

TOWN OF SHELBURNE
Planning Board
Minutes of Meeting November 30, 2016

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, November 30, 2016 at 7:00 pm in the Town Hall Meeting Room, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair Planning Board

Will Flanders

Cam Stevenson

Josiah Simpson

Administrative Assistant: Liz Kidder

Absent:

Audience: John Taylor, Diane Broncaccio, Carmela Lanza-Weil, Noah Grunberg, Tom Johnson, Terry Narkewicz, Jon Wyman, Molly Cantor, Joe Palmeri, Josh Simpson, Nancy Stark, Joe Judd

The meeting was called to order at 7:04 pm.

A motion to approve the minutes of the November 9, 2016 meeting was made by Josiah and seconded by Cam.

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

ANR Plans – none presented

Special Permit /Variance Applications – none presented

NEW BUSINESS:

Creating a Master Plan Workshop – the Board discussed material presented at the workshop they attended at the FRCOG and the need for up-to-date data. Liz reported that the excise motor vehicle information is not available in an easy to use format from the Assessors. The Board discussed ways to obtain the data, maybe through a student project or by contacting Steve Kulik to see if he could help the Town get the information in digital format from the DMV. Cam said he would call Kulik's office.

Will suggested the first step in doing a Master Plan revision would be for the Board to go through each chapter to see what they feel needs to be updated. Liz will try to scan the Master Plan chapter by chapter and email them to the Board. Will noted the current Master Plan is a joint plan with Buckland and therefore maybe the Board should meet with the Buckland Planning Board and see if they are interested in working together.

Shelburne Zoning Map – the Board reviewed the zoning map and discussed their proposed parking bylaw revisions as they related to the two separate VC zoning districts. Will noted that the Board may want to add a preamble to Section 11 to help clarify the values behind the proposed changes.

Large Scale Commercial – Liz noted that the current bylaw utilizes a permit process managed by the Selectboard and to turn it into a Zoning Bylaw, the process will need to be a special permit process, which in Shelburne is usually managed by the ZBA. John said that he will meet with the Selectboard and discuss whether they want to be the special permit granting authority or if it should be assigned to the ZBA.

Sign Bylaw – Will has not received any information from Donna yet.

OSD – Will said that he would work on the tweaks suggested by the Attorney General's letter.

Approved: _____ Date: _____ 1

Joe Palmeri said that he did have a suggested revision to the Telecommunications Bylaw – Section 16.12.C. – calls for a bond to be posted to the Town Treasurer for demolition and the bond should be in effect for the life of the facility. Joe and John Taylor said they would get their suggested revision in writing to the Planning Board in time for public hearings.

7:30 PUBLIC FORUM – PARKING REQUIREMENTS IN THE SHELburnE ZONING BYLAW. Josiah Simpson recused himself from the discussion due to a conflict of interest.

John Wheeler welcomed everyone and thanked them for coming. He noted that copies of the Section 11 Parking Requirements discussion draft, the Village’s zoning district map, and excerpts from the 1989 Townscape Plan prepared by Dodson Associates were available on the table in the front of the room. John noted that the 1989 Townscape study by Dodson Associates is still current in many of its suggestions. That study recommends keeping a strong street edge of buildings that are 2 ½ to 3 stories high and keeping parking spaces out of site of the commercial area. Liz Kidder offered to email either the 1989 Townscape Report or the 1999 Parking Study to anyone and John Taylor asked to have it posted on the Town’s website.

Chair of the Selectmen, Joe Judd applauded the Board for thinking out of the box and trying to work on these issues in support of businesses in town and the Town wants to be pro-business. He doesn’t think the ZBA was looking for a new bylaw but guidance. Years ago the Town made a conscious decision to become a tourist destination; people come to Town and they complain they can’t find a place to park if they can’t park on Bridge St. The town has applied for a State grant to get \$15,000 to update the 1999 parking study. If the grant is awarded, that study would also encompass studying the potential of the Mole Hollow lot, how to increase the lighting and the signage. The Selectboard is going to try to move on these improvements but they need the study to give them direction. John Wheeler noted that both the 1989 Townscape Study and the 1999 Parking Study provided that information and the Board questions whether we really need to wait for another study before revising the parking bylaw. Joe Judd again said he likes that the board is trying to think outside the box but wants any bylaw revisions to wait until the study is done.

