

Planning Board Meeting

Minutes from Meeting on March 12, 2025

Planning Board Attendees: Jim Brodeur, Liz Kidder, Emily Yazwinski, Dave Curtis, Sarah Bartholomew

Associate Planning Board Member: Deborah Vester,

Other attendees: Beth Kuzdeba, Katherine DiMatteo, Rob Snedeker

Call to Order: The meeting was called to order at 6:36 PM by Chairman Brodeur.

Meet with Town Counsel

General discussion of ADU Zoning Bylaw amendment wordings, as well as other amendments for battery energy storage facilities and short-term rentals, retreats, and definitions. Discussion of percent vote needed for the amendments:

Simple Majority vote amendments:

- Discussion of definitions and limitations:
 - o Definition of protected use ADUs, allowed by right per the state law v. ADU
 - o Manufactured homes must meet the HUD code, not the building code, nor the stretch code. Manufactured homes typically depreciate in value. Modular homes must meet the building code and the stretch code
- Discussion of goals of the bylaw amendments being proposed:
 - o Whether or not to include manufactured homes in bylaw
 - o What kind of limiting parameters are possible re: manufactured homes
 - o Discussion of possible loopholes and how to rewrite specific sections of the bylaw without loopholes
 - o Whether two family homes by right or special permit.
 - o Whether there's a maximum amount of ADUs on a lot
- Discussion of Conditions and Requirements
 - o Short term rentals and owner occupancy
- Discussion of requirement for owner occupation for short term rentals

Two-thirds Majority amendments:

- Discussion of battery energy storage systems – can't be prohibited, but can be by special permit. Town Counsel suggested making a separate warrant article for this item
- Discussion of alternative housing
- Discussion of revisions to definitions

- Discussion of how to create parameters and requirements for event venues and retreat centers. The only way to bypass bylaws is to be a 5013C for education, agriculture or religion
- Temporary and alternative housing - Town Counsel made the point that many of these regulations are difficult to enforce
- Town Counsel believes the Town can allow manufactured homes that don't meet the Stretch Code as an exemption

Nonconforming subdivisions in Town:

- Discussion of inappropriate building permits that have been granted in the past and how to remove liability for future requests for permits, ADUs, etc. – variances or special permits
- We determined that Stephen Lane was recorded after the subdivision bylaws were created by the town.

Correspondence/abutting towns zoning actions:

- Greenfield ZBA Public Hearing – 3/20/25 for Special Permit at 794 Colrain Road to allow a farm with multiple farm animals on a lot of less than the required 5 acres.
- Greenfield Public Hearing on 3/20/25 for Special Permit at 305 Wells Street to allow a cat café/lounge at this location.

Update on Tubergen special permit request:

- Elizabeth Tubergen requested to delay her hearing and would like to reschedule, due to new, temporary members on the Health Board – April 2, 2025.

Possible further discussions:

- Marijuana bylaws
- Review of cell tower regs for electromagnetic concerns
- Planning Board Regulations updating to begin
- Surveying the roads in town – to coordinate with the Select Board

Next meeting April 2, 2025, 6:30 p.m.

- Hearing for Special Permit for E. Tubergen

A motion by Emily with a second by Liz to close the meeting, was voted unanimously in favor by all members present, at 9:30 p.m.

Respectfully Submitted,

Sarah Bartholomew, Clerk