



# Town of Shelburne, Vermont

PLANNING COMMISSION AGENDA

THURSDAY, September 8, 2022

7:00 P.M.

Meeting will be hybrid: in person and via zoom

PLEASE NOTE: Given rising case counts of COVID in the county,  
all persons attending in person are encouraged to wear masks. Thank you.

Join Zoom Meeting

<https://us02web.zoom.us/j/88941716523?pwd=b3FTcytxU3hRVjk3d0RpMWQrYkhWZz09>

Meeting ID: 889 4171 6523

Passcode: sV18x6

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 889 4171 6523

Passcode: 146333

1. **Call to order/roll call** 7:00 P.M.
2. **Approve agenda** 7:07 P.M.
3. **Approve meeting minutes of August 25, 2022** 7:08 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. **Planning Commission Public Hearing** 7:15 P.M.  
Consider proposed zoning amendment to amend the Shelburne Road Form-Based Overlay District to remove the Mixed Residential Character District in its entirety.
7. **Old Business** 8:15 P.M.  
RFP Process  
Media Factory Update  
Local Option Tax  
Storm Water Regs  
Moving Forward with Regulatory Overhaul  
Planning Commission Training  
Staff update

**8. Other Business**

**8:45 P.M.**

**Decide about Planning Commission meeting on 9/22**

**9. Adjourn**

**9:00 P.M.**



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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. **Planning Commission Public Hearing** 7:15 P.M.
7. **Motion: I move to open the Planning Commission public hearing to consider the proposed zoning amendment to amend the Shelburne Road Form-Based Overlay District to remove Mixed Residential Character District in its entirety and all references to the Mixed Residential Character District thereto from the Shelburne Road Form-Based Overlay District.**

2<sup>nd</sup>

Discussion

Vote to open the public hearing

The Planning Commission can hear a brief overview of this proposal, discuss it among the members, and open the floor for questions or discussion. If and when the Board feels that sufficient clarity and discussion have ensued, then

**Motion:** I move to close the Planning Commission public hearing and recommend to the Selectboard to amend the Shelburne Road Form-Based Overlay District to remove the Mixed Residential Character District in its entirety and all references to the Mixed Residential Character District thereto from the Shelburne Road Form-Based Overlay District.

**2<sup>nd</sup>**

**Discussion**

**Vote to close public hearing and recommend to Selectboard to amend the Shelburne Road Form-Based Overlay District to remove the Mixed Residential Character District in its entirety and all references to the Mixed Residential Character District thereto from the Shelburne Road Form-Based Overlay District.**

- |                                                  |                  |
|--------------------------------------------------|------------------|
| <b>8. Old Business</b>                           | <b>8:15 P.M.</b> |
| RFP Process                                      |                  |
| Media Factory Update                             |                  |
| Local Option Tax                                 |                  |
| Storm Water Regs                                 |                  |
| Moving Forward with Regulatory Overhaul          |                  |
| Planning Commission Training                     |                  |
| Staff update                                     |                  |
| <br>                                             |                  |
| <b>9. Other Business</b>                         | <b>8:45 P.M.</b> |
| Decide about Planning Commission meeting on 9/22 |                  |
| <br>                                             |                  |
| <b>10. Adjourn</b>                               | <b>9:00 P.M.</b> |

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  
August 25, 2022**

**\*Hybrid meeting**

**MEMBERS PRESENT:** Steve Kendall (Chair); Stephen Selin, Shawn Sweeney, Tom Karlhuber, Marla Keene, Jean Sirois, Deb Estabrook.  
**STAFF PRESENT:** Adele Gravitz, Planning Director.  
**OTHERS PRESENT:** Members of the public participating in the meeting included Jim White, Rowland Davis, Robilee Smith, Don Rendall, Steve Brandon, Media Factory.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (8/11/22)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Road Map to Regulatory Reform
7. Old/Other Business
8. Adjournment

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**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

**MOTION** by Marla Keene, **SECOND** by Estabrook, to approve the agenda as presented. **VOTING:** unanimous (7-0); motion carried.

**3. APPROVAL OF MINUTES**

*August 11, 2022*

**MOTION** by Jean Sirois, **SECOND** by Shawn Sweeney, to approve the minutes of 8/11/22 with the addition of Greg Doremus and Barb Grant to the list of attendees, and on Page 2, the comment from Steve Brandon on the timing of the amendment and not being able to submit an application, add to the end of that sentence “for the updated development proposal though the original proposal could be submitted”. **VOTING:** 6 ayes, one abstention (Deb Estabrook); motion carried.

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

None.

**5. OPEN TO THE PUBLIC**

None.

**6. ROAD MAP TO REGULATORY REFORM**

There was discussion of the start of regulatory reform beginning with identifying what is out of alignment between the comprehensive plan and the bylaws, and whether this work can be done in-house or outside

consultants are needed (funding is an issue; grants are available). There was also discussion of looking at the regulations as a whole (the regulations need simplification) or focusing on form based code first (a public hearing is already scheduled on the form based MRCD). There was public comment in support of hiring a consultant to outline a work plan for regulatory reform.

