

COLRAIN PLANNING BOARD

Notice

August 1, 2012

There will be a Colrain Planning Board meeting Wednesday August 1, 2012 at 7:00pm in the Selectboard's Room at the Town Offices on Main Road.

Please note a change in location

Agenda

Items anticipated to be discussed:

7:00 Approve Planning Board minutes for the the July 18th meeting

7:15 Begin discussion on the following as suggested by Shawn Kimberly

- **Farming bylaw and sexual offender bylaw to be incorporated into the bylaws**
- **Accessory-building 40-foot setback**
- **Building permits on APR land**
- **Natural resources and material removal**
- **Building lots on unmaintained roads**
- **Camps and cabins**
- **Combining Definitions and moving them to the back of the whole document**

Other:

Joan Rockwell, Chair

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COLRAIN PLANNING BOARD

Notice

September 5, 2012

There will be a Colrain Planning Board meeting Wednesday September 5, 2012 at 7:00pm in the old Town Office, 9 Jacksonville Road, Colrain.

Agenda

Items anticipated to be discussed:

7:00 Approve Planning Board minutes for the August 1st meeting

7:15 Discuss and finalize the "junk vehicle" letter

7:45 Report on Solar and Wind by-law subcommittee progress

8:00 Shawn Kimberly and Board discuss possible by-law revisions:

- **Farming bylaw and sexual offender bylaw to be incorporated into the bylaws**
- **Accessory-building 40-foot setback**
- **Building permits on APR land**
- **Natural resources and material removal**
- **Building lots on unmaintained roads**
- **Camps and cabins**
- **Combining Definitions and moving them to the back of the whole document**
- **Others suggestions**

Other:

Joan Rockwell, Chair

Colrain Planning Board Minutes September 5, 2012

Joan Rockwell, chair, called the public meeting to order at 7:04 pm.

Board members in attendance were Ken Avery, Bill Cole, Betsy Corner, Megan McDonough, and Joan Rockwell.

Also present were Betty Ringwood, Jacksonville Road, Colrain; David Greenberg and Elizabeth Erickson of 227 W. Leyden Road, Colrain; Kendra Sherwin-Williams and Paul Williams, 2 Streeter Lane, Colrain; Mark and Lisa Williams, 17 West Brook Road, Heath; Leah Coburn, Town Treasurer; and Shawn Kimberley, Building Inspector.

Megan moved to accept the minutes of August meeting without any changes. Betsy seconded. The minutes were unanimously approved. Bill will send to Betsy the Katywil section of the July minutes so that they can be reviewed at the October meeting.

Old Business:

Joan asked Bill to hand out the amended version of the sample junked-vehicles letter and the accompanying memo to the Board of Selectmen requesting them to enforce existing zoning laws. After some discussion, Megan suggested adding a sentence to the letter specifying exactly what materials needed to be removed from the properties. Bill agreed to make this change. The letter was then approved as amended. Bill made a motion that he send to Joan the final version of the letter and memo for her to forward to the Board of Selectmen. Betsy seconded.

New Business:

Convenience store across from Chandler's: Betty Ringwood, in an informal presentation to the board, said that she wanted to open a small convenience store selling snacks and beverages and perhaps local crafts. She added that parking would be added by replacing the garden with a parking lot. Joan told her that a Site Plan Review would be required. Bill agreed to mail to Betty the Site Plan Review requirements list. (Later, Shawn noted that Betty had turned in a check and a Site Plan Review Application, but that the latter was incomplete.)

David Greenberg garage/barn: David Greenberg presented a drawing of a garage/barn he would like to build on his property, but it would need to be sited within the 50' setback from West Leyden Road. Joan said that he would need to present his plan to the Zoning Board of Appeals. Bill said that he would send David contact information for Jim Slowinski, Clerk of the ZBA.

Chandler's Store Site Plan Review: Bill handed out an application for a Site Plan Review for the change-of-use for a thrift shop in the old Chandler's store on Jacksonville Road. Joan said that she felt uncomfortable reviewing the application before a hearing. Betsy and Megan concurred. Bill pointed out that if the application and the waivers requested

were incorrect in some way, the Sherwin-Williams family would have to wait yet another month for final approval after the hearing—and that they had been trying to get the right permitting for ten weeks.

Bill then handed out a letter describing the requested waivers that Joan had asked him for. The board agreed to review the waiver letter. After some discussion, the board agreed to approve the waivers in the letter except for numbers 4 and 5. Since a hearing will be required, a list of abutters will be required for notification purposes, as will plans of lot lines, easements, and rights of way.

Paul Williams agreed to pay the Site Plan Review fee and get the application form at the Town Office. Bill said he would send the amended waiver letter and application to everyone. The board agreed that the Williams' could continue having their weekend tag sales as long as they followed the regulations for tag sales in the town zoning bylaws.

Building Inspector's requested bylaw updates: In February, Shawn presented the board with a list of requested updates or clarifications to the existing zoning bylaws. He appeared again before the board to refresh us on what exactly was needed.

