

Minor Street which notes that when a permit is issued for a common driveway the driveway needs to meet the standards of a minor street. This definition is being changed to coordinate with common driveways so it is clear in both the zoning bylaw and the subdivision regulation.

Affordable Housing

John Wheeler noted that the Board has spent the last couple of years reviewing the Housing Chapter of the 1999 Master Plan with the assistance of Alyssa Larose of the FRCOG. An updated Shelburne Housing Survey and Plan was completed in 2018 and the Planning Board was using that information as a guide for revisions to the zoning bylaw. John started a powerpoint presentation to give the history of the planning process and to explain some of the bylaws being reviewed during this public hearing.

Questions raised or comments made during the hearing include the following:

- If this is to help local residents, aren't they already living in Shelburne so why do we need more units
- Concern expressed that affordable housing would bring down the value of other houses in the neighborhood.
- How does the 70% local preference work-is that just at the beginning or after the original affordable tenant moves out does it go to anyone? What are the mechanics of the resident selection process? How does the wait list work? How frequently does this type of apartment turn over?
- Does the State have the option of changing the rules and opening it up Affordable units to anyone?
- How many new units do you need to create to meet the community need whether short or long term? Are there studies that show this approach has really succeeded in meeting local needs?
- Is this a way for local developers to make money whether they meet the local need or not?
- Since Shelburne already has the highest number of Affordable Units, can the surrounding Towns share in the responsibility of providing such units or does each Town have to reach 10%?
- Does Shelburne's aging sewer system and water system have the capacity for new units?
- In two of the last three years there have been water restrictions in the Village, is there sufficient water supplies for new units?
- How many new lots and units could be created under these proposed zoning bylaws?
- If these revisions are adopted, will they protect the Town from a Chapter 40B project?
- If the Town had a need for an Affordable Housing Development similar to those in Sunderland, there would probably already be one? Is the Town trying to protect itself from something that is never going to happen?
- In Shelburne, residents see the special permit hearing process as a chance to comment on the proposed plans of their neighbors and like having that opportunity.
- Even though the survey responses indicated a need for affordable housing, there were just a limited number of surveys submitted and the opinion on Town Meeting floor may be very different.
- People in the Village like the green space between houses and don't want it filled in by small houses.
- People love the Village for what it is, why is the Planning Board proposing radical changes?
- By reducing the lot frontage, the Board is encouraging the lots to be built on the street, reducing the integrity of the Village and does not ensure that something is going to be built in character with the Village.
- Are the guidelines suggestions or requirements?
- The Board is going down a perilous road using generic guidelines; if an architect interprets them and then someone disagrees with the architect, you can get into a can of worms. Unless the Board makes the guidelines very strict, it is going to be difficult to implement.
- Can a developer come in and buy several small lots and build a number of Affordable Housing units as a scattered site project?

The Planning Board response to questions included:

