

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
September 22, 2020**

**\*Meeting held via teleconference.**

**MEMBERS PRESENT:** Jaime Heins, Mike Ashooh, Mary Kehoe, Kate Lalley.  
(Jerry Storey was absent.)

**ADMINISTRATION:** Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Dean Pierce, Planning Director; Paul Goodrich, Highway Superintendent.

**OTHERS PRESENT:** Members of the public participating in the meeting included Jane and Tom Zenaty, Tracy Beaudin, Don Porter, Gail Albert, Ken Albert, Jason Grignon, Rep. Jessica Brumsted, Tom Tompkins, Susan McLellan, Chandler Noyes, Steve Mayfield, Rayne Herzog, Julia Curry, Ted Grozier.

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**1. CALL TO ORDER**

In the absence of Chair Jerry Storey, Jaime Heins called the teleconference meeting to order at 7 PM, explained the procedure to be followed, and held a roll call.

**2. APPROVE AGENDA**

**MOTION by Kate Lalley, SECOND by Mike Ashooh, to approve the agenda as presented. VOTING by roll call: unanimous (4-0); motion carried.**

**3. MINUTES**

*September 8, 2020*

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to approve the minutes of 9/8/20 as presented. VOTING by roll call: unanimous (4-0); motion carried.**

**4. PUBLIC COMMENT**

➤ Cate Cross, resident, read a statement from the Pierson Library trustees asking permission to fly an Abnaki Mohegan flag for Indigenous Peoples Day (formerly Columbus Day).

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to amend the agenda to take action on the request to fly the Abnaki Mohegan flag at the library.**

**DISCUSSION:**

- **Mike Ashooh called a point of order that the Selectboard needs to give notice if an item is being added to the agenda. Selectboard approval is not needed to fly the flag. The Town Manager can handle the matter. Prior to a vote, the Selectboard concurred the Town Manager can handle the matter.**

- Ken Albert, resident, suggested an explanation of the Abnaki flag and why it is being flown be posted.
- Fritz Horton, resident, said the library project did not include rehab of the town clock which is a vital piece of history for the town. The clock was given to the town in 1927 by William Steward Webb and his wife. A proposal to rehab the clock was received (cost of \$7,500) and application has been submitted for a 2021 Preservation Grant with a 50% match. It is felt the money can be raised for the match. [Following discussion, the Selectboard supported raising money for the proposal.]
- Amy Berger, resident, mentioned the existing safety issue on Bishop Road and the signed petition from residents requesting the town install shoulders on the road for runners, walkers, bicyclists. Money to install sidewalk in the center of town could be reallocated for the shoulders. The signed petition will be submitted to the Town Manager. [Jaime Heins noted any allocation will be part of the budget process.]
- Ken Albert said there are three east-west running roads that need shoulders (Bishop, Barstow, and Shelburne-Hinesburg Road). At the very least the white fog lines should be painted on the roads.
- Rep. Jessica Brumsted suggested an update on legislative bills, especially pertaining to the Abnaki, be a future Selectboard agenda item.

#### 5. **SELECTBOARD COMMENTS**

- Mike Ashooh spoke positively about seeing “leaf people” once again.
- Well wishes were extended to Jerry Storey to feel better soon.
- Thanks are sent to the school administration and teachers for the start of school in classrooms.
- Moment of remembrance was called for Supreme Court Justice, Ruth Bader Ginsberg.

#### 6. **TOWN MANAGER REPORT/UPDATE**

Lee Krohn reported:

- School Street crosswalk underway.
- Thank you to the town received from the Greater Burlington Industrial Corp. for the donation from the town.
- Secretary of State is mailing out ballots to all registered voters. The ballot for Shelburne will include the bond vote on the sewer main on Shelburne Road.
- Finance Director, Peter Frankenburg, reported the first tax collection period went well (collections similar to the past year). Payments were made online and in person. Staff are acknowledged for the outstanding job done with collections.
- Economic development consultant proposals are being reviewed by staff. A recommendation will be forthcoming.

#### 7. **BUSINESS REPORT: Shelburne Athletic Club**

Rayne Herzog with Shelburne Athletic Club reported the club has 600 members and is at 40% capacity. Efforts to increase membership and programs will continue. COVID protocols are being followed, and many adjustments have been made to space out equipment, schedule member workouts, and with extreme cleaning.

**8. CBC APPOINTMENT**

*Shelburne Natural Resources and Conservation Committee*

The Selectboard interviewed Chandler Noyes to complete the term of Susan Mogenburg on the Shelburne Natural Resources and Conservation Committee. SNRCC Chair, Gail Albert, spoke in support of the appointment.

