

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING**

June 8, 2023

***Hybrid meeting.**

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

STAFF PRESENT: Aaron DeNamur, Planning Director; Matt Lawless, Town Manager.

OTHERS PRESENT: Rowland Davis, Don Rendall, Jim White, Persis Worrall, Rosemary Sadler, Gail Albert, Pete Serisky, Brandy Saxton, Rod Francis, Media Factory.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (5/18/23)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Discussion: Consultant Report on Bylaw Review
7. Update from Planning Director
8. Other Business
9. Adjournment

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); motion carried.

3. APPROVAL OF MINUTES

May 18, 2023

MOTION by Jeff Hodgson, **SECOND** by Stephen Selin, to approve the minutes of 5/18/23 as presented. **VOTING: unanimous (5-0); motion carried.**

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

None.

5. OPEN TO THE PUBLIC

Matt Lawless, Shelburne's new Town Manager was introduced.

Announcement was made of Aaron DeNamur's promotion to Planning Director.

6. DISCUSSION: Consultant Report on Bylaw Review

The consultants reviewed their responses to question from the Planning Commission. The following was noted:

- Energy requirements in the bylaws – There is no way to verify if energy code requirements are being met.
- Traffic generation – Conditional use review considers traffic generation while site plan review does not so if the town feels there is a potential traffic issue with a development that should trigger conditional use review.
- Housing types – The current focus with zoning is on what is being regulated which is the structure, not the occupants of the structure.
- Building frontage – The purpose of building frontage is to set a pattern of lots.
- Land use regulations and other town ordinances and policies – The goal is to have all town regulations mutually reinforcing and consistent.
- Density bonus for affordable housing beyond state requirements (Home Act; S.100) – If the 20% requirement of building affordable units is met then the developer automatically gets a density bonus. Consistency with state statute should be maintained with regard to the definition of ‘affordable housing’. The town should not implement its own measures.
- Maximum residential density – Some town do not have a maximum residential density, but use other criteria to regulate density such as lot size, lot coverage, parking, building size.
- Cite or restate state statute – Statutory language should be used in the town regulations.
- Resource protection - There could be a requirement that a development must have a lot layout that creates continuous open space, for example.

The consultants will discuss at a future meeting the following:

- Waterfront resources
- Expanding design review
- Landscape requirement with higher densities
- Priorities
- Building orientation
- Multiple buildings on a lot in a rural setting
- Neighborhood Overlay District

There was discussion of the following:

- Consolidating and retaining some components of form based code for integration into the base code.
- Having narrower streets to control speed and layers from the street of street trees, bike path/sidewalk, green space then the building.
- Meeting fire department requirements on what is allowed in the town right-of-way.
- Having dense nodes of development on Shelburne Road then moving toward less dense development.

- Where stormwater management happens can impact the look and feel of a development from the road.
- Not allowing parking to the street should continue.
- Porches facing the street help scale down the building and avoids having a wall of building facing the street.
- Depth of lots on Shelburne Road may not accommodate the building, parking, landscaping, stormwater, and bike/ped paths.
- The principles of form based code should be maintained for all building types.
- Landscaping requirements in form based code should be folded into the base regulations.
- Objective(s) to be achieved with the regulations needs to be identified.

PUBLIC COMMENT

There was public comment on:

- Cycling infrastructure in town is needed.
- There is concern Shelburne will look the same as surrounding towns (no uniqueness).
- Building height and setbacks in form based code are not preserving the character of the town.
- DRB needs to have latitude with review of projects under form based code so there are checks and balances.
- Trees and bike paths are welcomed, but there is not much opportunity for this with the existing buildings along Shelburne Road.
- Who does the energy inspections or who is responsible to build bike paths needs to be specified. There could be a required set aside to fund these amenities.
- The focus in Shelburne to date on resource protection has been conserving what is irreplaceable and important for the environment. There are some places that need absolute protection, but other places that are conserved can be used as a community resource.
- There should be more cluster type development in rural areas.
- Conservation subdivision regulations from other towns should be reviewed for ideas.
- Certain conservation design principles can be applied.
- The town should look at how to prioritize natural resource and open space issues.

The consultants will continue the meetings with town committees and boards to gather comments and present the overall structure of the bylaw document and base information on zoning at a future meeting.

7. UPDATE FROM PLANNING DIRECTOR

Staff will have a booth at the farmers market to discuss the bylaw rewrite with the public.

8. OTHER BUSINESS

Meeting Schedule

Next Planning Commission meeting is July 13, 2023.

9. ADJOURNMENT

MOTION by Marla Keene, SECOND by Tom Karlhuber, to adjourn the meeting.

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

The meeting was adjourned at 9:14 PM.

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