- The goal of the Board was to maximize opportunities under state law

- Local preference goes to anyone who lives in town, has kids who go to the local school, or people who work for the Town, and the wait list can include local preference.
- Because of all the State requirements under Chapter 40B, Affordable housing units are usually developed either in single units, scattered units, or a larger scale project by non-profit agencies or groups such as Habitat for Humanity or Rural Development Inc.
- There have been situations in some Towns where the Town applies for a Chapter 40B Permit in order to create units to meet local needs – referred to as a “friendly” Chapter 40B project.
- The Board explained that this current effort is the beginning of a multi-year process and the Board focused first on the Village where there is public water and sewer and will be looking at how they can revise the zoning language for the VR2 and RA districts next year.
- The Board noted they had talked with both districts sewer and water and there is capacity for up to a 30% increase in the sewer districts.
- It was noted that of the 39 new affordable units needed to meet the 10% housing inventory standard, they do not have to be met in the Village. It was noted that in developing the OSD bylaw a couple of years ago, there were incentives built in for affordable units that could be built in rural Shelburne.
- The Board described the Habitat for Humanity example of building a small, Affordable Housing, single-family or zero-lot line two family on a 5,000 SF lot, under the proposed revisions. Habitat for Humanity does through local permitting instead of applying for Chapter 40B permits, keeping control local.
- The Planning Board is trying to meet their responsibility under the Housing Plan by focusing on zoning, other Boards or committees in Town would have to be involved to help make projects happen.
- The Board noted that they had held a meeting and walked through the Village and realize that there are only a few sites where a small in-fill lot might be appropriate for a small single-family home that could be built in a style that was in keeping with the Village character. A map identifying potential lots by lot size and frontage, that could be developed or divided was reviewed.
- The best way to keep local control is to find a way to meet the 10% SHI goal. Since the Town has prepared a recent housing plan, if during the next 5 years, the Town is able to help develop 4-5 housing units, the Town can receive some protection from a Chapter 40B application.
- The Board noted that they are not just concerned with Chapter 40B type of Affordable Housing, but the proposed revisions are designed to help with increasing the number of market-rate affordable housing units as well.
- The goal of this bylaw is to have the zoning bylaw ready in case anyone wants to create a small scale Affordable housing project.
- If Shelburne had site-plan review, there would be a process that could incorporate the use of the Village Design Guidelines.
- The Board does not consider the proposed revisions to be radical changes to the zoning bylaw.
- Zero lot-line homes are a style used by Habitat for Humanity which is an organization that can manage the sale of properties through specialized deeds to keep them in compliance with the Affordable Housing regulations.
- While the design guidelines are to be used in the special permit process for Affordable Housing units, the special permit granting authority will have the ability to waive any aspect of them. There is a possibility of allowing projects by right that follow the Design Guidelines and then using a special permit process for people who would like a waiver from them.
- Because of the strict requirements for management of Affordable Housing units and their turnover in perpetuity, it is unlikely that a developer, other than a non-profit, would buy several lots for a scattered site project. There is no financial incentive for developers to get involved in Affordable Housing projects.

The Board reviewed the rest of the proposed by law revisions with no comments or questions from the audience. These included:

- Zoning Map Revisions
- Dimensional Schedule and related sections 5.2, 3.1, 4.2.7, 4.3, 7.0, 11.2.2
- Section 5.4 Exception of Dimensional Requirements for Side and Rear Setbacks
- Section 10.0 Non-conforming uses, structures and lots

- Section 4.3 Table of Use Regulations
- Frontage and Street Definition
- Section 5.21.1 Flag Lots – the Board noted that they were considering only allowing 2 rather than 3 flaglots adjacent to one another. The Board read the comments received by email from the Shelburne Fire Chief, John Taylor.

Shelburne Subdivision Regulations proposed revisions.

The Board reviewed the proposed revisions to the Shelburne Subdivision Regulations related to Frontage, Street, Minor Street, Common Driveways, Definition of Subdivision. No public comments or questions.

A motion to adjourn the public hearing was made by Will and seconded by Cam.

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

A motion to reopen the Planning Board meeting was made by Will and seconded by Cam.

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

Tom Johnson suggested including all of John Taylor’s suggestions, as in his email. The consensus of the Board was to incorporate John Taylor’s suggested changes into both the zoning bylaw and the subdivision regulation revisions and to reduce the number of flaglots adjacent to each other to two.

The Board discussed the order of the proposed revisions as they are presented in the ATM warrant. Will noted that he won’t be able to attend Town Meeting. He said he would prepare a description of the purpose of the flaglots, common driveway, frontage, and minor street bylaws that would be useful for Town Meeting. The Board discussed preparing comments for ATM at their next meeting on April 10th.

A motion to submit the revisions as reviewed and amended during the March 27th public hearing to the Selectman for inclusion in the ATM 2019 Warrant was made by Will and seconded by Tom.

Vote: 3 in favor 0 opposed, 1 abstention by John

COMMITTEE and REGIONAL PROJECT UPDATES

FRCOG Planning Board –no information presented

Open Space – no information presented since the Board had cancelled their meeting.

Other Town Board updates – no information presented.

Other business not reasonably foreseen 48 hours prior to the meeting-no information presented.

Read Mail—the Board read mail as listed below.

Public Comments—none presented.

Schedule next meeting –the next meeting is at 7pm on Wednesday, April 10th

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

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

Meeting was adjourned at 10: 45 pm.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Buckland-1, Charlemont-1, Deerfield-1, Shelburne - 1
March 18 email from John Taylor as Fire Chief