John opened the meeting for public comment and the following points and comments were raised by those in attendance:

- A concern that the Board was rushing to make these changes to the bylaw without conducting a thorough parking related build-out analysis to understand what the impact would be of these changes.
- A concern the Board was just gutting the bylaw and not providing for a proper review of projects that may have significant impact on the parking situation in the Village.
- A scope of services from the FRCOG to update the parking study as it impacts the Village Commercial area would cost \$15-16,000. The Selectboard has said they will try to raise or appropriate these funds if the State grant is not awarded.
- The Board said they were trying to revise the bylaw because there were several projects under discussion in the Village including the SIngley Building and the Swan lot which could be affected by the current bylaw and the ZBA had asked for guidance in how to effectively use their waiver authority in the special permit process.
- If the Board were to wait for grant funds or town appropriate funds to carry out an update of the parking study before doing any revisions to Section 11 of the bylaw, it would be at least two years before bylaw revisions could be presented before Annual Town Meeting.
- The ZBA felt they needed to have the information that would be included in a parking study in order for them to feel comfortable granting the type of waivers that the Planning Board seemed to be recommending; knowing if there is a parking problem is the information the ZBA needs in order to do their job during the special permit process.
- If the proposed parking study grant is awarded to the Town, it will have a limited time frame, starting in mid-January and being completed by June 30th; it will not address the tourist season or event parking needs.
- Someone needs to contact each of the owners and develop a database of how many apartments, tenants, and cars there are in town and what is the capacity of the existing town lots to accommodate more apartment dwellers with cars.
- The Board has heard from local business owners that they want to see more renters in the Village to support their stores.

- Local realtors have said there is a need for more apartments in the Village, preferably one and two-bedrooms and for the parking requirements to be revised.
- Affordable housing is needed in the Village (VC and VR) for younger residents, young families and seniors.
- A shuttle system could be set up so that visitors can park in the outer lying lots and be bused into the center of the Village leaving the central parking for residents.
- It was estimated that without waivers from the current bylaw, the Singley project would require 27 parking places on site and the Swan lot would be required to have 18 parking spaces on site.
- Put a time limit on the spaces behind the Keystone Market to reduce long term parking and encourage business owners and employees to park in the outer lots to open up parking spaces for commercial users during the day.
- A long range plan to consolidate all the elementary schools into Buckland Shelburne Elementary could lead to increased pressure for family housing in the Village.
- A full build-out scenario needs to be done since there is a difference between having just adequate parking and having enough parking for all the businesses to thrive.
- There is a need for more parking spaces in the Village but the current bylaws were really designed for commercial development along Route 2.
- Would renters be attracted to apartments that do not have a parking space? In many high density desirable areas renters who do not have assigned parking spaces manage to adapt and learn to live with local parking regulations. It was noted that some communities have various approaches of either identifying residential parking spaces or designating resident parking during certain hours of the day.
- Increasing the number of residents with cars in the VC district can increase winter parking problems for Town crews.
- The parking concerns extend beyond the Shelburne boundary with visitors parking in one town and walking across the bridges to the other Town.
- The proposed regulations remove any ZBA review. While the current regulations require too many parking spaces for projects such as the Singley Building and the Swan Lot, it would be better to identify a realistic number of spaces in the bylaw for the ZBA to consider during its review while still allowing for waivers; going from 29 to zero with no permit review process is too great a change. If the ZBA were to review a project that called for 29 parking spaces under the current bylaw and they waived all 29 spaces, the ZBA feels that their decision could easily be challenged in court.
- The ZBA needs to be able to review proposals for projects that could have a significant impact such as a successful nightclub that is bringing a major increase in the number of cars at night into the Village.
- Customers have told business owners that it is easier to park on Bridge St. now that the 2 hour limit is being enforced.
- There could be a review to determine if a two hour time limit is still appropriate or if it should be extended to 3 hours to allow visitors time to shop and have a meal.
- How much of the responsibility for providing parking in the VC is the property owners and how much is it the Towns. While landowners may feel it is the Town's responsibility to provide parking in the VC in support of both businesses and residents, there needs to be negotiations through the ZBA special permit process to ensure that new projects or changes in use do not overload the existing parking capacity. Therefore, it is a mutual responsibility of both the landowner and the Town. The Town has the responsibility to develop and implement a long term parking management plan for the Town.
- Overnight parking, one of the issues related to encouraging or supporting more apartments, is not seen as a crunch in the village except during winter snow events. The crunch is really the shoppers and the tourist in the village; continuing to enforce the parking rules and increasing the signage are relatively inexpensive ways to deal with the issue in the near future.
- If the Town is currently providing parking for most of the businesses in Town, then maybe the regulations should not require new parking spaces for businesses but require parking spaces for new apartments being added to the VC district. For example, if the Swan Lot can provide 4 parking spaces, as the current Special Permit required, maybe these spaces could be allocated to apartments if a second story was added to that project. The Townscape plan indicated the Swan Lot should be redeveloped with a 2 ½ to 3 story building to maintain the historic streetscape.

