

Shaftsbury Planning Commission
Hearing on Bylaw Revisions
October 12, 2021

Call to order

The hearing came to order in person at Cole Hall and remotely via the Zoom platform at 6:05 p.m. Present were commissioners Chris Williams (chair), Naomi Miller, and Martha Cornwell – in person- and remotely, Mike Foley; citizens Mary and Norm Groning – in person – and remotely Carl Corman and Rick Bennett; and zoning administrator Shelly Stiles.

Overview of proposed revisions

Mr. Williams summarized the proposed changes. If approved by the Planning Commission and the Select Board, the changes would go before the voters at Town Meeting 2022. Those changes are incorporated at the end of these minutes.

- Kennels

The new bylaw would address a community need, while providing guardrails to protect neighbors. A five-acre minimum lot size and 1000' setback from neighboring residences for outdoor facilities for animals would be required. Enforcement mechanisms are described. Yearly inspection by a licensed veterinarian would also be required.

- Abandonment of non-conforming commercial uses

At present a nonconforming commercial use can be continued if the use is not abandoned for more than a year. The revision would change that period to two years, a more reasonable estimate of the time needed to transfer ownership of such a property.

- Heliports and private landing strips

Such facilities would be prohibited in Shaftsbury.

- Swimming pools

A change to the bylaw is proposed to resolve a conflict in language regarding required setbacks.

- Boundary line adjustment

A new section in the subdivision regulations will be added to provide clarity to the boundary line adjustment process. The Development Review Board suggested and signed off on the change.

Public comments

Mr. Corman said he appreciated all the effort the Commission put into the kennel bylaw and he would gladly vote for it.

He said the work made him think of the Slate Ridge controversy in Pawlet, and suggested the Commission might act in a similarly proactive way to draft language prohibiting quasi-military/security training facilities. He acknowledged it could be a hard thing to define. He said such a regulation could save the town a lot of money. He volunteered to help in any way he can.

Mary Groning asked if one of the town's existing kennels were to be sold, would the new owner have to ensure the facility complied with the new bylaw. Mr. Williams said he would have to ask the town attorney.

On discussion of possible iterations of kennel facilities, regarding protecting neighbors from impacts, a suggestion was made to add to the definition of a dog boarding/kennel facility the phrase shown in italics: "Any facility that houses *as a part of a business and/or in exchange for a fee.*"

Mr. Foley wondered whether the number of unlicensed (at that address) animals wasn't the dispositive factor. Mr. Comar said if it was, perhaps the word "boarding" should be removed from the introduction to the section.

Ms. Groning asked about veterinary facilities.

At 6:45, there being no more comments or questions from the public, Mr. Williams closed the hearing.

After discussion, Ms. Cornwell moved to change the definition in 8.16.3 to “Any facility that houses *as a part of a business and/or in* exchange for a fee” (changes shown in italics). Mr. Foley seconded the motion, which passed 4-0-0.

The Commission will pursue information regarding regulating quasi-military facilities.

Adjournment

Ms. Cornwell moved to adjourn at 7:07 p.m. Ms. Miller seconded the motion, which passed 4-0-0.