

# Fall Workshops!



Massachusetts Department of Housing  
and Community Development  
100 Cambridge Street, Suite 300  
Boston, MA 02114

UMass  
Extension

CENTER FOR AGRICULTURE

## Citizen Planner Training Collaborative



# Fall 2013 Workshops

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at your next Board meeting!

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# Fall 2013 Course Descriptions

## **Roles and Responsibilities of Planning & Zoning Boards, Part 1 (MIIA credit)**

For new board members or building inspectors. This program will launch you into your role as a local official, introduce you to the functions of the two boards and the main tools of planning and zoning.

## **Roles and Responsibilities of Planning & Zoning Boards, Part 2 (MIIA credit)**

This session is designed to discuss more advanced topics for new board members or building inspectors. It will focus on the Open Meeting, Public Records, and Conflict of Interest Laws.

## **Writing Reasonable and Defensible Decisions (MIIA credit)**

Covers some key points that will assist boards in writing clear and defensible decisions. It describes criteria that should be contained in local zoning regulations and how these regulations relate to the types of conditions a board may impose when approving a special permit or variance application.

## **Introduction to the Subdivision Control Law and ANR (MIIA credit)**

Addresses the purposes of the Subdivision Control Law; important procedural requirements and board responsibilities when reviewing subdivision and ANR plans; adoption of subdivision regulations; review of ANR plans; access issues; preliminary and definitive plans; Planning Board waivers; modifying, amending and rescinding plans; enforcement; vested rights and zoning freezes.

## **Vested Rights and Nonconforming Structures and Uses (MIIA credit)**

Clarifies the difference between a nonconforming structure, lot and use. Explains the difference between a nonconforming and a noncompliant structure; familiarizes board members with issues regarding alterations to nonconforming structures or uses. Describes separate and common protection, as well as vested rights for subdivision and ANR plans.

## **The Next Chapter of 40B (MIIA credit)**

Presented in association with DHCD and CHAPA (Citizens' Housing and Planning Association), this training will explain the most up-to-date information regarding Chapter 40B and how your community can work with the comprehensive permit process. Planning and zoning board members, public officials, municipal staff, affordable housing developers, and housing advocates interested in this important issue are encouraged to attend.

## **Special Permits and Variances (MIIA credit)**

Do you know what makes Special Permits and Variances different? Learn about the key issues and the complex criteria for making decisions on Variances and Special Permits, as well as the important procedural requirements necessary to avoid constructive approval, including the importance of meeting timelines.

## **Creating Master Plans**

Local officials will learn why and how to prepare, adopt, and implement the master or comprehensive plan described in MGL Chapter 41, Section D. The session will identify the sections of a master/comprehensive plan and specific steps for carrying out the plan.

## **Zoning Exemptions (MIIA credit)**

The Zoning Act provides certain exemptions for agricultural, educational, childcare, and religious uses. Certain state and federal land and uses are also exempted from local zoning regulations. This session explains these exemptions, and the circumstances under which municipalities can enact and impose regulations.

## **Site Plan Review**

The Zoning Act does not contain any provisions for the review of site plans, however the process can be a very effective tool for a board to review the details, aesthetics and impacts of a potential project. This course explains the difference between site plan approval and special permits; the review process; the types of conditions a board may impose; reasons for disapproval; the appeal process and the types of information a town can require to be shown on a site plan.

## **Introduction to the Zoning Act (MIIA credit)**

For newer board members, this course addresses the history and purposes of zoning, adoption of zoning bylaws, variances and special permits, public hearing and voting requirements and other key procedural requirements.

## **Siting Renewable Energy Facilities**

More and more communities in Massachusetts are faced with issues pertaining to locating alternative energy facilities such as wind and solar energy. Learn how your community can address the issues that these developments raise, the application/permitting process and ways to make sure these facilities are compatible with the goals of your city or town.

## **How to Hold a Perfect Public Hearing**

This session covers legal and procedural requirements for conducting a public hearing. It also contains video clips to assist boards in avoiding constructive approvals, easing tension between parties over controversial projects and calming chaotic hearings.

## **Reading a Subdivision Plan**

Explains how topography, roads, lot lines, wetlands, drainage and utilities etc are delineated on a plan. Aids boards with the decision-making and negotiating process.

## **Planning with Community Support**

The course describes how to run a planning process—whether it is for a comprehensive plan or master plan—that will have the support of the community with the amendment and implementation process. It will explain how to work with or without consultants to make plans that result in local action.

