

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
October 13, 2016**

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

STAFF PRESENT: Dean Pierce; Peter Frankenburg.

OTHERS PRESENT: Robert Clark, Becky Castle, Sean Macfaden, Hope Johnson, Grant Urie.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Disclosure of Potential Conflicts of Interest
4. Approval of Minutes (9/22/16)
5. Commissioner Questions/Comments
6. Open to the Public
7. Energy Plan Update
8. Zoning Issues Update
9. Road Map for Rural District
10. Draft Capital Improvement Plan
11. Other Business/Correspondence
12. Adjournment

1. CALL TO ORDER

Chairman Jaime Heins called the meeting to order at 7 PM.

2. APPROVAL OF AGENDA

MOTION by Don Posner, **SECOND** by Jason Grignon, to approve the agenda as presented. **VOTING: unanimous (4-0)[Kate Lalley not present for vote]; motion carried.**

3. DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Jason Grignon disclosed his wife is a trustee on the Pierson Library Board, but said he felt he can act in a fair and impartial manner. Mr. Grignon also noted he lives in the Rural District.

4. APPROVAL OF MINUTES

September 22, 2016

MOTION by Jason Grignon, **SECOND** by Don Posner, to approve the minutes of 9/22/16 with the addition of “Dick Elkins” as the seconder in the motion on the top of Page 2. **VOTING: unanimous (4-0)[Kate Lalley not present for vote]; motion carried.**

5. COMMISSIONER QUESTIONS/COMMENTS

- Jaime Heins mentioned the solar facility application by Shelburne Farms that was reviewed under the new solar ordinance. Review of the application was thorough. The Selectboard submitted findings to the Public Service Board.

6. OPEN TO PUBLIC

Becky Castle, Fisher Brothers Farm, requested discussion of the Integrated Agriculture bylaw to make it more consistent with what is outlined in the town plan for the working landscape and the reality of a working farm. Issues include the bylaw requiring value added product in perpetuity, outline of the revenue split between primary agriculture and secondary integrated agriculture, and lacks a clear trigger (i.e. other businesses are operating without a permit).

7. ENERGY PLAN UPDATE

Dean Pierce reviewed maps showing potential solar and wind locations in Shelburne, archeological sensitive areas, conserved land, and visual sensitivity areas. Dick Elkins urged doing a new wetlands map for the town. There was discussion of how “prime wind” and “base wind” are determined. Prime solar/wind locations are places not affected by Level 1 or 2 constraints. “Base” means there can be development with factors. “Prime” means development without impacts. There was discussion of areas with Level 1 and Level 2 constraints. The following comments were made:

- An evaluation done several years ago determined Shelburne has no good areas for wind.
- The Conservation Character District in the Form Based Code Overlay could be a Level 2 constraint.
- Ways to integrate solar and wind with telecommunication facilities should be investigated.
- The 100’ mark from the lake should be a Level 1 constraint area.
- Locating a facility for minimal impact needs to be weighed against the benefit of the facility.
- Route 7 could be marketed as a place for innovative technology in solar and wind. The town could set the criteria. What is being built today are simply solar farms and not necessarily innovative. It is not certain the town is receiving a benefit.
- Roof top solar will happen and should apply toward the state energy target of 90% by 2050.

The Planning Commission agreed with the list of Level 2 constraints with the addition of the 100’ wide swath of land along the lake and layering on the Significant Views, Archeological Sensitive Area, and Conservation Area maps.

8. ZONING ISSUES UPDATE

The Planning Commission review the draft bylaw and made the following edits:

- Article XIX: General Regulations, 1st paragraph, sentence beginning “The provisions of this article....” – delete “is what is desired” at the end of the sentence.
- Section 1900.A, sentence beginning “With regard to connectivity...” – inset the word “to” between “is” and “achieve” (to read. “...is to achieve...”).

- Section 1900.B, sentence beginning “In reviewing site plans...” – delete “may and typically” and “impose in accordance with this Section appropriate conditions” (to read “...Development Review Board will require safeguards with respect to...”).
- Section 1900.2.A – delete the word “and” before “a description of any proposed energy conservation practices” and insert the word “a” between “and” and “statement” (to read “...and a statement describing how to protect...”) and add “goals and objectives” after “bicycling connectivity”.
- Section 1900.2.J, 1st sentence – insert “in map form and narrative” after “Walking and bicycling plan”, and begin the 2nd sentence with “The walking and bicycling plan should emphasize walking and bicycling as efficient alternatives...” and in the sentence beginning “Existing walking and bicycling infrastructure....” - change “should” to “shall”.
- Section 1900.3.C – delete “[use?] to be”.
- Section 1900.7.B – change “may require” to “shall require”.
- Section 1900.7.C – change “may require” to “shall require”.
- Section 1900.8.H – add “Mixed Use, Village, Commerce & Industry South” after “in the following zoning districts”.
- Section 1900.8.K – Kate Lalley will research model specifications for sidewalks, walkways, paths, and other facility design standards.

