



# Town of Shelburne, Vermont

PLANNING COMMISSION AGENDA

Thursday, October 12, 2023

7:00 P.M.

Meeting will be hybrid: in person and via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/86551513429?pwd=azJzRFU5RzVjNUJJoMIAzTks2dTJlQT09>

Meeting ID: 865 5151 3429

Passcode: 5erLuV

Dial by your location

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|--|-----------|
| 1. Call to order   | 7:00 P.M. |
| 2. Approve agenda  | 7:05 P.M. |
| 3. Approve meeting minutes of September 14, 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. Review and discussion of draft Article 4 (links to documents below) | 7:15 P.M. |
| <a href="#">Draft Article 4 Memo</a>                                   |           |
| <a href="#">Draft Article 4</a>  |           |
| <a href="#">Memo on Regulating Signs</a>                               |           |
| 7. Discussion of Uses (link to worksheet below)                        | 7:45 P.M. |
| <a href="#">Uses Worksheet</a>   |           |
| 8. Other Business  | 8:15 P.M. |
| 9. Adjourn   | 8:30 P.M. |

Next Meetings: October 26 (CCRPC Training), November 2

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
September 14, 2023**

**\*Hybrid meeting.**

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

**STAFF PRESENT:** Aaron DeNamur, Planning Director.

**OTHERS PRESENT:** Jim White, Tracey Beaudin, Brandy Saxton, Rod Francis, Media Factory.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (8/10/23)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Review/Discuss: Draft Article 4
7. 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 Jean Sirois, to approve the agenda.

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

**3. APPROVAL OF MINUTES**

*August 10, 2023*

**MOTION** by Jeff Hodgson, **SECOND** by Tom Karlhuber, to approve the minutes of 8/10/23 as presented. **VOTING: 5 ayes, one abstention (Marla Keene); motion carried.**

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

None.

**5. OPEN TO THE PUBLIC**

There was a question about opportunity for public comment on the bylaw updates. Steve Kendall briefly reviewed the community outreach portion of the update process that include public hearings by both the Planning Commission and Selectboard.

**6. REVIEW/DISCUSS: Draft Article 4**

Consultants, Brandy Saxon and Rod Francis, explained recommended changes to the following sections of Article 4:

- Section 4000 Streets – The regulations take a “complete streets” approach to complement multi-modal travel and access for firetrucks. Regarding bike lanes as part of roads versus separate bike paths, there are first steps that can easily be implemented for sharing the road such as posting signs reminding motorists to share the road, reviewing speed limits and adjusting appropriately, narrowing travel lanes and increasing the width of bike lanes. The process/regulations lay out a framework for the whole network of streets in town as outlined in the town plan to be executed by the Selectboard and Town Manager. An official map would be very helpful in showing what the town wants and where in regard to roads, pathways, parks, public facilities, infrastructure, and such. Following further discussion, the Planning Commission concurred with bicycle streets (streets with bike lanes) being included on the official map.
- Section 4100 Private Frontage (edge of street right-of-way and front of building) – There was discussion of whether this regulation should apply more broadly in town. There was also discussion of the use and design of the space. The Route 7 corridor varies so the town may not want to have the same approach all the way along. Following further discussion, the Planning Commission expressed support for maintaining flexibility on what can be done between the building and street and allowing a buffer between the edge of the right-of-way and the front of a building.
- Section 4200 Access & Management – This section covers lots without frontage, access from Class 4 roads/trails, and shared driveways. There was discussion of the number of dwellings served by one driveway and emergency vehicle (firetruck) access. The consensus of the Planning Commission is that four dwellings or two commercial units can be served by a single driveway, and cross-access should be required with commercial developments.
- Section 4300 Parking – There was discussion of requiring upgrades to parking and lighting to be in compliance with town standards with redevelopment of a lot. (The consultants will add appropriate language to the lighting and parking sections of the regulations.) The Planning Commission spoke in support of seizing any opportunity to improve the character of the road in the Route 7 corridor per the “complete streets” vision. The consultants will further explore allowing front parking when a building and parking are set back from the road. There was discussion of EV charging stations in parking structures and concern by the Fire Department about fires and resulting hazardous waste.
- Section 440 Loading & Storage – The regulations decrease the loading area required and allow a larger building size.
- Section 4500 Stormwater – There was discussion of eliminating the stormwater overlay and applying low impact development strategies townwide, increasing the standard to 5.5 inches in a 24-hour period during a 100-year storm (matches the state standard), and using 30% or greater lot coverage as the trigger to require stormwater management on a lot. It was mentioned a study could be done to determine what stormwater standard would work best to achieve the town’s goals. The Planning Commission wanted to avoid putting an undue burden on the

