

**Election Results**  
**ANNUAL TOWN MEETING SHAFTSBURY, VERMONT**  
MARCH 1, 2022  
608 Votes Cast

**SELECTMAN**

2 Years      Vote for not more than ONE  
Art Whitman .....497  
Write-In.....7  
Blank.....104  
Total .....608

**SELECTMAN**

3 Years      Vote for not more than ONE  
Ken Harrington .....174  
Martha Cornwell .....418  
Write-In.....3  
Blank.....13  
Total .....608

**MODERATOR**

1 Year      Vote for not more than ONE  
Thomas Dailey .....509  
Write-In.....4  
Blank.....95  
Total .....608

**DELINQUENT TAX COLLECTOR**

1 Year      Vote for not more than ONE  
Merton Snow.....495  
Write-In.....7  
Blank.....106  
Total .....608

**LISTER**

3 Year      Vote for not more than ONE  
Gina Jenks .....465  
Write-In.....7  
Blank.....122  
Total .....608

**AUDITOR**

3 Years      Vote for not more than ONE  
Michael "Mike" Caslin .....483  
Write-In.....3  
Blank.....122  
Total .....608

**TRUSTEE OF PUBLIC FUNDS**

3 Years      Vote for not more than ONE  
Barry S. Mayer .....458  
Write-In.....6  
Blank.....144  
Total .....608

**1<sup>ST</sup> CONSTABLE**

1 Year      Vote for not more than ONE  
Bob Perry .....443  
Write-In.....8  
Blank.....157  
Total .....608

**2<sup>ND</sup> CONSTABLE**

1 Year      Vote for not more than ONE  
Write-In.....30  
Blank.....578  
Total .....608

Attest \_\_\_\_\_ Date \_\_\_\_\_  
Marlene Hall, Town Clerk

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**ARTICLES**

1. Shall the Town authorize collection of taxes on real or personal property by its Treasurer, which are due in hand on or before, Thursday November 10, 2022 at 5:00pm or likewise postmarked no later than Thursday, November 10, 2022?

2. **YES 532      NO 35      BLANK 41**

1. Shall the Town appropriate \$2,301,468 to defray the Town's general and highway expenses for Fiscal year 2023, the amount of such sum to be raised by property taxes and to be reduced by non-tax revenues and reserve funds?

**YES 440      NO 124      BLANK 44**

3. Shall the voters authorize the elimination of the office of Town Lister in accordance with 17 V.S.A. 2651c(b)(1) and replace it with a professionally qualified assessor who shall have the same powers, discharge the same duties, proceed in the discharge thereof in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under provisions of Title 32?

4. **YES 379      NO 160      BLANK 69**

2. Shall the voters of the Town of Shaftsbury approve the following amendments to the Shaftsbury Zoning Bylaws:

**Summary of proposed bylaw changes**

**Grandfathering**

Proposed: Amend 8.1.1.ff as follows (changes in italics)

iii. no Nonconforming *Commercial* Use of a building or lot which has been discontinued or abandoned for a period of *two years* shall thereafter be resumed. *No other nonconforming use of a building or lot which has been discontinued or abandoned for a period of one year shall thereafter be resumed.*

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**No helipads, private landing strips**

Add new section (changes in italics)

*8.17: Helipads and Private Landing Strips*

*Private landing strips and helipads are prohibited in the Town of Shaftsbury.*

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**Boundary Line Adjustment**

SECTION 5.02 - BOUNDARY LINE ADJUSTMENT

5.02 Purpose: This Bylaw grants the Zoning Administrator the authority to

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administratively review requests for Boundary Line Adjustments involving abutting legal lots within town boundaries. A Boundary Line Adjustment is an adjustment of boundary lines between contiguous lots without creating a new or additional lot and without creating a nonconformity with existing town regulations in the resulting lots. This Bylaw is in addition to any requirement for a permit or exemption under the State of Vermont Wastewater System and Potable Water Supply Rules.

5.02.1 Application and Required Information: Any person desiring approval of a Boundary Line Adjustment shall submit an application to the Zoning Administrator. The application shall include a mylar survey plat completed by a Vermont licensed surveyor containing the following information:

- a) A legal description of properties subject to the boundary line adjustment application;
- b) The date of preparation of the maps, an identified north arrow, and the scale of the map;
- c) The total area of each lot before and after the proposed boundary line adjustment;
- d) The location and dimensions of all structures, driveways, sewage disposal systems, wells, utilities and other improvements on each lot subject to the proposed boundary line adjustment; and
- e) A description of the meets and bounds of the lots that will result from the boundary line adjustment by identifying a beginning point and a description of the length and direction of each course in the tract in sequence and which returns to the beginning point.