**MOTION by Mike Ashooh, SECOND by Kate Lalley, to appoint Chandler Noyes to fill the remaining term of the position held by Susan Mogenburg on SNRCC effective immediately through April 2021. VOTING by roll call: (4-0); motion carried.**

**9. PUBLIC HEARING: Shelburnewood Co-op CDBG Grant Application**

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to open the public hearing on the Shelburnewood Co-op CDBG grant. VOTING by roll call: unanimous (4-0); motion carried.**

The public hearing was opened at 7:54 PM.

Members of the Shelburnewood Co-op explained the proposal to develop seven acres in the park with additional lots for manufactured homes which will provide affordable housing in the village. The grant is for \$60,000 with a 25% match which will be provided by the Co-op. The town's role is to administer the grant (i.e. staff time). There have been many requests to live in the park.

Kate Lalley urged consideration of a higher density as part of the grant. The town's lot frontage requirement per the zoning regulations was mentioned as a limiting factor.

There were no further comments.

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to close the public hearing on the Shelburnewood Co-op CDBG grant. VOTING by roll call: unanimous (4-0); motion carried.**

The public hearing was closed at 8:02 PM.

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to approve the Shelburnewood Co-op CDBG application as discussed. VOTING by roll call: unanimous (4-0); motion carried.**

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to authorize the Town Manager to sign the grant application on behalf of the Selectboard. VOTING by roll call: unanimous (4-0); motion carried.**

## 10. REGULATORY REFORM PROCESS UPDATE

Lee Krohn reported the meeting with the CBC Chairs has not yet taken place, but the framework of discussion could be process changes and changes to the regulations. For process changes:

- The Planning Commission and the DRB meet together periodically to discuss issues.
- More clarity provided on sequencing project reviews.
- Exemption from review granted for items, such as exterior maintenance, minor residential structures (garden sheds).
- Administrative review allowed for minor adjustments/projects such as boundary line adjustments or non-material changes to subdivisions.

There was discussion of how the process changes would be implemented and the guidelines for minor residential structures that are exempted (what is to be handled administratively must be determined). Kate Lalley suggested cleaning up the process in place to be more effective, and looking at how other municipalities are handling simple items. Mary Kehoe stressed the zoning regulations and bylaws must be consistent with the town plan. Dean Pierce said staff input and additional discussion on the specific changes are needed. The Planning Commission is the body per statute to hold hearings on changes and then make recommendations to the Selectboard. Jason Grignon, Planning Commission Chair, said joint meetings between the Planning Commission and DRB are a good idea. The DRB is more impacted by the Planning Commission than the Planning Commission is impacted by the DRB so it would be helpful for the DRB to forward key points and issues for discussion to the Planning Commission prior to a joint meeting. Regarding exemption and administrative review, the language in the regulations should be compiled so the Planning Commission can discuss and gauge how long it will take to make a change. Regarding clarity and sequencing, staff should bring a proposal to the CBC Chairs for response. Whatever can be done to help the meeting with the CBC Chairs be more efficient should be done.

Jaime Heins summarized the Selectboard supports starting the process by identifying a list of items for discussion and having the Planning Commission and staff compile a list to be sent to the Selectboard along with the list of identified items compiled by the CBCs. Kate Lalley clarified the Planning Commission is asked to identify what is wanted to be done per the town plan in years 1 through 5, years 5 through 10, and 20 years out. Simply, the Planning Commission is being asked to provide a working construct for how to implement the town plan. Jason Grignon pointed out the Planning Commission did that with the recommended actions in the town plan and prioritizing the top three items under each recommended action. Jaime Heins said all the CBCs should come forward with their priorities for the Selectboard to consider going into budget development.

Gail Albert, Shelburne Natural Resources Committee, said the committee has been working with the Planning Commission on clarifying the regulations. The committee would like to better understand what the Selectboard is asking and why.

Jaime Heins said the Selectboard will work with the Town Manager on clarifying the request for a list of priority items from the CBCs.

#### **11. PROPOSED SPEED LIMIT CHANGE ON PORTION OF MT. PHILO RD.**

Lee Krohn said a request was received to lower the speed limit on a portion of Mount Philo Road to 25 mph, but the speed analysis, review of road geometry, and land uses along the road indicate the average speed is within the normal range of the posted speed limit of 35 mph. Staff recommends that the speed limit be set at 30 mph, based on the speed study and site/road analysis, both per the Vermont Local Roads Guidebook for setting speed limits. Where to begin the reduced speed limit needs to be determined. Considerations include at the town line with Charlotte, at the Wild Ginger crosswalk, at Air Park Road, or at the intersection of Maplewood/Littlefield. It is 45 mph in Charlotte reducing to 35 mph at the Shelburne town line.

