

TOWN OF SHELBURNE
Planning Board Meeting
Minutes of Meeting February 12, 2020

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, February 12, 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: Andrew Quient, Paul Kuceja, Larry Flaccus

Absent:

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

Andrew Quient came before the Board to ask for clarification as to any permits he may need relative to a planned property purchase. He has an offer in for consideration to buy 121 Bridge St. His offer is contingent upon his being able to have a retirement home business in the Village. He is a potter and wants to turn the existing garage into a pottery studio. This lot is a conforming lot and the Planning Board urged him to contact and meet with the ZBA.

ANR/Subdivision – Patten Hill Farm Trust, 360 Patten Hill Rd.

Paul Kuceja, representing the Patten Hill Farm Trust, explained that the Trust is in negotiations with Mass Audubon to purchase most of their property. However, there is a barn that Mass Audubon does not want to include in their purchase. The trust would like to separate the portion of the land around the barn from the land to go to Audubon. However, there is insufficient frontage and acreage for that to be a conforming parcel of land. The Board decided that they wanted to consult with Town Counsel. Paul was asked to email copies of the two plans he had presented to the Board. Will Flanders will contact Donna MacNicol for advice on how to handle this request, after receiving permission from the Selectboard.

Special Permit – none presented.

Minutes of the meeting:

Tom Johnson noted that in Item 6 page 2—the first paragraph’s last word should be “which” instead of “with”.

Motion to approve minutes of January 29, 2020, as corrected, 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

Zoning Bylaw Revisions for ATM 2020 –

Open Space Committee – Larry Flaccus informed the Board that he had had communications with the ZBA and Town Counsel regarding how to comply with the requirement of needing a special permit to build a trail, sited on a combination of private and municipal land, on which the Open Space Committee has been working. In his conversations with State officials, they had never heard of a town requiring a special permit for a public trail. After discussion, the Board considered various options for different types of trails, whether they should be allowed by right or with a special permit and why are non-motorized trails required to have a special permit when motorized trails, such as snowmobile trails, do not require special permits. The consensus of the Board was to include a proposed revision for the March 25th public hearing that allows trails by-right in the RA district or include trails by right in all districts for discussion and input. This topic will be added to the checklist for revisions to be considered at ATM.

Public Hearing Educational Materials/ April 15 Pre-Town Meeting Forum—the Board discussed public education materials that could be handed out during the public hearings during ATM. It was decided to prepare very specific ATM warrant articles that will make it clear to voters what the language is they are voting for. There will be a second report that can be distributed that includes the explanation and background for each proposed warrant article.

Approved: _____ Date: _____ 1

The consensus of the Board was to prepare a brochure of examples of proposed projects that would come under Section 10 Non-Conforming Uses of the zoning bylaw that would help interpret how that section would be applied to different development scenarios. John Wheeler will attend the April 15th Pre-Town Meeting and bring along the public information materials.

Affordable housing options – nonbinding resolution – the Board reviewed a draft non-binding resolution on Affordable Housing options. John Wheeler distributed a copy of a section of the Shelburne Housing Study that compares incomes in Shelburne to the state guidelines for affordable housing. This will also be distributed as part of the educational materials at the public hearing, the pre-town meeting and ATM.

Tom Johnson suggested that he thinks large scale ground mounted solar LSSI should be allowed in the Commercial district even along Route 2. He would like to respectfully disagree with the ZBA’s recommendation. The consensus of the Board was to discuss this suggestion with the ZBA.

Master Plan Updating – Liz explained that she had talked with Terry Narkewicz about how the Board was approaching an update to the Master Plan and that Terry had suggested that someone from the Planning Board meet with the Selectmen to advise them on the Planning Board approach.

Marijuana Zoning Bylaw Coordination/Facility proposals – no new proposals at this time.

Shelburne Hazardous Mitigation Plan Draft – John Wheeler has not heard from Chris Myers on what his committee may need from the Planning Board.

Budget FY 2021 – John Wheeler is scheduled to meet with the Selectmen and Finance committee on March 2nd.

COMMITTEE and REGIONAL PROJECT UPDATES

FRCOG Planning Board- no news

Open Space – Tom reported that this committee is working through the special permit process and that Jim Perry met with a consulting engineer to get an estimate on how to properly install a walkway.

Other Town Board updates – nothing

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

Read Mail – see below

Public Comments—none presented.

Schedule next meeting – Wednesday, Feb.26, at 7:00 with the Public Hearing starting at 7:30pm. Tom won’t be there

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

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

Meeting was adjourned at 8: 47pm.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Buckland – 1

Emails from ZBA and Town Council regarding Trails

Feb. 10th email regarding 2019 Annual Town Report Submittals

Feb. 6th email regarding rescheduling meeting

Feb. 6th email regarding FY20 CDBG Public Hearing

Jan. 30th email regarding Planning Board request for Town Council’s review of proposed bylaws

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