

## Planning Board Minutes

January 7, 2019, History Room Library 7 pm

**Members Present:** Jenks, Wilson, Dewey, Eiseman (recording)

**Others present:** Kristin DeBoer, Cam Weimar

**Minutes** of 12/10/18 were approved. Jenks reminded Eiseman to append letters from residents Rabinowitz and Miller to minutes of 12/2/18.

**Announcements:** Jenks noted that she and Eiseman had met with Patty Gamborini on 12/17/18 in a working session to provide Gamborini with the information the Board had discussed and approved at previous meetings.

**Stormwater Bylaw.** No decisions were made and the Board is awaiting a final draft of the proposed storm water bylaw which we expect to bring to Spring Town Meeting. The Board agreed that we must meet jointly with the Conservation Commission to discuss how the stormwater bylaw will be administered. Dewey expressed concerns that the stormwater authority should have more members with the Planning Board and others having clear input responsibilities, and not be solely left in the hands of the Commission.

**Pavilion Discussion.** Jenks indicated that in March someone from the CPA funded pavilion project will attend a meeting to discussion placement of the structure. This led to a brief discussion of other uses the town-owned property that might be appropriate, such as a small store, cafe or other community-related uses. Understanding that this project has already been approved by Town Meeting, Eiseman emphasized that placement and complete understanding of the boundaries of the property are critical before the Board agrees to placement of this structure.

**DLTA Grant application.** The Board vetted and edited Jenks' draft which is now ready to be submitted. The Board is seeking assistance in developing an applicant-friendly how-to guide for new projects in the Town Center, navigating requirements, process and forms.

**Discussion of proposal for land division on Amherst Road and Cadwell St.** Cam Weimar presented his current thinking for his property which no longer includes a cafe since parking would be a problem. He sought direction on how to proceed to gain approval for a project he sees as increasing affordable housing stock in the Village Center mixed use district. He owns a house that sits on 1.2 acres which can now be divided into three lots with sewer and water connections available under the new VC zoning. The Board explained to him that it would be advisable to get the property surveyed as a first step and then, after the ANR division is approved, come back with his proposal for the new house depending upon whether it is an accessory apartment structure or a two-family home— a net zero structure in either case. He is interested in available solar incentives and wants to try to build in the fall. Eiseman reminded him of the stormwater management issues and indicated the process he will need to follow involving the Conservation Commission to determine whether there are wetlands in or near the site that might be affected.

The Board agreed that all members should try to attend the next Housing Committee meeting to discuss that committee's current plans and focus given the situation with tax increases and the seemingly incompatible push for affordable housing. Wilson and others pointed out that Pelham is never going to be "affordable" given its commitment to land and water protection which, in combination with a trend toward living closer to town centers or in communities with amenities that Pelham cannot provide, has the result of making Pelham a more "exclusive" community. Wilson noted that if the 40B project is approved, if it is not marketed and taxed at market rate, the town will actually lose money because the cost of services will increase.

**Preliminary Discussion on resolution of the zoning issues** brought to the Board's attention by neighbors in the VC NR district. Kristin DeBoer presented her groups' current suggested changes and the draft article that they may seek to put on the warrant for Spring Town Meeting if the Board's solutions are not satisfactory to them. Jenks stated her desire to have an amicable resolution and other board members pointed out that the solutions to neighborhood concerns might not be exactly what is being proposed. Eiseman indicated her preference for the order of articles to be discussed at Town Meeting and provided some examples of changes to the new zoning document that she would support. The Board agreed that there are several issues that should be addressed, but with time running late, the full discussion will be held at the next meeting where we expect to generate language and flag items that might be altered. The board agreed that with such massive changes to zoning, there was bound to be some need for corrections, so we will review but want to take care that these are all corrections that the Board can support rather than changes that do not reflect the actual vision for the Town Center. The Board has agreed to hire Dillon Sussman to draft language for our review pending the discussion of desirable changes at the next meeting.

Documents presented by DeBoer at the meeting are attached.

Meeting adjourned at 8:30 pm



**VOTER PETITIONED ARTICLE FOR TOWN MEETING**

*To the Board of Selectmen:*

*We, the undersigned registered voters of the Town of Pelham, hereby petition the Board of Selectmen pursuant to MGL Ch. 39, S.10 to insert the following articles into the Warrant for the Annual Town Meeting to be held in May 2019:*

To see if the Town will vote to amend the Zoning Bylaw, Chapter 125, to prohibit restaurants, bars, and entertainment in the Village Center Neighborhood District (VC-N): by modifying Table 1, Schedule of Use Regulations, "Restaurant/Bar/Entertainment with building footprint less than 2,500 sq. ft.", by deleting "SP/SPA/PB" and substituting "N, No-Use Prohibited" or take any other action relative thereto.

