

TOWN OF SHELBURNE
Planning Board
Minutes of Meeting July 12, 2017

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, July 12, 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

Tom Johnson

Administrative Assistant: Liz Kidder

Audience: Ron Spzile, Robert Dean

The meeting was called to order at 7:05 pm.

Ron Spzile introduced himself. He has recently retired and moved to Town and is looking for opportunities to volunteer and serve on Town Boards. He was attending several Board meetings to see where he may be of help.

A motion to approve the minutes of the June 14, 2017 meeting was made by Will and seconded by Cam .

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

ANR Plans – none presented

Special Permit /Variance Applications – Molly Cantor

Moved that the Planning Board should send a note to the ZBA that we support Molly Cantor’s revisions to her plan. Moved by Will and seconded by Josiah.

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

NEW BUSINESS:

Bardwells Ferry Road Layout/Scenic Road: Bob Dean, FRCOG, explained they were helping the Town by preparing a layout of Bardwell’s Ferry Road, which apparently had never been done. The Town wants to replace the Bridge between Orchard and Basset Roads. In order for the Town to get the grant money there needs to be a formal road layout on file at the registry of deeds. The FRCOG put the existing road layout on paper since at one time it was a county road. The Town is just planning on reconstructing the Bridge. It is understood that all the affected abutters have been informed and any easements have been negotiated. It was discussed that if the Scenic Road bylaw comes into effect, that in the future there may need to be a scenic road public hearing. Liz noted that Matt Marchese had invited any member of the Board to a site visit the next afternoon. Everyone on the Board had other commitments for that time. Liz will notify Matt that no member of the Planning Board would be available to attend.

A motion to sign the road layout mylar for Bardwells Ferry Road was made by Will and seconded by Josiah.

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

OLD BUSINESS:

Recreational Marijuana Moratorium proposed bylaw revisions: Liz passed out an updated draft bylaw based upon what appeared to be a consensus of the Board at their last meeting -- to require a SP in all districts except in those circumstances where a facility is not allowed – “N”. The Board reviewed the current criteria for awarding a special permit and felt those criteria gave the ZBA the authority to adequately review a proposed facility for such factors as the distance to the local elementary school. Cam brought in

Approved: _____ Date: _____ 1

and shared the latest Boston Globe article describing expectations as to how the Mass legislature will finalized their regulations. He read pertinent sections to the Board.

The Board discussed the possibility of a bakery including a selection of products that include marijuana as an ingredient. Will and the Board discussed whether to change some of the “N”’s to “SP” in the RZ or VR in the draft use table. Tom J. said he was concerned about quality control issues in smaller “mom and pop” operations. Will noted that he can make his own beer but not sell it, only give it to friends. Will felt some of the quality control issues will be dealt with by the Selectboard and Board of Health permitting processes. The planning board is dealing with siting not quality control of the products. Josiah was considering whether people/farmers may start small operations of growing marijuana and then request permits for baking and selling as a local farm product. It was noted that the Board was still looking at options and could make changes again after input at a public hearing.

The consensus of the Board was to keep recreational marijuana on the agenda and see if there is anything in the new State law that would lead to reconsideration by the Board. After further discussion, the Board changed “N” to “SP” under industrial uses.

Green Communities Stretch Code: Liz reported that the Selectboard is still thinking about whether it should be a Town bylaw or a zoning bylaw . The consensus of the Board was to present the stretch code as a zoning bylaw if that is what is preferred by the Selectboard since the program was approved in general by last year’s Annual Town Meeting.

Cultural District: at this point there is nothing new for the Planning Board to do in regards to this designation and it is not necessary to keep it on the agenda.

Housing Study: John said he would attend the next housing study meeting on the following Tuesday evening. Tom said he would try to attend. It was noted that the Board’s previous comments had been addressed in the latest draft of the survey.

Parking Study: The Board reviewed the draft scope of services prepared by Terry Narkewicz. The Board noted that the scope of services was requiring the Town to provide data collection for the Consultants. The Board suggested this may be a place where Ron Spzile could be of help to the Town. John will contact Ron and Liz will make this suggestion to Terry. The Planning Board asked Liz to thank Terry for her good work on the parking study.

Master Plan Update: Liz needs to email copies out of the full master plan now that the email transition has taken place at Town Hall. The Board will keep the Buckland Planning Board informed. For August the Board will read the new draft Housing Needs Assessment, compare it to the Old Housing Chapter and see where the Board is at and try to identify future steps/actions for the Board.

Aging in Our Communities: Liz noted that no new emails have been received regarding the FRCOG project. Will said it would be good for the Board to look again at the suggestions that were generated by the meetings to see how they could be applied to the Master Plan and the Town Zoning Bylaws. The Board discussed general ideas related to form based zoning. It is used in downtown Bourne, MA. The Board may want to look at it as a way of encouraging/increasing the number of dwelling units in the Village. The criteria could meet the needs of the Town for affordable and accessible housing. Will’s question is if the Board wants to go in that direction, what would be the next step. This type of zoning could go hand in hand with the recommendations of housing need in the report by the FRCOG—potentially creating some infill while still maintaining the character of the Village. It was noted that Transportation is a related issue. The next step is to look at an example of a form based code and everyone will review <http://formbasedcodes.org/>.

Complete Streets Program: Liz will forward the email information to Terry and the Selectboard for them to consider.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG: Cam reported that he was unable to attend but we should be able to read the minutes soon. Tom Johnson said he would back up Cam as representative to the Planning Board. The Board reviewed a list of possible training courses for next year. The Board selected 4 courses they would like to see presented:

- H. Roles and Responsibilities of Planning & Zoning Boards, Part 1,
- I. Roles and Responsibilities of Planning & Zoning Boards, Part 2,
- M. Zoning Exemptions,
- F. Planning with Community Support.

Liz will notify the FRCOG of the Board’s choices and let them know that the whole Board will try to attend workshops that are presented at the FRCOG building.

Open Space: John said that there was a long discussion about a hiking trail that went from the Potholes to the M&M trail. The Town has been talking to Mayhew about buying their former property and how that land could be used. Neighbors had stated they were concerned about having the trailhead at the gully on Masonic Street or behind Dr. Topolski’s property – for various reasons. If the trail started near the potholes it would bring people through the town. John Wheeler said that people were also talking with the owners of the Sweeheart about possible trail access through that property.

Other Town Boards: The Ox and Rabbit is now a Tourist Home as is Carol Angus’s “Stately Village Victorian” on AIR B&B. Note that the Ox & Rabbit had advertised on the new Shelburne Falls Tourist Map and that can’t be withdrawn but they have assured the BOH they will be a tourist home from now on.

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 August 9, 2017 at 7pm. Cam noted that he will not be able to attend the August meeting nor the first meeting in September. The Board said they will start meeting on the 2nd and 4th Wednesdays of each month starting in September. The goals for this year include a Master Plan update, Form based code, and recreational marijuana. Liz was asked to send an email invite to the ZBA to attend one of the Planning Board meetings in September to discuss any recommended changes that may help the ZBA as the SPGA for Shelburne.

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: 30 pm.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

- Legal notices from neighboring communities: Greenfield – 6, Charlemont – 1, Deerfield - 3**
- July 5, 2017 correspondence with Robert Dean on Bardwells Ferry Rd.**
- Excerpts from regulations regarding Scenic Roads**