

**TOWN OF SHELBURNE
Planning Board
Minutes of Meeting January 11, 2017**

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, January 11, 2017 at 7:00 pm in the Town Hall, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair Planning Board

Will Flanders

Cam Stevenson

Josiah Simpson

Pat Smith, FRCOG

Andrew Baker, Selectman

Administrative Assistant: Liz Kidder

Absent:

Audience: Tom Miner, Whit Sanford, Mike Perry

The meeting was called to order at 7:02 pm.

A motion to approve the minutes, with typos corrected, of the January 3, 2017 meeting was made by Cam and seconded by Will.

Vote: 2 in favor, 0 opposed, 1 abstention by John as chair of the meeting.

ANR Plans – none presented

Special Permit /Variance Applications – none presented

APPOINTMENT: Pat Smith, FRCOG Planning Dept.

Green Communities Act: Pat Smith informed the Board that the FRCOG had received a grant that would allow them to help towns become a “Green Community” under the Mass DOER program. There is an annual application round in November and the Town would have to comply with 5 criterion in order to be considered. If Shelburne were to become a Green Community it would receive an initial grant award to help with energy conservation projects and also be able to apply for grants during future competitive grant rounds. Pat described the five criterion as follows and noted that Criterion 1 and 2 would need attention from the Planning Board:

Criterion 1: As-Of-Right Siting – Renewable Energy/Alternative Energy

A municipality must provide zoning in designated locations for the as-of-right siting of:

1. renewable or alternative energy generating facilities, **OR**
2. renewable or alternative energy research and development (R&D) facilities, **OR**
3. renewable or alternative energy manufacturing facilities.

Criterion 2: Expedited Permitting

A municipality must adopt an expedited application and permitting process under which Criterion 1 facilities may be sited within the municipality, and the permitting process shall not exceed one (1) year from the date of initial application to the date of final approval.

Criterion 3: Energy Baseline/20 Percent Energy Reduction Plan

A municipality must establish an energy use baseline inventory for all municipal buildings (which includes school buildings, drinking water and wastewater treatment plants, pumping stations and open space), vehicles, and street and traffic lighting. A municipality must also adopt a comprehensive five-year Energy Reduction Plan (ERP) designed to reduce that baseline by 20 percent after completion of a full five-years of implementing its ERP.

Criterion 4: Purchase only fuel-efficient vehicles.

All departments in the municipality must purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

Criterion 5: Minimize Life-Cycle Costs

Approved: _____ Date: _____ 1

A municipality must require all new residential construction over 3,000 square feet and all new commercial and industrial real estate construction to minimize, to the extent feasible, the life cycle cost of facilities/buildings by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies. Cities and Towns are recommended to adopt the "Stretch Code" (780 CMR 115.AA).

Criterion #1 – Cam asked if the Town could set aside a specific site for solar generation. Pat said that a commercial solar installation that would meet the requirements of this program would need to have a minimum capacity of 250 kW. Using current technology such a facility can be built on under an acre of land. Will noted that under our bylaw any premises-use solar projects under 1 acre are allowed by right. The Board felt that the bylaw could be modified to encourage installation of a 250kW generation facility in the Industrial district through minor revisions that can be submitted for approval at annual town meeting in May if the Town decides to proceed with the Green Communities designation. The revisions could be included in the Board's zoning bylaw public hearing in late February.

Criteria #2 - The Board noted that projects in Shelburne are usually approved within a year. Pat said that some towns have gotten a letter from Town Counsel verifying that the review process in town historically takes less than a year.

Criteria 3- & 4 - Pat said that Jim Barry from DOER is going to be coming to a meeting in Shelburne to explain how the energy baseline works – the process for bringing in outside consultants, etc. – and how Towns have been complying with the fuel efficient vehicle requirement. Both of these tasks need to be addressed by the Selectboard or an energy committee.

Criterion 5 –Adopting the stretch code as a town bylaw at Annual Town Meeting was discussed. The Board suggested inviting a building inspector to a public information meeting to discuss the impacts, pro and con, to adopting the stretch code. Pat said she has heard from the building inspectors that local construction usually tends to be in compliance. It was noted that there are annual reporting requirements that have been a little overwhelming to some towns. Part of the FRCOG's grant is to help towns catch up on their reporting responsibilities so that they can apply for competitive grants. Pat noted that in some towns volunteer committees were successfully used to keep up with the data gathering and reporting requirements. Pat said she was talking to the Selectmen about holding a meeting that all the town boards could attend and ask questions of a representative of the Mass DOER. The real benefit to the Town is being able to apply for grant money for Town projects.

