

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING
January 24, 2019**

MEMBERS PRESENT: Jason Grignon (Chair); Dick Elkins, Stephen Selin, Kate Lalley. (Susannah Kerest and Andrew Everett were absent.)

STAFF PRESENT: Dean Pierce, Planning Director.

OTHERS PRESENT: Alec Webb, Pam Brangan.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (1/10/19)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Zoning Matters
7. Planning Matters
8. Other Business/Correspondence
9. Adjournment

1. CALL TO ORDER

Chair Jason Grignon called the meeting to order at 7 PM.

2. APPROVAL OF AGENDA

MOTION by Kate Lalley, **SECOND** by Dick Elkins, to approve the agenda.

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

3. APPROVAL OF MINUTES

January 10, 2019

MOTION by Stephen Selin, **SECOND** by Dick Elkins, to approve the 1/10/19 minutes as written. **VOTING: unanimous (4-0); motion carried.**

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

None.

5. OPEN TO THE PUBLIC

Alec Webb mentioned the map in the updated town plan shows conservation area around Shelburne Pond and on Shelburne Farms, but there are more intensive uses on Shelburne Farms than around Shelburne Pond. There is concern about being able to continue the uses if the updated town plan is adopted as presented. Shelburne Farms will be updating its master plan for the property. Mr. Webb suggested three options:

- Adopt the town comprehensive plan as presented and the Shelburne Farms master plan.
- Amend the language on Page 23 of the town comprehensive plan to clarify that some limited development in the conservation areas will be allowed.

- Designate Shelburne Farms as a protected area and cultural and agricultural resource.

Following discussion the Planning Commission agreed to the option to take no action to amend the town comprehensive plan until the Shelburne Farms master plan is updated and then the Farms can be named a protected area and the town's comprehensive plan can be amended.

6. ZONING MATTERS

Housing Subcommittee Proposal for Accessory Apartments

There was lengthy discussion of proposed modifications to the regulations for accessory apartments to include a cap of 1500 s.f. of floor area, allowing a two bedroom accessory apartment to be no greater than 50% of the habitable area of the original dwelling, and the regulations applying to attached and detached accessory apartment units. There was also discussion of:

- The different requirements for a house with an accessory unit versus a duplex.
- Protections for residents of the accessory apartment if the owner of the house sells.
- The definition of "owner occupied" and the town actively enforcing the regulations that a house with an accessory apartment must be owner occupied. Typically enforcement is triggered if a complaint is received.

Stephen Selin suggested 1200 s.f. as the cap for a two bedroom accessory apartment to ensure the apartment is subsidiary to the main house. There was discussion of excluding or including garage, deck, and porch space in the square footage calculation.

Dick Elkins spoke in support of keeping an accessory apartment in a detached building as a conditional use to allow the neighbors to make comment and because allowing two bedroom units can change the character of the neighborhood. Having the size of the unit be capped at 1200 s.f. is a good idea. Other towns have even more restrictive requirements and require conditional use approval for accessory apartments. Kate Lalley countered having an accessory apartment be a permitted use eases the movement toward providing more affordable housing which is a goal for the town. There are lot coverage rules that will control what can be built. Stephen Selin commented building a small separate unit may be more acceptable than adding onto an existing building creating a monolith. Kate Lalley suggested taking a poll of public opinion on whether a two bedroom accessory apartment should be a conditional or permitted use in town by posting the question on Front Porch Forum. Stephen Selin pointed out the Housing Subcommittee represents the voice of the town and has been discussing the type of use for an accessory apartment. Jason Grignon said having an accessory apartment as a conditional use will add to the workload of the DRB and despite objections from neighbors the apartment would still be approved if the regulations are met. Dick Elkins said a two bedroom attached accessory apartment could be a permitted use, but a detached unit should be a conditional use. Stephen Selin said people will be encouraged to subdivide their lots and build a separate structure if a detached accessory apartment is a conditional use.

Staff will prepare materials on conditional use and permitted use for accessory apartments for discussion at the next meeting.

Form Based Zoning Modifications

Kate Lalley reviewed her comments on the modifications to the form based regulations prepared by the consultant, Brandy Saxton. Kate's suggestions include using storm water mitigation sites to incentivize development of surrounding properties and investigate hiring an economic development person to market development in the corridor. The experience of entering the town from South Burlington needs to be enhanced.

Dean Pierce noted building residential will drive commercial development, and there are some residential proposals for the corridor.

Kate Lalley volunteered to talk to economic development people in town about ideas on how to make the form based regulations more effective, and to develop an ad hoc committee to look at marketing the development of the Route 7 corridor.

The Planning Commission will review the redlined document from Brandy Saxton and Kate Lalley's memo. Staff will talk to the Town Manager about forming an economic development committee.

7. PLANNING MATTERS

Town Comprehensive Plan

No report on comments from the Selectboard on the 2019 Comprehensive Plan.

8. OTHER BUSINESS/CORRESPONDENCE

February Meeting Schedule

Next meetings of the Planning Commission are 2/7/19 and 2/21/19.

Asim Zia Resignation

Jason Grignon announced Asim Zia is stepping down from the Planning Commission due to work commitments. The vacancy will be advertised.

9. ADJOURNMENT

MOTION by Stephen Selin, SECOND by Dick Elkins, to adjourn the meeting.

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

The meeting was adjourned at 9:20 PM.