

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
February 12, 2019**

MEMBERS PRESENT: Jerry Storey (Chair); Jaime Heins, Josh Dein, Mary Kehoe, Colleen Parker [arrived 6:24 PM].

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Jerry Ouimet, Fire Chief.

OTHERS PRESENT: Sara and Tom Tompkins, Linda Riell, Ruth Hagerman, Gail Albert, Amy and John Saar, Dave Marshall, Susan Moegenberg, Jason Grignon, Mike Ashooh, Russell Fox, Chris Burke, Dave and Susan McLellan, Cate Cross

1. CALL TO ORDER

Chair Jerry Storey called the meeting to order at 6 PM.

2. APPROVE AGENDA

MOTION by Mary Kehoe, **SECOND** by Jaime Heins, to approve the agenda as presented. **VOTING: unanimous (4-0) [Colleen Parker not present for vote]; motion carried.**

3. MINUTES

January 29, 2019

MOTION by Jaime Heins, **SECOND** by Mary Kehoe, to approve the 1/29/19 minutes with minor corrections (remove the word “agenda” and add “special meeting” to the title). **VOTING: unanimous (4-0) [Colleen Parker not present for vote]; motion carried.**

4. PUBLIC COMMENT and LIBRARY/TOWN CENTER UPDATE

Ruth Hagerman, Library Trustee, reported work continues on the roof replacement, finishing the concrete floors inside the building, and installation of new mechanicals and ductwork.

5. SELECTBOARD COMMENTS

- Josh Dein thanked the public for attending the meeting despite the weather.
- Jaime Heins announced the candidate forum on 2/19/19.
- Jerry Storey welcomed Mike Ashooh running for the Board and other guests.

6. TOWN MANAGER REPORT

Lee Krohn noted the following:

- The work of the road crew and dispatchers during the storms is appreciated.
- The group of municipalities is still meeting on regional dispatch. Milton is pulling out and will use dispatch service from Grand Isle.

- Thanks are extended for the help on the annual town report (being published) and the town warning (to be published in the Shelburne News on 2/21/19).
- Fire and Rescue are holding an informational forum on 2/18/19.

7. APPOINTMENT OF ALTERNATE ON ETHICS COMMITTEE

Cate Cross, candidate for the alternate position on the Ethics Committee, explained her reason for seeking the position (opportunity to serve the Town and ensure the democratic process is open and fair) and listed her other volunteer work for the School and Town.

MOTION by Jaime Heins, SECOND by Mary Kehoe, to appoint Cate Cross as an alternate on the Ethics Committee for a term beginning February 12, 2019 and ending April 1, 2022. VOTING: unanimous (4-0) [Colleen Parker not present for vote]; motion carried.

8. LOAN FROM BANK OF MIDDLEBURY FOR HIGHWAY TRUCK

Peter Frankenburg briefly explained the refinancing of the highway truck purchased in 2015.

MOTION by Mary Kehoe, SECOND by Jaime Heins, to approve a one-year loan with the National Bank of Middlebury in the amount of \$20,000 at an interest rate of 2.31% for the refinancing of a highway truck purchased in 2015. VOTING: unanimous (4-0) [Colleen Parker not present for vote]; motion carried.

9. APPOINT AUTHORIZED REPRESENTATIVES OF THE TOWN

Peter Frankenburg explained the Town took out a \$2 million bond for the library/town center project and must submit requests to the Vermont Bond Bank to be reimbursed for expenses.

MOTION by Jaime Heins, SECOND by Mary Kehoe, to appoint Lee Krohn and Colleen Haag as authorized representatives to act on behalf of the Town in connection with the loan from the Vermont Municipal Bond Bank for the 2018 Series 2 bond for the library/town center project. VOTING: unanimous (4-0) [Colleen Parker not present for vote]; motion carried.

10. PUBLIC HEARING: Comprehensive Town Plan

The public hearing was opened at 6:14 PM. Lee Krohn noted this is the second public hearing held by the Selectboard as required by statute.

COMMENTS

Amy Saar, Harbor Road, asked for an explanation of the differences between the current and updated plans. Dean Pierce summarized there are changes in design and layout, the Energy section was expanded, and the Future Land Use and Natural Resources sections were expanded. Amy Saar asked if the philosophy of the plan is stricter regulations. Dean Pierce said there are recommendations for stricter rules.

Susan Moegenburg, Shelburne Natural Resources, spoke of having “smarter” regulations per the plan for thinking forward to avoid having impaired waterways to clean up.

There were no further comments.

MOTION by Jaime Heins, SECOND by Josh Dein, to close the public hearing on the town plan. VOTING: unanimous (4-0) [Colleen Parker not present for vote]; motion carried.

