

## Shaftsbury Planning Commission meeting held remotely August 11, 2020

The meeting, held on the digital platform GoToMeeting, came to order at 6 p.m. Present were commissioners Chris Williams (chair), Mike Cichanowski, Mike Foley, and Naomi Miller; zoning administrator Shelly Stiles; and several citizens.

Mr. Williams noted that a discussion of proposed changes to the Roadside Commercial (RC) zone was not on the agenda, but in view of the interest evinced by the presence of so many citizens, he permitted each to make a statement if they wished. Some asked for clarity regarding the evening's process. Dorothy Buxbaum shared her contact information with the Commission in case they should wish to contact her in the future. Liz Duffy asked how she would be notified of proposed changes. (Mr. Williams responded via "certified return receipt mail" as she is an adjoining landowner.)

The Commission reviewed various materials to decide which should be shared with the public on the town's website and on other platforms, including all the memos Mr. Williams drafted for Commission review and several maps created by Mr. Cichanowski illustrating the proposals discussed in the memos. Those proposals were:

1. zoning Route 7A RC from the southern end of the VC zone south to the Town line;
2. zoning RC a cluster of about five parcels around the intersection of Hidden Valley Rd. and Route 7A, in addition to rezoning the southern end of 7A south of the Village;
3. rezoning as RC both sides of Route 7A from West Mtn. Rd. northward to Birch Hill Rd. and Old Depot Rd.;
4. rezoning as RC the west side of Route 7A from West Mtn. Rd. northward to Birch Hill Rd., and the east side of Route 7A from Clearbrook Farm northward to Old Depot Rd.

Proposals 1 and 2 were passed by the Planning Commission but rejected by the Select Board. Proposal 3 was voted down by the Planning Commission. Proposal 4 was presented to the Planning Commission by the Select Board, but has yet to be addressed by the Planning Commission.

Mr. Cichanowski will summarize these actions on the maps.

Mr. Williams will write a short summary of proposal 4 for inclusion in the documents to be shared with the public.

Mr. Foley suggested that, although the Commission has postponed formal discussion of RC zoning until its October 13 meeting, citizens should feel free to bring questions about the history of the development of the various proposals to each Commission meeting in the interim.

All agreed that an email regarding the matter from Bennington County Regional Commission executive director Jim Sullivan, the response from Tim Scoggins, and the ensuing back and forth will be posted on the town website, as the views of the regional planning entity and the State are important pieces of the discussion.

Mr. Foley moved to approve the July 28 minutes. Mr. Cichanowski seconded the motion, which passed 4-0-0.

The Commission discussed a kennel bylaw. Mr. Williams summarized the consensus to date: that kennels should be allowed in all districts except the Village Center, Village Residential, and Forest and Recreation; that a large lot might be required; and that it should be a conditional use subject to Development Review Board review. DRB review would allow citizens to weigh in on a case by case basis.

Ms. Miller expressed a concern that the Commission was making a mistake by not distinguishing between kennels and those who take dogs into their home to make a little extra money. Kennels might be identified by the presence of outdoor cages in which dogs are kept. A 2-tier home

occupation/commercial structure might be able to address that matter, but Mr. Williams is not in favor of a 2-tier arrangement.

Mr. Foley suggested that rather than referencing the bylaw's 1500 s.f. limitation for a home occupation, we might better set a threshold as to what should be considered a kennel on the basis of the number of dogs. Ms. Miller suggested as the threshold four dogs that are not licensed by the owner of the dwelling.

Ms. Stiles suggested defining kennels so as not to include the small home operations Ms. Miller mentioned, and to require permits only for "kennels," however defined.

Jennifer Hoffman suggested using setbacks to protect neighbors from noise.

Mr. Williams will draft some bylaw language for review at the next meeting.

The August 11 meeting adjourned at 7:15 p.m.

Notes by ZA Stiles.