

**TOWN OF SHELBURNE
PLANNING COMMISSION
MINUTES OF MEETING**

January 27, 2022

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

MEMBERS PRESENT: Steve Kendall (Chair); Marla Keene, Jean Sirois, Deb Estabrook, Jason Grignon. (Neil Curtis and Stephen Selin were absent.)

STAFF PRESENT: Adele Gravitz, Planning Director; Nini Anger, Executive Assistant to the Town Manager.

OTHERS PRESENT: Members of the public participating in the meeting included Gail Albert, Joyce George, Pete Serisky, Robilee Smith, Donna Fialkoff, Media Factory.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (1/13/22)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Updates
7. Interim Zoning Bylaw for COVID
8. Other Business/Correspondence
9. Adjournment

1. CALL TO ORDER

Chair, Steve Kendall, called the hybrid meeting to order at 7 PM and held roll call.

2. APPROVAL OF AGENDA

MOTION by Deb Estabrook, **SECOND** by Jean Sirois, to approve the agenda as presented. **VOTING: unanimous (5-0); motion carried.**

3. APPROVAL OF MINUTES

January 13, 2022

MOTION by Marla Keene, **SECOND** by Jean Sirois, to approve the minutes of 1/13/22 with the removal of the bulleted item in the Priorities for 2022 list that reads: "Address the four items submitted by Shelburne Natural Resources Committee...". **VOTING: unanimous (5-0); motion carried.**

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

None.

5. OPEN TO THE PUBLIC

Pete Serisky, resident, asked about the interim zoning bylaw discussion. Steve Kendall explained the discussion will cover whether to make permanent the interim bylaw put in place May 25, 2021 during COVID which expires June 30, 2022. Mr. Serisky also asked

about the concerns that have been expressed about form based code and if a study will be done on possible changes, noting a petition with 120 signers has been submitted in support of addressing form based code. Steve Kendall said nothing has been discussed yet. The work plan for the Planning Commission must be developed first and the tasks may or may not include a study of changes to form based code. Adele Gravitz added the entire bylaw will be reviewed, not just form based code, and this will likely be part of the regulatory reform summit that is under consideration.

Gail Albert, resident, urged involving other town boards, committees, and commissions in the regulatory reform conversation.

6. UPDATES

The following was noted:

- Remote/virtual meetings are allowed. The Selectboard will let boards/committees/commissions decide for themselves how to hold their meetings.
- The Planning Commission decided to hold virtual meetings at this time.
- Protocol for meetings will be Planning Commission will hold discussion first and then comments from non-Planning Commission members can be voiced.
- The Selectboard adopted the zoning amendments submitted by the Planning Commission.
- There is discussion of holding a regulatory reform summit. Both the Planning Commission and Selectboard support holding a summit.
- Staff is gathering cost information on using *Shelburne News* for outreach on agenda items and development applications.
- Vermont Dept. of Housing and Community Development is the sponsor of the bylaw modernization grants. More grant applications were received than could be funded.
- The Planning Commission will be discussing whether the COVID interim bylaw should be made permanent which will require going through the public hearing process. The interim bylaw expires in June.
- The individual who was to speak to the Planning Commission about bylaws will speak at the regulatory reform summit.
- Adele Gravitz and Marla Keene are working on an analysis of form based code.
- Adele Gravitz is meeting with Gail Albert and Don Rendall to discuss Shelburne Natural Resources Committee priorities.
- Lee Krohn is working on the terms for Planning Commission members to ensure staggered terms are restored.

7. INTERIM ZONING BYLAW for COVID

There was discussion of the following:

- The interim bylaw as a standalone bylaw versus being incorporated into the existing bylaws.
- Clarifying the language pertaining to food trucks owned by a restaurant or hired by a restaurant to operate on restaurant property.
- Leaving the interim bylaw as written except for removing COVID references.

- Identifying where there are conflicts between the interim bylaw and the existing zoning bylaws relative to outdoor seating, outdoor merchandise display, outdoor provision of services, temporary signs, temporary tents.
- Remove language relative to temporary signs from the interim bylaw because the town does not have the resources to do enforcement. The Planning Commission will add review of the regulations on signs to the work plan

Staff will find out:

- Why the interim bylaw is a standalone document rather than incorporated into the existing bylaws.
- If there is the possibility of having more time to make the interim bylaw permanent.
- What the guidelines are on conflict with adjoining land uses (i.e., noise restrictions, air pollution restrictions, smell pollution restrictions, others).
- Whether there have been any incidents of abuse of the interim bylaw.

8. OTHER BUSINESS/CORRESPONDENCE

Form Based Code

Steve Kendall will get further clarification from the Town Manager on what the Selectboard wants the Planning Commission to do with form based code. The Planning Commission can look at how the character districts relate to each other and then see how to prevent what has created the concern with the code.

9. ADJOURNMENT

MOTION by Jason Grignon, SECOND by Marla Keene, to adjourn the meeting.

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

The meeting was adjourned at 9:06 PM.

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