## **NEW Land Use Regulation and Medical Marijuana**

This session will provide an overview of the Medical Marijuana Act that went into effect on January 1, 2013, and the Dept. of Public Health regulations. It will discuss the merits and limitations of adopting local zoning bylaws, general bylaws, and other local regulations that might be considered in regulating various aspects of medical marijuana treatment centers, "off-site" cultivation facilities, and home growing licenses. Legal implications of the statutory definitions, the Attorney General's determination that communities cannot outright ban such facilities, and the non-profit status of treatment centers on regulatory and financial concerns will also be discussed.

## **Thank You to Our Collaborators**

The Citizen Planner Training Collaborative expresses its gratitude to the Regional Planning Agencies and other organizations supporting the Fall 2013 sessions:

Berkshire Regional  
Planning Commission

Cape Cod Commission

Central Massachusetts Regional  
Planning Commission

Franklin Regional Council  
of Governments

Martha's Vineyard Commission

Merrimack Valley Planning  
Commission

Metropolitan Area Planning  
Council

Montachusett Regional Planning  
Commission

Northern Middlesex Council  
of Governments

Old Colony Planning Council

Pioneer Valley Planning  
Commission

Southeastern Regional Planning  
and Economic Development  
District

**Thank you to our moderators,  
trainers and workshop site  
coordinators. Special thanks to  
CHAPA and DHCD for coordinating  
the 40B workshops.**

**Major sponsors of the Fall 2013  
Workshops:**



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## **Save the date!**

The next CPTC Spring Conference takes place on Saturday March 15, 2014 at Holy Cross College in Worcester. Contact CPTC if you have suggestions for session topics.

Workshops designated "MIIA credit" entitle your town to credit under the MIIA Rewards Program towards public officials liability insurance.

