



# Town of Shelburne, Vermont

PLANNING COMMISSION AGENDA

Thursday, November 16, 2023

7:00 P.M.

Meeting will be hybrid: in person and via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/87224019200?pwd=anFaL1BrQTJzd1k3V0c3SFRkYmlZUT09>

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Meeting ID: 872 2401 9200

Passcode: 6ZPCpM

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| 1. Call to order   | 7:00 P.M. |
| 2. Approve agenda  | 7:05 P.M. |
| 3. Approve meeting minutes of November 02, 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 zoning map (Link Below)<br><a href="#">Draft Zoning Map and Discussion Guide</a> | 7:15 P.M. |
| 7. Other Business  | 8:00 P.M. |
| 8. Adjourn   | 8:15 P.M. |

Next Meetings: December 14, January 11

TOWN OF SHELBURNE

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  
November 2, 2023**

**\*Hybrid meeting.**

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

**STAFF PRESENT:** Aaron DeNamur, Planning Director; Matt Lawless, Town Manager; Peter Frankenburg, Finance Manager.

**OTHERS PRESENT:** Tracey Beaudin, Don Porter, Media Factory.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (10/12/23)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Review/Discuss: Draft Capital Five Year Plan
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 Stephen Selin, SECOND by Marla Keene, to approve the agenda.**

**VOTING: unanimous (5-0)[Tom Karlhuber not present for vote]; motion carried.**

**3. APPROVAL OF MINUTES**

*October 12, 2023*

**MOTION by Jean Sirois, SECOND by Marla Keene, to approve the minutes of 10/12/23 as presented. VOTING: 4 ayes, one abstention (Stephen Selin)[Tom Karlhuber not present for vote]; motion carried.**

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

Marla Keene disclosed she lives on Longmeadow Drive and the capital plan contains projects for the road. Following discussion, the consensus of the Planning Commission is there is no conflict of interest with Ms. Keene participating in the discussion of the town's capital plan.

**5. OPEN TO THE PUBLIC**

None.

**6. REVIEW/DISCUSS: Draft Capital Five Year Plan**

Staff stated the Planning Commission's role is to recommend the capital plan to the Selectboard which will then hold public hearings to consider adoption of the plan. The purpose of the review of the draft capital plan by the Planning Commission is to confirm and validate that the projects are consistent with the town plan. The Planning Commission should look to see whether the strategy, pace, and style of the projects are taking good steps toward implementing the town plan. A good portion of the town's financial capacity goes to pay off old debt and maintain basic services. A smaller portion is to implement the Selectboard's and Planning Commission's vision from the town plan. The timeframe for projects may impact where they fall in the five-year plan. Other sources of funding including ARPA money and local options tax revenue support the capital plan.

There was discussion of the fire/rescue facility in the capital plan, open space fund being in the capital plan, and other town goals such as energy and affordable housing being in the capital plan.

**MOTION by Steve Kendall, SECOND by Jeff Hodgson, to recommend the town's capital budget five-year plan to the Selectboard for approval. VOTING: unanimous (6-0); motion carried.**

There was discussion of use of money in the open space fund (the Selectboard decides how the funds will be expended). It was noted a request was made to the Selectboard to change the name of the open space fund to "conservation fund", but there was not unanimous support by the Selectboard for the name change because some members wanted to use the money in the fund for pocket parks in neighborhoods and not just to preserve open spaces.

## 7. OTHER BUSINESS

### *Meeting Schedule*

November 16, 2023 - Continued Review of Bylaw Rewrite

December 14, 2023 – Continued Review of Bylaw Rewrite

January 11, 2024 – Continued Review of Bylaw Rewrite

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

### *Neighborhood Meetings*

Neighborhood meetings on the zoning rewrite will begin in January 2024. One suggestion to promote attendance is to provide food and childcare.

## 8. ADJOURNMENT

**MOTION by Stephen Selin, SECOND by Tom Karlhuber, to adjourn the meeting. VOTING: unanimous (6-0); motion carried.**

The meeting was adjourned at 8:22 PM.

