

**Sharon Selectboard  
Public Hearing Minutes  
June 26<sup>th</sup>, 2023  
FINAL**

Participants: Kevin Gish, Chair; Sarah Pfeiffer, Clerk; Nicola Shipman, Selectboard Assistant; Sue Sellw, Planning Commission; John Roe, Planning Commission; Ira Clark, Planning Commission; Dee Gish, Planning Commission; Barbara Donahue, Resident; Helen Pettengill, Resident; Scott Henkels, Resident; Kevin Blakeman, Resident; Bob Ferguson, Resident

**Call to Order**

Chair Kevin Gish called the hearing to order at 6:30 PM

**Review/Approve Agenda**

**Sarah Pfeiffer made a motion to accept the agenda as presented. Kevin Gish seconded. Motion approved unanimously.**

**Public Hearing Opening Remarks**

Kevin Gish welcomed attendees to the Town Plan public hearing and made some opening remarks as to the format and purpose of the hearing.

Kevin first reminded attendees that the Town Plan is a statement of policy that represents the public interest and serves as a guide for municipal decision-making about many elements including transportation, land use, utility infrastructure, energy, housing, and conservation.

Kevin also noted that the Town Plan enables Sharon to engage in other planning activities such as subdivision regulations and capital budgeting.

Once the 2023 Town Plan is adopted, all development projects subject to State land use review (referred to as Act 250) must be consistent with the Town Plan. A Town Plan also ensures Sharon is eligible to receive important State and federal funding.

Kevin shared that the Planning Commission has spent a great deal of time and effort since 2020, starting first with gathering public input, then reviewing and rewriting the 2015 Town Plan.

The Town Plan has ten chapters, each of which correlates with required elements specified in State statute.

Kevin extended a thank you to the Planning Commissioners for their diligent and consistent efforts to bring this draft forward.

Kevin reiterated that the Planning Commission held their initial public hearing on March 28<sup>th</sup>, 2023 during which time, they received feedback and made additional revisions to the draft Plan. Subsequently, the Transmittal Draft was forwarded to the Selectboard for review. The Selectboard made a few technical changes, but did not change the substance, meaning or intention of the Planning Commission draft.

Kevin noted that the purpose of this public hearing is to allow the Selectboard to hear comments on the most recent draft of the 2023 Town Plan. Once adopted, the Town Plan will remain in effect for eight years.

Kevin Gish opened the floor to questions or comments regarding the Selectboard Draft of the 2023 Town Plan.

### **Public Comment**

Bob Ferguson asked that the Selectboard include more specifics as it relates to the section “Town-Owned Property”, and referenced specifically pages 39 and 110. Bob noted that currently the draft says the Horseshoe League pits are located on private property, but this is not accurate. Bob also noted that the Town maintains abandoned cemeteries, which Bob feels should also be mentioned in the list of Town properties.

Kevin Gish and Sarah Pfeiffer agreed this was good feedback.

Helen Pettengill noted that on page 106, Item 5 states that the Town Hall (and Masonic Lodge) was “originally built as a school”, but Helen questioned the veracity of that statement as she does not believe it was built to be a school based on oral history passed down to her from Walter Drown.

Nicola Shipman noted that although the Masons donated the land on which the school was to be built, she does not believe the Masonic Lodge was a school originally. Sue Sellew confirmed that the draft Town Plan in this case is incorrect and will need revision. Sue agreed that the current municipal building was originally built as a Masonic Lodge, as Helen noted.

Barbara Donahue asked, first, if her property is in the village district, and she asked if she would be able to subdivide her property if it is in the village district.

Sue Sellew responded that there would be no additional regulations to a property based on its inclusion in the village district and confirmed that any Sharon property would be subject to the same Subdivision Bylaws and/or Act 250 requirements, whether inside or outside of the village.

Kevin Gish observed that the Town Plan is not regulatory, generally, and really there are two primary documents that serve as regulations for the Town: the Subdivision Regulations and the Flood Hazard Bylaws.

Sue Sellew noted that the village designation is in place as a support for village businesses as it allows owners to apply for funding and tax incentives more than anything.

Sue Sellew and Kevin Gish concurred that so long as a subdivision application complies with Act 250 requirements, the Flood Hazard Bylaw and the Subdivision Bylaws, there would be nothing in the Town Plan itself that would inhibit a legal subdivision as it is not regulatory in nature for the average property owner.

