

**TOWN OF SHELBURNE
Planning Board
Minutes of Meeting
December 3, 2014**

A duly posted regular meeting of the Shelburne Planning Board was held on Wednesday, December 3, 2014 at the Shelburne Town Hall, 51 Bridge St., Shelburne Falls, MA

Present: John Wheeler
Cam Stevenson
Will Flanders
Josiah Simpson
Doug Finn

Administrative Assistant: Liz Kidder

Absent:

Audience:

Press:

The meeting was called to order at 7:04pm.

READ AND APPROVE MINUTES

Motion to approve the minutes of the November 12, 2014 meeting as presented was made by Will and seconded by Cam.

Vote: 3 in favor, 0 opposed, 2 abstentions –by John as chair of the meeting and Doug who had not been in attendance.

ANR Plans – none presented.

OLD BUSINESS

Large-Scale Ground Mounted Solar Bylaw: Cam said that he thought the Large Scale Ground Mounted Solar Energy Facility bylaw which Liz had prepared based upon the Heath bylaw was better than the Buckland version. Liz noted that it included site plan review which had been in the initial drafts of the town’s wind power bylaw. The Town’s final version of a wind power bylaw did not include site plan and followed the existing Town pattern of having the ZBA serve as the SPGA. The question of whether to include Site Plan Review in the Solar bylaw was discussed and the general consensus of the Board was that it would be better to focus on a large-scale solar bylaw using the Town’s current special permit process and look into the development of a site plan review process at another time.

John said he attended the Selectboard’s meeting on Monday night where they reviewed requests for LTA grants from the FRCOG. The Planning Board had asked for assistance with some GIS mapping for a potential solar overlay map. The Selectboard said they would support the planning board request and submit it to the FRCOG. The board decided they would try to start reviewing the draft solar bylaw at their next meeting on Dec. 17th. If assistance can be obtained by the FRCOG, then a solar overlay district could be added to the bylaw revisions.

The board decided to review the Shelburne/Heath bylaw as the starting point for discussion on the 17th. As they work through it, they will decide if they need a solar overlay district; if so they may consider a moratorium on large-scale ground mounted energy facility systems until they can complete a bylaw with help from the FRCOG.

Draft Subdivision regulations: The Board reviewed the edits Liz made in the first 17 pages reviewed and then continued a page by page edit of the draft regulations.

- Page 17, 2.4.B (16) edit to read: public water supply recharge areas (Zone 2), NHESP Priority and Estimated habitats of rare species, prime farmland or and forestland on land within the proposed subdivision and the adjacent 100 feet. The plan shall identify which of the above the developer intends to leave undisturbed. NOTE: need to find a map of Shelburne’s public water supply recharge areas.
- Page 18, 2.4.B (22)....topography at one foot contour intervals.....
- Page 18, 2.4.B (23).... Instead of Water Commissioners, edit it to read: the Shelburne Falls Fire District Water Commissioners

Approved: _____ Date: _____ 1

- Page 18, 2.4.C (2) ... Elevations shall be tied to the United States Geological Survey bench marks if within five hundred (500) feet of the subdivision using the Datum of 1983 (NAD83), or the United States Geodetic Survey Benchmarks, if such exist within twenty-five hundred (2,500) feet of the subdivision, whichever is closer.

Draft Sign Regulations: Liz noted that John Taylor of the ZBA had sent an email with his initial comments regarding the draft sign regulations and that a copy was in their packets. It was clear from John’s email that the original concern of the ZBA was the cluttering of signs along Route 2 and in the village. Will noted that in his draft he had added the concept that Route 2 through Shelburne is the gateway to West County from an economic development viewpoint. He tried to incorporate the needs of both the village and the rural businesses. He understands that it is a policy question as to whether the bylaw should only allow signs relating to Shelburne businesses and community activities. At issue is whether the Town recognizes that they are the gateway to and have an integrated economy with the surrounding towns. Doug noted that many Shelburne merchants wouldn’t want signs for potential competitors in other towns being supported by signs along Route 2. Will noted that the more people travel along Route 2 to businesses or events happening in neighboring towns, the more potential customers may come through Shelburne. Will noted that he had observed 3 “Crafts of Colrain” signs in Shelburne and had therefore allowed for 3 such signs. The Board could opt to only allow 1 event sign in Section 9.3.1.5 in the bylaw.

