



# *Town of Shelburne, Vermont*

PLANNING COMMISSION AGENDA

THURSDAY, MARCH 10, 2022

7:00 P.M.

MEETING WILL BE FULLY REMOTE VIA ZOOM

Join Shelburne Planning Commission

<https://us02web.zoom.us/j/84500481629?pwd=TUNVVWdsRWdBMUlOV3ZKVVW1EUjRiUT09>

Meeting ID: 845 0048 1629

Passcode: L6a7ue

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: 845 0048 1629

Passcode: 388523

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|---|------------------|
| <b>1. Call to order/roll call</b>                               | <b>7:00 P.M.</b> |
| <b>2. Approve agenda</b>  | <b>7:00 P.M.</b> |
| <b>3. Approve meeting minutes of February 24, 2022</b>          | <b>7:00 P.M.</b> |
| <b>4. Disclosure related to potential conflicts of interest</b> | <b>7:05 P.M.</b> |
| <b>5. Public comments on matters not on the agenda</b>          | <b>7:10 P.M.</b> |
| <b>6. Updates: Follow-up items</b>                              | <b>7:15 P.M.</b> |
| <b>7. Finalize Outdoor Dining Bylaw</b>                         | <b>7:25 P.M.</b> |
| <b>8. Review existing Mixed Residential Character District</b>  | <b>8:15 P.M.</b> |
| <b>9. Other Business</b>  | <b>8:55 PM</b>   |
| <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  
February 24, 2022**

**\*Virtual meeting.**

**MEMBERS PRESENT:** Steve Kendall (Chair); Marla Keene, Jean Sirois, Deb Estabrook, Jason Grignon, Neil Curtis, Stephen Selin.

**STAFF PRESENT:** Adele Gravitz, Planning Director; Ken Belliveau, Interim DRB Coordinator.

**OTHERS PRESENT:** **Members of the public participating in the meeting** included Gail Albert, Joyce George, Steve Brandon, Nancy Badami, Pete Serisky, Robilee Smith, Kevin O'Brien, Johnny Helzer, Rosalyn Graham, Media Factory.

**Others attending included:** Nancy Badami, Rowland Davis, Donna Millay, Ann Hogan, Ken Albert, Chris Latta, Chris Badami, Greg Doremus, and Don Rendall

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (2/10/22)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Updates/Follow Up Items
7. COVID-related Bylaw Work
8. Shelburne Road Form Based Overlay District
9. Correspondence: Crombach-Brandon Project
10. Other Business/Correspondence
11. Adjournment

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**1. CALL TO ORDER**

Chair, Steve Kendall, called the virtual meeting to order at 7 PM. Introductions were done.

**2. APPROVAL OF AGENDA**

**MOTION** by Jason Grignon, **SECOND** by Neil Curtis, to approve the agenda with the addition of an update from Ken Belliveau, interim DRB coordinator. **VOTING: unanimous (7-0); motion carried.**

**3. APPROVAL OF MINUTES**

*February 10, 2022*

**MOTION** by Neil Curtis, **SECOND** by Jason Grignon, to approve the minutes of 2/10/22 with the change from 'hybrid meeting' to 'virtual meeting'. **VOTING: unanimous (7-0); motion carried.**

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

None.

**5. OPEN TO THE PUBLIC**

None.

**6. UPDATES**

The following was noted:

- The Selectboard is holding a public hearing on 3/22/22 to discuss changing form based code with regard to the height of multi-family buildings (allow only two-story multi-family buildings).
- Regarding the interim bylaw on outdoor dining being made permanent, local businesses support the bylaw and being allowed to have outdoor dining. Staff will follow up on the wording changes proposed by Lee Krohn and inform the Planning Commission.

#### *UPDATE ON PLANNING & ZONING OFFICE FROM KEN BELLIVEAU*

Ken Belliveau reported for an extended period of time there was no professional staff in the office which caused many delays and a backlog of work. With the new Planning Director and an interim DRB Coordinator now in place progress is being made. A permanent employee still needs to be found for the DRB Coordinator position.

### **7. COVID-related BYLAW WORK**

Ken Belliveau addressed outdoor seating at restaurants per the bylaw, noting restaurants are a conditional use, not a permitted use, and a conditional use requires DRB review and approval. Also, many restaurants in town have shared parking. The Planning Commission may want to consider requiring a permit for outdoor service.

There was public comment from business owners and members of Shelburne Business and Professional Association in support of extending the bylaw to allow outdoor dining and allowing visibility of the seating/restaurant to attract more business.

Following further discussion, the consensus of the Planning Commission is to act on the interim bylaw expeditiously for restaurants in Shelburne, pursue doing an ordinance and then integrating the bylaw permanently into the regulations. To that end, edits were made to the interim bylaw language to require an administrative permit, remove wording about six-foot separation and sewer allocation, and use words such as “temporary” or “not permanent” rather than “seasonal”. Staff will revise the bylaw language for action at the next meeting.

### **8. SHELburne ROAD FORM BASED OVERLAY DISTRICT**

Steve Kendall reported the Selectboard will be holding a hearing on enacting interim zoning in the Shelburne Road Form Overlay Mixed Residential District to restrict the height of multi-family buildings to no greater than two stories. The attorney representing a group of town residents requested multi-family buildings be eliminated from the zone, but the Selectboard disagreed because of the negative impact on workforce housing that is linked to multi-family dwellings. The Planning Commission is asked to look at the overlay district.

There was public comment on the impact to the neighborhoods of single-family homes in the district by huge multi-family buildings which would be more fitting in other districts. There are two zones, one abuts Shelburne Road and one is off from Shelburne Road. Also, the density allowed in the overlay (120 units on six acres versus one house on less than an acre) does not make sense and is four times greater than the density in the village. There will be no green space/open space for the residents of the multi-family buildings. The density needs to be more in balance with the surrounding neighborhoods.

The Planning Commission will review the language for the overlay district for discussion at the next meeting. The memo from Jason Grignon, dated 2/14/22, will be taken under consideration. There was suggestion from the public to look at all building types allowed on Shelburne Road and in residential neighborhoods in the character districts. Ken Belliveau advised finding out the goals and objectives intended to be addressed by the code as written before making changes. Mr. Belliveau noted there is serious work that needs to be done with the town’s regulations which are very complicated as they exist today.

### **9. CORRESPONDENCE**

#### *Crombach-Brandon Project*

The Planning Commission received written correspondence on the Crombach development project.

**10. OTHER BUSINESS**

None.

**11. ADJOURNMENT**

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

The meeting was adjourned at 9:48 PM.

*RScty: MERiordan*