

A VIDEO RECORDING OF THE MEETING IN ITS ENTIRETY IS AVAILABLE THROUGH VERMONTCAM.ORG. THE WRITTEN MINUTES ARE A SYNOPSIS OF THE DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES SUBJECT TO CORRECTION BY THE SHELBURNE SELECTBOARD. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE BOARD.

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES
March 22, 2022**

***Hybrid meeting held via teleconference and in-person.**

MEMBERS PRESENT: Mike Ashooh (Chair), Luce Hillman, Cate Cross, Kate Lalley, Matt Wormser.

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Adele Gravitz, Planning Director.

OTHERS PRESENT: Members of the public participating in the meeting included Allyson Myers, Andrea's iPad, Ann Hogan, Anne Powell, Barbara Jewett Noyes, Barbara Johnson, Becky, Bill Deming, Bill Keogh, Bob, Bret Gardner and Abby Hill, Catherine's iPad, Chris Latta, Claire Pro's iPad, Corey McDonald, DF Penar, DL Pierce, Don Porter, Don Rendall, Donna Fialkoff, Elizabeth Nickerson, Erin Auer, Fab DeFazio, Gail Albert, Greg Doremus, iPad, James Mack, Jane Zenaty, Jason Grignon, Jay Kelly, JC, Jess Neubelt, Jessica Trautwine, John McNeil, Joyce George, Julia Shrier, Lee Suskin, Liam Murphy, Lily O'Brien, Lisa Merrill, Irider, Mark MARY, Mary Kehoe, Maureen, Miranda Lescaze#CHT, Monica Lalime, Nancy & Chris Badami, Norm Blais, P Worrall, Peggy Coutu, Pete Serisky, Rachel Smith, Ron Bouchard, Rosalyn Graham, Rowland Davis, Sharon Glezen, Shelburne Town Host, Stephen Baietti & Julia Ely, Steve Kendall, Susan, Susan Jean Hull Grasso, Susan McLellan, Thomas Schramm, Tom Karlhuber, Tom Zenaty, Tracey Beaudin, Wanda Morgan, Rene Sanchez, Mike Donoghue, Media Factory.

1. CALL TO ORDER

Chair Mike Ashooh called the hybrid in-person and teleconference meeting to order at 7 PM.

2. APPROVE AGENDA

MOTION by Kate Lalley, SECOND by Matt Wormser, to add a water system grant application to the agenda and approve the revised agenda. VOTING: unanimous (5-0); motion carried.

3. MINUTES

March 8, 2022

MOTION by Cate Cross, SECOND by Matt Wormser, to approve the minutes of 3/8/22 as presented. VOTING: unanimous (5-0); motion carried.

4. PUBLIC COMMENT

- There were comments and questions on the following:
 - Report from Jim Baker relative to staff leaving the police and dispatch departments and recommendations for dealing with the leadership issue
 - Potential conflicts of interest with who did the redactions in the Jim Baker document released to the public
 - Having a more neutral party negotiating with the police union on the police contract
 - Contract (Letter of Hire) with the Police Chief and federally protected medical leave
 - Course of action with “officer redacted” in the report
 - Having all the town’s boards, committees, commissions take a refresher course on ethics and the town’s ethics policy.
- Champlain Valley School District Superintendent Sanchez thanked the voters for supporting the school budget and bond, and mentioned upcoming opportunities for community feedback, the equity audit and five-year strategic plan.

5. SELECTBOARD COMMENTS

- Positive comment was made on the ceremony for Olympic medal winner, Megan Nick.
- The need for an official policy on transparency was mentioned as was the town’s obligation to protect personnel privacy and the town from legal exposure.
- New applications/applicants should be sought when making a new commission to avoid having the same people serve and having the same results.
- The recent passing of Jerry Storey was mentioned. Kind words were said about Mr. Storey’s contribution and dedication to the town.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- Thanks to all who helped with the “Megan Nick Day” ceremony.
- Jerry Storey will be remembered for putting his heart and soul into the town every day.

7. JERRY STOREY MEMORIAL

MOTION by Matt Wormser, SECOND by Kate Lalley, to ask the Town Manager to place a bench at Memorial Park in memory of Jerry Storey and his service to the town. VOTING: unanimous (5-0); motion carried.

8. CBC APPOINTMENT(S)

Planning Commission

MOTION by Kate Lalley, SECOND by Cate Cross, to (re)appoint Marla Keene, Stephen Selin, and Steven Kendall to the Planning Commission each for full three-year terms to end April 1, 2025. VOTING: unanimous (5-0); motion carried.

Pierson Library Board of Trustees

MOTION by Cate Cross, SECOND by Matt Wormser, to (re)appoint Holly Brough, Becky Jewett, and Lisa Merrill to the Pierson Library Board of Trustees each for three-year terms ending April 1, 2025. VOTING: unanimous (5-0); motion carried.

Pierson Library Board of Trustees – Student Members

MOTION by Kate Lalley, SECOND by Cate Cross, to appoint Julia Shrier as a student representative on the Pierson Library Board of Trustees for a two-year term beginning April 1, 2022 and ending April 1, 2024. VOTING: unanimous (5-0); motion carried.

MOTION by Kate Lalley, SECOND by Cate Cross, to appoint Lily O’Brien as a student representative on the Pierson Library Board of Trustees for a two-year term beginning April 1, 2022 and ending April 1, 2024. VOTING: unanimous (5-0); motion carried.

