

Planning Board

Minutes of Meeting 5/8/2024 and Public Hearing for new Residential Land Use Zoning Bylaw to be acted on at June 3, 2024 Town Meeting.

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

Hearing Attendees: Katie and John Murphy, Pam Brown, Beth Kuzdeba, Sara Seinberg, Katherine DiMatteo, Liesel Nygard, David Raglad, Ann Zaveruha (remote)

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

Review of minutes: Emily made a motion to accept minutes from 3/27/24, Liz seconded the motion and the minutes were unanimously approved. Liz made a motion to approve the minutes from 4/10/24, Emily seconded the motion and minutes were unanimously approved.

Hearing Invoice – Emily made a motion to pay the invoice for the ad for the hearing on the proposed ADU bylaw Liz seconded the motion and it was unanimously approved

Correspondence:

- 5 Greenfield Rd.
- Email from Ginny Rockwood read to the Board re: electromagnetic radiation zoning concerns. All present agreed to invite Ginny to the Planning Board meeting on 6/10/24 to discuss the matter.
- Correspondence read from 63 North County Rd. (Movement Center Inc.) showing their parking plan for events. No action needed at this time. Discussion - whether they're under a special permit.
- 248 Greenfield Rd. - Jim was invited to inspect the turn around

Update on the Solar Bylaw: Attorney General wants 2 sections taken out - about batteries and herbicide usage. Emily made a motion to strike these sections from the bylaw, seconded by Liz, passing unanimously.

Accessory Dwellings Bylaw: No new discussion.

A motion by, Emily with a second by Liz to close the meeting, was voted unanimously in favor by all members present, at 7:00 p.m.

Residential Land Use Zoning Bylaw Public Hearing: The Public Hearing for Article 11 to be proposed at Town Meeting to be held on June 3, 2024 was opened at 7:12 PM by Chairman Brodeur, by a motion by Emily Yazwinski, a second by David Curtis, and a unanimous vote of the 5 Planning Board members present.

Sarah read the bylaw summary sheet. Liz and Jim added some details from the bylaw.

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

Resident Sara Seinberg noted her support for the bylaw opening up increased housing for farmworkers, farmers and aging parents.

Resident Beth Kuzdeba was in favor and had some questions about the in law apartment in her home, and whether that makes her home a 2 family residence. She was encouraged to discuss tax implications with the Assessor.

Resident John Murphy expressed his support and desire to provide housing for his aging parents.

Resident Pam Brown was in favor, especially because the bylaw provides the opportunity for caretakers to have a separate unit. She also expressed sadness at the lack of affordable housing in Leyden.

Chairman Brodeur invited comments from those opposed the bylaw. No one present spoke to this.

Chairman Brodeur opened the floor for general questions:

Sara Seinberg asked about visitors in campers, whether and if a camper becomes another bedroom. Jim responded that campers would need to follow the state sanitary code. She also commented that she would like decreased barriers to people living in homes on wheels.

Ann Zaveruha asked about whether building codes apply to “tiny houses”. Jim responded that “tiny homes” are regulated by the building codes. Ann commented that the Planning Board has made tiny homes obsolete, and not affordable. Jim responded that building codes are regulated by the state.

John Murphy asked about how big ADUs can be and Jim responded that they are limited to 900 sf maximum, noting that there is no sf limitation for attached ADUs. General discussion of what the definition of a bedroom is and that the number of bedrooms is the basis for the size of a septic system. John asked about regulations re: composting toilets. Beth responded that the state is looking into this.

Pam Brown commented that there are multiple options for creating more affordable housing by changing requirements for building homes - smaller building lots, smaller frontage requirements, possibly in cluster zones.

Katherine DeMatteo commented on how hard it is to build in Leyden due to the abundance of ledge and how hard it is to pass a perk test.

Beth Kuzdeba commented that affordable housing in town would likely need more services that don't currently exist.

Sara Seinberg asked the Planning Board to submit a letter to senators and representatives that the current minimum size of a septic system (3 bedrooms) be changed to a smaller system for a 900 sf ADU.

John Murphy asked about setbacks for ADUs; Jim told him it's the same as for a house but that the ZBA can be approached for a permit to do it differently if it's a non-conforming lot.

Pam Brown asked about 3-4 family homes and Jim told her they could be allowed with a special permit.

John Murphy noted the state's requirement that municipalities are required to have 10% of housing is affordable, and that developers can override local bylaws to build affordable housing if a town is non-compliant with this requirement. Jim noted that this is a 40B override.

With no further questions or comments being offered, Chairman Brodeur entertained a motion by Liz, with a second by Emily, and a unanimous vote of the 5 Planning Board members present to close the Public Hearing at 8:01 PM.

Discussion: No amendments proposed.

An immediate motion by Emily Yazwinski, with a second by David Curtis, to close the open Planning Board meeting, was voted unanimously by the 5 Planning Board members present at 8:15 PM.

Respectfully Submitted,

Sarah Bartholomew, Clerk