Town of SHELBURNE

Planning Board

MINUTES

Meeting with Selectboard via Zoom ~ December 30, 2024

A duly posted meeting of the Shelburne Planning Board was held at the Town Hall meeting room, on Monday, December 30, 2024.

Present: John Wheeler

Will Flanders

Paul Hollings

Susan Durkee

Absent: Faith Williams

Administrative Assistant: Absent

Guests: Selectboard members Tricia Yacovone-Biagi, Andrew Baker, Rick LaPierre; Town Administrator Terry Narkewicz

The meeting was called to order by ChairJohn Wheeler at 5:45 pm.

The Board was seeking feedback from the Selectboard on four proposed bylaws. It was noted that a newer version of the short-term rental bylaw had been created, but it was not significantly different from the version distributed to the Selectboard.

**Short Term Rental Bylaw** – Tricia asked if the Town Clerk and Board of Health were aware that they would be involved in this bylaw. Paul said they were aware and that Health Agent Randy Crochier thought the Shelburne bylaw could be a model for other towns. Tricia did not like the word “timely” in regard to correcting violations. Will said the word allowed some flexibility in correcting issues, depending on what those issues were. Tricia asked how many residents with existing short-term rentals would be affected by the new bylaw. Paul said there are around 40 such units now and those would be grandfathered. Andrew said he understood the intent was to prevent non-owner-occupied short-term rentals but he felt that needed to be made clearer. Rick suggested requiring owners to explain the town’s winter parking ban. He also felt that it should be made clear that the ZBA was the SPGA.

**Mobile Food Establishments** – This will be a general bylaw not a zoning bylaw. Tricia suggested changing the operating hours from 8 am to 8 pm to 7 am to 9 pm. Fees for registration will be up to the Selectboard to decide. Tricia would also like to see a mention of trash disposal, use of tables, signage, and pedestrian and vehicular safety. Andrew said, at the present time, there is only one MFE in town and it appears that under the proposed bylaw another like it would not be allowed, although it is understood that the current MFE will be grandfathered. Will agreed that the proposed bylaw would not allow another MFE like the existing one, saying that he would not want to see every empty lot in town ending up with a temporary building. Will added that the bylaw would also apply to mobile homes and non-wheeled temporary buildings. Food trucks will need to be permitted by the Selectboard and the number of permits issued will be up to that Board. Rick suggested clarifying the permit process by listing the steps involved.

**Battery Storage Bylaw** – The ZBA had suggested that this bylaw be modeled after the existing telecommunications bylaw. Like telecommunications facilities, battery storage facilities cannot be prohibited, but towns can regulate them to some degree. This bylaw was modeled after one from the town of Oakham, which had been approved by the AG’s office. Tricia had quite a few suggestions including adding language to attempt to minimize environmental damage in the future and requiring, not suggesting, that a facility should be surrounded by a six-foot chain link fence. Rick suggested clarifying the order of the steps for applying for a permit.

Will expressed his concern about the process of bonds that are required for various large projects and his fear that the bonds would not cover the actual decommissioning. It was agreed that studying the bond process would be a future project.

**Accessory Dwelling Units** – John explained that essentially the existing ADU bylaw was being replaced by the new rules recently issued by the state. Discussion was held on the parking requirement and on curb cuts. It was decided to use the language provided by the state for those things.

The Planning Board will be meeting on January 7 and will update the bylaws and send the updated version to the Selectboard. It was noted that the short-term rental bylaw should be split into a zoning bylaw and a general bylaw.

At 7:14 pm a motion was made by Will, seconded by Paul, to adjourn the Planning Board meeting. Roll call vote: Will – aye; Paul – aye; Susan – aye; John – aye. Motion passed 4-0-0.

Respectfully submitted,

Faye Whitney

Administrative Assistant