



Deerfield Selectboard/Planning Board

Monday 17 July 2023, 7:00 pm

8 Conway Street, South Deerfield MA 01373

Deerfield Planning Board Minutes

Location: Remote on Zoom This meeting will be held remotely with adequate, alternative means of public access in accordance with House Bill Number 58 of the 193rd General Court, which extended the Governor's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. c.30A § 20, until March 31, 2025. Remote Meeting Connection noted below: Please click this URL to join.

<https://zoom.us/j/6200078930?pwd=Z2d6ZzNuMVhJMkJVT2VUYW9yaFhCQT09>

Members Present online: Denise Mason (chair,) Kathy Watroba, Emily Gaylord, Rachel Blain, Analee Wulfsuhle, Andrea Leibson. Absent Kathy Sylvester

Also Present: Peggy Sloan, FRCoG; Bob Walden, Building Commissioner; Pete Law, Chair Conservation Commission; Amy Hahn, Building Assistant.

1. Chair Mason opened the meeting at 6:00.

2. Review minutes

3. Lot Width Definition

Simplification seems in order. Concerns about flag lots addressed by Walden.

4. Floodplain bylaw review section 4300

The state regs impact the local bylaws. Changes in local regs. will be reviewed by state reviews. Floodplain maps are out of date (1980, but with revised maps included they will be updates. Only FEMA and FERMA maps will be considered. Updates maps should be with the town clerk. FEMA website is a source, but the Franklin County maps are not recently updated (or helpful.)

4304 overlay district

4307, agricultural structures are now included in per state, previously exempt, are in conflict with 40A exemptions. Issue for town counsel to review.

Pete Law remarks on the ambiguity of these regulations. What identifies an agricultural use. Notes a recent case involving a new barn in floodplain where the ag use was sited as an exemption. Hahn notes 310 CMR.

There needs to be the designation of a Floodplain Administrator. It has to be a town employee; no training or licensing necessary.

Law relates that there is immediate need for this sort of administration.

Should the Con Com be the oversight/ Special Permit issuing board instead of the Planning Board?

Con Com meeting 27 July at 6:00, Planning Board members urged to attend. Scheduled as a joint meeting. No decisions will be made.

5. Hiring Consultants - related to #11 below.

Con Com should be added to the regulation along with Planning Board and ZBA. Should they have their own section in the Con Com bylaw or in the general bylaw. Perhaps this is a question for town counsel. There are standards of conditions that are included in a general guideline developed over the last few years for the Con Com.

Con Com is authorized by Wetlands Protection Act to hire consultants.

6. Information missing: Non-profit event article _____ of the General-by-Law. Mason will check with SB.

7. Flexible development has not been used. Sloan suggest leaving it in.

8. Remove graphic in Adult Use Overlay District.

9. Cap the size of retail on use table. Proposing a cap on retail in CII which goes up to 60,000 sq". (Football field 57,000)

10. Per Amy Hahn's suggestion: Would the planning board prefer to start the 60 days at the end of the public hearing, allowing for an adjusted time frame for the process from public hearing to writing decisions to reviewing decisions? section.5445

11. Adding in Administration, Section 5800

Clarity 5850 appreciated by board members, "The consultant shall be chosen by and report to the board," - including wording "in collaboration with administrative staff"

12. Section 3725, change of language, replace "shall require" with "may require."

13. Signage, Section 3200. Clarifying and consolidating within the bylaw. (Change to 3221 b.)

14. Section 3145, consideration for future parking lots and ratio of EV charging stations. This is for new construction and redevelopment.

15. Pulled in the Accessory Dwelling, Section 3900 and added to use table. Deleted old Section 2244.

16. Added new definition for Family and changed Multi-Family Dwelling to allow up to 4 units.

17. Mason suggests Added Boutique Hotel, in place of hotel and then offering a definition of Boutique Hotel. By right in TOD. The use table needs to add hotels and inns in CI and CII.

Suggested that we have a joint meeting with Planning Board and Selectboard to address a list of concerns related to the TOD (Tourism Overlay District) By right uses are not related to performance standards. Should we include performance standards? Consider Special Permit or Site Plan Review for list of permitted uses in the TOD. Commercial recreation is broadly defined.

18. Next step is to meet with Selectboard to review changes and to consider concerns about TOD. Then a public information session, before there is a move to a public hearing.

The different grouping of changes will help us present to the public which are housekeeping and which are substantial, ie. Floodplain or Hiring of Professional Consultants. The concerns about the TOD will need to be reviewed by a joint meeting of Selectboard and Planning board first. Potential date 26 July.

Public information meeting potentially scheduled for September.

Motion to adjourn, Rachel Blain, seconded Analee Wulfkuhle.

Vote: 6-0-0

Respectfully Submitted,

Rachel Blain, Planning Board Clerk