

Shaftsbury Planning Commission
August 23, 2016

The meeting came to order at 7:04 pm. Present were commissioners Chris Williams (chair), Dave Mance, Brie Della Rocca, and Mike Foley; Jim Sullivan, executive director Bennington County Regional Commission; and ZA Shelly Stiles.

Mr. Mance moved to approve the August 9, 2016 minutes. Ms. Della Rocca seconded the motion. Mr. Foley pointed out an error in bullet point number 5. The reference should be to section 7.11.7, not 7.11.1. The corrected minutes were approved 3-0-1, with Ms. Della Rocca abstaining.

Presentation of bylaw revision effort to Select Board, August 15, 2016: Mr. Williams said he and Mr. Mance had presented the proposed changes to the Select Board as needed after 37 years, during which changes had been made piecemeal, in some cases resulting in contradictions, and needed to incorporate changes in state statute. He reported that SB member Ken Harrington took issue with the proposal that site plans must be prepared by a licensed design professional, which he said would add to the cost. The group discussed how it might avoid such cost to the applicant but at the same time ensure accuracy of the plans and equitable review of them by the DRB. Mr. Mance pointed out that some applications, such as for change of use, may involve no changes to the physical character of the parcel, while others such as a request for a variance might not make sense without a site plan. Mr. Sullivan will try to write something for the PC's review.

Review of latest revisions: the PC turned to Mr. Sullivan's latest version, and discussed and made changes to it. Those changes are incorporated in these minutes by reference.

- Re 8.14, Dangerous and Unsafe Buildings: the town has a health officer; its safety officer is the emergency management director; it was suggested that John Lavelle, a structural engineer, could be hired.
- Re 9.1: it was agreed that no permit would be required for "removal or "razing" of any building (such is not "land development").
- Re 9.1.4: was changed to "a Certificate of Zoning Compliance must be obtained....in accordance with approved plans and specifications and the requirements of this Bylaw, including certification of compliance by the builder with the state's Residential Building Energy Standards."
- Re 9.6, Waivers, a new section: the PC agreed with Mr. Sullivan's proposed changes, except those in section iii, which was revised to read "The addition is specifically intended to improve access or safety, or for a minor addition to an existing building."
- The PC accepted Mr. Sullivan's separation of the sections on Appeals and Variances.
- Re 3.2.9, mixed uses and density: Mr. Sullivan asked if the PC wanted to change requirement in all zones but VC that additional minimum lot area shall be required for any additional principle use. Ms. Della Rocca favors high density in the existing VCs with open space outside that area (she pointed to a cluster of agricultural uses in Center Shaftsbury and north). Mr. Foley pointed out that not too long ago Center Shaftsbury was a sort of commercial hub, and that future higher density might be appropriate there. Mr. Mance will examine the tax maps to see just how many and which lots in Center Shaftsbury might be too small for more than one principle use under present dimensional requirements. Mr. Williams asked Mr. Sullivan to devote more language to a discussion of mixed use, what it is and why it is important, and to perhaps provide an example.

- Mr. Mance said he'd learned that junk yards are not regulated by the state's solid waste law, and so should not be referenced in the solid waste section. He suggested explicitly noting them in the I districts, or not permitting them at all.

Outstanding issues include: one or two VC districts (Mr. Williams will analyze lot sizes in those zones), low impact and higher impact I districts, the issue of mixed use in Center Shaftsbury.

Mr. Mance will not be present for the September 13 meeting.

The meeting was adjourned at 8:50 pm.

Notes by ZA Stiles.