



Town of Shelburne, Vermont

SELECTBOARD MEETING AGENDA

Tuesday, April 27, 2021

VIRTUAL/REMOTE MEETING -- LOGIN/CALL IN DETAILS BELOW

Join SELECTBOARD Zoom Meeting TUESDAY APRIL 27 7:00 P.M.

<https://us02web.zoom.us/j/83943240503?pwd=Yml3amt4dFlyeHg1S3FIUms4RXlqUT09>

Meeting ID: 839 4324 0503

Passcode: d9UBDy

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 839 4324 0503

Passcode: 408013

Call to Order/Roll Call	7:00 P.M.
*Approve Agenda	7:00 P.M.
*Approve meeting minutes of April 13, 2021	7:00 P.M.
Public Comments	7:05 P.M.
Selectboard Comments	7:15 P.M.
Town Manager Report	7:20 P.M.
Marty Illick Memorial	7:25 P.M.
New business introduction: Killeen Crossroads Farm	7:35 P.M.
*CBC reappointments (subcommittees)	7:45 P.M.
Audit Presentation	7:50 P.M.
*Consider restoring deferred budget line items	8:10 P.M.
*Adjustments to workplan/goals & objectives	8:30 P.M.

- | | |
|---|------------------|
| *Review/approve new wastewater billing policy | 8:45 P.M. |
| *Approve grant application for Rescue Squad repairs | 8:50 P.M. |
| *Validation Resolution regarding the Fire/Rescue bond vote | 8:55 P.M. |
| *Accept zoning amendments approved by the Planning Commission and set a hearing date | 8:58 P.M. |
| *Adjourn | 9:00 P.M. |

Thank you.

*Decision item. Times noted are approximate, and depend upon how each topic's discussion flows.



Town of Shelburne, Vermont

SELECTBOARD MEETING

ANNOTATED AGENDA

Tuesday, April 27, 2021

VIRTUAL/REMOTE MEETING -- LOGIN/CALL IN DETAILS BELOW

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Town Manager Report	7:20 P.M.
Marty Illick Memorial	7:25 P.M.

As is now well known, Marty Illick and her husband Terry Dinan perished last week in a tragic boating accident on their beloved Lewis Creek. Although Charlotte residents, their love of the environment certainly transcended town boundaries. Marty was very active in many watershed issues, including but not limited to the Lewis Creek Association, Charlotte Selectboard, Planning Commission, and Land Trust, Ahead of the Storm program, and Shelburne's own Stormwater Advisory Committee. I hope that when each of our times comes, that we will all have left such a legacy behind, and will have helped leave this place better than we found it. This agenda item is intended as a time of remembrance and reflection.

New business introduction: Killeen Crossroads Farm**7:35 P.M.**

Kieran and Breana Killeen were pleased to be asked for the opportunity to introduce themselves this evening. They own the property at the corner of Dorset Street and Cheesefactory Road, and look forward to describing their current and longer-range plans and ideas for agricultural uses, some of which are already underway at this time.

CBC reappointments*7:45 P.M.**

Upon recent Selectboard discussion, it was decided that any CBC subcommittees should be appointed in the same manner as CBC members themselves, with the typical intent to accept a CBC's recommendations for members of its own subcommittees. These would be standard three-year terms. For tonight, we'll have (re)appointments of members of two subcommittees. I will reconfirm all names and details for Tuesday night.

In addition, I also realized upon reading the minutes of our last meeting that I had not included myself in your reappointments to the Fire/Rescue site steering committee. If you'd like me to continue in that capacity, then we should formalize that if you are so inclined.

Audit Presentation**7:50 P.M.**

You have received under separate cover the complete audit report, along with a summary "management letter" and response to those recommendations from Finance Director Peter Frankenburg. A representative from auditing firm RHR Smith will join us to review the audit and answer any questions the Selectboard may have. Peter will be with us as well, of course, to help further illuminate recommended opportunities for improvement in our systems that are achievable within ever present staffing and operational constraints.

Consider restoring deferred budget line items*8:10 P.M.**

As you recall, we took a "first pass" at this at our last meeting, and restored funds for computer hardware/technical assistance, Harbor Road repairs (taken out of the paving budget if work can be done before June 30), and certain aspects of library operations. Now is an opportunity for a deeper dive into possible further restoration of other budget lines. Timing is important, as we enter the last two months of the fiscal year. While tax revenues flowed well this year, a cautious and prudent approach is still advised, especially regarding cash flow if we must once again delay the due date of the first installment in the new fiscal year.

