

**New Marlborough Planning Board
Wednesday March 23, 2016**

Attendees:

Chair: Holly Morse

Members: Patricia Hardyman, Charlie Parton

Other attendees: Claudette Callahan – Historical Commission

Call to Order: 7:02 pm

Review of Mail:

- Monterey Planning Board – Public Meeting – Thursday, March 31st at 7 pm to discuss a zoning bylaw change to allow homeowners with a minimum of two acres and 200' road frontage to build secondary dwelling unit (SDU) of no more than 800 square feet.
- Town of Monterey – Public Meeting - Wednesday April 13th at 3 pm to act on special permit for Michael and Elizabeth Germain to renovate an existing structure.
- Monterey Board of Appeals – Hearing Notice - April 13th at 3 pm to act on Appeal for property located at 70 Tyringham Road.
- Great Barrington - Public Meeting – April 25th at 7 pm regarding a special permit application of TOPA Enterprises (Thomas and Paula Doyle) for a two-year extension of special permits 741-07 A & B, 742-07, 743-07 for the project permitted at 546 Main Street Great Barrington, MA.

Continuing Business:

Ms. Morse introduced the Board's current initiative to create two districts within the Town. Ms. Morse explained that under the current Protective By-laws more than 50% of the parcels within the villages do not conform to the frontage and setback requirements. She noted that the Board's goal is to define two boundaries for the zoning map. As some areas of the New Marlborough and Mill River have been designated as historical districts, at some point in the future, the "zoning" districts might be useful for Historical Commission initiatives.

Ms. Callahan asked if the Board looked at the Beers Atlas to identify the original village districts set forth in 1800's when defining the village district boundaries. She indicated that there is a copy of the Beers Atlas at Town Hall. Ms. Hardyman and Ms. Morse responded that the Board did not review the maps within the Atlas, but did compare the proposed zoning boundaries with the boundaries of the historical districts for New Marlborough and Mill River.

Ms. Morse noted that the current parcel requirements for the all New Marlborough are:

Frontage: 150'
Side and Rear: 25'
Minimum front setback: 40'
Maximum set back: 45'

Further, she noted, that very few new structures have been built in the villages as it is expensive to build. Mr. Parton added that with the current By-laws approximately 50% of the lots within the villages are non-conforming, thus creating an unfair burden for owners who wish to develop or change their structures. Ms. Morse indicated that the Selectboard has expressed support for the Bylaw amendments as it would reduce the number of special permit applications required. Creation of two zones within the Town is the first step in the Comprehensive Plan. After we finish this work on the By-laws, the Board will turn to the OSRP.

Ms. Hardyman asked what was important to the Historical Commission. Ms. Callahan indicated that the Commission had not considered the question of zoning boundaries.

Mr. Parton noted that the Board has discussed a potential increase in the number of lots within the villages, but also noted the number of buildable parcels is dependent on conservation, flood plain, and wetland constraints.

Ms. Morse noted the side- and front- setbacks were adjusted according to the recommendations of the leaders of the Town's fire and emergency services.

Ms. Callahan noted that a "historical district" would require a specific bylaw. She asked if the Board had discussed the proposed bylaw amendments with village residents. Ms. Morse noted that the Public Meeting, set for April 16th, is an opportunity for residents to come learn what is proposed. She added that an article about the proposed bylaw changes would be in the April edition of The Five Village News. Ms. Callahan was given a draft copy of the article and Ms. Morse promised to give a copy of the article to David Hosford and Helen Liveten.

Review of Minutes:

- Minutes of the March 9, 2016 regular meeting were approved as amended. The vote was three in favor and zero opposed.
- Ms. Hardyman asked about the minutes for the Coffee with local business owners as she could not find them on the Planning Board webpage of the Town's website. Ms. Morse said that she was meeting with the Town Clerk the following day to review the placement of documents and maps pertaining to the proposed amendments to the Bylaws. She made a note to ask about the minutes for the Coffee as well. Ms. Morse

pointed out the Planning Board mission statement of the PB web page needs to be reformatted.

Continuing Business:

Ms. Morse distributed a copy of the draft Bylaws amendments with the edits recommended by Town Counsel. Counselor Pollard’s edits included several minor typographical and formatting changes to cleanup the Protective By-laws. Ms. Morse made a motion to the Board to reject the edits to the Protective Bylaws suggested by Counselor Pollard that did not pertain directly to the sections of the Bylaws that address the dimensional standards for the creation of two districts – rural and village.

Mr. Parton seconded the motion. The motion passed unanimously.

The Board reviewed each of the changes suggested by Town Counsel. Ms. Morse agreed to prepare and send a “final draft” of the Bylaw amendments to the Selectboard and ask for a date for the PB to meet with the Selectboard to discuss the amendments and answer any questions.

The Board then turned to the question of which, if any, of all the charts/tables regarding conformity of parcels within the five villages to current and proposed set-back requirements should be posted on the Planning Board page of the Town’s website. The Board decided to post a graph documenting the percentage of non-conforming lots per village based on the current requirements of 150’ & 1 acre as this is a critical issue in the argument for the adoption of the Bylaw amendments. Available for the public meeting scheduled for April 16th will be graphs/charts that document the potential impact of the proposed amendments as well as a summary of the amendments to the Bylaw revisions. This will provide ample opportunity to review and clarify any questions regarding the charts prior to their posting on the webpage.

Meeting Adjourned: 8:58 PM

Minutes Prepared by:

Patricia Hardyman, Member