

Buckland, MA Planning Board Meeting Minutes

October 13, 2022

Buckland Town Hall, 17 State St., Buckland

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Meeting Agenda

1. Approval Not Required (ANR) for Casey Goddard, North Street
2. ANR for Kevin Dee, Walker Road
3. Discussion of bylaw numbering project, as communicated by town clerk
4. Review of short term rental bylaw draft
5. Review of previous meeting minutes
6. Items unanticipated by chair 48 hours in advance of meeting
7. Schedule next meeting
8. Adjourn meeting

Attendees

John Gould, co-chair

Michael Hoberman, co-chair

Jon Wyman, member

Andrea Donlon, member

Casey Goddard, applicant, Conway

Dena Willmore, Buckland, public and member of town bylaws committee

Co-chair Michael Hoberman opened the meeting at 6:35 pm.

Items

1. Approval Not Required (ANR) for Casey Goddard, North Street

PB members reviewed plans to create separate Lot A for a property at North St. and Rand Rd. Mr. Goddard noted the surveyor had confirmed adequate frontage exists within an acceptable margin of error (199.81'), and that a successful perk test had been performed. The ANR was signed by all members of the PB.

2. Approval Not Required (ANR) for Kevin Dee, Walker Road

PB members reviewed plans to divide a "U" shaped lot, creating Parcel 1B to be sold to the abutting property owner. Confirming both properties meet minimum square footage and frontage requirements, the ANR was signed by all members of the PB.

3. Discussion of bylaw numbering project, as communicated by town clerk

Dena Willmore, along with the Town Clerk and others, is working on a project for a searchable online version of the town's bylaws. The work is funded by a grant, and done by the company General Code who has a standardized way of numbering municipalities' codes. The searchable version will live on General Code's server, and new bylaws or changes will be numbered with the new system. Before going forward, the PB needs to approve the plan, including new numbering conventions and some new language.

Questions and comments from the PB

- Will some zoning bylaw language actually be changed - i.e., will "definitions" become "terms defined," and "section" become "article"? Can the PB request some language be retained?
- What is the goal of consistency? Is it consistent within Buckland's code, or consistent from one municipality to another?
- PB members noted Zoning subdivision regulation (1988 & Section IX 1994) only exists as a PDF, and will need to be typed into the system

Co-chair Gould moved, and co-chair Hoberman seconded: the PB opts to accept the numbering changes, but expresses a desire to choose nomenclature (i.e., preferring section to article, etc.). All voted in favor.

4. Review of short term rental bylaw draft

General Comments:

- A. Member Wyman reported hearing concerns about limitations on non-owner occupied residential dwellings. Co-chair Gould encouraged all PB members to communicate to the public the PB will be holding public hearings on the proposed bylaw, which will also be voted on at Town Meeting.
- B. Member Donlon asked what if the short term residential rental is on the property, but in a detached building, noting the descriptions in the chart use the language of "in an owner ..." Perhaps the language should be "property" or "ADU" or add clarifying language to the introduction to 4-9?

Specific Comments:

- C. # 1 - In regard to the term "neighborhood character," member Donlon noted this could be code language for restricting diversity. Co-chair Gould believed it related exclusively to architectural aesthetics.

Co-chair Hoberman wondered if the phrase is used consistently throughout the zoning code. Co-chair Gould noted decisions about neighborhood character are subjective, and the special permit process

encourages flexibility on the part of the boards in response to public input.

Member Wyman noted, in the Performance Standards, numbers 2 - 9 are very specific, while number 1 is very general. Co-chair Gould commented this puts the onus to make the case equally on the applicant and the abutters, noting number 1 is a "foothold" into the process. Member Donlon wondered if number 1 is actually superfluous, as the building is already there.

- D. # 3 - Member Wyman questioned the formula regarding numbers of cars given the car-dependent area Buckland is.
- E. # 9 - Member Donlon asked what "pedestrian in scale" meant as a designation for lighting. Possible for other language to be used - "benefit of pedestrians," "minimal," or "not-industrial?"
- F. # 6 - Co-chair Hoberman asked if there could be more clarifying language to indicate this is about large events. Member Donlon commented the intention is to try to prevent the site becoming a venue for frequent events. Should the number of events allowed per year be specified? Eliminate #6 as other standards would preclude it? Perhaps different wording? Member Wyman asked, what if the property is owner-occupied as a primary residence, but the owner vacates and subsequently rents the entire property for a large event? Co-chair Hoberman wondered if the parking standard would become a limitation.
- G. Speaking as a member of the public, Mr. Goddard (resident of Conway) asked how "non-owner occupied" would be determined? Co-chair Gould noted the background for this comes the process which resulted in the ADU bylaw, commenting absentee owners do not successfully address the housing needs of Buckland, but those who live on the property have "skin in the game." Members Wyman and Donlon noted the proposed bylaw builds on how town residents responded to the housing survey, and what the PB heard in public hearings for the ADU bylaw. Mr. Goddard asked how this would affect properties already operating as non-owner occupied short term residential rentals; co-chair Gould responded that bylaws are not retroactive. Member Donlon noted the town is now receiving revenue from short term residential rentals, which will be affected by any new bylaw.

PB members requested Peggy Sloan offer a definition of owner-occupied, particularly addressing residents who rent their properties seasonally.

6. Other Business

Co-chair Gould reported the Select Board would like to meet directly with Peggy

Sloan concerning the flood plain bylaw and designation of an administrator.

7. Minutes

Member Donlon moved to approve the minutes of July 26; co-chair Gould seconded; all voted in favor.

Boards clerk Alison Cornish noted the designation of "Collier Rd." in the July 12 minutes should have read "Hog Hollow Rd.," which will be corrected in the official record.

8. Member Donlon moved to adjourn the meeting; co-chair Gould seconded the motion; all voted in favor. Meeting adjourned at 8:19 pm.

Respectfully submitted, Alison Cornish, Boards Clerk

Documents Referenced

Second Draft (9/15/22) Buckland Short Term Residential Rentals