Printed Name	Street Address	Signature
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VOTER PETITIONED ARTICLE FOR TOWN MEETING

2 To the Board of Selectmen:

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To see if the Town will vote to amend the Zoning Bylaw, Chapter 125, to prohibit retail stores in the Village Center Neighborhood District (VC-N): by modifying Table 1, Schedule of Use Regulations, by deleting "Retail" from "Retail/Office/Professional Service/Personal Service with building footprint of less than 2,500 square feet," and by creating a new row for "Retail with building footprint less than 2,500 square feet" and by inserting "No- Use Prohibited" under "Village Center Neighborhood," or take any other action relative thereto.

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To see if the Town will vote to amend the Zoning Bylaw, Chapter 125, to prohibit restaurants, bars, entertainment, and retail stores in the Village Center Neighborhood District (VC-N): by substituting the words "professional offices" for "commercial and institutional uses" in "Article II Zoning Districts, A. Purpose of Districts" or take any other action relative thereto.

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## ARTICLE II Zoning Districts

### A. Purpose of Districts:

#### Village Center Mixed-Use District (VC-MU)

The purpose of the Village Center Mixed-Use District is foster the development of a village center that features a mix of civic, commercial, institutional, residential, and open space uses within close proximity to each other, while ensuring that development reflects patterns of development characteristic of traditional New England village centers, including the design of buildings, sites, streets, and public spaces.

#### Village Center Neighborhood District (VC-N)

The purpose of the Village Center Neighborhood District is to support the enhance the residential neighborhood adjacent to the Village Center by providing opportunities for diverse and innovative housing options, providing opportunities for home occupations and small-scale professional offices, and improving the walkability of the district, while ensuring that development reflects patterns of development characteristic of residential neighborhoods surrounding the centers of traditional New England villages, including the design of building, sites, streets, open spaces, and pedestrian accommodations. A further purpose of this district is to support the economic viability of the village center and allow the gradual expansion of the village center.

#### Village Center Rural Edge District (VC-RE)

The purpose of this district is to preserve rural character and protect watersheds, recreational land, natural resources, and wildlife habitat (including BioMap Core Habitat designated by the Commonwealth of Massachusetts), while fostering innovative neighborhood design that provides diverse housing options, supports low impact non-residential uses, and provides access to high quality open spaces.

Kristin DeBoer 1/8/2019 5:45 PM  
Deleted: commercial and institutional uses

**Table 1 Schedule of Use Regulations**  
**[Amended 5-9-1998 ATM, Art. 28; 10-25-2006 STM, Art. 11; 5-5-2012 ATM, Art. 37]**

Land Use Classification	Zoning District					Standards and Conditions
	Residential	Limited Business	Village Center Mixed-Use	Village Center Neighborhood	Village Center Rural Edge	
Other educational or childcare use not subject to the limitations on municipal regulation in MGL c. 40A Section 3	SP/SPA/ZBA	SP/SPA/ZBA	SPA/PB	SP/SPA/PB	SP/SPA/PB	
Cemetery	SP/SPA/ZBA	SP/SPA/ZBA	SP/SPA/ZBA	SP/SPA/ZBA	SP/SPA/ZBA	
<b>Commercial Uses</b>						
Office/Professional Service/Personal Service with building footprint less than 2,500 square feet	N	N	SPA/PB	SP/SPA/PB	N	
Retail with building footprint less than 2,500 square feet	N	N	SPA/PB	N	N	
Retail/Office/Professional Service/Personal Service with building footprint greater than 2,500 square feet	N	N	SP/SPA/PB	N	N	
Restaurant/Bar/Entertainment with building footprint less than 2,500 square feet	N	N	SPA/PB	N	N	
Restaurant/Bar/Entertainment with building footprint greater than 2,500 square feet	N	N	SP/SPA/PB	N	N	
Hotels/Motels	N	N	N	N	N	
Vehicle-Oriented Uses	N	N	N	N	N	See definitions, § 125-34
Drive-Through Facilities	N	N	N	N	N	

Kristin DeBoer 1/8/2019 3:52 PM  
Deleted: Retail/

Kristin DeBoer 1/8/2019 5:41 PM  
Deleted: SP/SPA, PB