

Planning Board Meeting

Minutes from Meeting on April 2, 2025

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

Associate Planning Board Member: Devorah Vester

Other attendees: Beth Kuzdeba, Katherine DiMatteo, Rob Snedeker

Call to Order: The meeting was called to order at 6:32 PM by Chairman Brodeur.

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

Review of minutes postponed to the next meeting.

Correspondence:

- Greenfield Planning Board public hearing on 4/8/25 for numerous zoning amendments with respect to ADUs
- Colrain ZBA and Planning Board public hearing on 4/2/25 for a 129 foot tall cell tower off Call Road
- Henry Utley (Leyden resident) emailed Chairman Brodeur to check whether there are any zoning restrictions on roosters. There appears to be no restrictions specific to roosters, or noise in general. If there was interest in this, the Select Board would likely have to create a bylaw. The Board of Health has a decibel limitation.

Discussion of meeting agenda time scheduling:

Devorah Vester proposed a 2 hour time limit to meetings; prioritizing items to discuss first, with less pressing agenda items possibly moved to the next meeting. Unanimous agreement to make every effort to limit meetings to 2 hours, except for special circumstances such as public hearings, and Town Counsel's presence. Unanimous agreement to have public comments not related to the agenda to come at the end of the meeting.

Continue discussion/deliberations on proposed Zoning Bylaw Amendments after recent input from Town Counsel.

- Warrants due to the Select Board by April 28th.
- Annual town meeting is June 2nd.
- Hearing for bylaw amendments and additions on May 7th at 6:30.

Battery Energy Storage System (BESS) proposed bylaw discussed:

Liz suggested getting feedback from the Attorney General.

Public hearing opened at 7:00 pm for 25 x 40 ' addition for 107 Brattleboro Road special permit

Attendees: Devorah Vester, Robert Snedeker, Beth Kuzdeba, Elwin Barton, Samantha Barton, Carey Barton, Elizabeth Tubergen, Thomas Siegel, Marian Kidd, Erica Jensen, Katherine DiMatteo, Ginger Robinson, Michelle Giarusso, and Nathan Messer

Addition is on the South side of the building, towards Frizzell Hill Road. Elizabeth Tubergen spoke more about how little living space she has and her interest in a ground floor bedroom due to mobility issues.

Comments:

- R. Snedeker (resident) – had questions about property boundaries and whether there are pins and whether there was a survey done. He strongly urged getting a surveyor to mark where the line is at the road. He is in support of the special permit if there is a survey done of where the property line is on Brattleboro Road. He also had questions about the process in the past re: zoning changes.
- E. Barton (resident) said there were no property lines and S. Barton agreed.
- Chairman Brodeur described zoning requirements for new construction setbacks – new structure doesn't encroach toward the road more than the existing building. His opinion is that it is still a commercial building, despite being rezoned as residential. He clarified the process of a commercial property reverting to residential, based in the bylaws.
- S. Barton (resident) said she has been doing research on the deed and property. She is particularly concerned about water usage and availability. She doesn't feel that the requirement on the deed to provide water is viable any longer. She brought up a previous special permit for a roof over a door, which she says is too big. She also brought up the little office structure, asking if it needed a permit, which it doesn't, because it's less than 200 sf. She also asked about what an LLC is and E. Tubergen said she is now the owner. She also feels she should have more privacy, either a fence or curtains.
- E. Tubergen (resident) made the point that she put in her own well last summer. She said the Board of Health has approved the current septic system for the existing home plus the addition. Randy Crozier considers the existing and addition as having 2 bedrooms, potentially. There is a deed restriction that specifies that no more than 2 bedrooms can be on the property; the paperwork is in process. She clarified that the current deed specifies current water supply (water from the spring), not the Barton's well.
- Devorah asked some questions to clarify what the uses are in the space, and proposed usage for the addition.
- E. Tubergen and J. Brodeur explained what the process is for the zoning to change to residential. J. Brodeur read the part of the bylaw relevant to nonconforming structures.

Liz made a motion to close the hearing at 7:40 pm, seconded by Emily, which passed unanimously.

Return to public meeting at 7:40 pm.

The Planning Board recommended to E. Tubergen to get a surveyor to mark the property line at Brattleboro Road. R. Snedeker has a detailed survey on his property across the street, which could be useful for the surveyor to use.

The next meeting will be May 7th at 6:30.

Continue discussion/deliberations on proposed Zoning Bylaw Amendments after recent input from Town Counsel.

- Simple majority vote amendments reviewed and discussed, incorporating Jim Hawkins' and FRCOG's suggestions.
 - o Discussion of working draft for Article X, Sections 3, 4, and 5
- 2/3 Majority vote amendments reviewed and discussed.
 - o Article X, Section 3 and 4

Liz moved to vote on having a public hearing on the 3 warrant articles as edited tonight on May 7th at 6:30. Seconded by Emily and it passed unanimously.

Meeting closed at 8:50 pm.

A motion by Liz with a second by Dave to close the meeting, was voted unanimously in favor by all members present, at 8:54 p.m.

Respectfully Submitted,

Sarah Bartholomew, Clerk