



Town of Shelburne, Vermont

SELECTBOARD MEETING AGENDA
SHELBURNE TOWN OFFICES, 5420 SHELBURNE ROAD
Tuesday, September 28, 2021, 7:00 P.M.
IN PERSON MEETING – ZOOM OPTION DETAILS BELOW

Join SELECTBOARD Zoom Meeting

<https://us02web.zoom.us/j/84450457249?pwd=MnEvZmlrZFZ6M3JJS1pCTmhQSIFPUT09>

Meeting ID: 844 5045 7249

Passcode: 4g4w5v

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 844 5045 7249

Passcode: 495363

Call to Order/Roll Call	7:00 P.M.
*Approve Agenda	7:00 P.M.
*Approve meeting minutes of September 14, 2021	7:00 P.M.
Public Comments re: items not on the agenda	7:05 P.M.
Selectboard Comments	7:15 P.M.
Town Manager Report	7:20 P.M.
Forum on planning/zoning/community/economic development	7:25 P.M.
*Mission Statement regarding community/economic development	8:45 P.M.
*Streetlight Policy: update/amend	8:55 P.M.
*Accept proposed zoning amendments as approved by the Planning Commission and warn for a public hearing	9:00 P.M.
*Adjourn	9:05 P.M.

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



Town of Shelburne, Vermont

SELECTBOARD MEETING

ANNOTATED AGENDA

SHELBURNE TOWN OFFICES, 5420 SHELBURNE ROAD

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Selectboard Chair Mike Ashooh will open the conversation with an overview of recent initiatives and issues in the realm of planning, zoning, and community/economic development. We hope to hear brief thoughts from various Town committees, and then host an open dialogue that hopefully is focused in a forward-looking manner. There may be other perspectives, for sure, but one way to consider framing comments and suggestions would be how we as a community can work together to integrate what are sometimes seemingly contradictory goals into a cohesive, coherent whole. Let's focus not on what we wish to avoid or prevent, but rather, focus on what we'd like to achieve – and that need not simply mean more regulations.

***Mission Statement regarding community/economic development**

8:45 P.M.

Also relevant to the previous topic has been discussion in recent meetings about a mission statement to help focus our efforts on 'big picture' purpose or goals for community/economic development. Several prior drafts had been considered. Attached here please find two new approaches: one drafted by SB member Luce Hillman, and the other a revised version of that draft offered by SB members Cate Cross and Kate Lalley.

***Streetlight Policy: update/amend**

8:55 P.M.

This is a simple technical amendment. It occurred to us after approving a new version at our last meeting that while this policy is intended to address both installation and removal of public streetlights, we left out "or removal" in the sentence at the end where written approval of the Selectboard is required. The updated version is attached for your review and approval.

***Accept proposed zoning amendments as approved by the Planning Commission
and warn for a public hearing**

9:00 P.M.

As requested by the Selectboard, the Planning Commission has prepared and approved a package of proposed zoning amendments to simplify various aspects of the development review process. These do not create changes in the substance or rigor of regulatory review. Affected sections include:

Articles/Sections of Zoning Ordinance affected:

- 2110.18 - definition of "building or structure"
- 1910.11 - new section re: fences
- 1535.7 – adds fences to admin. approvals of projects reviewed by HPDRC
- 1910.3 – conditional use review
- 1910.11 – administrative review

Subdivision Regulations

- Article II – definition of "legislative body" and "subdivision"
- Article III – boundary line adjustments and lot mergers
- Article VIII – planning standards
- Articles III, IV, V, and VI – change to a 'two step' review process

The complete, final versions will be distributed. Note that with minor technical or grammatical changes for clarity, the final edited versions approved by the PC are substantially as were warned for the PC's public hearing on September 23.

A motion to accept this package of proposed zoning amendments and to warn a public hearing for Selectboard consideration on October 26, 2021 will keep this process moving forward.

***Adjourn**

9:05 P.M.

