

**TOWN OF SHELburne  
PLANNING COMMISSION  
MINUTES OF MEETING**

**June 11, 2020**

**\*Meeting held via teleconference.**

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

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

**OTHERS PRESENT:** Ellen McShane, Stephen Baietti.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (5/28/20)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Sidewalk Fund Concept
7. Alternate Approaches to Nonconformities
8. Other Business/Correspondence
9. 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 Megan McBride, SECOND by Jean Sirois, to approve the agenda as presented. VOTING: unanimous (6-0); motion carried.**

It was noted a TRB deliberative session will be held following the Planning Commission meeting.

**3. APPROVAL OF MINUTES**

*May 28, 2020*

**MOTION by Stephen Selin, SECOND by Megan McBride, to approve the 5/28/20 minutes with the following amendments:**

- **Item #5, Public Comment, 1<sup>st</sup> paragraph, last sentence – replace “expanding the house into the meadow” with “relocating the house into the meadow”.**
- **Item #7, Address COVID, last sentence – add picnic tables to items on the town green and parade.**

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

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

None.

**5. OPEN TO THE PUBLIC**

None.

#### **6. SIDEWALK FUND CONCEPT**

Dean Pierce briefly reviewed Section 1900.7 in the Subdivision Regulations and Section 1.5.C in Form Based Code, and noted past discussion of modifying the regulations to allow a developer to contribute to a sidewalk fund in lieu of constructing sidewalk in their project when the sidewalk does not make sense in the location. There was discussion of how often payment to the sidewalk fund would occur (if there are very few projects it may not be worth creating a separate sidewalk fund), and the construction cost of the sidewalk when the payment to the fund was made versus construction cost when sidewalk is actually built using the fund. It was suggested eligible areas in town should be identified where it would make sense to provide a waiver for sidewalk or contribution to the sidewalk fund. It was noted it may be prudent to keep the requirement for sidewalk in projects because eventually the sidewalk will connect. A gravel or paved path could be installed rather than sidewalk as an option. Input from Public Works is needed on what works best for the transportation system in town. Staff will bring the issue to the Public Works Commission and Bike/Paths Committee for input and report to the Planning Commission at the next meeting.

#### **7. ALTERNATE APPROACHES TO NONCONFORMITIES**

Dean Pierce reviewed the variability of front yard setbacks across zoning districts in Shelburne. The Rural District has a very large setback (75') compared to other districts (30'). There are many nonconformities with buildings especially in the Rural District. Options on handling nonconformities could include relaxing limits on changes to the building, maintaining a minimum allowable expansion amount and a cap, allowing additional construction in the front yard setback that is no closer to the boundary than the existing building, allowing expansion in any yard (front, side, back) if no closer to the boundary, allowing administratively approved changes, or requiring landscaping to mitigate expansions.

There was discussion of the advantages of maintaining a larger setback in the Rural District (preserves rural area) and giving special consideration to legacy buildings. It was pointed out in the Rural District all residential subdivisions are PUDs so setbacks are not an issue except with existing structures. There was mention of having the setback apply to residential, but not commercial, and agreement a 'one size fits all' approach would not work because there would always be exceptions.

Staff will compile additional information on setbacks and nonconformities for consideration and further discussion at a future meeting.

#### **8. OTHER BUSINESS/CORRESPONDENCE**

The following was mentioned:

- Welcome to new Planning Commission member, Deb Estabrook.
- Members of the Housing Subcommittee were reappointed.

- The Selectboard warned a public hearing on June 30, 2020 for the interim zoning proposal. One addition to the zoning is to require businesses to carry insurance for tents for outside dining/activities.
- The Planning Commission should review sections of S.237 on duplexes and accessory apartments (towns cannot regulate either).

**9. ADJOURNMENT****MOTION by Stephen Selin, SECOND by Neil Curtis, to adjourn the meeting.****VOTING: unanimous (6-0); motion carried.**

The meeting was adjourned at 8:24 PM.

*RScty: MERiordan*