# Citizen Planner Training Collaborative

## Fall 2013 Course Schedule

No.	Course Title	Day/Time	Trainer	Location/Sponsor
1	Land Use Regulation and Medical Marijuana	9/25/2013 7:00–9:00 p.m.	Kay Doyle, Esq., Kopelman and Paige, P.C.	OCPC, 70 School Street, Brockton Sponsor: Old Colony Planning Council
2	Land Use Regulation and Medical Marijuana	10/7/2013 7:00–9:00 p.m.	Kay Doyle, Esq., Kopelman and Paige, P.C.	NMCOG, 400 Church Street, Suite 200, Lowell Sponsor: Northern Middlesex Council of Governments
3	Vested Rights and Nonconforming Structures and Uses	10/9/2013 5:30–7:30 p.m.	Joel Bard, Esq., Kopelman and Paige, P.C.	FRCCOG, 12 Olive Street, first floor conference room, Greenfield Sponsor: Franklin Regional Council of Governments
4	Reading a Subdivision Plan	10/10/2013 7:00–9:00 p.m.	Joseph D. Peznola, PE, Hancock Associates	CMRPC, Union Station, 2 Washington Square, 2nd floor, Worcester Sponsor: Central Mass. Regional Planning Commission
5	Roles & Responsibilities of Planning & Zoning Boards, Part 2	10/10/2013 7:00–9:00 p.m.	Jessica Allan, AICP, Easthampton City Planner	PVPC, 60 Congress Street, 2nd floor, Springfield Sponsor: Pioneer Valley Planning Commission
6	The Next Chapter of 40B: Targeted Training for Zoning Board members	10/17/2013 7:00–9:00 p.m.	Paul Haverty, Esq., Regnante, Sterio & Osborne LLP	MRPC, R1427 Water Street (MART Bldg), Fitchburg Sponsor: Montachusett Regional Planning Commission
7	Special Permits and Variances	10/21/2013 7:00–9:00 p.m.	Pam Brown, Esq., AICP, Brown and Brown, P.C.	MVPC, 160 Main Street, Haverhill Sponsor: Merrimack Valley Planning Commission
8	Introduction to the Subdivision Control Law & ANR	10/23/2013 7:30–9:30 p.m.	Barbara Saint Andre, Esq., Petrini & Associates	SRPEDD, 88 Broadway, Taunton Sponsor: Southeast Regional Planning & Economic Development District
9	Planning with Community Support	10/24/2013 6:00–8:00 p.m.	Emily Torres-Cullinane, MAPC	MAPC, 3rd floor conference room, 60 Temple Street, Boston Sponsor: Metropolitan Area Planning Council
10	Local Tools and Techniques for Housing That Works for the Pioneer Valley	10/29/2013 12:00–2:30 p.m. <i>A light lunch will precede the workshop.</i>	Arthur Jemison, DHCD; second trainer expert in sustainable development to be announced	PVPC, 60 Congress Street, 2nd floor, Springfield Sponsor: Pioneer Valley Planning Commission
11	Roles & Responsibilities of Planning & Zoning Boards, Part 2	10/30/2013 7:00–9:00 p.m.	John Goldrosen, Esq., Kopelman and Paige, P.C.	OCPC, 70 School Street, Brockton Sponsor: Old Colony Planning Council
12	Zoning for Renewable Energy	11/4/2013 7:00–9:00 p.m.	Carolyn Britt, AICP, Planning Consultant	NMCOG, 400 Church Street, Suite 200, Lowell Sponsor: Northern Middlesex Council of Governments
13	Writing Reasonable and Defensible Decisions	11/4/2013 7:00–9:00 p.m.	Pam Brown, Esq., AICP, Brown and Brown, P.C.	MVPC, 160 Main Street, Haverhill Sponsor: Merrimack Valley Planning Commission
14	Introduction to the Subdivision Control Law & ANR	11/6/2013 7:00–9:00 p.m.	Elizabeth Lane, Esq., Kopelman and Paige, P.C.	Bridgewater State University, Martha Denison Rondilieu Room (LIB104MDR) in the Maxwell Library; parking at 10 Shaw Road Sponsor: Old Colony Planning Council
15	How to Hold a Perfect Public Hearing	11/7/2013 7:00–9:00 p.m.	Dennis G. Egan, Esq., Cohen Kinne Valicenti & Cook LLP	BRTA Intermodal Center, 1 Columbus Avenue, Pittsfield Sponsor: Berkshire Regional Planning Commission
16	Writing Reasonable and Defensible Decisions	11/7/2013 5:30–7:30 p.m.	Ilana Quirk, Esq., Kopelman and Paige, P.C.	FRCCOG, 12 Olive Street, first floor conference room, Greenfield Sponsor: Franklin Regional Council of Governments
17	The Next Chapter of 40B: Targeted Training for Zoning Board members	11/7/2013 7:00–9:00 p.m.	Laura Schufelt, Massachusetts Housing Partnership	SRPEDD, 88 Broadway, Taunton Sponsor: Southeast Regional Planning & Economic Development District
18	Vested Rights and Nonconforming Structures and Uses	11/13/2013 5:30–7:30 p.m.	Joel Bard, Esq., Kopelman and Paige, P.C.	MAPC, 3rd floor conference room, 60 Temple Street, Boston Sponsor: Metropolitan Area Planning Council
19	Site Plan Review	11/14/2013 6:00–8:00 p.m.	Eric R. Smith, AICP, Town of Maynard	MRPC, R1427 Water Street (MART Bldg), Fitchburg Sponsor: Montachusett Regional Planning Commission
20	Vested Rights and Nonconforming Structures and Uses	11/18/2013 7:00–9:00 p.m.	Pat Cantor, Esq., Kopelman and Paige, P.C.	Police Training Room, 340 Higgins Crowell Road, West Yarmouth Sponsor: Cape Cod Commission
21	Planning with Community Support	11/21/2013 7:00–9:00 p.m.	Susan M. Leven, AICP, Town of Brewster	Town Hall, 2198 Main Street, Brewster Sponsor: Cape Cod Commission
22	Site Plan Review	12/3/2013 7:00–9:00 p.m.	Karen Cullen, AICP, Town of Ware	CMRPC, Union Station, 2 Washington Square, 2nd floor, Worcester Sponsor: Central Mass. Regional Planning Commission
23	Site Plan Review	12/5/2013 7:00–9:00 p.m.	Donald Dubendorf, Esq., Dubendorf Law	BRTA Intermodal Center, 1 Columbus Avenue, Pittsfield Sponsor: Berkshire Regional Planning Commission

## Who Should Attend:

- Planning, zoning, building, conservation officials
- Citizens interested in land-use and development issues in their communities
- Municipal staff members who serve boards and planning departments
- Professional planners, and others who consult with municipal boards

### Cost:

Each workshop is \$30 (unless otherwise noted) and includes valuable handout materials. Payment is due with registration. Town checks may be sent by separate mail and arrive after the deadline.

### Time:

Workshops typically last two hours. Please arrive 10–15 minutes before the workshops.

