

TOWN OF SHELBURNE
Planning Board
Minutes of Meeting May 10, 2017

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, May 10, 2017 at 7:00 pm in the Town Hall, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair Planning Board
Will Flanders
Cam Stevenson
Josiah Simpson

Administrative Assistant: Liz Kidder

Absent:

Audience: Josh Simpson, Heidi Creamer

The meeting was called to order at 7:07 pm.

A motion to approve the minutes of the April 12, 2017 meeting and public hearing was made by Cam and seconded by Will.

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

ANR Plans – none presented

Special Permit /Variance Applications –

Ancient Glacier: [Josiah recused himself from this portion of the meeting due to a conflict of interest.] – the ZBA public hearing for the rebuilding of the Singley Building will be held on May 18th. The Board reviewed the Special Permit Application.

A motion was made to send a letter to the ZBA notifying them that the Planning Board supports the proposed project and a finding that the rebuilding of the former Singley Building is not more detrimental to the neighborhood than the existing non-conforming use and recommending that the parking requirement be waived. Moved by Will and seconded by Cam.

Vote: 3 in favor, 0 opposed and 1 abstention by Josiah.

The Board reviewed the aspects of the project that were consistent with both the Town’s Master Plan and Townscape Plans:

- the project as proposed respects and maintains the Villages historic streetscape,
- the project maintains the character of the village with a mix of retail and residential units.

The Board decided to draft a letter that references the sections of the Plans with which this project is consistent.

Later in the meeting, Josh Simpson arrived and explained more about the state funding program from which he and his partners were seeking funding – the Small Communities Housing Initiative. This program is designed to provide financial support for projects in small towns, under 200,000 people, and which provide between 5 and 20 units of affordable housing . The State is going to award only a very limited number of loans that would not require the payment of interest or principal for up to 50 years. It does not provide the full funding for the project but helps to make the project feasible. Ancient Glacier is proposing 5 units of affordable and also accessible housing. Josh noted they have received a letter of support from the Selectboard and other local elected officials. The Planning Board said that they would send him a copy of their letter to the ZBA to include in his grant application package.

Josiah Simpson rejoined the meeting.

Skalski: John reported that he heard that Mike Skalski had withdrawn the part of his special permit application for the “junkyard” and is going to proceed with the plans for the self-storage units in the Industrial District.

Ashenden: Will Flanders recused himself from this discussion due to a professional conflict of interest. Becky is applying for a special permit to operate a B&B out of property on Basset Road. Liz reported that Becky had been in touch with the Board of Health and the Selectboard about the local permits that she will need to operate a B&B.

The consensus of the Board was that it does not have any concerns regarding her application. A memo will be sent to the ZBA informing them of the consensus of the Board.

Will Flanders rejoined the meeting.

NEW BUSINESS:

EBI Consulting – Section 106 Historic Review of a new cell tower proposed for the intersection of Mechanic St. and the Mohawk Trail. Liz reported that this letter had just been received at Town Hall. The Board reviewed the historic resources listed in the Town Master Plan and Identified Arms Academy as the nearest historic structure which was built in about 1880. In addition, EBI Consulting should know that it's proposed tower will be in a direct view of the Audubon Society's High Ledges.

Moved by Will and seconded by Cam for John Wheeler to share the letter from EBI Consulting with the chair of the Historic Commission, Jim Stacey, and for John to draft a letter in response to their 106 inquiry for review.

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

OLD BUSINESS:

Town Meeting Action: everything presented passed with just one friendly amendment on Congregate Housing. Liz reported that she is updating the master of the bylaw and will distribute it to appropriate interested parties and work on the submittal to the Attorney General's office with the Town Clerk.