- Farming bylaw: Leah said that this is a completely separate bylaw and cannot be part of the Town of Colrain Zoning Bylaws.
- Sexual Offender Bylaw: This bylaw has not yet been approved by the attorney general's office, according to Leah. When it is, it will not be part of the zoning bylaws but will be enforced separately.
- The 40-foot setback for accessory buildings is a bylaw Shawn described as the one for which "a variance is most requested." It was suggested that Robin Harnett investigate accessory-building-setback limits in other towns, especially side and rear setbacks.
- If someone requests a building permit on APR land, Shawn must give it to them. He asked if we could word a bylaw that would require those requesting a building permit to present to him a letter of approval from the APR before he could give them a permit. Megan said that she would look for model language for this additional bylaw.
- Now there are very few restrictions on removal of natural resources, Shawn said. Other towns require pre- and post-site plans, bonds, assurance, and mitigation. Bill agreed to bring model bylaws for this issue to the next meeting.
- A very important emerging issue is real estate with frontage on unmaintained roads. If, for example, someone bought property on Stetson Brothers Road and requested a maintained road, the town would have to bear that expense. He suggested that the board take a look at the Chesterfield bylaw. Betsy agreed to do that.
- Shawn also noted what a problem camps and cabins had become since they were originally proposed as simple structures without wells or septic, but the gradually became occupied year round, not just seasonally. Joan agreed to look at bylaws in Goshen, Montague, and Heath on this issue.

- Shawn also requested that definitions be at the front of the zoning bylaws so that they would not have to be renumbered as new bylaws were added. Joan agreed, saying that many town bylaws use that format.

Joint Committees Chair Meeting: Bill handed out a memo summarizing a conversation with Leah, Robin, and Paula at the town office suggesting a meeting of town committees involved directly or indirectly with the zoning process to clarify what the procedures for getting zoning permits is and to write a document the town office staff could give to those asking about zoning issues. The board approved of the idea and Leah suggested that Kevin Fox coordinate and chair it.

The next meetings are scheduled for the Wednesdays October 3, November 7, and December 5 at 7 pm in the Old Town Office Building.

Bill motioned to adjourn. Joan seconded. Joan adjourned the meeting at 8:58 pm.

Respectfully submitted,

Bill Cole, Clerk

9-5-12

Colrain Planning Board July 18, 2012

Joan Rockwell, chair, called the public meeting to order at 7:05 pm.

Board members in attendance were Ken Avery, Bill Cole, Betsy Corner, Hale Johnson, Megan McDonough, and Sara Wik.

Also present were Vicki Donahue, T.J. Willard, Karen Willard, Mason Willard, Mikayla Willard, Kate Cole, Charles Lappen, Emma Stamas, and Nancy Turkle. Ed Muszinski, surveyor, arrived at 7:45.

Joan asked that Hale Johnson moderate the Public Hearing on the Common Drive at Katywil and that Betsy Corner become the clerk for this part of the meeting. Both she and Bill had to recuse themselves because of their involvement in the Katywil project. Megan also recused herself because she is employed by CET, the company that performs efficiency tests on Katywil houses.

Public Hearing on Common Drive at Katywil:

The public hearing concluded at 8:52. The minutes for this hearing will be submitted by Betsy Corner under separate cover.

Joan resumed chairing the monthly planning board meeting and Bill resumed taking the minutes.

New Business:

ANR application for 158 East Colrain Road: Ed Muszinski presents to the board an ANR application on behalf of the Kasky Living Trust, Patricia Graves and David Graves, Trustees to create a 6.323-acre parcel with a house and two barns with 675 feet of frontage from a larger parcel with approximately 30 acres and 1375 feet of frontage remaining. The parcel is Book 4523 p. 38 and Book 6008 p. 120. The existing structures do not meet current setback standards, but they are existing, non-conforming use. Muszinsky agreed to send Bill the tax book map of the whole property and its abutters by email.

Megan moved to approve the ANR application since it meets the criteria of the subdivision control bylaw. Hale seconded.

Old Business:

April and June Minutes: Megan suggested that the board read Bill's edits of Betsy Corner's version of the April 5 minutes. After the board members read them, Megan moved that the board approve the minutes as amended with duplications and formatting corrected. Sara seconded. The minutes were unanimously approved.

Bill handed out copies of the June 6 meeting. Some edits were suggested. Megan moved to approve the minutes as amended. Betsy seconded. The minutes were unanimously approved.

Bill handed out copies of the June 27 meeting. There were minor corrections. Betsy moved that the minutes be approved as amended. Sara seconded. The minutes were unanimously approved. Megan noted that the board should be clear, if asked, if the Topitzer farmstand were exempt under Section 40-A or needed to do a Site-Plan Review. According to our bylaws, the use as a farmstand is allowed by right and that parking is accessory to the primary use.

Board of Selectmen Invitation: Joan announced (as she had in an earlier email) that the Board of Selectmen had invited the planning board to meet with them on July 30 at 8:15pm. All agreed to meet except for Megan McDonough, who is chairing a board meeting of the Valley Land Trust that evening.

