

Shutesbury Planning Board Minutes  
DRAFT Minutes – 05.08.2023  
(Approved-TBA)  
*Virtual Meeting*

**Meeting Start:** 7:00pm

**Members Present:** Deacon Bonnar, Steven Bressler, Michael DeChiara, Nathan Murphy, Robert Raymond, Jeff Weston

**Members Absent:** Jeff Lacy

**Associate Members Present:** Ashleigh Pyecroft

**Associate Members Absent:** Jake Messier

**Staff Members:** Carey Marshall (LUC)

**Other Present:** Miriam DeFant; Joined meeting during motion to adjourn – Frank McGinn, Mary Lou Conca.

Chair's Call to Order at 7:00pm

Meeting is being recorded

**Public comment**

*None*

*Murphy notes that he was not present at the last two executive meetings because the agenda item(s) were subjects regarding conflict of interest to him with his employer per his code of conduct with his employer.*

**Landowner education & guidance**

*None*

**Minutes 1/3, 3/13, 4/10,4/24**

Carey Marshall, Land Use Clerk, states she has shared the draft minutes for 1/3, 3/13, 4/10, and 4/24 with Bonnar and DeChiara for review but have not received comments. Bonnar, DeChiara and Marshall plan to set a date to meet and review these draft minutes.

*Matter will be revisited next meeting*

**Letter to Attorney General**

Bonnar and DeChiara met with the Select Board to review the letter to the Attorney General; Select Board approved and Administrative Secretary, Geneva Bickford, sent out the letter certified receipt requested. DeChiara asks Marshall to check with Bickford, Select Board Administrative Secretary, to see if she has received any return receipts. Marshall agrees to follow up with Bickford when in the office tomorrow.

### **Annual Town Meeting**

PB does not plan to submit anything for this year's Annual Town Meeting. DeChiara expressed his frustration with the status the town's request regarding the Associate member home rule petition. DeChiara summarizes that the Associate Member bylaw was passed at Annual Town Meeting 2021 but the AG's office responded that associate members could only act on special permits, thereby striking some of the town-approved language. Select Board agreed with PB to move forward as advised by Town Counsel, Donna MacNicol, and ask Shutesbury's legislators to do file a home rule petition, to allow Shutesbury PB's associate members to have the ability to participate in any matter of interest to the PB, as intended by the original bylaw. In late 2022, DeChiara and Lacy talked to Sen. Jo Comerford's office and then followed up with Rep. Aaron Saunders office – both agreed to support a home rule petition. DeChiara reviewed the process: a home rule petition starts Town Meeting approval then moves to the House of Representatives for approval and then lastly the Senate for approval. DeChiara met with Saunders in February 2023 at Shutesbury office hours at the library; Saunders suggested that DeChiara send the language that was approved by PB and Select board regarding the associate member to him to review. He would then send it to the House of Representatives legal counsel to review the language. DeChiara has been following up with him regularly and has not heard back about the language needed for Town Meeting. At this point, DeChiara doesn't believe it will come back in time for the warrant for Annual Town Meeting. DeChiara will update PB if he hears anything.

### **Unanticipated business**

**Associate Members** – DeChiara notes that associate member will need to be reappointed at a joint meeting of PB and Select Board in June and suggests that Bonnar reach out to SB to schedule this before June 30. Pyecroft expressed interest in continuing as a PB Associate Member. Messier has not been present in the past several meetings therefore Deacon will reach out to Messier to discuss whether he will continue.

**Complaint Process** – DeChiara explains, for Pyecroft's understanding, that the complaint from W. D. Cows and Amp that the PB received regarding subdivision plans was filed in court. Attorney MacNicol used the PB's letter to the Attorney General as a starting point for her response to the court. MacNicol had a preliminary meeting with the judge and the plaintiff's lawyers. Dates regarding this matter are unknown at this time. Bressler asks if the complaint that includes the PB's stance, as defendant, is now public record. DeChiara understands that the complaint received by W.D. Cows/Amp is public record but is not sure if the letter, with the PB's stance is now public record since it has been sent. DeChiara suggests PB ask Town Clerk, Grace Bannasch, for clarity.

**Motion to Adjourn: DeChiara moves to adjourn, Raymond seconds. Vote: Bonnar- Aye, DeChiara- Aye, Murphy- Aye and Weston- Aye. So moved.**

**Meeting Close: 7:25pm**

**Next Meeting: June 12<sup>th</sup>, 2023 at 7:00pm**

**Documents Used:**  
*None*