

TOWN OF SHELBURNE
Planning Board Meeting
Minutes of Meeting August 8, 2018

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, August 8, 2018 at 7:00 pm in the Town Hall Meeting Room, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair

Will Flanders

Cam Stevenson

Josiah Simpson

Alyssa Larose

Administrative Assistant: Liz Kidder

Audience: Dick Evans, Jeffrey Bardem, Bill Austin

Absent: Tom Johnson

The meeting was called to order at 7:00 pm.

A motion to approve the minutes of the July 11, 2018 meeting was made by Will and seconded by Cam.

Vote: 2 in favor, 0 opposed, 2 abstentions: by Josiah who was not in attendance and by John as Chair of the meeting.

ANR Plans – 55 Shelburne Center Rd. Attorney Dick Evans introduced Jeffrey Bardem, new owner of 55 Shelburne Center Rd., and Bill Austin, Mr. Bardem’s architect. Mr. Evans explained that Mr. Bardem wants to add an additional building lot on his property. Currently under zoning bylaws, the property has sufficient acreage and frontage for an ANR lot. However, the property that includes a former horse riding academy, is accessed via a driveway easement across an adjoining property. Access from Shelburne Center Rd. would be difficult due to wetlands adjacent to the property’s road frontage. Mr. Bardem is hoping to build an additional house on the property that will share the existing access as a shared driveway. For many years, this access was used by the Biscuit Hill Riding Academy, was sufficient for the traffic generated by a business and sufficient for emergency vehicle access. Mr. Evans said they were here to ask the Planning Board whether they should submit an ANR plan or submit their proposal as a subdivision since they were not proposing to have access to the new lot from the road frontage; he noted that the Board has the option of granting waivers under the Subdivision Regulations. Mr. Austin said that there were precedents for this approach on at least one other parcel in Shelburne.

The consensus of the Board was to contact Town Counsel for advice and any legal concerns regarding waivers relative to the approval of a new building lot that does not have access from its road frontage and one that would create a shared driveway situation. The Board agreed to add Mr. Evans to the agenda for the Board’s next meeting on Sept. 12th.

Special Permit/Variance Applications –passed over until after Old Business.

OLD BUSINESS

Shelburne Housing Study/Master Plan Housing Chapter/Resilience and Sustainability Grant – Alyssa Larose passed out copies of maps of the VR and VC district that show property boundaries focusing on the east side of Route 2 that are in the VR zoning district. She also passed out draft revisions to a dimensional table that could include a new VR2 district and changes to dimensions and setbacks for properties in the Village. Discussion regarding these materials included the following:

- Would these proposed revisions make more lots in the Village conforming?
- Would these changes help support the scenic byway and encourage infill in the lower Village?
- If the larger parcels along the east side of Route 2 were to be developed as ANR lots, it could create a traffic hazard from more driveways along the state highway—whereas if these parcels were developed using an OSD, it would reduce the traffic hazards with only one curbcut on Route 2 for multiple dwelling units.

Approved: _____ Date: _____ 1

- If the lots on the east side, with fairly steep terrain, were easy to develop, they probably would have been before now.
- Where would there be a logical division of VR into a VR1 and VR2 on the zoning map.
- Would new development across Route 1 create increased traffic congestion where Mechanic St. crosses Route 2.
- If the Board proposed a new VR2 district, it would require a new zoning map and a new column in the Bylaw use table—would there be other significant changes in the use table relative to a new VR2 district—should it be more like the RA district—should the Board stay focused on change that helps to support more affordable housing.

Alyssa and the Board reviewed the most recent version of possible design guidelines for the VR1 district. She noted these are guidelines and not requirements and would fall under the Affordable Housing Incentive Zoning (AHIZ).

Discussion regarding the design guidelines included the following points:

- These guidelines would address 5,000 sq. ft. lots, multi-family dwellings 4-8 units and any that require a special permit.
- In this draft, the Planning Board would be the SPGA for AHIZ, or for just certain parts of the bylaw.
- The guidelines include graphics that could be included in the zoning bylaw, solely used for informational purposes, or could be used as review guidelines during the SP process.
- The Board suggested changes to the guidelines that can be considered at a public information meeting or hearing.

Alyssa reported that a representative from the Mass Housing Partnership is available to attend the Planning Board’s meeting on Sept. 26th to answer questions relative to how a town, the size of Shelburne, can create Affordable Housing options in a small town. It was decided to also invite a representative from Habitat for Humanity and RDI to the meeting. The overall purpose of the meeting would be to review specific examples of real situations in Shelburne and identify the mechanisms the Town could use to create more affordable dwelling units in Town. These examples could include: the Ancient Glacier project, small multi-family properties in private ownership, the former Sweetheart building, the former Anchorage nursing home, and the small parcel of land owned by the Regional Housing Authority in rural Shelburne. The Board reviewed an infographic from the Shelburne Housing Study that could be useful during a public meeting to explain Affordable Housing, an often misunderstood term.

Alyssa will meet with the Board again during their meeting on Sept. 12th.

Annual Coordination with the ZBA—The Board decided to offer to attend the ZBA meeting in October to review with them the work being done this year by the Planning Board and to ask them if there are any parts of the zoning bylaw that they would recommend should be revised. It was noted that over the past several years, members of the ZBA attended Planning Board meetings and the Board felt it was time to offer to attend a ZBA meeting. Liz will email Joe about the Board attending their Oct. 4th meeting to see if that works for the ZBA.

NEW BUSINESS –

Reorganization— the consensus of the Board was to continue their individual roles.

- John Wheeler, Chair,
- A. Campbell Stevenson, Vice Chair, representative to the FRCOG Planning Board
- Josiah Simpson, Secretary.

Note: Liz Kidder presented information relating to a variance request that would be heard by the ZBA at their September meeting. Following her presentation she recused herself and left the meeting room. Josiah Simpson took the minutes for the Board discussion.

Application for a variance, Thomas Luck & Liz Kidder, 27 High St.

Ms. Kidder presented to the board that she and her husband are planning to build an addition. To protect the 6’ diameter oak tree they designed the addition layout to be within the rear setback and move the existing shared driveway to a new driveway that is within the side setback.

Neighbors have strongly urged Mrs. Kidder and her husband not to cut the tree down. [Ms. Kidder recused herself and left the meeting room.]

The board mentioned this is the first Variance application that most resembles a legitimate use for a variance because a characteristic of the lot gives good reason for the driveway to receive a variance.
The consensus of the board is to support the Variance and recommends that the ZBA grant it.
Liz returned to the meeting.

COMMITTEE AND REGIONAL PROJECT UPDATES

FRCOG - no information to present since the last meeting.

Open Space-no information to present since the last meeting.

Other Town Boards: nothing presented

OTHER BUSINESS NOT REASONABLY FORESEEN 48 HOURS PRIOR TO THE MEETING: none.

PUBLIC COMMENTS: none.

SCHEDULE NEXT MEETING: September 12 at 7 pm

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

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

Meeting was adjourned at 10:07 pm.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Buckland – 1, Greenfield-1, Colrain – 1, Deerfield – 1
July 19 Email from Ben Mays
July 31, email from James Collins
July 13 Email form DHCD regarding Housing Choice Small Town Capital Grant Program
Variance Application for 27 High St.