Additionally, the application shall contain:

- a) The names, addresses and telephone numbers of all property owners involved in the proposed boundary line adjustment; and
- b) Signed and notarized authorization from all property owners.

5.03 Criteria for Approval: All Boundary Line Adjustments shall be consistent with the following standards:

- 5.03.1 The Boundary Line Adjustment does not create a new lot or lots.
- 5.03.2 The parcels resulting from the Boundary Line Adjustment shall meet all dimension, area and land use regulations of the Zoning Bylaws.
- 5.03.3 If one or both lots, or the structures located thereon, at the time of the application for a Boundary Line Adjustment do not conform to the Zoning Bylaws, the adjustment shall not increase or worsen the nonconformity of the nonconforming lot(s) or structure(s).
- 5.03.4 The Boundary Line Adjustment does not realign lot lines that create directional changes in the orientation of lot(s), such as changing front yards into side yards or rear yards [and] which result in nonconforming setbacks.

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- 5.04 Zoning Administrator Review and Action: Based on review of the proposed Boundary Line Adjustment, the Zoning Administrator shall determine if the proposed boundary line adjustment meets the criteria for approval stated above. If the Zoning Administrator finds that the proposed boundary line adjustment complies with all the above requirements, the application shall be approved. If the Zoning Administrator finds that the proposed boundary line adjustment does not comply with the above requirements or there is any doubt about the application meeting the above criteria, the application shall be denied. The decision by the Zoning Administrator may be appealed to the DRB.
- 5.05 Final Approval and Authorization for Property Owners: Approval of the Boundary Line Adjustment shall constitute authorization for the applicant to prepare appropriate documents to transfer the property being adjusted or record the boundary line adjustment agreement, as indicated. A Boundary Line Adjustment shall be completed according to the following:  
The owner(s) shall have prepared the appropriate deeds for the transfer of ownership or an appropriate boundary line adjustment agreement, and in each case the necessary transfer tax returns, and a survey map that meets all of the requirements set out in Section 5.01.1 above including the mylar required for recording in the land records. The deed and map shall contain the following language: "This conveyance (or survey) is for the purpose of accomplishing a boundary line adjustment. It shall not create any additional lots, tracts, parcels, or divisions." The map shall contain a signed statement of approval by the Zoning Administrator. The map shall contain a note which references the recording information for the deeds for the actual property transfer.
- 5.06 Final Approval and Recording: Upon securing signed approval by the Zoning Administrator, the applicant shall submit a Boundary Line Adjustment survey and mylar map to the Town Clerk for recording in the Land Records within 180 days, together with the deeds or boundary line adjustment agreement and transfer tax forms. Boundary Line Adjustments granted under this provision shall expire if approved surveys are not filed and recorded within this 180-day period.

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- 5.06.3 If one or both lots, or the structures located thereon, at the time of the application for a Boundary Line Adjustment do not conform to the Zoning Bylaws, the adjustment shall not increase or worsen the nonconformity of the nonconforming lot(s) or structure(s).
- 5.06.4 The Boundary Line Adjustment does not realign lot lines that create directional changes in the orientation of lot(s), such as changing front yards into side yards or rear yards [and] which result in nonconforming setbacks.

