

**SUNDERLAND PLANNING BOARD
MINUTES OF 1-13-09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

Minutes of 12-9-08 and 12-16-08 were approved 5-0 upon motion by Schneider, second by Sillin.

February meeting to be moved to the third, Roscoe will see if Peggy Sloan of FRCOG can make that date. He reported that she is willing to work with Wayne Feiden on the town affordable housing plan.

Will reported that the graduate student who worked with the Economic Development Committee is not done with his presentation yet.

Delta Sand & gravel has asked the ZBA to reopen their special permit in order to build a new office building on the site. Proposal is to move the offices from existing site to the gravel pit area. There is some question as to what kind of building could be built since the area is zoned RR.

Board members noticed that the definition of building height excludes certain things like spires and wonders if that definition should be tightened.

Adjourn: 8:55, 5-0 vote, motion by Snyder, second by Sillin

**SUNDERLAND PLANNING BOARD
MINUTES OF 2-3-09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

Peggy Sloan of FRCOG presented latest draft of possible zoning changes regarding affordable housing.

The board suggested the following:

- 1) Add a definition of affordable housing
- 2) Change years defined in the definition of major residential from 2 to 10.
- 3) Firm up the building height definition.
- 4) Add SPR to the use table key.
- 5) 125-5 G(1) Flex development--Change the wording? Add a table showing how it works for 6 or more units?
- 6) 125-13 A&B Renumbering and rewording changes.
- 7) 125-13G Rewrite to reduce wordiness?
- 8) 125-17 Site Plan-Decision is moved

Minutes of 1-13-09 approved 5-0 upon motion by Snyder, second by Schneider

Pictometry update for PB computer is available, Sillin to take care of it.

Discussed Bob White's question about installing a windmill and Building Inspector's request for a PB letter of approval.

9:05 adjourn

**SUNDERLAND PLANNING BOARD
MINUTES OF 3-10-09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

ANR submitted by Robert Rose approved 5-0, motion by Schneider was seconded by Sillin.

Damien McNally, Kimberly Sobieski and Patrick Eagan came in front of the board to ask about the possibility of rezoning land off Rte 116 by Plumtree Rd to commercial. The board informed them that that was something that was already under consideration by the Economic Development Committee and that more should be known about the possibility in the next few months.

Minutes of 2-3-09 were approved 5-0 upon motion by Schneider, second by Snyder.

The board reviewed zoning changes which are to be presented to the annual town meeting. Summary of changes as follows:

- 1) Wording change to definition of affordable housing
- 2) Wording change to definition of building height
- 3) Major residential development definition-change from 2 to 10 years
- 4) Structure definition-clarify height restriction
- 5) 125-4 use regulations-site plan review added to table
- 6) 125-5E Dimensional schedule-structures added
- 7) 125-5G Flexible development plan now required, density bonus lots allowed, table added
- 8) 125-13A,B&C Major residential development-reinforce process and requirements of plan submittal
- 9) 125-13D Require 15% affordable housing in major residential developments
- 10) 125-13E Allow PB ability to deny Site Plan
- 11) 125-13G Reminder of PB flexibility under subdivision control
- 12) 125-17b(5) Explains PB options for decisions under site plan

Adjourn at 9:57

**SUNDERLAND PLANNING BOARD
MINUTES OF 4-14-09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

Regular meeting held after three public hearings.

Minutes of 3/10/09 were approved 5-0 upon motion by Sillin, second by Schneider.

Schneider reported on the Economic Development Committee presentation which was the final report of the UMass consultant.

The Planning Board is scheduled to meet with the Selectboard and the EDC at the PB meeting of 5-12-09.

Adjourn 9:21 p.m.

**SUNDERLAND PLANNING BOARD
MINUTES OF 5-12-09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

Board voted 4-0 to approve an A.N.R. plan for land on Falls Rd. submitted by Paul Yurkevicz. Motion by Schneider, second by Cranshaw. Will Sillin did not participate in the vote since he has not been sworn in since his election.

Minutes of 4-14-09 were approved as amended 4-0. Motion by Snyder, second by Schneider.

