

**TOWN OF SHELBURNE  
Planning Board  
Minutes of Meeting  
March 12, 2014**

**A duly posted regularly meeting of the Shelburne Planning Board was held on Wednesday, March 12, 2014 at the Shelburne Town Hall, 51 Bridge St., Shelburne Falls, MA.**

**Present:** Matt Marchese, Chair  
Doug Finn, Secretary  
John Wheeler  
Cam Stevenson

**Administrative Assistant:**

**Absent:** Beth Simmonds, Liz Kidder

**Audience:** Mike Parry, Raymond Hartman, Joe Judd, Larry Flaccus, Joe Palmeri, John Walsh, Kevin Parsons, James Gamache

**Press:** Cameron Graves, Shelburne Falls West County Independent

**The meeting was called to order** at 6:07 pm.

Matt Marchese noted that Beth Simmonds was unable to attend but sent her comments which would be read at the appropriate time later in the meeting and that Liz Kidder, Administrative Assistant was ill and unable to attend. He noted that the meeting would be recorded so that minutes could be prepared later.

**Motion to approve the minutes of the February 12, 2014 meeting was made by John and seconded by Doug.**

Vote: 4 in favor, 0 opposed, 0 abstentions.

**Motion to approve the minutes of the February 12, 2014 public hearing was made by John and seconded by Doug.**

Vote: 4 in favor, 0 opposed, 0 abstentions.

**NEW BUSINESS:** none presented.

**COMMITTEE REPORTS:**

**FRCOG:** Cam reported there had been no meetings.

**Open Space Committee:** John Wheeler reported that at their last meeting they had discussed:

- the Feb. 12<sup>th</sup> Wind public hearing,
- they are hoping to hear in March that the Open Space Plan has been approved of by the State,
- their annual report to the town,
- trails in town and a group of cub scouts who are volunteering to help with trail maintenance,
- they encouraged people to attend the meeting on the proposed national forest.

John said that he had attended the meeting on the national forest and Matt asked him about it. John said it wasn't that well attended and that there were questions about landownership concerns. John said that John Payne was there and talked about the need for conservation and the opportunity for funds to help with preserving land. Doug noted a concern about limiting personal property rights and the impact on the local tax base. Cam suggested that if this proceeded, someone needs to make up the difference in tax base for the town. Matt suggested it is going to be a longer

debate than can be resolved in a couple of meetings. Cam asked how the process would proceed. John noted that the participation has to be voted on by the Town and then it is up to individual landowners to participate. They are seeking participation by 22 towns. John noted that property taxes being paid under APR or conservation restrictions is the same as if the property was under Chapter 61; this is a reduced rate for those properties but they are requiring reduced services from the town. Doug noted his concern is for those landowners with large parcels who do not decide to opt into the program-- they will now have to carry the tax burden for the town. John noted there is another meeting tomorrow night at Mohawk. Matt noted this may be an idea that sounded good at the national level but when it comes down to implementation at the local level, it raises a lot of issues that need to be sorted out.

**Long Range Planning:**

Doug noted they toured the Historic Society at the old Arms Academy with Jim Stacey, President of the Historic Society. Doug was impressed with the volume of historic materials they manage and how well they have maintained the building. They talked with Jim Stacey about the idea of having the Historical Society move into Memorial Hall, swapping space with the Town Offices. Doug felt that it would be an advantage for the Society and that the number of their visitors would probably greatly increase in such a central location. Doug noted that if the Town Offices moved to Arms Academy, that the building would have to be made handicapped accessible and the electrical wiring would have to be updated. The thing the Society would lose is the image of being in the old high school. Doug noted the town would have much more office space there including room for the police and the society seems willing to talk. Doug noted it wouldn't be easy and wouldn't happen overnight but it seems like a real possibility. Doug noted they also visited the highway garage and discussed moving the transfer station there as well.

**OLD BUSINESS:**

**Community Energy Strategies Pilot Program:** Matt noted they are waiting on a document from Mass Clean Energy, due out in a week or so, which summarizes the work of the program.

**Local Technical Assistance Grant update:** no updated information.

**Planning Board budget for FY 15:** Matt noted the Selectboard has received the Board's budget request and he is willing to try to teleconference but there is no reason why someone else from the board should attend, especially since Matt's term will be up in May. Doug said he would try to attend. In regards to scheduling for the rest of the year, Matt noted we are hoping to have a hearing on subdivision regulations in April. Between that and finalizing the wind bylaws, Liz will have used up most of her budget allocation for this year. She suggested the Board may want to skip the May meeting since everyone will be busy with Town Meeting and then meet in June to reorganize and elect a new chair. This can be discussed further by the board.

**Subdivision Control Regulations:** Matt noted that Liz had followed a suggestion of town counsel and had updated the Shelburne draft bylaw, started several years ago, with procedures from the recently finished Town of Orange regulations. The plan has been to hold a public hearing on it and then the Board can vote approval. Matt asked if the members had read their version. Both John and Cam noted it was pretty technical and needed to be read a couple of times. Matt noted that the Board could just present the draft Liz had prepared at a public hearing and get input before the Board makes their final decision. The Board agreed that the document for review at the Public Hearing will be the marked up copy. The board can then get public input during the hearing on those areas Liz designated for review. Following the hearing, the board can finalize the draft and vote on the regulations that night.

**Move that the Board present the merged draft Subdivision Regulation document for comment at public hearing on Wednesday, April 9, 2014.** Cam moved, seconded by John. Vote: 3 in favor, 0 opposed, 1 abstention by Matt.

To clarify the motion, Matt said the goal is to present at public hearing a document which merged language from the Town of Shelburne Draft regulations started in 2006 and language in the Town of Orange regulations which were just approved last year. This merged document clearly identifies sections to be reviewed, comparing the approaches of the towns and the Board is seeking input from the public before putting in any additional time. Donna McNichol is the Town Counsel for both towns, and she felt that the Orange Subdivision Regulations were a very good model for the Shelburne Planning Board to use.

Matt read Beth Simmond's emailed comments,

*"Not being an engineer or soils expert, I defer to the standards set forth by the state and folks that have already been involved in writing subdivision. I am not in favor however, of the need to present both a subdivision and cluster development plan. This seems burdensome and more expensive to the applicant who may be meeting all of the requirements."*

**READ MAIL:**

- UMass extension Citizen Planning Training Collaborative brochure on March 15<sup>th</sup> training program. Matt noted if anyone was interested, there may be money available for registration. John noted that he has attended a couple of these sessions in Greenfield. Matt noted that he would contact Peggy to see if there are any upcoming training sessions to be held in Greenfield.
- Letter from Open Space Committee regarding the first draft wind bylaw which Matt said he would read into the record during the public hearing.
- Notice of a public hearing in Conway on zoning revisions.

Motion to adjourn the meeting was made by Doug and seconded by John.

Vote: 4 in favor, 0 opposed, 0 abstentions.

The meeting was adjourned at 6:55p.

Respectfully submitted by,

Liz Kidder  
Administrative Assistant

Note: these minutes were prepared using a digital tape recording of the meeting.

List of documents:

- Email from Beth Simmonds
- UMass Citizen Planners Training Collaborative Brochure
- Letter from Open Space Committee for February 12<sup>th</sup> Public Hearing
- Conway public hearing notice
- Draft Shelburne Subdivision Control Regulations