# MEMO

To: Shelburne Planning Commission  
From: PlaceSense  
Date: 2 November 2023  
Re: Online Comments and Email List



There are currently 121 subscribers to the project email list. The following comments or questions have been posted to the project website since September 8:

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**From Rowland Davis on Oct 14:** In the draft for Sec 4300 on parking requirements, there is no mention of EV charging infrastructure. Our neighbors in South Burlington are recommending that their bylaws require such infrastructure for any new multi-family development:

ACTION T.1.2: Adopt a policy to require (e.g., building code or zoning regulation) all new buildings have the appropriate amount of electric vehicle (EV) charging equipment and 200-amp electric service. Work with Drive Electric Vermont and/or Green Mountain Power to determine the appropriate amount.

Given the need for all VT communities to steer policies in a way to meet the state required reductions in GHG emissions, I strongly recommend that this issue be addressed by the PC and that some requirement be included in the new zoning bylaws

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**From Susan Grasso on Oct 16:** Regarding the R-N districts, I would love to see different characters emerge in different places. How can we enable this? Also, if we want our R-N districts to be walkable, can we have some places to walk to? I live near the top of Webster. With the bike path, it's walkable, but it's not very interesting walking for the most part because our neighborhood consists entirely of housing. There are no "third places" for encountering neighbors (with the exception of the bike path, Webster Woods paths and the Kwiniaska club house which most people don't think of as being a local pub and, maybe, Sisters of Anarchy). Might the development open space buffers be repurposed for better community use (a neighborhood small soccer field, a community garden, pop up cafe, ephemeral natural art space, and so on). Might we encourage some desirable neighborhood-scale businesses? Something for us to do, something to get us outside without always having to drive somewhere, something to make us more attached to the place in which we live?

I also want to comment on our bike parking regulations. Please specify bike rack performance standards and standards for siting the bike racks, e.g., setbacks to buildings, cars, sidewalks, and so on. Best practices exist for these types of things. Also, reconsider the prohibition of using a car parking space for bike parking. One space can accommodate 8-10 bike parking spaces making it a much more efficient way to bring people into a popular area that has the added benefit of reducing traffic congestion. Local Motion recently created a model bike parking ordinance that can be adapted for a municipality's use. Please consider taking a [look](#).

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**From Rowland Davis on Oct 17:** I see this phrase in the map storybook under the proposed new RL-TH zone (Rural Heritage & Tourism): “The concept behind this district is to replace the cumbersome PUD standards that were used to address the unique regulatory needs of these properties in the adopted regulations.” In past PC meetings there have also been complaints raised about the use of PUDs in the rural areas by town staff. But I still have not heard anyone really explain what “cumbersome” means. And for protection of open space within the rural area, in general, what is the tool that will be used, if not a PUD process? Jumping through some hoops is really only cumbersome for developers, but it may be exactly what is needed to ensure the desired level of protection. This needs some open discussion at a public PC meeting, so that we can gain more clarity on this important issue.

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**From Jim White on Oct 25:** The storymap is both helpful and cumbersome. Having a color code summary at the beginning would be useful. It is not helpful that sections of zoning districts are cut off and not viewable. Also, the maps in some places don't show streets that are mentioned in the accompanying discussion.

I wonder if there is a way to show the proposed map against a map of existing zoning to reveal proposed changes more clearly? The proposed changes might be summarized in some other way, but are rather hard to follow.

I'm struck by the extension of the Shelburnewood property right down to the LaPlatte river. Housing development on this parcel would seriously impinge on the natural corridor along the river and conflict with the LaPlatte Nature Park, one of the highest ranking habitats in the Arrowwood Report. New housing should not undercut our most significant natural resources.

I also wonder about the proposed Rural Heritage and Tourism district. This is an area of high value scenic views. How will an accurate evaluation be made during this zoning rewrite of how proposed zoning changes will impact the town's scenic views? Who would be able to make such an evaluation?

Also, I'm concerned that joining rural heritage and tourism might water down the true ruralness of a rural district by adding a commercial dimension to a rural area under the guise of employee housing development. Isn't worker housing still housing and therefore shouldn't it be located in density areas, which are not at all far away?

I question whether we even want to allow for possible future housing development on the site of the golf course? Is this another example of finding back doors into more housing development in areas where we don't necessarily want more housing? We need more housing, yes, but where is the limit on that?

# MEMO

To: Shelburne Planning Commission  
From: PlaceSense  
Date: 2 November 2023  
Re: Summary of Zoning Map Discussion Questions

Below is a list of the discussion questions posed in the zoning guide storymap to facilitate discussion at the November 16 meeting.

