

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 23, 2017**

MEMBERS PRESENT: Jaime Heins (Chairman); Kate Lalley, Jason Grignon, Dick Elkins, Ann Hogan, Graham Byers. (Don Posner and Mark Brooks were absent.)
STAFF PRESENT: Dean Pierce, Planning Director.
OTHERS PRESENT: David Webster.

AGENDA:

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

1. CALL TO ORDER

Chairman Jaime Heins called the meeting to order at 7 PM and introduced student member, Graham Byers. Mr. Byers briefly described his experience with town affairs (rail facility) and his interest in serving on the Planning Commission.

2. APPROVAL OF AGENDA

MOTION by Ann Hogan, **SECOND** by Jason Grignon, to approve the agenda as presented. **VOTING:** unanimous (5-0); motion carried.

3. DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

None.

4. APPROVAL OF MINUTES

February 9, 2017

MOTION by Dick Elkins, **SECOND** by Jason Grignon, to approve the minutes of February 9, 2017 with the following correction(s)/clarification(s):

Page 3, Item #8, Proposed Zoning Amendments, paragraph beginning “Kate Lalley observed the amendments...”, sentence reading: “More explicit information was needed...” – insert “non-motorized” between the words “the” and “type” so the sentence reads: “More explicit information was needed on the non-motorized type of facility required...”

VOTING: 4 yes, one abstention (Ann Hogan); motion carried.

5. COMMISSIONER QUESTIONS/COMMENTS

- Jaime Heins noted House bill H.50 is being proposed. The bill will remove the sunset provision on Act 248 for telecommunication facility siting. The public needs to contact state representatives and urge them to vote against H.50. Another bill, H.51, includes an amendment to extend the sunset date.

6. OPEN TO PUBLIC

None.

7. ZONING ISSUES*Expand Structures in the Lakeshore Setback*

Jaime Heins clarified the requirement is 100' setback from the 102' contour. There was discussion of an application where a house by the lake was fully in the setback and the owner wanted to move the house laterally and back so less of the structure was in the setback, but overall the size of the building was to be increased. It was noted Section 1750.2.D of the bylaws covers this situation. Dick Elkins mentioned another situation where an existing structure in the setback (well house) was being converted to residential use. The Planning Commission felt further clarification from the DRB was needed on what needs to be included in the bylaw for structures in the lakeshore setback. Dick Elkins will contact the DRB for further information.

Design Review Applied to Mobile Home Parks

Ann Hogan reviewed the timeline for Shelburnewood Mobile Home Park from notice of sale to the proposed development by Bush and Giebink and eventual purchase of the park by Pomerleau Real Estate and the residents forming a co-op and buying the property. The co-op has bylaws and a board to oversee the operation of the park and asks that the town remove the mobile home park from the town's Design Review Overlay or simplify the permit process for residents to make changes to their dwelling in the park. The DRB asked the Planning Commission to consider the request to remove the park from the Design Review Overlay.

David Webster, Shelburne Design Review Committee, said the committee is receptive to simplifying the process. The park has internal guidelines. The Design Review Committee is mainly concerned with any development on the perimeter of the park and would like to maintain oversight on that because the mobile home park is part of the village.

Dick Elkins suggested the Design Review Committee remain involved in case the rear portion of the property is developed.

Dean Pierce will try to collect information on the development potential of the back lot by the co-op. David Webster will have the Design Review Committee review the co-op rules.

There was mention of asking the Selectboard to eliminate the fee for projects in the mobile home park. Caution was expressed against waiving fees for one group over another. Jason Grignon suggested ensuring the rules for the town and the mobile home

park align so there is less of an issue in seeking an approval. Dean Pierce noted proposed language for exclusions has been drafted in a new section (Section 1560).

8. FUTURE OF RURAL DISTRICT

Open Space Plan

Dean Pierce reviewed elements of the current Open Space Plan in contrast to the new plan that will be different and more of a visual impression. The new plan has five priority areas (scenic resources, agriculture, natural communities, water quality, and quality of life) and recommendations (increase funding, outreach to landowners, support of neighborhood initiatives, promote agriculture, encourage private conservation, expand/update resource mapping, and amend/strengthen zoning ordinances).

Jaime Heins mentioned Gail Albert (Shelburne Natural Resources Committee) suggested doing a retreat with the Planning Commission and Natural Resources Committee to discuss the new plan and other ideas such as forming a wildlife corridor overlay, future pattern of development, storm water.

9. COMPREHENSIVE PLAN ISSUES

Dean Pierce noted Shelburne's town plan expires February 2019. The Planning Commission needs to decide what the next plan will look like and incorporate required elements by state statute. The plan will need to have more flood resiliency and reliable data sources in order to get approval from Regional Planning. The Planning Manual recommendations include achieving the vision, documenting the facts and doing a community profile to have the data on what is going on in the community and any issues or problems facing the community. The plan should be structured around big ideas with graphs and images and maps. Unnecessary information and ideas that are not feasible should be removed. Essentially the plan should be a document that helps people make decisions down the road. The community assessment is important and provides a profile of the community including demographics, economic conditions, natural resources and physical conditions, transportation, utilities, services, historic/cultural resources, housing, flood hazard mitigation, and land use.

Kate Lalley mentioned the Ferrisburg town plan which is visually appealing.

The Planning Commission will look at other town plans and frameworks and Regional Planning materials (ECHOS) for ideas. Dean Pierce will get a copy of the Charlotte Town Plan.

10. OTHER BUSINESS/CORRESPONDENCE

Legislative Matters

Shelburne would be interested in the economic development bill and TIF districts.

Marijuana Dispensaries in Shelburne

Following discussion the Planning Commission agreed to focus on update of the town plan first and see what happens with state and federal rules before addressing the issue of marijuana sales.

11. ADJOURNMENT

MOTION by Kate Lalley, SECOND by Dick Elkins, to adjourn the meeting.

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

The meeting was adjourned at 9:10 PM.

RScty: MERiordan