Attached for your review please find the list of budget deferrals initiated last year, and updated with changes made at our April 13 meeting. As you'll see, there is still an array of budget lines to consider both small and large. Not least of these is paving/road retreatment, a decision for which is important tonight, given lead times needed for scheduling that work if it is to be done.

Remember also that legal expenses are well over budget this year, for reasons outside of our control and despite otherwise working to keep these limited where possible.

***Adjustments to workplan/goals & objectives**

8:30 P.M.

To be distributed under separate cover.

***Review/approve new wastewater billing policy**

8:45 P.M.

At our last meeting, the Selectboard agreed in concept to adopt a policy to allow adjustments to wastewater bills in a manner identical to how water billing adjustments are made currently. Toward that end, please find attached a wastewater billing adjustment policy for review and adoption. Chris Robinson and Peter Frankenburg have reviewed it and find it appropriate and acceptable.

***Approve grant application for Rescue Squad repairs**

8:50 P.M.

As has been discussed in recent months, there are known issues and concerns with the Rescue Squad building that must be addressed no matter how short or long a time that this building may remain in use. We learned of a grant prospect offered by Lowe's Hardware, and did a site visit with Jacob Leopold, Devin Major, Luce Hillman, Brian Precourt, and myself to see the problems first hand. Many thanks to Luce Hillman, who upon discovering that the deadline was sooner than we had thought, took the initiative to prepare and submit the grant application on very short notice. Per Selectboard practice, we now seek your authorization after the fact.

***Validation Resolution regarding the Fire/Rescue bond vote**

8:55 P.M.

Although the Board approved a Declaration of Intent regarding that bond vote at our last meeting, I have now learned that yet one more resolution is required to put this matter to rest. This resolution is attached, and simply needs a motion and vote to adopt or approve.

***Accept zoning amendments approved by the Planning Commission and set a hearing date**

8:58 P.M.

At its meeting on April 22, the Planning Commission approved several new zoning amendments for which it now seeks Selectboard consideration. As these are relevant to the Selectboard's and my goals and priorities for regulatory reform and simplifying systems, I'd like to help fast track these to a public hearing and possible adoption into the zoning ordinance as soon as possible.

Given current circumstances, there is no editable Word version that can be found, but for the record, please find attached a hand-annotated version of these proposed amendments. A motion to accept these proposed amendments and to warn a hearing for May 25, 2021 would move this forward.

***Adjourn**

9:00 P.M.

Thank you.

*Decision item. Times noted are approximate, and depend upon how each topic's discussion flows.

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
April 13, 2021**

***Meeting held via teleconference.**

MEMBERS PRESENT: Jerry Storey (Chair); Mike Ashooh, Kate Lalley, Luce Hillman, Cate Cross.

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Jerry Ouimet, Fire Chief; Chris Robinson, Water Quality Superintendent.

OTHERS PRESENT: Members of the public participating in the meeting included Marcy Webster (Media Factory), Gail Albert, Patricia Fontaine, Don Porter, Ted Grozier, Jane Pickell, Lisa Merrill, Dwight Matthews, Ted Bovill, “Town of Shelburne”, 881-0660, Liz Weir, Holly Brough, Robert Glover, Alice Brown.

1. CALL TO ORDER

Chair Jerry Storey called the teleconference meeting to order at 7 PM, explained the procedure to be followed, and held rollcall.

2. APPROVE AGENDA

MOTION by Kate Lalley, SECOND by Luce Hillman, to approve the agenda with the addition of wastewater allocation of 210 GPD for 256 Caspian Lane. VOTING by rollcall: unanimous (5-0); motion carried.

3. MINUTES

March 23, 2021

MOTION by Kate Lalley, SECOND by Luce Hillman, to approve the minutes of 3/23/21 with the addition of a link to the presentation by the equity, diversity, and inclusion task force update. VOTING by rollcall: unanimous (5-0); motion carried.

