

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
November 15, 2022**

**\*Hybrid meeting**

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

**ADMINISTRATION:** Lee Krohn, Town Manager; Peter Frankenburg, Finance Director.

**OTHERS PRESENT:** Members of the public participating in the meeting included Rick Poirier, Fred Morgan, Derek Brouwer, Julie Parsons, Gary Allen, Robilee Smith, Burton Putvah, Hillary Hutchins, Andrea Crook, Suzanne Fay, Kevin O'Brien, Tony Wang, Pete Serisky, Jessica Trautwine, Mary and Alan Bauman, Donna Millay, Bob Millay, Chris Latta, Steve Keumer, Jay Kelly, Nancy Badami, Ann Hogan, Karen Allen, Doug Richter, Ron Bouchard, Susan Bouchard, Lori York, Sean Moran, Bob Bouchard, Becky Bouchard, Jay Guyette, Edwin Bouill, Rosemary Sadler, Barbara Grant, 18022491825, Anne Bentley, Bill Deming, Dan York, Dianne Davis, Don Porter, Don Rendall, Donna Fialkoff, Erica Cox, Erin Auer, Fab DeFazio, Frank Lesnefsky, Frederic Lowen, HC iPhone 13, Helen C, iPhone, Jamie Stanis, Jane Zenaty, Jean Sirois, Jean-Henri Lapierre, Jeff & Maty Turbaugh, jeffreyhodgson, Jim White, jimcrookjr, Josh Flore, Joyce George, Judy Raven, Julia Ely, Liberty Darr, Liz Rider, Marcelle Whitcomb, Mark Sammut, Monica Lalime, Norm Blais, Percy, Rachel Smith, romacinvt, Rowland Davis, Sally Andrews, Shelburne Town Host, Sophia Cohen, Steve Brandon & Shelley Crombach, The Tompkins, Tom Zenaty, Tracey Beaudin, Zoom user, Media Factory.

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**1. CALL TO ORDER**

Chair Mike Ashooh called the meeting to order at 7 PM.

**2. APPROVE AGENDA**

**MOTION** by Mike Ashooh, **SECOND** by Matt Wormser, to approve the agenda with the amendment to add discussion of the charge for the Town Manager search and an Executive Session to discuss personnel matters. **VOTING: unanimous (4-0); motion carried.**

**3. CONFLICTS OF INTEREST**

None.

**4. MINUTES**

*November 8, 2022*

**MOTION by Matt Ashooh, SECOND by Luce Hillman, to approve the minutes of 11/8/22 as presented. VOTING: unanimous (4-0); motion carried.**

**5. PUBLIC COMMENT**

- Fred Morgan, 145 Stonegate, expressed concern about a resident cutting trees in the woods in the neighborhood and asked how residents can proceed to stop this activity. Lee Krohn said permission was given to the snowmobile club to do some work on the trail, but a cease and desist order has been issued after the complaint by the neighbors and the work has stopped.
- Gail Albert, resident, asked if permits were required for the destruction of the Sirloin Saloon building. Lee Krohn said the Sirloin Saloon building is not in the design review or historic district so a permit is not required for demolition. There is no information on any redevelopment of the property.

**6. SELECTBOARD COMMENTS**

- Kate Lalley thanked everyone for their vote of confidence in electing her to the State House of Representatives.
- The public in attendance was thanked for attending the special Selectboard meeting.

**7. TOWN MANAGER REPORT/UPDATE**

Lee Krohn reported:

- Residents were thanked for paying their property taxes.

**8. APPOINTMENT(S)**

*Social Services Committee*

The Selectboard interviewed Lori York for a position on the Social Services Committee. Sean Moran spoke positively of the experience Ms. York will bring to the Social Services Committee.