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

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES
September 14, 2021**

***Hybrid meeting held via teleconference and in-person.**

MEMBERS PRESENT: Mike Ashooh (Chair), Kate Lalley [present for Executive Session only], Jerry Storey, Cate Cross. (Luce Hillman was absent.)

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Jacob Leopold, Shelburne Rescue Chief.

OTHERS PRESENT: Members of the public participating in the meeting included Marcy Webster (Media Factory), Jessica Brumsted, Charlie Baker, Patricia Fontaine, Susan McLellan, Tom Tompkins, Ted, Erika Lea, Stephen's iPhone, Bill Deming, Susan, Shelley Crombach, John Zicconi, Barbara Johnson, Peter Walcott, Sue Furry-Irish.

1. CALL TO ORDER

Chair Mike Ashooh called the hybrid in-person and teleconference meeting to order at 7 PM.

2. APPROVE AGENDA

MOTION by Jerry Storey, SECOND by Cate Cross, to approve the agenda with the addition of a liquor license application by Royal Buddha Restaurant, 2403 Shelburne Road. VOTING: unanimous (3-0); motion carried.

3. MINUTES

August 24, 2021

MOTION by Jerry Storey, SECOND by Cate Cross, to approve the minutes of 8/24/21 as presented. VOTING: unanimous (3-0); motion carried.

4. PUBLIC COMMENT

- Susan McLellan spoke about the \$15 million cost stated by the Selectboard in the *Shelburne News* for the fire/rescue building project and the call for densely clustered housing in the village in the town plan.
- Patricia Fontaine gave an update on the membership and support of the Shelburne Equity & Diversity Committee and noted the equity training available through VLCT.

5. SELECTBOARD COMMENTS

- Jerry Storey commended the Town Manager on the action taken to address concerns about the faux passing lane on Route 7 at the intersection with Church Street.
- Cate Cross thanked the police for the enlightening ride along.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- A moment of silence for 9/11 was held.

- VTrans striped the passing lane on Route 7 by Town Offices and has asked the Police to increase enforcement against passing on the right.
- Water line work on Webster Road will take place on 9/16 and 9/17. Traffic will be diverted.

7. CCRPC UPDATE

CCRPC Executive Director, Charlie Baker, reviewed assistance provided to Shelburne by Regional Planning and projects in the TIP and VTrans capital plan. Regional activities by CCRPC were also mentioned.

8. SOCIAL SERVICES COMMITTEE UPDATE

There was discussion of the State stopping delivery of meals to people in temporary housing in hotels in Shelburne and the impact on Police, EMS services and businesses in Town. Jerry Storey stated the Selectboard needs an objective assessment of the situation and a factual basis to act on financial requests. The Selectboard will gather more information.

Jessica Brumsted explained support from the State for people in temporary housing arrangements.

9. STREETLIGHT POLICY REVIEW

MOTION by Cate Cross, SECOND by Jerry Storey, to adopt the streetlight policy as presented in Option B on 9/14/21. The amendment now vests sole decisionmaking authority with the Selectboard. VOTING: unanimous (3-0); motion carried.

10. ADOPT PORTIONS OF ACORN LANE AND GARDENSIDE LANE

MOTION by Jerry Storey, SECOND by Cate Cross, to accept as Town roads the portions of Acorn Lane and Gardenside Lane highlighted in yellow on the map offered on 9/14/21 and dedicated originally, but never actually accepted previously, thereby fulfilling the original intent that these be public streets pursuant to the original offer of dedication and acceptance and as had been maintained as public streets all along, and further, that the specific areas to be accepted are highlighted in yellow on the attached map presented on 9/14/21.

DISCUSSION: It was confirmed the remaining portions of the roads were accepted previously.

VOTING: unanimous (3-0); motion carried.

11. CALENDAR LOOK AHEAD

There was agreement the Selectboard meetings in October will be high level budget discussions, the meetings in November will be budget presentations, and the meetings in December will be budget discussions and decisions.

