

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  
December 8, 2016**

**MEMBERS PRESENT:** Jaime Heins (Chairman)<sub>[arrived 7:13 PM]</sub>; Mark Brooks, Kate Lalley, Jason Grignon, Don Posner <sub>[left at 9:53 PM]</sub>. (Ann Hogan and Dick Elkins were absent.)

**STAFF PRESENT:** Dean Pierce.

**OTHERS PRESENT:** Tracey Beaudin, Sean MacFaden, Jens Hawkins-Hilke, Gail Albert, Don Rendall.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Disclosure of Potential Conflicts of Interest
4. Approval of Minutes (11/17/16)
5. Commissioner Questions/Comments
6. Open to the Public
7. “Parcelization” and Future of Rural District
8. Zoning Issues
9. Other Business/Correspondence
10. Adjournment

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**1. CALL TO ORDER**

Prior to the arrival of Chairman Jaime Heins and with a quorum present, Mark Brooks called the meeting to order at 7:05 PM.

**2. APPROVAL OF AGENDA**

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

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

None.

**4. APPROVAL OF MINUTES**

*November 17, 2016*

**MOTION** by Don Posner, **SECOND** by Jason Grignon, to approve the minutes of 11/17/16 with the following correction(s)/clarification(s):

Page 2, Item #7, Form Based Zoning, 8<sup>th</sup> bullet – delete “(i.e. infill development)”;

Page 4, Item #8, Zoning Issues, Adult Oriented Land Uses, paragraph beginning “The Mixed Use Zone...”, sentence reading “Jaime Heins suggested limiting the square footage...” – change “Jaime Heins” to “Mark Brooks”.

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

**5. COMMISSIONER QUESTIONS/COMMENTS**

None.

**6. OPEN TO PUBLIC**

None.

**7. “PARCELIZATION” AND FUTURE OF RURAL DISTRICT**

Jens Hilke, Conservation Planning Biologist with Vermont Fish & Wildlife, gave a presentation on changes to the landscape in the state due to development. The following was noted:

- In the late 1800s the state was 20% forest and got as high as 80% forest. Vermont is 78% treed.
- Trees offer benefits and value to a community, the full spectrum from trees to forest. Benefits increase with the forest patch size.
- The evolution of development is roads are built first followed by houses. Development from 1962 to 2011 created habitat blocks that cutoff and isolated forest blocks even though there was not a decrease in the number of trees. A change in the pattern over time results in fewer species and diversity in a more fragmented landscape.
- Pattern matters. Larger blocks of forest mean more species diversity. Smaller blocks of forest mean more suburban species such as squirrels, skunks versus bobcat, bear.
- The Connecticut River Valley and the Champlain Valley are the most biologically diverse in the state. Blocks within the Champlain Valley should be compared to each other, not compared to blocks in towns in the mountains.
- Isolated islands of habitat are bad and do not maintain species. Connection of upland forests to riparian areas is needed (uplands to lowlands). What connectivity looks like depends on the species, but the concept of connecting the blocks prevails.
- Vermont’s climate is getting warmer and species are adjusting their ranges. This happens through connected habitat.
- Isolated populations become inbred and are likely to die out all at once with disturbance. There needs to be connected blocks to ensure genetic exchange
- Vermont’s significant forest blocks are still connected and not completely isolated. Eighty-one percent (81%) of land in the Vermont is held in private so the state must rely on private landowners and zoning for management of forest and conservation of land.
- Shelburne has urban and forest very close to each other. McCabe Brook and the LaPlatte River are outstanding resources. Shelburne still has a connected forested network, but it is tenuous. Connection to Shelburne Pond needs to be re-established.

Dean Pierce reviewed how the town regulations (zoning, subdivision, storm water, PUD) determine land use in the town. There was discussion of the language in regulations. Vague language is not helpful. “One size fits all” does not support pattern or species.

Definitions need to be very clear and unambiguous to withstand a JAM Golf case. Mapping is a good tool

There was discussion of the following:

- maintaining habitat blocks for connectivity
- identifying “pinch points” between transportation infrastructure and wildlife movement corridors
- defining the problem (i.e. maintaining a forested network) to find the best tool to use (connectivity overlay, appropriately sizing transportation infrastructure such as culverts)
- incentivizing compact, dense development in growth areas to better protect wildlife corridors
- down zoning rural areas
- having hamlet style development.

Jens Hilke stated the single family house with a long driveway is the Vermont style. By 2030 one quarter of all Vermonters will be over 65 years of age. The baby boomers and millennials want mixed use and walkable centers so attractive real estate will change as demographics shift. In Vermont statewide development is not happening in growth centers, but in rural residential districts.