**MOTION by Kate Lalley, SECOND by Matt Wormser, to appoint Lori York to the Social Services Committee beginning immediately and ending April 1, 2024.**

**VOTING: unanimous (4-0); motion carried.**

**9. PUBLIC HEARING: Zoning Amendment to eliminate the MRCD from FBC**

Staff reviewed the Shelburne Road Form Based Code Overlay area and the proposal to eliminate the Mixed Residential Character District (MRCD) from the overlay and all references thereto.

**MOTION by Matt Wormser, SECOND by Kate Lalley, to open the public hearing for Selectboard consideration of the Planning Commission proposal to eliminate the MRCD from the Shelburne Road Form Based Overlay District. VOTING: unanimous (4-0); motion carried.**

The public hearing was opened at 7:30 PM.

The Selectboard discussed:

- The need to find ways to promote more affordable housing in town.
- Regulatory reform to look at ways to incorporate additional housing density in places all over town.
- Having a better transition in zoning rather than an abrupt change.
- Not fully understanding the extent and the design of the MRCD.

Comments from the public included:

- Respect for the hard work and due diligence of the Planning Commission.
- Request for the Selectboard to accept the Planning Commission proposal.
- Consultants hired by the town to look at form based code found that form based code covered form, but not intensity and scale.
- There are ways to have more diverse housing within the scale of the town's comprehensive plan.
- Shelburne zoning bylaws allow many types of housing and considers the number of acres and has DRB oversight so judgement can be applied to see if a proposal fits into the environment.
- The Selectboard represents the town as a whole so the decision on the Planning Commission proposal should not be an individual's opinion.
- The MRCD does not belong in a residential area that is tucked behind a main road.
- A petition with 1,300 signatures in support of eliminating the MRCD was submitted. The sentiment and intent of the people who signed the petition should be considered.
- How the town will address the higher volume and intensity of services, police, Fire, Water, School with additional zoning for housing needs to be considered.
- The Planning Commission should be a hybrid of full-time members and volunteers with a background in planning so the Town is not paying consultants all the time.

Mike Ashooh noted the Vermont Council on Rural Development will be visiting Shelburne and a thorough process of updating the zoning will be done. The process will be one of community dialogue and engagement.

**MOTION by Kate Lalley, SECOND by Matt Wormser, to close the public hearing on the MRCD. VOTING: unanimous (4-0); motion carried.**

**MOTION by Matt Wormser, SECOND by Kate Lalley, to adopt the Planning Commission proposal to eliminate the MRCD and all references thereto in the Shelburne Road Form Based Code Overlay. VOTING: unanimous (4-0); motion carried.**

#### **10. CHARGE FOR TOWN MANAGER SEARCH**

Mike Ashooh outlined the charge to commission a screening committee which will be a public body subject to the Open Meeting Law. There will be two Selectboard members and two members from Town committees on the screening committee as well as one employee or citizen not on a Town committee. The charge of the committee will be to

assist in screening applicants. The Selectboard will screen the initial pool down to five candidates with two to three alternates for first round interviews. The committee will help with the interviews and provide thoughts to the Selectboard on two to three candidates for second round interviews. Committee members will attend meetings, interviews, and maintain confidentiality. The goal is to have the next Town Manager in place by April 1, 2023. A job description will be posted between 12/15/22 and 1/15/23 (to be extended if necessary).

**MOTION by Kate Lalley, SECOND by Matt Wormser, that the Selectboard approve the charge as written for the Town Manager screening committee. VOTING: unanimous (4-0); motion carried.**

**11. EXECUTIVE SESSION: Personnel Matters**

**MOTION by Luce Hillman, SECOND by Matt Wormser, pursuant to 1VSA313 to enter into Executive Session to consider the appointment or employment or evaluation of a public officer or employee, and invite the Town Manager to participate. VOTING: unanimous (4-0); motion carried.**

Executive Session was convened at 7:45 PM.

**12. ADJOURNMENT**

The meeting was adjourned at 9:30 PM.

*RScty by tape: MERiordan*

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For the Selectboard

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Date