Town of SHELBURNE

Planning Board

MINUTES

Regular Meeting via Zoom ~ February 15, 2022

A duly posted meeting of the Shelburne Planning Board was held remotely via Zoom, on Tuesday, February 15, at 6:30 p.m.

Present: John Wheeler

Will Flanders

 Cam Stevenson

 Seth Wilschutz

 Tricia Yacovone-Biagi

Administrative Assistant: Faye Whitney

Guests: None

Absent: None

The meeting was called to order at 6:30 p.m. by Chair John Wheeler, who noted the meeting was being recorded.

**Minutes**

A motion was made by Cam, seconded by Will, to approve the minutes of January 26. Roll call vote: Will – aye; Seth – aye; Cam – aye; Tricia – aye; John – abstain. Motion passed 4-0-1.

A motion was made by Tricia, seconded by Seth, to approve the minutes of February 1. Roll call vote: Will – aye; Seth – aye; Cam – aye; Tricia – aye; John – abstain. Motion passed 4-0-1.

**Mail**

Mail was a notice of a hearing in Charlemont and an email announcing the creation of a town newsletter, which will be emailed to those who subscribe.

**ANR Plans/Subdivision**

A plan had been received from Mike Skalski, dba 4 Pleasant Street LLC. Cam pointed out that the driveway as shown was in the setback and felt it was not a buildable lot as the driveway did not comply with zoning bylaws. A discussion followed as to whether the Board could sign off on the ANR since the proposed lot met area and frontage requirements. Shelburne does allow shared driveways. Will said that Shelburne bylaws allow the Planning Board to issue Special Permits for common driveways. It was felt that the driveway, as shown was not a common driveway but perhaps it could be moved a few feet in order to comply. Faye will contact the applicant and explain the situation.

**Zoning Relief/Special Permit Applications**

An application for a Special Permit for Lewis Goodnow had been shared with the Board. Lewis is asking for a change of use to an existing building and also to put a small addition onto the building. Board members agreed that they had no problem with the proposed change of use but felt the extension of the building should not be allowed as it made a non-conforming building even more non-conforming. This will be passed on to the ZBA.

**Appointments**

None

**OLD BUSINESS**

**CPA** – The CPA group will be holding a public information session on February 16, at 7 pm.

**Planning Response to Attorney General’s Comments** – Will had spoken with Town Counsel Donna MacNicol concerning changes to the marijuana bylaws. Donna suggested deleting all of the town’s regulations. Then make sure all of the possibilities are listed in the use table with an asterisk next to each one. The asterisk would then say something to the effect of “see regulations in the Cannabis Control Commission codes.”

**Section 10, Findings/Variances** – The ZBA is allowed to give permission for extensions of existing non-conforming aspects of one- or two-family homes with a Finding. The difficult part is when the situation involves multi-family, commercial, or industrial structures, or new non-conforming aspects of one or two family homes. Should the bylaw be changed to allow the ZBA to give permission for those types of changes? A change of that type could not be done this year. It was suggested that such a change could be done in steps. Perhaps first new non-conforming structures could be addressed, then existing non-conforming structures. This must be discussed with the ZBA.

**Master Plan/Economic Development update** – John’s request to the Selectboard for a DLTA grant has been submitted to the FRCOG.

**Resilience Plan** – The Mass Office of Environmental Affairs is hosting conversations on resiliency. There will be four opportunities to participate. John will pass the information onto the Energy Committee.

**Mohawk Trail Commercial Zone and Scenic Byway/Sign Bylaws** – The Building Inspector has to approve all signs. Will suggested having a conversation with him about on- and off-premises signs. This is another topic to discuss with the ZBA.

**Annual Town Report** – John had sent a draft. The Board reviewed the draft and suggested changes. The revised document will now be sent to the Town Administrator.

**New Business**

None

**Committee and Regional Project Updates**

None

**Other business not reasonably foreseen 48 hours prior to the meeting**

None

**Public Comments**

None

**Schedule Next Meeting**

The next meeting will be on March 1, at 6:30 p.m.

At 8 p.m. a motion to adjourn the meeting was made by Will and seconded by Cam. Roll call vote: Will – aye; Seth – aye; Cam – aye; Tricia – aye; John – abstain. Motion passed 4-0-1.

Respectfully submitted,

Faye Whitney

Administrative Assistant

**List of Documents:**

Notice of hearing from Town of Charlemont