

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING**

**March 11, 2021**

**\*Meeting held via teleconference.**

**MEMBERS PRESENT:** Jason Grignon (Chair); Megan McBride (Vice Chair); Steve Kendall, Jean Sirois, Stephen Selin, Deb Estabrook, Neil Curtis.

**STAFF PRESENT:** Dean Pierce, Planning Director.

**OTHERS PRESENT:** Gail Albert, Don Rendell, Joyce George.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (2/11/21)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Bylaw Revision/Regulatory Reform
7. Other Business/Correspondence
8. Adjournment

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**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

**MOTION** by Stephen Selin, **SECOND** by Steve Kendall, to approve the agenda as presented. **VOTING: unanimous (7-0); motion carried.**

**3. APPROVAL OF MINUTES**

*February 11, 2021*

**MOTION** by Megan McBride, **SECOND** by Steve Kendall, to approve the minutes of 2/11/21 with the following correction(s)/clarification(s):

- **Bylaw revision, 1<sup>st</sup> bullet – delete “can be done” and 10<sup>th</sup> bullet – insert “likely” before “approve the application”.**

**VOTING: 6 ayes, one abstention (Neil Curtis); motion carried.**

There was discussion of helipad applications being approved by the state. Dean Pierce said the Regional Planning Commission will be issuing guidance on helipads.

**4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST**

None.

**5. OPEN TO THE PUBLIC**

None.

**6. BYLAW REVISION/REGULATORY REFORM**

*Section 1970.5 Nonconforming Signs*

The amended language will allow administrative approval for a sign being improved in place or replaced with a sign of the same size. Following discussion there was agreement to add language saying “Other modifications may be approved as a conditional use by the DRB.”

*Section 2110.85 Land Development Definition*

The amended language says that interior development is not considered land development and does not need a permit. Following discussion, the amended language was further revised to read: “Internal alterations including structural renovations that do not increase the total usable, temperature controlled (heated and/or cooled) space within the structure, or in the case of commercial, industrial or institutional uses that do not require amendment of any approved plan or standing condition of approval, shall not be considered land development.”

*Section 2010.8.A & B*

The amended language recognizes flood zones, open space agreements, and PUD building envelopes, and allows replacing a structure in the same footprint and of the same building height. Following discussion there was agreement to begin the paragraph with “No zoning permit is required for the following” and insert 400 s.f. for the building footprint limit.

There was discussion of adding language about increasing water and wastewater use or increasing the number of bedrooms in a structure. Suggested language to be added to the end of the section would state that compliance with the wastewater permit for the land must be maintained.

*Section 2010.8 C Residential Fence*

The Planning Commission agreed the Shelburne Historic Preservation & Design Review Committee (SHP&DRC) may have an issue with not requiring a permit for fences in the historic district. Comment from the SHP&DRC will be requested on fences.

*Section 2010.8.D Roof Mounted Panels*

The Planning Commission agreed to delete residential firewood sheds from the list in this section.

*Section 2010.8.E Structure Less Than 100 s.f.*

The section was amended to add residential firewood sheds, increase the floor area to 120 s.f. and increase the height allowance to 10’ to 13’.

*Section 2010.8.F Accessory Building*

The Planning Commission agreed to delete this section and move the sentence about agricultural structures to subsection G.

*Section 2010.8.G Ag Practices*

The following was added to the section: “Barns, silos and certain other farm structures may be exempt from permit requirements, but notification to the Zoning Office is required pursuant to 24VSA4413(d).”

*Section 2010.8. H Directional Sign*

No changes were made to the section.

*Section 2010.8.I Ponds*

Delete this section.

*Section 2010.8.J Internal Renovations*

Amend the section to read: “Internal alterations including structural renovations that do not increase the total usable, temperature controlled (heated and/or cooled) space within the structure, or in the case of commercial, industrial or institutional uses that do not require amendment of any approved plan or standing condition of approval, shall not be considered land development.”

*Section 2010.8.I Swimming Pools*

Delete this section.

*Section 2010.8.L Garage Sales*

No changes were made to this section.

*Section 1930.1 Review Process*

Jason Grignon noted Shelburne Natural Resources Committee has comments on potential impact of fences on wildlife. The language to be discussed could be included in the public hearing warning. The hearing will be held at the next Planning Commission meeting where the discussion will continue. Suggested changes to the bylaws to streamline the review process will be submitted to the Selectboard for consideration.

## **7. OTHER BUSINESS/CORRESPONDENCE**

*Free Press Article on Ham Radio Towers*

It was noted the recent article in the *Burlington Free Press* on the TRB approval of the radio towers in Shelburne had some inaccuracies.

*Amend Ordinance*

The ordinance needs to be amended to state “TRB” rather than “DRB” when referring to the Telecommunications Review Board. The Selectboard amends ordinances. The Town Attorney will propose edits on the legal concerns of decisions by the TRB.

## **8. ADJOURNMENT**

**MOTION by Steve Kendall, SECOND by Deb Estabrook, to adjourn the meeting. VOTING: unanimous (7-0); motion carried.**

The meeting was adjourned at 9:16 PM.