Helen Pettengill asked about the Flood Hazard Bylaw, and whether it had been voted on.

Sue Sellew noted the Flood Hazard Bylaw had been voted on, and that it had gone through public hearings like this hearing for the Town Plan. Sue observed that the Flood Hazard Bylaw was adopted in 2010.

Nicola Shipman clarified further, as it seemed that Helen was asking specifically if the Town's registered voters had voted directly to adopt the Bylaw. Nicola specified that the Flood Hazard Bylaw would have been adopted by a majority vote of the legislative body, rather than by registered voters.

Helen Pettengill referenced page 14 and a mention of outdoor recreation including hunting and fishing as it relates to unposted land in Town. Helen shared that she does not feel there is much unposted property in Town, and, according to her husband, hunting had been a vital component of growing up in Sharon. Helen asked if any of the Town lands are currently posted.

Nicola Shipman noted that one of the only suitable Town-owned lots appropriate for hunting would be the Minister's Lot, but the lot has no rights-of-way and would not be accessible without permission from abutting landowners. Nicola also suggested that Downer State Forest is available for hunting, although it is not Town land, rather State Forest. Kevin Gish also referenced Ashley Community Forest, which is shared jointly by the Towns of Sharon and Strafford. Kevin noted that the Ashley Community Forest is not currently posted, and at this time he is unaware of any plans for posting. Kevin also noted the Minister's Lot is not posted.

Helen Pettengill asked specifically about page 15, Item 5 wherein the Town Plan states that: "[l]ots must take advantage of and preserve desirable features, such as stone walls, hedgerows, fields, natural cleaning and land contours." Helen felt this would be restrictive to individual landowners who may wish to change the property according to their preferences.

Ira Clark responded that this section of the document, and really the Town Plan in general, is a resource the Town can rely on primarily during Act 250 proceedings. The Town Plan does not have much influence over the average property owner who is not subject to Act 250 requirements.

Helen Pettengill brought the Selectboard's attention to page 15, Item 10 noting that the Plan states that "developments involving adjacent buildings or lots, driveways must be shared." Helen

felt that the word “must” was overly restrictive and cumbersome due to the complications of a shared driveway.

Ira Clark and Kevin Gish reiterated that Item 10 is only a requirement as it pertains to subdivisions under Act 250 review.

Helen Pettengill responded that she still feels shared driveways are not a good idea because of the complications that arise.

Bob Ferguson noted this principle of shared driveways was applied during the development of Commerce Park, for example, and he understands the purpose of this requirement was to minimize the number of curb cuts, thereby reducing hazardous road conditions.

Helen Pettengill replied that although this kind of regulation doesn't affect her personally, she wanted to share that she feels shared driveways are not a great idea.

Kevin Blakeman asked how the Town can require a shared driveway.

Kevin Gish noted that this item, along with the Town Plan, becomes regulatory in the oversight of development subject to Act 250 review but serves as a vision for the Town otherwise.

John Roe shared that a lot of these planning stipulations have two ways we can look at them. In larger developments, he noted, it is important to recognize that there are two sides to such restrictions, since restrictions on Act 250 development could also be viewed as protections, especially when a Town doesn't have zoning regulations. John noted that the shared driveway requirement is intended to reduce the number of curb cuts in Town.

Helen Pettengill noted on page 16 that “...self-storage units...shall not be located in the village areas”, but simultaneously the Plan encourages converting the use of existing buildings.

Helen Pettengill wondered if the Selectboard is aware that all over the nation, empty buildings, malls, for example, are being converted to self-storage, and there are people who do that. She wasn't sure why it was prohibited.

Helen Pettengill pointed to the village density challenges noted on page 17, sharing that infill development of housing is encouraged by the Plan, but on page 16, the Plan notes challenges to development due to the lack of Town sewer and water as an inhibitor for future development. Helen asked if there should be more conversation about the duality between the State's encouragement of infilling versus the need to overcome septic and water system limitations in Town.

Kevin Blakeman agreed there isn't a lot of possibility to expand without municipal water and sewer, and he said it sounds like a good idea in a way, but it doesn't seem practical. Kevin Blakeman also noted that while it sounds great to encourage village life where people can walk or bike to village locations, there are not many who choose to live in the village.