Recreational Marijuana Moratorium: the Board discussed a general process for developing bylaws to address recreational marijuana. Should they just treat it like a liquor store – which would be covered by the retail section of the use table? As with liquor stores there would be a limit as to how many permits/licenses would be issues each year. As with tobacco sellars, the Board of Health regulation puts a limit of 5 licenses that are issued each year. Will suggested holding a public discussion and lay out the thought of just treating it the same as the food service and retail food operations based upon the use table. Some aspects of regulating recreational marijuana establishments will need to be coordinated with the Selectboard and the Board of Health.

The public informational forum regarding proposed marijuana zoning bylaws and the four categories of establishments will be advertised and take place as part of the June 14th Planning Board meeting at 7:00 pm. Will Flanders will call Ginny and Diane and ask them to put articles in the Recorder and the Independent.

Master Plan Update/Maps for Assessor's page

The Board said to send all the digital copies of maps that we have in the open space plan, the master plan, and the zoning map to the Assessors Clerk for inclusion on the Town Website. Will said that he is hoping the assessor's maps will have the actual dimensions on each lot. That would help the Board to evaluate the reasonableness of the setbacks in the zoning bylaw. The Board discussed options for how to get better data on the existing properties in the Village; if the information is not available, possibly asking for money from ATM to pay for a study to be done. The Board discussed ways to modify the existing zoning to encourage more housing options while maintaining the character of the Village

Housing Study : The Board generally reviewed and discussed options for updating this chapter. Cam noted that the study was out of sync with the census data that they used. The Board wanted to explore infill housing since there is a need for young individuals, families and seniors to find affordable housing in the Village. Will noted that the Town also needs to assess what it has to do to

come into compliance with Chapter 40B. The Planning Board thought it would be better for the Town to be proactive rather than to be reactive to a less than desirable project. The Board also noted that the statistics in the Housing Chapter are out-of-date, the goals need to be updated, there is a lack of goals for energy conservation and alternatives, and the housing attitudes survey needs to be updated.

It was noted that the old survey results were included in the appendix. Liz will try to digitize the survey so that copies can be easily distributed for review by the Board. Originally, there were 285 respondents -- 38% response rate. It was noted that since Shelburne is small, to get statistically accurate results, you need to send the survey's out to everyone and encourage their response. The Board thought it would be good to use the same questions in order to compare the difference in responses. The Board said they would work on developing a new survey this year, estimate the cost of either mailing it or having it on survey monkey and be ready to go to ATM in May 2018 with a budget to cover survey expenses. Josiah suggested we talk to the Open Space Committee on how they did their survey. Josiah said he would research what housing types qualify under the Chapter 40B regulations.

Parking Study: Town Boards are meeting the new consultant, funded under the MBI grant, for a parking study update at 2pm tomorrow. Cam will try to make it and if he can't he will call John.

Aging in Our Communities: The Board reviewed the list made at the first meeting and the checklist that was given to Towns as "homework". Will said that the ideas listed could be included in the goals of an updated master plan, or take the ideas generated and see if there are any modifications to be made in the zoning bylaws. Cam will attend the next meeting on the 15th.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG: Cam noted that the FRCOG Planning Board doesn't meet this month and he won't be able to attend in June

Open Space: they are working on their walking tour of trees and historic buildings. It would be a short walk starting in the downtown and then a longer walk that starts in the village heading towards an existing trail to be called the "Deerfield River Canyon Walk".

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 June 14th, 2017 at 7pm. This will be the first public forum on Recreational Marijuana moratorium.

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

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

Meeting was adjourned at 9:56 pm.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Greenfield – 4

Approved: _____ Date: _____ 3

Legal Notice Shelburne ZBA May 4 and May 18, 2017 hearings

April 24th email regarding Housing Needs Study Committee

**April 25 email regarding CAI Technologies and Town maps for online
Facilitation Training Notice**

Public Records Law Workshop Notice

Commonwealth Woodstove Change-Out Program Notice

April 24 Letter EBI Consulting Regarding Cell tower at intersection of Mohawk Trail and Mechanic St.

April 27 email from FRCOG follow up on Healthy Aging meeting