

Shutesbury Planning Board
Minutes – June 10, 2024
Approved – July 14, 2025
Virtual Meeting

Board Members Present: Jeff Weston, Deacon Bonnar, Ashleigh Pyecroft, Nathan Murphy, Keith Hastie, Tom Siefert, Michael DeChiara, Steve Bressler, Robert Raymond

Board Members Absent: None

Staff Present: Carey Marshall (Land Use Clerk)

Others Present: Peter Gees

Chair's Call to Order: 7:02pm

Meeting is being held online and being recorded.

Public Comment

None.

Landowner Education and Guidance

None.

ANR for 31 Highland Drive

Peter Gees describes project to change lot lines of three lots in order to align with work done on prior project. No loss or gain of frontage and no change in egress to lots. Not a new subdivision as there are houses on these lots already. Just moving parcels between lots.

Motion to endorse the proposed ANR for 31 Highland Drive: DeChiara; second: Bressler.
Approved unanimously.

Wightman Special Permit Inquiry

Mark Wightman inquiring about a Special Permit for his Leverett Road property. Murphy reviews Wightman's explanation of steps he has taken on the property and to pursue permits and Curb Cut approval. Seeking Board's advice on whether he is taking the correct steps. Murphy notes Special Permit does not require Building Permit but a Conservation Restriction (CR) to meet requirements of Open Space Design. Also notes Curb Cut not to be secured until after CR is in place. Advised Wightman he should not have secured Curb Cut without CR. DeChiara agrees that Wightman did this backwards. Marshall confirms no receipt of a CR from Wightman. Raymond asks why the order matters and Murphy notes that CR needs to be in place before any building goes forward. DeChiara adds that this is because the property does not have enough frontage to be by-right construction, so it triggered Open Space Design restriction, which aims to preserve open space through CR. Before changing the landscape with curb cuts, needs to ensure the open space has been protected, and Board should make sure he's aware of that before he goes

further. Bressler wonders if property is sold before the process is complete whether buyer must take over the Special Permit process. DeChiara notes possibility of scenario where buyer might later indicate they did not know of CR requirement, which is why it is important now for the process to be followed. Bressler agrees and notes Wightman could have come back to the Board to change the condition if it was a burden. DeChiara adds that if he does not fulfill the condition, that nulls the Special Permit. Murphy thinks Board should check with FRCOG about CR and notify Highway Department that Curb Cut was issued prematurely and should be retracted. Board can't require CR before selling property but can require it before building on the lot.

Motion authorizing Murphy to draft a response to Wightman, inclusive of the Special Permit conditions, also to be sent to the Highway Department, Conservation Commission, and FRCOG Building Inspector: DeChiara; second: Bonnar. Approved unanimously.

Feedback for All-Boards Meeting

Weston offers to attend All-Boards Meeting and Marshall plans to attend. DeChiara notes that in terms of digital equity online meetings increases civic participation and more people attend, but they're not good for people who can't access internet (3% of town's population) or who don't feel comfortable using the technology. Feels that for these reasons hybrid meetings are preferable with at least one member of board or committee present in-person and able to run the technology. Pyecroft suggests it might be good for all members of board or committee to have the technology training but would prefer to stay remote. Weston wants to suggest Town purchase wide-angle lens that could be put on a computer camera. Agrees that hybrid preferable. Marshall notes Town does have a camera that tracks who speaks. Siefert notes that Select Board is discussing dual problems of the right technology and the right space, acoustically. Also wonders if there should be a Town staff member hired to handle technology for all boards. Pyecroft wonders if one member on board takes charge in person and one member takes charge remotely and that screen be placed behind board so everyone can see everyone. DeChiara agrees with Siefert's idea. Bressler agrees that Pyecroft's idea makes sense. Murphy's preference is to have board fully remote or fully in-person; notes there have been no requests for in-person meetings from the public and that people who cannot access Zoom by computer can call in by phone. Suggests holding next month's meeting in-person as experiment for occasional in-person meetings. Pyecroft notes more convenient for parents who serve on boards to be remote. Raymond notes he would not be able to remain on Board if meetings are in-person. Bressler agrees with occasional meeting in person for purposes of better problem-solving. Hastie agrees meeting in person once or twice a year is preferable, especially when new members join the Board. Siefert notes that the principle of universal design prioritizes access for all and that sometimes mean able-bodied people need to make sacrifices to ensure inclusion. Murphy decides next meeting will be in-person and the Board will wait to hear more from the All-Boards Meeting.

