

PLANNING BOARD MINUTES

Date: 10/11/2023

Town Hall: Tom Ewing, Molly Daniell, Steve Friedman, Tim Shores, and Richard Nathhorst

Zoom Attendance: Swan Keyes

Not in Attendance: Van Stoddard

Minutes taken by Molly Daniell

Meeting opens at 7:30 pm ET

1. Review agenda
 - a. Request for any additions to the agenda?
 - b. No additions
2. Review and accept minutes of the last meeting.
 - a. Make an edit to the minutes from the previous meeting: "They concluded because the solar system is mounted on structure and not ground mounted."
 - b. Make an edit to the minutes, should be changed: Van did not talk with Lisa. Change to "Tom discussed with Lisa."
 - c. Strike reference to licensing for kennels.
 - d. Strike "Tom met with Ken Kahn"
 - e. Include Swan edit submitted via email
3. Vote on minutes
 - a. Tom, Tim, and Richard vote in favor
 - b. Steve, Molly abstain
 - c. Minutes are approved
4. Walk-in business
 - a. none
5. Review of internal administration procedures
 - a. Steve suggested we come up with guidelines for internal procedures.
 - b. Tim notes that there is not a clear delineation of responsibilities for the planning board.
 - c. Previously Ken did everything administrative and there is not clear understanding on administrative procedure.
 - d. Steve indicates that there should be some sort of "how-to" guidance document
 - e. FRCOG does planning board training; however it only happens every 1-2 years. It is likely virtual now.
 - i. Richard agreed to share when the next meeting will be held.
 - f. This does not need to be overly formal but have a library of resources
 - g. Procedure is not Tom's area of strength and Richard helps out. Richard doesn't mind.
 - h. Lisa requests that she knows what is going on, we can decide if a meeting is held or not.

- i. Steve, for example, took care of all notifications for all ground mounted solar recently.
 - j. Tim suggests that Lisa might be a resource of procedure otherwise not defined in the bylaws or code.
 - i. Steve will ask Lisa if she has a binder of procedure
 - ii. We can include this procedure on the website
 - k. Molly suggests whether there are common planning board procedures to help prioritize our efforts?
 - l. Tom has a cheat sheet he can share as part of “how to” guidance
 - i. He will share for full planning board’s use
 - m. Common procedures the planning board can create guidance around:
 - i. Site plan review
 - ii. Property line changes (subdividing property)
 - iii. Evaluate if planning board approval is required or not
 - n. The problem is going to come when there is a negotiation around someone’s problem and then 30 years later the agreement from prior becomes germane. We need a strong historical record and continuity around those agreements.
6. Discussion of zoning changes
- a. Planning board formed a subcommittee to make clarity changes to the zoning bylaws. They decided to hold until the next town meeting in spring to meet notice requirements.
7. Review of status of Phase 2 of the development of a Leverett Comprehensive Plan.
- a. The comprehensive plan committee met twice in September including last night.
 - b. The comprehensive plan committee is still confused about their role and responsibilities.
 - c. Community vision meeting will include:
 - i. Presentation on existing conditions in Leverett
 - ii. Opportunity to collect qualitative data from residents
 - iii. Design thinking dot “voting” exercise for residents
 - d. Separately, there will also be small discussions spearheaded by a steering group member
 - e. They will also put together a second questionnaire
 - f. In December, there will be another large scale community meeting.
 - g. Question: We had preconceived notions of what the challenges are in Leverett. Is the steering group open to these possibilities?
 - h. Presented employment data accidentally omitted the school was omitted from data?
 - i. Title V is a big discussion within the group
 - j. Demographics was also a big discussion
 - k. Representation for outreach
 - i. The steering committee had a lot of discussion about equity
 - l. Tom suggests that this approach is a departure from previous ways of doing things. Is there enough structure to this so we can get useful insights to write zoning?

- m. This process will produce two outputs:
 - i. The master plan
 - ii. The social infrastructure
- n. A chief benefit of this process is empowering people in town who have a grasp of the issues and generates an informed community.
- o. This is similar to the fiber buildout. That group created a bond and saw a creative relationship form.
- p. What is the full process for the development of the master plan?
 - i. Tim provided a longer history and wrote up talking points for the steering committee
- q. Steve acknowledged Tim's work and leadership
- 8. Continued from last meeting: Discussion of possibly changing regulations for kennels to special permits for all zones.
 - a. If we made a change, this would need to be put before town meeting
 - b. Tom recommends that we tackle this issue
 - c. What is the issue we are trying to solve?
 - i. Potentially, the real issue is neighbors complaining about other neighbors who keep a pack of dogs in their yard
 - d. Ongoing issue is neighbor disputes over dogs. They fall into two categories:
 - i. Barking dogs
 - ii. Somebody is keeping one or two really big, potentially dangerous guard dogs on their property. Those guard dogs expand their territory beyond the property and then we get walkers confronted by a scary dog.
 - iii. People go to the kennel bylaw as a way to keep their pack of dogs.
 - e. How does the kennel license protect residents?
 - i. I'm not sure it does, but people are trying to use it as a shield against neighbor complaints.
 - ii. There was just a big dispute on cave hill road. Somebody has 7-8 dogs and those dogs bark. The neighbors flipped out.
 - iii. There is also a dangerous dog on dry rd who is threatening old ladies.
 - f. What is the status of Dakin?
 - i. It has been bought by an out of town humane group and they will run a veterinary operation for their humane group. It's not open to the public and is just a veterinary operation.
 - 1. It is non-profit. They are based in belchertown
 - g. Definition of kennel: "3 or more dogs, 3 months or older owned by a single person regardless of purpose for which they are maintained or kept." You must get a special permit, which is different from procuring a license.
 - h. Richard suggests that the definition of the kennel should require a commercial venture
 - i. Tom says that we should consider harm to neighbors in planning board discussions
 - j. Decision: we should change the definition of kennel. This should not apply to people who personally own three dogs.**

- k. Should there be any limit to the number of animals on a property without a special permit?
- l. We should separate completely the requirements for commercial vs personal needs.
- m. Should we learn from other towns?
 - i. **Decision: Richard will do this research about other kennel bylaws in neighboring towns.**
- n. What power does the select board have to mandate people get rid of their dogs?
 - i. There is a state law that empowers select board to euthanize a dog
 - ii. Dangerous and nuisance dogs can be controlled by the select board
 - iii. Those laws however don't define the number of animals as long as the animals are well cared for. So the select board cannot get involved with the number of dogs.
- o. Leverett needs to develop a pretty reasonable set of laws
- p. We should limit the number of dogs but address dog behavior
- q. Swan shares that if it ain't broke then don't fix it. What is the guiding principle for solving this challenge?

Meeting adjourned at 9:05 pm