4. PUBLIC COMMENT

- Rep. Jessica Brumsted reported the state is to receive more COVID relief funding which must be expended by 2024. The money will be available to towns and might be used for broadband service, urban issues, responding to the pandemic, economic development, property taxes in special cases, and other applications.
- Don Porter announced this is National Financial Literacy Month.

5. SELECTBOARD COMMENTS

- Cate Cross mentioned the agreeable weather and offered thoughts to those who continue to suffer through COVID.
- Jerry Storey mentioned Green Up Day is May 1st. Green Up bags are available at the Town Office.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- This is also National Public Safety and Health Communicator (Dispatchers) Week. Krohn thanked these “first first responders” for their critical work.
- Police Sgt. Flore and Officer Bowers were praised for their approach and insights offered when they met with students at St. Michaels College.
- Lee Krohn will represent Shelburne in a half marathon run in Shelburne on May 8.

7. NEW BUSINESS INTRODUCTION: New Soil

Liz Weir explained her new startup business collecting food scraps for compost. The website is newsoil.net.

8. EQUITY, DIVERSITY, & INCLUSION TASK FORCE UPDATE & ACTION PLAN

Postponed per request of the task force.

9. CBC APPOINTMENT(S)

DRB Alternate

MOTION by Kate Lalley, SECOND by Mike Ashooh, to appoint Robert Glover as a DRB alternate for a three-year term beginning immediately and ending in 2024.

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

Library Board of Trustees

MOTION by Cate Cross, SECOND by Mike Ashooh, to appoint Holly Brough to the library Board of Trustees for a term ending in 2022 and Alice Brown to the library Board of Trustees for a term ending 2023. VOTING by rollcall: unanimous (5-0); motion carried.

MOTION by Cate Cross, SECOND by Kate Lalley, to re-appoint to the library Board of Trustees Charlotte Albers and Alex Nalbach for three-year terms, and student member Eliza Brooks for a one-year term. VOTING by rollcall: unanimous (5-0); motion carried.

Bike/Ped Committee

MOTION by Kate Lalley, SECOND by Cate Cross, to amend the charter for the Bike/Ped Committee to expand the membership to up to 10 members, upon request of Committee Chair Ted Grozier. VOTING by rollcall: unanimous (5-0); motion carried.

MOTION by Mike Ashooh, SECOND by Kate Lalley, to appoint Jane Pickell, Charlie Jones, and Ted Bovill to the Bike/Ped Committee for three-year terms effective immediately. VOTING by rollcall: unanimous (5-0); motion carried.

Fire/Rescue Project Steering Committee

MOTION by Mike Ashooh, SECOND by Kate Lalley, to re-appoint the current committee members (Jerry Ouimet, Jacob Leopold, Catherine Collette, Doug Merrill, Chris Boyd) and appoint Brian Precourt to the committee and Luce Hillman as the Selectboard liaison. VOTING by rollcall: unanimous (5-0); motion carried. Terms are indefinite, given the circumstances involved.

The Selectboard will further discuss the charge of the Fire/Rescue Project Steering Committee at a future meeting. Suggested tasks include shepherding the project through the process, providing oversight on infrastructure development, providing input on architectural design, seeking outside funding sources, and soliciting public input.

10. CURRENT FISCAL YEAR BUDGET REVIEW

Peter Frankenburg announced the amount of delinquent tax is in line with or somewhat better than prior years. Staff continues the effort to resolve delinquencies from past years. Also, with the delay of the income tax filing date to May, the Town may have to postpone similarly the due date for the first installment.

Peter Frankenburg reviewed the revenue and expense budget to actual figures and explained the reason for the delta. At this snapshot in time revenues are at 88.7% of budget and expenses are at 70.8% of budget.

11. RESTORE DEFERRED BUDGET ITEMS

There was discussion of the list of deferred items recommended to be restored in the budget including computer hardware and technical assistance, Harbor Road stabilization, design work for the beach house, library funds, and tree conservation funds.

MOTION by Kate Lalley, SECOND by Cate Cross, to remove computer hardware and technical assistance (\$20,000), Harbor Road stabilization work (\$50,000), and library funds (\$11,000) from the deferred items in the budget. VOTING by rollcall: unanimous (5-0); motion carried.

