

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
April 14, 2016**

MEMBERS PRESENT: Jaime Heins (Chairman); Mark Brooks, Ann Hogan, Kate Lalley, Dick Elkins, Don Posner, Jason Grignon, Peter Antinozzi.
STAFF PRESENT: Dean Pierce, Planning Director.
OTHERS PRESENT: Tracey Beaudin, Pam Bragan, Roberta Nubile, Brian Precourt, Don Rendall, Barbara Marden.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (3/24/16)
4. Commissioner Questions/Comments
5. Open to the Public
6. Public Hearing: Zoning Bylaw Amendments
7. Rules of Procedure
8. Work Plan
9. Storm Water Regulations and Planning
10. Other Zoning Issues
11. Housing Subcommittee
12. Other Business/Correspondence
13. Adjournment

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

1. CALL TO ORDER

Chairman Jaime Heins called the meeting to order at 7 PM and introduced Peter Antinozzi as the student member on the Planning Commission.

2. APPROVAL OF AGENDA

MOTION by Jaime Heins, SECOND by Ann Hogan, to approve the agenda with the amendment to advance the appointments to the Housing Subcommittee to follow the public forum. VOTING: unanimous (7-0); motion carried.

3. APPROVAL OF MINUTES

March 24, 2016

MOTION by Mark Brooks, SECOND by Dick Elkins, to approve the minutes of 3/24/16 as written. VOTING: unanimous (7-0); motion carried.

4. COMMISSIONER QUESTIONS/COMMENTS

- Jaime Heins announced Shelburne received the 2015 New England Storm Water Collaboration Award for the coordinated work with South Burlington on storm water management.

- Jaime Heins noted the Southern Gateway Transportation Study (area by Shelburne Vineyard and Folino's Pizza) is being done by VTrans and Regional Planning. Regional Planning provided the bulk of the funding. Dubois & King has been contracted to do the work. There will be public process.
- Mark Brooks reported on the water quality meeting in Hinesburg. The state has standards for chloride in water and will be drafting regulations.

5. OPEN TO PUBLIC

There were no comments from the public.

6. PUBLIC HEARING: Zoning Bylaw Amendments

Pet Care Facilities in Commerce & Industry and Commerce & Industry South

The public hearing was opened at 7:12 PM. There was discussion of pet care facilities being a conditional use in the Commerce & Industry and Commerce & Industry South zoning districts with conditions of minimum lot size, size of the facility, and the number of animals. There was agreement Commerce & Industry South is more of a retail service area and a pet care facility may not be a good fit. Dick Elkins urged setting the maximum number of animals at a pet care facility in the Commerce & Industry District to 75 until the impact of the truck traffic from the rail project by Harbour Industries is known. Dean Pierce noted conditional use review does consider impacts by the proposed use. Mark Brooks mentioned the issue of noise and setbacks for a fenced area for the dogs or the building. Dean Pierce said there are separate requirements for a buffer for the outdoor area. There were no further comments.

MOTION by Kate Lalley, SECOND by Mark Brooks, to close the public hearing on possible changes to the zoning bylaw, specifically changes that add "Pet Care Facilities with space for not more than 100 animals" to the list of conditional uses allowed in the Commerce & Industry zoning district. VOTING: unanimous (7-0); motion carried.

MOTION by Jaime Heins, SECOND by Mark Brooks, to forward to the Selectboard for consideration and action the package of proposed changes to the zoning bylaw, specifically the changes that add "Pet Care Facilities with space for not more than 100 animals" to the list of conditional uses allowed in the Commerce & Industry zoning district as presented in documents previously distributed and discussed, and to forward as well the 'Zoning Change Report' prepared to accompany the proposed changes modified accordingly to delete reference to Commerce & Industry South. VOTING: unanimous (7-0); motion carried.

7. RULES OF PROCEDURE

Following discussion of the Rules of Procedure there was agreement the conflict of interest section should be replaced with reference to the Ethics & Conflict of Interest Ordinance. Lee Suskin will be invited to a future Planning Commission meeting to review the ordinance. A statement saying the Planning Commission is a policy making body should be inserted into the ordinance.

