

**New Marlborough Planning Board
Meeting Minutes --
Wednesday, October 19, 2011**

The meeting was called to order at 7:05 PM.

In Attendance were: J. Mullen, P. Hardyman, H. Morse, and Brian Domina (BRPC).

The minutes of Oct. 5th meeting were read and approved.

James Mullen brought a copy of the proposed 1995 bylaw revisions that were not approved at at Town Meeting. Mr. Domina will scan and make copies of this document for the Board, to augment their understanding of the town’s history and help in their current deliberations.

Mr. Mullen announced that the Town’s Finance Committee has requested FY2013 budget request forms to be submitted by December 8, 2011. P. Hardyman will prepare draft budget forms for the Board’s consideration at its next meeting.

Mr. Domina brought an updated table of permitted uses for the Village District bylaw and a draft of proposed definitions. The Board picked up its considerations of commercial uses, from the Sheffield table of use, to determine whether there were categories of the respective uses which should be included in New Marlborough’s table of uses permitted by-right, subject to approval of the Special Permitting Granting Authority (SPGA), or not-permitted within the Village Center District (VCD) and/or the Rural Residential District (RRD).

The Board considered closely the possible permitted uses of child care, family care, and child care facilities. Mr. Domina described the definition of uses and the Board made a determination for each category. The Board discussed at length Home Occupation, General Services, and Personal Services from Otis’ and Sheffield’ tables of permitted uses and definitions. These are significant categories of use as so many residents have these types of businesses. It was clarified that any change to the Town’s bylaws would “grandfather in” any existing business. In order to stay consistent with the goal of preserving the historic rural character of New Marlborough while remaining friendly to such occupations, it became clear that a distinction between these categories would help in making a determination. Mr. Domina helped the Board clarify that a distinction was in the principal use of the proposed sites, in the number of employees, and whether the service was provided on-site. Mr. Domina will draft language for New Marlborough’s definitions that highlights these differences. The Board then made a determination for each of these categories as follows, where “Y” stands for by-right and SPGA stands for Special Permit required through the Special Permit Granting Authority:

| | <u>RRD</u> | <u>VCD</u> |
|--------------------------------------------------------------|------------|------------|
| Home Occupation – principal use (home), no employees | Y | Y |
| General Service – principal use (commercial), with employees | SPGA | Y |
| Personal Service – principal use (commercial facility) | SPGA | Y |
| Commercial campground | SPGA | N |
| Retail under *** square feet – 5000 ft. – gross floor area | SPGA | Y |
| Retail under *** square feet – 10000 ft. | Y | SPGA |

***The exact area size of retail space is still under consideration. The 5000 ft./10000 ft. breakdown is used as a theoretical model.

The Board resolved that the miscellaneous category included any use not prohibited or designated in the table of uses. This allows the table to be non-exhaustive; other land use categories that come up will

be handled by the misc. category. All uses within the misc. category will require special permits by the SPGA.

Mr. Domina will revise the proposed definitions and submit them to the Board individually by email. They will then be brought to the next meeting for discussion. The discussion moved on to the new draft of proposed amendments to enact a village district bylaw. All proposed amendments to the current NM Protective bylaws are to section 1 through section 5.5 and section 7. The Board discussed the proposed changes to Section 2 regarding zoning districts. Next, the Board considered the intensity table and addition of height restrictions. Mr. Domina will also redraft the table with lot sizes for each type of dwelling, multifamily, accessory, etc. The Board considered lot sizes for accessory dwellings in the RRD and VCD.

The next meeting date is set for November 2nd. Mr. Domina and Ms. Greer will attend.

Meeting Adjourned: 9:35 pm