

Shutesbury Planning Board Report:

## “Proposed Zoning Bylaw to Increase the Zoning Board of Appeals (ZBA) from Three Members to Five Members”

After previously supporting the concept of expanding the ZBA, in view of impending reductions in ZBA membership, at its meeting on May 18, 2022 the Planning Board, after a public hearing and deliberation, voted unanimously to NOT at this time recommend the subject bylaw for passage at Town Meeting.

The bylaw will increase the ZBA from a three-member board to a five-member board. This would allow some decisions requiring a super majority vote to be approved without requiring that every member vote in unison (as is the case now with a three-member board). With a five-member board, a super-majority is four members, thereby allowing the fifth member to dissent while still approving a proposed project.

While a five-member board is desirable, the ZBA, after July 1, 2022, will have only one member (if re-appointed). In order to achieve the goals stated above, four new members would have to come forward and be appointed by the Select Board. The Planning Board believes finding, appointing, and training four new members will be impractical at this time and will run the risk of the ZBA failing to make sufficient quorum numbers to do its business. We therefore recommend this article be passed over or not approved by Town Meeting. A zoning article of this type could be reintroduced at such time as the ZBA has three experienced members to begin with.