Jane and Tom Zenaty, residents, noted the request from the village pedestrian safety group was to lower the speed limit consistent with other arteries into the village. The reduced speed limit should start at the Wild Ginger crosswalk at the least. A speed limit reduction to 30 mph will be a message to motorists that they are approaching the village core and to slow down.

Ted Grozier, Bike/Ped Committee, urged considering the circular language of what speed motorists are traveling and the influence of the posted speed limit. The Bike/Ped Committee supports the speed limit reduction.

**MOTION by Kate Lalley, SECOND by Mary Kehoe, to warn a public hearing on October 13, 2020 for the Selectboard to consider amending the town speed limit ordinance by changing the speed limit on Mount Philo Road from 35 mph to 30 mph in both directions between [location to be determined by the time of the public hearing] and the four-way intersection with Marsett/Falls Road.**

#### **DISCUSSION:**

- **Mike Ashooh asked if 25 mph has been ruled out. Lee Krohn said the speed limit can be changed at the public hearing, but 25 mph is likely unnaturally low. A speed limit of 30 mph is consistent with all of the other approaches to the four-way intersection.**

**VOTING by roll call: unanimous (4-0); motion carried.**

#### **12. FOG LINE STRIPING**

Lee Krohn said a decision is needed on reducing the travel lane width to 10' on town roads. Other towns have found narrowing the travel lane helps a bit to reduce vehicle speed, and if a problem is created the striping can be restored to 11' wide lanes.

Ted Grozier with the Bike/Ped Committee said the committee supports 10' wide lanes.

Kate Lalley said narrowing the lane is a start to advance more focus on pedestrians and slow down vehicles.

Paul Goodrich, Highway Superintendent, expressed concern about large trucks, such as fire trucks, highway trucks, loaded trucks, crossing the line and hurting a pedestrian or bicyclist. Roads are made for cars, not people to walk down the middle. The town should build wider roads with shoulders to have space for walkers and bikers. Cars will wear out the striping which will then have to be redone. If the restriping is approved by the Selectboard this should be done on one road only, and not a main road, to determine the impact before re-striping more roads. Narrow roads make it more unsafe for vehicles, trucks. The Selectboard is invited to a demonstration of the width of a truck on a narrow travel lane at the town garage.

Jane Zenaty, resident, clarified the request is to make the traveled lane narrower so there is more apparent shoulder, not to make the road itself narrower.

Mary Kehoe summarized the Highway Superintendent, Paul Goodrich, is warning against creating a false sense of safety. Trucks are wider than the lane so someone could get hit. Kate Lalley said the striping should be done for the built environment, for behavior the town wants to have, not the behavior that is happening now. The town needs to think about the outcome that is wanted and try to influence cars to slow down. Mary Kehoe countered this is a safety issue and the change must be done in a responsible manner. Safety is the #1 priority. If the town must spend some money to widen roads, then do it. Mike Ashooh said the evidence shows narrowing roads increase safety in many cases, but the town needs to think carefully where and how to do this.

Following further discussion, the Selectboard agreed to stripe 10' wide lanes on the following roads: Barstow Road, Irish Hill Road (from the bridge to Dorset St.), and Bay Road.

### **13. GRANT LIST CORRECTION (Errors & Omissions)**

**MOTION by Mike Ashooh, SECOND by Kate Lalley, to approve the amended assessment and change to the Grand list as described by the Town Assessor.**

**VOTING by roll call: unanimous (4-0); motion carried.**

### **14. WASTEWATER ALLOCATIONS**

*165 Lakeview Drive, and 297 Elmore Road in the Kwiniaska Ridge Development*

**MOTION by Mary Kehoe, SECOND by Mike Ashooh, to approve the additional wastewater allocation of 70 gpd for the second bedroom in a two-bedroom apartment at 165 Lakeview Drive, and 210 gpd for a single family house in the Kwiniaska Ridge development at 297 Elmore Road. VOTING by roll call:**

**unanimous (4-0); motion carried.**

### **15. ADJOURNMENT**

**MOTION by Mary Kehoe, SECOND by Kate Lalley, to adjourn the meeting.**

**VOTING by roll call: unanimous (4-0); motion carried.**

The meeting was adjourned at 9:18 PM.

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For the Selectboard

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Date