

New Marlborough Planning Board
Wednesday, May 21, 2014

Attendees: Jamie Mullen, Chair; Members: Holly Morse, Charlie Parton, Patricia Hardyman, and Judy Hattendorf

Call to Order: 7:01 pm.

Review of minutes – Minutes were approved as corrected.

Mail: Board of Selectmen Notice by Great Barrington: Public hearing Monday, June 9, 2014 7 PM. Special permit application of the Fairgrounds Community Redevelopment at 659 Main Street GB for a community center use in a B-2 zone and associated work in a floodplain in accordance with Sections 3.1.4B(6) 9.1 and 10.4 of Great Barrington Zoning Bylaw.

Old Business:

1. Re-organization – Mr. Mullen nominated Patricia Hardyman as Chair, Holly as Vice-Chair, and Judy Hattendorf as Clerk. Jamie reviewed the roles of the Chair:
 - Set agenda – submit to Clerk;
 - Maintain flow of meeting and discussion; and
 - Speak for the Planning Board at public meetings and represent public face of the Board.

Charlie pointed out the tradition among NM boards, etc. has been to rotate the board position according to the senior member of the Board. Jamie noted that some Boards re-organize each year.

There was a Motion by Charlie to assign members numbers 1, 2, 3, 4, and 5 – henceforth roll the positions of the board forward. Discussed was how the rotation of the officers would be established. Jamie suggested that next year, for example: next year Holly would become Chair, Judy to Vice Chair; Charlie to Clerk;

Patricia assumed the role as Chair. Charlie thanked Jamie for his years of contribution, his hard work, effort and commitment to the Planning Board. Jamie reciprocated and thanked the PB as a team and individually. He provided the historical perspective from Patricia's and Holly's joining the Planning Board in 2006 to the present.

Old Business

1. Posting of the Minutes – In Patricia's discussion with Kathy regarding posting of minutes or the lack thereof, Kathy apprised Patricia of a web-site glitch and will have it corrected.
2. Clerical support for the PB – Patricia reported that Tara White suggested that the PB tap into BCC Work Study Student Program, which would not accrue any cost to the PB. Patricia will reach out to Tara to follow up with a job description that needs to be submitted to BCC. Holly will post the job description to Maggie's List. There is an approved PB budget of \$1200 if no applicants from the BCC Work Study Program apply for the position. How the person is signed on to the payroll is unknown.
3. PB Reporting coverage - Charlie will contact Larry to follow up with the NM5VN Board about providing coverage at the PB meetings as is done for the BOS.
4. Accessory Dwellings – There was a motion to move that the PB approve the modification of Section 3.3.1.2 E of 'maximum gross floor rather than "The maximum net living floor area

**Appendix A: Draft Accessory Apartment By-law
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shall not exceed 1200 square feet.” The modification was approved. (The draft modification will be forwarded to Town Counsel for review prior to a vote by the Town. It is anticipated the modification will be included at the 2015 annual meeting.)

(See Appendix A for the draft Accessory Apartment provisions as of May 21,2014.)

These revisions will be brought up at the next meeting for approval.

PB will discuss the next years PB Goals.

Patricia will submit the reorganization to the Kathy and BOS as well as the change of the day of the meeting to 6/11th and submit an agenda.

Meeting adjourned 8:55 PM

Appendix A: Draft Accessory Apartment By-law
May 21, 2014

3.3.1.3 Accessory Apartment

A. Purpose.

1. Add moderately priced rental units to the housing stock of the Town.
2. Provide homeowner(s) with a means of obtaining rental income, accommodation for caregiver(s), companionship, security and/or services, thereby enabling him/her to stay more comfortably in their homes.
3. Protect property values and the single-family residential character of neighborhoods by ensuring that accessory apartments are permitted ~~by Right~~ only on owner occupied premises.

B. Accessory Apartments. An accessory apartment may be permitted ~~by right~~, as an accessory use where the principal use of the lot is an owner occupied single-family dwelling.

C. Accessory Apartment, shall be subject to the following conditions:

1. An accessory apartment shall only be constructed within an existing principal building or structure, an existing attached accessory building or structure, or an existing detached accessory building or structure.
2. Only one (1) accessory apartment shall be permitted on a lot.
3. The gross floor area of an accessory apartment constructed within a principal building or structure shall not exceed forty percent (40%) of the gross floor area of the principal building or structure. The gross floor area of an accessory apartment shall not be less than 300 square feet. The principal dwelling unit shall not be reduced to less than 300 square feet.
4. The owner of the lot must occupy either the accessory apartment or the principal dwelling unit.
5. The principal or accessory structure or building that will contain an accessory apartment shall not be enlarged or extended in connection with the construction or modification of an accessory apartment, except to comply with building, safety or health codes as outlined in Section 3.3.1.2.A of these By-laws.
6. All parking for the occupant(s) of an accessory apartment shall be off-street in accordance with Section 7.3.1.4 of these By-laws.
7. An accessory apartment shall meet all applicable standards of the State Building Code (780 CMR) and the State Environmental Code, Title V (310 CMR 15.00) and subsequent revisions thereof.