

**TOWN OF SHELBURNE**  
**Planning Board**  
**Minutes of Meeting September 27, 2017**

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, September 27, 2017 at 7:00 pm in the Town Hall, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair

Will Flanders

Tom Johnson

Cam Stevenson

Josiah Simpson (arrived at 7:30)

Administrative Assistant: Liz Kidder

Audience:

Absent:

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

**A motion to approve the minutes of the Sept. 13, 2017 meeting was made by Will and seconded by Tom as corrected.**

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

Under Junkyard/recycling center, edit minutes to read: based upon a recent special permit review, it was suggested that recycling center be added to the line in the use table that starts with junkyards.

**ANR Plans – none presented**

**Special Permit/Variance Applications – none presented.**

**NEW BUSINESS:** none presented

**OLD BUSINESS:**

**Zoning Bylaw Revisions for ATM 2018 –**

**Issues raised in discussion with the ZBA at the Board's last meeting included the following:**

***Clarification of where commercial signs are allowed***

- *section 9.3.1 doesn't mention commercial signs but there are standards for them in section 9.4.*
- *include commercial signs in 9.3 that are consistent with the rest of the bylaw*
- *suggestion to add another line in 9.3.1 saying that commercial signs are allowed by right in Commercial, Industrial, and VC districts only.*

The Board proposed the following draft revisions to the bylaw:

"9.1.3.9 Commercial signs are allowed by right in the in the Commercial , Industrial and VC districts as well as signs for commercial activity in the RA if they meet the other requirements of this bylaw."

"9.4.18 Commercial signs in the RA district must meet all of the following conditions: (a) no more than twelve (12) square feet in area on a side, (b) located at least five (5) feet from the front property line, (c) no more than eight (8) feet above ground level, (d) not-illuminated, and (e) the only such *Sign* on the lot."

- *if there is a commercial shop in a residential district can they put up a large sign even if there wasn't one before?  
Is a sign a structure under the building code?*
- *suggestion to prohibit commercial signs in the residential district*

The Board is reviewing the use table and considering which types of businesses should be allowed in the VR district. Will noted that the Building Inspector does not consider a sign to be a structure.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_ 1

- *Was a 12 square foot sign too large for a home based business in a residential area*

The Board felt they had thoroughly discussed this question last year, they had measured existing signs in Town, and the 12 square feet had been adopted by a vote of Town meeting in May. Will said he would review the Special Permit criteria in Section 6 to consider strengthening references to the signage bylaw.

***Junkyard/recycling center***

- *based upon a recent special permit review, it was suggested that recycling center to be added to the junkyard line of the use table.*

The Board concurred with John Taylor’s suggestion to add recycling center to the junkyard line item in the use table. The Board is also going to research and consider definitions for junkyard and recycling center.

***Use Table***

- *would it be possible to have the district headings appear at the top of the table on each page in addition to the top of each subsection.*

The Board discussed various formatting options and noted that there are bold column headings on each page. While not necessarily at the top of the page, they did not feel that it was worth the time to reformat the table but will keep an open mind if another formatting technique is discovered.

- *conduct a review of each subsection for consistency*

Tom Johnson offered to start a review of the use table to consider consistency within the different sections and will bring his initial comments to the next meeting.

***AIR B&Bs***

- *if private rooms with no food service can be rented and allowed by right, why does the zoning bylaw require B&B’s to have a special permit*
- *Should the definitions further refine “B&B homes” from “B&B establishments” as the MADPH regulations do.*

The Board noted the difference between private room rentals and B&B’s is food service which requires an annual inspection by the Board of Health. Allowing private room rentals by right helps to meet the Town’s need for tourist accommodations and supports local restaurants. Liz noted there is going to be a municipal officer training workshop on short-term vacation rentals at the FRCOG that the Board of Health is attending. Based upon the information presented at that workshop, the Board may need to revisit this issue.

***Section 3.2.4***

- *is it possible to edit this language for clarification/interpretation purposes.*

The Board felt that while the language seems confusing, it is probably standard language that becomes clear when you look at the zoning map.

The Board discussed whether it would be appropriate or possible to consider having another zoning district such as a village residential in Shelburne Center or along Route 2 in East Shelburne. Will raised the question of whether the current zoning criteria for VR district would be appropriate or should there be consideration of a totally separate district for a small rural village option.

**Recreational Marijuana Moratorium bylaws** –The Board tabled this discussion until the state regulations have been issued.

**Master Plan Update/Housing Chapter** – John reported that the next housing committee meeting will be Oct. 24<sup>th</sup>. The housing needs assessment survey ends soon and he has distributed notices to the restaurants and stores in the Village. The Board discussed ways to increase the potential for the Town to receive grants from the State for affordable housing. It was decided to research the charter or mission of the Shelburne Housing Authority for inclusion in the housing chapter.

**Subdivision Regulations and Fire Protection** – Will noted that John Taylor suggested the Board add a reference to the standards that will be used by the fire department during their review of a subdivision proposal. Will offered to prepare a draft revision to the subdivision regulations for review by the Board.

**Green Communities Stretch Code:** The stretch code was adopted at STM on Sept. 18<sup>th</sup>.

**Parking Study** – There will be a meeting tomorrow at 3PM to review a draft presentation by the consultants. John and Cam will both attend.

**Aging in Our Communities:** The Board decided to send an email to Cathy Buntin and ask if there was anything identified during the recent meetings with which the Planning Board could help through revisions to the Town’s zoning bylaw.

**COMMITTEE AND REGIONAL PROJECT UPDATES**

**FRCOG:** Tom and John will both attend the regional planning board meeting on the 28<sup>th</sup> to hear and report back on the Affordable Housing discussion. The Board reviewed the list of upcoming workshops being offered through CPTC. All Board members should be signed up for the Nov. 29<sup>th</sup> meeting and 4 should be signed up for the Oct. 24<sup>th</sup> meeting. Tom will let Liz know if his plans change and he is able to attend the meeting on Oct. 24<sup>th</sup>.

**Open Space:** Tom Johnson had attended the Open Space meeting earlier in the week. Alan Harris had asked for help in finding the owner of the road to Wilcox Hollow since he feels it is in a dangerous condition and in need of maintenance. Josiah suggested that maybe the conservation commission could be asked to issue an order to have it repaired due to erosion into a river. Tom shared a draft of a Village walking tour brochure that identified historic structures and significant trees. The Committee hopes to talk to the new owner of a property recently sold by Chris Singley to see if they are agreeable to allowing another trail along the river to cross their property.

**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:** none presented.

**PUBLIC COMMENTS:** none presented.

**SCHEDULE NEXT MEETING:** next regular meeting will be Wednesday October 11, 2017 at 7pm. The focus of that meeting will be a review of the use table, revision to the subdivision regulations, and other tweaks to the sign bylaw.

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

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

**Meeting was adjourned at 9: 15 pm.**

Respectfully submitted by,

Liz Kidder  
Administrative Assistant

**LIST OF DOCUMENTS:**

**Legal notices from neighboring communities: Charlemont – 1**

**Sept. 18 email to Stephen Kulik**

**Sept. 18 email to Adam Hinds**

**Sept. 27 email to Russell Burke on recreational marijuana**

**Sept. 25 email on CPTC workshops**

**Sept. 27 email from Town Admin confirming Parking Study meeting**

**Sept. 26 email from David Schochet on Culvert Study**