

Shaftsbury Planning Commission  
September 27, 2016

The meeting came to order at 7:03 p.m. Present were commissioners Chris Williams (chair), David Mance, Brie Della Rocca, and Mike Foley; Select Board chair Tim Scoggins; and ZA Shelly Stiles. Alice Miller joined the group later in the evening.

Mr. Foley moved to accept the 9/13/16 minutes. Ms. Della Rocca seconded the motion, which passed 3-0-1 with Mr. Mance abstaining.

Bylaw revisions discussion:

Mr. Williams shared a fictitious site plan for a 36' x 24' restaurant on a one-third acre lot in the VC, with the required 9 parking spaces. (Mr. Williams noted that parking spaces should be tied to square footage rather than number of tables or chairs, for example, as the former doesn't change.) The group agreed that one-third acre could be the minimum required for a small restaurant or café (notwithstanding septic setback requirements). They were counted and it was found that about 8 or 9 lots in the VC1 are one-third acre or larger.

How to describe the proposed change to the voters was discussed. It was agreed that the PC would split the vote into 1) a ballot referring only to the clean-up, update, modernized, state law-compliant bylaw and 2) ballots referring to possibly controversial issues such as allowing restaurants in what is now VC 1.

Mr. Mance suggested that side yard setbacks for restaurants (and perhaps other uses now not allowed) be reviewed. Perhaps they should be more protective of neighboring properties. Mr. Foley suggested hours of operation could be added. Whether to list such things in the conditional use section or in the description of the zone was left unresolved.

Ms. Della Rocca suggested language for voter consideration like "The Planning Commission recommends combining VC1 and VC 2 districts, adopting the requirements of the existing VC2 for the combined district, and refining this model as it relates to restaurants and perhaps other uses. The Village Center District is intended to serve as the center of the community, supporting a mix of commercial, residential, and public uses that will enhance the quality of life for residents and provide for sound economic development."

Mr. Foley asked whether the public might find it easier to accept a proposal in which the two districts remain separate, no changes are made to VC2, and VC1 rules are relaxed to permit restaurants in certain situations.

Or, another related suggestion, winnow the VC2 list of permitted uses (e.g. delete food warehouse).

The commission agreed to continue to discuss the issue.

Design professional: Mr. Williams said he'd asked various professionals what they'd charge for the service. Ms. Della Rocca said she'd learned the Small Business Bureau doesn't offer such help. Mr. Mance said he was familiar with templates from other towns which the DRB could use to check off for the applicant's assistance which site plan items are required. The issue was left for further discussion until BCRC's Jim Sullivan can be present.

What is "development" and how grading fits in was also left until Mr. Sullivan can be present. The discussion did point out, however, that there seem to be boilerplate definitions out there.

Ms. Della Rocca moved to adopt a groundwater protection overlay district as articulated in the State's model groundwater protection ordinance in the Town of Shaftsbury's zoning regulations. Mr. Foley seconded the motion. A discussion ensued.

Ms. Della Rocca shared a map of bedrock wells provided the State, and noted that about two-thirds of Vermonters and about one-half of Shaftsbury residents have private wells. The ordinance would protect the resource from degradation to ensure adequate streamflow, to maintain potable water supplies for future generations, and to avoid adverse impacts associated with the development of groundwater resources.

Mr. Mance pointed out that water in a bedrock well is different from water in an aquifer.

The group discussed what would be restricted and where, and agreed that a map of groundwater resources should be a first step. Ms. Della Rocca asked whether the commission would formally explore funding mechanisms with the Town of Shaftsbury, the Water Supply Division, the State of Vermont, the Rural Water Association, the VANR, the VDEC, and/or the EPA to research essential groundwater and aquifer mapping the board deems necessary in order to include a groundwater protection overlay district in our zoning regulations. Mr. Mance expressed some misgivings as to its cost. Ms. Della Rocca pointed out how many millions will need to be spent to respond, for example, to the PFOA events. Mr. Mance asked what the district would regulate re private wells that isn't already regulated by the zoning bylaw. Mr. Williams suggested keeping the item on the agenda and asking Mr. Sullivan for his take on the issue. Ms. Miller suggested contacting representative David Deen.

Mr. Williams noted with pleasure the exchanges his introduction of the Kingdom Trails phenomenon elicited. Mr. Scoggins said he brought the issue of monetizing our out of doors to a recent meeting of the Southern Vermont Economic Development Zone.

Discussion of protection of the public water system, also on the agenda, will be held until Mr. Sullivan can join in. Mr. Mance said he'd write to the Superintendent of the N. Bennington water supply to find out if he thinks the system is adequately protected by the Town's zoning bylaw.

The meeting adjourned by acclamation at 9:15 pm.

Notes by ZA Stiles.