

Shutesbury Zoning Board of Appeals Meeting Minutes
December 10, 2018 Shutesbury Town Hall

Zoning Board members present: Chuck DiMare/Chair, Tom Williams and Jeff Lacy

Zoning Board alternate present: Andy Berg

Staff present: Linda Avis Scott/Land Use Clerk

DiMare calls the meeting to order at 7:09pm.

Lacy moves and Williams seconds a motion to approve the 11.29.18 meeting minutes as presented; motion passes unanimously.

Case 18.008: Site Plan Review 297 West Pelham Hill Road:

The draft site plan review decision is reviewed by the Board. The plans sited, findings and conditions are read into the record by Lacy (see file). Williams moves the ZBA submit the site plan review decision as written; Lacy seconds the motion that passes unanimously. DiMare signs the document to be delivered to the Town Clerk 12.11.18.

There are no requests for education and guidance.

New Business:

Lacy will report to the Planning Board about the possibility of the Zoning Board taking on some of the permitting related to marijuana establishments. Lacy continues: because the moratorium will lapse 1.1.19, he conferred with Town Counsel Donna MacNicol – although there is nothing specific to cannabis establishments in the *Town of Shutesbury Zoning Bylaw*, an application might be a customary home occupation permitted by right or a major home occupation by ZBA special permit; if there is a stand-alone use, the establishment would need its own lot and could fit under light industry allowed in the Rural Residential or Forest Conservation districts by Planning Board special permit; “other retail business or consumer service” would be permitted by the ZBA. Lacy concurs with MacNicol that an application that is submitted subsequent to the expiration of the moratorium, could fit within the current bylaw and he will propose the Planning Board adopt this approach. DiMare: this approach makes sense. Lacy notes that “other retail business or consumer service” is an expansive category; reads the definition of “Retail Business” into the record. DiMare notes that the definition could be amended to include “cannabis business”.

There being no pending cases, a next meeting date is not scheduled.

At 7:21pm, Berg moves and Williams seconds a motion to adjourn the meeting; motion passes unanimously.

Respectfully submitted,
Linda Avis Scott
Land Use Clerk