Meeting with the Economic Development committee and Selectboard. Jim Bernotas presented to the P.B. the final product of the E.D.C.

A consensus thought was to move ahead with the portion of the E.D.C. proposal regarding rezoning commercial land in town. This idea is to both expand the available commercial zoning and to delete areas zoned commercial which are not actually developable. Areas to be considered for expansion:

- 1) Old Amherst Rd
- 2) Main St-possible mixed use, extend to river
- 3) Clark Mtn. Rd
- 4) Open land by Cliffside Apts
- 5) Plumtree Rd and Rte 116 including old Hubbard tavern
- 6) Plumtree Rd, So Silver Rd and Rte 47 intersection
- 7) Rte 63/Reservation Rd

P.B. hopes to meet with the E.D.C. soon to start the process of rezoning.

A.N.R. submitted by Vincent Illardi was approved 4-0 upon motion by Cranshaw, second by Schneider.

Board voted 3-0-1 to approve payment to The Recorder for legal notices. Motion by Snyder, second by Cranshaw. Schneider abstained.

Adjourn at 9:30

**SUNDERLAND PLANNING BOARD
MINUTES OF 6-9-09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

The board reorganized as follows:

Roscoe-Chair, approved 4-0-1, nomination by Sillin, second by Schneider
Schneider-Vice Chair, approved 4-1, nomination by Cranshaw, second by Snyder
Cranshaw-Clerk, approved 4-0-1, nomination by Sillin, second by Schneider.

The following slate of positions was moved by Cranshaw, seconded by Snyder and approved 5-0:

Schneider-PB rep to the ZBA
Cranshaw-PB rep to the FRCOG
Snyder-PB rep to the Housing Committee
Roscoe-PB rep to the Permanent Building Committee
Sillin-PB rep to the Economic Development Committee

Snyder moved to pay bill for \$112.20 to The Recorder. Seconded by Sillin and approved 4-0-1.

Minutes of 5-12-09 were approved 4-0-1, Sillin abstaining. Moved by Schneider, second by Snyder.

Minutes of the Klaus hearing of 4-14-09 were approved 5-0 upon motion by Snyder, seconded by Schneider.

Sillin handed out maps showing commercial businesses and home occupations in Sunderland. He asked that the board continue thinking about where we might expand the commercial zones and where commercial may be eliminated.

The board reviewed the ZBA decision and stipulations of 12/14/92 for the G.E. Jackson building off of Clark Mtn. Rd.

**SUNDERLAND PLANNING BOARD
MINUTES OF 7/14/09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

Klemyk ANR was approved 5-0 upon motion by Sillin, second by Snyder.

Delta Sand & Gravel ANR was taken back by Randy Izer to be redone due to error found on plan.

He will resubmit it at the next PB meeting.

The board talked about having a creation date of ANR's so as to be able to track a creeping subdivision.

Question about commercial property in a residential zone (i.e. Delta Sand & Gravel), should it continue to be required to have 200' of frontage or is 150 o.k.?

Rose ANR was approved 5-0 upon motion by Sillin, second by Snyder.

Wayne Feiden met with the board to go over further review of our subdivision regulations. Corrections and comments as to his proposed changes were as follows:

- 1) Pg 7, plans required, is 10 too much?
- 2) Pg 10, E(4) Drainage calculations—"shall use", delete are generally
- 3) Pg 11, lighting—"discouraged"-do we want that language?
- 4) Pg 25, "As" built, not a built
- 5) Pg 28, Certification, is the language too strong? Could be onerous for a smaller developer.
- 6) Pg 29, create 15-25%? 15 or more? Minimum 1 unit?
- 7) Design standards—see notes in the draft
- 8) Pg 3 C 1, "is", not it.
- 9) Pg 4 F Approval under the subdivision control law not required

Minutes of 6-9-09 were approved 5-0 upon motion by Snyder, second by Schneider.

Adjourn at 9:47

**SUNDERLAND PLANNING BOARD
MINUTES OF 8/11/09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

Re-done A.N.R. for Delta Sand & Gravel for land off 116 was approved by the board on a 5-0 vote. Motion to approve was made by Schneider, second by Sillin.

