

Tuesday, August 1, 2023, 6:30 pm
Buckland Town Hall, 17 State St., Buckland

JG
AD
MH
AW
MO
ALG

Meeting Agenda

1. Go through Planning Board mail in mailbox
2. New member info, open meeting law, and planning board list of priorities
3. Review draft floodplain bylaw
4. Review minutes from previous meeting
5. Decide whether next meeting on Tuesday, August 15 at 6 PM will be hybrid or remote
6. Discuss short term rental bylaw
7. Other topics unanticipated by Chair(s) 48 hours in advance
8. Adjourn meeting

Attendees

John Gould, co-chair
Michael Hoberman, co-chair (departed meeting as noted in minutes)
Mariel Olcoz, member
Adriana Isaza-Geary, member
Andrea Donlon, member
John Wyman, member (arrived meeting as noted in minutes)

Co-chair John Gould opened the meeting at 6:36 pm

1. Go through Planning Board mail in mailbox

Members read and shared correspondence relevant to the PB's work, including notices from PBs in neighboring communities; correspondence from Mass Audubon; an inquiry for info from the PB regarding ANR; etc.

Co-chair Gould oriented new PB members to the PB's filing practices.

(Member Jon Wyman arrived meeting)

2. New member info, open meeting law, and planning board list of priorities

Both Mariel Olcoz and Adriana Isaza-Geary have now been sworn in as members of the Planning Board, and both have completed their Conflict of Interest training.

Member Wyman will continue to represent the town at the regional planning board meetings, and will notify other Planning Board members when he is unable to attend in case others are available.

Co-chair Gould will seek clarification from Heather Butler and/or Town Counsel of

information on Open Meeting law shared by select board member Livingston in regard to deliberation exceptions and their applicability to the work of the Planning Board.

In terms of priorities, the Planning Board will be addressing short-term residential rentals; floodplain bylaw; and trailer bylaw.

Member Andrea Donlon said that she had contacted Janet Sinclair, who had previously expressed interest in attending an upcoming Planning Board meeting to discuss regulating battery storage facilities. Member Donlon stated that Sinclair needed more preparation and would attend a meeting in the upcoming months. Member Donlon said she told Sinclair she wasn't sure where the board might put that effort in its priorities. The PB will wait to hear more from Sinclair; member Donlon will check in from time to time with her.

3. Review draft floodplain bylaw

Co-chair Michael Hoberman will take the lead, working with Peggy Sloan at FRCOG. Questions from PB members on the June 14, 2022 draft bylaw:

- Why is the sentence at the end of section 7.2 highlighted?
- In section 7.4, first appointee will be Heather Butler; who will be the second?
- In section 7.7, questions about the Conservation Commission's role
- What about requirements which are in the existing Section 7 but not in the preliminary draft? How will building of new structures be regulated? Will the new bylaw be more lenient or more stringent than the current Section 7 that this bylaw will replace?

4. Review minutes from previous meeting

Co-chair Gould moved to approve the minutes as edited by member Donlon; member Wyman seconded the motion; all voted in favor.

5. Decide whether next meeting on Tuesday, August 15 at 6 PM will be hybrid or remote

Ms. Sloan will be attending the meeting remotely. It was decided that if the select board room was available at the meeting time, the August 15 meeting would be a hybrid meeting; if the room is not available, the meeting would be an all remote meeting.

(Co-chair Hoberman departed the meeting)

6. Discuss short term rental bylaw

Co-chair Gould reviewed progress made, and questions still unanswered, on the

STRR draft bylaw. PB members offered comments and questions:

- A. It would be good to understand the whole process of establishing a STRR (inspections, registration, fees, etc.)
 - B. Some communities have opted to address STRRs through a zoning bylaw, and others through a general bylaw
 - C. If a STRR were "grandfathered," would the permission go with the owner or the property? Member Wyman shared that according to the building code the building use is grandfathered
 - D. Details were shared about recent actions on STRR regulation in S. Hadley
 - E. There are some new models of vacation use that draw on the time-share model; possibly "short term stay" would be more accurate language than STRR; although the intro to the draft bylaw explicitly states "no corporate/LLC owners."
 - F. A letter from Brad Walker, owner of The Mill, was received, and opened a conversation about commercial activity and how it might be encouraged in commercial areas rather than in residential zones. Could the bylaw allow non-owner occupied STRRs in commercial zones with a cap in the number of units, and in residential areas, only owner-occupied units allowed? This would require additional language for commercial and historical industrial zones. All this would be done by special permit.
 - G. Concerns have been expressed about a cap on the number of rentals in the town; also parking issues.
 - H. Is there any accounting of the number of apartments in Buckland, and how many of those units are in the commercial area?
 - I. If there are caps, how can enforcement be accomplished?
 - J. It may take more than one attempt to pass a new bylaw, and a public information session would allow the PB to take a few "straw polls"
 - K. Suggestion that the PB focus its attention on which questions are most important for the meeting with Ms. Sloan, including clarification to the chart of uses; the process of establishing, permitting and registering STRRs; the number of existing apartments in the village commercial zone; how to define owner-occupied; enforcement; what kind of taxing applies; and preparing for a public information session
7. Other topics unanticipated by Chair(s) 48 hours in advance
- Correspondence in regard to a lot on North St. determined to be questions for the building inspector. Can be replied to with links to relevant information.
 - Draft Notice of Decision form - tabled for next meeting
8. Adjourn meeting

Member Olcoz moved to adjourn the meeting; member Adriana Isaza-Geary seconded the motion; all voted in favor; meeting adjourned at 9:20 pm.

Respectfully submitted, Alison Cornish, Boards Clerk

Documents Referenced

Town of Buckland Proposed Floodplain Overlay District Bylaw to replace the current Section VII Floodplain Overlay District, Preliminary Draft 6-14-22

Buckland Short Term Residential Rentals, Draft 11-21-22