

Shaftsbury Planning Commission

December 14, 2021

Call to order

The meeting came to order at 6 p.m. Present were commissioners Chris Williams (chair), Martha Cornwell, Naomi Miller, and via Zoom, Mike Foley. Also present was zoning administrator Shelly Stiles.

Minutes

Mr. Foley moved to approve the Oct. 21 minutes. Ms. Miller seconded the motion, which passed 4-0-0.

A review of Enabling Better Places (EBP, a booklet dealing with short and long term solutions to lack of affordable housing in village centers and village neighborhoods)

Mr. Williams said that several years ago, he and Craig Bruder inventoried the lots in the VC and VR districts and found that only 8 or so, of various sizes, were not built upon. Ms. Miller said she thought there are several “underutilized structures and underutilized lots.” Mr. Williams said though we may prefer growth in the VR and VC zones, it seems people prefer living in R zones; perhaps we should focus on those areas. Ms. Miller noted that forests in those zones must be protected. Mr. Williams noted that EBP’s reference to minimum lot size was essentially mute, as the minimum lot size is already only 10,000 s.f., and the lack of a municipal wastewater system makes lots of at least one-half acre necessary. He noted that several years ago, the PC proposed that new VC/VR districts be created elsewhere in town, and asked the Select Board to choose one or more of the areas recommended. The Board was uninterested in pursuing new designations. Mr. Foley wondered if the issue isn’t lack of decent housing, no matter where it might be located. Since the town will not be pursuing a municipal wastewater system for the foreseeable future, he posed, shouldn’t the PC focus instead on promoting new housing in existing houses and structures such as garages. The ZA noted those new units would still need wastewater treatment facilities. Ms. Miller said it would be much less expensive to expand existing wastewater systems than build brand new ones. The PC will focus in accessory dwelling units (ADU) at the next meeting. The ZA will send out information on what our and other towns’ bylaws contain re ADUs.

Paramilitary facilities

Ms. Miller led the PC through a discussion of her proposed language re shooting ranges. She said she wished to approach the matter on the suggestion of Carl Korman – to enable Shaftsbury to avoid what has happened in re Slate Ridge in Pawlet. She said the goal of her draft language was **to describe what is permitted, thereby delineating all that is not permitted**. She said both she and Carl Korman had researched the legal literature and found nothing on regulating paramilitary facilities at the municipal level. Mr. Korman suggested relying on the Town Plan and rules regarding lead contamination in crafting new language. The PC discussed regulating munitions. The PC found it hard to define which guns could not be used in a shooting range situation without stepping on the toes of hunters, target shooters, and others. Mr. Williams noted that in the Pawlet case, the offending landowner hadn’t applied for permits of any kind; a town has little defense against such failure to play by the rules. The ZA wondered whether we might simply state in the bylaw that if a use is not expressly permitted, that use is not permitted. **Mr. Foley suggested we be more specific**. After discussion, bylaw language was suggested, to wit: no new public or member-limited facility the purpose of which is the promoting of or the discharge of munitions is permitted in the Town of Shaftsbury.

Bylaw cleanup

ZA Stiles said that rather than delete reference to fences as structures, she'd like to address the lack of guidance in the bylaw regarding their use and placement, that she could imagine an instance in which the Town would want to regulate them. She said she'd like to withdraw her request to delete reference to C of O and RBES compliance, having discovered in a review of emails that Ms. Miller had wished to incorporate both in the bylaw. She said she'd like the DRB to first weigh in on language resolving a conflict in the bylaw regarding required road frontages, and described a recent case before the Environmental Court regarding that conflict. She asked to add a definition of ADU to the definitions section, and to correct references to historic resources as described in the Town Plan.

Other business

Erin Cross of S. Shaftsbury submitted a letter and resume in application for the opening on the Planning Commission. Ms. Miller and Ms. Cornwell spoke well of Ms. Cross. Mr. Williams and Mr. Foley both said they would welcome her. It was agreed that the PC will ask that the Select Board appoint Erin Cross to the Planning Commission. Mr. Williams will communicate that consensus to the Select Board chair.

The meeting adjourned at 7:20 p.m.