

## Shutesbury ZBA Meeting Minutes

Meeting held in conjunction with the Shutesbury Planning Board (PB)

Meeting opened: 1/10/2022, 7:30 PM

Meeting adjourned: 1/10/2022, 8:53 PM

Attendees: Charles DiMare (Chair), Jeff Lacy, Herb Gilmore

Virtual meeting called to order by DiMare with announcement that the Governor's COVID-19 mandates as amended are no longer in effect and that the meeting is being recorded

Minutes of 7/29/2021, 11/08/2021 and 12/06/2021 were unanimously approved

Summary of today's meeting with PB:

1. Lacy (ZB/PB) presented results of his query to the Mass Planners Listserv regarding cases of redevelopment of lakeside cottages in their areas. Lacy did not find any consistency in the responses and there does not appear to be a unified statewide plan in dealing with such cases. For example, one planner thought that increasing from a 1 to 2 story would constitute an increase in non-conformity and thus would require a special permit; another (from Provincetown MA) felt that "water views are generally not protected" and that "a structure generally has the right to go up to the height limit assigned in the dimensional requirements of the bylaw for the underlying zoning district".
2. Lacy (ZB) agreed to pose a query regarding this matter to the Massachusetts Municipal Lawyers Association (MMLA) after consultation with Bob Ritchie and report back to the PB/ZBA at next meeting on 2/14/2022. DiMare (ZB) requested that the query include the views of Thaddeus Soule the Provincetown planner (see above).
3. DiChairi (PB) discussed an amendment to Section 6.1-3 of the Zoning Bylaws that he had drafted. After lengthy discussion (including input from two members of the public who live on Lake Wyola) of the proposed amendment, the reorganization of items in that section and some of the wording of it was agreed to by unanimous vote (of both PB and ZBA members); but any substantive changes (including definition of

neighborhood and dimensional particulars) be discussed further at the next combined ZBA/PB meeting.

4. DiMare (ZB) in particular and the two above-mentioned Lake Wyola residents agreed that input from the residents of the Lake is an important aspect of any substantive amendment to the Bylaws regarding the Lake District (LD). All members agreed that such input was important.
5. Bonnar(PB) proposed that the discussion of increasing the ZB from 3 to 5 members be discussed at the next combined meeting on 2/14/2022 and all PB/ZB members agreed.

Meeting was adjourned by Chair DiMare, agree to by unanimous voice vote