

TOWN OF SHELBURNE
Planning Board
Minutes of Meeting February 8, 2017

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, February 8, 2017 at 7:00 pm in the Town Hall, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair Planning Board

Will Flanders

Cam Stevenson

Josiah Simpson

Administrative Assistant: Liz Kidder

Absent:

Audience:

The meeting was called to order at 7:03 pm.

A motion to approve the minutes of the January 25, 2017 meeting was made by Will and seconded by Cam.

Vote: 3 in favor, 0 opposed, 1 abstention by John as chair of the meeting.

ANR Plans – none presented

Special Permit /Variance Applications – John reported that Mike Skalski had dropped off a Special Permit application for the construction of storage units and a fabric covered building to be used for metal recycling in the Industrial Zone, the former Rainville property. After reviewing the plans, the Board noted that the portion of the property to be used for the recycling building was actually in the RA district which does not allow for such a use in the Shelburne Zoning Bylaw use table. The rest of the lot is in the Industrial Zone. The Board decided that they would each do a drive by and discuss it again at a future meeting. Liz will keep it on the agenda until the Board has a chance to review it and submit comments to the ZBA.

NEW BUSINESS: RECREATIONAL MARIJUANA FACILITIES

Will reported that he had attended a workshop on the developing regulations for Recreational Marijuana Facilities and he distributed a summary of the law prepared by Koppleman and Page. Under the new law, applications for certain types of Recreational Marijuana facilities can be submitted to the Mass Cannabis Control Commission (CCC) by April 1, 2018. The CCC will take into consideration local zoning bylaws while they decide whether to grant licenses. It was suggested at the meeting that Towns may want to pass a one year moratorium on any of the Recreational Marijuana Facilities. This would allow for a public discussion regarding the new law and have the time for the Town to review and possibly revise their Zoning Bylaws accordingly. Will felt that the lawyers at the workshop were not encouraging Towns to pass moratoriums but they did distribute sample language that could be used. The consensus of the Board was to add a recreational marijuana moratorium to the list of possible revisions of the Town's zoning Bylaw for discussion at the Feb. 22, 2017 public hearing to get public input on this issue.

OLD BUSINESS:

FRCOG Technical Assistance Grants— the Board had identified one task from each list before submitting their request for technical assistance form to the Selectboard. Out of the regional list of activities, the Board had identified the coordination of regional emergency services as a worthy activity for the FRCOG to do but the Planning Board priority is really a housing needs assessment. Will noted there are going to be more emergencies caused by climate change and the Board supported the effort by the FRCOG to start working on this issue. The priority for the Board is working on housing, focusing on both a housing needs assessment and planning to protect the Town from a Comprehensive Permit situation. Liz noted that Tracy Rogers the Regional Preparedness Planner at the FRCOG had contacted the Town to see if we had a specific project in mind and said she would get back to Tracy clarifying the Board's support for the ongoing program.

Approved: _____ Date: _____ 1

February 22, Public Hearing – revisions to Sections 2, 4.2, 4.3, 9 19.3.3, 11, 22 and LSCIF Zoning Bylaw Liz reported that all the proper legal notifications for the public hearing had been done and shared her notice distribution checklist.

Telecommunications bylaw updates/ZBA – the Board has not received any suggested revisions from the ZBA so will not consider any further review before this year’s ATM. John went to the ZBA meeting since he saw they were going to be discussing the draft parking bylaw and listened to their concerns and comments. He said that the ZBA had a variety of comments and viewpoints on the parking revisions and a few other sections and he expects they will be submitting comments at the public hearing.

Master Plan Update – no updates to report upon at this time.

Public Records Retention Law- Liz reviewed discussions she had held with Joe Judd regarding the suggestion that he should have a line item in his budget to cover staff time as needed to respond to requests for public documents.

Budget for FY 2018 - John went to the Selectboard meeting and explained what the Board was going to be doing in the coming year and the budget request for increased hours for clerical assistance. He explained that the Board was going to be working on the start of updating the Master Plan, possibly the recreational marijuana moratorium as well . Terry Narkewicz had said there will be time to get a request in to the Town Meeting Warrant for a parking study by the FRCOG if the Town does hear within 2 weeks on the MDI Grant application.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG: Cam reported that there was a good discussion on changes that had occurred during the last legislative session relative to zoning and shared a copy of the power point presentation. Liz will call the FRCOG to see if that presentation is available digitally so that she can distribute it to the whole Board. Cam noted the presenter lives in Franklin County and will take calls from local boards.

Open Space: John reported they had a meeting on January 23rd. They have requested a technical assistance grant from the FRCOG to map significant trees in Town; Shelburne Trail Maps are now on the Town Website; and with the assistance of the Assessor’s clerk, they are going to put all the other open space maps online.

Other Town Boards: nothing presented.

READ MAIL – the Board read mail as listed below.

OTHER BUSINESS NOT REASONABLY FORESEEN 48 HOURS PRIOR TO THE MEETING – Liz reported that the Board’s “Annual Report” is due the end of February. The Board reviewed last year’s annual report and asked Liz to prepare something similar to submit to the Selectboard by the end of the year.

Will said that he received a copy of the Randolph, MA Wireless Communication Facilities Bylaw from Jonathan Mirin. He will contact him for more input as to why he sent it and get back to the Board at the next meeting.

The Board decided to list the 2nd and 4th Wednesdays as the meeting dates for the Planning Board.

PUBLIC COMMENTS – none presented.

SCHEDULE NEXT MEETING – next regular meeting will be Wednesday, February 22nd at 6:45 pm with a public hearing starting at 7pm. Josiah will be away for that meeting.

A motion to adjourn the meeting was made by Will and seconded by Josiah.

Vote: 3 in favor, 0 opposed, 1 abstention by John as Chair of the meeting

Meeting was adjourned at 8:39 pm.

Respectfully submitted by,

Liz Kidder

Administrative Assistant

LIST OF DOCUMENTS:

Feb. 2, 2017 email from Selectboard regarding Local Technical Assistance Funding

2017 Shelburne Planning Board Local Technical Assistance Request Form

Legal Notice for February 22, 2017 Public Hearing

Public Hearing Draft Zoning Bylaw Revisions for Feb. 22, 2017 public hearing

Planning Board FY 2018 Budget Request Spreadsheet

Feb. 1, 2017 Memo from Town Administrator regarding annual report submittals

Checklist of Items to be submitted to the Attorney General after ATM 2017

Legal Notices from neighboring towns: Greenfield -1, Deerfield – 1

Feb. 3, 2017 Email to Selectboard regarding Public Hearing Draft Bylaws

Draft Meeting Schedule for annual report

Feb. 1, 2017 Emails from Joe Palmeri on Molly Cantor SPGA application

Feb. 6, 2017 Emails from Terry Narkewicz on the MDI grant application

Feb. 3, 2017 email from Whit Sanford on Feb. 22, 2017 Public Hearing