

TOWN OF SHELBURNE
Planning Board Meeting
Minutes of Meeting December 11, 2019

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, December 11, 2019 at 7:00 pm in the Town Hall Meeting Room, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair

Will Flanders

Tom Johnson

Cam Stevenson

Administrative Assistant: Liz Kidder

Audience:

Absent:

The meeting was called to order at 7:03 p.m.

ANR/Subdivision – none presented

Special Permit – Craig Manning, 311 Colrain Shelburne Rd. Will reported that he had signed a document for Craig Manning confirming that the Board had waived the 35-day review period during the last meeting.

Motion to approve minutes of November 13, 2019, was made by Tom and seconded by Will.

Vote: 3 in favor, 0 opposed, 1 abstention by John as Chair of the meeting.

MASTER PLAN Housing Chapter update, addressing housing needs in Shelburne through zoning – the Board reviewed the draft Affordable Housing Inclusionary Bylaw prepared with the help of Alyssa Larose. The consensus of the Board was that it was ready to present to other Boards for input and comments. John Wheeler said that he would contact Terry Narkewicz to get on the next Selectboard agenda and he would also talk to Joe Palmeri about getting the drafts to the ZBA.

Will reported that he had coordinated a conference call that included Town Counsel, John Wheeler and Joe Palmeri to discuss possible zoning revisions to develop for presentation at ATM 2020. Possible bylaw revisions considered during the discussion included:

- in general, addressing situations that are identified as needing a variance under the current bylaw through special permits, allowing for public hearings and neighborhood input;
- allowing the ZBA to issue special permits for the construction of small buildings, built within the setbacks on non-conforming lots;
- the advantages of having a density requirement for the total structural coverage of a lot – Donna just suggested maybe 40% of the lot, clarifying if that includes impervious surfaces such as driveways or just structural lot coverage;
- additional criteria could be added to the special permit section of the bylaw;
- there could be different density requirements for conforming or non-conforming lots;
- Donna suggested looking at Shutesbury and Orange zoning bylaws as examples;
- Donna suggested not trying to accomplish too many revisions during one Town Meeting
- Donna suggested reintroducing the second half of the common driveway bylaw – frontage definition - that was passed over last year, she will be at town meeting and could explain the relationship of the two sections;
- For the VC district, just present an overlay district to address the most immediate needs.

Tom Johnson showed the Board aerial maps of the lot just to the north of Highland Village on the western side of Route 2. He reported that he had walked the property with Andrew Baker. The setback from Route 2 is at least 75 feet or up to 100 feet. There is a flat section of the lot for a potential multi-unit affordable housing building. Andrew is going to talk with someone from

Approved: _____ Date: _____ 1

RDI about their lot in South Shelburne to discuss options. Tom will keep the Board informed on their investigation into possible sites for a small “affordable” family housing scenario.

Master Plan Economic Development updates/review of Commercial District Zoning – John Wheeler attended a workshop at the FRCOG on the use of overlay districts in zoning. He brought back copies of the powerpoint presentation and a guidebook. The Board discussed approaches to designing an overlay district – would it be done by a certain distance from the street or by looking at current lot sizes. In considering the purpose of the overlay district, the consensus of the Board was to define the zone to include only properties that abut Bridge St. from the river to approximately Mechanic St. and Deerfield St. from Bridge St. to the former Mole Hollow Candle building. The general purpose would be to support the Village Commercial streetscape. John noted that Larry Smith, the workshop presenter, discouraged using a description of the overlay district such as – 100 feet back from Bridge St. – since that may leave some properties within two districts.

Cam asked if there is a bylaw that would prohibit drive thru fast food operations. The Board put that suggestion on the list for future research.

OLD BUSINESS

Zoning Bylaw Definitions/Updates for ATM 2020 – the Board reviewed their checklist of possible zoning bylaw warrant articles for ATM 2020. The list includes:

- Affordable Housing Inclusionary Zoning for housing projects of 10 units or more.
- Agricultural Greenhouses clarification
- Supportive Transitional Housing definition
- Village Streetscape Overlay District
- Density requirement for Non-conforming lots
- Frontage definition
- Adult Use Marijuana definitions – revisions to match state regulations
- Non-binding resolution related to specialized zoning for Affordable Housing

Marijuana Zoning Bylaw coordination – the consensus of the Board was to include a warrant article to match the definitions of marijuana establishments to the revised/final MA CCC regulations and make appropriate related revisions to the use table.

Agricultural commercial manufacturing – in looking to revise the use table for agricultural greenhouses, the Board discussed how that might relate to a hemp manufacturing operation. The Board decided to research regulations regarding Hemp manufacturing before the next meeting. The Board noted that the former Biscuit Hill horse arena is on the market and could be a location for hemp production for a product such as fiber--how would such a use be permitted under the current bylaw needs to be reviewed.

Shelburne Hazardous Mitigation Plan Update -- John noted that he hasn’t heard from Chris Myers. The Board decided to take a look again at the list distributed previously by Chris Myers to see if there are any bylaw revisions they should be considering.

COMMITTEE and REGIONAL PROJECT UPDATES

FRCOG Planning Board/Training Workshop Zoning Overlay Districts – John Wheeler went to the training workshop. Larry Smith recommended changing the underlying zoning as needed and only using an overlay districts sparingly. Larry Smith also said that smart growth zoning techniques work better in larger towns and is less useful in small towns.

Open Space – they are proposing a trail within the town property along the river with access off of Maple St.. There is one landowner who owns a large parcel of land and they are working on getting permission for access. Larry Flaccus is writing a proposal to get \$20,000 from the state for the trail which would give townspeople access to the river. A trail building expert is coming into town to mark out a trail based upon topography.

Other Town Board updates – nothing presented

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

Read Mail—the Board read mail as listed below.

Public Comments—none presented.

Schedule next meeting – Wednesday, January 8, 2019 and Jan 22, 2019. Due to the holiday, the Planning Board will not be meeting on the 4th Wednesday in December.

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

Vote: 3 in favor, 0 opposed, 1 abstention by John as Chair of the meeting

Meeting was adjourned at 9:15 pm.

Respectfully submitted by,

Liz Kidder

Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Greenfield 6, Buckland 2, Conway 1, Shelburne ZBA 1

Public Information Meeting Draft Affordable Housing Bylaw proposed revisions

Bulletin Zoning Bylaw Revisions Public Notice following ATM 2019 Action

Draft Bylaw Revision checklist for ATM 2020

Liz's Summary of Marijuana definition changes