

TOWN OF LEVERETT - PLANNING BOARD AGENDA

September 11, 2024, 7:30 PM

Meeting attendees:

Richard Nathhorst, Greg Tuzzolo, Swan Keyes, Kimberly VanWagner

Attending remotely: Tim Shores, Steve Freedman

Absent: Molly Daniell

Meeting called to order 7:34pm

1. Approve minutes from July and August meeting: passes with 5 yes, 1 abstain
2. Review Candidates for Planning Board Vacancy:
 - a. Jacob Park, 83 Juggler Meadow Road, submits Candidate Statement in writing and reads statement aloud
 - b. Reminder that this appointment is made by a vote of the Selectboard and lasts until the end of Steve Freedman's elected term, which will end in April 2025. If Jacob wants to continue serving on the Planning Board, he must run for election at the Annual Town Meeting in April 2025.
 - c. Unanimous vote to recommend Jacob Park to Select Board as Planning Board appointee; Greg will send letter to Select Board
 - d. BIG thank you to Stephen for giving his time and energy
3. Jackson Hill Road ANR:
 - a. Sam Lovejoy submitted a plan of land on behalf of Arthur H. and Grace A. Meldon, who live at 11 Jackson Hill Road (parcel 1-0-52), who will sell their house to their grandson, and who plan to subdivide 7 acres in the back to create an unbuildable lot (Parcel A on the plan of land submitted). They request Planning Board determination that this subdivision qualifies as "approval not required".
 - b.
 - c. Greg moves that we find the subdivision approval not required; 11 Jackson Hill Road does not constitute a subdivision
 - d. 4 in favor, 2 abstentions; all sign the Mylar copy
4. Rattlesnake Gutter District
 - a. Steve Weiss & Eva Gibavic & Maria Zieja from the Rattlesnake Gutter Trust (RGT) have been working with the Town and raising funds to repair damage to Rattlesnake Gutter trail caused by a flood event in 2022.
 - i. Work will include reconstruction of retaining walls, regrading parts of the trail, trenching on south side of trail to repair drainage systems, and removal of dead trees.
 - ii. The work is similar to routine maintenance done by Leverett Highway Department, and Superintendent Matt Boucher along with two third-party engineers agreed that a site plan was not necessary.
 - b. For grant funding compliance, they request Planning Board review of the Rattlesnake Gutter Overlay zoning bylaw (section 4700).
 - c. Following discussion of work to be done, the Planning Board determined:

- i. A site plan is not necessary.
 - ii. Zoning bylaw section 4732, Buffer Zone, states that authority lies with the Selectboard to determine necessity of removal of live vegetation the event of a natural disaster or other event threatening public safety. This section indicates that the Planning Board does not have authority to make an exception to section 4732. Planning Board recommended that RGT meet with the Selectboard to get formal determination of a natural disaster and threat to public safety, and necessity of vegetation removal and excavation.
 - iii. Planning Board recommended that RGT file a request for determination with Conservation Commission.
 - d. Greg recommended that we consider revising zoning bylaw section 4700 to make it easier for RGT to maintain the trail.
 - i.
- 5. Comprehensive Plan Update - skip
- 6. Kittredge Update
 - a. MOU with the Selectboard
 - i. Many changes needed
 - ii. Carol - in the friendly 40b, the Selectboard requests input from relevant boards BEFORE the Selectboard decides
 - 1. We could request traffic studies and other missing elements
 - 2. We are in a pre-application process, helping the Selectboard make a decision to sign approval of an application to file a 40b
 - 3. Or, the property owner could pursue regular/hostile Chapter 40b could be stopped by ZBA bc of the large development safe harbor
 - 4. Jacob - the property owner doesn't even have a developer yet and cannot even file the application without one
 - 5. Can planning board meet with the attorney
 - 6. Let's create a subgroup to work on a new copy of this for review at the next meeting. Or, Kim will take the comments and make a draft before the next meeting.
 - 7. The nature of what we are doing is currently specifically responsive to the current proposal, not necessarily community visioning ideas. Richard, Jacob, and Carol will join subgroup and Greg will remind Tom Hankinson on the Selectboard that we are working on it and that we are still waiting on hearing back from the property owner.
 - 8. Comprehensive Plan dialogue could continue and informs how we look at this particular project, but for now the idea of the MOU is that we are dealing with this proposal.
- 7. FEMA Floodplain Update
- 8. Walk-In Business
 - Let's set the meeting for 7: Swan, let's check with Molly; Oct 9th at 7pm

Adjourn unanimous 9:37pm