

**Shaftsbury Planning Commission
Minutes for Regular Meeting
Shaftsbury Town Hall on Buck Hill Rd
November 8, 2011 at 7:00 pm**

Members Present: David Spurr (Vice-Chair), Bill Pennebaker, Norm Gronning, Abigail Beck

Members Absent: Chris Williams (Chair)

Others Present: Jennifer O. Viereck (Zoning Administrator and Recording Clerk), Robert E. Moffitt, Kathleen Geneslaw, Jeri Schoof, Mike Foley, Mitchell R. Race, Carl Goodwin, Joanne M. Race, Jay T. Palmer, Tom Huncharek

1. **The meeting was called to order** at 7:00 pm by David Spurr (Vice-Chair).
2. **Minutes:** Bill made a motion, seconded by Norm, to approve the minutes of October 25, 2011. All who were present at that meeting agreed 3-0-1, with David Spurr abstaining due to his absence.
3. **Forest and Recreation District** – Bob Moffitt spoke to the Commission about concerns relating to the last changes to defining and mapping the Forest and Recreation Zone in Shaftsbury Hollow. He stated the he and owners of adjoining properties were never individually notified about such changes, as required by VT regulations. He noted that in the Bylaw, the FR definition does not currently refer to any elevation or contour line that would explain current mapping. He has made previous inquiries to the Zoning office and reviewed past definitions that did include such language. The Lister's office has the previous map on the wall for reference. Bill does not remember actual changes being made to the FR Zone, but Bob was told that David Mance remembers changes made in 2001, and that voters were notified.

David said that he would research the matter, contact Bob on Thursday, and follow up as needed with agendaing the matter for future Planning Commission meetings.

4. **Historic District Bylaw** – Norm Gronning made a presentation outlining his current work and future hopes for further definition and expansion of the Shaftsbury Historical District, as well as proposed verbiage for a Bylaw Amendment which would empower the Shaftsbury Historical Society as a consulting agent for replacements, additions or alterations to the facades of identified historic properties and provide specific guidelines on what would be permitted. His 5 handouts included:
 - A. National Register of Historic Places Inventory for Shaftsbury Center properties, established in 1988.
 - B. National Register of Historic Places Continuation Sheet, which proves clear definition of the Shaftsbury Center National Historic District.
 - C. The Historic District/Historic Corridor, outlining Norm's proposal and historic standards in greater detail.
 - D. The US Secretary of Interior's Standards for the Treatment of Historic Properties, 1995.
 - E. Proposed language for Boards and Commissions, Ordinances and Bylaw.
5. **Review final wording of Flood Hazard Bylaw**

The final copy for revisions to the Proposed Flood Bylaw as well as minor amendments to the general Bylaw were not available, so this item was postponed to the next meeting.

6. Commercial composting facilities – Bill.

Bill and Kathy Geneslaw both submitted draft language for amending the Bylaw to include Commercial Composting facilities. Much discussion ensued about the various sections concerning size, setback, allowed zone, and possible future zone expansion or redefinition. Abigail stated that state specialist Jim Barlow advised her on the primary role of Vermont in regulating all environmental protection measures. Bylaw also cannot be so proscriptive as to prohibit the functional use of such a facility. No agreement was reached yet on two differing approaches to limiting impacts on abutting properties, given Shaftsbury's size. These included limiting options to Small or Medium facilities (per state definitions) or by establishing significant setbacks for a Large facilities that might be prohibitive on most properties.

This item will be agendaized for further meetings to discuss proposed language.