A.N.R. for Kulesa for land off Plumtree Rd was approved 5-0 upon motion by Cranshaw, second by Schneider.

The minutes of 7/14/09 were approved 5-0 upon motion by Schneider, second by Snyder.

The board went through a front to back review of the possible subdivision bylaw changes. Snyder will send the boards work to Wayne Feiden for final input from him.

Sillin asked the board to be ready at our next meeting with all thoughts on possible areas to add/delete commercial zones.

Adjourned at 10:03 p.m.

**SUNDERLAND PLANNING BOARD
MINUTES OF 9-8-09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

Minutes of 8/11/09 approved 5-0 upon motion by Snyder, second by Schneider.

The board continued discussions about expanding the commercial district and expunging currently zoned commercial areas which are not buildable.

Maps showing multiple areas of possible new commercial were shown and the board members all gave input into what their preferences were and then tried to identify areas of agreement. The hope is to present at least some properties to the next annual town meeting for consideration.

An update on the town's progress towards affordable housing will be sent back to the state by Roscoe.

Next meeting will start at 6:30 p.m. Peggy Sloan will be coming to speak about green communities grant initiatives.

Adjourn: 9:23

**SUNDERLAND PLANNING BOARD
MINUTES OF 10/13/09 6:30 P.M.**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

The minutes of 9/8/09 were approved 5-0 upon motion by Schneider and second by Snyder.

An A.N.R. submitted for the Zak property on Hadley Rd was approved 5-0 upon motion by Cranshaw and second by Sillin.

There was a brief discussion led by Chase Emmons of the town's energy audit by the Seaman's Co.

The Planning Board/Energy Committee meeting with Peggy Sloan of FRCOG was postponed. Roscoe will contact Sloan to arrange.

Sillin gave a presentation of areas under consideration for expanded commercial zoning. The board had lengthy discussion about this including an attempt to have consensus about which areas could be "phase one" to be brought to town meeting. Three areas were the focus of the board: School St, land around Cliffside Apts and land around Plumtree Rd and Rte 116.

The board discussed the implications of the Attorney General's denial of major portions of the zoning changes made at annual town meeting. The AG's denial referred to a requirement that submittals of major residential development include a second, more flexible, non-standard option for the board to consider and would have allowed the board to choose which to approve. The board expressed disappointment that the town's attorney did not advise caution and point out established case law prohibiting this type of zoning. The clerk will call the AG's office and clarify some aspects of the ruling.

Adjourn 8:32 p.m.

**SUNDERLAND PLANNING BOARD
MINUTES OF 11/10/09**

Roscoe
Cranshaw
Schneider
Sillin
Snyder

An A.N.R. for 108 acres of the Gunn property off of Rte 47 was approved 5-0 upon motion by Schneider, seconded by Snyder. This A.N.R. allowed the land to be put into the A.P.R. program.

Clerk read a letter from the Conservation Commission announcing a wetlands determination hearing for Evelyn Radowicz on 11/17/09.

The meeting with the town Energy Committee and Peggy Sloan of FRCOG was postponed. Roscoe will notify everyone of a new date for the meeting.

The minutes of 10/13/09 were approved as amended 5-0 upon motion by Schneider, seconded by Snyder.

The board discussed an application to the ZBA for removal of a special permit stipulation requiring owner-occupancy of a duplex. The special permit was granted in 1980. Members noted that there appears to be non-conforming frontage on the lot and that the town zoning bylaw no longer contains a requirement of owner-occupied duplexes.

Roscoe will talk to Peggy Sloan of FRCOG about the Attorney General's denial of portions of the bylaws passed at the last town meeting. The board was under the impression that the town of Leverett had bylaws in place similar to what was denied.

Snyder updated the board on some editing changes to the Wayne Feiden subdivision review. She will send Feiden the board's latest comments and ask for some clarifications. Roscoe will check AASHTO for sight distance recommendations for a possible change to 194-10 D. Sillin will check some inclines on town roads to give the board some reference to decide what allowable grade to use in 194-5C(6) and 194-10C(1).

Adjourn: 9:13