12. POLICY & ORDINANCE DEVELOPMENT*Streetlight Policy*

Lee Krohn explained language was added to clarify that the policy would apply no matter whether a streetlight is publicly or privately owned. There was discussion of the amendment altering the original intent of the policy. The Selectboard will further discuss language in the policy at a future date.

Wastewater Billing

Lee Krohn explained the concept of adopting a policy for adjusting wastewater bills in a manner identical to how water bills are already handled..

MOTION by Mike Ashooh, SECOND by Kate Lalley, to direct the Town Manager to prepare the Wastewater Billing Policy for action at the Selectboard meeting on 4/27/21. VOTING by rollcall: unanimous (5-0); motion carried.

Wastewater Allocation Ordinance

Lee Krohn explained the amendment allows the Town Manager to approve minor wastewater allocation requests, and makes other technical changes to bring the ordinance up to date.

MOTION by Mike Ashooh, SECOND by Cate Cross, to direct the Town Manager to set a date for public hearing of the Wastewater Allocation Ordinance amendment on May 11, 2021. VOTING by rollcall: unanimous (5-0); motion carried.

The Selectboard asked staff to provide the amount of wastewater allocation currently available. Periodic updates will be helpful.

E-911 Ordinance

MOTION by Cate Cross, SECOND by Kate Lalley, to direct the Town Manager to schedule a public hearing on the E-911 Ordinance on May 11, 2021. VOTING by rollcall: unanimous (5-0); motion carried.

Extension of Interim COVID-related Bylaws

MOTION by Mike Ashooh, SECOND by Cate Cross, to direct the Town Manager to schedule a public hearing on the extension of COVID-related interim zoning bylaws on May 11, 2021. VOTING by rollcall: unanimous (5-0); motion carried.

13. “NO MOW MAY” CONCEPT

Mike Ashooh read a statement explained the concept of not mowing properties during the month of May. Suggestions by the Selectboard included focusing the ‘no mow’ areas on larger tracts of land, mowing walking paths only, using the Parade Ground as a demonstration area, communicating to the public the purpose of the ‘no mow’, involving schoolchildren in sign making for the event. The Selectboard concurred with adopting the statement read by Mike Ashooh, marking a section of the Parade Ground for no mowing and installing signs explaining the ‘no mow’, and delegating Mike Ashooh to work with the Town Manager on the effort.

14. DECLARATION OF OFFICIAL INTENT (Fire/Rescue station bond)

MOTION by Kate Lalley, SECOND by Mike Ashooh, to adopt the Declaration of Official Intent for the voter approved bond for the prospective Fire/Rescue station and construction of shared infrastructure as presented. VOTING by rollcall: unanimous (5-0); motion carried.

15. WASTEWATER ALLOCATION

MOTION by Mike Ashooh, SECOND by Cate Cross, to approve wastewater allocations of 210 GPD each for 256 Caspian Lane and 268 Caspian Lane, and 140 GPD each for 416 Bishop Road and 530 Martindale Road. VOTING by rollcall: unanimous (5-0); motion carried.

16. LIQUOR CONTROL COMMISSION

MOTION by Mike Ashooh, SECOND by Cate Cross, to convene as the Liquor Control Commission. VOTING by rollcall: unanimous (5-0); motion carried.

MOTION by Kate Lalley, SECOND by Mike Ashooh, to approve liquor licenses as presented for the following establishments:

- **First Class license for La Villa and Kwini Club**
- **Second Class license for Spillanes**
- **Outside Consumption license for La Villa and Kwini Club**

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

MOTION by Cate Cross, SECOND by Kate Lalley, to resume the general session.

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

17. EXECUTIVE SESSION: Personnel

MOTION by Mike Ashooh, SECOND by Kate Lalley, to enter Executive Session to consider appointment, employment, or evaluation of a public officer or employee, and invite the Town Manager to participate. VOTING by rollcall: unanimous (5-0); motion carried.

Executive Session was convened at 9:35 PM and adjourned at 10:32 PM.

18. ADJOURNMENT

MOTION by Mike Ashooh, SECOND by Cate Cross, to adjourn the meeting.

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

The meeting was adjourned at 10:32 PM.

