

Shutesbury Planning Board Meeting Minutes
June 1, 2020 Virtual Meeting

Planning Board members present: Deacon Bonnar/Chair, Robert Raymond, Linda Rotondi, Jeff Lacy and Michael DeChiara

Planning Board members absent: James Aaron

Staff present: Linda Avis Scott/Land Use Clerk

Bonnar calls the meeting to order at 7:02pm.

Statement relative to conducting virtual meetings following the Governor's restrictions on public meetings is read into the record by Bonnar.

Public Comment: None offered.

DeChiara moves and Bressler seconds a motion to approve the 5.11.20 meeting minutes. Roll call vote: Raymond; aye, Bressler: aye, Lacy: aye, DeChiara: aye, Bonnar: aye; Rotondi: abstain; the motion carries.

Electronic Signatures:

Scott refers Planning Board members to KP Laws eUpdate "Use of Electronic Signatures and 'Virtual' Notarization" dated April 28,2020 for an explanation of the use of electronic signatures and, in particular, D. "Use of Electronic Signatures *on Plans* Endorsed or Approved by Planning Boards". DeChiara recommends Bonnar and Scott confer with Town Counsel Donna MacNicol for guidance on the use of electronic signatures and/or authorizing a single individual to sign plans. Bonnar notes that an agenda item with specific language will need to be posted prior to a Planning Board vote on the use of electronic signatures or authorizing one person to sign on behalf of the Planning Board. All members concur with the plan for Bonnar and Scott to seek guidance from MacNicol.

Scheduling/Planning Zoning Bylaw Amendment Public Hearing:

Bonnar suggests the Board consider scheduling the bylaw amendment public hearing on Monday 6.22.20 at 7:30pm. Raymond moves and Lacy seconds a motion to hold the public hearing on the proposed three bylaw amendments on Monday 6.22.20 at 7:30pm. DeChiara has prepared points to explain the changes to the sign bylaw. Bressler: the document (prepared by DeChiara) is succinct and clear. Lacy agrees. The public hearing presentation order: signs, open space design, solar. Roll call vote: Rotondi: aye, Lacy: aye, DeChiara: aye, Raymond: aye, Bonnar: aye, and Bressler: aye; the motion carries.

Bonnar seeks guidance from Board members on language for the public hearing notice and suggests using approximately ten words for each amendment; the notice needs to focus on the main takeaways for the public. DeChiara: the changes to the open space design bylaw make it consistent with zoning practices and align it with the original intent. Bonnar: the primary change is the requirement for a special permit instead of site plan review. Lacy clarifies: non-subdivision proposals were previously site plan review and are proposed to be by special permit and an applicant can use alternative means for the conservation restriction. Bressler suggests stating the alternative means benefit first. Lacy: the proposed changes are based on experience with proposed and approved projects. Bonnar reminds all that this is language for the legal notice.

Lacy notes that the notice needs to include information about substantive change and offers to draft a statement for the open space design changes. DeChiara: the substantive changes need to be clear. Bressler: for solar, include creation of the block map of where solar can be located and the road requirements. DeChiara: additional documents are required. Lacy: new more strict access requirements. Lacy and Bressler: new standards to minimize impact. Lacy recommends using language that may peek interest in the reader. Raymond leaves the meeting. Plans for the virtual public hearing are considered. Lacy will use documents highlighting the proposed changes to the open space design and solar bylaws. Lacy and DeChiara will manage screenshare; Bressler will take responsibility for participant management. Guests will be muted and called on when hands are raised. Bonnar and Scott will arrange for the public legal notice to be published 6.5.20 and 6.12.20. DeChiara will add the proposed amendment documents to the Planning Board webpage by 6.5.20. Bressler asks about the Select Board's impressions to the proposed changes to the solar bylaw. Lacy: the Select Board recognized that road access and the block map relative to the ANRADs may have an impact on future proposals. DeChiara to Bressler's question: yes, the Select Board understood that the road improvement work around would be a Town level decision via the Highway Department and Select Board.

Unanticipated Topic:

Fee Schedule: The need to clarify what the Town Clerk uses for a Planning Board fee schedule is noted. Lacy: there are several areas in the bylaw where fee increases for larger projects would not affect smaller project proposals, i.e., wireless installations, large-scale ground-mount solar installations, marijuana projects, open space designs and common driveways. Lacy agrees to do more research and draft a revised fee schedule for the 6.22.20 meeting.

At 8:12pm, DeChiara moves and Rotondi seconds a motion to adjourn the meeting. Roll call vote: DeChiara: aye, Lacy: aye, Bressler: aye, Rotondi: aye, and Bonnar: aye; the motion carries.

Documents and Other Items Used at the Meeting:

1. KP Law eUpdate "Use of Electronic Signatures and 'Virtual' Notarization: April 28, 2020
2. 6.1.20 email from DeChiara: "Points for Sign Bylaw explanation"

Respectfully submitted,
Linda Avis Scott
Land Use Clerk