7. Other business as required

- A. Budget Review and approval – Materials provided at the previous meeting were not available for budget review.
 - B. Zoning Administrator's Report – requested at the previous meeting. This report is appended at the end of the Minutes.
8. **Adjournment** – At 9:07, Norm made a motion, seconded by Bill, to adjourn the meeting. Acceptance was unanimous, 4-0-0

Planning Commission Report from Zoning Administrator 11/8/2011

Tasks most common in my work as Zoning Administrator:

- Familiarizing myself with past systems and practices and where to get various kinds of guidance. Many thanks are due to Margy, Judy Stratton, the Listers, other Vermont Zoning Administrators, and members of the Planning Commission and Development Review Board.
- Responding to many emails, phone calls and personal appearances by members of the public seeking information from our files or making suggestions for procedures, Bylaw changes, or possible zoning violations.
- Processing simple applications for zoning permits, including those reported here.
- Investigating the most major violations brought to my attention.
- Providing administrative minor support for the Planning Commission.

- Providing significant support for the Development Review Board hearings and other meeting content, including reviewing and putting in order extensive paper files, and filing and mailing documents as required for each type of decision.
- Revising applications, forms, procedures and recordkeeping systems to reflect current state law, local bylaw, and general best practices, especially for maintaining meeting minutes and complex files for commercial properties. The goal is increased efficiency, consistency, and transparency.
- Developing new materials for handout and for the website which will make information much more accessible to the potential applicant before they begin.
- Beginning research with other Shaftsbury and Vermont Zoning staff and others regarding best practices and software for computerizing Shaftsbury's property records, forms and correspondence in a way that will cost the least in time and money, but provide the most benefit. Perhaps in response to the statewide dialogue on this topic which I began, a VLCT Workshop is being provided on December 7th in Montpelier which I would very much like to attend. Margy plans to attend as well.
- On November 2nd, I attended a VLCT Workshop for Zoning and Planning staff which was very helpful on many fronts. I had some very useful discussions about computerization, in which it was suggested that we begin with GIS data for our area, which should be available from our Regional Planning Commission.

Things not yet up to speed:

- Numerous small scale possible zoning violations that require site visits.
- 911 requests and learning the process.
- Numerous miscellaneous more minor filing problems.

Issues of current concern:

- **Computerized recordkeeping:** At this point, I believe that we could create an adequate system with Access 2003, which is on all computers here. I have ordered a set of used manuals for \$3.95. An alternative would be to purchase Filemaker Pro software for \$299, as well as support manuals. Margy and I have discussed getting an intern next summer for data entry. Other suggestions have included possible grants through the Regional Planning Commission. Something to think about: If we wait to include this on next year's budget, we will not get started for another 7 months.
- **Report from Zoning and Planning Workshop:** Beginning on October 1, 2011, changes in certification for Energy Efficiency will require the filing of mandatory certificates with the Town Clerk. Over lunch, several ZAs and I discussed the fact that the types of construction and building alterations that will trigger this Energy Efficiency certification requirement are not consistent with those that trigger Zoning Permit requirements. I am researching now whether aligning these requirements will require a change in our Bylaw, or just changes in our interpretation.

Other state required construction certificates are already being filed with the Town Clerk as these will be (but not always consistently), but not with the Zoning Administrator. For

a number of reasons too detailed to outline here, I will be recommending that we require that a copy of the Energy Efficiency Certificate and all state required permits are filed with my office as well as the Town Clerk, as the Wastewater permits are now, as part of our Certificate of Occupancy process. This will put us ahead of the curve in the future.

Permits Issued for Fiscal Year

	2010-11	2011-12 through 11/7/11
Signs	2	4
Demolition	4	2
Houses	5	2
Entry Ways		2
Garage	9	4
Deck/ Porch	7	8
Roofs	3	
Pool		2
Slab	3	
Other Additions	3	2
Sheds/ Barns	20	8
Towers	2	
Change of Use	1	2
Conditional Use	2	2
Home Occupation	2	
Cert of Occupancy	5	2
Other	13	
Curb Cut	3	3
Subdivisions	4	2
911 Request	5	
Stmnt of Fact	30	11
Extensions	2	
Appeals	2	2
TOTAL	127	58
VT Wastewater	8	
Fees Collected	\$ 6,300.00	\$ 3,920.00