

Minutes approved
11/13/17

Minutes of the Town of Stockbridge Ad-Hoc Zoning Bylaw Review Committee

Date of Meeting: October 23, 2017 5:30 p.m.

Committee Attendees: Kate Fletcher (co-chair, PB), Ruth Pearce (co-chair, PB), John Hart (CC), Jim Murray (ZBA), Carl Sprague (HPC)

Audience: Barney Edmonds, Julie Edmonds, Charlie Kenny, Barbara Kenny, Anita Schwerner, Jim Mann, Jackie Mann, Kate McCormick, Marie Raftery, Suzie and Stuart Hirshfield, Patty Caya, Joshua Peyron, Sean Ferry, Christine Rasmussen, Terry Flynn

Welcome: Kate Fletcher welcomed the committee members and the audience to the second meeting of the ad-hoc committee.

Minutes of previous meeting: First item on the agenda was the minutes of the September 25, 2017 meeting. The minutes were approved unanimously. Ruth will ask Danielle to put them on the town website.

Review of board functions:

Jim Murray, Zoning Board of Appeals (ZBA) – Review variances and appeals of the Building Inspector’s bylaw interpretations. Seven members and two alternates. Most decisions by simple majority or 2/3. Variances require showing of hardship. ZBA does not have special permitting authority and cannot apply conditions on appeal. Most common are variances related to construction proximity to the lot line and accessory use.

A question was raised by the audience about how special permit authority is determined. Committee will check whether there are any requirements under MGL.

Carl Sprague, Historic Preservation Commission (HPC) – No historic preservation district. No history of an HPC in Stockbridge until a few years ago. HPC is concerned with buildings over 50 years old that are historically significant that are proposed to be significantly altered or demolished. The committee acts as a filter for the planning board.

John Hart, Conservation Commission (CC) – Enforcement of the Berkshire Scenic Mountain Act and the Wetlands provisions protecting endangered or preserved species of the MGL and Town Bylaws. Conservation Commission is consulted on any building permit and determines at the initial site visit that there is no CC involvement OR that it must come to a hearing. CC also acts as a consulting service to residents who come to the meetings – 2nd and 4th Tuesday each month at 7 p.m.

Kate Fletcher, Planning Board (PB) – PB works within the bylaws and bylaw purpose applying them to applications that come before the Board. We have responsibility for the Lake Pond Overlay District (LPOD) which is any area within 150 feet of the lake or river, we have some special permit authority and we have responsibility for signs and subdivisions.

Definitions Review

This section of the minutes is accompanied by a marked electronic copy of the Zoning Bylaws (see attached).

1. Suggestion 1: Add annotation to each bylaw amendment showing when it was amended and when it was approved by the Attorneys General (AG).
2. Produce a cross-reference in the definitions section showing where the definitions are used.
3. Create an online version of the bylaws that allow for look-up and cross-referencing.
4. Need to review the definitions not just for errors in the definitions that are there, but to add definitions that may be missing and to consolidate where definitions are included in specific sections of bylaw rather than in the definitions section.
5. Make a comparison with MGL definitions

Any other business

Marked up copy from Building Inspector: This has not been received yet. Ruth will ask Gary Pitney, chair, Planning Board, to make the request to Building Inspector on our behalf.

Final version of Zoning Bylaws: Will it be a paper document, or will there be a smart online version too? Committee agreed that the goal would be an easily usable online version.

The Committee voted to close the meeting at 6:40pm

Actions:

Action	Owner	Due Date	Status
Follow up with Town Building Inspector with a view to receiving marked up Bylaws by October 6 th for the committee to review	John Hart	10/2/17	Request made to PB Chair to follow up
Committee to review definitions and be ready to discuss	ALL	10/23/17	In progress
Committee to review the Zoning Bylaw Purpose and general content	ALL	10/23/17	Complete
Speak to Town Administrator about Communications options	Ruth	10/3/17	Complete
Minutes be put on website	Ruth/Danielle	10/26/17	Complete
Request for electronic/editable copy of bylaws for tracking suggested review & changes	Ruth/Danielle	10/26/17	Received
Contact BRPC for information about GIS updates and definitions	Kate	11/1/17	
Check with BRPC on how to get our definitions cross-checked against MGL	Kate	11/1/17	
Check whether we can add diagrams to illustrate some of the more complicated	Kate	11/1/17	

definitions and requirements			
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Next meeting: Monday November 13th, 5:30pm