



Town of Shelburne, Vermont

PLANNING COMMISSION AGENDA

WEDNESDAY, January 11, 2023

7:00 P.M.

Meeting will be hybrid: in person and via zoom

PLEASE NOTE CHANGE OF MEETING DAY

Join Zoom Meeting

<https://us02web.zoom.us/j/87129142282?pwd=UWxoa3FMaHRhZXI4K2hPamZQWXp0Zz09>

Meeting ID: 871 2914 2282

Passcode: 9AhTN0

Dial by your location

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- | | |
|---|-----------|
| 1. Call to order/roll call | 7:00 P.M. |
| 2. Approve agenda | 7:05 P.M. |
| 3. Approve meeting minutes of December 14, 2022 | 7:10 P.M. |
| 4. Disclosure related to potential conflicts of interest | 7:11 P.M. |
| 5. Public comments on matters not on the agenda | 7:12 P.M. |
| 6. Update from Planning Coordinator and discussion of RFP draft | 7:30 P.M. |
| 7. Other Business | 8:15 P.M. |
| 8. Adjourn | 8:30 P.M. |

Next Meetings: January 25, February 8

TOWN OF SHELBURNE

Memo

To: Shelburne Planning Commission

From: Aaron DeNamur, Planning Coordinator and Assistant Zoning Administrator

Date: 01/06/2023

Re: Discussion of draft RFP and process

I look forward to hearing any feedback that commissioners may have on the RFP as currently drafted and would like to make some suggestions regarding process. If the Planning Commission approves of the RFP I plan to send it out on 01/12. I can also make any edits the commission wants, if any, and then still send it out ASAP.

I recommend that the Planning Commission appoint 2 representatives from the commission, 2 members of the DRB, and myself to review any proposals submitted and interview consultants to determine who will be the accepted finalist. The other option would be to do all of this during regular Planning Commission meetings which would likely extend the amount of time needed for each step. The final contract could either be drafted and approved by these representatives or approved at a regular Planning Commission meeting. However the commission wants to go about the process, staff will need to know soon so we can begin making any necessary preparations.

If the commission decides to go the route of appointing representatives to review proposals I suggest that they be nominated at this meeting. The DRB could be asked to decide who would represent them if the commission wants DRB members involved.

Once the RFP is out I am planning to resume the work of conducting a high-level review of the regulations for inconsistencies and items that should be addressed. This will serve to inform the work of the consultant and the commission, especially during the assessment phase of the project.

The DRB held a work session during their most recent meeting of 01/04 to make suggestions for the Planning Commission to consider during this process. The discussion overwhelmingly emphasized that the Shelburne land use regulations are entirely too long and convoluted. Other things noted were the need for simplifying (and clarifying) the development review process, ensuring enforcement of DRB approval conditions, allowing the board some latitude within clearly defined parameters, and landscaping requirements that sometimes do not make sense.

The Housing Committee is working on a proposal regarding ADU regulations in the new bylaw. Currently, it seems that they will be prepared to present this to the Planning Commission in February (likely the 02/22 meeting). Staff will schedule them to present this proposal whenever they are prepared if the Planning Commission is still interested. This work would likely be helpful during the assessment phase of the bylaw rewrite.



Town of Shelburne, Vermont

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REQUEST FOR PROPOSALS

January 12, 2023

Responses Due: 3pm Friday February 17, 2023

Overview

The Town of Shelburne seeks a qualified consultant or team to assist the Planning & Zoning Department and the Planning Commission with a comprehensive revision and modernization of the town's land use regulations which are made up of the zoning bylaw, subdivision regulations, and form-based zoning.

Shelburne is a town of approximately 7,800 people situated along the picturesque shore of Lake Champlain and located approximately seven miles south of Burlington, the largest city in Vermont. The town is home to the Shelburne Museum and Shelburne Farms which attract many visitors and has a well-preserved historic village center. The town is link to the region by Vermont Route 7, an important regional corridor, which provides direct and easy access to downtown Burlington, the region's employment and shopping centers, and the Burlington International Airport. Shelburne has experienced multiple periods of rapid growth, and the population has doubled since 1970. The town is currently dealing with a heightened demand for additional housing along with economic development and is looking to modernize its development regulations to deal with these development challenges.

