PRESENT:** Dean Pierce.

**OTHERS PRESENT:** Gail Albert, Joe Colangelo, Christy Witters, Tom Dipietro, Jeff Zweber, P.E., Karen Horn, Marty Illick, Beth Pearce.  
Also see sign in sheet PDF.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Disclosure of Potential Conflicts of Interest
4. Approval of Minutes (9/8/16)
5. Commissioner Questions/Comments
6. Open to the Public
  - 6.5 Appointment of Representatives to FBZ Consultant Selection Committee
7. Energy Plan Update
8. Zoning Issues
9. Municipal Planning Grant
10. Other Business/Correspondence
11. Stormwater Summit
12. Adjournment

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**1. CALL TO ORDER**

Chairman Jaime Heins called the meeting to order at 6:35 PM.

**2. APPROVAL OF AGENDA**

**MOTION by Mark Brooks, SECOND by Ann Hogan, to approve the agenda.**

Chairman Heins suggested that the agenda be amended to include an item relating to the appointment of Commission representatives to serve on the consultant selection committee for the Form Based Zoning project. If supported, the topic would be considered immediately after the Open to the Public section of the agenda. The amendment was approved.

**VOTING: 5-0; motion carried.**

**3. DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

Dick Elkins mentioned that he had called Jim Collins to discuss some of the issues raised under the Open to the Public portion of the agenda on September 8.

**4. APPROVAL OF MINUTES**

*September 8, 2016*

**MOTION by Ann Hogan, SECOND by Xxxxxx, to approve the minutes of 9/8/16.** Ann Hogan asked that the word “residential” found on page 5 in the paragraph beginning “The plans by Bennington” be struck. **VOTING: 4 ayes, one abstention (Dick Elkins); motion carried.**

## **5. COMMISSIONER QUESTIONS/COMMENTS**

Ann Hogan indicated she has a comment to make regarding Dean Pierce’s notes summarizing his response to the residents who appeared at the meeting on 9/8. She delayed making her comment with the intention of addressing it under a later agenda item.

## **6. OPEN TO PUBLIC**

No comments.

## **6.5 APPOINTMENT OF REPRESENTATIVES TO FBZ CONSULTANT SELECTION COMMITTEE**

Chairman Heins expressed his intention to appoint three Commission representatives to serve on a Chittenden County Regional Planning Commission (CCRPC) committee charged with reviewing proposals submitted by consultants seeking to work on the Form Based Zoning Project (phase 2). He proposed appointing Dean Pierce, Kate Lalley, and one other individual—himself or another member if another member has interest. No other member expressed a desire to serve. The Chair’s proposal was endorsed without formal vote but with the understanding that the minutes would show the concurrence of the Commission that Dean Pierce, Kate Lalley, and Jaime Heins would serve on the selection committee.

## **7. ENERGY PLAN UPDATE**

Planning Commissioners resumed their discussion of the CCRPC’s Energy Plan update, which began on September 8 with a presentation by CCRPC staff. As part of the discussion Dean Pierce indicated that the deadline for submitting comments on the draft energy maps and list of “Level 2 Constraints” has been extended to November 1. Level 2 Constraints are features reflected on the maps created by the Regional Planning Commission as part of the regional energy planning effort. By preparing the maps and a new regional energy plan, the Regional Planning Commission is hoping to increase the amount of influence the regional plan and local plans have in the “Section 248” energy facility-siting process.

Commissioners discussed possible additions to the list of level 2 constraints. The additions recognized as important by Commissioners include scenic resources (including areas on and near Shelburne Farms), archeological resources, and certain natural resources not included in other natural resource categories. Members also suggested improvements to two sketch maps included in the meeting packet; staff will revise the sketch maps based on the comments. Before concluding the discussion, Commissioner Ann Hogan made a public statement expressing her concern about state energy laws and

policies. In her view the policies are “preposterous” and “dangerous to the economy.” They will also make the state a less affordable place to live and do lasting damage to the landscape. She concluded by saying that the policies are a very difficult mandate to implement while sitting on the Planning Commission.

