

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
January 28, 2016**

MEMBERS PRESENT: Ron Bouchard (Chairman); Jaime Heins, Kate Lalley, Dick Elkins, Ann Hogan. (Mark Brooks was absent.)
STAFF PRESENT: Dean Pierce, Planning Director.
OTHERS PRESENT: None.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (1/14/16)
4. Commissioner Questions/Comments
5. Open to the Public
6. Public Hearing: Proposed Bylaw Amendments
7. Current Zoning Issues
8. Policy Implications: Housing Presentation by Town Attorney
9. Other Business/Correspondence
10. Adjournment

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

MOTION by Dick Elkins, **SECOND** by Ann Hogan, to approve the agenda as presented. **VOTING: unanimous (4-0)[Kate Lalley not present for vote]; motion carried.**

3. APPROVAL OF MINUTES

January 14, 2016

MOTION by Dick Elkins, **SECOND** by Ann Hogan, to approve the minutes of January 14, 2016 as written. **VOTING: 3 ayes, one abstention (Ann Hogan)[Kate Lalley not present for vote]; motion did not carry due to lack of a quorum.**

Kate Lalley joined the meeting.

MOTION by Jaime Heins, **SECOND** by Dick Elkins, to approve the minutes of January 14, 2016 as written. **VOTING: unanimous (5-0); motion carried.**

4. COMMISSIONER QUESTIONS/COMMENTS

- Jaime Heins commented positively on the testimony before the legislative committee on solar sitings which was well represented geographically across the state. A similar message was delivered by all who testified.
- Ron Bouchard asked for an update on the railroad intermodal facility. Dean Pierce reported the facility will be the major focus at the February 9th Selectboard

meeting. The town has filed motions in court to stop activity. The matter will likely be decided in federal court. The town's legal budget is limited so the town is exploring ways to cover expenses, including donations. State representatives and senators at the January 26th Selectboard meeting were updated on the project and heard comments from the public. The legislators offered to assist in getting the Secretary of Transportation involved. Preservation of historic places is a concern with the site as well as environmental impacts by the facility.

5. OPEN TO PUBLIC

None.

6. PUBLIC HEARING: Form Based Code & Subdivision Bylaw Amendments

The public hearing resumed at 7:15 PM.

Form Based Code

Following discussion minor corrections were made to the document including:

- Change “mixed use village” to “mixed use neighborhood”;
- Change Roman numerals to Arabic numbers;
- Ensure consistent format and pagination;
- Insert “historic” before “landmark buildings in SR-FBOD” and use “structures” rather than “buildings” to read “...significant historic landmark structures in SR-FBOD”;
- Section 1.1.3.C – use “within five (5) years” and delete “months”;
- Section 1.2.1.B – delete “designated” before “parcels”;
- Section 1.2.2.A.1 – definition is needed for “multi-modal streets”;
- Section 1.2.2.A.2 – include the statement on ‘best management practices for storm water’ in all the districts;
- Section 1.2.2.C.2 – include a thumbprint of the Regulating Plan for viewing of where the Green Corridor is located;
- Section 1.3.E.2 – use “provided that a clear walkway is provided” and delete “the width of five feet”;
- Section 1.5.4.B.1.d – delete “January 2016”;
- Section 1.6.2.4 – change “waiver” to “waived”.

The Reporting Form for Form Based Zoning was edited to include the addition of “located in the proposed form based overlay district” to the end of the last sentence in the paragraph explaining the proposed bylaw amendment on Page 1 and the insertion of the word “the” before “proposal” in the last sentence of the first paragraph of the ‘Purpose’ section on Page 1.

MOTION by Kate Lalley, SECOND by Jaime Heins, to close the public hearing on changes to the zoning bylaw and specifically changes to create an opt-in Form Based Zoning Overlay District as presented in documents previously distributed and discussed and as modified to advance Version 4.2.D with edits discussed at the 1/28/16 Planning Commission meeting. VOTING: unanimous (5-0); motion carried.

MOTION by Kate Lalley, SECOND by Jaime Heins, to forward to the Selectboard for consideration and action the proposed changes to the zoning bylaw and specifically changes to create an opt-in Form Based Zoning Overlay District as presented in document previously distributed and discussed at public hearings continued over numerous sessions the most recent of which was January 28, 2016 and as modified to encompass changes that advance Version 4.2.D with the edits discussed at the 1/28/16 Planning Commission meeting, and to forward the Zoning Change Report as amended on 1/28/16 prepared to accompany the proposed zoning changes. VOTING: unanimous (5-0); motion carried.

Subdivision Definition

Article II (Definitions) pertaining to subdivision definitions was reviewed. Correction was made to the Zoning Overlay Map label.

MOTION by Kate Lalley, SECOND by Jaime Heins, to close the public hearing on proposed changes to Article II (Definitions) of the Shelburne Subdivision Bylaws, particularly the definition of “Subdivision”, “Minor Subdivision”, “Major Subdivision”, “Redevelopment”, and “Resubdivision” as reflected in documents previously distributed and discussed and as modified to encompass changes recommended by the Planning Commission on 12/10/15 and approved on 1/28/16. VOTING: unanimous (5-0); motion carried.

MOTION by Kate Lalley, SECOND by Jaime Heins, to forward to the Selectboard for consideration and action the proposed changes to the Subdivision Bylaw which would modify the definition of “Subdivision”, “Minor Subdivision”, “Major Subdivision”, “Redevelopment”, and “Resubdivision originally warned for public hearing on December 10, 2015 and continued on December 17, 2015, January 14, 2016, and January 28, 2016 and as modified to encompass changes reflected in the revised draft, dated December 11, 2015, and to forward the Zoning Change Report prepared to accompany the proposed changes. VOTING: unanimous (5-0); motion carried.

7. CURRENT ZONING ISSUES

Pet Care Facilities

Following discussion the Planning Commission agreed to put the topic of Pet Care Facilities on a future agenda and invite Ester Lotz to attend to answer questions and provide more information on the number of dogs at a facility and ideal location (i.e. Rural District).

8. POLICY IMPLICATIONS: HOUSING PRESENTATION

Following discussion of “supportive housing” which is designed to allow people with special needs (homeless, low income, addition, physical/mental disability, and such) to live in a more integrated manner in the community, the Planning Commission agreed the definition in the regulations of “hotel/motel” needs more work. The item will be put on a future agenda.

9. OTHER BUSINESS*Recognitions*

The work of the Planning Commission and in particular Kate Lalley on Form Based Code was recognized.

10. ADJOURNMENT

MOTION by Jaime Heins, SECOND by Ann Hogan, to adjourn the meeting.

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

The meeting was adjourned at 8:53 PM.

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