**Town of Shelburne MA**

**Zoning Board of Appeals**

**Meeting Minutes for December 4, 2014**

A duly posted meeting of the Shelburne Zoning Board of Appeals was held at the Meeting Room at Town Hall, 51 Bridge Street, Shelburne, on December 4th, 2014.

Members Present: John Taylor, Michael Parry, Noah Grunberg, Chris Macek, Lowell Laporte

Administrative Assistant Absent: Faye Whitney

Members Absent: None

Guests: John Wheeler, Karen Powers

Chairman Joe Palmeri called the meeting to order at 7:10 p.m.

A motion was made by Mike, seconded by John to approve the meeting minutes for September 4, 2014.

Voting in favor: Mike, John, Joe, Lowell, Chris, Noah

Opposed: None

Abstaining: Noah

A motion was made by John, seconded by Chris to approve the meeting minutes for September 25, 2014. After discussion, an amendment was proposed by John and seconded by Chris to make some small edits to the minutes and approve them.

Voting in favor: John, Mike, Joe, Lowell, Chris, Noah

Opposed: None

Abstaining: None

Discussion of Letter from Mass Historical Commission dated Nov 12, 2014 regarding Telecommunications Antenna, MA5115S-D/Shelburne Mohawk Trail, 69 Colrain Shelburne Road, Shelburne, MA. MHC #RC.55347. EBI #61136673. Joe pointed out that this date (Nov 12th) was late and if the hearing had gone forth, we may have already voted on the application before that date. In which case, we may have closed the application and not accepted the letter. Discussion mentioned the letter refers to photo simulations of the tower disguised as a silo that this board never saw.

Discussion of letter from Jim Hawkins to Stefan Topolski regarding building permit. Our board reviewed our decision for the Topolski permit and noted we approved the use as a professional office / physician office and does not require home occupation.

Board addressed John Wheeler who had come to the board’s meeting to hear feedback on sign bylaws. Mike asked if it was possible to see red-lined changes in the new document. Discussion followed about the grandfathering of all signs put up before the new bylaw goes into effect. Our board thought that method was opening a can of worms. The board suggested that any previously legally permitted sign should be grandfathered. Any sign that was never legal should not be suddenly permitted. Question was raised about whether both sides of a sign are considered to contribute to the total area of the signs per business, not sure new version of regulations include this clarification. Discussed “contractor” signs and board agreed our original wording that permitted the sign during the time of work was better wording.

Lowell was not feeling well and excused himself from the meeting at 9:08 pm.

Joe reported on conversation with town counsel Donna MacNicol on cell tower bylaw clarifications. Consensus of the meeting was to update the draft changes and run it by town counsel and then discuss at the next meeting.

Chris motioned to end the meeting, it was seconded by John and all voted unanimously in favor at 11:00 pm.

Chris Macek

**Document List**

* Letter from the Massachusetts Historical Commission dated Nov 12, 2014 relative to cell tower.
* Letter from Jim Hawkins, Building Commissioner (frcog) to Dr. Stefan Topolski re: building permit.