1. Should the municipal complex (town office, fire department, library and ballfields), the Parade Ground, the Methodist and Catholic churches be included in this Village 1 district?
2. Should the Village 2 district continue further east on Falls Road? It currently terminates just before Bacon Drive with two properties that are commercial in use or form.
3. Should the corner lots fronting on Shelburne Road and Winter Haven Road be included in the Shelburne Road 1 district? Note that the southern lot is Maplewood Village (senior housing). The northern lot is commercial with a retail building (VT Design Center), but it is not a large lot and abuts multiple residential properties.
4. Should there be another district for the immediate area around one or more of the intersections in the southern Shelburne Road 1 area with the goal of creating a more pedestrian-oriented node?
5. Is the northern Shelburne Road 1 area best suited to the SR-1 or SR-2 district? There is potential for redevelopment, but it could require consolidation of the smaller lots to create meaningful redevelopment opportunity.
6. Should the frontage portion of Lakeview MHP (Penny Lane) be included in the Shelburne Road 2 district or should the MHP be retained in a single zoning district? Note that the other residential neighborhoods west of Shelburne Road have frontage lots included in this district. However, most of those lots are already used for a commercial purpose unlike the frontage portion of the MHP.
7. Is there a need for more than one Neighborhood Residential district?
8. Are there areas where higher densities or larger scale multi-unit buildings than required under Act 47 should be considered?
9. Are there other sites within the proposed Residential Neighborhood district where the mix of building types and scales found at Wake Robin would be appropriate?
10. Should the common lands associated with residential developments around town continue to be zoned separately from their associated neighborhood or should they be integrated into the proposed Residential Neighborhood or Rural Residential district?
11. Should the Harborwood Shores neighborhood be re-zoned out of a rural zoning district to the proposed Residential Shoreline district?
12. How should housing be dealt with in the Business and Industry district? Given the relatively

small amount of land dedicated to more intensive business uses, could allowing housing in these areas consume land better suited to economic development and/or could adding more people living in proximity to businesses lead to land use conflicts?

13. Should the airport be re-zoned out of a rural zoning district to the Business and Industry district? The re-zoning is suggested because it would strengthen the town's ability to limit aircraft landings and take-offs in other areas of Shelburne. The re-zoning would, however, open up the possibility that other business activities could be proposed for the airport site in the future.
14. Should there be a separate Rural Heritage and Tourism district or should those properties be included in the proposed Rural Resource Protection district?
15. How should worker housing be addressed on the large landholdings included in the proposed Rural Heritage and Tourism district?
16. Should the Shelburne Shipyard be included in the proposed Open Space and Recreation district or the proposed Business and Industry district?
17. Should the Kwiniaska Golf Course be included in the proposed Open Space and Recreation district or the proposed Rural Residential district?

From: Stephen Baietti & Kathleen Ely, 322 Bay Rd. Shelburne, VT 05482  
To: Brandy Saxton and Rod Francis  
CC: Aaron DeNamur, (Please forward to Planning Commission Members)  
RE: Comments about draft documents for the November 16 Planning Commission Meeting  
Date: November 9, 2023

We are 322 Bay Road residents since 1993. We have reviewed the draft "Article 4, Site Design Standards and have a comment about sidewalks. Here are our comments for you and the Planning Commission.

- **Regulation 4206.A** Bay road is over 195 years old with limited space between the houses and the road in some cases. Regulation 4206.A will not work in all cases on our road. The regulation states sidewalks 8 feet from the pavement edge. The 5 foot width would be very close to many homes and or in the middle of lawns. Also many of the mature, beautiful flowering trees would be removed. In some cases a more narrow (less than 5 foot) sidewalk is needed and positioned tangent or closer to the road pavement.
- **Map - Residential Shoreline (R-S)** Our concern is the title and description of this zone as it relates to our property. When you scroll to this section the description states " This proposed district (**pale yellow on the map**) " Referring to the map, our property is depicted in the stated yellow (322 Bay Rd). Our home is not shoreline. Our back property line is bound by the Vermont Railroad. Also we have no access to the Bay. Perhaps 322 Bay Rd is in another district like Residential Neighborhood (RN)?
- Lastly a general question-How many housing units do the new regulation permit on our property? Also how many units can be built on the large condominium property next to our property? We are interested what the new regulations will permit on this land. How close to the abutting homes etc.

Thank you,  
Stephen & Kathleen