

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
February 8, 2018**

MEMBERS PRESENT: Jason Grignon (Chair); Andrew Everett, Dick Elkins, Kate Lalley, Susannah Kerest, Asim Zia [arrived 7:55 PM], Perry Gagliardi. (Graham Byers was absent.)
STAFF PRESENT: Dean Pierce, Planning Director.
OTHERS PRESENT: None.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (1/11/18 & 1/25/18)
4. Disclosure of Potential Conflicts of Interest
5. Open to the Public
6. Zoning Bylaw
7. Comprehensive Plan
8. Updates
9. Commissioner Questions/Comments
10. Other Business/Correspondence
11. Adjournment

1. CALL TO ORDER

Chair Jason Grignon called the meeting to order at 7 PM.

2. APPROVAL OF AGENDA

MOTION by Dick Elkins, **SECOND** by Andrew Everett, to approve the agenda as presented. **VOTING:** unanimous (6-0)[Asim Zia not present for vote]; motion carried.

3. APPROVAL OF MINUTES

January 11, 2018

MOTION by Perry Gagliardi, **SECOND** by Susannah Kerest, to approve the minutes of January 11, 2018 with the following correction(s)/clarification(s):

- Page 2, Item #7 Comprehensive Plan Update, 3rd paragraph – change “written version” to “printed version”.
- Page 3, Item #8 Updates – correct the spelling of “updates”, and Item #9 Commission Questions/Comments – correct the spelling of “comments”.

VOTING: 4 ayes, 2 abstentions (Dick Elkins, Kate Lalley)[Asim Zia not present for vote]; motion carried.

January 25, 2018

MOTION by Dick Elkins, **SECOND** by Kate Lalley, to approve the minutes of January 25, 2018 as written. **VOTING:** unanimous (6-0)[Asim Zia not present for vote]; motion carried.

4. DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

None.

5. OPEN TO THE PUBLIC

There were no comments from the public at this time.

6. ZONING BYALW

Dean Pierce briefly reviewed the proposed zoning changes relative to expanding a nonconformity, modifying the Lakeshore Overlay District to allow a lakeshore safety fence, correcting errors in Table 2 (15,000 s.f. per unit should be 10,000 s.f. and footnotes 3 and 4 and setback should read equal to or greater than 20'), and adding language (Section 1900.17) relative to conditional use review as an element of site plan review.

MOTION by Jason Grignon, SECOND by Dick Elkins, to direct staff to warn a public hearing on March 8, 2018 on amendments to the zoning bylaws as follows:

- **Add language to allow as nonconformities subject to conditional use review limited expansion of structures encroaching on the front yard setback in the Rural District.**
- **Add language to allow as permitted uses subject to all other applicable requirements of the Lakeshore Overlay District the installation of "lakeshore safety fence" structures within the 100' setback from the 102' elevation contour along Lake Champlain with the removal of the bracketed text in the definition reading "in each eight foot section".**
- **Add language cross-referencing statutory authority relating to Site Plan Review and Conditional Use Review**
- **Correct typographical errors in Table 2.**

VOTING: unanimous (6-0)[Asim Zia not present for vote]; motion carried.

MOTION by Jason Grignon, SECOND by Andrew Everett, to approve the Zoning Change Report prepared by staff, dated February 8, 2018, and direct staff to distribute the report and copies of the amendment proposal as required by statute.

VOTING: unanimous (6-0)[Asim Zia not present for vote]; motion carried.

7. COMPREHENSIVE PLAN*Growth and Development*

Perry Gagliardi reviewed his suggested edits to the Growth and Development section of the comprehensive plan. There was discussion of being realistic about the number of new houses to support the projected population growth noted in the comprehensive plan and if the number is what the town wants. Constraints on growth include the availability of sewer capacity and water. There is sewer capacity though pollution controls are always increasing which may require a new sewer system upgrade. Water supply is not an issue. The town mainly wants to see growth in the 'growth areas'. Shelburne is an aging community so demand for larger single family houses is declining. The school population is also declining. Shelburne has experienced population growth from 2000 to 2010 of 20 people per year. Regional Planning projects population growth in Shelburne of 58 people per year from 2015 to 2021.

Dick Elkins pointed out the town has the ability to phase development if necessary. Kate Lalley suggested articulating a vision of pattern of development. Perry Gagliardi observed the town does not need to grow if the tax base can support town service. The town will grow if opportunity presents itself and does not need to grow to an artificial projection just for the sake of growth. Jason Grignon said the plan is trying to guide growth into the growth areas with the understanding of limiting factors and having triggers for buildout of infrastructure when needed.

Kate Lalley suggested starting the second paragraph under Growth and Development with a sentence saying “Shelburne seeks to retain its rural character in areas not designated for growth”, and then have the section talk about where the town wants growth to occur so the section is not about a number, but rather a built outcome. The town wants to direct growth in broad patterns. Andrew Everett said a number is needed for structure, and suggested the population forecast be brought down closer to 50 people and then say the town wants to direct growth to the growth areas as growth occurs. Dean Pierce pointed out the Future Land Use section of the comprehensive plan addresses how and where growth should occur in town.

Dick Elkins said the goal is sustainability. At some point in time growth will taper off. Asim Zia suggested assessing the capacity of the current housing in place in Shelburne by determining the maximum capacity of houses compared to the projected population numbers and outlining the trajectory the town wants to take to reach that number. Dean Pierce said the capacity approximately 10 years ago was determined to be 1,800. The number can be achieved in Shelburne using less land by focusing on the Route 7 corridor. The town can limit growth by having less growth in total or by not allowing development in areas outside of where the town wants growth to occur. Kate Lalley suggested the issues of infrastructure capacity, storm water liability, and sustainability be added to the text in the comprehensive plan. Dick Elkins urged having a number in the plan to allow the town to phase growth if necessary, and possibly adding language about growth rates supporting sustainability.

Asim Zia suggested having public participation on where the town is headed and where it wants to be. The Planning Commission discussed doing a survey to identify public preferences. Kate Lalley volunteered to look at graphics to show the concept of how the town wants development to be concentrated.

Following further discussion the Planning Commission agreed to decrease the average growth to 50 or fewer people per year, eliminate the reference to “forest product enterprises” in Economic Development Objective #4, and add a Recommended Action to the Community, Utilities, Facilities, and Services section to read: “Balance long term development and growth projections with sustainability.” A quick survey will be done for public opinion on growth and areas of growth and the input incorporated as appropriate.

8. UPDATES

Form Based Zoning

Promotional material for form based zoning will be posted on the town website.

Neighborhood Development Area

The Selectboard will be discussing the future of the Shelburnewood Mobile home Park and the land behind the park that could be designated a 'neighborhood development area'.

9. COMMISSIONER QUESTIONS/COMMENTS

Jason Grignon announced an upcoming daylong workshop on the legislative process on energy.

10. OTHER BUSINESS/CORRESPONDENCE

None.

11. ADJOURNMENT

MOTION by Andrew Everett, SECOND by Dick Elkins, to adjourn the meeting.

VOTING: unanimous (6-0)[Susannah Kerest not present for vote]; motion carried.

The meeting was adjourned at 9:15 PM.

RScty by tape: MERiordan