Estimated Project Schedule

January 12, 2023	RFP Released
January 27, 2023	Deadline for submission of questions via email
February 3, 2023	Response to questions distributed to firms
February 17, 2023 at 3 pm	Deadline for submission of proposal via email
February 20-27, 2023	Review of proposals
March 10, 2023	Complete interviews of consultants
March 17, 2023	Selection of consultant
March 31, 2023	Contract execution
June 30, 2023	Submittal of assessment report
July 14, 2023	Submittal of proposed plan and timeline of project completion

Context and Background

The town's bylaw and subdivision regulations were originally adopted in 1963 and 1986 respectively. They have remained relatively unchanged in their structure and organization with only minor changes since. The town also adopted a form-based code in 2016 which applies to a significant portion of the

Shelburne Road corridor and was overlaid on top of the existing zoning regulations. The town is looking to revise the from-based code provisions and integrate them into the towns other land use regulations.

Work Plan

The town is envisioning a multi-step process for completing the scope of work. First, the consultant will work with the Planning Commission, planning staff, and other town stakeholders to conduct an assessment of Shelburne's land use regulations, including the zoning bylaw (containing the form-based code), and subdivision regulations. The results of this assessment will ultimately be integrated into one cohesive document (unified development bylaw) in accordance with [24 V.S.A 4419](#). Inconsistencies between the present land use regulations and the Shelburne Comprehensive Plan of 2019 will be identified during this step. Finish with report to the Planning Commission on the findings of the assessment. The consultant will then submit a proposed plan and timeline for the work of drafting the new unified development bylaw.

Next, structural and organizational improvements to the regulations will be proposed and drafted. This should involve frequent collaboration with Shelburne Planning and Zoning staff and a systematized process of community outreach.

Third, the consultant(s) will prepare a draft set of regulations addressing the following:

- Composition of proposed zoning districts, zoning district boundaries, permitted and conditional uses, allowed densities, and proposed development standards.
- Previously identified inconsistencies between the bylaw and town plan.
- Any other policy changes outlined by the Planning Commission.

Deliverables

Meet with planning staff, the Planning Commission, and other stakeholders, conduct a thorough assessment of Shelburne's land use regulations with guidance from staff and the Planning Commission, and prepare a report on the findings of the assessment. Present the findings of the report to the Planning Commission.

Proposed plan and timeline for the work of drafting new regulations.

Prepare hearing drafts and revisions (in Word format) of the unified development bylaw as necessary during the Planning Commission and Selectboard approval process for the structural and organizational improvements. Repeat this process for the draft regulations discussed in the third work plan step. All maps must be in a format compatible with ArcGIS.

The consultant will make formal presentations to the Shelburne Planning Commission and the Shelburne Selectboard during public hearings required during the adoption process (see [24 V.S.A. §4441](#) and [24 V.S.A. §4442](#)) as deemed necessary and/or beneficial.

Submission Requirements

Proposals must include a list of names and qualifications of everyone who will be working on the project, an estimated timeline of the project, cost proposal, referrals, samples of previous work, and any other information you think will be helpful in evaluating your proposal. Up to two pages describing

the Consultant's typical approach to similar projects and a detailed description of the methodology proposed for this particular project. Also, include the nature of the public process and intended extent of public engagement.

Include in Cost Proposal:

- a. Hourly rate schedule
- b. Overhead rate and fee
- c. Hours and cost by task/deliverable

Final Selection

Times for candidates to interview with the Planning Commission (or others as decided by the commission) and staff will be scheduled after the submittal deadline. Following the selection process, one consultant will be selected to negotiate a final contract for services. The final scope of work with specified deliverables may be modified through negotiation of the final contract. The final project team may also be modified through negotiation of the final contract. Any expenses resulting from the interview and proposal process will be the sole responsibility of the consultant.

Clear and concise proposals are encouraged. The Town reserves the right to waive formalities, modify proposals in a mutually agreeable manner, or to accept or reject any proposals at its sole discretion. Issuing this RFP does not in any way commit the Town to accepting any proposal.

Any questions about this request must be submitted by January 27, 2023 and responses will be provided on Friday, February 3rd. Please direct any questions to Planning Coordinator Aaron DeNamur via email to adenamur@shelburnevt.org. Proposals are due no later than 3:00 P.M. on Friday, February 17, 2023. PDF submissions are strongly preferred.

A VIDEO RECORDING OF THE MEETING IN ITS ENTIRETY IS AVAILABLE THROUGH VERMONTCAM.ORG. THE WRITTEN MINUTES ARE A SYNOPSIS OF DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES SUBJECT TO CORRECTION BY THE SHELBURNE PLANNING COMMISSION. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE COMMISSION.

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
December 14, 2022**

***Hybrid meeting**

MEMBERS PRESENT: Steve Kendall (Chair); Tom Karlhuber, Marla Keene, Stephen Selin, Shawn Sweeney. (Jean Sirois was absent.)

