

**New Marlborough Planning Board  
Wednesday August 12, 2015**

**Attendees:**

**Chair:** Holly Morse;

**Members:** Mark Carson, Patricia Hardyman, Charlie Parton

**Other attendees:** Jane Tant (secretary), Pam Stebbins (5VN)

**Call to Order:** 7:02 pm

Ms. Morse opened the meeting by updating the Board on posting of the corrected official notice required by the State Attorney General's Office regarding amendments to the Protective Bylaws approved at the Annual Town Meeting. As only a single notice is required (rather than a notice over two successive weeks) the Attorney General's Office and the Town Clerk are agreed that a notice in the September issue of the Five Village News will be satisfactory. The notice was run in the Berkshire Eagle in error (and without charge). Once the notice has run in the Five Village News copies of both notices will be sent to the Attorney General's Office.

**Review of Minutes:**

Minutes of the July 22, 2015 meeting were approved as amended.

**Review of Mail:**

- Copy of letter from David Herrick, Township 911 Coordinator, to Town Clerk assigning number 23 to the lot purchased by Richard and Barbara Zdziarski on East Hill Road.
- Notice of Decision by the Town of Great Barrington Selectboard dated August 10, 2015 granting the application of Timberlyn Realty LLC to operate a nursing home at 148 Maple Avenue in an R2 zone and deviate from parking requirements.
- Letter from the Berkshire Regional Planning Commission (BRPC) requesting written designation and contact information of the delegate to the regional planning commission for fiscal year (FY) 2016.

Board members agreed that Mr. Mullen is the designated delegate to the regional planning commission with Ms. Hardyman as the alternate. Ms. Hardyman noted that she has been sworn in as the alternate but after checking available records in the Town Hall she did not find where Mr. Mullen had been sworn in. Ms. Morse agreed to contact Mr. Mullen to verify that he is able to serve as the designated delegate for FY 2016.

**Old Business:**

Mr. Carson reported he recently handed out approximately 30 flyers requesting input on resident planning concerns at the Transfer Station. He indicated several persons indicated they might be submitting concerns. Ms. Hardyman noted that any comments submitted to the

Town website are to be forwarded to the Planning Board Chair by the Town website administrator. Ms. Morse noted that she had not received any forwarded comments. She indicated she would check with the Town clerk to verify that no comments had been received. She would also check to see if any input had been placed in the comment box in the library. Mr. Parton reported he is seeking identification of the Parent Teacher Association leadership and meeting date for purposes of scheduling a feedback session with this group. Mr. Carson stated he planned to seek comment again at the Transfer Station.

Ms. Morse reported she had consulted with Brian Domina on the mechanics of amending the Protective Bylaws to relax intensity requirements within a designated district. She noted the amendment would be appropriately placed as a subset of paragraph 4.1 and suggested two format options (4.1.1 and 4.1.2) for the amendment – either an explanatory paragraph or a table. Mr. Carson and Mr. Parton voiced their support for a paragraph while Ms. Hardyman spoke in favor of a table format as less ambiguous. Mr. Parton suggested both paragraph and a table formats be drafted allowing the Board to make a later determination as to what format to bring to the voters.

Ms. Morse also noted that paragraph 2 will need to be amended to differentiate the two districts and provide a map of the designated relaxed-intensity district.

Ms. Hardyman noted the definition of boundary lines between the two districts would be required in the definitions section of the By-laws.

Board reviewed revised intensity data provided by Mr. Domina which provided additional information on side set-backs. Mr. Carson offered that relaxing frontage requirements to seventy-five feet minimum would promote conformance. Ms. Morse said she would contact Mr. Domina to get additional data on the impact of a relaxation to seventy-five feet of frontage on conformity. After review of the data and considerable discussion the Board reached consensus that within the designated district front setbacks should be relaxed to zero and side setbacks to either ten or fifteen feet. All agreed to no relaxation of the one acre minimum. Ms. Hardyman closed discussion on this topic by noting need for a paragraph to state existing forty foot setback requirements would continue to apply to all land outside the designated district.

Ms. Morse directed Board attention to the maps previously developed of the five villages of Clayton, Hartsville, Mill River, New Marlborough Center and Southfield. She noted she felt comfortable these maps were well-developed with considerable due diligence but wanted to bring them up for review. Little discussion ensued. Ms. Hardyman noted that no village should be left out. Mr. Carson noted he had received some comments that perhaps the boundary of Hartsville should extend to Adsit-Crosby Road but this was not pursued.

**New Business:**

Ms. Morse noted the Board might appropriately look at how incorporating provisions of the Community Preservation Act might provide tax relief for seniors and lower income residents.

Ms. Hardyman reported that Form A has been revised to add a date block at the top to record when the mylar is signed and a date block further down on the form to record when the form is submitted. The revised Form A is now posted on the Town website. Ms. Morse indicated it would be appropriate to send a courtesy notice to local surveyors informing them of the posted revised Form A.

The meeting was adjourned at 8:53pm.