Gail Albert observed the town’s zoning regulations seem to suggest development in forest rather than in open space. Jens Hilke said towns can end up over protecting the agricultural landscape at the risk of losing forest. Towns tend to have the least regulations to protect what they have the most of. Dean Pierce pointed out the town plan has a land cover map and recognizes the significance of land cover. The information needs to be translated into policies to do what the town wants to have happen. Growth relative to the growth area shows pre-2000 84% of growth was within the sewer service area and 16% outside the area. By 2015-2016, 48% of growth was within the sewer service area and 52% outside the area. If the statistics are viewed per decade the change is not as dramatic. Also, the statistics do not say how big the development is or the type of development. Gail Albert commented the town is aware of places that were taken for granted and are now being developed. There may be a way to look at what has resource and corridor value and begin there with strategizing.

Kate Lalley asked for suggestions to encourage infill and making it more attractive to develop where the town wants the development. Jens Hilke said there are economic examples to encourage growth. Reframing the approach to speak of maintaining the rural character in a part of the town against outside threats such as sprawl is another approach. Cultural change will be more difficult because the Vermont brand is ex-urban sprawl (i.e. single family house with long driveway). For real estate agents in Chittenden County clustering, density, PUDs are second nature, but in rural Vermont realtors cannot sell the PUD concept or even sharing a driveway.

Don Rendall asked about the impact of dogs/domestic pets on natural areas. Jens Hilke said dogs and cats decrease biological diversity. Wildlife react to the presence of

domestic animals. People need to be made aware of the natural world so they can care about it and support it. One approach could be refined land management with designated natural no dogs, no trail places and natural recreation areas with trails available to people and domestic animals. Cats are efficient killers and dramatically decrease biological diversity. The town's Natural Resources Committee should be involved in developing proposals for preservation/maintaining natural areas within the town. Regarding forest fragmentation and future outcome, the town plan is where the balancing act happens. It is best to get the concepts of the Open Space Plan into the town plan. Gail Albert said Shelburne Natural Resources Committee has been discussing the best approach, a vision or a textbook model. Collaborating with the Planning Commission on natural resources issues would be fruitful. Jens Hilke suggested celebrating bobcat in the forest area of town. Kate Lalley said the bobcat could tie-in with water quality work and with schoolchildren across towns so there is lots of synergy and awareness. The bobcat could be celebrated as part of Shelburne's identity.

## 8. ZONING ISSUES

### *Sidewalk/Path Requirements for New Development*

Kate Lalley reviewed revisions to Section 1900.7 for bike and path connectivity to, within, and between sites. Suggested revisions include in all districts the DRB can require additional easements for connectivity. The Walking and Bicycling Facility Implementation Chart provides information on the circumstances and the districts that require sidewalk/paths and details on the facilities themselves.

Following discussion the Planning Commission agreed to the following edits to Section 1900.7:

- In Section 1900.7.A – non-paved paths are allowed in Residential and Commerce and Industry South. In all other districts the path must be paved.
- In Section 1900.7.C – rewrite to read: “In all districts the Development Review Board upon finding there will exist site-generated demand shall require provisions for future pedestrian trails and walkways and/or bicycle facilities including deeded easements parallel to town roads. In such scenarios the Development Review Board may consider future connections to adjacent properties (refer to Table \_\_).”
- Changes to the chart include requiring sidewalk in Village Residential and Commerce and Industry North, insert “road” before “segment” under Connectivity Requirement column, allow primitive path at the DRB's discretion in Rural and Conservation districts and have DRB require an easement along town and state roads. Easement width must be at least 15'. The standard for a primitive path is per the Vermont Trails and Greenway Guide.

### *Schedule for Public Hearings on Zoning Changes*

The Planning Commission will identify what to warn for public hearing. Staff will compile materials.

### *PUD Changes*

Postponed until Dick Elkins is in attendance.

**9. OTHER BUSINESS/CORRESPONDENCE***Benson Wind Turbine*

Dean Pierce reported after the prehearing conference with the Public Service Board the Benson wide turbine application was withdrawn.

*Grant for Village Transportation Study*

The town did not receive the grant for the village transportation study.

*Peter Antinozzi*

Peter Antinozzi has stepped down from the Planning Commission due to schedule conflicts.

*Next Meeting*

The next Planning Commission meeting is 12/15/16.

**10. ADJOURNMENT**

**MOTION by Mark Brooks, SECOND by Jason Grignon, to adjourn the meeting.**

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

The meeting was adjourned at 9:55 PM.

*RScy: MERiordan*