

Town of Shaftsbury
Planning Commission

Minutes of the Meeting of February 9, 2016

- 1) The meeting was called to order at 7:01 pm. Present were commissioners Chris Williams (chair), Dave Mance, and Mike Foley; guests Jim Sullivan, BCRC executive director, and Tim Scoggins, Shaftsbury Select Board chair; and ZA Shelly Stiles.
- 2) January 12, 2016 minutes: Mr. Mance moved to approve the minutes. Mr. Foley seconded the motion. After discussion, the motion passed 3-0.

3) Zoning bylaw re-write

Mr. Sullivan introduced his draft re-write of the commercial and industrial sections, saying he'd decided to imagine the districts as "Village" and "Commercial/Industrial," and had used the discussion at the January 12 meeting, ZA comments, comments from the town attorney, and his own subjective perspective to guide his re-write.

Mr. Mance shared background on how the two VC districts came to be. In response to a proposal for an ice cream parlor at the bottom of Ledgley Drive, residents of Rt. 7A in the area secured a petition to limit commercial uses south of the present garage property. The Commission accepted their petition and put it on the ballot, but suggested that Rt. 67 from Eagle Square north to Rt. 7A be zoned commercial instead. Voters approved the VC zone on 7A but voted down the commercial zone on 67, about twelve-fifteen years ago.

Mr. Sullivan said the Town has a lot of conditionally permitted uses. "Conditional" seems to have a stigma, and to address that his draft recommends greater use of site plan approval. The ZA said the bylaws provide no standards, except for parking and signs, by which to judge a site plan. Mr. Sullivan said more explicit standards could make it easier to apply the bylaw equitably and consistently, but on the other hand, it could tie one's hands to a greater extent.

Mr. Sullivan said the Town's conditional use standards are stricter than those of other towns. There was a discussion of to what extent the DRB should be allowed to exercise its judgement, vs. using specific standards to avoid subjective decisions. Mr. Scoggins suggested simply stating "no undue adverse impact on the character of the area" and deleting references to air quality, noise, etc. Mr. Huncharek noted that having reference to air quality etc. helps DRB members know what kinds of things to examine. Mr. Foley noted it helps applicants know what the town's expectations are and what information they should be prepared to provide. It was pointed out that the only item that rises to the level of "performance standard" is noise. All others are "considerations."

Re Village districts:

Various language changes were suggested and recorded in Mr. Scoggins' digital document. Mr. Sullivan called attention to some changes he'd recommended, for example re maximum lot coverage. Re 6.2.1, accessory dwelling unit, it was suggested to add a parking requirement. Re 6.2.3, state or municipal facility: Mr. Scoggins does not want such uses permitted in the Village. Mr. Sullivan will fix the multi-family dimensional requirements in 6.2.4. Mr. Mance will map out all existing commercial uses in the VC districts. Cemeteries in the VC will be struck. Mr. Williams suggested mixed uses might be permitted across all districts if the use is permitted in the district, and that no increase in lot size should be required. Mr. Sullivan pointed out and the group agreed with decreased setback requirements in the VC districts. The group discussed lists of uses; are they exhaustive, up to date, and do they provide for

desirable uses we might not have imagined yet? Mr. Sullivan said he'd ultimately create a table summarizing uses by district.

Re commercial/industrial:

Mr. Williams noted that light industrial might be incorporated as a use. It appears the zoning map in the bylaw is inaccurate near Peckham's. Mr. Sullivan asked for more information about the Rec Zone.

The next meeting will be held February 23rd. The meeting was adjourned at 9:20 pm.