Bob Ferguson noted that often the Town Plan is really a lot like a wish list, and ultimately Bob has noticed that as people get older, for example, they may wish to live closer to a village that is more walkable with access to amenities. Bob also noted that the Town Plan does not mandate anything, but the State in general considers higher village density to be a good goal. Bob thinks the State also recognizes this is not a one-size-fits all solution for Towns, and the State also recognizes that infill may not be practical in some cases. Bob said the Town Plan doesn't discourage development.

Kevin Gish noted that the Town Plan is very limited in its regulatory scope outside of its role in Act 250 proceedings.

Ira Clark noted that it is challenging to build up the village as it is hemmed in by the river, the hills, currently all lots are developed, and there is not a surplus of land left to be developed. He said it is worth noting that the wording of line 10 is a mild suggestion to encourage infill of the village.

Kevin Gish responded that infill/higher density is desirable and referenced a development in Fairlee that decided to increase a building height to three stories, which is unusual, but may be the kind of creative thinking that might help Towns increase housing.

John Roe mentioned that the tension between development and affordability of public utilities is a balancing act. He noted that adding municipal water is somewhat more possible than Town sewer for example, and this could solve the issue of multiple wells in the village, allowing for more infill. However, the Planning Commission is making a conscious effort to identify areas where development might take place and looking to different solutions for the future.

Helen Pettengill asked a question about the removal of dams as a solution for allowing water to flow more effectively during major storms, as she thought dams were in place primarily to prevent flooding. Helen wonders why dams are built in general.

Bob Ferguson noted that there are generally two types of dams, flood control dams and hydropower dams. Bob stated that to his knowledge, flood control dams throughout the country are generally being removed.

Helen Pettengill noted that there is a map showing dams on streams all around Sharon.

Sue Sellew observed that many of those older dams fill with silt over the years, and those dams are no longer functioning, even contributing to worse damage due to the silt. Helen Pettengill asked if these flood control dams could be converted into hydropower dams. Sue Sellew responded that they could, but it would be costly.

In reference to page 35, electric charging stations in the village area, Helen Pettengill wonders how the Town intends to pursue these, and where they would be located. Helen wondered how this would complement the village.

Nicola Shipman responded that there could be an electric charging station included in the State Park and Ride in Sharon when they upgrade that in the next two years or so.

Helen Pettengill asked if a big charging station is the first thing we want people to see when they come to Sharon.

Bob Ferguson suggested that the gas station is similar in that it is highly visible, and yet provides a similar service for drivers as an EV charging station.

Hellen Pettengill noted that Randolph Technical Center should be included in the description on page 47.

Helen Pettengill on page 59 at the bottom of the third paragraph, the word “breaking” should be changed to “braking”

Helen Pettengill asked why the Town Plan has all this specific detail included and does it even belong in the Town Plan.

Kevin Gish and Ira Clark responded that a lot of the language is boilerplate and many of the requirements come from the State.

Helen Pettengill noted that on page 89, the Plan encourages the Town to maintain vegetative buffers adjacent to the White River, but on page 90, Helen sees the Town Plan also advocates for the elimination of toxic plants and poison ivy on the riverbanks.

Helen wonders how the Town can both remove toxic plants but also protect vegetative buffers.

Bob Ferguson said perhaps even in the fight against the invasive or toxic plants, vegetative buffers can be preserved since ultimately the Town does not want the riverbank to be overrun with toxic plants.

Helen Pettengill said she is not in favor of zoning, but she recognizes the need for rules and regulations. Helen brought the Selectboard’s attention to page 102 of the Town Plan and said, as a rule, she is not in favor of zoning. Helen pointed to “Actions for Outside Aesthetics” regarding specific lighting requirements which feels like zoning to Helen.

Ira Clark responded that these kinds of restrictions would relevant specifically to developers going through Act 250 proceedings. Kevin Gish noted that The Trading Post, when it underwent the Act 250 review process, would be an example of the kind of development that would be subject to this kind of restriction rather than landowners who are not subject to Act 250 review.

Helen Pettengill noted that on page 144, she questioned the cost of the feasibility study for the Town Garage. Kevin Gish noted that these are very rough estimates as this is only in the initial stages for this process.

