

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
September 13, 2018**

**MEMBERS PRESENT:** Jason Grignon (Chair); Andrew Everett, Kate Lalley, Dick Elkins, Asim Zia, Susannah Kerest. (Stephen Selin was absent.)

**STAFF PRESENT:** Dean Pierce, Planning Director; Ravi Venkataraman, DRB Administrator.

**OTHERS PRESENT:** Alan Kirkpatrick, Lee Suskin, Judy Raven, Gail Albert.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (8/9/18 & 8/23/18)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Zoning Topics
7. Comprehensive Plan Topics
8. Planning Grant Topics
9. Other Business/Correspondence
10. Adjournment

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[Note: Minutes reflect the order of the published agenda.]

**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.

**VOTING: unanimous (4-0)**[Kate Lalley and Susannah Kerest not present for vote]; motion carried.

**3. APPROVAL OF MINUTES**

*August 9, 2018*

**MOTION** by Asim Zia, **SECOND** by Kate Lalley, to approve the 8/9/18 minutes as written. **VOTING: unanimous (6-0)**; motion carried.

*August 23, 2018*

**MOTION** by Dick Elkins, **SECOND** by Susannah Kerest, to approve the 8/23/18 minutes with the change to Item 4, Zoning Topics, paragraph beginning "Stephen Selin...." - change 1<sup>st</sup> sentence to read: "Stephen Selin suggested removing the 15% slope requirement except on lots of 15 acres or more in Section 2110.36." **VOTING: unanimous (6-0)**; motion carried.

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

None.

## 5. OPEN TO THE PUBLIC

Alan Kirkpatrick, Spear Street, questioned the town requirement to install sidewalk along the frontage of his property as part of the subdivision to build a single family house on the subdivided lot. The 600' of sidewalk will not connect to any other sidewalk and the \$75,000 expense is prohibitive. Blasting of ledge will be required to build the sidewalk and the town will have to plow and maintain the sidewalk after it is built. At this time the town does not have a sidewalk plan in place. Mr. Kirkpatrick suggested rather than requiring the "sidewalk to nowhere" to be built that the town collect a fee to be paid into a fund to build sidewalk in the future where the town wants it built. Jason Grignon said the intent of the requirement is to have a mechanism in place for sidewalk or a bike path in the future. The Planning Commission will be discussing the issue further under "Other Business" at the end of the meeting.

## 6. ZONING TOPICS

### *Land Area and PUD Requirements in Rural District*

Dean Pierce reviewed proposed changes to the zoning in the Rural District to address development potential based on acreage and open space requirements, setback, lot size, and periphery buffer for lots of 10 acres to 14.9 acres in size.

### *COMMENTS*

Gail Albert, Shelburne Natural Resources Committee, suggested the language be modified to avoid directing development in core forest areas or field edges. These areas should be protected.

**MOTION by Kate Lalley, SECOND by Andrew Everett, to direct staff to warn a public hearing on 10/25/18 on the amendment to the zoning bylaws as reflected in the documents previously distributed, discussed, and approved for hearing that include:**

- **Modify development potential for existing properties less than 15 acres in size where subdivision potential would be based on grow area rather than on developable land area.**
- **Subject all residential subdivisions in the Rural District to review as a PUD with minimum lot sizes determined thereby.**
- **Clarify minimum lot size requirements specified in Section 330 by incorporating reference to PUD requirements.**
- **Standardize open space requirements in Residential PUDs to 60%.**
- **Decrease the periphery buffer requirement applied to Residential PUDs in the Rural District from 75' to 50'**
- **Replace the wording "and core forest" with "should be located in wooded areas or on field edges".**

### **DISCUSSION:**

- **Dick Elkins expressed reservation about deleting the reference to developable areas. Dean Pierce noted there is no modification to the definition of developable area.**

**VOTING: unanimous (5-0) [Susannah Kerest not present for vote]; motion carried.**

**MOTION by Andrew Everett, SECOND by Kate Lalley, to approve the Zoning Change Report prepared by staff and dated 9/6/18, and to direct staff to distribute the report and copies of the amendment proposal as required by statute. VOTING: unanimous (5-0) [Susannah Kerest not present for vote]; motion carried.**

## **7. COMPREHENSIVE PLAN TOPICS**

The Planning Commission reviewed comments on the comprehensive plan received to date and discussed getting feedback from town committees. Topics covered include storm water, name of open space plan (conservation plan), prioritizing the recommended actions in the plan, cultural centers and having cultural resources throughout the town, parking, future land use, housing and settlement patterns.

### *Housing*

The Planning Commission concurred on the following:

- Remove reference to hamlets and change “planning concepts” in the narrative to “settlement patterns”.
- In Objective #3 modify the reference to 25-50 dwelling units per year to say “which currently translates to 25-50 dwelling units per year”.
- In Objective #9 replace the words “generate the majority of the energy it uses” with “minimize the energy footprint consistent with the Energy section of the comprehensive plan” and insert “design and” before “construction techniques”.
- In Recommended Action #3 change “adopt a mandate” to “adopt a requirement”.
- In Recommended Action #8 change “consider” to “establish”.

## **8. PLANNING GRANT TOPICS**

The Planning Commission reviewed the draft grant application. The deadline is 10/1/18. The Selectboard will take action on the grant application at the 9/25/18 meeting. Any further comments on the grant application should be forwarded to staff.

## **9. OTHER BUSINESS/CORRESPONDENCE**

### *Pedestrian/Bike Facilities*

There was discussion of clarifying the definition of “alternative facility” to indicate that the facility enables non-motorized transportation options such as a bike or pedestrian path to connect to other areas in town. Dean Pierce suggested the Planning Commission provide testimony to the DRB on the regulations. Ravi Venkataraman said it would be helpful to have some clarity and justification on what the bylaws intended to do and the vision behind it. Kate Lalley explained the idea was to provide safe off road multi-modal connectivity and the DRB can decide what form that takes. Ravi Venkataraman asked about the DRB requesting easements rather than requiring a sidewalk facility. Kate Lalley stressed it is critical to secure easements for the future.

Kate Lalley mentioned the work being done by the Paths Committee on the new Paths Map which will clarify the information on pedestrian/bike facilities.

Alan Kirkpatrick, resident, again mentioned there is no overall plan for the location of paths/sidewalks in town, and it is costly to build what essentially will be a sidewalk to nowhere in front of his property. Perhaps the town could share in the cost. Jason Grignon said more discussion needs to happen on the matter. A member of the Planning Commission will attend the next DRB meeting to provide testimony.

**10. ADJOURNMENT**

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

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

The meeting was adjourned at 9:34 PM.

*RScty: MERiordan*