

Agenda
Town of Leverett
Planning Board Meeting
January 14, 2026
Meeting Start: 7:03 pm

Attendees: Tim, Gary, Richard, Kimberly, Greg, Swan
Absent: Molly

1. Approve Minutes
2. ADU Public Hearing - no public attendees, let's have another hearing
3. Site Plan Review Public Hearing - no public attendees, let's have another hearing
4. 2025 Town Meeting Follow Up - Attorney General Comments
5. Walk-In Business

Public Hearing Postponement

- The public hearing will be postponed to Feb 11 due to a missed 14-day notice deadline in the Montague Reporter.
- **Decision:** Use the Montague Reporter for future notices.
 - **Rationale:** It's 10x cheaper than the Greenfield Recorder and has better local circulation.
 - **Legal Concern:** Its 45x/year publication schedule may not meet the AG's "general circulation" requirement.
 - **Mitigation:** The editor posts notices to a state clearinghouse, and the Town Clerk already uses it, suggesting its validity.

AG Feedback & Lessons Learned

- The AG's office rejected two of three 2025 Town Meeting articles, with feedback arriving 7 months post-submission.
- **Article 16 (Kennels):** Rejected for a procedural error (voice vote used for a 2/3 majority).
 - **Outcome:** Unrecoverable. The board will re-propose the bylaw.
 - **Lesson:** All future 2/3 votes must be counted (e.g., hand count, ballot) unless unanimously obvious.
- **Article 17 (Mobile Home):** Rejected for an alleged 13-day notice (14 required).
 - **Correction:** Tear sheets prove the notice ran on March 5 & 12, meeting the deadline.
 - **Action:** The board will submit Form 299 to correct the record and re-vote on the article at Town Meeting as a backup.

New Strategy: Global Public Hearing

- **Plan:** Hold one global public hearing for all proposed zoning changes.
 - **Scope:** Kennels, Solar, ADU, Site Plan Review, Mobile Home, Floodplain.
 - **Process:** The hearing can be continued over multiple meetings, but the notice only needs to be posted once.
 - **Outcome:** The hearing will inform separate warrant articles, which can be combined only if they share the same vote requirement (e.g., all 2/3 majority).

Zoning Bylaw Revisions

- **Ground-Mounted Solar:**
 - **Problem:** The current 9-foot height trigger for site plan review is overly restrictive and obstructs standard pole-mount trackers.
 - **Solution:** Revise the bylaw to trigger site plan review only for installations over 20 feet.
 - **Rationale:** 20 feet is a high-end standard that allows most residential systems to proceed without the onerous review process.
 - **Expert:** Swan will invite retired solar technician Richard Gallo to the hearing to provide neutral, technical context.
- **Floodplain Overlay Bylaw:**
 - **Requirement:** A new bylaw is needed to comply with 2020 FEMA standards, which is required for residents to access federal flood insurance.
 - **Action:** The board will adopt the FEMA-provided text, replacing the current Section 4400.
 - **Change:** The "Floodplain Manager" role will be an "appointee of the Planning Board" instead of tied to the Vice Chair, ensuring flexibility.
 - **Logistics:** The hearing notice must include or link to the new FEMA maps. Richard has a printed set for public review.

Next Steps

- **Gregory:**
 - Compile all six proposed bylaw texts into a single document for the public hearing.
 - Submit Form 299 to correct the record for the mobile home bylaw.
 - Coordinate with Lisa to schedule the Feb 11 hearing and ensure the Town Hall meeting room is available.
- **Kimberly:**
 - Reformat the floodplain bylaw text with the correct section headers to match Leverett's zoning code.
- **Swan:**
 - Invite Richard Gallo to attend the Feb 11 public hearing.

- **All:**
 - Attend the public hearing on **February 11th**.

Unanimous vote to adjourn: 8:36pm