

Shutesbury Zoning Board of Appeals
Fiscal Year 2019 Annual Report

The Zoning Board of Appeals (ZBA) has jurisdiction over approval and/or the appeal process as listed below. These include many of the local land use approvals that may be needed by homeowners, landowners, and/or any businesses to obtain, to locate, construct, expand, or modify their site and physical infrastructure.

These approvals include:

- Site Plan Review: Often required prior to application for a building permit in order to review aspects of site design, access/egress, parking, drainage, landscaping, buffering, etc. Uses available with only SPR are considered “as of right”.
- Special Permits: May only be granted after a public hearing, and are discretionary, allowing the approving board great latitude to deny or strictly condition an approved permit.
- Zoning Variances: The purpose of a zoning variance is to grant relief from the hardship of an otherwise restrictive dimensional requirement (shape of the lot, soils, or topography) for good cause and without adverse impacts on the neighborhood.
- Appeals from Building Inspector Decision: In cases where an aggrieved party believes that a zoning decision has been wrongly issued or wrongfully denied by the Building Inspector, the party may appeal the decision to the ZBA.

Activities during fiscal year 2019:

- Nine meetings including a joint meeting with the Planning Board to discuss the location of a residential ground-mount solar installations on lots separate from residential use.
- Issued four Site Plan Review decisions for residential ground-mount solar array installations.
- One Special Permit application was withdrawn due a change in the project location.
- One Site Plan Review application was withdrawn due to a problem with project location.
- Five education and guidance consultations.
- Site visits related to specific applications.
- Approval of an “Opinion regarding interpretation of language in the Zoning Bylaw of Shutesbury Section 8.10 Ground-Mount Solar Electric Installations” composed by Tom Williams and the relevant revision of the Site Plan Review application.

Near the end to the fiscal year, the ZBA regretfully accepted the resignation of long serving member Tom Williams. At that time, Andy Berg became a full member of the Board. As fiscal year 2020 begins, Berg’s movement to full membership and the death of David Dann causes the Board to need new alternate members.

ZBA membership at the end of June 2019: Chuck DiMare/Chair, Jeff Lacy, and Andy Berg. Linda Avis Scott serves as Land Use Clerk to the ZBA.