

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  
February 9, 2017**

**MEMBERS PRESENT:** Jaime Heins (Chairman); Mark Brooks, Kate Lalley, Jason Grignon, Dick Elkins, Don Posner. (Ann Hogan was absent.)  
**STAFF PRESENT:** Dean Pierce, Planning Director.  
**OTHERS PRESENT:** Gerald Guillemette, Brandy Saxton, Lee Krohn.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Disclosure of Potential Conflicts of Interest
4. Approval of Minutes (1/10/17 & 1/12/17)
5. Commissioner Questions/Comments
6. Open to the Public
7. Form Based Zoning Phase 2
8. Public Hearing: Proposed Zoning Amendments
9. Update on Grant Applications
10. Other Business/Correspondence
11. Adjournment

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**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

**MOTION** by Kate Lalley, **SECOND** by Dick Elkins, to approve the agenda with the addition of action on the 1/10/17 minutes. **VOTING:** unanimous (4-0)[Don Posner and Mark Brooks not present for vote]; motion carried.

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

None.

**4. APPROVAL OF MINUTES**

*January 10, 2017*

**MOTION** by Kate Lalley, **SECOND** by Dick Elkins, to approve the minutes of January 10, 2017 as written. **VOTING:** unanimous (4-0)[Don Posner and Mark Brooks not present for vote]; motion carried.

*January 12, 2017*

**MOTION** by Dick Elkins, **SECOND** by Jason Grignon, to approve the minutes of January 12, 2017 with the clarification on Page 2, Item #7 (Rural District Issues), bracketed text in #2 – insert “his feeling is” between “stated” and “the intent”. **VOTING:** unanimous (4-0)[Don Posner and Mark Brooks not present for vote]; motion carried.

**5. COMMISSIONER QUESTIONS/COMMENTS**

None.

**6. OPEN TO PUBLIC**

None.

**7. FORM BASED ZONING PHASE 2**

Consultant, Brandy Saxton, reviewed the technical memo showing potential revisions to the form based overlay for Shelburne Road. The following was highlighted:

- A new layout and renumbering of the document should be done to better fit into the zoning ordinance.
- In Section 2200 (Purpose and Applicability) language that is similar should be merged to simplify and remove duplicative text.
- In Section 2201 (Regulatory Plan) text should be added on storm water, civic space, public art, and bike/ped connections.
- In Section 2202 (Allowed Uses and Functional Standards) add language to address bike storage common use areas in residential buildings and mobile food vendors, and encourage structured parking by simplifying requirements for garages.
- In Figure 2202.A put text on functional standards with the table.
- In Section 2203 (Building Form and Lot Development Standards) clarify how provisions apply to previously developed sites. Have clarity and illustration on how to measure. Add a building materials section to discourage historic replica approach and bland architecture. Add storm water and bike/ped elements to the narrative and illustration for building types.
- In Section 2204 (Public Realm Standards) the lots are not deep enough along Route 7 for the proposed parallel road for connectivity of lots without going onto Route 7 as shown on the regulating plan. Other options for connectivity will be brought forward for consideration that will look at where the road is located and where there are interconnected parking lots, out-service that connects elsewhere, and bike/ped connections. “Green streets” should be the default and required for traditional drainage unless there is a physical limitation on the lot. A new section should be added to allow street space along the frontage to be used for place-making uses (i.e. temporary, intermittent, and/or alternative uses of public space).
- In Section 2205 (Site Development Standards) reorganize the definitions, have storm water and bike/ped pieces be consistent throughout the document, clarify when parking can be retrofitted and offer incentives, expand the green storm water provisions, and add minimum soil volume requirements for trees. For signs merge the written language and images into a table format and be consistent with the court decision.
- In Section 2206 (Administrative Procedures) move the pre-existing uses, structures, and sites table to the front of the document. Add a new section to cover previously developed sites with the relative language found throughout the document. Draft language on how to calculate density on already developed sites and offer incentives.

Kate Lalley asked about adding text to Section 2203 regarding staff seeking advice from the design review committee. Brandy Saxton said pulling on expertise of the design review committee would not be a process every application has to take.