MOTION by Jaime Heins, SECOND by Josh Dein, to adopt the Town of Shelburne Comprehensive Plan as presented. VOTING: unanimous (4-0) [Colleen Parker not present for vote]; motion carried.

11. PUBLIC HEARING: Zoning Amendments

The public hearing was opened at 6:24 PM. Dean Pierce reviewed the zoning changes pertaining to developable land on lots of less than 15 acres, subdivisions in the Rural District being PUDs, open space requirement for residential PUDs being 50%, periphery buffer for a residential PUD being 50’, and expansion of a nonconforming structure as a conditional use.

COMMENTS

Amy Saar, Harbor Road, voiced objection to the review process per the proposed zoning changes being different for landowners with developable lots than for others. The process should be universal.

John Saar, Harbor Road, stated the language for the Rural District is restrictive with the limitation of 15 degrees of slope as the maximum to allow building.

Dave Marshall speaking on behalf of the Meuniers spoke in support of the zoning change relative to developable area. Mr. Marshall also advised there should be additional definition of ‘slope’ and ‘core forest’ to avoid litigious situations.

There was discussion of slope and the challenge of drafting appropriate regulations. It was noted the Planning Commission has discussed the issue at length over the past several years. Jerry Storey suggested developing a legislative appendix to determine how much change in the regulations is needed and the rationale for the change.

Paul Irish, resident, said he cannot make any adjustment to his property under the current regulations and spoke in support of the proposed amendments.

There was discussion of continuing the hearing until the next meeting to allow time to flesh out definitions.

MOTION by Mary Kehoe, SECOND by Colleen Parker, to close the hearing on the proposed zoning amendments. VOTING: 4 ayes, one nay (Jerry Storey); motion carried.

MOTION by Mary Kehoe, SECOND by Colleen Parker, to adopt the proposed zoning amendments as presented.

DISCUSSION:

- **The Town Manager will communicate the concerns of the Selectboard to the Planning Commission with regard to clarifying definitions as discussed (steep slope, sensitive areas, and others).**

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

12. TOWN MANAGER GOALS & OBJECTIVES

There was discussion of doing a systematic study of facilities to show what is needed so the townspeople are aware of what will be needed in the future. Jaime Heins suggested cutting goals 3 & 5, and focusing on three or four key goals. Dates need to be realistic and achievable. Josh Dein suggested reordering and prioritizing the goals. Following further discussion there was agreement Lee Krohn and Jerry Storey will fine tune the list of goals and objectives for review at the next Selectboard meeting.

13. PIERSON LIBRARY GRANT APPLICATION

MOTION by Colleen Parker, SECOND by Jaime Heins, to authorize the Pierson Library Director to apply for a \$50,000 grant from the Institute of Museum and Library Services as described. No local match is required for this grant. VOTING: unanimous (5-0); motion carried.

14. CERTIFICATE OF HIGHWAY MILEAGE

The Selectboard signed the certificate, an annual requirement of VTrans.

15. ONE YEAR CBC TERM EXTENSIONS

MOTION by Mary Kehoe, SECOND by Jaime Heins, to extend the term of each member on a town committee, board, commission for one year as recommended by the Town Manager subject to confirmation the member wants to continue to serve. VOTING: 4 ayes, one nay (Colleen Parker); motion carried.

16. LIQUOR LICENSE APPLICATIONS

MOTION by Mary Kehoe, SECOND by Josh Dein, to convene as the Liquor Commission to approve liquor license applications. VOTING: unanimous (5-0); motion carried.

There were no announcements of conflicts of interest. Lee Krohn read the list of applicants for liquor licenses (Archie's Grill, Bangkok Thai Café, Barkeaters, Buono Appetito d/b/a Belle Luna, Champlain Lanes, Chef Leu's, Heart of the Village, Inn at Shelburne Farms, Jiffy Mart, Kinney Drugs, Kwiniaska Golf Course, Shelburne Country Store, Peg & Ter's, Route 7 Liquor & Deli, Shelburne Fieldhouse, Shelburne Grocery, Shelburne Meat Market, Shelburne Tap House, Village Wine & Coffee, Waterfront Yogurt & Sandwich Shop).

MOTION by Mary Kehoe, SECOND by Colleen Parker, to approve the list of liquor license applicants as read. VOTING: unanimous (5-0); motion carried.

17. ADJOURNMENT

MOTION by Mary Kehoe, SECOND by Jaime Heins, to adjourn the meeting. VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 8:01 PM.

RecScty: MERiordan

For the Selectboard

Date