9. ROAD MAP FOR RURAL DISTRICT

Hope Johnson and Grant Urie, Air Park Road, mentioned the situation in their area which is in the Rural District, but many lots do not conform to the five acre minimum required in the Rural District. There are failed septic systems so the lots should be included in the Residential Area which would allow connection to municipal sewer service and improve the water quality, increase the value of the properties which were adversely impacted by the industrial installation (cell tower) that was forced upon the residents on Air Park Road, and allow some of the land to be developed.

There was discussion of the vision statement and the town plan objectives and goals relative to the Rural District and looking at maintaining the rural area as is, allowing it to evolve, or transforming it. Dick Elkins suggested tightening the language for “Rural PUD”. Kate Lalley said the transect approach could be taken with the Rural District and Open Space Plan.

Sean Macfaden, Natural Resources Committee, said the draft Open Space Plan should be ready before the end of the year. The plan is more of a vision document than a scientific document. Where additional growth and where current rural zoning is outlined should be discussed because this may not be the effect the original drafters intended in some areas. Mount Philo Road is a gateway area so there are scenic issues, but there are sewer issues. The zoning in the adjacent town (Charlotte) is rural. Mr. Macfaden said the Natural Resources Committee would like to be involved in the conversations with the Planning Commission on the Rural District.

The Planning Commission will review the town plan objectives and goals for the Rural District and continue the discussion.

10. DRAFT CAPITAL IMPROVEMENT PLAN

Finance Director, Peter Frankenburg, noted the following relative to the Capital Improvement Plan (CIP):

- The Planning Commission provides input to the CIP with respect to the town plan. The storm water summit was useful in that storm water will be a part of the capital budget going forward.
- The CIP is an annual process. The CIP is a six year plan of capital projects. Presently there are over 100 projects in the plan ranging in cost of \$5,000 to over \$4 million. Just because a project is in the CIP does not guarantee the project will be done. Projects in Year 1 of the CIP will be done subject to grants/funding. Projects in Year 2 through Year 6 are not funded and subject to change.
- The CIP allows planning of projects to avoid significant fluctuations in taxes and rates, and to charge impact fees and receive grants.
- Total cost of the CIP is \$36,637,000. Significant projects include equipment purchase (fire truck), bridge work (Bay Road), buildings and other improvements (library, sidewalks, bike paths), storm water installations (Monroe Brook Flow Restoration Plan), water and sewer work (improvements/replacements).

The public hearing on the CIP is on October 25, 2016 at the Selectboard meeting.

Dick Elkins suggested adding wetlands mapping to the CIP so grant applications can be done. Wetlands affect what the town wants to do in the Rural District, future development with wind and solar, and planning and zoning. It was noted the Water Resources Overlay indicates where water resources are located. The onus is on the property owner to delineate the water resources.

Jaime Heins commented on the amount of money for storm water in the CIP. Peter Frankenburg said the amount will be refined each year as better numbers are known. Mr. Heins asked about the cost for streetlight installation. Mr. Frankenburg explained streetlights are being re-installed in places where neighbors objected to their removal. The cost is spread over several years. Jaime Heins asked if the Falls Road streetscape improvements can be advanced in light of the recent discussions on safety concerns. Peter Frankenburg said the project in the CIP is Falls Road from Church Street to Route 7. There are other projects planned to address vehicle speed on Falls Road south of Church Street (\$150,000 in next year's budget).

11. OTHER BUSINESS/CORRESPONDENCE

Roof Mounted Solar on Collette Property

An application was received for a roof mounted solar facility on the Collette property.

Meeting Schedule for November and December

The Planning Commission will discuss the schedule for the remainder of the year at the next meeting.

12. ADJOURNMENT

MOTION by Don Posner, SECOND by Kate Lalley, to adjourn the meeting.

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

The meeting was adjourned at 9:50 PM.

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