### Registration Deadline:

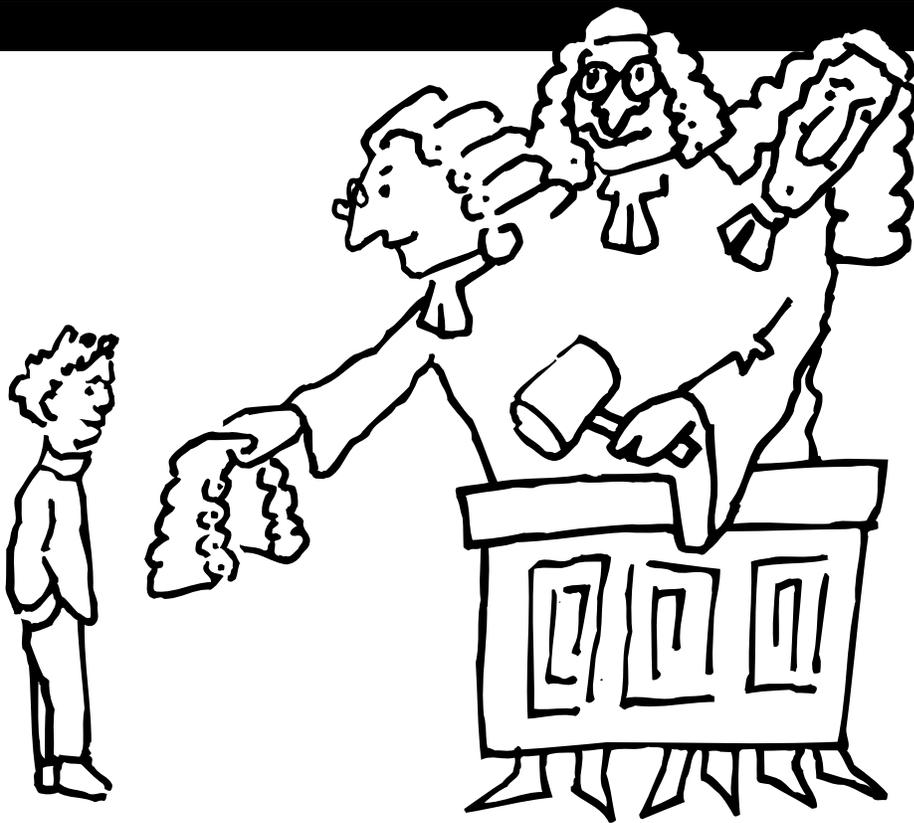
Five calendar days before the date of workshop to guarantee that there will be enough space and handouts for you. **We DO NOT confirm registration.** Please assume that you are registered once you have sent in your form.

### Refund Policy:

Refunds honored if in writing before workshop date. CPTC reserves the right to cancel workshops. In that case, you will be notified prior to the workshop date and registration fees will be returned.

### Questions:

[www.umass.edu/masscptc](http://www.umass.edu/masscptc)  
or Elaine Wijnja, DHCD, at (617) 573-1360  
or CPTC Coordinator Angus Jennings, AICP, at (978) 369-2157.



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## Interested in other courses?

Contact CPTC for  
"On-Demand" Training at  
[cptc.coordinator@gmail.com](mailto:cptc.coordinator@gmail.com)

For a fixed fee of \$400, a cost which may be shared by several cohosting communities, we will have a trainer come to your city or town to address a specific learning topic.

Refer to our website:  
[www.umass.edu/masscptc](http://www.umass.edu/masscptc)

## CPTC Core Curriculum

CPTC offers two certificates to participants who have completed the following workshops:

### LEVEL 1 CERTIFICATE (complete 3 of the following):

- 1) The Roles and Responsibilities of Planning and Boards of Appeals
- 2) Introduction to the Subdivision Control Law (incl. Approval-Not-Required Lots)
- 3) Introduction to the Zoning Act
- 4) How to Write Resasonable and Defensible Decisions

### LEVEL 2 CERTIFICATE (complete 3 of the Following):

- 1) Planning with Community Support (for planning boards only)
- 2) Non-conforming Structures, Lots and Uses, and Vested Rights
- 3) Zoning Exemptions
- 4) Special Permits & Variances

CPTC reserves the right to make minor revisions.

# Registration and Information

## Registration Form (One person per form. Please print clearly.)

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Daytime phone: \_\_\_\_\_

City/Town served: \_\_\_\_\_

Board Affiliation: \_\_\_\_\_

### Workshops attending:

Workshop Number: \_\_\_\_\_ Workshop Name: \_\_\_\_\_

Workshop Number: \_\_\_\_\_ Workshop Name: \_\_\_\_\_

Workshop Number: \_\_\_\_\_ Workshop Name: \_\_\_\_\_

Do you need a receipt? Yes No

Check enclosed? # \_\_\_\_\_ Check being mailed? Yes No

You may also register by email—please include ALL of the above information and email to:  
[cptc.coordinator@gmail.com](mailto:cptc.coordinator@gmail.com)

Please make check payable to CPTC and mail complete registration to:  
CPTC • P.O. Box 912 • Greenfield, MA 01302 or fax to (413) 625-2099