

Shutesbury Planning Board

Minutes – June 9, 2025

Approved – August 11, 2025

Virtual Meeting

Board Members Present: Michael DeChiara, Ashleigh Pyecroft, Nathan Murphy (Chair), Keith Hastie, Deacon Bonnar, Steven Bressler, Tom Siefert (Associate Member), Jeff Weston (7:04pm)

Board Members Absent: None

Other Staff Present: None

Others Present: None

Call to Order: 7:01pm

The meeting is being recorded.

Murphy designates Siefert as a voting member of the Board for the meeting.

Public Comment

Pyecroft asks how to get a physical copy of the Zoning Bylaws and Murphy recommends asking the Land Use Clerk for a printed copy after the Attorney General has finished reviewing the amendments that were approved at Town Meeting.

Weston joins the meeting and so Murphy returns Siefert to Associate Member status.

Annual Town Meeting Recap

Murphy reports that Town Meeting approved the Board's recommended amendments with little discussion. There were some questions about Accessory Dwelling Units (ADUs), particularly from residents near Lake Wyola who wanted more information about space requirements and restrictions. Murphy informed those residents that the Bylaw provides a Site Plan Review process so the Zoning Board of Appeals can evaluate projects and answer those questions. Murphy notes that DeChiara spoke on behalf of the amendments and Town Counsel also answered questions. Town Counsel pointed out that ADUs would still need to comply with Title 5 septic requirements, which also limits where they might be possible around the lake.

Murphy reports that a new Lake Wyola Boating Safety Bylaw was presented to Town Meeting. There was one amendment to it proposed by Siefert that was voted down and another amendment that was passed, requiring motorized boats limit their speed to six miles per hour within 150 feet of the shore, swimmers, and nonmotorized craft.

Bressler thanks Murphy and DeChiara for their clear explanations to Town Meeting about the Board's proposed amendments and thanks DeChiara for his careful response to the article regarding funding the Town's defense in the solar litigation.

DeChiara explains that he had consulted with Donna MacNicol (Town Counsel), Rita Farrell (Chair, Select Board), and Ajay Khashu (Chair, Finance Committee) regarding what he and MacNicol could and could not say. He feels like the discussion at Town Meeting was a good airing of information and he thanks the Finance Committee for putting it on the warrant.

Murphy notes that Town Meeting did approve the article funding the Town's defense in the solar litigation.

Bressler indicates his appreciation for the two members of the public who spoke in favor of the article by noting that the Town should stand behind its bylaws and not simply surrender to pressure from a multinational corporation.

Murphy thanks the new Town Moderator, Nettie Harrington Pangallo, for doing a great job with such a long meeting.

Community Preservation Committee Appointment

Murphy reports that Clif Read has indicated that he is willing to continue for another year as the Board's designee on the Community Preservation Committee (CPC). He notes that Read sent the Board an email summarizing the last two years of the CPC's activities. Read reported that last year was very slow but this year there were numerous grant applications, including one for the Special Town Meeting that funded the regional high school track and field, and a number more that passed at this year's Annual Town Meeting. Murphy welcomes any Board members who want to be more engaged on CPC matters to let him know and it can be included on future agendas.

DeChiara suggests that if there is another Planning Board meeting with a light agenda, the Board should invite Read to attend so they can discuss CPC matters with him. Murphy agrees and encourages Board members they can also email him with questions they would like him to address.

Motion to nominate Clif Read as the Planning Board's designee to the Community Preservation Committee for FY26: Bressler; second: Bonnar. Vote: Vote: DeChiara - Aye; Hastie - Aye; Weston - Aye; Pyecroft - Aye; Bressler - Aye; Murphy - Aye; Bonnar - Aye. Motion approved unanimously.

DeChiara notes that the Board needs to make an appointment to the Franklin County Planning Board. Murphy agrees but was not able to get that item on the agenda in time.

