

**TOWN OF SHELBURNE
Planning Board
Minutes of Meeting
November 12, 2014**

A duly posted regular meeting of the Shelburne Planning Board was held on Wednesday, November 12, 2014 at the Shelburne Town Hall, 51 Bridge St., Shelburne Falls, MA

Present: John Wheeler
Cam Stevenson
Will Flanders
Josiah Simpson

Administrative Assistant: Liz Kidder

Absent: Doug Finn

Audience:

Press:

CALL MEETING TO ORDER – 7: 03 PM

John Wheeler noted that Doug Finn had notified the board last week that he would not be able to attend tonight.

Minutes of October 8, 2014 meeting:

A motion to approve the minutes of October 8, 2014 was made by Will and seconded by Josiah.

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

Minutes of November 6, 2014 meeting:

Typos found in the minutes were: Doug Finn is not Secretary, in questions for Peggy Sloan-- #10 – “if fees are” should be “if fees aren’t”, and in #12 at the end of the question, it should be “dams” instead of “dama”.

A motion to approve the minutes, of November 6, 2014 as amended was made by Will and seconded by Cam.

Vote: 3 in favor, 0 opposed, 1 abstention by John as Chair of the meeting and 1 abstention by Josiah who was not in attendance at that meeting

ANR Plans – none presented

NEW BUSINESS –

Review Cell Tower Bylaw Overlay Map - John noted that the ZBA had suggested the Planning Board should look at the overlay map and consider whether the overlay map should be amended to identify areas which the town may consider as acceptable sites to help with cell phone coverage of Route 2 or rural Shelburne.

Will moved that the Planning Board agree to propose to the Selectboard that we ask the FRCOG for suggestions for additions to our cell tower bylaw map as well as assistance with solar potential mapping. The Board would want to know both coverage gaps and good sites for the installation of the towers, both aesthetically and practical. Seconded by Cam.

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

OLD BUSINESS

Draft Sign Regulations: John thanked Will for doing so much work on the draft. Will noted that he had talked to Jim Hawkins, the Cooperative Building Inspector, who said that signs do not require a building permit under the Mass Building Code. If the Planning Board wants the Building Inspector to be responsible for issuing a sign permit, the Board can put that in the zoning bylaw as part of his enforcement responsibilities.

The Board went through the draft page by page and made the following edits:

Approved: _____ Date: _____

- 9.0 Preamble. Put a period after information in the third line and and modify the last sentence to read: “The goal is to allow signs which are consistent with, and serve to maintain, the rural, agricultural, ‘small-town,’ and regional-gateway character of the Town.”
- 9.1 Modify the first sentence to read: “The placement and form of any sign on the state highways in Town are covered by Commonwealth of Massachusetts Department of Transportation regulations and must comply with such regulations.”
- 9.3.2.1 Modify the end of the sentence to read: “...(d) not-illuminated, (e) in place while the contractor is actually performing work on that lot, and (f) in place no more than thirty (30) days after completion of the project.”
- 9.3.1.4 Modify part (f) of this sentence to read: “(f) one of no more than 5 such signs in the Town of Shelburne sited as reasonably necessary to direct participants to the event location,” .
- 9.3.1.6 Will Flanders is going to verify that 2 feet wide by 21 feet long is the standard size for the banners strung across Bridge St.
- 9.3.1.7 Add to the end of that sentence: “and road signs identifying the name of private roads.”
- 9.3.1.9 Modify to read: “The flags of the United State of America, Military Memorial flags, Commonwealth....”
- 9.4.1 Change Section 5 to 9.3.
- 9.4.2 Change “Bylaws” to “Bylaw” and the Section number to 9.5.
- 9.4.8 Insert the sign graphic created by the ZBA
- 9.4.9 Add “or 128 square feet in area on any side” to the end of the sentence.
- 9.4.11 In line 2 change “at” to “as”. Add the following sentence: “Neon signs shall not exceed 6 square feet and only one neon sign is allowed per lot.”
- 9.4.17.1 Modify this sentence to read: “If required under the terms of a special permit issued by the SPGA for the purpose of traffic safety, a second Freestanding Sign may be erected on one lot if oriented to and intended to be read from the Mohawk Trail.”
- 9.4.18 Delete this section
- 9.4.19 Change section to 9.4.18, change Section 6 to 9.4, add a comma after gravestone, and delete the hyphen between not and illuminated.
- 9.5.6 Change the Section number to 9.5
- 9.6.3 Change the first Section number to 9.4 and the second Section number to 9.7
- 9.7.1 Change the Section number to 9.7.
- 9.7.6 Will Flanders will draft language to address a commercial business sign directory for the corners of Deerfield and Water St. along Bridge St.
- 9.8 Will Flanders will review and maybe modify this text.
- 9.9.2 Change the first Section number to 9.3 and the second Section number to 9

