

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
July 13, 2023**

**\*Hybrid meeting.**

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

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

**OTHERS PRESENT:** Rowland Davis, Sarah Ray, Brandy Saxton, Rod Francis, Media Factory.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (6/8/23)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Discussion: Legal Framework & Structure of Land Use Regulations
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 Shawn Sweeney, to approve the agenda.**

**VOTING: unanimous (6-0)[Marla Keene not present for vote]; motion carried.**

**3. APPROVAL OF MINUTES**

*June 8, 2023*

**MOTION by Shawn Sweeney, SECOND by Jeff Hodgson, to approve the minutes of 6/8/23 as presented. VOTING: 5 ayes, one abstention (Jean Sirois)[Marla Keene not present for vote]; motion carried.**

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

None.

**5. OPEN TO THE PUBLIC**

Rowland Davis, resident, mentioned the comment by a DRB member on rapid growth in the town and the request at the Selectboard meeting for information on the wastewater treatment plant capacity and ability to support the town's annual growth rate.

Matt Lawless, Town Manager, stated the Planning Commission will be asked for recommendations on the capital improvement plan update as more details on capital projects that are coming up are developed.

## 6. DISCUSSION: Legal Framework & Structure of Land Use Regulations

Consultants, Brandy Saxon and Rod Francis, reported meetings held to date with various town committees/groups include Housing, Equity & Diversity, DRB, Natural Resources, Historic Preservation & Design Review. The consultants reviewed the history of Euclidean zoning in the country and the redlining of land uses. Vermont is a Dillon's Rule state where the state grants authority to towns versus Home Rule (local control). After the interstate was built in Vermont growth happened and in 1968 24VSA117 was drafted to govern town land use. In 1970 Act 250 was enacted for planning, regulation, land use, and development. Shelburne adopted zoning in 1963 and subdivision regulations in 1986. Relevant sections of the land use law 24VSA117 to Shelburne's bylaw update/rewrite include:

- 24VSA4411 (use of land, structures, public health, safety, and welfare)
- 24VSA4412 (what a town must do and cannot do)
- 24VSA4413 (state limits on what a town can regulate)
- 24VSA4414 (types of regulations a town can have)
- 24VSA4416 (site plan review: parking, traffic circulation, landscaping, screening, lighting, signs)
- 24VSA4417 (planned unit developments)
- 24VSA4418 (subdivision bylaws)

The consultants noted the rewrite will begin with Article 2 (Administrative Procedure) followed by Article 4 (Site Design Standards), Article 3 (Zoning District Standards), Article 5 (Use & Performance Standards), Article 6 (Environmental Protection Standards), Article 7 (Subdivision and PUD Standards), Article 1 (General Provisions), and Article 8 (Definitions). There was a question on building design and traffic impacts. Brandy Saxton assured the items are discussed under the Use Standards.

The Planning Commission was asked to focus on the sections identified in the memo that require policy decisions or substantive change, and to flag any language or sections that are not clear and understandable. Planning Commission comments and questions will be included in the meeting packet.

There was brief discussion of financial lending institutions requiring a plat for an individual condo in a building complex.

## 7. OTHER BUSINESS

### *Table at Farmers Market*

A table will be staffed at the local farmers market to explain to the public the scope of the zoning project, the impetus for the project, support by the town, schedule of work, and how the public can engage and participate.

### *DRB Application*

Aaron DeNamur mentioned there is an application before the DRB for an amendment to the Final Plan for relocation of a utility easement.

**8. ADJOURNMENT**

**MOTION by Stephen Selin, SECOND by Jean Sirois, to adjourn the meeting.**

**VOTING: unanimous (7-0); motion carried.**

The meeting was adjourned at 8:54 PM.

*RScty: MERiordan*