Dean Pierce asked about jurisdiction with storm water and overlay sites. Brandy Saxton stated there may be sites that are great for storm water infiltration and should be left as open space versus being developed. There is tension between on-site storm water versus compact higher density development. The same exists with on-street parking. The consultants will begin drafting language to address this. Kate Lalley suggested having an open space type that is open space geared specifically to managing storm water.

Dean Pierce cautioned about changing the regulating plan because getting it accepted might be challenging. Fixing problem areas is reasonable though.

#### **8. PUBLIC HEARING: Proposed Zoning Amendments**

The public hearing was opened at 8:05 PM. Dean Pierce briefly reviewed proposed zoning amendments relative to sidewalk/path construction, trailers and storage of waste, sign lighting, setbacks from private rights-of-way, and excavation and fill requirements. The following was noted:

- The site plan review process was changed regarding sidewalk and path construction requirements.
- Trailers will require complete screening or enclosure. A permit is needed for unregistered trailers used for storage or storage containers used for an extended time period.
- Change was made to the manner and measure of the level of light, mounting lighting fixtures, prohibiting glare, limiting halo lighting from backlighting, and schedule for lights to be on/off.
- Streets are defined with the subdivision regulations that require a front yard setback from a private right-of-way pre-1970 and post-1970.
- The trigger is changed to 8 cubic yards as the minimum volume before an excavation and fill permit is required and the Water Quality Superintendent can grant permits in certain situations.

Kate Lalley observed the amendments brought the aspirational, visionary language of the town plan into the bylaw. The language linked the regulatory language to the town plan. More explicit information was needed on the type of facility required under what condition in order to be more on par with vehicular mobility.

Gerald Guillemette, Route 116, said he is in attendance to stay informed because their property covers a good share of Shelburne in open land.

There were no further comments.

**MOTION by Don Posner, SECOND by Mark Brooks, that the public hearing be closed on proposed changes to the zoning bylaw summarized as follows:**

- Clarify sidewalk and path construction requirements;
- Expand requirements governing trailers and storage of waste;
- Modify regulations governing sign lighting;
- Establish requirements for setbacks from private rights-of-way;
- Modify excavation and fill requirements.

**VOTING: unanimous (6-0); motion carried.**

The hearing was closed at 8:25 PM.

**MOTION by Don Posner, SECOND by Mark Brooks, that the package of proposed changes warned for public hearing on 2/9/17 and as summarized below:**

- Clarify sidewalk and path construction requirements;
- Expand requirements governing trailers and storage of waste;
- Modify regulations governing sign lighting;
- Establish requirements for setbacks from private rights-of-way;
- Modify excavation and fill requirements.

**And the Bylaw Change Report prepared to accompany the proposed changes be forwarded to the Selectboard for consideration and action. VOTING: unanimous (6-0); motion carried.**

## **9. UPDATE ON GRANT APPLICATIONS**

### *UPWP*

Dean Pierce reported Regional Planning has indicated support for having both the village transportation study and buildout study in the UPWP.

### *Watershed Resilience*

Dean Pierce reported Regional Planning is interested in pursuing a three town storm water plan and submitting a letter of interest to the High Meadow Fund for a grant (50% town match required with the grant). The town needs to commit to the environmental summit in March at ECHO. Shelburne is likely to be responsible for a plan to address erosion on town highways as part of the MS4 permit. Chris Robinson felt the town may have to look at the watershed and impact of private roads.

The Planning Commission discussed addressing protection of water quality and impact of runoff from both private and public roads regionally.

### *Act 174 Energy Standards*

Dan Pierce noted Regional Planning received funding to upgrade consideration of plans for up to three communities that want to modify their plan. Shelburne has been identified as one of the towns. Jaime Heins observed the work could be a heavy time investment, but if the plan is approved the town receives substantial deference.

## **10. OTHER BUSINESS/CORRESPONDENCE**

None.

## **11. ADJOURNMENT**

**MOTION by Don Posner, SECOND by Dick Elkins, to adjourn the meeting.  
VOTING: unanimous (6-0); motion carried.**

The meeting was adjourned at 8:45 PM.

*RScty: MERiordan*