RScty by tape: MERiordan

For the Selectboard

Date

FIRST ROUND BUDGET IDEAS

FISCAL YEAR 2020-2021

Updated for April 27, 2021

This effort will likely be a three-tiered process, starting first by focusing on expenses that can be deferred and/or which are not truly essential within the current context of a pandemic. This will be the easiest of the three approaches; the second and third tiers being more challenging to suggest, let alone to consider implementing if financial circumstances become dire.

The problem statement: Concern about the prospect of delayed and/or decreased property tax and other revenues due to financial challenges faced by individuals and businesses, which would hamper the Town's ability to provide the full range of services currently provided; and further, the need to maintain essential services such as Police, Rescue, Fire, Finance, Water, and Wastewater under any circumstance.

For ease of use, the lists below are organized by department, in the same order as in our budget report.

FY 2021 – 'Tier 1' Possibilities – Deferred/Delayed Expenditures (for the first half of the fiscal year)

Department	Possible Savings
Selectboard	Expenses: - \$4000
Legal	Unlikely, given the myriad issues that come our way; but these are spaced throughout the year, so do not come due all at once.
Manager's Office	Manager's expenses: - \$3000
Admin. Services	Already cut, other than provision for essential cloud backup; but as with legal, some of these are spaced throughout the year, so do not come due all at once. Computer hardware: -\$10,000 Technical assistance: -\$10,000
Elections	N/A, with both primary and general elections coming up
Finance/Insurance	N/A

Town Clerk/Treasurer	Supplies: - \$3500
Planning & Zoning	Planning Expense: -\$500 Conferences and training: -\$1500 Planning projects with grants: - \$18,750 Planning projects without grants: - \$\$4000 Planning assistance: -\$500 GIS/software license fees: - \$600 NET CHANGE FROM version 1: additional \$4850 deferred
Assessing	N/A. Basic needs ongoing; reappraisal funded externally
Buildings & Grounds	Energy improvements: - \$8000 Capital projects: - \$10,000
Stormwater	Programs and projects: -\$100,000
Harbormaster	Self-supporting
Police	Travel/conferences: -\$3000 General equipment: -\$3000 Uniform purchase: -\$6000
Fire	Marine apparatus: - \$8000 Membership events/incentives: - \$4000
Dispatch	Communications study: -\$12,500
Highway	Capital Projects: - \$20,000 Retreatment: - \$200,000* Street lights: - \$5000 Street/caution lights: - \$5000

**Note that cutting back on roadway retreatment from the total that had already been bid out could have led to an increase in cost/ton from the vendor, but they have agreed to hold their price as bid. Otherwise, it could have led to a greater actual cut than projected by decreasing the amount of work able to be accomplished for the funds available.*

Health/Social Services	Not inclined to cut here; need for services will likely remain steady or may increase.
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Rescue	Self-supporting
Cemeteries	Capital projects: - \$3000
Parks & Recreation	Beach house replacement: - \$20,000 Fall/Winter brochure printing: - \$3000 (<i>new deferral</i>) Program expenses are offset by revenues, if they run at all, so what may appear to be many opportunities for savings are not really so.

Library
As suggested instead by the Library – equal to above, but by different means within their budget:

LIBRARY SALARIES	- \$15,000
LIB. SUPPLIES	- \$1,500
LIB. EQUIP MAINT & REPAIR	- \$500
LIB. ADMIN. EXPENSE	- \$1,000
LIBRARY PROGRAMS	- \$2,000
COMPUTER HARDWARE/SOFTWARE	- \$3,500
TOTAL	- \$23,500

Debt	N/A; required payments
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Inter-Government Transfers	N/A
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Benefits	HRA/Flex Spending Admin: Would require discussion with employees and amendments to both CBAs. Significant savings are theoretically possible here, but this might be for Tier 2 or 3.
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MISC	Selectboard discretionary: - \$1000 Tree Conservation: - \$10,000 Energy Efficiency: - \$5000
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Community Improvement	Open Space Fund – not typically transferred from the general fund until the end of a fiscal year; could be a Tier 2 or 3 issue.
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TOTAL ORIGINALLY PROPOSED DELAYS/DEFERRALS OF EXPENDITURES FROM 7/1/2020 – 12/31/2020:

\$546,500

Less \$41,500 reinstated per Selectboard on 6/16
Plus additional \$4850 'gained' in P&Z budget
Plus additional \$3000 'gained' in Parks & Rec by not printing brochure
Less \$12,500 reinstated for Dispatch communications per Selectboard
on 11/24

New net total of proposed delays/deferrals in expenditures:

\$493,850

January 12, 2021 Update:

LESS \$26,400 local match for stormwater projects (if approved) – to be
'taken' from the Stormwater deferral

LESS \$1882.35 local match for the All Hazards Mitigation Plan (if
approved) – suggested 'source' is the planning projects with grants line

LESS possible Better Places grant/local match, max \$5000 requested.