STAFF PRESENT: Lee Krohn, Town Manager; Aaron DeNamur, Planning Coordinator; Ken Belliveau, Planning consultant.

OTHERS PRESENT: Members of the public participating in the meeting included Fritz Horton, Dorothea Penar, Patricia Fontaine, Michele Crowder, Rowland Davis, Don Rendall, Sean MacFaden, Shelburne Town Host, Media Factory.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (11/30/22)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Ongoing Discussions with Shelburne CBCs
7. Status Update from Planning Staff
8. Old/Other Business
9. Adjournment

1. CALL TO ORDER

Chair, Steve Kendall, called the meeting to order at 7 PM.

2. APPROVAL OF AGENDA

MOTION by Shawn Sweeney, **SECOND** by Tom Karlhuber, to approve the agenda.

VOTING: unanimous (5-0); motion carried.

3. APPROVAL OF MINUTES

November 30, 2022

MOTION by Stephen Selin, **SECOND** by Tom Karlhuber, to approve the minutes of 11/30/22 with the clarification that Don Rendall was requesting in addition to discussion of the Blue Zones recommendations that the Planning Commission look at the action items submitted by the Shelburne Natural Resources Committee sooner than later. **VOTING: unanimous (5-0); motion carried.**

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

None.

5. OPEN TO THE PUBLIC

None.

6. ONGOING DISCUSSION WITH SHELBURNE CBCs

Shelburne Historic Preservation & Design Review Committee (SHP&DRC)

Fritz Horton and Dorothea Penar gave a brief history of the SHP&DRC's work in town and showed the guidebook that was developed to assist people doing projects within the historic district. Pictures of buildings in the village that underwent design review by the committee were shown. Challenges remain such as helping property owners maintain buildings within the historic district, avoiding demolition from neglect, incentivizing the renovation of buildings, and making structures compatible with the historic district. SHP&DRC gives recommendations and helps people understand what they have for a building and the work they can do.

There was discussion of possibly expanding the purview of design review by SHP&DRC to the entire town and incentivizing preservation of buildings. It was noted that the hope was form based code would be a substitute for design review. Design review focuses on site specific issues. There could be a different layer of design review for buildings in other areas of town outside the village that should be preserved. Incentives could include tax benefits, 0% loans, federal tax benefits (for historic buildings), local incentives.

Shelburne Equity & Diversity Committee

Patricia Fontaine and Michele Crowder gave an overview of the committee and recent work with a consultant to address equity issues in town. The town is urged to look at development through an equity lens.

7. STATUS UPDATE FROM PLANNING STAFF

Aaron DeNamur explained the suggestion to divide the zoning reform work into two categories: structural/organizational changes and policy questions for the Planning Commission/inconsistencies between the bylaw and town plan. The work would be done in three phases and take 19 months. Cost estimate is \$70,000.

There was discussion of the following:

- Submitting an RFP to the state in January for a bylaw grant in January.
- Including the DRB in the conversations (it is key to have good communication between the DRB and Planning Commission and having input from the DRB in the process is helpful; staff will become very familiar with the bylaw and more effective in utilizing it).
- Hearing the suggestions on housing from the Housing Subcommittee.
- Using money allocated for economic development (already in the budget) for the bylaw work. ARPA funds may also be available.
- The first phase of the work will inform the following phases; the first phase should cover the Blue Zone recommendations.
- Filing an RFP for phase one (identification/analysis of inconsistencies between the bylaws and town plan goals) and an RFP for the remaining work (rewriting the bylaws) versus one RFP for the entire project with opt out options relative to the consultant.

MOTION by Tom Karlhuber, SECOND by Shawn Sweeney, that the Planning Department produce a three-part RFP for consultation. VOTING: unanimous (5-0); motion carried.

8. OLD/OTHER BUSINESS

Mandatory Form Based Code

Marla Keene noted the first chapter of the town plan mentions making form based code mandatory and suggested that after the code modifications are complete then form based code should be mandatory. Lee Krohn said the town should write the rules to be clear and instructive to produce the development the town wants.

Planning Commission vacancy

Steve Kendall, Shawn Sweeney, Aaron DeNamur, and Lee Krohn will conduct the interviews of candidates for the Planning Commission.

Inconsistency between Map 3 and Map 5 in the Town Plan

Aaron DeNamur reported a property owner discovered that Map 3 in the town plan shows their property in conservation while Map 5 does not. The property owner does not want their property classified under conservation and would like Map 3 to be corrected. Changes to the town plan must go through the amendment process.

9. ADJOURNMENT

MOTION by Marla Keene, SECOND by Stephen Selin, to adjourn the meeting. VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 9:17 PM.

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