DeChiara explains that Ellen McKay has long been the Town's representative on the FRCOG Board and she is appointed to it by the Select Board. The Franklin County Regional Planning Board is a different body, and it is probably going to be reconstituted in some new form soon, but traditionally each town sends a Planning Board member to serve on it. In the past DeChiara has done it and Weston did it for a while. Murphy notes that he, too, has attended some of their meetings. He asks if the FRCOG Planning Board representative is appointed by the Planning Board or the Select Board.

DeChiara answers that the appointment is made by the Select Board but the Planning Board can recommend a person for the appointment. Murphy wonders if that is officially the case or if the Planning Board has the authority to name its own designee. He notes that since this has not been posted on the agenda for tonight, this is something the Board will need to take up at a later date. He invites Board members to let him know if they might be interested in serving in this role.

Murphy reports that he has set up the Planning Board meeting as a recurring meeting on the second Monday of every month in MyTownGovernment and he will receive an automatic reminder ten days before each meeting date to post the agenda. He would like to get in the habit of posting the agenda sooner rather than later whenever possible.

Review of Past Minutes

Murphy proposes reviewing the minutes from last month. Bonnar notes that there was no indication on the agenda of the date of the minutes being approved and so thinks it would not be permissible to vote on any tonight. Murphy asks for the views of other Board members on this. Siefert indicates that he would be uncomfortable voting for minutes that were not posted on the agenda because the Select Board ran into this problem last summer. DeChiara indicates that he did not yet review the minutes from last month and given the concerns raised by Bonnar, he agrees that the Board should not vote on them.

Murphy agrees not to vote on them but will ask the Board to review the May 12, 2025 minutes at this meeting. He will also ask Board members to email him individually with any additional changes to make to the minutes. Bonnar concurs with the plan.

Murphy shares the draft minutes of May 12, 2025, and reviews several proposed revisions he would like to make to them.

Unanticipated Business

DeChiara notes that the Board has very little on its plate currently and although it is customary in September the Board to start discussing new topics of concern, if the Board has time now, he suggests that they start that conversation earlier, over the summer meetings.

Murphy agrees that there is no specific reason to wait until September for those conversations, especially if new projects start coming in that would otherwise delay that conversation. He notes that the issues of short term rentals and manufactured homes will likely need to be addressed. He explains that there is an emergent change in thinking about manufactured homes, away from old concerns about trailer parks as being substandard and depreciative of property values.

DeChiara also brings up the fact that the previous Master Plan was never actually approved by Town Meeting and it needs a climate chapter anyway. He explains that there should be a conversation about whether to ask Town Meeting to retroactively approve it, whether to revise it and approve it, or whether an entirely new Plan should be developed. One way or another

Planning Board needs to act. Murphy asks why it was not approved and Bonnar notes that there was opposition to the major zoning changes caused by the new Open Space section.

Murphy reminds the Board that at the next meeting there will be an agenda item for the election of the Chair since it is the start of the new fiscal year. He notes that the Library Trustees hold their election for Chair right after the election, which might be more appropriate for an elected body. Bonnar notes that it should occur when the term of the new Board begins. Murphy will look into what the State law says about this. Seifert compares this to the situation caused by moving Town Meeting after the Town election, when the new Moderator had to right away moderate that Town Meeting. He notes that Towns are allowed to define the roles and timing of committees and boards in a document such as a Charter, but state law does indicate that otherwise the election is the turning point.

Executive Session

Murphy names DeChiara as acting Chair for the remainder of the meeting and leaves the meeting. DeChiara designates Siefert as a voting member of the Board for the remainder of the meeting.

Motion to enter into Executive Session for Reason No. 3, to discuss strategy with respect to 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 Meeting: DeChiara; second: Weston. Vote: DeChiara - Aye; Hastie - Aye; Weston - Aye; Pyecroft - Aye; Bressler - Aye; Siefert - Aye; Bonnar - Aye. Motion approved unanimously.

Adjournment

The meeting was adjourned from Executive Session.

Adjourned: 8:40pm

List of Documents Used:

- Email from Clif Read, Planning Board designee on the Community Preservation Committee, reporting on the Committee's activities
- Draft minutes of May 12, 2025 Planning Board meeting