Responding to a comment by Mark Brooks and mentioning that he had originally intended to reference the matter under Other Business, Dean Pierce noted that earlier in the afternoon he had received a copy of an application filed with the Public Service Board. The application seeks approval of a net-metered solar energy installation adjacent to the existing solar site on Shelburne Farms. The application will be the first subject to review under the Town’s Solar Electric Generation Facility Siting Standards ordinance.

## **8. ZONING ISSUES**

Owing to the scheduled and impending start time of the Stormwater Summit, Chairman Heins noted the Planning Commission will continue discussion of specific zoning issues at upcoming meetings.

## **9. MUNICIPAL PLANNING GRANT**

No discussion or comment.

## **10. OTHER BUSINESS/CORRESPONDENCE**

### *Endorsement of Village Center Designation Renewal*

Jaime Heins referred to materials in the meeting packet. **MOTION by Ann Hogan, SECOND by Mark Brooks, to authorize staff to submit a letter to the State of Vermont seeking renewal of the Town’s Village Center designation. VOTING: 5-0; motion carried.**

## **[10.5.] RECESS AND RECONVENING IN AUDIENCE**

The Planning Commission recessed the meeting at 7:00 PM to facilitate the start of the Stormwater Summit.

## **11. STORMWATER SUMMIT**

### *Introductions and Welcome*

Jaime Heins convened the Stormwater Summit portion of the meeting and welcomed all attendees and participants. Town Manager Joe Colangelo and Shelburne Natural Resources & Conservation Chair Gail Albert also extended warm welcomes.

### *General Overview of Stormwater Principles as they relate to Regulatory Responsibilities*

Christy Witters (who is the Planning, Municipal and Technical Program Coordinator in the Watershed Management Division of the Vermont Department of Environmental Conservation) gave a “Stormwater 101” type presentation. The presentation included material on basic hydrology, permit programs, and specific permit requirements. And golf.

*Overview of Stormwater Obligations, Activities, and the Gap Between Obligations and Activities*

Tom DiPietro (the Deputy Director of Public Works for the City of South Burlington and a frequent consultant to the Town of Shelburne) made a presentation describing Shelburne's stormwater obligations and activities, both current and planned, as well as identifying the gap between the Town's obligations and activities. In making his presentation, DiPietro highlighted the number, type, and location of permits issued for property in the Town, and activities (such as maintenance, inspection, public education, monitoring, reporting, illicit discharge detection, etc.) that are requirements of various permits. He also described new permit requirements that will affect larger (3 + acre) redevelopment sites and town highways. Tom's presentation also cited studies containing estimates of the cost of addressing stormwater problems. One such study identifies the need for approximately \$7 million in improvements within the Munroe Brook watershed alone. Opportunities for closing the gap include improved oversight and management, tracking and reporting, policy review and development, local regulation, and increased funding for stormwater investments.

*Expert Panel and Q&A Addressing Options for Filling the Gap*

Christy Witters, Jeff Zweber, P.E. (Engineering Ventures), Karen Horn (Director of Public Policy & Advocacy, VLCT), Tom DiPietro, Marty Illick (Lewis Creek Association), and Beth Pearce (Vermont State Treasurer) were seated and asked to make a brief statement regarding their interest in stormwater. Jaime Heins then moderated a wide ranging question and answer session. Issues discussed during the session included the impact of land use patterns on stormwater, benefits of a stormwater utility, the high cost of solving stormwater problems, the importance of preventing stormwater problems, the impact of road design standards on stormwater, the role of land conservation in managing stormwater, the impact of limited staffing on meeting stormwater requirements, the potential role of inter-municipal service agreements, achieving a balance between efficiency and adoption of new (and in some cases very different) management systems, human behavior and resistance to change, the importance of the steps municipalities are already taking, and the critical role of cooperation. They also included the importance of local water quality monitoring, the vital importance of having clean water, seemingly deficient proposed rules regarding regulation of agricultural runoff, the need for a statewide "roadmap" and statement of issues easily understood by the public, the role of non-profit organizations in stormwater management and clean up, the lessons we might learn from organizations such as the Chesapeake Bay Foundation, and measures by which we might gauge our progress in ten or fifteen years' time.