- Some who live in Shelburne want to maintain its “sweet little village” character and do not want to have it over regulated or managed like a much larger Town or City; the bylaws should be written to maintain that character.
- The Singley Building is currently filling the lot it sits on and the Townscape Plan calls for maintaining the size and character of existing buildings; it is not consistent with the character of the Village to have the owners build a smaller building with half the lot for parking.
- The Planning Board should conduct an assessment of what the potential impact would be from the 2 current projects under discussion and determine if allowing these two projects to be built without requiring parking spaces on site, is leaving the door open for problems in the future if unanticipated projects come into the Town.
- Local residents in the VC district have seen parking areas that are usually adequate for local residents become congested, sometimes with double parking, during tourist season and special events.
- Look at parking as a transportation system issue – identify resident only permitted parking and then have a Town trolley or bus service to transport visitors around the town and back and forth to outer parking lots. Key issue to this recommendation is coordination between Town Officials, businesses, and the GSFABA in both Buckland and Shelburne.
- Buildings with apartments in the VC district could have loading zones adjacent to the building and then require the tenants to move their cars to residential parking areas.
- Parking requirements should be reviewed for each project looking at the individual site conditions. For example, for a project like the Singley building, you allow resident parking off-site in a designated area.
- For specific projects, the ZBA will look for input from Town’s departments –Police and Highway -- as well other Town Boards. If they waive all the parking requirements which may be in the best interest for the character of the Town, are they putting a big burden on other tax payers and is that fair.
- Northampton has certain lots designated for residents and business.
- There is potential for increased use of parking spaces along Deerfield Ave. and in the turnaround on the former Mayhew property with a need for increased lighting and a pathway to Bridge St.
- There are also other parking issues which have possible cultural changes such as parking for AIR B&Bs and how many parking spaces need to be allocated for apartments.
- Parking management needs to be coordinated between the ZBA, Planning Board, Selectboard with input from the appropriate Town departments and the Town of Buckland.
- To date, the Singley Building owners have not submitted a Special Permit application for review and the special permit application for the Swan Lot was for a one-story building.
- It was noted that in 6-8 weeks there will be a new bakery on Deerfield St. with seats for 35 and a liquor license that is going to potentially affect parking in that area -- a use change that didn’t require a special permit review and is an example of how unanticipated change can occur.
- It was noted that one Board is the writer of the bylaw and is bringing one perspective to the regulations while another Board implements the bylaw and could have a different perspective on its goals.
- The current discussion draft did not address parking in the RA or OSD developments and it was noted that will be addressed in the next draft.
- It was suggested to have overriding parking requirements and then allow for waivers or exceptions based upon differing circumstances and zoning districts rather than identifying parking requirements for each district separately since you can’t anticipate every circumstance.
- The ZBA feels a responsibility to ensure adequate parking in the Village. If they see a parking management plan being effectively administered that could affect their determinations and make them feel more comfortable to use their waiver authority when they review specific proposals. If they don’t see a parking management plan being implemented, then they feel they need to use their special permit process to increase the parking capacity of the Village.
- The ZBA is very conscious of the Town’s character and their responsibility to not allow projects to denigrate from the character of the Town. The ZBA does listen to and respond to public comments made during the public hearings that are part of the special permit process.

Josh Simpson said the Town has been dealing with parking concerns for years and he applauds the Board for trying to deal with it. He noted that as the owner of the Singley building they are not asking the Town to rush through any changes to the zoning bylaw. They are going to need to take the building down soon or it will just fall down. Whatever is built on the Swan lot or the Singley building will increase the value of the property in town in the long run. Josh noted that the building virtually takes up every bit of the lot and it is necessary to rebuild a structure that uses the whole lot. He said that if they don't rebuild -- all the lot could be is a small parking lot for 6 parking spaces.