The Board discussed whether it was appropriate to consider the issuing of permits for “art installations” as part of the sign bylaw. Liz suggested the Board contact the Mass Cultural Council to see if they have any information on how other towns in Massachusetts are permitting art installations. Will said he would be willing to try drafting something for consideration by the Board. Will asked Liz to send him a copy of the current special permit procedures for Shelburne. Will asked if there is another process that could be used by the Planning Board to approve an art installation other than the special permit process. Liz said she would review the zoning law but it may be a question for Town Counsel.

Will will send his additional edits to Liz who will create the next draft for review and send it to the Selectboard, Open Space, ZBA, Ag Committee, Con Com, Shelburne Cultural Council, and the SFABA, . Will and Liz will try to get it down by Nov. 24th so there is ample time for other boards to review the latest draft. The Board will plan to hold a public hearing on this bylaw during their February meeting.

“Housekeeping” revisions – Liz distributed an initial list of “housekeeping” bylaw amendments for ATM 2015 for review and discussion at the board’s next meeting. Liz noted that any board member should just drop her an email if they see anything – typos or whatever – that should be amended in the Bylaw.

Draft Subdivision Regulations – It was decided that the Board would make the corrections to the first 17 pages where there were questions answered by Peggy. Then they would try to set aside a half hour at each of the next meetings until they had finished editing the regulations.

Large-Scale Ground-Mounted Solar Bylaw – The Board had copies of an initial working draft of a Shelburne bylaw that was based upon the work down by citizens in Heath and a recently adopted bylaw in Buckland. It was decided that the Board members would review both bylaws and come prepared at the next meeting to decide if it is possible to try and have a solar bylaw ready for annual town meeting. It was also decided to pursue a technical assistance grant from the FRCOG to help with the development of a solar overlay district map.

Natural Resource Zoning- is still being considered as the next logical bylaw to work on after solar and subdivision.

COMMITTEE UPDATES

Approved: _____ Date: _____

FRCOG Planning Board – Cam said there was no meeting in November.

Open Space – John said that Wendy Ferris of the Franklin Land Trust was at the last open space committee to discuss possibilities for cooperation between FLT and Shelburne.

Long Range Planning – Josiah is no longer on the long range planning committee and Doug was not present to give an update to the Board.

Other town board updates – none presented.

Other Business not reasonably foreseen 48 hours prior to the meeting: Cam noted that he is willing to attend a couple of extra meetings in order to get through all the activities the Board is trying to undertake in time for town meeting. The rest of the board all concurred as long as they start at 7pm.

Read Mail – see list below

Conway asked Shelburne if the town wanted to join in support of a DLTA grant from the FRCOG to look at a regulation relative to noise impacts of a compression station that is proposed as part of the Kinder-Morgan pipeline proposal. The Board decided not to take action on the request at this time.

Public Comments - none presented.

Schedule next meeting: December 10, 2014

Motion to adjourn was made by Cam and seconded by Will.

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

Meeting was adjourned at 10:23pm

Respectfully submitted by

Liz Kidder
Administrative Assistant

List of Documents:

Notes taken during meeting with Peggy Sloan on November 6th relative to Subdivision Regulation questions.
Draft Sign Regulations prepared by Will Flanders for review
November 6th draft “housekeeping” bylaw amendments
“Residential Subdivision Lot” excerpts from Peggy Sloan
Information on Horizontal and Vertical elevations from Peggy Sloan
Letter from Conway on Kinder Morgan Gas Compression Station
Letter from Applied Geospatial Analytics promotion
Notices from neighboring towns:
Charlemont – 2
Greenfield - 6

Approved: _____ Date: _____