

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
September 26, 2019**

**MEMBERS PRESENT:** Jason Grignon (Chair); Stephen Selin, Kate Lalley, Megan McBride, Neil Curtis.

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

**OTHERS PRESENT:** Brian Precourt.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (8/22/19)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Zoning Matters
7. Planning Matters
8. Future Meeting Topics
9. Other Business/Correspondence
10. Adjournment

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**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

**MOTION** by Neil Curtis, **SECOND** by Stephen Selin, to approve the agenda as presented. **VOTING: unanimous (5-0); motion carried.**

**3. APPROVAL OF MINUTES**

*August 22, 2019*

**MOTION** by Megan McBride, **SECOND** by Kate Lalley, to approve the 8/22/19 minutes as written. **VOTING: 4 ayes, one abstention (Neil Curtis); motion carried.**

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

None.

**5. OPEN TO THE PUBLIC**

There were no comments from the public.

**6. ZONING MATTERS**

*Form Based Zoning: Changes by Brandy Saxton*

The Planning Commission discussed the following:

- Section 2208.6A.3 Alley – delete “located to the rear of lots” in the first sentence, and rewrite the second sentence to read: “Further, alleys may be paved from building face to building face with drainage by inverted crown at the center, permeable paving, or with roll curbs at the edges.”

- Section 2208.6B.4 Building Envelope – add as the first sentence: “A portion of a building lot defined by setbacks or other restrictions or exemptions within which a building can be located.” Also, delete “building envelopes in Section 2205.3D.2.
- Section 2208.6B.5 Building Lot – rewrite to read: “A building lot is a parcel of land either vacant or occupied that meets the requirements for transfer of ownership or possession or for development.” Also, make the change in each occurrence of the definition of ‘building lot’ in the code.
- Section 2208.6C.3 Civic Space – delete “downtown” in the sentence reading “They establish a sense of “place”...”.
- Section 2208.6C.4 Construction Sign – change “construction company” to “project team”
- Section 2208.6D.4 Driveway – delete “dwelling units”.
- Section 2208.6G.2 Green – remove the extra period at the end of the sentence.
- Section 2208.6O.4 Open Space Public – insert “supporting the” before “health, safety, and welfare...”.
- Section 2208.6P.4 Path – rewrite to read: “Pedestrian way ideally connecting directly with the sidewalk network.”
- Section 2208.6P.10 Primary Façade – change “most important” to “primary” in the second sentence.
- Section 2208.6P.11 Principal Frontage – change “Principal Frontage” to “Primary Frontage” and add as the first sentence: “Most times the frontage is on the primary street.”
- Section 2208.6P.17 Public Frontage – add a comma after “planters”.
- Section 2208.6S.2 Secondary Façade – change “primary” to “secondary” in the second sentence.
- Section 2208.6S.6 Square – remove the extra period at the end of the sentence.
- Section 2208.6S.12 Substantial Reconstruction – The Planning Commission discussed using cost or square footage as a limit. Staff will draft language for the definition for consideration.

#### *Sidewalk and Street Tree Requirement per Form Based Code*

Brian Precourt, developer, discussed the sidewalk and street tree requirement per form based code with a residential in-fill project on Maple Leaf Lane which is an established neighborhood. The residents oppose the 200’ section of sidewalk that will not connect to any other sidewalk (there is no other sidewalk in the neighborhood). The street trees if planted where required will not match the existing streetscape and will eventually have to be cut down due to interference with the powerlines. Mr. Precourt asked the Planning Commission to consider the sidewalk requirement and giving the DRB discretion on the location of street trees.

Jason Grignon explained the concern is if a waiver is granted for the sidewalk or the street trees then there will be no sidewalks or trees in the neighborhoods. Another option with sidewalks could be to require a contribution from the developer to a sidewalk fund

in lieu of building the sidewalk. Input would be needed from the Selectboard and other town committees. The town needs to decide whether form based code will be supported. If the town is serious about connecting and inter-connecting neighborhoods then a sidewalk fund should be created.

Stephen Selin spoke in support of maintaining the requirement in the form based code for sidewalk to cover future development and redevelopment as it happens. Having a segment of sidewalk built in a neighborhood could possibly jump start requests for more segments. Brian Precourt said there are other locations where a sidewalk or path connections would be better utilized.

Megan McBride mentioned having a temporary waiver while the town figures out the sidewalk fund approach.

Following further discussion, the Planning Commission concurred with establishing a sidewalk fund. Having developers contribute to a sidewalk fund would allow the town to build sidewalk where it is most needed to improve walkability and bike-ability in Shelburne. Kate Lalley will bring the idea to the Paths Committee for discussion and then to the Selectboard for consideration.

*Change in Storm Water Requirements in Mixed Use District*  
Postponed to the next meeting.

## **7. PLANNING MATTERS**

*Comprehensive Plan Map Amendment*  
Postponed to the next meeting.

## **8. FUTURE MEETING TOPICS**

- Wrap up form based code review and warn a hearing on the comprehensive plan map and historic preservation design review district amendments.
- Discuss storm water with Tom DiPietro.
- Discuss a proactive zoning change to allow restaurants in Commerce & Industry South.
- Hold joint meeting with Shelburne Natural Resources.

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

*Letter to Shelburne News*

The Planning Commission will provide feedback on the letter by Jason Grignon regarding the economic summit.

*Zoning Regulations Update*

Neil Curtis suggested the Planning Commission meetings be held in the different zoning districts to discuss the updates with residents and businesses there.

## **10. ADJOURNMENT**

**MOTION by Megan McBride, SECOND by Neil Curtis, to adjourn the meeting.  
VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 9:53 PM.

*RScty: MERiordan*