12. LIQUOR LICENSE APPLICATION

MOTION by Jerry Storey, SECOND by Cate Cross, to convene the Liquor Control Board to take up an application. VOTING: unanimous (3-0); motion carried.

Royal Buddha Restaurant 2403 Shelburne Road

MOTION by Jerry Storey, SECOND by Cate Cross, to approve First- and Third-Class liquor licenses for Royal Buddha Restaurant, 2403 Shelburne Road.

VOTING: unanimous (3-0); motion carried.

MOTION by Jerry Storey, SECOND by Cate Cross, to conclude the meeting of the Liquor Control Board and resume the regular Selectboard meeting. VOTING: unanimous (3-0); motion carried.

13. EXECUTIVE SESSION and/or ADJOURNMENT

MOTION by Jerry Storey, SECOND by Cate Cross, pursuant to 1VSA313 to find that premature general public knowledge of labor relations agreements with employees would clearly place the town at a substantial disadvantage. VOTING: unanimous (3-0); motion carried.

MOTION by Jerry Storey, SECOND by Cate Cross, pursuant to 1VSA313 to enter into Executive Session to consider labor relations agreements with employees and invite the Town Manager to participate. VOTING: unanimous (3-0); motion carried.

Kate Lalley arrived during this matter. The Board exited Executive Session at 8:37 PM.

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

The Board exited Executive Session at 8:59 P.M.; and upon a motion by Cate Cross, which was seconded by Kate Lalley and approved unanimously, the meeting was adjourned at 9:00 P.M.

RScty by tape: MERiordan

For the Selectboard

Date

Community/Economic Development Mission Statement
Prepared by Selectboard member Luce Hillman

Goal: Promote a healthy diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for profit and non-profit economic development for all segments of the community while maintaining the environmental connection to the lake, river and land through conservation and environmentally minded development.

Shelburne is a lakeside town that appreciates the importance of a connected, actively engaged community and proudly cultivates its small-town character by

- Promoting small business, non-profits, and creative outlets where local talent, entrepreneurship, artisans, and agriculture flourish
- Encouraging economic well-being and expansion of the commercial businesses located within the village
- Fostering a healthy relationship with the lake, river, and land through conservation and environmentally minded development, substantial and functional green space, and responsible recreation and eco-tourism.
- Creating a safe friendly downtown where community can come together
- Reviewing ordinances, policies, and practices to determine their impact on existing and proposed commercial businesses.
- Encouraging a blend of residential and commercial properties within the village core while enhancing pedestrian and bicycle connectivity and accessible transit services.

Mission: To seek and support responsible and relevant business opportunity to grow and diversify the town's property and sales tax base, encourage the creation of jobs, promote tourism, and facilitate a self-sustaining economy and outstanding quality of life by attracting, assisting, and retaining a diversified mix of businesses, public/private partnerships, while providing resources and leadership for business creation, expansion, retention, which will improve the lives, cultural identity and employment opportunities for the citizens of Shelburne consistent with the close tie to the environmental nature of a small, lakeside community.

Community/Economic Mission Statement
Prepared by Selectboard members Cate Cross and Kate Lalley

A bit more about this thought process:

Looking beyond simply bringing in business, we also have discussed how to curate the walkable, thoughtfully-developed Shelburne of the future. These edits reflect that desire and aim to both loosely direct our development as well as to show residents that we are looking to not only grow our tax base, but also we move to grow our connection to the environment and eco-tourism as well. Again, edits to underscore this in red.

Looking forward to your thoughts,
Cate

Community and Economic Development Mission Statement and Goals

Mission

To promote a healthy, **diverse community and** economy, with a strong tax base and opportunities for employment, entrepreneurship **as well as** for-profit and non-profit economic development, for all segments of the community while **fostering a healthy relationship with land, lake, and rivers/brooks.**

Goals

Shelburne is a lakeside town that appreciates the importance of a connected, actively engaged community and proudly cultivates its small town character by:

- Promoting **the success of** small business, non-profits, and creative outlets where local talent, entrepreneurship, artisans, and agriculture flourish
- Encouraging economic well-being and **environmentally friendly** expansion of the businesses located, especially within the village core, by **establishing and regularly** maintaining ordinances, policies, and practices to determine their impact **and accessibility** on existing, proposed and new business.

