

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

**August 11, 2021**

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

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

**STAFF PRESENT:** Lee Krohn, Town Manager.

**OTHERS PRESENT:** Mark Sammut, Mike Major, Don Rendall, Gail Albert, Media Factory (Wendy).

**AGENDA:**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (7/14/21)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Proposed Zoning Adjustments
  - o Fences
  - o BLA
  - o Lot Merger
  - o Subdivision Regulations
  - o Opportunities for Administrative Review
  - o DRB Review Process
  - o Sidewalk Requirement/"Sidewalk Fund"
7. Other Business/Correspondence
8. Adjournment

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**1. CALL TO ORDER**

Chair, Steve Kendall, called the hybrid meeting to order at 7 PM.

**2. APPROVAL OF AGENDA**

**MOTION by Stephen Selin, SECOND by Deb Estabrook, to approve the agenda as presented. VOTING by rollcall: unanimous (6-0); motion carried.**

**3. APPROVAL OF MINUTES**

*July 14, 2021*

**MOTION by Jason Grignon, SECOND by Neil Curtis, to approve the minutes of 7/14/21 as presented. VOTING: 5 ayes, one abstention (Stephen Selin); motion carried.**

**4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST**

None.

**5. OPEN TO THE PUBLIC**

- Gail Albert urged the Planning Commission to address the comments on zoning adjustments sent in by Shelburne Natural Resources Committee.

## 6. PROPOSED ZONING ADJUSTMENTS

### *Fences*

Staff noted the proposed definition clarifies when a permit is needed for a fence or when there can be administrative review or DRB review is necessary. Wording relative to the 800' threshold will be added. Also, wording will be added to address use of barbed wire fence for agricultural purposes.

There was discussion of the installation of a fence on the property line and the property owner's responsibility to know the location of the property line. There was agreement the text in the regulation should read: "Fences may be installed up to and upon a property boundary."

There was discussion of fences not interfering with wildlife corridors and how a wildlife corridor is determined to exist. There was agreement the language should say a fence "shall not interfere" with a wildlife corridor and objective sources, such as ANR BioFinder, will be used along with site specific study to determine where a wildlife corridor is located.

Neil Curtis urged showing contextual details in the proposed zoning adjustments document that will go to public hearing so both the old and new language can be seen.

### *Boundary Line Adjustment (BLA) and Lot Merger*

Staff suggested the definition say "boundary line adjustment" and administrative approval should be allowed. Lot merger can be included in this section as well. The Planning Commission concurred.

### *Subdivision Regulations*

The Planning Commission concurred with the following suggested changes:

- Remove land uses from the definition because, for example, a shopping center or multi-family building are typically on one lot that has multiple uses. The lot is not being subdivided.
- Remove the language about complying with the comprehensive plan because the plan is not a regulatory document. If there is uncertainty in the regulations then the comprehensive plan can provide guidance.
- Remove the \$2 million threshold for a fiscal impact analysis due to today's cost of construction.
- Maintain the 50-dwelling unit threshold for now.
- Remove "open fields and core forests" in Section 1930.3 – PUD Residential to avoid conflicting language that says houses should be built in the forest and continuous forest blocks should be maintained.

*Opportunities for Administrative Review*

Staff suggested non-material changes be approved administratively. The Planning Commission concurred. There was a question of whether a change of use in a conditional use approval needs a public hearing. Staff will get a legal opinion on this matter.

*DRB Review Process*

The Planning Commission concurred with a two step review process: Sketch to Final Plan.

Don Rendall urged involving Shelburne Natural Resources Committee in the earlier stages of review. Gail Albert said some developers have even asked for input prior to submitting a sketch plan.

*Sidewalk Requirements/"Sidewalk Fund"*

The Planning Commission concurred with requiring a developer to contribute to a reserve fund for a future sidewalk in town rather than build a "sidewalk to nowhere".

Mark Sammut, DRB Chair, urged looking at the big picture on pedestrian connectivity.

**7. OTHER BUSINESS/CORRESPONDENCE***Meeting Schedule*

The goal is to have the Planning Commission meeting nights return to Thursdays in September.

**8. ADJOURNMENT**

**MOTION by Deb Estabrook, SECOND by Stephen Selin, to adjourn the meeting.**

**VOTING: unanimous (6-0); motion carried.**

The meeting was adjourned at 9:19 PM.

*RScty: MERiordan*