Review and Approve Past Minutes

November 13, 2023. Murphy offers some edits to clarify two points. Motion to approve: DeChiara; second: Raymond. Approved unanimously.

December 11, 2023. Murphy offers one addition as a correction. Motion to approve: DeChiara; second: Raymond. Approved unanimously.

Associate Member Appoint for FY25

Select Board making appointments for Associate Members at its June 17 meeting. Murphy recommends Planning Board try to make a quorum to attend that meeting.

Motion to re-appoint Keith Hastie as an Associate Member of the Planning Board: DeChiara; second: Weston. Approved unanimously.

Motion to re-appoint Tom Siefert as an Associate Member of the Planning Board: DeChiara; second: Weston. Approved unanimously.

Review Wheelock Annual Report

Murphy recommends tabling to next meeting because Pyecroft still trying to get response from the property owner about arranging a site visit. Report is available on the website.

DeChiara notes no progress is indicated in the report, just a restatement of conditions and repetition from past reports. Wants to see a more substantive and meaningful report from them.

State Permitting

DeChiara prepared a letter on behalf of Planning Board to Representative Aaron Michlewitz (Chair, House Ways and Means Committee) and Representative Jeffrey Roy (Chair, Joint Committee for Telecommunications, Utilities, and Energy) about permitting of renewable energy facilities and Siefert made some updates to it. House bill going to be revised given public feedback. Senator Comerford reports they haven't seen the Senate version yet. DeChiara notes now is the time to provide feedback, as Wendell just did. Proposes sending Siefert's letter, with its modifications to DeChiara's letter. Weston suggests emphasizing the fact that under the law towns bordering Quabbin would lose ability to protect Boston's water supply. Siefert screen-shares his draft for discussion and to insert Weston's proposed language about the Quabbin.

Motion to approve sending the drafted and amended letter to Representatives Michlewitz and Roy: DeChiara; second: Weston. Approved unanimously with one abstention (Murphy).

Community Engagement and FY24 Goals

Murphy summarizes goal of increasing engagement with community through Town Announce emails at start of fiscal year. Bonnar recommends publicizing goal of protecting forested nature of the community; Murphy suggests perhaps putting together a mission statement. Raymond and Weston notes importance of Tiny Houses topic and Weston adds affordability. DeChiara notes a conversation with Hastie about need to update Master Plan with chapter on climate change.

Executive Session

Murphy designates DeChiara as acting Chair and recuses himself as Chair.

Siefert and Hastie invited to join the Executive Session.

Motion to enter Executive Session for Reason No. 3, to discuss strategy with respect litigation if an open meeting may have a detrimental effect on the government's litigating position (litigation specific to Complaint received from Cows regarding the Shutesbury Solar Bylaw) and not to return to open session: DeChiara; second: Raymond. Approved unanimously.

Entered Executive Session at 9:02pm.

Adjournment

Adjourned from Executive Session.

List of Documents Used:

- ANR proposal for 31 Highland Drive
- Email communication from Mark Wightman to the Planning Board
- Draft of letter from Planning Board to Representative Aaron Michlewitz (Chair, House Ways and Means Committee) and Representative Jeffrey Roy (Chair, Joint Committee for Telecommunications, Utilities, and Energy) pertaining to state legislation to regulate permitting of renewable energy facilities