

Town of Leyden, MA

Planning Board Meeting

Minutes from Meeting on May 7, 2025

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

Associate Planning Board member: Devorah Vester

Call to Order: The public hearing was opened at 6:32 PM by Chairman Brodeur.

Residential Land Use Zoning Bylaw Public Hearing

Hearing Attendees: Beth Kuzdeba, Carol Kuzdeba, Sara Seiberg, Ayden Leroux, Elizabeth Tubergen, Candace Hope, Elwin Barton, Peter Lane (Bent Birch counsel), Katie and John Murphy, Tom Luck, Shoshana Brown, Orion Gordon, Annie Garvey, Pam Brown, Jeffrey Baker, Erica Jensen, Katherine DiMatteo, Ginger Robinson, Michelle Giarusso

Commented [1]:

Introduction: Liz Kidder presented the context and history of discussions about accessory dwelling units in Leyden. Liz and Jim reviewed the proposed zoning bylaw definitions and revisions.

Chairman Brodeur opened the floor for general questions and comments:

Sara Seiberg, resident, asked for clarification about shared driveways and the parking space required for ADUs

Carol Kuzdeba, resident, asked about lot size requirements and ADUs. She also asked about septic systems and the number of bedrooms.

Beth Kuzdeba, resident, asked about subdivisions and lot size, and the maximum number of ADUs. She also asked about bedroom limits.

Erica Jensen, resident, asked about lots and the number of dwellings per lot. She commented on the challenges of building in Leyden - existing ledge and bodies of water.

Elizabeth Tubergen, resident, asked about what distinguishes a multi family dwelling and an ADU. She also asked about whether one can apply for a special permit with reduced setbacks for non conforming dwellings.

Michelle Giarusso, resident, asked about converting barns into apartments and whether there could be a common areas (kitchen, living).

Ginger Robinson, resident, commented that large houses with many bedrooms and residents v. multiple ADUs, which she prefers. She commented on her desire to have more kids in town as a financial benefit for the town. She voiced her support for people being able to live in any kind of structure or vehicle for as long as they want.

Orion Gordon, resident, asked for clarification of the difference between ADUs and protected ADUs.

Tom Luck, resident, commented on areas of confusing language. He also suggested limiting the number of Board of Health approvals for temporary dwellings (RVs).

Kathering DiMatteo, resident, requested the Planning Board to consider having a special Town Meeting for the Bylaw Amendments instead of having the vote at the regular Town Meeting.

Candace Hope, resident, asked about whether additional ADUs would increase tax revenue for the town.

Chairman Brodeur entertained questions and comments from those attendees in favor:

Ginger Robinson, resident, commented that she is in support of affordable housing and ADUs, and removing all restrictions to building new homes

Erica Jensen, resident, commented that she is in favor of the maximum square footage for ADUs being 1220m sf.

Sara Seimberg, resident, commented that, as a right to farm community, the Zoning Bylaw Amendments support farm workers.

Chairman Brodeur invited comments from those opposed the bylaw.:

Tom Luck, resident, voiced his disapproval of the square footage allowed for ADUs, as well as his opposition to the number of dwellings the proposed bylaw allows due to environmental concerns.

Chairman Brodeur opened the floor for general questions:

With no further questions or comments being offered, Emily made a motion to close the Public Hearing, with a second by Dave, and a unanimous vote of the 5 Planning Board members present to close the Public Hearing at 8:09 PM.

Liz made a motion to open the regular Planning Board meeting, Dave seconded by Dave. The motion passed unanimously.

Deliberations on Special Permit request - 107 Brattleboro Rd.

Liz made a motion, seconded by Emily, to grant a Special Permit under M.G.L. Chapter 40A, Section 9 and Section 8 of the Leyden Zoning Bylaw to Elizabeth Tubergen for a 25' x 40' addition to the south side of her existing home at #107 Brattleboro Road., allowing construction of said addition to her existing residential house within the 50' front setback but not to be closer than 26', as presented on the 04.22.2025 property survey, certified by Daniel P. Sauls, PLS, Green River Survey; the Planning Board determines that under Section 2.3 of the Leyden Zoning Bylaw that the reduced setback will not be inconsistent with the character of the neighborhood and under Section 2.5 that the proposed extension will not be substantially more detrimental to the neighborhood than the existing nonconforming structure nor increase the risk to the surface or groundwater supplies than the existing nonconforming use.

The motion was passed unanimously.

Special Permit request - Jack Golden, 60 Stephen Lane

Incomplete application for bedroom and bath expansion bump out. He will need to submit a certified dimension plan with addition dimensioned, among other missing items in time to advertise a hearing.

Discussion of Residential Land Use Zoning Bylaw

Discussion of the total number of dwelling units allowed and whether to have a special Town Meeting. There was unanimous agreement to have a special Town Meeting.

Liz made a motion to request a special Town Meeting in June of July. Emily seconded the motion, which passed unanimously.

Discussion of Movement Retreat Center's special application

Liz made a motion to authorize Donna McNichol, Town Counsel, to discuss the Movement Center's special application with their counsel, Peter Lane. Dave seconded the motion, and it passed unanimously.

Correspondence:

- 147 Shelburne Line Road, Colrain: ZBA public hearing on May 14th for a special permit to allow a quarry
- 14 Lunt Dr., Greenfield: ZBA granted a special permit to allow a home hairdressing business
- Letter from the Movement Retreat Center/Bent Birch from Peter Lane, counsel for Bent Birch/Movement Retreat Center stating his belief that short term rentals are not relevant to the Special Permit application. He requested to speak to Town Counsel.
- Email from Tom Luck outlining his suggestions for revisions for the Bylaw Amendments.
- Jack Golden emailed the Board apologizing for having to leave the meeting prior to his agenda item coming up. He said he will be getting a survey this week and resubmitting his application.

Review of minutes: Emily made a motion to accept minutes from 3/12/25, as corrected. Dave seconded the motion and the minutes were unanimously approved.

Liz made a motion to approve the minutes from 4/2/25, Emily seconded the motion and minutes were unanimously approved.

Possible further discussions

- Marijuana bylaws
- Review of cell tower regulations for electromagnetic concerns
- Updating Planning Board

Next meetings: June 11, 2025, 6:30 p.m. July 9th, 2025 meeting at 6:30 tentatively agreed upon.

A motion by Emily with a second by Liz to close the open Planning Board meeting, was passed with a unanimous vote at 9:15 PM.

Respectfully Submitted,

Sarah Bartholomew, Clerk