As noted in the annotated agenda, the first two items are required by
external mandates; the third is optional, but believed important for
community improvement and as an adjunct to economic development.

If all three are approved, then the new net total of deferred
expenditures is **\$460,567.65**

APRIL 27, 2021 UPDATE

LESS \$20,000 restored for computer hardware/technical assistance for cloud-based backup system

LESS \$11,000 restored for Library operations

LESS \$50,000 restored from paving budget for Harbor Road repairs

NET STILL DEFERRED = \$379,567

Policy: 21-01

To: Shelburne Selectboard

From: Lee Krohn, Town Manager

cc: **Chris Robinson, Wastewater Superintendent**
Peter Frankenburg, Finance Director

Date: April 27, 2021

Re: Town of Shelburne Wastewater Bill Adjustment Policy

Effective: April 27, 2021

Purpose: To establish a policy regarding requests for wastewater bill adjustments.

Procedure: Wastewater bills are mailed quarterly in February, May, August, and November and due 30 days after the bill date. Notices of the due dates are posted on Town Web site and in the Shelburne news at least two weeks before each due date. Late fees are established by the Selectboard, and currently include a one-time penalty charge of 5% and monthly interest charge of 1.5% applied to the past due principal. Late charges will not be waived for customers who indicate they did not receive the bill unless this was due to an error made by the Town.

Wastewater usage is based on the number of gallons of water used as measured by the Water Department meter or estimated if not available. Sewer Credits will only be considered when the water consumed does not enter the sewer system. Whenever possible, the customer will provide the Town with beginning and ending meter readings for the Sewer Credit. When this cannot be measured such as with unexpected plumbing failures, the Sewer Credit will be calculated by comparing the usage in that quarter with usage over prior periods. Calculation of the Sewer Credit will be made by the Town in its sole discretion. Customers may appeal the Sewer Credit determination to the Selectboard. Sewer credits will not be given for watering existing established lawns and landscaping

Requests for bill adjustments must be submitted in writing to the Town Finance Office and include a description of the circumstances leading to the request. The Town Manager has the authority to act on these requests.

The Town has provision for property owners to install a separate irrigation meter on their property that can be used for sprinkler systems. This meter is subject to requirements and specifications established by the Shelburne Water Department. The property owner will be responsible for the cost of the meter and installation.

VALIDATION RESOLUTION

WHEREAS, notice of the March 1, 2021 annual meeting of the Town of Shelburne (the “Town”) was given in part by posting the Warning thereof on February 18, 2021 in three public places; and

WHEREAS, notice of said annual meeting was given in part by publishing the Warning thereof in the Shelburne News on February 18, 2021; and

WHEREAS, as provided in 24 V.S.A. §1756, notice of said Town meeting was “to be published in a newspaper of known circulation in such municipality once a week for three consecutive weeks on the same day of the week, the last publication to be not less than five nor more than ten days before such meeting” and “posted in five public places . . . for two weeks immediately preceding the meeting.”; and

WHEREAS, the requisites of the statute relating to the publication and posting of the Town annual meeting Warning containing an Article of business relating to the proposition of incurring bonded indebtedness not having been complied with because of oversight, inadvertence or mistake of law or fact, the Selectboard desire to avail themselves of the validation provisions of 17 V.S.A. §2662 and 24 V.S.A. §1757; and

WHEREAS, at the March 1, 2021 Town annual meeting the proposition of incurring bonded indebtedness for the purpose of acquiring real estate upon which to construct public safety building improvements (Article VI) was approved, those voting in Favor being 1244 and those voting Opposed being 488.

NOW THEREFORE, the Selectboard hereby finds that, notwithstanding the failure to comply with all of the statutory requirements incident to the call, notice and warning of said Town annual meeting, the required length notice of the purpose of said meeting has been had; accordingly,

BE IT RESOLVED that, to the fullest extent permitted by law, the Selectboard hereby ratify, confirm and validate all action taken by the Town at the annual meeting thereof held on March 1, 2021.