Extended Terms on Advisory CBCs

MOTION by Matt Wormser, SECOND by Cate Cross, to extend the terms of all members of advisory CBCs that expire March 30, 2022 for up to two months or until current members are either reappointed or new members are appointed to fill seats to be vacated whichever is sooner. VOTING: unanimous (5-0); motion carried.

CBC openings will be publicized per past practice.

9. AUTHORIZE GRANT APPLICATION(S)*SCHIP’s Grant*

MOTION by Cate Cross, SECOND by Kate Lalley, to approve the Shelburne Equity & Diversity Committee request for a SCHIP grant application. VOTING: unanimous (5-0); motion carried.

Water Grant

MOTION by Kate Lalley, SECOND by Matt Wormser, to authorize the Shelburne Water Superintendent to apply for a water grant to provide for hydraulic analysis of various infrastructure related to water in the town with the understanding that up to 100% of the grant up to \$100,000 may be reimbursable. VOTING: unanimous (5-0); motion carried.

10. PUBLIC HEARING: Proposed Interim Zoning

MOTION by Cate Cross, SECOND by Kate Lalley, to open the public hearing on the interim zoning proposal to limit the height of multi-family buildings to two stories in the Mixed Residential Character District. VOTING: unanimous (5-0); motion carried.

The public hearing was opened at 7:53 PM. The Selectboard noted the amendment does not reduce density and could increase sprawl. There was mention of laying out steps to reconsider density in the district and having the Planning Commission review form-based

code to bring a proposal to the Selectboard. It was pointed out that there are three- and four-story buildings in the area and taller buildings may have a smaller footprint. The Act 250 permit and stormwater management will have an impact on controlling building coverage and density.

COMMENTS

Comments from the public included:

- Support for the interim zoning proposal because multi-family buildings are not in character with a low-density residential area.
- Scheduling another public hearing to consider a one-year moratorium on use of form based code in the Mixed Residential Character District to allow the Planning Commission time to review current provisions in the code and in the town plan relative to density, size of structures, and consistency with the town plan, and to produce a report to the Selectboard in the next nine months to allow time for the Selectboard to review the Planning Commission's recommendations before the one-year moratorium expires.

MOTION by Kate Lalley, SECOND by Cate Cross, to close the public hearing. VOTING: unanimous (5-0); motion carried.

The public hearing was closed at 8:05 PM.

MOTION by Luce Hillman, SECOND by Cate Cross, to reject the interim zoning bylaw proposal limiting the height of multi-family buildings to two stories in the Mixed Residential Character District of the Form Based Overlay District.

DISCUSSION:

- **It was noted the underlying density issue was not addressed and will be acted on independent of the proposal.**

VOTING: unanimous (5-0); motion carried.

NEXT STEPS

There was discussion of giving the Planning Commission a targeted, achievable objective to allow for a quicker turnaround, focusing on the Mixed Residential Character District in the short term and the entire Route 7 corridor under one zoning code in the long term. Planning Director, Adele Gravitz, suggested focusing on density. There was public comment in support of a moratorium on form based zoning to allow time to work out issues and referring to the form based code founding document with the notion of massing, shape, intensity of development, and vision for the corridor (illustrative plan). There was also comment that the development proposal under discussion was done following all the rules in place, and the developer was willing to work with the neighbors. There was suggestion that areas off Route 7 which are residential should not be included in the Route 7 corridor (railroad tracks to Route 7 roadway), and that residences should be concentrated in areas where there is access to services via walking or biking.

The Selectboard will draft a summary of concerns and what the Selectboard is looking for from the Planning Commission.

11. SCHEDULE SELECTBOARD RETREAT

Potential date: April 30, 2022 from 2 PM to 6 PM in the Community Room. Possible topics include use of ARPA funding, bigger vision for the town (Council on Rural Development), zoning & planning.

12. LIQUOR LICENSE RENEWALS

MOTION by Kate Lalley, SECOND by Cate Cross, to suspend the regular meeting and convene the Shelburne Liquor Control Commission. VOTING: unanimous (5-0); motion carried.

MOTION by Luce Hillman, SECOND by Cate Cross, to approve the liquor license applications for businesses as stated in the memo, dated March 22, 2022. VOTING: unanimous (5-0); motion carried.

MOTION by Kate Lalley, SECOND by Cate Cross, to adjourn the Liquor Control Commission meeting and resume the Selectboard meeting. VOTING: unanimous (5-0); motion carried.

13. EXECUTIVE SESSION: Personnel

MOTION by Luce Hillman, SECOND by Kate Lalley, pursuant to 1VSA313 to go into Executive Session to consider the appointment or employment or evaluation of a public officer or employee, and to invite the Town Manager to participate. VOTING: unanimous (5-0); motion carried.

Executive Session was convened at 9:12 P.M.

MOTION by Matt Wormser, SECOND by Kate Lalley, to resume the regular meeting. VOTING: unanimous (5-0); motion carried.

The regular meeting resumed at 9:59 P.M.

14. ADJOURNMENT

MOTION by Cate Cross, SECOND by Kate Lalley, to adjourn the meeting. VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 10:00 P.M.

RScty by tape: MERiordan

For the Selectboard

Date