

TOWN OF SHELBURNE
Planning Board Meeting
Minutes of Meeting June 13, 2018

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, June 13, 2018 at 7:00 pm in the Town Hall Meeting Room, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair

Will Flanders

Tom Johnson

Josiah Simpson

Administrative Assistant: Liz Kidder

Audience:

Absent: Cam Stevenson

The meeting was called to order at 7: 00 pm.

A motion to approve the minutes of the May 23, 2018 meeting as corrected was made by Will and seconded by John.

Vote: 2 in favor, 0 opposed, 2 abstentions by Tom and Josiah who were not in attendance.

ANR Plans – none presented

Special Permit/Variance Applications – Kim Levitch, 111 Old Village Rd., is requesting a variance from the side yard setback in order to add a screened porch onto their house. The consensus of the Board was for Kim to seek input from his neighbors. The Board noted they would like to discuss how the ZBA reviews variance requests during their annual joint meeting.

OLD BUSINESS

Shelburne Housing Study/Master Plan Housing Chapter/Resilience and Sustainability Grant – Alyssa passed out colored maps displaying how many properties in the VR zoning district were not in compliance with the bylaw and how many would be in compliance if the lot size was reduced to 8,000 square feet. Alyssa and the Board reviewed the maps and the bylaw dimensional table and the discussion included the following:

- The VR zoning district extends across to the eastern side of Route 2; what was the reasoning behind this designation and should the Board consider modifying that designation related to encouraging affordable housing.
- The public water superintendent said that if a developer was able to obtain permits to extend the line under Route 2 that there is enough capacity in the system to handle such as extension.
- The implications for reducing lot sizes within the current zoning districts; comparing lot sizes and setbacks to other similar sized villages in the area. What should be the minimum lot size.
- Does it make sense to shrink the square feet in the VR/VC district so that more properties are conforming and so that larger lots can be more likely converted to 2 or multi-family – more possibilities for people to build more housing just by right. Are there downsides to doing this? If the Board’s goal is to create opportunities for affordable housing then it may make sense to reduce lot size.
- Would it be possible to raise the height limit to 4 floors or would there be fire department concerns and impacts on the Village character?
- Will decreasing the lot size encourage development of more affordable dwelling units?
- Should the bylaws allow for increasing the number of units in multi-family structures up to 8 units in the VC.
- The Board would like to review all the steps involved in developing and managing affordable housing rentals.
- What are the issues that keep landlords and small scale housing renovators/developers from getting involved in the affordable housing market.

Approved: _____ Date: _____ 1

- The benefits of adopting CPA and the education effort it would take to gain support for establishing a CPA program in Shelburne. In other towns, CPA funds have been essential to help develop affordable units.
- The role that Habitat for Humanity could play in helping to develop affordable housing in the Village.

Alyssa distributed a working draft of an Affordable Housing Incentive Zoning bylaw for the Board and Design Guidelines to review and submit comments and suggestions to her to incorporate before the next meeting in July. As the bylaw is developed, the Board suggested reviewing it with local builders to get their reactions and suggestions. Alyssa said that she would ask DHCD to review the draft and see if it is compliant with state law. The Board decided to review the Design Guidelines at the next meeting.

Alyssa will also reach out to Mass Housing Partnership for additional input and suggestions. Will asked Alyssa for a clarification on what qualifies for SHI (Shelburne Housing Inventory of affordable housing units), especially in regard to Section 8 units.

The Board thanked Alyssa for what she is bringing to the discussion and how helpful the opportunity to work with her has been. The Board appreciates how much they are learning. Alyssa said she will email a spreadsheet comparison of what other towns have for setbacks in their village centers. Alyssa left the meeting.

The Board discussed various aspects of materials presented by Alyssa. The consensus of the board was to start at 1 affordable unit in the Affordable housing Incentive Zoning Development Scenarios.

Will reported that he had attended the Mass Housing Initiative Conference and discussions included:

- there is a huge housing crisis in the state and not just for affordable housing,
- how to accommodate housing in rural areas since rural areas don't like large developments,
- each town has their own boards with their own rules/bylaws,
- the State is looking at changing Chapter 40A – for example 2 families and accessory units may be allowed by right – something Shelburne is already doing—possibly by the end of this month.
- There are many situations where people are running into fair housing issues/discrimination --a town should make sure they are in compliance and will need to run all proposed revisions by Donna to ensure that we are not in violation of fair housing law.

Adult Use Marijuana – Board of Health Regulations/Attorney General’s Decision

The Board reviewed the decision by the Attorney General to approve the Shelburne Adult-Use Zoning Bylaw. Liz reported that the Board of Health will be holding their public hearing on Adult-Use Regulations that have incorporated the comments from the Planning Board.

Rural housing zoning analysis/flaglots and other options:

Liz reported that she had found examples of former common driveway and backlot development bylaws from several years ago in the Planning Board files.

NEW BUSINESS – nothing presented.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG - no recent meetings.

Open Space: no reports.

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.

PUBLIC COMMENTS: none.

SCHEDULE NEXT MEETING: July 11th at 7 pm. Tom Johnson will be away. The Board would like to schedule a meeting again with members of the ZBA in September.

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

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

Meeting was adjourned at 9: 53 pm.

Respectfully submitted by,

Liz Kidder

Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Buckland – 1, Greenfield-3, Charlemont--2

Draft revisions to Dimensional Schedule

Map-Existing Minimum lot Size in VC & VR Districts

Map-Proposed Minimum Lot Size in VC & VR Districts

First Draft Affordable Housing Incentive Zoning

First Draft Village Design Guidelines for Residential Structures

Email correspondence with Stephen McCabe

Map-Abutters within 500 feet of Water St. pre-school

Map-Abutters within 500 feet of Buckland Shelburne Elementary School

Adult Use Marijuana Regulations Presentation slides

Shelburne Legal Bulletin relative to Article 43