I hereby certify that the foregoing was approved and adopted by an affirmative vote of at least two-thirds of the members of the Selectboard of the Town of Shelburne at a regular meeting thereof held on April ____, 2021.

ATTEST:

Town Clerk

1970.5 **Nonconforming Signs.** Nonconforming signs may be maintained, repaired, and, ~~when authorized by the Development Review Board as a Conditional Use under Section 1910.3;~~ modified. For the purposes of this paragraph, modification may include replacement. However, the following modifications are prohibited: (a) those resulting in increased sign area or height; and (b) those resulting in reduced setbacks (relocation closer to a property line or right-of-way), unless such nonconforming signs are located on land which is acquired for governmental purposes by governmental action. Modifications to nonconforming signs consistent with this paragraph may be approved administratively. Modifications not consistent with the above may be modified when authorized by the Development Review Board as a Conditional Use under Section 1910.3.

2010.8 Except when located within a recognized Special Flood Hazard Area, within an area subject to open space agreement, or outside a PUD building envelope, no zoning permit is required for the following:

- A. A single carry-in dock on a lot, excluding those attached to the shore by means of permanent structure, ~~is exempt from local permitting requirements.~~
- B. Replacement of existing conforming structures with a building footprint of 400 square feet or less, so long as:
 - 1. the building height does not increase; and
 - 2. the building footprint of the replacement structure is located entirely within the footprint of the original structure.
- C. ~~A residential fence which does not obstruct sight lines onto roads and drives. This exemption shall apply only to areas outside the Village Design Review Overlay District or National Historic Register Districts.~~ *For Pedestrian or Vehicle Safety*
- D. Roof mounted residential solar panels.;
- E. Residential ~~heat pumps~~, provided they comply with applicable setback requirements.
- F. A dog house, child's play house, tree house, residential firewood shed, garden shed, or similar structure with a floor area of not more than 120 square feet and a height of not more than 13 feet may be located within any required yard, except the front yard, but not closer than 5 feet from any property line. Only one such structure per property shall be deemed exempt.
- G. Mini libraries or mini pantries with a footprint of not more than 9 square feet may be located within any required yard.
- H. Accepted agricultural and silvicultural practices are not subject to these regulations, pursuant to 24 VSA § 4413(d). Barns, silos and certain other farm structures may be exempt from permit requirements, but notification to the Zoning Office is required pursuant to 24 VSA § 4413(d).
- I. Any sign erected by the State of Vermont or the Town of Shelburne for directional, information or traffic control purposes.
- J. Internal renovations, including internal structural alterations, that do not increase the total usable, temperature- controlled (heated and/or cooled) space within the structure; or, in the

HVAC systems

case of commercial, industrial, or institutional uses, that do not require amendment of any approved plan or standing condition of approval, so long as the property on which the renovations take place maintains compliance with applicable wastewater disposal permits.

- K. A garage sale or yard sale, or a similar type of sale from a retail stand or vehicle, or an auction, in no case for a period exceeding three (3) consecutive days, nor more than six days per calendar year (a sale of longer duration or sales of greater frequency, shall be deemed a commercial retail use). The event shall be managed so as not to cause unsafe traffic conditions or parking problems or other nuisance to neighbors.

1930.1 Review Process.

- A. In accordance with the provisions of 24 V.S.A., Section 4417, and as may be specified in Article XX of these Regulations, the Development Review Board shall conduct public hearings to consider applications for Planned Unit Development approval. All PUDs shall be considered to be major subdivisions under the Subdivision Regulations.
- B. The Development Review Board may conduct all development reviews associated with the development (e.g. site plan approval, planned unit development approval, subdivision approval) simultaneously.
- C. Except as may be limited in Articles III through XVIII describing individual zoning districts, the Development Review Board may modify applicable area and dimensional requirements, excluding the periphery buffer, simultaneously with the approval of the subdivision plat. As part of this authority, the DRB shall be authorized to allow fences within proposed or previously approved periphery buffers, so long as such fence does not impede the movement of wildlife within mapped or ground verified wildlife corridors.