

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
May 12, 2022**

**\*Hybrid meeting.**

**MEMBERS PRESENT:** Steve Kendall (Chair); Deb Estabrook, Marla Keene (Stephen Selin and Jean Sirois were absent.)  
**STAFF PRESENT:** Adele Gravitz, Planning Director.  
**OTHERS PRESENT:** Members of the public participating in the meeting included Joyce George, Pete Serisky, Robilee Smith, Rowland Davis, Ann Hogan, Barbara Grant, Donna Millay, Don Rendall, Media Factory.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Updates/Follow Up Items
7. Next Steps
8. Other Business/Correspondence
9. Adjournment

---

**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

**MOTION** by Deb Estabrook, **SECOND** by Marla Keene, to approve the agenda.

**VOTING: unanimous (3-0); motion carried.**

**3. APPROVAL OF MINUTES**

*April 28, 2022*

Postponed due to lack of a quorum present at the 4/28/22 meeting.

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

None.

**5. OPEN TO THE PUBLIC**

Robilee Smith read a statement noting concerns by the residents with the RFP seeking a consultant to look at form based code including the concern there is no public input to the consultant, the RFP is not addressing issues of the form based mixed residential character district (FBMRCD) as requested by the Selectboard (a pause should be put on any development in the FBMRCD until this is done), and the suggestion that a 3-D model should be built of what the existing code would allow. Also, Robilee Smith said the

residents request the document that was submitted showing discrepancies between the town plan and FBMRCDC be provided to the consultant. [The Planning Commission and staff assured that the consultant will have access to all public records and can request any needed information. The consultant will provide a third party, independent objective analysis of the zoning regulations (form based and conventional) and the implications of the existing zoning. The RFP provides leeway to consider the FBMRCDC and the bigger zoning regulations picture. Staff working with the consultant will evaluate the different scenarios of development under the zoning and the Planning Commission will determine which is the worst case after the report is written. The consultant's findings will be added to all the information compiled to date on the zoning issues so the Planning Commission can do due diligence.]

Pete Serensky urged pursuing putting a pause in place on development under form based code until the issues are resolved.

Rowland Davis offered a list of useful resources for the Planning Commission to consider relative to balancing development and environmental issues.

Ann Hogan asked for an explanation of "illustrate" in the form based zoning and if there is a budget for elevation drawings.

Adele Gravitz stated the proposal from the expert consultant will clarify the issues at hand and the Planning Commission can decide on the approach.

There was discussion of the time required to vet the issues and enact change in the zoning if warranted.

## **6. UPDATES/FOLLOW UP ITEMS**

The following was noted:

- RFP is due 5/13/22.
- The public hearing by the Selectboard on the outdoor dining bylaw is scheduled on 5/24/22.
- Election of officers on the Planning Commission is postponed until the full commission is present.
- A number of applications have been received for the vacancies on the Planning Commission. Two interviews have been scheduled.

## **7. NEXT STEPS**

Staff reported the RFP is out. The conversation with the DRB was scheduled. The consultant presentation will be in June. Ideas going forward include getting out into neighborhoods to speak to people about the issues, meeting with all the town committees and boards for their comments, having a presentation from the Community Heart & Soul organization, attending the presentation to the Selectboard by Sustainable Development Code, getting input from the Housing Subcommittee, hearing a presentation from Places for Kids, getting input on environmental/climate resiliency matters.

Rowland Davis mentioned some information resources which he will forward to the Planning Office including the report from CCRPC dealing with climate issues, the Vermont Natural Resources Council report on what towns in the state have done with wildlife and habitat, and the form based code presentation that was done during the “Vision for (Route) 7” project. Also, Jonathan Rosenbloom’s website on Sustainable Development Code is very impressive. The Planning Commission should hear a presentation. Regarding the Planning Commission workplan, finding the best way to listen to groups without overusing time resources is strongly suggested.

Don Rendall, Shelburne Natural Resources Committee, requested the list of items previously submitted by the committee for consideration by the Planning Commission remain on the agenda. The items deal with regulations to protect resources that could be lost. [The Planning Commission explained short term zoning issues will be tackled first and these involve housing and natural resources. One goal is to make the regulations so good the committee can rely on the regulations to represent best practices. Some of the items from the committee have been incorporated into the development review process such as reviewing applications earlier in the process. Don Rendall said the committee is still not getting feedback on their questions on applications, and developers are not at the committee meetings. The committee feels the regulations at this time do not have satisfactory protections for natural resources so protections need to be added in order for the DRB to enforce the regulations as well as comments from the committee.]

Joyce George stated form-based code should stay, but the boundaries should be redrawn to avoid having three-story buildings surrounded by single family houses.

Pete Serisky commented form-based code in other towns appears to occur mostly in town centers or on main thoroughfares and not in residential districts.

The Planning Commission requested a list of form-based code projects in town and suggested visiting each site.

## **8. OTHER BUSINESS/CORRESPONDENCE**

None.

## **9. ADJOURNMENT**

**MOTION by Marla Keene, SECOND by Deb Estabrook, to adjourn the meeting.  
VOTING: unanimous (3-0); motion carried.**

The meeting was adjourned at 8:20 PM.

*RScty: MERiordan*