Town of SHELBURNE

Planning Board

MINUTES

Regular Meeting via Zoom ~ December 5, 2023

A duly posted meeting of the Shelburne Planning Board was held remotely via Zoom, on Tuesday, December 5, at 6:30 p.m.

Present: John Wheeler

Will Flanders

Tricia Yacovone-Biagi

Seth Wilschutz

Absent: Faith Williams

Administrative Assistant: Absent

Guests: None

The meeting was called to order at 6:36 p.m. by Chair John Wheeler, who noted the meeting was being recorded.

**Minutes**

A motion was made by Will, seconded by Seth, to approve the minutes of November 7. Roll call vote: Will – aye; John – aye; Seth – aye; Tricia – aye. Motion passed 4-0-0.

**Mail, Memos, and Other Correspondence –** Mail was anotice of a public hearing in Charlemont and three hearings in Greenfield. None of the hearings would affect Shelburne.

**ANR Plans/Subdivision** – None.

**Zoning Relief/Special Permit Applications** – A Special Permit application has been submitted by Ursa Marder, who seeks to start a home-based business in the Village Residential area. There will be no outward signs of the business, except perhaps a small sign. The application is for a solo business with no employees. A motion was made by Will, seconded by Tricia, that the Planning Board has no objection to this Special Permit request. Roll call vote: Will – aye; John – aye; Seth – aye; Tricia – aye. Motion passed 4-0-0.

**Appointments –** None. Kimberly Noake MacPhee has not been able to attend the meetings for several months. As it is getting close to the deadline for submitting bylaws it is important to make sure she can attend the next few meetings. She cannot attend on January 2, so the next meeting will be rescheduled for January 9.

**OLD BUSINESS**

**Bylaw Update** – The bylaws, passed at the 2023 Town Meeting have been approved by the Attorney General’s Office. The Board wondered who is responsible for updating the bylaws on the website.

**MVP Planning Grant** – Tricia met with the Selectboard regarding an action grant. The Selectboard was agreeable to a proposed expression of interest for doing assessments of high water crossings and culverts. Tricia was appointed as MVP Coordinator. Weston and Sampson have been a great help and moved quickly to meet the fall deadline. Will suggested that a bylaw should be created that would make the Planning Board responsible for resilience planning. At this time that is not part of the Planning Board’s job description. Will thought it should be a general bylaw to clarify and expand the role of the Planning Board. He asked the rest of the Board if resilience planning was something they wanted to take on. Some time was spent looking for a written document regarding the mandate of the Planning Board. Tricia will ask Terry if such a document exists. Will said he thinks if a task is not specifically designated to a committee or board then the Selectboard has to make the delegation. If resilience planning was not assigned to another board, it became the job of the Selectboard. He thought the Selectboard would be happy to have another board or committee take it on. Tricia will pursue this with Terry. It was noted that Buckland has a Floodplain Administrator. Is such a position needed for Shelburne?

**Food Truck Bylaw** – The Board questioned what the goal of the bylaw might be, to allow food trucks or prohibit them? Should they not be allowed at all? Allowed only during special events? Restricted to certain areas? The most logical place to allow food trucks is where they are not taking up parking spaces. The Board felt this all needed more research. Seth said that food trucks are usually not semi-permanent. They often come and go within a few hours, unlike the one now on Bridge Street, which has been there for several years. The first step would be to create definitions but to create a new bylaw would be too complicated to get done in time for the next town meeting. Once definitions have been created, it could then be determined where food trucks could be located. Amherst has a good bylaw regarding food trucks, which could be used as a starting point. Seth agreed to come up with some draft definitions for the next meeting.

**Flea Market Bylaw** – The Board agreed that such a bylaw should be a general bylaw and should be up to the Selectboard to create.

**NEW BUSINESS** – None.

**Committee and Regional Project Updates –** The Open Space Committee had some suggestions as to things the Planning Board might want to consider. One concern is with the bylaw regarding trails and why it exists and whether it is necessary. John will find out what the Open Space Committee wants the Planning Board to do.

**Other business not reasonably foreseen 48 hours prior to the meeting ­**– Tricia will put something in the *Two Town* *News* about the Planning Board working with Kimberly Noake MacPhee on a storm water bylaw.

Seth left the meeting.

Faye will stay on to do minutes, postings, and website updates. Will said if resilience planning is added to the Board’s mandate, someone to look for grants might be needed. That would require more hours and perhaps be a more attractive job for some people.

**Public Comments –** None.

**Schedule Next Meeting** – The next meeting will be on January 9, at 6:30 p.m.

At 8:20 p.m. a motion to adjourn the meeting was made by Will and seconded by Tricia. Roll call vote: Will – aye; Tricia– aye; John – aye. Motion passed 3-0-0.

Respectfully submitted,

Faye Whitney

Administrative Assistant