

TOWN OF SHELBURNE
Planning Board Meeting
Minutes of Meeting Sept. 12, 2018

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, September 12, 2018 at 7:00 pm in the Town Hall Meeting Room, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair

Will Flanders

Cam Stevenson

Josiah Simpson

Tom Johnson

Alyssa Larose, FRCOG

Administrative Assistant: Liz Kidder

Audience:

Absent:

The meeting was called to order at 7:04 pm.

A motion to approve the minutes with typos corrected of the August 8, 2018 meeting was made by Will and seconded by Cam.

Vote: 3 in favor, 0 opposed, 2 abstentions by John as Chair of the meeting and by Tom since he was not in attendance.

ANR Plans –55 Shelburne Center Rd. Will reported that he had talked with Donna McNichol about Mr. Barden’s request to use an existing easement for access to a new lot on his property. After reviewing the full subdivision regulation, Will had prepared a memo that described an option for the Board to consider to approve that ANR. Mr. Barden has not reapplied for his ANR so the Board discussed the situation in general and reviewed the memo. Will recommended that the Board consider tweaks to both the zoning bylaw definitions for “frontage” and “minor streets” and look at possible definitions for “common driveways”. Will said he would take on the task of drafting those possible revisions for review by the Board and review the consistency of those revisions between the Zoning Bylaw and Subdivision Regulation.

Special Permit/Variance Applications –Solar Store installation for William Stafford, 175 Peckville Rd. After reviewing the plans for a small ground-mounted solar installation on Peckville Rd., the consensus of the Board was to send an email to the ZBA recommending approval of the requested special permit.

OLD BUSINESS

Shelburne Housing Study/Master Plan Housing Chapter/Resilience and Sustainability Grant – Alyssa reported that she had invited those who had participated in the Shelburne housing study to the next meeting on the 26th. Representatives from the Mass Housing Partnership, Franklin Regional Housing Authority/Rural Development Inc. and Habitat for Humanity will all be present to discuss how Affordable housing projects are implemented. John suggested also inviting the owners of the Singley Building and members of the ZBA to the meeting.

Alyssa distributed a map that shows potential VR1 and VR2 zoning districts which could separate out the Village, with potentially smaller lot sizes, from the larger lots that could be in the VR district to the east of Route 2. The Board reviewed other parcels adjacent to the village and discussed where the boundaries for the different zoning districts could be.

Alyssa distributed a second draft of the possible incentive zoning bylaw and points of discussion included:

1. The ZBA would be the SPGA for the VR while the Planning Board would be the SPGA for the VC under the incentive zoning bylaw.

Approved: _____ Date: _____ 1

2. Under the VR incentive zoning, a special permit would be needed for reduced lot sizes and this would be a special category of ANR which is under the jurisdiction of the Planning Board.
3. To build a dwelling unit on a lot of reduced size, it must be Affordable.
4. Maximum lot coverage, even for the smaller lots, would be 50%.
5. If you had a one acre lot in the Village, it could be split into 4 lots with 2 units per lot for a total of 8 new units.
6. For discussion on the 26th, the Board wants to look at how those new units can meet the requirements of Chapter 40B – Affordable units.
7. If duplexes were built on the smaller lots, could there be situations where one-half of the unit qualified as Affordable while the other unit was a market rate dwelling. Looking at the draft bylaw, section 0.3 a), change the language and add a sentence stating that one unit on the lot would have to be Affordable.
8. It was noted that there was some inconsistency in the language of the draft with some sentences using “shall” and in other places “likely would” or “is responsible”.
9. In determining for what period of time a unit would have to be “Affordable”, Alyssa pointed out that different programs have different requirements. The language in the bylaw could refer to different programs. For example, the bylaw could use language to the effect of “what is required under Chapter 40B”.
10. In section 5b) note that the document must be connected to a special permit and delete “fully executed” language
11. In section 5a) make it clear that the required signature would be by the Shelburne Board of Selectmen.
12. Should the Town require a percentage of Affordable units be included in any developments that should occur outside the Village area. The Board decided to just focus on the Village for now and discuss options for rural Shelburne at a future time.

Will and the Board thanked Alyssa for her efforts and noted they feel the draft bylaw is representing what they want to accomplish. It was noted that Shelburne is taking a different approach from other Towns.

Alyssa distributed revised design guidelines for a second review by the Board. There was a general discussion about what the term “massing” meant. Joisah pointed out that it is an architectural/planning design term. Since it is a term that can be confusing to non-designers, it was decided to add a notation that it is an architectural term. The Board reviewed the revisions to the guidelines.

For the meeting on the 26th, Alyssa will send out the draft bylaw, graphics from the housing study, and the draft guidelines for review by the participants ahead of the meeting. She will note that the Planning Board is reviewing the zoning bylaw as a follow through to the work of the Housing Committee. The Board decided to meet at 6:30 to take care of regular business before meeting on Affordable Housing at 7pm on the 26th.

Annual Coordination with the ZBA—the ZBA has not responded to an email suggesting the Planning Board attend the October ZBA meeting. John will check with Joe and try to schedule a time to meet.

Attorney General’s Letter regarding bylaw revisions—The Board reviewed the letter of approval from the Attorney General’s office regarding bylaws that were approved at Shelburne’s Annual Town Meeting. The Board reviewed the comments relative to agricultural exemptions. Will said that the Board may want to make a commercial greenhouse by right on a lot 5 acres or greater in the village and other modest edits to the use table in order to comply with the AG’s comments. This will be added to the “tweak list” for ATM 2019.

Will noted that he has been reviewing how other towns handle flaglots and will work on a draft for the Board to consider at a future meeting.

NEW BUSINESS – Liz reported she had participated in training for the Town’s new website and said that it will be in transition for the next month.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG - no information to present since the last meeting. Upcoming meeting is on the community solar project in Wendell

Open Space-no information to present since the last meeting.

Other Town Boards: The Board of Health will be using the FRCOG health agent starting in November

Josiah informed the Board that he will not be running for reelection in the spring due to expanding personal commitments. He will be at the meeting in two weeks but after that he may only be able to attend one meeting a month for the winter.

OTHER BUSINESS NOT REASONABLY FORESEEN 48 HOURS PRIOR TO THE MEETING: none.

PUBLIC COMMENTS: none.

SCHEDULE NEXT MEETING: September 26 at 6:30 with meeting on Affordable Housing at 7 pm

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

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

Meeting was adjourned at 9:47pm.

Respectfully submitted by,

Liz Kidder

Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Buckland – 2, Greenfield-5, Charlemont – 1, Deerfield – 1, Conway – 1

August 6, 2018 Letter from Attorney General

August 13, email from Alyssa Larose

Sept. 10, 2018 memo from Will Flanders regarding 55 Shelburne Center Rd.

Notice of Finding of No Significant Impact August 15, 2018 Town of Shelburne

Stafford, 175 Peckville Rd., Special Permit Application

Handouts from Allyssa Larose