

TOWN OF SHELBURNE
Planning Board Meeting
Minutes of Remote Participation Meeting May 13, 2020

A duly posted meeting of the Shelburne Planning Board was held remotely on Wednesday, May 13, 2020 at 7:00 pm using Zoom online software.

Present: John Wheeler, Chair

Will Flanders

Tom Johnson

Cam Stevenson

Administrative Assistant: Liz Kidder

Audience: Christopher VanVleet, Greg and Nancy Oles

Absent:

The meeting was called to order at 7: 03p.m. John Wheeler called the meeting to order and introduced everyone in attendance. He noted that he was recording the audio of the meeting.

Minutes of the meeting:

Motion to approve minutes of April 8, 2020, as corrected, was made by Tom and seconded by Will.

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

ANR/Subdivision –

Greg and Nancy Oles – 3 Pinnacle Lane, Shelburne MA.

Christopher VanVleet – 273 Colrain Shelburne Rd.

The Oles are transferring 6.435+/- acres to their neighbor to the west, Christopher VanVleet. Mr. VanVleet is realigning his property boundary with his neighbor to the south, Gordon Meadows. Neither of these property boundary changes and property transfers create any zoning non-conformities regarding frontage or lot size. In addition, no new lot would be created by these changes.

A motion to endorse the ANR plans for 3 Pinnacle Lane and 273 Colrain-Shelburne Rd., was made by Will and seconded by Cam.

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

ANR Patten Hill Farm Trust – Liz reported and shared with the Board an email string regarding a request from Paul Kuceja about their proposed ANR to separate off a piece of property containing an old barn from land that is going to be donated to Mass Audubon as part of their High Ledges preserve. In the email they asked if their lawyer could call Shelburne’s Town Counsel with a question. Liz had suggested that the lawyer submit their question(s) to the Planning Board; if the Planning Board felt they couldn’t answer the question, the Board would seek permission for consultation with Town Counsel from the Selectboard.

Special Permit – 10 Deerfield St., Residences at Mill Falls. John reported the ZBA had approved the special permit with the condition:

“The owner will maintain trees and landscaping adjacent to the deck and on the west side of the property in a manner substantially similar to what exists now.”

Mr. Gilchrest, the developer, emphasized that he was a housing developer and that he planned to use an historic tax credit for part of the funding, a program that requires him to own the property for at least 5 years. At the end of 5 years of renting the units, Mr. Gilchrest plans to sell them as condos. If anyone wants to use one of the units that is adjacent to the potholes lookout for a commercial use, they are welcome to talk to him about buying one of those units. He is not interested in managing any retail or commercial projects himself. He would expect to make the same amount of money per commercial unit as he would for a dwelling.

Andrew Baker, Selectman, was there and said that he felt the Planning Board letter was “faint-hearted” and that the Town had put a lot of CDBG money into repairing Deerfield St since the former Mole Hollow building is the last Industrially zoned land in the Town. He was very disappointed that the Planning Board did not push harder to ask the ZBA to turn down the Special Permit request. The ZBA pointed out that the current zoning bylaw allows for 10 dwelling units in a converted industrial building with a special permit; they did not feel that they had the grounds to turn down the Special Permit. The Planning Board letter had pointed out that if Mr. Gilcrest included just one storefront in the project, that he would not even need a special permit from the Town.

OLD BUSINESS

Zoning Bylaw Revisions for ATM 2020 –Rescheduling of Annual Town Meeting (ATM)

The Planning Board reviewed an email from Town Counsel that suggested the Planning Board should not submit any bylaw revisions for consideration at this year’s Annual Town Meeting that were in any way controversial. She did say that the Board should make sure that only essential issues are submitted for the warrant. “That said, these housekeeping articles are important and should be fairly easy to present.” She cautioned about making the whole package into one warrant article. The Board reviewed 2 proposed warrant articles for submittal to the Selectboard this year that contained only “housekeeping” articles.

A motion was made by Tom and seconded by Will to submit 2 warrant articles of proposed Shelburne zoning bylaw revisions, designed to update 6 sections of the Zoning Bylaw, to the Selectboard for inclusion in the Warrant for the next Annual Town Meeting currently scheduled for June 15th 2020.

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

COMMITTEE and REGIONAL PROJECT UPDATES

FRCOG Planning Board- nothing presented

Open Space – the committee is still working on the proposed trail and negotiating with land owners.

Other Town Board updates – nothing presented

Other business not reasonably foreseen 48 hours prior to the meeting- nothing presented.

Read Mail – mail was not read due to the remote nature of this meeting. The only mail has been notices of hearings in adjoining towns.

Public Comments—none presented.

Schedule next meeting - due to the COVID 19 state of emergency, the Planning Board will only meet as needed to address ANR’s or other subdivision applications. Liz was asked to post a notice to that effect on the Planning Board webpage asking anyone who needed an action by the Board or who had a question, to contact the Board through Planning@townofshelburnema.gov.

The Board will meet again on the second Wednesday in June if needed.

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

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

Meeting was adjourned at 7:45 pm.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

LIST OF DOCUMENTS:

ANR/FORM A – Greg & Nancy Oles, 3 Pinnacle Lane

ANR/FORM A – Christopher VanVleet and Gordon Meadows, Colrain Shelburne Rd.

Email 5/12/2020 re Patten Hill Farm Trust

Notice of Decision by Shelburne ZBA – 10 Deerfield Ave.

Email from Town Counsel – April 16, 2020

Draft Planning Board Report to ATM 2020

Draft Warrant Articles for ATM 2020

Approved: _____ Date: _____ 2