



Town of Shelburne, Vermont

PLANNING COMMISSION AGENDA

WEDNESDAY, April 12, 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/89778550659?pwd=aVhtV3VOanI4WjdRT3FzNis0VFQvZz09>

Meeting ID: 897 7855 0659

Passcode: 0pR1pN

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 929 205 6099 US (New York)

- | | |
|---|-----------|
| 1. Call to order/roll call | 7:00 P.M. |
| 2. Approve agenda | 7:05 P.M. |
| 3. Approve meeting minutes of March 08, 2023 | 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. Election of officers | 7:15 P.M. |
| 7. Introduction of planning consultant, review of public engagement strategy and project schedule | 7:20 P.M. |
| 8. Other Business | 8:15 P.M. |
| 9. Adjourn | 8:30 P.M. |

Next Meeting: April 26



Town of Shelburne, Vermont

CHARTERED 1763

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Clerk/Treasurer
(802) 985-5116

Town Manager
(802) 985-5111

Zoning & Planning
(802) 985-5118

Assessor
(802) 985-5115

Recreation
(802) 985-5110

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(802) 985-9550

Memo

To: Shelburne Planning Commission

From: Aaron DeNamur, Planning Coordinator

Date: 04/07/2023

Re: Update from Planning Coordinator for 04/12/2023 Meeting

I have had two very productive meetings with PlaceSense and am happy to report that the review/audit of our regulations is well under way. I look forward to discussing their findings when they are finished.

The upcoming meeting on April 12th will primarily focus on introducing PlaceSense to the Planning Commission and discussion of the Public Engagement Strategy and timeline document they have provided as part of the packet for this meeting. We would appreciate your feedback on the list of partners and stakeholders. If there are committees, departments, or other groups or individuals that you think should be added please let us know during the meeting.

Other Updates

You are likely all aware that the Selectboard has announced their choice for Shelburne's new Town Manager. The transition process is already ongoing and I hope to be able to start getting Matt up to speed on our important work before his arrival.

We have submitted our application for a grant from AARP to install improvements on the Parade Ground, as discussed at the previous meeting, and will hear from them sometime in May. Work on the design is in initial stages; we will have to get approval from the HPDRC and DRB before work can begin. Big thank you to Jeff and Stephen for their work on this.

The Senate housing reform bill (S.100) was voted out of the chamber on March 31st and has now moved to the House. The version of the bill as passed by the Senate has received significant pushback from the Vermont League of Cities and Towns, planners, and other municipal officials throughout the state. I am personally very disappointed with the Senate's decision to punt any responsibility for the issue to municipalities by drastically watering down any reforms to Act 250 in the bill. Governor Scott has also expressed his disapproval of the removal of these necessary changes. I think there is a good chance that the bill will not become law as it is presently constituted either as a result of changes from the House or a veto from the governor. However, I am not a prophet and could certainly be wrong. PlaceSense and I are closely monitoring this legislation and its potential implications for our bylaw rewrite were it to become law.

Two changes in the bill that would certainly impact us are: duplexes must have the same dimensional standards as single-unit dwellings, and in any districts served by municipal water and sewer that allow residential development multiunit dwellings of four or less units shall be a permitted use. Currently, none of our districts that allow residential development would be in compliance with the first. Duplexes have higher lot size and frontage minimums in all of our residential zoning districts. Additionally, the Village Residential District is served by municipal water and sewer and obviously is a residential development district but it does not allow multiunit housing. This district would be required to allow multiunit housing of 4 or less units as a permitted use.

Lastly, the bill would enable administrative approval of subdivisions if that authority is given to the administrator in the municipal bylaw. Town plans would also have to address "any material impact of short-term rental units" in their Housing section going forward. There are many other changes in the bill but these are the few that I wanted to make you aware of at this time.

Shelburne Public Engagement Strategy

1. Introduction

Project Overview

The Shelburne bylaw modernization project will give Shelburne new land use regulations (zoning and subdivision). The objectives of the project include:

- ensuring land use regulations implement policies of the current town plan,
- ensuring land use regulations conform to existing statutory requirements,
- streamlined administrative procedures resulting in improved efficiency in decision-making and greater certainty for all parties to the development review process,
- revised zoning districts,
- provide draft regulations that can support a successful NDA application:
 - Pedestrian oriented smart growth neighborhoods
 - Housing choice.

The Shelburne bylaw modernization project will engage the community and stakeholders through a range of participatory planning efforts, including:

- informal meetings to increase public awareness of the project and its objectives,
- neighborhood meetings to explore neighborhood form now and in the future,
- topic meetings discussing key subjects for preparing effective local land use regulations.

2. Purpose and Goals

Disseminate information to the community and stakeholders by:

- Connecting directly with Town of Shelburne boards and commissions who work to protect and enhance the landscape,
- Publicizing the project through existing online venues such as Front Porch Forum,
- Tailor messaging and outreach to connect with community members such as renters,
- Ensuring messages provide context and are accessible to the public.

