

Shutesbury Planning Board Meeting Minutes
August 25, 2021, Virtual Meeting Platform

Planning Board Members Present: Deacon Bonnar/Chair, Jeff Lacy, Michael DeChiara, Robert Raymond, Steve Bressler, Linda Rotondi, Nathan Murphy

Guests: Zoom User (Leslie), Peter Gees, Tony Wonseski (SVE Associates), Mark Stadnicki (SVE Associates), Mark Wightman

Call to Order:

Chair calls the meeting to order at 7:05 PM. Statement relative to conducting virtual meetings following the Governor's restrictions on public meetings is read into the record by Bonnar.

Public Comment:

None

Gees ANR Wendell Road

The Board has received an ANR Application from Peter A. Gees. Gees owns two contiguous lots on Wendell Road and has submitted an ANR Plan that would convey a portion of land from one lot to the other.

Lacy raises a concern that the plan will degrade the frontage of 'Revised Lot 1' because roughly 180 feet of the frontage of this lot will be illusory frontage due to the adjacent lot line of Parcel A, which forms a border with Revised Lot 1 at a highly acute angle to the frontage. Lacy acknowledges, and there is no point raised to the contrary, that this concern is not sufficient to disapprove the ANR. Gees notes that the land in this area is wetland and would not be suitable for access. Gees also notes that the larger lot is a bona fide grandfathered lot with 150 feet of frontage.

At 7:18 Lacy moves to sign the plan.

Raymond Seconds.

Discussion: None

Rollcall Vote: Raymond: Aye, DeChiara: Aye, Rotondi: Aye, Murphy: Aye, Bressler: Aye, Bonnar: aye.

Motion carries. Note that Lacy was not called during the roll – though he did put forward the motion.

The chair raises the question as to what the fee will be – the Board arrives at \$70.00.

Minutes 7/12 7:23

At 7:23, DeChiara moves to approve the minutes of 7/12/2021.

Rotondi seconds.

Discussion: Correction of typos and minor corrections. The recording of the meeting is interrupted at 7:28. A new recording is started at 7:29.

Roll Call vote: DeChiara: aye, Raymond: abstain (on account of absence on 7/12),

Rotondi: aye, Murphy: aye, Bressler: aye, Lacy: aye, Bonnar: aye; the motion carries.

Mark Wightman Open Space Design Leverett Road

The Board has received from Mark Wightman, a Special Permit Application for a Common Driveway, a Site Plan Review Application for Open Space Design Subdivision to create three single family lots, an ANR application, and other documents related to a proposed project on Leverett Road, parcel H-151. Tony Wonseski, from SVE Associates, reviews the documents submitted to the Planning Board with the application.

There is a substantial length of discussion that can be summarized as follows: The plans, including the Special Permit Application, Site Plan Review, and ANR will be withdrawn by Wightman. It comes to light that the materials submitted to the Board were not organized with Article 5 of the current zoning bylaw in mind, which requires a special permit application for open space design. Rather, Wightman and those he was working with at SVE Associates were working under the version of the bylaw effective May 4, 2019, which does not require a special permit application for open space design and does not reflect the current requirements. Specifically, it is noted that in 2020, Open Space Design was changed so that the number of buildable lots allowed is determined by rounding down the output from the formula specified in the bylaw, where previously it was permitted to round up. Thus, Wightman and the people at SVE Associates were under the impression that 3 building lots could be allowed when in fact, only two could be allowed considering the language of the current bylaw. It comes to light that the Zoning Bylaw posted on the Planning Board website is as of May 4, 2019 and has not been updated to reflect changes from 2020 or 2021 Town Meetings. Wightman also raises a point that this project was presented informally to the Board in May of 2020, as currently submitted, and that the Board did not convey the possibility that material changes to a section of the bylaw applicable to the project could be made the following month at Town Meeting. It is also noted that there is a waiver provision in Article 5 of the town zoning bylaw that may be pursued by the applicant.

At 8:19, Lacy moves to deny the ANR based on the fact that these lots do not have frontage on a Public Way.

DeChiara seconds.

Discussion: The motion is amended to indicate that the denial is done without prejudice for resubmittal. (Lacy consents and DeChiara seconds again.)

Roll Call vote: Raymond: aye, Murphy: aye, Rotondi: aye, DeChiara: aye, Bressler: aye, Lacy: aye, Bonnar: aye; the motion carries unanimously.

Wightman sends an email to the Board indicating that the plans submitted, including the Special Permit Application for a shared driveway, will be removed.

Representative to FRCOG

At 8:52, DeChiara moves to recommend Lacy as representative to FRCOG with himself as an alternate.

Lacy seconds.

Discussion: Lacy indicates he will call Town Administrator to let her know of the vote so that she can pass the information on to the Select Board.

Roll Call vote: Murphy: aye, Raymond: aye, Rotondi: aye, DeChiara: aye, Bressler: aye, Lacy: aye, Bonnar: aye; the motion carries unanimously.

Unanticipated Business

None

Adjourn

At 8:55 Bressler moves to adjourn.

Lacy seconds.

Discussion: None

Roll Call vote: Murphy: aye, Raymond: aye, Rotondi: aye, DeChiara: aye, Bressler: aye, Lacy: aye, Bonnar: aye; the motion carries unanimously.

Related Documents

Gees2.jpg

20210825_094629.jpg

G2023_Wightman_ANR_Signed_8-4-21.pdf

G2023_Wightman_Signed Plan Set_7-1-21_updated ANR.pdr

Special Permit and Site Plan Review Application_7-1-21.pdf

Wightman Signed ANR Application Form A.pdf

Respectfully submitted,

Nathan Murphy

Approved 9/13/2021