

**TOWN OF SHELBURNE  
PLANNING COMMISSION  
MINUTES OF MEETING  
May 9, 2019**

**MEMBERS PRESENT:** Jason Grignon (Chair); Andrew Everett, Dick Elkins, Kate Lalley, Stephen Selin, Neil Curtis.

**STAFF PRESENT:** Dean Pierce, Planning Director.

**OTHERS PRESENT:** Jonathan Harris, Don Randall.

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Annual Organizational Meeting
4. Approval of Minutes (4/25/19)
5. Disclosures/Potential Conflicts of Interest
6. Open to the Public
7. Planning Matters
8. Zoning Matters
9. Future Agenda Topics
10. Other Business/Correspondence
11. 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 Andrew Everett, SECOND by Kate Lalley, to approve the agenda as presented. VOTING: unanimous (6-0); motion carried.**

**3. ANNUAL ORGANIZATIONAL MEETING**

Dean Pierce facilitated the meeting for the election of the Planning Commission Chair.

*ELECTION OF CHAIR*

**MOTION by Andrew Everett, SECOND by Stephen Selin, to nominate and re-elect Jason Grignon as Chair of the Shelburne Planning Commission. There were no other nominations. VOTING: 5 ayes, one abstention (Jason Grignon); motion carried.**

Jason Grignon is Chair of the Shelburne Planning Commission and assumed facilitation of the meeting.

*ELECTION OF VICE CHAIR*

**MOTION by Stephen Selin, SECOND by Dick Elkins, to nominate and re-elect Andrew Everett as Vice Chair of the Shelburne Planning Commission. There were no other nominations.**

**DISCUSSION:**

- Andrew Everett mentioned a teaching commitment in the fall which may impact his tenure on the Planning Commission.

**VOTING: 5 ayes, one abstention (Andrew Everett); motion carried.**

#### **4. APPROVAL OF MINUTES**

*April 25, 2019*

**MOTION by Stephen Selin, SECOND by Dick Elkins, to approve the minutes of 4/25/19 as presented. VOTING: unanimous (6-0); motion carried.**

#### **5. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST**

Andrew Everett and Stephen Selin noted their association with Jonathan Harris and Amanda Herzberger.

#### **6. OPEN TO THE PUBLIC**

There were no comments from the public.

#### **7. PLANNING MATTERS**

*Energy Subcommittee*

Jason Grignon reported three members on the Energy Subcommittee (Judy Raven, John Pascarella, Tim Guiterman) are interested in continuing their service. There are two remaining vacancies to fill.

The Planning Commission reviewed the information sheet on the subcommittee. Jason Grignon suggested the charge of the committee be to prioritize and propose a path forward for recommended actions defined in the town plan and any energy related items in the plan.

The Planning Commission made the following edits to the information sheet:

- Under the “Activities” section of the information sheet, amend the bullet pertaining to analyzing and review of the Energy section of the plan to read: “Analyze and review energy related topics in the town plan.”
- Under the “Activities” section of the information sheet, add a new bullet to read: “Advocate for a permanent Energy Committee under the Selectboard and set up the framework for the charge of the committee.”
- Delete the “Subcommittee Status” section.

*Housing Subcommittee*

The Planning Commission reviewed the information sheet on the subcommittee and made the following edits:

- Revise the Housing Subcommittee charge to read: “The Housing Subcommittee will assist the Planning Commission by advising it and other town committees on matters relating to housing. Subcommittee activities may include developing recommendations that help Shelburne achieve local and statutory housing goals and assembling material that helps Shelburne prepare and update the Housing element of the Comprehensive Plan. The subcommittee will also collect, collate, and

analyze data on housing stock in Shelburne to make housing information available to any town committee, commission or board.”

- Delete the “Other Tasks” section.

Thanks were extended to the individuals who volunteered their time to serve on the Energy and/or Housing subcommittees.

## 8. ZONING MATTERS

### *Core Forest*

There was discussion of ‘core forest’ and ‘forest blocks’. Don Randall with Shelburne Natural Resources Committee said Sean Macfaden prefers using forest blocks to core forest because the science is nebulous on what “core” means. Shelburne has few remaining blocks of forest and animal corridors, and these need protection. The edge of the forest needs to be protected so houses do not intrude on the forest. The committee prefers “shall” language versus “should” language in the regulations.

There was discussion of the size of the ‘blocks’ in acres. Jason Grignon said the intent is to not allow development to break up contiguous forest or riparian corridor. Neil Curtis said the limited forest core should be protected. Stephen Selin said people should be able to build on their property. Jonathan Harris suggested having a program where people would plant new trees if they are building their house on a hilltop in the forest. Jason Grignon acknowledged it is nearly impossible to have a “one size fits all” approach. A framework is needed that makes sense for the good of the whole and works the majority of the time. Dean Pierce pointed out the wording puts open fields and core forest on a more even footing. Incorporating corridors is another issue. Kate Lalley pointed out the objective could change in any given part of town. For instance, the riparian corridor may be more important in one place and the core forest or scenic views could be more important in another place. Following further discussion, the Planning Commission agreed to the following definition of “core forest”:

- Core forest is forested habitat that is part of a forest block at least   x   number of acres and at least 328’ (100 meters) from developed features such as buildings and road, and more than 100 meters from the forest edge boundary.

Kate Lalley said the regulations should state that the goal is to guide strategic biodiversity conservation and maintain a sense of place. Neil Curtis said the ramifications of the revised definition need to be understood. Jason Grignon said the revised definition can be reviewed on a future agenda in the context of the regulations. Definitions of “wildlife”, “wildlife habitat”, and “riparian corridor” need to be added.

### *Open Space*

The Planning Commission revised the definition for open space to read:

- Open Space. Pertaining to Rural PUDs, land set aside by some legal mechanism and maintained in essentially an undisturbed, natural state for purposes of resource conservation and/or maintaining forest cover; or that is enhanced and managed for outdoor recreation and civic use, working

lands, or local food production. Open space must be of a quality and size that supports its intended function or use. Open space specifically excludes streets, parking areas, driveways, and other areas accessible to motor vehicles.

*Steep Slopes*

Deferred to the next meeting.

*Should/Shall*

*Legal Mechanism*

The Planning Commission made no changes to the definitions.

*Form Based Zoning*

Deferred to the next meeting.

**9. FUTURE AGENDA TOPICS**

- Form Based Zoning
- Waivers
- Hearing on Accessory Apartments
- Revised definitions and associated regulations
- ‘Clean Up Amendment’ to Comprehensive Plan

**10. OTHER BUSINESS/CORRESPONDENCE**

Dean Pierce reported on the solar proposal (500 kilowatts) at the Shelburne Museum, and mentioned Public Works staff is updating the Public Works Specifications.

**11. ADJOURNMENT**

**MOTION by Andrew Everett, SECOND by Neil Curtis, to adjourn the meeting.  
VOTING: unanimous (5-0) [Dick Elkins not present for motion]; motion carried.**

The meeting was adjourned at 9:34 PM.

*RScty: MERiordan*