The Planning Commission discussed Section VIII in the Rules of Procedure regarding the procedure to follow for items not included on the agenda. There was agreement the procedure should be posted on the town webpage and removed from the Rules of Procedure document.

Further comments/suggestions on the Rules of Procedure will be discussed at a future meeting.

8. WORK PLAN

Kate Lalley suggested doing the following to help meet storm water goals and promote local connectivity not necessarily requiring cars:

- Moving to a unified bylaw combining the subdivision regulations and the land use map.
- Revising the public works standards.
- Adopting a ‘complete streets’ policy.

Ann Hogan spoke in support of continuing the focus on economic development and providing a deliverable from the business needs assessment survey. Also, the town’s comprehensive plan should be simplified.

Mark Brook agreed with taking a ‘complete streets’ approach and fostering greater density where the town wants it and greater diversity of price points. Also, with a PUD in the Rural District the developer should be required to conserve developable land, not just land that is not suitable for development.

Dick Elkins urged keeping in mind that storm water will affect everything that is done. Regarding conserving land in developments, land adjacent to wetlands should be conserved.

Jaime Heins listed the following for consideration:

- Storm water
- Rural District
- Complete streets
- Connected infrastructure
- Solar siting
- Telecommunications siting

Chairman Heins will draft a list in priority order for review by the Planning Commission.

9. STORM WATER REGULATION AND PLANNING

Dean Pierce explained Shelburne is an MS4 Permit holder including the Roads Permit. Shelburne is also a regulator. Storm water master planning includes doing a Flow Restoration Plan and a prioritized project list. There are templates for storm water planning guidelines and grant programs. Lewis Creek Association is interested in working with the town.

Kate Lalley urged having the regulations and planning be outcome driven, and to develop a system to apply to the Route 7 overlay zone as well as other parts of town. Mark Brooks suggested taking a regional approach and collaborating with Hinesburg and Charlotte, for example. Jaime Heins urged visiting the VLCT webpage on storm water. Chairman Heins suggested beginning with tactical, regulatory work and moving toward long term storm water planning.

Don Rendall, Shelburne Natural Resources and Conservation Committee, said the committee is eager to work with the Planning Commission on storm water issues and advocates looking larger scale at how development on one property impacts others downstream. Shelburne should work with Hinesburg and Charlotte so the entire LaPlatte watershed is covered. The requirements that Shelburne as a regulatory body can apply need to be strengthened.

10. OTHER ZONING ISSUES

Sign Lighting

Dean Pierce will confirm with Mark Sammut (DRB) that language is wanted by the DRB relative to measurement of lighting based on the average of three readings.

In Section 1970.D.b of the sign regulations, the first sentence should be rewritten to read: "Lighting fixtures used to illuminate signs shall be mounted above the illuminated sign located, aimed, and shielded so that light is directed only onto the sign façade."

The definition of "glare" in Section 2110.14 should read: "Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility. [Dark Sky Association model lighting ordinance.]"

Jason Grignon noted if the ordinance requires sign lighting to be turned off after a business closes the town will be very dark, especially in winter when daylight is short, and appear not to have any commerce. Kate Lalley suggested muted lower level type lighting so the sign can be seen and there is some illumination for safety/security purposes.

Excavation & Fill

Dean Pierce noted the permit trigger is volume or square footage. Following discussion there was agreement the volume should be 15 c.y. and "mulch" should be added to the list of fill types.

11. HOUSING SUBCOMMITTEE

Chairman Heins appointed the following individuals to the Housing Subcommittee:

- Brian Precourt
- Pam Bragan
- Tracey Beaudin

The first meeting of the subcommittee is May 2, 2016. Dean Pierce briefly explained the initiative by Regional Planning to examine housing needs in the region. Pam Bragan said she will be working with Regional Planning on the initiative.

12. OTHER BUSINESS

Solar Siting Legislation

Jaime Heins reported the solar siting legislation is progressing in the legislature.

13. ADJOURNMENT

MOTION by Dick Elkins, SECOND by Ann Hogan, to adjourn the meeting.

VOTING: unanimous (7-0); motion carried.

The meeting was adjourned at 9:35 PM.

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