Pat Smith is available to help the Planning Board identify the zoning bylaws that need to be modified. The consensus of the Board was to identify and talk to landowners within the current Industrial District who may have sufficient space to develop a one-acre/250kW solar facility on-site.

Mike Perry stated that he is seeking a legal determination regarding potential long term impact on the Town if it was to obtain the Green Community designation. He is concerned that in the future, the State may decide to create a program that could override local bylaws to allow for the development of much larger-scale green energy generating facilities, such as an industrial wind farm. Whit Sanford said that she was here as a resident and that as a resident she would like to see the Town become a Green Community.

A motion was made for the Planning Board to proceed to look at sites for either a one-acre solar generating facility or a site suitable for the manufacturing/R&D option as identified in the Green Communities Program Guidelines. Motion was made by Will and seconded by Josiah.

The goal of this motion was to have the Planning Board ready and prepared should the Town decide to pursue a Green Communities designation.

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

Andrew Baker thanked the Board for being willing to push the ball forward and said he will let us know a date for an all board meeting.

OLD BUSINESS:

Parking in the VC district – *Josiah Simpson recused himself from discussions related to parking in the VC zoning district due to a conflict of interest.* Will reviewed his proposed working draft bylaw for parking based upon the input at the public meeting and input from other boards.

Parking other zoning districts – *Josiah rejoined the meeting.* Will reviewed his proposed working draft by law as it relates to other zoning districts in Town. The Board reviewed his proposal and discussed whether there needs to be additional policy goals. John Taylor has sent his comments in support and said he would look for any loopholes that should be addressed. Will said he wants to do a couple of little tweaks and the Board said it should be emailed to the Selectboard and the ZBA for their review.

A Motion to target Feb. 22 for a public hearing on all the zoning bylaw revisions was made by Will and seconded by Cam.

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

Housing Needs/Dimensions Table/Definitions/Transient Accommodations/Use Table – the Board reviewed the latest modifications.

Large-Scale Commercial and Industrial Facilities Zoning bylaw—before making any further revisions to this draft bylaw, the Board is waiting for comments from the ZBA. Liz will notify the ZBA that the date for the public hearing is Feb 22nd and ask them to have their comments ready by the hearing if not before.

Sign Bylaw – Will is going to contact Kelli Gunagin at the AG’s office to go over his suggested revisions to the sign bylaw and he will also review Town Counsel’s comments as they relate to the Banner over Bridge St.

Telecommunications bylaw updates/ZBA – nothing has been submitted yet by the ZBA.

Master Plan Update – Liz reported that we have now have digital versions of the text of the Master Plan chapters and that she will get the maps and appendices digitized soon and then post those documents on the Town Website.

Public Records Law and Designated RAOs – Liz will review the public record requirements for Planning Boards. She will also start posting appropriate materials/documents on the website in order to reduce future requests for information and to make those reports more accessible to anyone.

FRCOG Technical Assistance Grants - noted the Selectboard submitted a request that included the Planning Board’s suggestion of a Housing needs assessment and that grant awards should be announced very soon.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG: Cam reported no recent meetings were held.

Open Space: John reported no recent meetings were held.

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 – Annual Budget Request from the Selectboard. The Board decided to request adding one-hundred hours for clerical help because of the increased time that will be involved in starting the process to update the Town’s Master Plan. This will require more coordination with Buckland, the GSFABA, other Town boards and an increased in the number of meetings that will be held in FY 2018. The consensus was to increase the expense line item to \$300 and ask for \$300 for training. The Board decided to ask for a 2.5% increase in their clerk’s hourly rate or \$.40/hour.

A motion to make the budget requests as discussed – a 2.5% increase in the Administrative Assistant’s hourly rate, an increase of hours to 352 hours, an increase in the expense line item to \$300 and add \$300 to a training budget- and send it to the Selectboard was made by Will and seconded by Josiah.

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

PUBLIC COMMENTS – none presented.

SCHEDULE NEXT MEETING – next regular meeting will be Wednesday, January 25th at 7:00 pm.

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

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

Meeting was adjourned at 9:45 pm.

Respectfully submitted by,

Liz Kidder

Administrative Assistant

LIST OF DOCUMENTS:

Working Draft Section 11 Parking Requirements

Proposed Revisions to Section 9 Sign Regulations Jan 2017

Jan. 10, 2017 Email from Noah Grunberg on Green Communities Program

Jan. 10, 2017 email from Will Flanders with bylaw revisions

FY Budget Request forms

Jan. 11, 2017 email from Joe Palmeri on Green Communities

Public Hearing Notice Town of Deerfield

Draft revisions to Zoning Bylaw Definitions