

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
August 10, 2023**

**\*Hybrid meeting.**

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

**STAFF PRESENT:** Aaron DeNamur, Planning Director.

**OTHERS PRESENT:** Gail Albert, Don Rendall, Jim White, Brandy Saxton, Rod Francis, Media Factory.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (7/13/23)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Review/Discuss: Draft Article 2
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 Jeff Hodgson, **SECOND** by Stephen Selin, to approve the agenda.

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

**3. APPROVAL OF MINUTES**

*July 13, 2023*

**MOTION** by Stephen Selin, **SECOND** by Jean Sirois, to approve the minutes of 7/13/23 with the addition of “in relation to footprint lots” to the end of the sentence in Item #6 (Legal Framework & Structure of Land Use Regulations) reading:

“There was brief discussion of financial lending institutions requiring....”.

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

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

None.

**5. OPEN TO THE PUBLIC**

None.

**6. REVIEW/DISCUSS: Draft Article 2**

Consultants, Brandy Saxon and Rod Francis, explained recommended changes to the following sections of Article 2:

- Section 2203 says the permit will state that a project must be substantially complete within two years rather than substantially commenced, and one delay up to 12 months can be authorized. There is a statutory requirement that a permit cannot expire in less than two years. The applicant can request a longer period of time for a project during DRB review. Enforcement action will follow the violation procedures in Section 2600. “Substantially complete” will be defined in the Definition section.
- Section 2204 clarifies that the Zoning Administrator can modify approved plans for any application not just site plans. The suggestion of the impervious surface figure being a percentage rather than square footage will be incorporated.
- Section 2206 changes “certificate of occupancy” to “certificate of compliance” to indicate compliance with the zoning permit.
- Section 2301 & 2302 will state required submissions by the applicant in the regulations rather than at the Zoning Administrator’s discretion. A pre-application conference will be required.
- Section 2304 says the initial meeting for design review with the Shelburne Historic Preservation & Design Review Committee will be within the 30-day period for the Zoning Administrator to act on an application. The section also clarifies that design review recommendations can go to the Zoning Administrator and not have to pass through the DRB.
- Section 2305 allows Shelburne Natural Resources Committee involvement in the environmental review. The environmental review overlay district needs to be defined. Review criteria #10 relating to energy efficiency and #11 relating to climate impact need better definition, standards. Regarding slope, moderate slope is 15% to 25%, steep slope is 25% or greater. Shelburne has a relatively flat land area.
- Section 2307 includes new language tied to the creation of new lots in the rural areas.
- Section 2308 speaks to major (requires DRB review) and minor (administrative approval) site plan applications. The distinction between major and minor could be based on use, square footage, area of town or the definition of site plan.
- Section 2309 describes thresholds that constitute a major change to a conditional use. Adding or removing parking spaces should be included as a major change.
- Section 2312 covers footprint lots and the necessary information required by financial institutions.
- Section 2313 includes changes to subdivision review that allow administrative approval of Sketch plans and Final plans for minor subdivisions and DRB review for major subdivisions.
- Section 2404 adds waiver language to allow reasonable adjustment to dimensional standards that would not require a variance.
- Section 2505 adds language to cover Act 47 and to set deliberative session by the DRB as closed as the default but giving the DRB the choice to stay in open session.

- Section 2600 allows the Zoning Administrator to issue civil complaint tickets for zoning violations.

The Planning Commission suggested a purpose statement be added to all sections of the regulations.

Don Rendall, Shelburne Natural Resources Committee, suggested in the Environmental section connecting travel corridors be added to the overlay along with forest blocks. Also, scenic views are not mentioned. In addition, the language on major development being a PUD in the Rural District is missing. Brandy Saxton noted the language will be in the section containing the subdivision standards.

## **7. OTHER BUSINESS**

*Meeting Schedule*

September 14, 2023 – Article 4: Site Design Standards

## **8. ADJOURNMENT**

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

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

The meeting was adjourned at 9:30 PM.

*RScty: MERiordan*