Facilitate a welcoming dialog about future development in Shelburne by:

- Producing interactive maps mounted on our website with online feedback forms,
- Interviewing key stakeholders,
- Holding neighborhood meetings,
- Developing a presence at community events and activities.

Encourage positive public involvement throughout the planning process by:

- Giving people knowledge they need to participate effectively and respectfully,
- Tailoring outreach and participation strategies to fit different audiences and issues.

3. Partners & Stakeholders

This public engagement strategy for the Shelburne bylaw modernization project seeks to inform and engage individuals and organizations representing the following interests:

- People who live, work and own property in Shelburne generally,
- Town committees
 - Housing
 - Equity and Diversity
 - Historic Preservation and Design Review
 - Natural Resources & Conservation
 - Bike & Pedestrian Paths
 - Development Review
- Municipal departments
 - Fire
 - Highway
 - Wastewater
 - Water
- Other community groups or organizations
 - Neighborhood groups or homeowners' associations
 - Shelburne Farmers Market
 - Shelburne Business and Professional Association
 - Shelburne Museum
 - Shelburne Farms
- Tenants and landlords
- Development professionals
- Affordable housing providers
 - CHT
 - Cathedral Square

The partner and stakeholder matrix below is intended to be a starting point for outreach efforts and will be revised and expanded as needed throughout the project:

NAME/CONTACT	CONTACT DETAILS	NOTES
Pam Brangan	pbrangan@ccrpcvt.org	Chair, Housing Committee
Jennie Hoenigsberg	shelburneeandd@gmail.com	Equity and Diversity Committee
Fritz Horton	hortonfw@comcast.net	Chair, Historic Preservation
Gail Albert	gailalb@gmail.com	Chair, Natural Resources
Nicole Carpenter	carpentercoker@yahoo.com	Chair, Bike/Ped
Mark Sammut	msammut@wmorrissey.com	Chair, DRB
Andrew Dickerson	adickerson@shelburnefire.org	Fire Chief
Paul Goodrich	lgood41398@aol.com	Highway Superintendent
Chris Robinson	crobinson@shelburnevt.org	Wastewater Superintendent
Bart Sherman	bsherman@shelburnevt.org	Water Superintendent
Alec Webb	awebb@shelburnefarms.org	President, Shelburne Farms
Thomas Denenberg	tdenberg@shelburnemuseum.org	Director, Shelburne Museum
Shelburne Business and Professional Association	shelburnebpavt@gmail.com	

- Project contact list, which will be started with contacts on the partners and stakeholder list and will be added to throughout the project as people sign up to receive information. When press releases are distributed via traditional media, an update will also be sent by email to the project contact list.
- A town wide postcard mailing in advance of the neighborhood meetings providing a link for more information, announcing upcoming events, and inviting participation. To be developed and sent by the consultants, with town staff providing the mailing list.
- Press releases. The consultants will provide a press release suitable for distribution to traditional media, as well as shorter summaries suitable for distribution to email and listserv groups.
- In-person outreach. The consultants and town staff will meet with various organized groups and key stakeholders in-person as needed during the project. Much of the in-person outreach will occur during the informal meeting phase.

Events and Activities

Project events and activities will include:

- Kick-off meeting (Apr 12)
- Informal Meetings (Jul-Sep 2023). Existing groups. Farmers market.
- Neighborhood Meetings (Jan-Feb 2024) to discuss zoning districts.
- Topic Meetings (May-Jun 2024) to present draft regulations. Topics to be determined.
- Planning Commission work sessions. The consultant team will be meeting with the Planning Commission as needed monthly. All Planning Commission meetings are open to the public and provide opportunity for public comment.

5. Public Engagement Timeline

The project timeline below outlines the project schedule for the major public engagement components including deliverables, milestones, meetings, and events. It is anticipated that this timeline will continue to be developed as work proceeds:

	DESCRIPTION	ADVANCE DEADLINES	MATERIALS
APR	12 PC mtg. - kick-off		
MAY	11 PC mtg. - audit	Audit provided by May 5	Regulatory audit
JUN	08 PC mtg. - audit		
JUL	13 PC mtg. – outline and methods		Presentation
AUG	10 PC mtg. – admin procedures	Materials by Aug 4	Draft chapter (v1)
SEP	14 PC mtg. – site design & engineering	Materials by Sep 8	Draft chapter (v1)
OCT	12 PC mtg. – allowed uses	Materials by Sep 29	Draft use table
NOV	09 PC workshop – zoning districts & map	Materials by Nov 3	Draft maps & chapter (v1)
DEC	14		
JAN	11 Neighborhood meetings (present zoning districts concepts for feedback)		Handouts, presentations
FEB	08 PC workshop (consideration of feedback, decisions on proposed districts)		Summary of public comments

