

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

September 23, 2021

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

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

STAFF PRESENT: Lee Krohn, Town Manager.

OTHERS PRESENT: Gail Albert, Donna Fialkoff, Sara Beeken, Holly Brough, Joyce George, Rowland Davis, Fab Boisvert-DeF, Steve Brandon, Erin Auer, Jimby, Media Factory.

AGENDA:

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (8/25/21)
4. Disclosures/Potential Conflicts of Interest
5. Open to the Public
6. Public Hearing: Proposed Process Related Zoning Amendments
7. Other Business/Correspondence
8. Adjournment

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

August 25, 2021

MOTION by Neil Curtis, **SECOND** by Jean Sirois, to approve the minutes of 8/25/21 with the deletion of “Wendy” for the attendee from Media Factory.

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

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

None.

5. OPEN TO THE PUBLIC

None.

6. PUBLIC HEARING: Proposed Process Related Zoning Amendments

MOTION by Jean Sirois, **SECOND** by Marla Keene, to open the public hearing.

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

The public hearing was opened and the proposed zoning amendments were reviewed.

Fences (Sec. 1980.11)

Minor edits were made to the language for clarification.

Conditional Use (Sec. 1910.3 and Sec. 1910.11)

Minor edits and corrections were made to the language to clarify the size of the conditional use (square footage up to 10% increase) and the nature of the impact.

Residential PUD (Sec. 1930.3)

Considerable discussion ensued about NRCC's request re: language pertaining to sensitive areas and core forests, it was agreed that leaving the existing phrase in place better meets NRCC's own concerns. The proposed amendment was thus withdrawn from the package to be forwarded to the Selectboard.

Subdivision Regulations (Definition)

The amended language simplifies the definition of subdivision.

Boundary Line Adjustment (BLA) and Lot Merger (Sec. 300A & Sec. 1900.11)

It was confirmed subsection (b) was deleted since every parcel of land was subdivided at some point in time.

Subdivision Regulations/Planning Standards (Article VIII)

Language was added to reference the Town Plan for guidance in bylaw interpretation.

Sketch Plan Review (Article III)

In Section 300 the 21-day submission requirement prior to getting on the meeting agenda was removed because there can be no guarantee of being placed on the agenda. Upon discussion, it was agreed that the Town is better positioned to identify all adjoining landowners and to send required notice, rather than the applicant doing this.

Text related to minor and major subdivision is deleted because there is only subdivision, no differentiations.

The title of Section 330 should be changed to "Effect of Sketch Plan Action" and the first sentence from Section 340 should be added. The remaining text in Section 340 is deleted. Staff will add language to clarify that an applicant can proceed from Sketch Plan review to Final Plan review provided the application is consistent with the recommendations offered by the DRB. Language was also added to say the DRB shall notify the applicant in writing of the results of the Sketch Plan review.

Final Plat Submission Requirements (Article VI)

Text will be added to the introductory paragraph of Section 600 to state that all documents must be submitted in paper and digital form. Similar statements regarding paper and digital submissions found throughout the Article can be deleted.

The filing deadline for Final Plat was discussed. There was agreement that upon conclusion of Sketch Plan review the applicant can file an application for Final Plan review and six-month extensions can be approved administratively.

Section 600(3) pertaining to submitting the names of adjacent subdivisions is deleted and the sentence beginning with “namely” in Section 600(30.a) is deleted.

Section 600(17) should include language that states reference monuments will be shown in accordance with the current standards of the Vermont Society of Land Surveyors and that the final subdivision plat shall be recorded to conform to state statute.

Text will be added to Section 600(27) pertaining to parcels dedicated to public use to state that all legally required documents shall be in a form suitable for recording and upon approval by the Town Attorney with the signatures of the appropriate persons.

Section 600(32) pertains to submitting homeowner association rules, but the DRB has no jurisdiction with homeowner association rules so the text requiring the documents be submitted is deleted.

Shelburne Natural Resources Committee Review of Applications

Following discussion of whether language encouraging an applicant to meet with all applicable town departments and committees should be part of the regulations or managed via internal staff level process, the Planning Commission opted for the latter.

MOTION by Jean Sirois, SECOND by Marla Keene, to close the public hearing. VOTING: unanimous (5-0); motion carried.

MOTION by Neil Curtis, SECOND by Jean Sirois, that the Planning Commission approve the proposed zoning amendments that the Planning Commission modified at the public hearing on 9/23/21 and forward the amendments to the Selectboard for consideration. VOTING: unanimous (5-0); motion carried.

7. OTHER BUSINESS/CORRESPONDENCE

Meeting Schedule

The Planning Commission meeting schedule of the 2nd & 4th Thursday of the month will resume.

Selectboard 9/28/21 Meeting

The Planning Commission is encouraged to attend the 9/28/21 Selectboard meeting, which will be a forum on planning, zoning, and community/economic development.

8. ADJOURNMENT

MOTION by Jason Grignon, SECOND by Jean Sirois, to adjourn the meeting. VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 10:12 PM.

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