

A VIDEO RECORDING OF THE MEETING IN ITS ENTIRETY IS AVAILABLE THROUGH VERMONTCAM.ORG. THE WRITTEN MINUTES ARE A SYNOPSIS OF DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES SUBJECT TO CORRECTION BY THE SHELBURNE DEVELOPMENT REVIEW BOARD. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE BOARD.

**TOWN OF SHELBURNE  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
January 18, 2023**

**MEMBERS PRESENT:** Mark Sammut (Chair); Anne Bentley, John Day, Mike Major, Allyson Myers, Zeke Plante, David Hillman.  
**STAFF PRESENT:** Kit Luster, DRB Coordinator; Aaron DeNamur, Planning Coordinator & Assistant Zoning Administrator; Ken Belliveau, Planning Consultant.  
**OTHERS PRESENT:** Lucy Thayer, Michael Alvanos, Jane Pickell, Media Factory.

**AGENDA:**

1. Call to Order and Agenda
2. Public Comment
3. Minutes (11/16/22, 12/21, 22, 1/4/23)
4. Application(s):
  - Sketch Plan, Form Based Code Residential Development, 33 Units, 3807 Shelburne Road, Bill Bissonette (FBZ22-03)
5. Other Business
6. Adjournment

---

**1. CALL TO ORDER and AGENDA**

Chair, Mark Sammut, called the meeting to order at 7 PM.

**2. PUBLIC COMMENTS**

None.

**3. MINUTES**

*November 16, 2022*

**MOTION by John Day, SECOND by Mike Major, to approve the minutes of 11/16/22 as presented. VOTING: unanimous (7-0); motion carried.**

*December 21, 2022*

**MOTION by John Day, SECOND by Allyson Myers, to approve the minutes of 12/21/22 with the amendments to insert “per the decision” after the word “assured” in the bullet reading: “Kit Luster assured...” and in the last bullet beginning with “Pete Seresky stated the town has gone against...” insert “Pete Seresky also stated” at the start of the second sentence to read: “Pete Seresky also stated the DRB members who signed the decision...”. VOTING: 5 ayes, 2 abstentions (Mike Major, David Hillman); motion carried.**

*January 4, 2023*

**MOTION by Mark Sammut, SECOND by Mike Major, to approve the minutes of 1/4/23 as presented. VOTING: 6 ayes, one abstention (Anne Bentley); motion carried.**

#### **4. APPLICATION(S)**

**FBZ22-03: Sketch Plan for a 33-unit residential development under Form Based Code at 3807 Shelburne Road in the Mixed Use District, Green Corridor Character District, and Stormwater Overlay District by Bill Bissonette**

Lucy Thayer with Trudell Consulting Engineering and Michael Alvanos with JRMA Design Studio appeared on behalf of the application.

#### STAFF REPORT

The DRB received a written staff report on the application, dated 1/18/23. Kit Luster explained the proposal includes a residential development under Form Based Code with townhouses and multifamily housing at 3807 Shelburne Road.

#### APPLICANT COMMENTS

Lucy Thayer gave an overview of the proposed 33-unit residential development on 1.92 acres at 3807 Shelburne Road noting the following:

- A mix of buildings is allowed within the district. The proposal shows building types envisioned by the town's zoning.
- The project includes townhomes set back 100' from Route 7 with surface parking between the townhouses (two spaces per townhome) and a 24-unit multifamily building with subsurface parking (65 spaces for the project overall with surface and subsurface accessible spaces; 66 spaces are required).
- The units will be rentals owned by a single owner.
- Access to the buildings is through a single curb cut and 22' wide driveway. The property has 285' of frontage and fronts Route 7. VTrans is fine with having one curb cut for access from Route 7.
- The sidewalk has been moved away from the townhomes to allow for separation and space for plantings. The interior sidewalk will have a connection to Route 7.
- The buffer to the south will be well landscaped. A significant portion of the project will be open space. There will be a fenced dog off-leash area to the west and to the east there will be raised gardens/community area and a pergola area/gazebo.
- Existing landscaping will be retained as much as possible on the Route 7 side of the parcel. Street trees will be retained as well.

John Day questioned if the DRB can waive required parking spaces under Form Based Code. Staff will research the matter.

Allyson Myers suggested sidewalk be added on the north end of the buildings.

Zeke Plante asked about the nearest fire hydrant, mentioning the Fire Department may want a separate entry and exit. The applicant will discuss the matter with the Fire Dept.

Ken Belliveau, planning consultant, suggested considering the following:

- The standard for the road/driveway (Form Based Code has several choices)
- Locating the drive on the north side of the property
- Adding a snub connection to the property to the south (i.e. future network of streets)
- Ensuring the two building types on the site are coherent.

Lucy Thayer explained due to the angle of Route 7 and the shape of the parcel having the driveway on the north side will impact the townhouses and the green space. The layout of the driveway is the best interpretation of Form Based Code requirements. The topography of the site is being utilized. The grade drops west to east. There is a grade difference between the driveway to the south of the property and the driveway to the multifamily building. The southeast corner of the lot is the low point and where the stormwater treatment area will be located. The stormwater infiltration or retention basin will meet all required state stormwater practices.

There was discussion of the two building types on the site. A majority of the DRB supports the mix. Staff will research whether the DRB can dictate one type of building type though both types are allowed by Form Based Code. The deadend street was mentioned. The applicant noted the site is constrained by natural resources. There is also desire to limit the amount of impervious surface and make an aesthetically pleasing development that provides continuity hence the townhouses are in front and the larger building behind.

#### PUBLIC COMMENT

Jane Pickell, adjoining property owner, asked about the roof elevation of the townhouses. Michael Alvanos said the roof pitch is 10/12. Different building material types will be used on the buildings. Also, existing landscaping will screen the buildings.

#### DELIBERATION/DECISION

Sketch Plan, Form Based Code Residential Development, 33 Units, 3807 Shelburne Road, Bill Bissonette (FBZ22-03)

**MOTION by Mark Sammut, SECOND by John Day, to finalize the record, close the hearing, and authorize staff to prepare a list of the following recommendations for the FBZ22-03 Sketch application for 3807 Shelburne Road:**

1. An application for Form Based Code development shall include a complete site plan application for DRB consideration addressing all applicable standards in the Shelburne Zoning Bylaws, in particular the standards detailed in Article XXII (SR-FBOD) for the Green Corridor Character District.
2. The applicant shall submit documentation of a Section 1111 permit from VTrans approving access from Shelburne Road.
3. Approval of capacity to serve will be required from the Shelburne Water and Wastewater Departments.
4. Connections to Shelburne water and sewer will be in conformance with the Town of Shelburne Public Works Standards.
5. The project shall be reviewed and commented on by the Fire Department.

**VOTING: unanimous (7-0); motion carried.**

#### **5. OTHER BUSINESS/CORRESPONDENCE**

*Next Meeting(s)*

February 15, 2023 to discuss process matters.

*Ken Belliveau, Planning Consultant*

Thanks and appreciation were extended to Ken Belliveau for his assistance in the Planning & Zoning Department through staff transitions.

*RFP Bylaw Rewrite*

The RFP for a consultant to work on the bylaw rewrite has been issued.

#### **6. ADJOURNMENT**

**MOTION by Anne Bentley, SECOND by Mark Sammut, to adjourn the meeting.**

**VOTING: unanimous (7-0); motion carried.**

The meeting was adjourned at 8:06 PM.

*RScty by tape: MERiordan*