John Wheeler noted that the Board had looked at what other towns have done in regards to parking. Some Towns have identified districts in Town where they want to support businesses and have removed parking requirements for those areas in hopes of encouraging redevelopment. Will said the Board has been discussing how to maintain the character of the village and in some aspects it is difficult to use traditional zoning and there is a new approach that uses form based coding – it identifies what are the qualities that the Town wants to maintain and then uses those qualities for designing the zoning. The Board is looking at these creative options as they address their longer term goal of identifying how to maintain the character of the Town.

Joe Palmeri asked if there was a reason why the Board left off the list of roads in Section 11.3.4. Will said he didn't feel it was relevant with the subject matter being addressed by the bylaw.

John thanked everyone for attending and participating in the discussion. He said that if anyone had further comments to email them to planning@townofshelburne.com.

OLD BUSINESS:

Parking Study Update – the Board reviewed the Grant Proposal that had been prepared by the Selectmen and the GSFABA. It was noted that the Town will hear in January as to whether it has been funded. It was noted that Nancy Stark, who lives in the Village Center had offered to do some traffic/parking counting for the Board.

Parking in VC/VR/RA districts and OSD district: Josiah Simpson recused himself from discussions relative to parking in the VC district due to a conflict of interest. The consensus of the Board was that they received very useful input this evening which stimulated ideas on how to revise the next draft of the parking bylaw. Will said that he will redraft Section 11 based upon the discussion tonight and add preambles and requirements relative to other zoning districts. The consensus of the board was to use the existing bylaw requirements for the RA district.

Housing Needs/Dimensions Table/Definitions/Transient Accommodations/Use Table:

Liz distributed her update of the proposed changes to definitions and related sections of the Use Table. She noted that there was a duplication regarding the definition of "historic" and that in some definitions there was a referral to the Section 11 Parking Requirements but there weren't any corresponding references in the Parking Requirements. The consensus of the Board was to address specialized parking in Section 11 and leave the references in the definitions.

Large-Scale Commercial Facilities zoning bylaw: It was discussed that since the permitting process will be under zoning it will need to be a special permit process and the Town will need to identify which board is going to serve as the SPGA. Liz is going to edit the bylaw into a zoning bylaw format. John is going to talk with the Selectboard about this change and to discuss which Board should be the SPGA – the Selectboard.

Sign Bylaw: Will is waiting for further information from Town Counsel.

Telecommunications by law updates/ZBA – John Taylor and Joe Palmeri said that they will be submitting a proposed clarification they would like to see to the bylaw.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG: Cam is going to the FRCOG tomorrow evening.

Open Space: John attended their meeting and discussed the parking revisions.

Other Town Boards: nothing presented.

READ MAIL – the Board read mail as listed below.

OTHER BUSINESS NOT REASONABLY FORESEEN 48 HOURS PRIOR TO THE MEETING –nothing presented.

PUBLIC COMMENTS – none presented

SCHEDULE NEXT MEETING – next regular meeting will be Wednesday, December 14th and December 28th. Josiah said that he would not be available for a meeting on Dec. 28th and John Wheeler said he would check his schedule to see if he would be available that night in order to have a quorum. If there is no quorum on Dec. 28th, the meeting will be cancelled.

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

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

Meeting was adjourned at 10:23 pm.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

Public Notices from Neighboring Towns: Greenfield – 1, Buckland – 1, Deerfield – 2

Email Nov. 29, 2016 from the Selectboard regarding the Planning Board Informational Forum – Parking

Email Nov. 29, 2016 from John Wheeler regarding Parking Revisions

Discussion Draft Revisions to Section 11 Parking Regulations Nov. 30, 2016

Shelburne Zoning Map of Village Commercial Zoning Districts

Email Nov. 28, 2016 from Town Webmaster

DHCD 2017 Massachusetts Downtown Initiative Program Shelburne Grant Application Nov. 17, 2016

Email Nov. 21, 2016 Whit Sanford of SFVN on posting Public Forum Information

Email Nov. 18, 2016 from Will Flanders re: A Model Ecotourism master Plan Chapter for Rural Massachusetts

Email Nov. 16, 2016 from Cam Stevenson on Parking and Rural Demographic Projections

Email Nov. 10, 2016 Dec. 8 Farmland Conservation Workshop for Municipal Officials

FRCOG Flyer Municipal Farmland Leasing and Protection-Municipal Official Continuing Education Series for 2016-2017

Email Nov. 9, 2016 John Wheeler recorder article – Shelburne seeks village parking grant