	DESCRIPTION	ADVANCE DEADLINES	MATERIALS
MAR	14 PC mtg. – full draft	Materials by Mar 8	Full draft (v2)
APR	11 PC mtg. – full draft		
MAY	09 Topic meetings (present draft regulations) ?		Handouts, presentations
JUN	13 PC workshop (consideration of feedback, direction for further revisions)		Summary of public comments
JUL	11 PC mtg. – full draft	Materials by Jul 5	Full draft (v3)
AUG	08 PC mtg. – full draft		
SEP	12 PC public hearing 26 PC workshop (consideration of feedback, assess need for further revisions)	Warn by Aug 28	Hearing draft (v4), report & warning Summary of public comments
OCT	10 PC mtg. – recommended draft	Materials by Oct 4	Final PC draft (v5)

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
March 8, 2023**

***Hybrid meeting.**

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

STAFF PRESENT: Aaron DeNamur, Planning Coordinator.

OTHERS PRESENT: Members of the public participating in the meeting included Rowland Davis, Robilee Smith, Persis Worall, Dorothea Penar, Joyce George, Media Factory.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (2/22/23)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Update from the Planning Coordinator and Discussion of Form Based Code
7. Other Business
8. Adjournment

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

MOTION by Stephen Selin, SECOND by Jean Sirois, to approve the agenda.

VOTING: unanimous (7-0); motion carried.

3. APPROVAL OF MINUTES

February 22, 2023

MOTION by Stephen Selin, SECOND by Tom Karlhuber, to approve the minutes of 2/22/23 with the correction that multifamily housing is three or more units.

VOTING: 5 ayes, 2 abstentions (Jeff Hodgson, Marla Keene); motion carried.

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

None.

5. OPEN TO THE PUBLIC

Joyce George, resident, requested the Planning Commission be proactive rather than reactive and consider a school impact fee for school expansion. [The Planning Commission pointed out impact fees are the purview of the Selectboard.]

Persis Worall, resident, requested the preparatory material for the Planning Commission meetings be posted on the website.

6. UPDATE FROM PLANNING COORDINATOR and DISCUSSION OF FORM BASED CODE

There was discussion of the following:

Update from Planning Coordinator

- Department of Community Development will give a presentation to the Planning Commission at the April 26, 2022 meeting and answer questions. Regional Planning has been asked to help with mapping.
- A grant application (\$20,000 grant to be matched with ARPA funds) has been submitted for a proposed project to activate the parade ground by possibly adding a pavilion, benches, picnic tables.

Form Based Code Discussion

- Town of Williston form-based code applies to an area different from Shelburne Road where Shelburne's form-based code is applied.
- The town should have only one zoning code. Form based code should be blended into the regular regulations or redone.
- The intentions and desired outcomes to be achieved with form-based code were good and included high intensity development, more density, 'dressing up' Shelburne Road, avoiding a continuous strip of development, and an expedited process (administrative review versus DRB review).
- Developers should be asked what they want, but the town sets the non-negotiable items.
- The character of Route 7 that the town wants to pursue needs to be defined. Form based code should be mandatory in areas where a certain kind of character is wanted.
- Zoning driven by form versus use relative to community building needs to be defined.
- The concept of greater intensity, density with form-based code is fine for the Shelburne Road corridor, but should be scaled down moving away from Shelburne Road. Improved walkability is needed.
- It is important to have variety of development along the corridor.
- A bike lane on a road with a 50-mph speed limit like Shelburne Road will not be used or feel safe.
- In the village density is important as is walkability to places.
- Historic properties in the village must be protected.
- A private road with an irrevocable offer to the town and built to town standards can be taken over by the town. A developer is not required to have an irrevocable offer on a private road.
- Form based code on Shelburne Road lacks acreage limitations. This is problematic and must be addressed.
- Having building types is good.
- It needs to be clearly stated whether a development is being held to the underlying zoning or form-based code, and what to do if there is a conflict between the two codes.
- The town has more experience now with form-based code and this should lead to creating what the town wants.

7. OTHER BUSINESS

Consultant Update

- The consultant has been interviewed and feedback has been provided on the consultant's contract.
- Once the contract is executed the consultant will begin the work (in the next week). The analysis work on the code will take two to three months. A work plan will be presented.
- The consultant has an understanding of the issues with form-based code.
- The consultant will meet with the Planning Commission in April.

Planning Commission Meetings

Beginning in May the Planning Commission meetings will return to the 2nd and 4th Thursdays of the month.

8. ADJOURNMENT

**MOTION by Jean Sirois, SECOND by Shawn Sweeney, to adjourn the meeting.
VOTING: unanimous (6-0)[Stephen Selin not present for vote]; motion carried.**

The meeting was adjourned at 8:15 PM.

RScty: MERiordan