In response to their review of John Taylor’s comments, the Board considered the following edits or points of information relative to the draft:

- Section 9.2.1 – add “flag” to the list of items that can be considered a sign.
- Add a new 9.2.7 Agricultural business establishment that paraphrases 9.2.6.
- Change 9.2.7 Commercial Sign to 9.2.8. Section
- Section 9.3.1.4. John Taylor noted that the size of this temporary sign was greater than for others and the Board noted it was because this was a temporary sign for a Town event.
- Section 9.3.1.6. Will checked and the standard size for the banner strung across Bridge St. is 2.5’ x 25’.
- Section 9.3.1.0 – John asked what was a commercial flag vs a non-commercial flag? An “open sign” flag would be commercial while someone putting up a flag related to a holiday, for example flowers or a holiday symbol, would be non-commercial.
- Section 9.3.1.11. John T. noted this was an increase from 9 square feet the ZBA had recommended. Will noted that he had actually measured existing signs and therefore recommended the increase.
- Section 9.4.4. It was decided to add “portable” to the type of flags in the parenthesis.
- Section 9.4.7 the Board decided that the area of a portable signs should be included in the maximum allowable area for signs on a lot.
- Section 9.4.9 – John T asked why the size of a sign was increased; Will noted it was based upon a measurement of an existing sign.
- Section 9.4.17.1 – the Board noted that the newest revision limits businesses without a special permit to one freestanding sign on a lot.
- Section 9.6.2 edited this section to read “A freestanding structure and/or a sign on a building may have....”
- Section 9.7.5 – Based upon a question by John T. the Board decided to remove this section.
- Section 9.7.6 - This section was designed to address specific corners in the Village that are most likely to have a need for directional signs to businesses on side streets.
- Section 9.8 – the revisions related to Grandfathering was changed because of a concern that if the current bylaw is “unenforceable” then how is it possible to determine what is grandfathered by saying it would have had to have been legal under the former bylaw?
- Note: the Board was considering adding a section noting that everyone still has to comply with state regulations if the initial comments to that effect are insufficiently clear.

Liz noted that Terry Mosher had asked how this bylaw applied to Hagar’s farm market. Will and board said that Hagar’s would fall under the commercial operation since they are selling many products that are not produced on their farm. It was decided that Will would try to call John Taylor tomorrow to explain the gateway theory to him and to discuss any of his other comments before the ZBA meeting Thursday night. John suggested that he would contact the ZBA to see if any of their members would like to attend the next Board meeting on the 17th.

Natural Resource Zoning/Cluster/Open Space: John reported that the Selectboard supported the Boards seeking a FRCOG assistance grant to have Planning Consultant Jeff Lacey come and give his powerpoint presentation to town boards in an open meeting with the public invited.

FRCOG Technical Assistance Grant updates: John said that the Selectboard supported all of the Board's requests for helping with mapping needs relative to large-scale solar energy facilities, cell tower overlay district revisions and potential cluster zoning revisions..

COMMITTEE UPDATES

FRCOG Planning Board: Cam will attend the County Planning Board meeting tomorrow night.

Open Space: John couldn't attend that meeting on Monday night.

Long Range Planning: Doug hasn't heard anything from the committee about a meeting.

Other town board updates: none presented.

OTHER BUSINESS: none presented

READ MAIL: see list of mail below.

PUBLIC COMMENTS: none presented

SCHEDULE NEXT MEETING: December 17, 2014 at 7:00 pm, January 14th and January 28th.

A motion to adjourn the meeting was made by Doug and seconded by Cam.

Vote: 4 in favor, 0 opposed, and 1 abstention by John as chair of the meeting.

THE MEETING WAS ADJOURNED at 9:54pm.

Respectfully submitted by:

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

Draft Sign Regulations

Draft Subdivision Regulations

Notices from neighboring towns:

Colrain - 1

Charlemont - 2

Letter from Mass Historical Commission regarding telecommunications Antenna, 69 Colrain Shelburne Rd.

Public Hearing Notice, Town of Shelburne, Community Development Strategy

Town of Shelburne, 2014 Community Development Strategy

Memo from Liz Kidder to Selectboard regarding Community Development Strategies

Memo to Selectboard regarding FRCOG Local Technical Assistance Grant Request

Memo from John Taylor, ZBA, on Draft Sign Regulations Revisions