*Future discussion, Thanks, and conclusion of Summit phase of meeting*

Jaime Heins asked members of the panel for any concluding remarks, and many expressed thanks and appreciation for the opportunity to address the audience—and engage in dialogue with the community—on such an important topic. Christy Witters and others encouraged future dialogue. Jaime Heins, on behalf of himself and Gail Albert, offered thanks to the panelists for their participation. Joe Colangelo echoed Jaime Heins, noting the issue is a complex one; this meeting was only the start of what will be a multi year conversation.

**12. ADJOURNMENT**

**MOTION by Jaime Heins, SECOND by Mark Brooks, to adjourn the meeting.**

**VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 9:40 PM.

## SIGN-IN SHEET

	NAME (print clearly, please)	ADDRESS	PHONE/EMAIL
1.	Heather McKim	Shelburne News	
2.	H. WRIGHT Crowell	40 FIELDSTONE WAY	
3.	Christy Witters	ANR stormwater Program	
4.	Tom DiPietro	South Burlington, City	
5.	J. Phoebe Deim	Shelburne	
6.	JASON GREENMAN	Shelburne	
7.	Marty T. Lusk	Chaictah - LCA	
8.	Robertay Nubile	Shelburne	
9.	E. Storey	145 Covington Lane	
10.	Dick Elkies	Shel planning	
11.	Kate Lally	Shelb-PC	
12.	Bonnie Christie	424 Acorn	
13.	Jeff Zweber	49 Bayview	
14.	Marla Keene	331 Longmeadow	
15.	Carolyn Gorman	116 Quail Way	
16.	ANN MILOVSOVROFF	113 FLETCHER LANE	
17.	GAIL HIBERT	70 Pierson Dr.	
18.	LEE SUSKIN	136 HARBOR ROAD	
19.	Judith Raven	" " "	ravenvt@msn.com
20.	Nancy Rowland	576 Farm Barn Lane	nancy@teams.com
21.	Jaquie Wukharian	602 Duke Robin Drive	
22.	Dee McManis		
23.	Frances Nesti	Pine Haven Shores Lane Shelburne	
24.	Sheryl Everts	95 Quail Way Shelburne, VT	
25.	Alan McIntosh	20 Pierson Dr.	alan.mcintosh@uvm.edu
26.	GARY VOY STANGE	548 RIDGEFIELD RD	
27.	Linda Patterson	416 Acorn Lane	lpatt@uvm.edu
28.	Susan Moegenburg	106 Farnstead Dr	
29.	Karen Horn	VLCT	khorn@vlct.org
30.	GINNY LYONS (SENATOR)	Williston	glyons@leg.state.vt.us

Name	Address	Phone   Email
Dorothy Mickias	47 Munroe Dr	985-0744 Mickias64@aol.com
32) Beth Pearce	34 Allen St Barre	498-3130 bethpearce@mta.vt.gov
33) Tim Lueders-Dumont	Treasurer's Office	828-145 tim.lueders-dumont@vermont.gov
34) Joan Lenus	197 Governors Lane Shelburne	985-4940 jlenus197@gmail.com
35) Ann h. Hogan	107 Wild Rose Circle	985-4940 annhogan@mac.com
36) MARK BROOKS	206 General Greene Rd #3	234-6176 mark.brooks@allenbrooks.com
37) Don Rendall	241 SPINNAKER LANE	985-2067 drendall@aol.com
38) Sean MacFadden	62 Wrs Rd.	985-5503 Sean.MacFadden@univ.edu