Shawn Kimberley Future Agenda Items: Bill noted that the board should revisit the list of issues Shawn Kimberley raised at the February 23, 2012, meeting of the planning board when Shawn described the zoning concerns he deals with most frequently but has little guidance about from the zoning bylaws. These issues include:

- Farming bylaw and sexual offender bylaw to be incorporated into the bylaws
- Accessory-building 40-foot setback
- Building permits on APR land
- Natural resources and material removal
- Building lots on unmaintained roads
- Camps and cabins
- Combining Definitions and moving them to the back of the whole document

Bill also said that there had been no enforcement of the agreement with WMECO and the Northeast Utilities System to plant screening shrubbery around the new antenna on Chandler Hill. Joan agreed to pursue this.

Junked-Vehicles Letter: Hale asked about the status of the junked-vehicles letter. Bill said that he had sent him a copy of the most recent version, which changed the address of the property in question and upped the fee paid for junked vehicles from \$100 to \$150. He agreed to send Hale another copy of the letter. Joan said that we would take this issue up again at the August meeting.

The next meetings are scheduled for the Wednesdays of August 1, and September 5 at 7 pm in the Old Town Office Building.

Betsy motioned to adjourn. Sara seconded. Joan adjourned the meeting at 9:09 pm.

Respectfully submitted,

Bill Cole, Clerk

Colrain Planning Board Meeting Minutes
October 2, 2013

Joan Rockwell, chair, called the meeting to order at 7:05 pm.

Board members in attendance were Betsy Corner, Bill Cole, Sara Wik and Joan Rockwell.

Members absent – Hale Johnson and Ken Avery

Minutes from the July and August PB meeting were not available for review and acceptance.

Joan discussed the concern brought up by Shawn Kimberly about campgrounds and if the Board would look in to this. Betsy agreed to get 4-5 campground definitions from other towns similar to Colrain for our next PB meeting.

Joan brought up the issue and concern about the continued tag sales and junk in people's front yards. Sara suggested we table this for another meeting.

Bill mentioned that an abutter to Katywil has questioned whether or not the Katywil Cluster Subdivision has the required 50 foot setback.

Joan mentioned that the subcommittee to draft a solar by-law will get back to work on finishing the draft with the help of FRCOG.

Betsy moved to adjourn the meeting, Bill seconded. The meeting was adjourned at 8:00pm.

Respectfully submitted,



Joan Rockwell, *Chair*

Town of Colrain Planning Board Meeting Minutes

Date: 8 Jan 14

Meeting called to order at: 7:06 p.m.

Board Members present: Hale, Joan, Betsy, Thom, Sara

Others present: David Tasgal

Topic I: David Tasgal presented a plan (approval not required) of a back lot off of New County Road. This is the same plan which we had a preliminary discussion of at our December meeting. There was no further discussion of this matter. All board members signed the plot plan.

Topic II: Campgrounds-

The discussion centered around:

Setbacks – 200 ft minimum from abutting property lines or public roadways

Maximum # of campsites allowed – 30 sites, regardless of campground size

Minimum total parcel size – 20 acres

Requirement of a management plan (to be written)

Need for a Health Certificate (to be written)

Definitions (to be finalized at next meeting)

Motion to adjourn made by: Thom

Motion to adjourn seconded by: Sara

All were in favor.

Meeting adjourned at 9:04 p.m.

Respectfully submitted by

W Thomas Griffin, Clerk

Thom Griffin
11 Apr 14

Town of Colrain Planning Board Meeting Minutes

Date: 15 Apr 15

Meeting called to order at: 7:03 pm

Present at the meeting: Bobby, Sara, Thom, Jon, Betsy

Absent: Jack

Also present: (see attached)

Minutes of

Motion to: amend (spelling of Jon Lagreze corrected; noted presence of Jim Sturgeon at meeting.)

By: Jon 2nd Betsy all Approved

New Business Item:

Medical Marijuana By-law: we endorsed the idea of using the state regulations but decided that those regulations require more study by us before proceeding. We also noted that the ZBA would have special permit power of these facilities. We also discussed the possibility that they (those facilities) might be located in rural zones as well as industrial zones.

New Business Item:


Issues raised by Building Inspector (Shawn Kimberley) which we were alerted to at the February meeting:

- Accessory apartments vs. multi-family restrictions; This was discussed briefly, with no decisions made.
- Kennel bylaws need to be consistent: The inconsistency occurs on Page 24 of the Colrain zoning laws. We decided to ask Shawn where the conflict was/is.
- Gravel pit regulations need clarification: We thought we might look at the Sunderland regulations. We questioned whether or not a gravel pit should be allowed on APR land. We decided that we needed to ask Shawn for more clarification.
- Side setback for sheds (now 40 ft; was 10 ft) We decided to ask Shawn the difference between the size of a shed versus that of a garage.

Discussion Topic:

We discussed possibility of holding next meeting on 6 May 15.

Motion to adjourn made at: 8:30 p.m. by: Thom 2nd Jon Approved by all

 11 Apr 16