Nicola Shipman noted that the Town is required to include an estimated cost for any anticipated capital improvements in the Plan.

On page 130, Helen Pettengill referenced renewable energy education in the classroom. Helen said she was a teacher for many years and conceded that, while there quite likely many excellent energy education programs, schools are being required to teach so many things, it might not be advisable to spread educators too thin. Helen feels it is a challenge for educators to be able to deliver the basics, and, in her opinion, often students are not getting some of the basics she feels are important.

Helen also recognized her comment was related to something outside the scope of the Town Plan and is something of an offshoot, so she redirected attention to page 130 to a section of the Town Plan that encourages conservation of energy through outreach and education of residents regarding “advanced wood heat/stove/furnaces”. Helen wondered what those might be.

Kevin Gish and Bob Ferguson responded with information about advanced wood stoves/furnaces referencing reduced emissions and energy efficiencies that are not available in older stoves.

Helen Pettengill asked a follow up question as to how well heat pumps function in Vermont.

Bob Ferguson responded that there are cold operable heat pumps that function well in cold climates, but even those do have some limits in extreme cold. That said, they are operating much more efficiently in cold climates.

Helen Pettengill referenced on page 143 a mention of repairs to the Old School House between \$29,000 - \$50,000 in repairs to the Old School House and wondered how much rent the Town collects.

Nicola Shipman responded that she could look up the exact amount, but the rent paid to the Town is over \$2,000 per month. Nicola also noted that rent is deposited into a specific fund designated as the “Old School House Fund”, and typically Old School House building maintenance and many repairs are paid from that fund rather than the General Fund.

Michael Barsanti wanted to follow up regarding comments about the education system and said that there is no frivolous education taking place but rather there is a tremendous focus on the basics.

Helen Pettengill responded that she was not criticizing the local elementary school’s educational quality.

Kevin Blakeman asked if the Town is in fact encouraging growth. Kevin thought even though in writing there is a movement to encourage development, he feels that in practice it is difficult to move through the development approval process.

Kevin Gish responded that each Town decision with regards to subdivision applications, for example, are specific to each individual circumstance, but in general so long as an applicant can demonstrate compliance with Act 250 and/or the Town regulations, growth is encouraged.

Kevin Blakeman said he has similar concerns to others regarding the balance between increased housing and privacy. He feels many in Town aren't interested in growth necessarily especially if it will affect them personally.

Kevin Blakeman stated he heard a population statistic at the Planning Commission Hearing and that the population now is roughly the same as it was 100 years ago.

Sue Sellev noted there is a plot graph in the Town Plan showing population growth since the lowest point when the Town experienced tremendous attrition in the '60s and '70s. Sue indicated the Town population has rebounded from that low point and has caught back up to the peak population numbers.

Helen Pettengill said there is a reference to zoning on page 122 and said she is against zoning.

The response from several participants was to reiterate that there is no zoning in Sharon, and that the reference on page 122 merely indicates the regulatory options available for the "implementation of objectives" of the Town Plan particularly in Act 250 proceedings. This is not zoning.

Bob Ferguson noted there is an advantage to having a Town Plan, as it opens funding to municipalities.

Kevin Gish said the Town Plan provides guidance for the Town, as well as opens opportunity for the Town to effectively participate in Act 250 hearings and agreed with Bob Ferguson, that a Town Plan was essential for certain kinds of funding opportunities for municipalities.

Bob Ferguson agreed and wanted to reiterate that a Town Plan provides benefits to the Town, but it is not the same as zoning.

Kevin Gish thanked attendees for their participation and noted that the Selectboard will consider ideas submitted and what changes to include in the final document. If any are substantial changes, there would need to be an additional public hearing

Scott Henkels made a comment about the importance of installing EV Charging Stations and noted that the State of California has instituted a law that all new vehicles sold must be electric by 2035. Scott noted that California laws often have an effect across the country. Scott said it is worth paying attention to nationwide trends, so the Town can be prepared for the changes.



Hearing no further questions or comments, Kevin Gish entertained a motion to adjourn.

**Adjourn**

**Sarah Pfeiffer made a motion to adjourn at 7:41 PM. Kevin Gish seconded. Motion approved unanimously.**