

**Town of Shelburne Planning Board
Minutes of Remote Participation Meeting Jan. 13, 2021**

A duly posted meeting of the Shelburne Planning Board was held remotely on Wednesday, Jan. 13, 2021 at 7:00 pm using Zoom online software.

Present: John Wheeler, Chair

Will Flanders

Cam Stevenson

Andrew Baker, joined at 7:12pm

Administrative Assistant: Liz Kidder

Audience:

Absent: Tom Johnson

The meeting was called to order at 7: 01 p.m. John Wheeler noted he was recording the audio of the meeting.

Motion to approve minutes of the Planning Board meeting of Dec. 30, 2020, was made by Cam and seconded by Will.

Vote: 2 in favor, 0 opposed, and 1 abstention by John as chair of the meeting.

ANR/Subdivision – none submitted

Special Permit – none submitted

OLD BUSINESS

CPA (Community Preservation Act)/ Town Owned Land - John reported that he had received a letter from Andrew Baker asking if the Planning Board was interested in or supporting Shelburne becoming part of the CPA program. Andrew Baker joined the meeting via zoom and the discussion regarding CPA continued. Points made during the discussion included:

- the adoption of CPA by a Town requires both a vote at Town Meeting and a vote during a town wide election,
- several Towns including Greenfield had recently adopted the CPA and could be examples of how they conducted a public education campaign,
- support should come from several Town boards and committee, not just the Planning Board or Selectboard, including Open Space, Ag Commission, Emergency Management, and the local housing authority,
- there are several abandoned properties, now owned by the Town, that may be appropriate for use as Affordable Housing units,
- If adopted, a new CPA committee would be established to manage and distribute funds that are collected,

Andrew said that he would put CPA on the Selectmen’s Agenda if the planning board would like to come and talk about it. He feels that CPA is a practical tool that the Town should look at as a possible source for funding for local projects. He said he would try to get the planning Board on the agenda for the Jan. 19th meeting to discuss CPA.

Will said that he had prepared a working draft of a bylaw revision related to Affordable Housing for review by the Board. This draft addressed lot size and frontage of non-conforming lots that could be reused for Affordable Housing on Town owned land; possibly by an organization such as Habitat for Humanity. The Board and Andrew reviewed Will’s draft and discussed options such as the King lot on Mechanic St. which is about ready to go to auction by the Town. Issues related to that property would include: it is a non-conforming lot that has been vacant since a fire and the lot has \$94,000 in liens on the property. Will had checked with the district public water system and there are three town-owned vacant lots on the public system, including two on the north end of Main St. however, he did not know if they have access to public sewage. Andrew said one concern regarding these properties is the expense of the demolition requirements for the existing abandoned buildings. Will and John said they would try to attend the Selectmen’s meeting on the 19th. Andrew left the meeting at 7:38pm

Mobile Homes, Campers, and Tiny homes/Shelburne Hazardous Mitigation Plan -- the Board reviewed the current in the Town Zoning Bylaw Section 12. The issue raised in the Hazardous Mitigation Plan was the safety of the campers or mobile homes during circumstances of extreme wind. The Board questioned whether this concern should be dealt with through zoning or be a

Approved: _____ Date: _____ 1

requirement for when someone applies to get a permit for a short term camper/mobile home. The Board decided to ask Chris Myers as to whether the committee really felt this was a concern or was it just a standard item on a list from the FRCOG of things to consider. John said he would call Chris Myers and see if he has any concerns about Section 12 or ask him to participate in one of the Board's meetings.

Home Based Business – continued to the next meeting due to Tom Johnson's absence.

Town Roads Official List – the Board decided to send an email to the Selectboard asking them to work with the Road Boss and Town Counsel on developing an official list of Town Roads. This would be of value to the Planning Board when endorsing ANR plans. The Board members will bring this up to the Selectboard during the meeting on the 19th.

Resiliency, Sustainability, Climate Change impact on Franklin County - Master Plan/Sustainability/Economic Development update/Planning Board Goals for 2020-2021 – Based upon the discussion at the last meeting, the Board is looking at only presenting simple bylaw revisions at this year's annual town meeting due to the ongoing limitations of holding public meetings during COVID. For this year – the Board is considering:

- Basic modification of lot sizes for Affordable Housing projects on Town owned lots– reuse of abandoned lots.
- 5G - waiting to hear from Jonathan Mirin and haven't heard anything from ZBA on the draft 5G. The Board questioned whether it was a good time for the Town to address 5G or should that possible by revision be considered next year when life is hopefully back to normal after COVID vaccines have been administered.
- flooding impacts –given the land and the streams that are in Shelburne, is there anything the Board can do to reduce flooding during a major storm through the Zoning Bylaw? What might be the options that could apply to Shelburne. John said at the Emergency Management meeting there was concerns expressed about culverts that aren't big enough and the impact of beaver dams washing out roads. It was noted that the Board of Health has jurisdiction over beavers and regularly works with the Road Crew boss as needed. The Board felt that they needed to find out if there is a stormwater drainage problem in the Village that needs to be addressed.
- Section 10 and Section 4 Density and variances that were discussed last year at which time the ZBA had suggestions and thought the draft needed work. The Board discussed a possible expansion of the language relative to findings since Town Counsel has informed the ZBA that the state criteria for variances make them almost impossible to legally grant within the Village. The consensus of the Board was to talk Donna on how to deal with flexibility when you can't grant variances. The Board reviewed possible revisions relative to Section 10 using a finding process. The Board would like to either hold a joint meeting with the ZBA or get feedback from them on 5G and Section 10 and any other suggestions they may have for the Board.
- Affordable Housing Incentive Zoning – the Board will have the draft bylaw revision reviewed and discussed with the ZBA and Town Counsel and possibly present it at annual town meeting.
- Village Design Guidelines – the Board decided to consider these in the future.

Zoning Bylaw Revisions adopted SPTM 2020 – AG's letter said they would notify the Town on Feb 18, 2021.

FY2022 Planning Board Budget– the Board discussed the value of having periodic meetings with Town Counsel to review aspects of the zoning bylaw and possible revisions this coming year especially related to non-conforming lots and that case law related to variances. The Board decided to ask for enough additional funds in the budget to have another working meeting with Town Counsel.

A motion was made by Wil and seconded by Cam to add \$500 to the expense budget to ensure an annual working meeting with the Town Counsel to discuss strategies for revising the Zoning Bylaw.

Vote: 2 in favor, 0 opposed, and 1 abstention by John as chair of the meeting.

Ethics Test – the Board asked Liz to check with the Town Clerk to determine if any of the Board members need to take the State Ethics test.

COMMITTEE and REGIONAL PROJECT UPDATES

Approved: _____ Date: _____ 2

FRCOG – nothing presented

Open Space – nothing presented

Other Town Board updates – nothing presented.

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

Read Mail – only legal notices from neighboring towns have been received in the mailbox at Town Hall.

Public Comments—none presented.

Schedule next meeting - The Board will meet remotely again at 7pm on Wednesday, February 10th and 24th.

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

Vote: 3 in favor, 0 opposed, 0 abstentions

Meeting was adjourned at 8: 25 pm.

Respectfully submitted by,

Liz Kidder

Administrative Assistant

LIST OF DOCUMENTS:

Will Flanders email,

Andrew Baker’s email,

Budget spreadsheet