- Creating a safe, friendly downtown where community and visitors can come together.
- Accentuating the connection of community, business, and environment by prioritizing connectivity and accessibility through pedestrian walkways and paths
- Fostering tourism and eco tourism to reflect the Town's dedication to shepherding a healthy relationship with its unique, small town culture as well as the lake, river, and landscape.

POLICY TO DETERMINE LOCATION OF STREET LIGHTS

PURPOSE

The purpose of this policy is to provide consistent criteria when determining the location of current and future street lights. The policy will consider the level of safety for vehicular and pedestrian traffic provided by the lights, the amount and cost of energy used and the impact of lights on the built and natural environment.

CRITERIA

In general, street lights will be located at intersections of Town streets with major collector roads such as Spear Street and Harbor Road and at all intersections of Town streets and roads with Route 7. Private drives with more than 10 homes will also qualify to have a street light located at similar intersections. Within residential developments, street lights may be considered at intersections along secondary collector roads that tie directly into major collector roads, if requested by individuals or neighborhoods as outlined below under the paragraph on application for the addition or removal of street lights.

The request will be considered with respect to traffic and pedestrian volume, a comparison of nighttime versus daytime accident rate, presence of sidewalks, proximity to school and public transportation routes, and other pertinent data for a specific location or similar location.

Street lights may be located where it is determined that sufficient hazards exist to vehicular and pedestrian traffic due to permanent roadway structures such as bridges or roadway geometry and reflectorized warnings are deemed inadequate.

Street lights may be located at entrances to Town facilities that have night time operations.

Light fixtures will also be located in a generally every other pole configuration along Falls Road, Marsett Road, Church Street, Harbor Road to School Street and Route 7 from Citizen's Bank to Bostwick/Marsett Road. Implementation of The Village Streetscape Plan may result in the installation of decorative lighting within portions of the Village District.

APPLICATION FOR THE ADDITION OR REMOVAL OF STREET LIGHTS

An individual or neighborhood organization may submit a written request for the installation or removal of a street light. The request shall be to the Selectboard, and indicate the reason for the addition/removal and the location by street and pole number. Upon such receipt, the Selectboard shall place the matter on an agenda for an upcoming meeting, the timing of which shall be at its sole discretion.

If a neighborhood wishes to apply for street lights that do not qualify for installation as specified in this policy, the neighborhood must form an association as a legal entity and apply to the Town for streetlights at specific locations in their neighborhood.

In neighborhoods served by above ground electrical service, upon approval by the Town, the association may contract directly with Green Mountain Power Company (GMP) for the installation of streetlights on existing poles. The association would then be billed directly by GMP for the cost of the light at the then applicable tariff.

If the neighborhood is served by underground electric service, the cost to install street lights must be borne by the association. The lights may be installed in the Town right-of-way under conditions governed by a license with the Town. The association must contract with Green Mountain Power Corporation for the provision of energy necessary to operate the lighting system at the prevailing rates authorized by the Public Service Board.

In no case may a streetlight be installed **or removed** within a Town highway right of way without the express written approval of the Selectboard, as provided in this Policy.

SPECIFICATIONS FOR STREET LIGHTS

Specifications for the type and lumen output of fixtures will be contained in the Town of Shelburne Public Works Specifications.

Adopted this 26th day of January, 2010.

Amended on November 22, 2011

Amended and approved by the Shelburne Selectboard on September 14, 2021*

Amended and approved by the Shelburne Selectboard on September 28, 2021**

*Vested sole jurisdiction with the Selectboard.

**Added that written approval is also required for removal (not just installation) of streetlights within the Town highway right of way.