

TOWN OF SHELBURNE
Planning Board Meeting
Minutes of Meeting June 12, 2019

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, June 1, 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 - arrived at 7:45pm

Audience: John Shulda, Linda Vight, Luke Goodridge

The meeting was called to order at 7:15 p.m.

ANR/Subdivision Plans – 535 Mohawk Trail, Shulda/Vight ANR/Subdivision Application

Mr. Shulda and Ms. Vight are requesting an ANR for their property. The property has the frontage and acreage to qualify, but there is an impediment for a driveway to pass through to the road frontage. There is an existing shared driveway crossing the neighboring property which is currently being used. Current Shelburne zoning bylaws require the driveway to access the road through the property's frontage for an ANR.

Tom Johnson asked why this problem couldn't be addressed with a variance. Donna McNicol, Shelburne Town Counsel has advised the PB and the ZBA that variances are discouraged by the state and require special circumstances. Luke Goodridge, representing the applicant, said the existing shared driveway may be a public way. John Shulda said that the driveway was originally part of Route 2 before it was rerouted. Mr. Shulda also said that the town had paved and maintained part of the road. John Wheeler said that he would check with Mark Shippee, the superintendent of public works, to see if the shared driveway is on the town map as an existing road. If this is the true, the PB thought that the owners of the property have a case for using the driveway by right.

John Wheeler will talk to Mark Shippee and John Taylor, and try to determine if their road is still a town road. If it is a town road, then the applicants can revise and resubmit their plans accordingly.

Special Permit/Variance Applications – none presented.

Motion to approve the minutes of May 22, 2019, amended to reflect that two articles had passed at Annual Town Meeting, was made by Tom and seconded by Will.

Vote: 3 in favor, 0 opposed, 1 abstention by Cam who was not in attendance

MASTER PLAN Housing Chapter update, action plan for next steps, housing needs in rural Shelburne – Will, John and Tom had attended Monday's Selectmen's meeting along with Joe Palmeri and Michael Parry of the ZBA. Tom reported that the Planning Board was being encouraged to have more communication with the ZBA before Town Meetings and to not come with so many amendments to Town Meeting Floor. Cam noted that the ZBA has a responsibility to respond to the Planning Board when asked for input. Will felt the Board will need to do more outreach to different groups and committees in Town—both individuals and specific boards to try and find a consensus around what the Planning Board goals should be.

Tom Johnson suggested rethinking the Affordable Housing approach that the Board has taken. The Board discussed how to approach affordable housing through zoning in a town with so many non-conforming lots. They also discussed identifying tax delinquent properties, as suggested by Andrew Baker, which could be made available to Habitat for Humanity. The Board discussed the lot beyond Highland Village and what would be needed for the Town to pursue expanding affordable housing or senior housing

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on those four acres. Will discussed options for the board to consider such as local initiatives and working with state legislators to allow for private multi-family properties to qualify as Affordable units with appropriate deed restrictions. The Board discussed options for reaching out to the community and ways in which to use the Independent for informative articles.

OLD BUSINESS

Report to Annual Town Meeting on proposed zoning revisions at ATM 2019 - Liz Kidder and Joe Judd are submitting the required documents to the Attorney General’s office following Annual Town Meeting.

Subdivision Regulation Revisions - Liz reviewed the proposals considered at the March public hearing and did not see any that related to Common Driveway and therefore there are no updates to be made to the Subdivision Regulations.

Shelburne Hazardous Mitigation Plan update – the Board discussed needing more information regarding the focus of the hazardous mitigation plan before they are able to make recommendations for revisions to the zoning bylaw and subdivision regulations.

NEW BUSINESS- nothing presented

COMMITTEE and REGIONAL PROJECT UPDATES

FRCOG Planning Board – nothing presented

Open Space – Tom reported that the Committee had walked the proposed trail with a potential trail designer.

Other Town Board updates – BOH and their clerk have resigned and the Board of Selectmen will be looking for new residents to serve on that Board.

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, July 10 with Alyssa Larose.

A motion to adjourn the meeting 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 9: 03 pm.

Respectfully submitted by,

Cam Stevenson and
Liz Kidder, Administrative Assistant

LIST OF DOCUMENTS:

Legal notices from neighboring communities: Greenfield-3, Charlemont-1, Deerfield-1