

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
October 25, 2018**

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

STAFF PRESENT: Dean Pierce, Planning Director; Finance Director, Peter Frankenburg.

OTHERS PRESENT: Grant Urie, Hope Johnson, Ruth Hagerman.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (9/27/18 & 10/11/18)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Zoning Topics
7. Capital Improvement Plan Topics
8. Comprehensive Plan Topics
9. Other Business/Correspondence
10. Adjournment

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

MOTION by Kate Lalley, **SECOND** by Andrew Everett, to approve the agenda with the addition to discuss an EV charge station grant application. **VOTING: unanimous (6-0); motion carried.**

3. APPROVAL OF MINUTES

September 27, 2018

MOTION by Dick Elkins, **SECOND** by Stephen Selin, to approve the 9/27/18 minutes as presented. **VOTING: unanimous (6-0); motion carried.**

October 11, 2018

MOTION by Andrew Everett, **SECOND** by Asim Zia, to approve the 10/11/18 minutes with the following correction(s)/clarification(s):

- **Page 2, CIP, 2nd paragraph, last sentence – change to read: “Asim Zia said CCRPC is authorized to have access to federal funds such as SAFETEA-LU and successive legislation for technical studies. These funds require a local match.”**
- **Page 3, Comprehensive Plan, 1st paragraph – end the first sentence after “edits” and rewrite the next sentence to read: “Listing the first three**

priorities under Recommended Actions in each section took up the majority of the discussion (see attached).”

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

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

None.

4.a EV CHARGE STATION GRANT

Ruth Hagerman explained the need for the signature of the PC Chair in support of the application for an EV charge station grant from the state using money from the VW settlement. The charge station will be located by the library. A 10% match is required. Funding for the match will come from the library bond.

The Planning Commission unanimously supported the grant application.

5. OPEN TO THE PUBLIC

No comments.

6. ZONING TOPICS

Public Hearing: Zoning Bylaw Changes

The public hearing on zoning changes to modify lot size and density requirements in certain subdivisions in the Rural District and certain Residential PUD requirements was opened at 7:25 PM. Dean Pierce reviewed the background information leading to the changes in Section 330.1 (maximum density), Section 330.2 (lot size), and Section 340 (Residential PUD open space and design standards). Dick Elkins suggested using the word “shall” in Section 1930.3.C.2.

PUBLIC COMMENTS

Grant Urie and Hope Johnson questioned changing zoning requirements based on one situation. Dick Elkins explained slope has been an ongoing issue involving other subdivisions as well.

There were no further comments.

MOTION by Andrew Everett, SECOND by Kate Lalley, to close the public hearing on the proposed changes to the zoning bylaws summarized as follows and incorporating the change to Section 1930.3.C.2 as discussed:

- **Update Table 2.**
- **Revise language in the dimensional standards section of the Rural District to indicate lot sizes for residential uses are set per the PUD process.**
- **Modify development potential for existing properties less than 15 acres in size where subdivision potential would be based on gross area rather than on developable land area.**
- **Revise Residential Planned Unit Development (PUD) provisions to subject all residential subdivisions in the Rural District to review as a PUD.**
- **Standardize open space requirements in Residential PUDs at 60%.**

- **Decrease periphery buffer requirement applied to Residential PUDs in the Rural District from 75' to 50'.**

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

The public hearing was closed at 7:30 PM.

MOTION by Andrew Everett, SECOND by Stephen Selin, to forward to the Selectboard for consideration and action the package of proposed changes to the zoning bylaws as listed in the above motion and modified at the public hearing on 10/25/18, and also to forward the Bylaw Change Report prepared to accompany the proposed zoning changes. VOTING: unanimous (6-0); motion carried.

Presentation: Rural District Setbacks for Non-Conforming Structures

Dean Pierce stated the change made to provide relief for the Kwiniaska Golf Course does not help the Shelburne Shipyard property. Staff has suggested changes to the language to include reference to lot frontage rather than a public road/highway, and to add language addressing expansion or extension of a structure provided the structure is no closer to the side boundaries than the existing structure. Stephen Selin suggested allowing expansion upwards (i.e. add a second story) rather than expansion of the footprint. The Planning Commission discussed addressing front, side and rear setbacks with any expansion and not creating non-conforming properties. There was also mention of waivers and variances. Dean Pierce suggested language that would say in the Rural District a structure not conforming by virtue of being in the side or rear yard setback can expand up to a limited height, but not increase the footprint. The Planning Commission will further discuss modifying Rural District setbacks for non-conforming structures at a future meeting.

7. CAPITAL IMPROVEMENT PLAN TOPICS

Jason Grignon said it should be made known that there are transportation grants and funds available through CCRPC for projects. Asim Zia said it would be good to align project planning with these resources and proactively design projects for these funds which could apply to bike path planning, storm water, and renewable energy.

Peter Frankenburg briefly explained the Selectboard process with the annual budget and the CIP. There is not a stated limit on project cost. Projects are prioritized. It is best to add a project to the CIP and when the Planning Department puts forth the department budget the project can be included. Grant applications can be submitted for projects in the CIP.

Stephen Selin confirmed the Selectboard decides the level of funding for the projects in the CIP.

Jason Grignon spoke in support of including funds for studies as a project item in the CIP. Kate Lalley agreed a study would identify what facilities are wanted/needed and the location. Asim Zia said the vision needs to be put into a technical review document so projects can happen. Dean Pierce noted studies have been done and a project list

compiled, but if federal funds are used there are specified standards to meet which can increase the project cost. Peter Frankenburg stated projects in the CIP should support what is in the town plan.

Jason Grignon suggested highlighting for the Selectboard the items the Planning Commission would like the Selectboard to keep in mind through the budget process, such as sense of place, bike/ped paths, renewable energy. At this point the updated comprehensive plan has not yet been adopted.

There was discussion of the bike/ped path on Bay Road. Dean Pierce pointed out the project is part of the \$15,000 allocation for Bay Road improvements (line item 32 in the CIP). The Planning Commission could make a statement saying the entire \$15,000 should be used for the Bay Road path. Kate Lalley said the path on Bay Road should be built and the road striped with 10' wide lanes to the fog line. Peter Frankenburg reiterated the CIP lists projects, but the funding is a separate issue. The town's comprehensive plan helps prioritize projects in the CIP. There was mention of pulling out (highlighting) the highest priority projects from the comprehensive plan.

Dean Pierce and Peter Frankenburg will convey the discussion by the Planning Commission on projects for the CIP.

8. COMPREHENSIVE PLAN TOPICS

Dean Pierce reviewed the list of remaining items that need more information or correction (minor changes). The plan is on the website. Forward any further edits to staff before the meeting on 11/15/18. Dean Pierce reviewed some of the maps included in the Map Book and noted there is an appendix and compatibility statement to assist with the review and approval by CCRPC.

9. OTHER BUSINESS/CORRESPONDENCE

None.

10. ADJOURNMENT

MOTION by Andrew Everett, **SECOND** by Kate Lalley, **to adjourn the meeting.**
VOTING: unanimous (5-0)[Dick Elkins not present for vote]; motion carried.

The meeting was adjourned at 9:29 PM.

RScty: MERiordan