

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
February 7, 2019**

**MEMBERS PRESENT:** Jason Grignon (Chair); Dick Elkins, Stephen Selin, Kate Lalley, Susannah Kerest. (Andrew Everett was absent.)  
**STAFF PRESENT:** Dean Pierce, Planning Director.  
**OTHERS PRESENT:** Gail Albert.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (1/24/19)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Zoning Matters
7. Planning Matters
8. Other Business/Correspondence
9. Adjournment

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**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA**

**MOTION** by Stephen Selin, **SECOND** by Dick Elkins, to approve the agenda.

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

**3. APPROVAL OF MINUTES**

*January 24, 2019*

**MOTION** by Kate Lalley, **SECOND** by Dick Elkins, to approve the 1/24/19 minutes with the following correction(s)/clarification(s):

- Page 2, Zoning Matters, Accessory Apartments, paragraph beginning “Dick Elkins...” – change two bedroom units” to “detached units”.

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

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

None.

**5. OPEN TO THE PUBLIC**

None.

**6. ZONING MATTERS**

*Accessory Apartments*

Dick Elkins said a two bedroom accessory apartment should be attached to the principal dwelling in order to preserve the character of the neighborhood. It was noted the rules governing where a detached building can be located are still in place. This is not as much

of an issue in the Rural District because the lots are larger. Dick Elkins commented the Planning Commission's role is to develop the town in a way that protects the people who live here, not change the rules to develop as fast as possible. Kate Lalley countered that the role of the Planning Commission is to manage and shape growth, and protect the character of the rural areas and village, increasing density in ways that are compatible. The proposed language for accessory apartments is not at odds with that.

Stephen Selin said the pattern of the neighborhood is single family houses and with an attached accessory unit essentially a duplex is created. It is the volume and mass of the building itself in its own envelope. Dick Elkins said the town needs to decide if there will be accessory apartments as outlined by the state or if the town is changing the zoning for separate structures. Accessory apartments address affordability. A separate structure will have a higher rent and become unaffordable. Stephen Selin said from a form point of view a smaller building in character with the neighborhood is advocated.

Dick Elkins noted other area towns have stronger regulations on accessory apartments than Shelburne. Some towns do not allow two bedroom units. What Shelburne is proposing in the long run could be a negative. Jason Grignon pointed out people can have an accessory apartment now. Dean Pierce said it needs to be clarified if the concern is with existing separate structures or new separate structures, and what conditional use criterion would be the basis for denial. Dick Elkins explained he is not encouraging a separate building. An attached unit will be more affordable. A separate building will have to deal with storm water issues. One option could be to limit the size of the unit to no greater than 1200 s.f. rather than 1500 s.f. Jason Grignon said in the rural area the lots are larger, but in the village and residential areas the lots are not big so a 1500 s.f. unit would not be possible and still be in compliance.

Kate Lalley said allowing accessory uses in a detached structure is the pattern in the Falls District. A unit might be built in an existing barn behind the house rather than adding onto the house. This creates an option for people as they age. Jason Grignon pointed out this is a way to solve some of the issues in the town plan and address comments from the housing subcommittee. Dick Elkins recalled the original proposal was to add two bedrooms to what was already there and now that has been changed to a detached structure. Dick Elkins offered to provide the regulations from other towns on accessory units. Stephen Selin said people should be able to create a dwelling that allows families to stay in the house with a separate living unit.

The Planning Commission will further discuss accessory apartments. Jason Grignon said he would be interested in information on the rent value of accessory units in different districts and comments from the housing subcommittee.

Gail Albert, resident, asked what a "tiny house" would be considered. Dean Pierce said if the tiny house is not a vehicle (i.e. on wheels) then it is a structure and would need a permit.

*Form Based Zoning*

Kate Lalley said a realistic approach is needed on how to go forward to incentivize development in the Route 7 corridor. One approach could be to help people realize the value of their property through a storm water utility. Another option could be to revise the form based code by incorporating parts of the existing zoning regulations that make sense and help turn the area into a more economically productive place.

There was discussion of increasing the height of buildings to allow a hotel, simplifying or removing ground floor uses, and modifying the regulations to encourage the development wanted by the town. Susannah Kerest said finding out the economic drivers and why people choose not to develop in Shelburne would be enlightening.

Dean Pierce reviewed some of the storm water projects to be done to reduce storm water flow and bring the town into compliance with the state storm water permit. It is possible more development could be seen if storm water management is already in place. There may be grant opportunities. Water Quality Superintendent, Chris Robinson, can provide more information.

Information on the following priority ideas will be gathered as assigned:

- Building height for hotel – Dick Elkins
- Storm water management – Kate Lalley
- What is not working and why – Dean Pierce
- Ground floor uses/building types – Stephen Selin
- Economic development concept – Jason Grignon
- Review Brandy Saxton’s edit and draft questions – Susannah Kerest

Gail Albert urged keeping capacity for a restaurant use in the corridor. It was noted the Shelburne Business Association meeting on 3/25/19 will hold discussion with developers and representatives from town committees.

## **7. PLANNING MATTERS**

### *Economic Development Committee*

The Planning Commission will review material on an economic development committee for discussion at a future meeting. At some point the Planning Commission should discuss the regulations in Commerce & Industry South where Shelburne Green is located.

## **8. OTHER BUSINESS/CORRESPONDENCE**

### *Meeting Schedule: February and March, 2019*

February 21, 2019, March 14, 2019, March 28, 2019.

## **9. ADJOURNMENT**

**MOTION by Kate Lalley, SECOND by Stephen Selin, to adjourn the meeting.**

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

The meeting was adjourned at 9:12 PM.