

Town of Shelburne
Zoning Board of Appeals
Minutes of Meeting
Thursday, November 1, 2012

A duly posted meeting of the Zoning Board of Appeals was held on Thursday, November 1, 2012 in the Town Hall Meeting Room, Memorial Hall, 51 Bridge St., Shelburne Falls.

Present: John Taylor, Clerk
Lowell Laporte
Ted Merrill

Absent: Joe Palmeri, Chair

Press: none present

Audience: none present

Meeting called to order: 7:11pm by John Taylor presiding in the absence of the chair.

Motion to approve the minutes of September 6, 2012 was made by Lowell and seconded by Ted.

Vote: 3 in favor, 0 opposed, 0 abstentions.

Motion to approve the minutes of September 13, 2012, a joint meeting with the Planning Board was made by Lowell and seconded by Ted.

Vote: 3 in favor, 0 opposed, 0 abstentions.

Mail: read notices from other towns and a letter of resignation by Kiki Smith as alternate member of the ZBA. Liz informed the committee that the Selectboard had accepted a letter of resignation from William Sweeney as alternate to the Board. The Board looked at new official town name tags. It was decided that the badges will be in the file cabinet near the front of the drawer, probably the third drawer down. Liz will let the Board know where they are located for access as needed.

Old Business:

Continue review of ZBA Rules and Regulations and Special Permit Application form and procedures.

The Board reviewed Draft #5 of the special permit application procedures and forms. Liz noted that Joe had been discussing with the Selectboard whether to include the Town Administrator as part of the review process to determine that the package being submitted by the applicant included all the appropriate information. The Board decided to include the alternative of having the application package certified by any of the following: the Town Administrator, the Chair, the Clerk or the Administrative Assistant to the ZBA. This certification is solely to check to see if all the elements of the application package, as defined in Attachment #1, are there prior to the applicant submitting their materials to the Town Clerk. Additional typos and minor editing were discussed.

Date: _____ Approved: _____

Ted moved to accept this draft and submit this draft as corrected to the Town Council for review with the goal of having this reviewed in time for our next meeting on December 6, 2012. This motion was seconded by Lowell.

Vote: 3 in favor, 0 opposed, 0 abstentions.

John told Liz that the proper procedure is for the Chair to send it to Town Counsel. Liz will email the corrected version to Joe and ask him to forward it to Donna McNichol, the Shelburne Town Counsel for review before our December meeting.

The Board discussed the need to review their full rules and regulations to make sure there are no inconsistencies with their new special permit procedures. Lowell and John will take a first cut of comparing our new procedures to our existing rules and regulations and bring any inconsistencies for review at the December meeting. John and Lowell will also review Attachment #3 – Variances, to see if any changes need to be made. Hopefully the Board will have the input of Town Counsel by the December meeting in order to finalize the procedures and put them into effect.

Joint Meeting with Planning Board on Sept. 13, 2012 – review list of tasks for ZBA to address:

The first item for the ZBA to address is:

7. Commercial radio district regulations--clarify definition, ensure words are used appropriately throughout bylaw, review definition of words used to describe structures – towers, facility, building.

The Planning Board has asked the ZBA to address this section of the proposed revisions this fall since some of the terms-- towers, facility, building—are likely to be terms used in the development of a wind bylaw. John volunteered to go through the existing bylaw and highlight where those terms appear so that the Board can start looking at it.

New Business: none presented

Other Business: none presented

Public Comments: none presented

Schedule next meeting: Thursday, December 6, 2012

Motion to adjourn was made by Ted and seconded by Lowell.

Vote: 3 in favor, 0 opposed, 0 abstentions.

The meeting was adjourned at 8:35pm.

Respectfully submitted by:

**Liz Kidder
Administrative Assistant**

Date: _____ Approved: _____