Town of SHELBURNE

Planning Board

MINUTES

Regular Meeting via Zoom ~ October 27, 2021

A duly posted meeting of the Shelburne Planning Board was held remotely via Zoom, on Wednesday, October 27, 2021 at 7 pm

Present: John Wheeler, Chair

Will Flanders

Tricia Yacovone-Biagi

Seth Wilschutz

Cam Stevenson

Administrative Assistant: Faye Whitney

Guests: None

Absent: None

The meeting was called to order at 7:04 p.m. by Chair John Wheeler who noted he was recording the audio of the meeting.

**Minutes**

A motion was made by Cam, seconded by Will to approve the minutes of October 13. Roll call vote: Will – aye; Tricia – aye; Seth – aye; Cam – aye; John – abstain. Motion passed 4-0-1.

**ANR Plans/Subdivision**

None

**Zoning Relief/Special Permit Applications**

None

**OLD BUSINESS**

**CPA** – A public informational meeting will be held on November 3, at 7 p.m., via Zoom. A cover letter and a handout will be sent to interested parties prior to the meeting. At the last CPA meeting the group heard from representatives from Deerfield and Sunderland about what CPA benefits had been brought to their towns. If Shelburne were to add the maximum 3% surcharge to tax bills, the average taxpayer would see their bill rise by about $83 per year. That would result in about $83,000 in taxes, which would likely be matched by the state. Will would like the Planning Board to formally support the CPA. He plans to keep track of those who are in favor of the CPA. Adoption of the CPA requires a majority vote at both town meeting and a November election.

**Planning Board Goals for the Next Year** –

Attorney General’s comments – MGL does not allow agriculture to be restricted by Special Permit on lots of five or more acres. Will presented the following proposals:

1. “Agricultural Commercial Greenhouse on a lot of at least 2 acres which produces at least $1,000 per acre of annual gross sales of products of the agricultural use - Permitted in all zones”  
2.  Add the following language to the existing less-than-5-acres Agricultural Use provision:  “which fails to produce at least $1,000 per acre of annual gross sales of products from the agricultural use.”

A motion was made by Will, seconded by Cam to adopt the two above changes to the Use Table with the idea of taking them to Town Meeting. Roll call vote: Will – aye; Tricia – aye; Seth – aye; Cam – aye; John – abstain. Motion passed 4-0-1.

Changes to cannabis definitions are still awaiting input from Town Counsel.  
 Work on adjusting Section 10, Findings/Variances – There is a section in MGL that talks about Findings. Shelburne bylaws do not have criteria for issuing Findings. Will presented proposed changes as to how Findings would be handled, which would essentially treat Findings and Special Permits the same. The change will be shared with the ZBA for their input. A motion was made by Will, seconded by Cam to approve the proposed changes, as presented to Shelburne Zoning Bylaws Section 6 regarding Findings and Special Permits and to send the proposed language to the ZBA for their opinions. Roll call vote: Will – aye; Tricia – aye; Seth – aye; Cam – aye; John – abstain. Motion passed 4-0-1.

Master Plan/Economic Development update – Each year the FRCOG offers technical assistance grants. The Board would like to request help with the Economic Development portion of the Master Plan. It was felt that the Selectboard should be contacted about this right away. A motion was put forth by Will, seconded by Tricia to have Chair John Wheeler send a letter to the Selectboard requesting that a Local Technical Assistance grant be sought to assist with the Master Plan Economic Development update. Roll call vote: Will – aye; Tricia – aye; Seth – aye; Cam – aye; John – abstain. Motion passed 4-0-1.

Mohawk Trail Commercial Zone and Scenic Byway/Sign Bylaws – Seth is studying the sign bylaws. It appears that bylaw sections 9.4.5 and 9.6.2 contradict each other. Perhaps those sections should be changed, combined, or clarified. It is important to review the entire section on signs to make sure it all makes sense.

Home-Based Businesses – It was noted that a retail store of less than 2,500 square feet is currently allowed in the Village Residential area with a Special Permit. Discussion followed on whether any size retail store should be allowed in the VR area. A definition of retail store should be added to the bylaws. Seth agreed to research definitions of “retail store.”

Review of Use Table – Nothing new to report

**Committee and Regional Project Updates**

The Open Space Committee is urging people to support the CPA.

**Other business not reasonably foreseen 48 hours prior to the meeting**

None

**Mail**

A notice from Buckland about the granting of a Special Permit.

**Public Comments**

None

**Schedule Next Meeting**

The Board will meet remotely at 7 p.m. on November 10. Due to the proximity of Thanksgiving, the November 24 meeting will be cancelled.

At 8:14 p.m. a motion to adjourn the meeting was made by Will and seconded by Tricia. Roll call vote: Will – aye; Tricia – aye; Seth – aye; Cam – aye; John – abstain. Motion passed 4-0-1.

Respectfully submitted,

Faye Whitney

Administrative Assistant

**List of Documents:**

Notice of Special Permit from Buckland