Town of SHELBURNE

Planning Board

MINUTES

Regular Meeting ~ March 4, 2025

A duly posted meeting of the Shelburne Planning Board was held at the Town Hall meeting room, on Tuesday, March 4, 2025.

Present: John Wheeler

Will Flanders

Paul Hollings

Faith Williams

Susan Durkee

Absent: None

Administrative Assistant: Absent

Guests: Crystal Stinson, Mohammad Yaseen, Richard Binns, Ellie Binns, Susan Stark, Cate Chadwick

The meeting was called to order at 6:05 p.m. by Chair John Wheeler, who noted the meeting was being recorded.

**Minutes**

A motion was made by Paul, seconded by Faith to approve the minutes of February 25. Roll call vote: Faith – aye; Susan – aye; Will – aye; Paul – aye; John – aye. Motion passed 5-0-0.

**Mail, Memos, and Other Correspondence** – Emails regarding the proposed zoning bylaw changes had been received from Noah Grunberg and John Taylor.

**ANR Plans/Subdivision** – An ANR form had come in from a person who lives in Greenfield. Most of his property is located in Greenfield, but all of the frontage is in Shelburne. Will had spoken with Town Counsel who said it could be signed. There was no motion to approve the ANR, but it was signed by the Board.

**Zoning Relief/Special Permit Applications** – None.

**Appointments** – None.

**OLD BUSINESS**

**2024 Bylaw Update** – The updated bylaws are not on the website as yet.

**Clerical Assistant Update** – John will talk with Faye about this.

**Discussion of Proposed Bylaw Changes for 2025** –

**Short-Term Rental Bylaw** – Concern had been expressed by some current owners of short-term rentals as to whether they could become compliant with the proposed bylaw in time to become grandfathered. Will said Town Counsel had advised him that the Board could specify in the bylaw when it would become effective. Counsel suggested July 1 as the date. Counsel said making that change would require another Public Hearing. A motion was made by Will, seconded by Faith, to change the effective date of the short-term rental bylaw to July 1, 2025. The vote in favor was unanimous.

Paul said several small language changes need to be made for consistency. A motion was made by Paul, seconded by Susan, to approve the proposed edits for consistency. The vote in favor was unanimous.

A motion was made by Will, seconded by Paul, to change the term “residential dwelling” to “residential property.” The vote in favor was unanimous.

A motion was made by Paul, seconded by Faith, to add the phrase “must comply with state law” to the general bylaw. The vote in favor was unanimous.

Discussion was held on how to word the portion of the general bylaw regarding who does inspections, while making sure all three inspections are done. A motion was made by Paul, seconded by Susan, to say that the applicant must work with the Health Agent, the Building Inspector, and the Fire Chief and that fees may apply for said inspections or permits. The vote in favor was unanimous.

The next change was to remove the word “address” and substitute “phone number,” in the section requiring that hosts keep a record of occupants. A motion was made by Paul, seconded by Will, to change “address” to “phone number.” The vote in favor was unanimous.

A lengthy discussion was held on whether or not to change the word “rooms” to “bedrooms.” The definition of bedroom was debated. A motion was made by Faith, seconded by Paul, to leave the word “room” in place. The vote in favor was unanimous.

John Taylor had suggested some numbering changes to make the bylaw clearer. Paul has made some of the changes. A motion was made by Paul, seconded by Will, to approve the numbering system as shown by Paul. The vote in favor was unanimous.

Fire Chief John Taylor had suggested adding a section saying that “smoke and carbon monoxide alarms must be in compliance with the Massachusetts Building Code.” A motion was made by Paul, seconded by Susan, to approve the wording as proposed by John Taylor. The vote in favor was unanimous.

Proposal numbers 9 and 10 were also presented by John Taylor. A motion was made by Paul, seconded by Faith, to approve proposals 9 and 10 as submitted by John Taylor. The vote in favor was unanimous.

Next was the question of what constitutes a “large” event. Will suggested that a large event be defined as “more than three times the number of rental occupants in a short-term rental.” A motion was made by Will, seconded by Faith, to approve the wording as suggested by Will. The vote in favor was unanimous.

It was noted that enforcement guidelines for short-term rentals were listed in the general bylaw, but not in the zoning bylaw. Paul suggested copying the guidelines from the general to the zoning bylaw. The Board of Health is the enforcing agent for the general bylaw but the Building Inspector is the enforcing agent for all zoning bylaws. Will suggested adding the words “must comply with the Town of Shelburne zoning bylaws regarding short-term rentals” to the general bylaw. A motion was made by Paul, seconded by Faith to approve the wording suggested by Will. The vote in favor was unanimous.

**BESS Bylaw** – The only changes to this bylaw were to change the Use Table indicating that BESS were not allowed in the Village Residential or Village Commercial zones. This had been voted on at the previous meeting. Cate Chadwick reiterated the need for health and safety regulations.

**ADU Bylaw** – There had been no changes to this bylaw.

Discussion was held on when to hold the next meeting and the second Public Hearing. A motion was made by Will, seconded by Faith, to hold the next meeting and the Public Hearing on, April 15 at 6 p.m. and 6:30 p.m., respectively.

**NEW BUSINESS**

**Town Report** – John distributed a draft report and requested feedback from the other Board members,

**Committee and Regional Project Updates –** Paul is the Board’s representative to the Open Space Committee. He wondered if his attendance was required at those meetings. He was told it was not necessary to attend on a regular basis.

**Two Town News** – Faith will write a notice about the second Public Hearing and also an article on the BESS bylaw.

**Other business not reasonably foreseen 48 hours prior to the meeting ­**– None.

**Public Comments –** Susan Stark praised the Board for listening to the will of the people and stepping away from the food truck bylaw. She said she was gratified that the Board was able to listen to the people.

**Schedule Next Meeting** – The next meeting will be on April 15, at 6 p.m., at the Town Hall. The Public Hearing will be on the same night starting at 6:30 p.m.

At 7:45 p.m. a motion to adjourn the meeting was made by Paul and seconded by Faith. The vote in favor was unanimous.

Respectfully submitted,

Faye Whitney

Administrative Assistant