

TOWN OF SHELBURNE ZONING BOARD OF APPEALS
 Minutes of Meeting Thursday, August 2, 2012
 Memorial Hall Meeting Room
 51 Bridge St., Shelburne Falls, MA

A duly posted meeting of the Shelburne Zoning Board of Appeals was held in the Memorial Hall meeting room on August 2, 2012.

Present: Chair, Joseph Palmeri
 John Taylor
 Lowell Laporte
 William Sweeney, Alternate
 Elizabeth Kidder, Administrative Assistant

Absent: Ted Merrill, Catherine Smith, alternate,

Audience: Deb Andrews

Press: none

MEETING CALLED TO ORDER: 7:15pm

MINUTES OF JULY 5, 2012: Motion to accept as corrected made by Bill Sweeney and seconded by John Taylor. On page 3 the notes for "Public Comments" will be changed to: "None presented".

Vote: 4 in favor, 0 opposed, 0 abstentions

MAIL: Liz read an email from Whit Sanford to the Selectboard and the Planning Board which offers her assistance in helping the town with a long range planning process for: a Town/Bi-Town Master Plan, a Town Energy Committee, and a Capital Improvements Committee. Liz mentioned that the Planning Board has invited Whit to give a presentation on her proposal at a future meeting. John Taylor supports the need for a capital improvement plan for the Town. Liz will forward the email to members of the Board.

Mail was reviewed and Joe noted that the Selectboard decided not to appoint Judith Truesdell to the ZBA. Bill hopes someone will encourage her to apply next year. Joe noted he thinks she is going to keep educating herself on the issues. Bill said he is leaving his position as an alternate next year and therefore the Board needs to find new members.

OLD BUSINESS

Review of draft ZBA Rules and Regulations and Special Permit Application form and procedures.

Liz Kidder had prepared draft revisions to the Board's special permit application procedures for review by the Board. She noted the draft was very rough and would need editing once the Board decided they worked for Shelburne. The Board reviewed the document through page 3 paragraph 1. They decided

Approved: _____ Date: _____

to continue their discussion at next month's meeting. It was also decided to discuss various aspects of the procedures with the Planning Board on September 13th.

Joe noted that Deborah Andrews had sent an email with suggestions regarding our procedures and he asked her if she had any comment. She said that we seem to have addressed her issues. He told her he appreciated her input.

Joint Meeting with Planning Board on Sept. 13, 2012 – develop list of possible revisions to the Town Zoning Bylaws

The Board reviewed a draft list of possible agenda items for the joint meeting that was based upon past notes, memos, and meeting minute suggestions.

- Driveway regulations: shared driveways and driveways providing access to a building from the road frontage. The Town has a bylaw for driveways but it is not included in the zoning bylaw. Jim Hawkins has noted the he gets the calls/complaints but he only has enforcement authority over the Town Zoning Bylaw. Since Jim gets the calls/complaints, he would like to see the zoning bylaw address driveways. It was suggested that driveway width should also be discussed with local fire chiefs to hear their concerns and past problems. The curb cut permit only covers the first 20 feet of a driveway.
- Parking regulations- John believes this issue has already been addressed. This will be taken off the list for Sept. 13th.
- Open Space Development – Shelburne presently permits open space/cluster development through a SP from the Planning Board under Subdivision Control. There is a question as to whether there is a need for criteria to assist with their special permit review.
- Commercial radio district regulations –someone needs to go through the existing bylaw to evaluate the different words used to describe structures --towers, facility, a building. We need to develop definitions and ensure the words are used appropriately.
- Boxed trailers left visible from lots and unregistered vehicles on a lot– Jim Hawkins would like to see these two issues addressed in the zoning bylaw so he can respond to complaints. John mentioned that in a lot of areas, parked boxed trailers become signs – illegal signs under zoning -- should we say that trailers can't be parked for more than a certain length of time?
- 30-35 day review of Special Permit Applications by the planning board, selectboard, and board of health. The proposed special permit application procedures may take care of this concern.
- Are there additional boards who should be given copies of the special permit applications - water, sewer, fire, police, highway?
- Attorney General Recommendations: the Board wants to include all the Attorney General recommendations for discussion on September 13th with the Planning Board.
- The Table of Use regulations –Joe noted that when this table was voted on, there were a lot of compromises in order to get it passed at Town Meeting. Maybe now it's time to review and continue tweaking it.

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Lowell said this list was a good start in preparation for our joint meeting.

NEW BUSINESS

Motion was made by John Taylor that the Zoning Board of Appeals should reelect Joe Palmeri as Chairperson for the Coming year. This motion was seconded by Lowell.

Vote: 3 in favor, 0 opposed, 1 abstention by Joe Palmeri.

OTHER BUSINESS: none presented.

PUBLIC COMMENTS: none presented.

SCHEDULE NEXT MEETING: on Sept. 6 2012 there is a meeting space conflict due to the primary elections. The Board decided to keep their meeting on 6th and move the meeting to the Fire Station, 18 Little Mohawk Rd., Shelburne.

MOTION TO ADJOURN was made moved by John and seconded by Bill.

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

MEETING ADJOURNED AT: 9:30pm.

Respectfully submitted by

Liz Kidder, Admin Asst.

List of documents referred to during meeting.

- Draft Town of Shelburne Zoning Board of Appeals Special Permit Overview and Instructions for Filing.
- Working draft list of Zoning Bylaw Revisions for review at a joint meeting of the ZBA and Planning Board scheduled for Sept. 13, 2012.
- Letter to Shelburne Town Clerk from the Office of the Attorney General, Sept. 9, 2008 Re: Shelburne Annual Town Meeting of May 6, 2008.

Approved: _____ Date: _____