**MOTION by Stephen Selin, SECOND by Jean Sirois, to request staff to prepare a grant application for the Bylaw Modernization Grant. VOTING: unanimous (7-0); motion carried.**

There was continued discussion of ‘big picture’ items relative to regulatory reform, such as SAFE, natural resources, bike/ped items, housing. There was public comment on the goal of the town plan to have balanced growth which is a mismatch with form based code.

## **7. OLD/OTHER BUSINESS**

### *Training for PC Members*

There was discussion of having a general training session for Planning Commission members on items such as conversations outside of meetings and other matters.

### *Stormwater Regulations*

Dave Wheeler from South Burlington is assisting the town in updating the stormwater regulations. The updates are mainly technical changes. The Planning Commission will receive a ‘red line’ version of the regulations and hear a presentation at the October 13, 2022 meeting. Chris Robinson will discuss McCabe Brook at the meeting as well.

### *Local Options Tax (LOT)*

The Planning Commission can attend the presentation to the Selectboard on the LOT.

### *Media Screen*

Staff will investigate having the media screen on a wheeled cart for flexibility in the location in the meeting room.

## **8. ADJOURNMENT**

**MOTION by Deb Estabrook, SECOND by Jean Sirois, to adjourn the meeting. VOTING: unanimous (7-0); motion carried.**

The meeting was adjourned at 8:35 PM.

*RScty: MERiordan*



# 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

## SHELBURNE PLANNING COMMISSION

Pursuant to 24 VSA § 4441, the Shelburne Planning Commission will hold a public hearing at 7:00 P.M. on Thursday, September 8, 2022, at Shelburne Town Offices and via zoom to consider the following amendments to the Zoning Bylaw:

Purpose: The purpose is to modify aspects of Article XXII- Shelburne Road Form-Based Overlay District (SR-FBOD), by removing in its entirety the Mixed Residential Character District (MRCD) and all references thereto from the SR-FBOD.

Geographic Area affected: Mixed Residential Character District of the Shelburne Road Form-Based Overlay District.

Articles/Sections of Zoning Ordinance affected:

Article XXII – Shelburne Road Form-Based Overlay District, remove in its entirety the Mixed Residential Character District (MRCD) and all references thereto from the SR-FBOD.

Place where text may be examined: The full text is available for review in the Shelburne Planning and Zoning Office during regular business hours, on the Town website, and via email [agravitz@shelburnevt.org](mailto:agravitz@shelburnevt.org).

To participate: This will be a hybrid meeting. To participate via Zoom:

Shelburne Town Host is inviting you to a scheduled Zoom meeting.

Time: Sep 8, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88941716523?pwd=b3FTcytxU3hRVjk3d0RpMWQrYkhWZz09>

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REPORT OF THE PLANNING COMMISSION  
REGARDING PROPOSED ZONING AMENDMENTS  
WARNED FOR A PUBLIC HEARING ON September 8, 2022

Pursuant to 24 VSA 4441, the Planning Commission shall prepare a report to accompany proposed zoning amendments addressing how any proposal:

Conforms with or furthers the goals and policies in the Town Plan, including the availability of safe and affordable housing;

Is compatible with future land uses and densities of the Town Plan; and

Carries out, as applicable, specific proposals for planned community facilities.

The proposed amendment relates to implementing the goals as expressed in the Shelburne Comprehensive Plan (2019) to support Land Use and Placemaking in Shelburne.

**Purpose**

The purpose of this bylaw amendment is to protect the general public health and welfare, enhance community vitality, and provide for orderly physical and economic growth of the Town of Shelburne, by amending Article XXII -Shelburne Road, Form-Based Overlay District (SR FBOD) to remove the Mixed Residential Character District (MRCD) in its entirety and all references to the MRCD thereto from the Shelburne Road Form Based Overlay District.

It is recommended to amend Article XXII, to remove the Mixed-Residential Character District (MRCD) in its entirety and all references thereto, because the MRCD does not provide predictable built results, does not provide clear goals or outcomes therefore cannot result in high-quality public spaces, does not provide a process for evaluating proposed projects in the MRCD, and the regulatory language is overly complex.

**Applicability**

The entire Mixed Residential Character District of the Shelburne Road- Form-Based Overlay District  
<https://www.shelburnevt.org/DocumentCenter/View/5486/2022-Redline-FBZ-Deleting-MRCD>

Land Use in Shelburne, Shelburne Comprehensive Plan p. 8

Goal: Pursue future land use based on the principles of “placemaking.” Placemaking is the process of creating quality places where people want to live, work, play and learn. Thus, the explicit aim of the future land use section of this plan is to promote the creation of quality places that combine:

- a) Appropriate physical form (i.e., development occurs at a human scale and is pedestrian oriented),
- b) A mix of land uses and functions, and
- c) A mix of social opportunity.

Approved by the Planning Commission on August 11, 2022.