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- 5.07 Zoning Administrator Review and Action: Based on review of the proposed Boundary Line Adjustment, the Zoning Administrator shall determine if the proposed boundary line adjustment meets the criteria for approval stated above. If the Zoning Administrator finds that the proposed boundary line adjustment complies with all the above requirements, the application shall be approved. If the Zoning Administrator finds that the proposed boundary line adjustment does not comply with the above requirements or there is any doubt about the application meeting the above criteria, the application shall be denied. The decision by the Zoning Administrator may be appealed to the DRB.
- 5.08 Final Approval and Authorization for Property Owners: Approval of the Boundary Line Adjustment shall constitute authorization for the applicant to prepare appropriate documents to transfer the property being adjusted or record the boundary line adjustment agreement, as indicated. A Boundary Line Adjustment shall be completed according to the following:  
The owner(s) shall have prepared the appropriate deeds for the transfer of ownership or an appropriate boundary line adjustment agreement, and in each case the necessary transfer tax returns, and a survey map that meets all of the requirements set out in Section 5.01.1 above including the mylar required for recording in the land records. The deed and map shall contain the following language: "This conveyance (or survey) is for the purpose of accomplishing a boundary line adjustment. It shall not create any additional lots, tracts, parcels, or divisions." The map shall contain a signed statement of approval by the Zoning Administrator. The map shall contain a note which references the recording information for the deeds for the actual property transfer.
- 5.09 Final Approval and Recording: Upon securing signed approval by the Zoning Administrator, the applicant shall submit a Boundary Line Adjustment survey and mylar map to the Town Clerk for recording in the Land Records within 180 days, together with the deeds or boundary line adjustment agreement and transfer tax forms. Boundary Line Adjustments granted under this provision shall expire if approved surveys are not filed and recorded within this 180-day period.

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**8.16 Dog Boarding/Kennels**

8.16.1 **Districts Allowed**. These facilities shall be permitted in all districts except Village Center (VC) and Forest and Recreation (RC) as a Conditional Use, including site plan approval, subject to review and approval by the Development Review Board (DRB). In reviewing an application for this use, the DRB shall reference the Vermont Agency of Agriculture Food and Market's Animal Welfare Regulation promulgated under authority of the VSA T20 Chapter 194 Section 3908 Sections 1.1 thru and including 3.14. (See Appendix, Vermont Animal Welfare Regulations,

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[https://agriculture.vermont.gov/sites/agriculture/files/documents/Animal\\_Health/Animal%20Welfare%20Regulations.pdf](https://agriculture.vermont.gov/sites/agriculture/files/documents/Animal_Health/Animal%20Welfare%20Regulations.pdf).) Any proposed facility complying with these provisions in their entirety at all times will be considered compliant.

**8.16.2 Requirements and Standards**

- a) Five acres shall be the minimum lot size for dog boarding facilities
- b) The total number of dogs shall not exceed 6.
- c) Dog kennels, shelters or runs shall not be located within 1000 feet or fewer of the nearest neighboring residence at the time of the issuance of the permit for that facility.
- d) Animals shall be securely fenced.
- e) No excessive barking shall emanate from the kennels at any time. Quiet hours shall be maintained from 9:00pm to 7:00am weekdays, and 9:00pm to 8:00am weekends and holidays.
- f) The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies and the spread of disease. Animal odors shall not be detectable beyond the lot lines of the property wherein the kennels are located.
- g) Proof of up to date rabies vaccinations are required before and each time a dog is allowed into the facility.
- h) Personnel shall be available at all times to care for and supervise the animals. Contact information for such personnel shall be registered with the Town Clerk and Animal Control Officer by the kennel owner.
- i) Permit holders must annually hire a consultant veterinarian licensed in the state of Vermont to inspect the facility and confirm it is compliance with the bylaw. If complaints arise from the community and/or adjacent landowners the following mechanism is in place to address these concerns.
  - a. The Zoning Administrator shall provide written warning notice to any person suspected of an alleged violation of any bylaw after it has been adopted pursuant to Chapter 117 of Title 24. The notice must be sent by certified mail and shall advise the alleged offender of the following:
    - i. The nature of the violation referencing the specific provisions of the bylaws.
    - ii. That he or she has seven days in which to resolve the violation.
    - iii. That the fee for the violation shall be in accordance with 24 VSA Section 1974a, 4451, and 4452.
    - iv. That he or she is not entitled to any additional warning notice for a violation occurring after the seven days.
    - v. That he or she has a right to appeal the notice of violation to the Development Review Board.

**8.16.3 Definitions**

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- a) Dog Boarding/Kennel Facility- Any facility that houses as part of a business and/or in exchange for a fee, more than three dogs at a time which are not licensed at the address of the facility. This definition shall not include Veterinary Clinics.
- b) Excessive Barking- Any noise by a dog or dogs audible at the property line of a property on which a kennel is located which occurs repeatedly during at least a seven minute period of time with a three minute or less lapse of time between each bark.

