

TOWN OF SHELBURNE  
**Planning Board Meeting**  
**Minutes of Meeting January 8, 2020**

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, January 8, 2020 at 7:00 pm in the Town Hall Meeting Room, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair

Will Flanders

Tom Johnson

Cam Stevenson

Administrative Assistant: Liz Kidder

Audience:

Absent:

The meeting was called to order at 7:00 p.m.

**ANR/Subdivision** – none presented

**Special Permit** – none presented.

**Motion to approve minutes as corrected of December 11, 2019, was made by Will and seconded by Cam.**

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

**OLD BUSINESS**

**Master Plan Housing/Zoning Bylaw Revisions for ATM 2020** - The Board reviewed an expanded draft list of possible revisions to the zoning bylaw to present at a public hearing. This document included the text for possible revisions and an explanation as to why the Board was considering the proposed change. John Wheeler reported on his meeting with the Selectboard and the Board reviewed the minutes of that meeting. The Selectboard had urged the Planning Board to keep their proposed revisions simple and direct instead of presenting major changes.

The proposed changes being considered for ATM 2020 included the following:

- **Frontage** – last year a common driveway bylaw was passed but for it to be implemented there needs to be changes to the frontage and minor street references. Town Counsel had suggested that the Board resubmit the changes at ATM 2020 and she would be there to explain their purpose.
- **Village overlay district** - the Board was concerned about property owner’s ability to rebuild structures on lots in the VC district that are currently empty and may be non-conforming lots. John Wheeler had attended a workshop on overlay districts at the FRCOG where it was recommended to try to accomplish goals through the existing bylaw rather than developing a complex overlay district, whenever possible. The Board wants to create the option of flexibility with guidance for the ZBA to use whenever they receive an application for a special permit to construct, renovate, or alter buildings that abut Bridge St., from the Deerfield River to Mechanic St., and along Deerfield St. The Board asked Liz to review the current bylaw, identify a logical location for such a revision, and to come back to the next meeting with proposed text.
- **Nonconforming lots and density requirements** – the board reviewed options for addressing the need to review the permitting process under Section 10 related to non-conforming lots, and, possible density requirements. This review included looking at related bylaws from other towns including Shutesbury, as suggested by Town Counsel. The Board discussed whether they should propose a major change or try to tweak the existing bylaw, especially for Section 10.1.2 Alterations. Will volunteered to review Section 10.1.2 and make recommendations to the Board. The Board discussed other possible tweaks to Sections 10.2.3, 4 and 5.
- **Affordable Housing**- the consensus of the Board was to present bylaw revisions at the public hearing that (1) creates the opportunity for a single-family affordable dwelling, such as Habitat for Humanity or RDI/FCRHRA would build, on a lot as small as 5,000 ft2, and (2) the Affordable Housing for large scale development as prepared with the help of Alyssa Larose. Instead of presenting a non-binding referendum to just get a discussion going at ATM, the Board will present these two basic options; the discussion and votes at Town Meeting will give the Board the guidance for any further bylaws related to

Affordable Housing. Liz was asked to review the current zoning bylaw and identify where it would be appropriate to propose an option that gives flexibility to the ZBA to issue a special permit for a small lot, single family Affordable House.

**Master Plan Economic Development updates/review of Commercial District Zoning** – in addition to preparing a bylaw revision to allow flexibility in the granting of a special permit for redevelopment of properties in the VC district, the Board reviewed a list of possible FRCOG/DLTA assistance program topics. The Board is considering requesting assistance with an update to the Economic Development Chapter of the 1999 Master Plan. The Board will prepare their request for DLTA assistance at their next meeting.

**Marijuana Zoning Bylaw coordination/facility proposals** – no proposals have been received.

**Shelburne Hazardous Mitigation Plan Update** -- John Wheeler is going to attend the next committee meeting on January 22<sup>nd</sup>. Liz will review the checklist of items listed for the Planning Board to accomplish and send a list of what has already been accomplished to John before that meeting.

**NEW BUSINESS** –The Board received information from the Town Administrator regarding budget request for FY 2021. The Board discussed the laptop that is being used by Liz Kidder. She said that while it is functioning, it is 6 years old and is being used in a way that is more complex than for operations for which it was originally designed and is therefore running very slowly at times. There is also a concern as to what would happen if it stopped working mid-year. The Board asked Liz to talk with the Town Administrator on the current Town Policy regarding the purchase/replacement of laptops.

#### **COMMITTEE and REGIONAL PROJECT UPDATES**

**FRCOG Planning Board**- no recent meetings on which to report.

**Open Space** – Tom reported that Larry Flaccus has applied for a grant for a trail. The Board reviewed the notes from the last Selectmen’s meeting regarding that grant application.

**Other Town Board updates** – nothing presented

**Other business not reasonably foreseen 48 hours prior to the meeting**- nothing presented

**Read Mail**—the Board read mail as listed below.

**Public Comments**—none presented.

**Schedule next meeting** – Wednesday, Jan 22, 2019. The Board will be meeting in the Assessor’s Office and several members of the ZBA will be attending to discuss the draft proposed zoning bylaw revisions for ATM 2020.

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

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

**Meeting was adjourned at 8:59 pm.**

**Respectfully submitted by,**

Liz Kidder  
Administrative Assistant

#### **LIST OF DOCUMENTS:**

Legal notices from neighboring communities: Greenfield 1, Deerfield 3  
Public Information Meeting Draft Affordable Housing Bylaw proposed revisions  
12/29/19 email re: attendance by ZBA members at 1/22/20 meeting  
1/6/20 email regarding FRCOG DLTA Requests for 2020  
Proposed Budget Schedule notice from Town Administrator  
1/6/2020 email regarding Hazard Mitigation Planning Committee mtg Jan 22  
Excerpt Selectmen’s minutes regarding Planning Board 12/23/19  
Working draft checklist of proposed revisions for ATM 2020

Excerpt from Shutesbury Zoning Bylaw  
Graph of density requirements in neighboring towns  
Excerpts from Ashfield, Buckland and Charlemont Zoning Bylaws  
12/19 Email to Board regarding 1989 Shelburne Townscape Plan  
Article 36: revisions to frontage definitions from ATM 2019  
CPTC Guidebook Zoning with Overlay Districts