

Shrewsbury Planning Commission

October 11, 2022 Public Hearings

Minutes / Notes

Public Hearing for Shrewsbury Flood Hazard Area and River Corridor Regulation

The hearing was held and chaired by the Shrewsbury Planning Commissioners. The hearing started at 6pm, there was remote participation (by zoom) as well as in-person.

- Introductions
- Described the process of adopting this bylaw
- Reviewed the report on the Town of Shrewsbury Flood Hazard Area and River Corridor Regulations and respond to questions.

Question as to if this requires state buy-in or approval.

Answer: We have had the state review the document and they have concurred with the bylaw.

Question as to the setback for streams in the River Corridor.

Answer: It is 100 feet for large streams and 50 feet for small streams.

Question on if storage and junkyards is defined in the Bylaw.

Answer: They are not, a junkyard is defined in the Shrewsbury Unified Zoning and Subdivision Regulations.

Question as to how substantial improvements are tracked. Do these improvements include inside improvements or just outer improvements.

Answer: This needs clarification since it seems to be based on outside improvements.

Public Hearing for Shrewsbury Unified Zoning and Subdivision Regulations

The hearing was held and chaired by the Shrewsbury Planning Commissioners. The hearing started at 7pm, there was remote participation (by zoom) as well as in-person.

- Introduction
- Described the process of adopting this bylaw
- Reviewed the report on the Amendments to the Town of Shrewsbury Unified Zoning & Subdivision Regulations and respond to questions.
 - Reviewed additional changes (VT statute change to plat recording requirements)
 - Accepted written comments (from Steven Nicholson)

Question about the repeater being in the preservation district and where a cell tower would be allowed and how that would affect the repeater being allowed.

Answer: We would have to check on some of this but it is an existing use.

Question about accessory dwellings.

Answer: This is defined in definitions.

Steven Nicholson provided the following written comments:

p. 10, Limited Residential: 206.2 Purpose To regulate the growth of areas in Town whose inaccessibility, soils, slopes, high groundwater table, floodplains, farmland, and natural areas render them either unsuitable or incompatible for any but limited development, in order to encourage continued use as

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valuable and productive **land** for agriculture, forestry, recreation, watershed, wildlife and natural areas and to protect sensitive ecological areas

p. 19, Building Permits: 301.3 B. Hunting, fishing, and trapping as specified under 24 V.S.A §2295 on private or public land. This does not include facilities supporting such activities, **such as firing ranges or rod and gun clubs, which for the purposes of these regulations, may be defined as outdoor recreation facilities or other use.**

For clarification does this mean firing ranges and rod and gun clubs can be in the Preservation district? See below.

p. 11 Preservation District: 208.2 Purpose To protect the natural beauty of the mountain terrain and its resource as critical wildlife habitat and corridors, forest lands, headwaters, and fragile natural environments; to prevent erosion of steep slopes and fragile soils; and to foster the important role played by these areas in the water cycle and carbon sequestration. Land development in these Districts shall be limited to the following: A. Open space uses including forestry, sugarbushes, and **recreation**, and wildlife habitat management.

p. 31 SECTION 307: Performance Standards for Commercial Outdoor Recreation Commercial Outdoor Recreation is a logical accessory or supplement to a bed and breakfast facility, tourist home, inn, **farm**, or other similar commercial activity in rural Shrewsbury and is, therefore, only permitted in conjunction with these land uses and meets the following conditions:

- A. Avoids significant alteration of land
- B. Avoids demand on Town roads or other facilities
- C. Is compatible with the Town's character
- D. Avoids **excessive** or obnoxious **noise** or glare

Since recreation is a logical accessory of the above mentioned businesses then a neighbor's objections to a rifle range across the road might not be taken into account?

p.24, SECTION 304: Site Plan Approval from the Development Review Board

304.1 General Information A. Site Plan Approval from the Development Review Board is required before the issuance of a zoning and/or subdivision permit for all proposed land development except for the following:

- 1. Agriculture uses and structures;
- 2. Forestry and conservation uses
- 3. Structures of less than 500 square feet;
- 4. Single-family and two-family dwellings and accessory structures **except in high elevation districts thereto;**
- 5. Home occupations;
- 6. **State registered or licensed day care facilities, group homes and residential care homes serving not more than six (6) people;**
- 7. Changes to uses and structures which, in the opinion of the Zoning Administrator, are minor and have no adverse effect in terms of the Site Plan review criteria stated below.

p. 49, SECTION 501: Home Occupations

501.1 Home Occupations as a Permitted Use

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Any resident has the right to use a portion of a dwelling or to use an accessory structure or structures for an occupation which is customary in residential areas and which does not have an undue adverse effect upon the character of the residential area in which the dwelling is located.

p. 68-69, ARTICLE VI TABLE OF USES Any uses not specifically permitted or conditional are prohibited. Note that all uses are Conditional and some may be Prohibited in Special Features Overlays and Flood Hazard Areas.

Associations Clubs and Lodges are not listed as a permitted or conditional use in High Elevation/Preservation districts. See sections 208.2 and 301.3.

Daycare is not listed as a permitted or conditional use in High Elevation Districts.

Also Campgrounds which might be considered a recreational use.

p.33, SECTION 309: Performance Standards for Wind Turbines and Solar Panels

C. To the greatest extent possible, structures and facilities shall be sited to **avoid open fields**.

I would think no one would want to put a solar array in the woods and the clearing of the woods would cause more environmental damage than putting them in open fields. Suggest requiring them to be of a height to avoid mowing until fall and managing them as sites for ground nesting birds and for pollinators.

p. 72, ARTICLE VII DIMENSIONAL REQUIREMENTS **For Open Space Development, (OSD), Zoning**

Why is this table, before Section VIII? There is no explanation of what an “OSD” is, unless I missed it on an earlier page, until the bottom of the table which is on the next page. Wouldn’t the table be better coming after Section VIII?