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*The deletions shown below are proposed to remove a conflict with the allowed uses and setback requirements referenced in sections 4-7.*

**8.7 Ponds**

**1. YES 294      NO 110      BLANK 203**

**5. Community Appropriations to Determine:**

- 1. Shall the Town appropriate **\$8,500** to the Arlington Rescue Squad, Inc.?  
**YES 491                      NO 94                      BLANK 22**
- 2. Shall the Town appropriate **\$5,225** to Bennington Area Visiting Nurse Association and Hospice?  
**YES 528                      NO 62                      BLANK 17**
- 3. Shall the Town appropriate **\$5,000** to the Bennington Coalition for the Homeless?  
**YES 462                      NO 122                      BLANK 23**
- 4. Shall the Town appropriate **\$1,000** to the Bennington Free Clinic?  
**YES 487                      NO 102                      BLANK 18**
- 5. Shall the Town appropriate **\$18,000** to the Bennington Free Library?  
**YES 396                      NO 191                      BLANK 20**
- 6. Shall the Town appropriate **\$600** to Bennington Little League?  
**YES 461                      NO 124                      BLANK 21**
- 7. Shall the Town appropriate **\$4,500** to the Bennington Project Independence, Inc.?  
**YES 483                      NO 99                      BLANK 25**

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8. Shall the Town appropriate **\$1,700** to the Bennington Rutland Opportunity Council?  
**YES 376**                      **NO 198**                      **BLANK 33**
9. Shall the Town appropriate **\$600** to the Center for Restorative Justice?  
**YES 422**                      **NO 158**                      **BLANK 27**
10. Shall the Town appropriate **\$200** to the Green-Up Vermont?  
**YES 515**                      **NO 75**                      **BLANK 17**
11. Shall the Town appropriate **\$1,850** to the Habitat for Humanity?  
**YES 438**                      **NO 144**                      **BLANK 24**
12. Shall the Town appropriate **\$25,200** to the John G. McCullough Free Library?  
**YES 376**                      **NO 207**                      **BLANK 24**
13. Shall the Town appropriate **\$2,000** to the Martha Canfield Library?  
**YES 353**                      **NO 228**                      **BLANK 26**
14. Shall the Town appropriate **\$2,500** to the Paran Recreations, Inc.?  
**YES 463**                      **NO 119**                      **BLANK 25**
15. Shall the Town appropriate **\$1,500** to the Park McCullough House?  
**YES 381**                      **NO 201**                      **BLANK 25**
16. Shall the Town appropriate **\$450** to the Project Against Violent Encounters?  
**YES 494**                      **NO 94**                      **BLANK 19**
17. Shall the Town appropriate **\$950** to the Retired and Senior Volunteer Program?  
**YES 499**                      **NO 84**                      **BLANK 24**
18. Shall the Town appropriate **\$2,500** to the Shaftsbury Historical Society, Inc.?  
**YES 437**                      **NO 144**                      **BLANK 26**
19. Shall the Town appropriate **\$1,000** to the Sunrise Family Resource Center?  
**YES 417**                      **NO 162**                      **BLANK 28**
20. Shall the Town appropriate **\$1,100** to the SW Vermont Council on Aging?  
**YES 481**                      **NO 106**                      **BLANK 20**
21. Shall the Town appropriate **\$900** to the Tutorial Center?  
**YES 452**                      **NO 134**                      **BLANK 21**
22. Shall the Town appropriate **\$300** to the VT Association for the Blind & Visually Impaired?  
**YES 522**                      **NO 67**                      **BLANK 18**



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23. Shall the Town appropriate **\$1,000** to the VT Center for Independent Living?  
**YES 488**                      **NO 101**                      **BLANK 18**
24. Shall the Town appropriate **\$500** to the Bennington County Association Against Child Abuse?  
**YES 513**                      **NO 74**                      **BLANK 19**
25. Shall the Town appropriate **\$5,000** to Shires Media Partnership (WBTV)?  
**YES 324**                      **NO 250**                      **BLANK 32**
26. Shall the Town appropriate **\$750** to Shires Kids?  
**YES 394**                      **NO 176**                      **BLANK 36**
27. Shall the Town appropriate **\$750** to Bennington Senior Center?  
**YES 514**                      **NO 74**                      **BLANK 18**
28. Shall the Town appropriate **\$450** to Bennington County Conservation District?  
**YES 449**                      **NO 135**                      **BLANK 22**

Attest \_\_\_\_\_ Date \_\_\_\_\_  
Marlene Hall, Town Clerk

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