

Shaftsbury Planning Commission

Cole Hall and remotely via Zoom

Tuesday, November 29, 2022

1. Call to order

The meeting came to order at 6:02 p.m. Present were commissioners Chris Williams (chair), Naomi Miller, Martha Cornwell, and Mike Foley. Also present were select board chair Art Whitman and zoning administrator Shelly Stiles.

2. Introduction to rezoning of lands east of Paran Creek in South Shaftsbury

Mr. Whitman shared some background. Some time ago a Cleveland Avenue resident called the Vermont State Police to complain about shots fired in the neighborhood. The police told him there was nothing they could do because the Town had no firearms ordinance. On research, it was discovered that indeed an ordinance had been passed which covered the "Fire and Light district," an entity since dissolved but more or less coterminous with the VR (Village Residential) and VC (Village Center) districts in South Shaftsbury. The Select Board saw an opportunity to protect public safety not only in the Village but also in the Harvest Hills and Paran Acres neighborhoods where a firearms ordinance to be imposed on all the Town's VR and VC districts. They proceeded to discuss the idea at Select Board meetings.

There it was reported that lands owned by the Mance family east of Paran Creek and west of Cleveland Avenue homes, lands zoned VR, have been used as hunting grounds for many years. Mr. Mance asked that the lands be rezoned R40 to permit continued hunting there. Mr. Williams described the lands as having a steep drop-off on the east and as being wet below, that is, not suited for dense development such as envisioned in the VR zone.

After further discussion, Ms. Cornwell moved to place parcels 16-21 20 and 16 21 22 as shown on the Town's on-line mapping program in the R40 zone. (A note from the zoning administrator: those parcel numbers are as shown on the official plat, small maps 2B in the vault. They will change when the grand list is next updated.) Mr. Williams seconded the motion, which passed 4-0-0. The matter will be put before the voters in March 2024.

3. Minutes

Mr. Foley moved to approve the October 25 minutes. Ms. Miller seconded the motion. On discussion, the word "may" was struck from item #4 and "urged" in item 3 was replaced with "encouraged." Ms. Miller moved to approve the amended minutes. Mr. Foley seconded the motion, which passed 4-0-0.

4. Rewriting of subdivision regulations

Ms. Cornwell shared a draft schedule for the initiative. She reminded the PC about the background documents that had been sent out earlier. Mr. Foley said he thought the distinction between "major" and "minor," the requirements for the various plats, and the discussion of roads and slopes needed addressing. Ms. Stiles said the Mr. McClintock, a former DRB member and lawyer, thought the major/minor distinction could be tossed. It has no real world consequences beyond the size of the application fee. She said in practice the Town and the DRB on its behalf does not regulate roads, drainage and erosion control, wastewater and potable water systems, and wetlands, but instead defers to State regulations regarding those elements. The complicated language in the existing regulations can be replaced by references to state regulations.

Ms. Cornwell asked the PC what they thought the subdivision regulations should protect. Mr. Williams said he thought that wasn't their purpose; that instead it was to lay out the mechanisms by which land use in the town is managed, the mechanisms of land transfers. Ms. Miller asked if the subdivision regulations don't try to implement a vision for the Town. Ms. Stiles reminded the PC that a revision to the open space subdivision part of the regulations is to go before the voters in March 2023 which explicitly list several natural resources that should be protected by that section of the regulations. She suggested the rest of the subdivision regulations should be consistent with those provisions.

At the next meeting each member will suggest revisions to sections 6.0-6.9. Ms. Stiles said she thought the sections were generally good ones for a volunteer board with little experience with issues addressed by plats, but that they might be relaxed just a bit as not every requirement is applicable in every instance.

5. Other business

The next meeting will be held December 13. Ms. Stiles will send out digital copies of a couple of plats the members can use to help them in their review of Section 6. Ms. Miller won't be able to attend but will send in her comments.

The meeting adjourned by acclamation at 6:50 p.m.