homeowner with stormwater requirements and will give the stormwater trigger point more consideration.

The Planning Commission will review and comment on the list of potential land uses in town for the next meeting.

## **7. OTHER BUSINESS**

### *Meeting Schedule*

October 12, 2023- Continued Review of Bylaw Rewrite

October 26, 2023 - Regional Planning Essentials on Local Land Use Training

November 2, 2023 - Review 5-year Capital Improvement Plan with Town Manager

November 16, 2023 - Continued Review of Bylaw Rewrite

January 25, 2024 - Joint Meeting with SNRCC re: regulatory protection of habitat loss identified in the Arrowwood Report

## **8. ADJOURNMENT**

**MOTION by Shawn Sweeney, SECOND by Marla Keene, to adjourn the meeting.**

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

The meeting was adjourned at 9:37 PM.

*RScty: MERiordan*

Hi Aaron,

Following up on your suggestion that Shelburne Alliance for the Environment present our questions in writing, rather than meet with you, we submit the following:

1. Currently, records related to the rewrite are stored in a number of places online, including:
  - Different sections within the PlaceSense (PS) website
  - Three sections of the Shelburne website and embedded within specific documents, for example, the minutes of multiple committees

This dispersal makes it difficult for the public to follow and understand the discussion. Is there a way we can gather all the relevant materials in one place, or have an index with links to specific documents/issue areas?

2. In PlaceSense's Administrative Procedures chapter, major subdivisions require an environmental review and a public hearing, while minor subdivisions require neither. Given that both types will very likely affect critical habitat and corridor parcels, especially in the density zones, why should there not be environmental reviews and public hearings for minor subdivisions? Could you offer the rationale?

3. In PlaceSense's Administrative Procedures chapter, the section on Notice of Hearing says the public must be informed at least 15 days ahead of the hearing, as per state law minimum. The PS document also allows Shelburne residents to appeal an application. What is the rationale for going with the minimum requirement? Wouldn't 21 days be a more realistic timeframe for residents dealing with work and volunteer activities, child care, travel and other obligations to make an appeal?

4. Also in regard to public notice, would the Planning Commission and/or the zoning department consider giving people interested in zoning applications the opportunity to sign up for automatic email delivery of zoning applications, as is the current practice of sending notice of town committee meeting dates and agendas?

We would appreciate it if these questions and your response could be posted as part of the record of the by-law rewrite public discussion.

Thank you for your time and assistance.

Jim White for the SAFE Steering Group

Jim,

I will submit your questions as part of the packet for the upcoming meeting. I will answer the ones that involve office process, some of what you are asking involves policy decisions for the Planning Commission to make, not me.

In regards to your first question: Town documents, such as minutes, are stored in the relevant location on the Town website, as has always been the procedure, this is why they are separate from the PlaceSense website. I see no reason to change this long-standing practice. Additionally, all major relevant documents are found, together, at the top of the P&Z and PC webpages.

To answer your 3<sup>rd</sup> question, I would not support adopting a notice period longer than that mandated by state statute. This places additional burden on our staff and I am not aware of any municipality in the state that requires more notice than that required in the statute.

Your 4th question addresses office procedure, not a policy decision for the Planning Commission. My office will not be implementing what you are suggesting here. This would require significant staff time that our office, which has not added staff in 22 years in spite of the subsequent growth of the Town and added demands, does not have the capacity for.

**Aaron DeNamur, MPA**

*Director of Planning and Zoning  
Town of Shelburne*