

# Planning Board of Town of New Braintree

20 Memorial Drive  
New Braintree, MA  
E-Mail: [planning@newbraintree.org](mailto:planning@newbraintree.org)  
Web: <https://www.newbraintreema.us>

Call to Order:  
June 6 2022 6:30 PM

Minutes Taker: Stephen Thomas

Attendees:  
Jason Ayer, Chair  
Genevieve Stillman,  
Vice Chair  
Jody Kablack  
David Thompson  
Stephen Thomas  
  
Jennifer Pollard  
Corwin Castonguay

## Minutes

### Adult Use Marijuana ByLaw

#### Discussion:

Corwin Castonguay representing the NBT (New Braintree) ByLaw Committee, took questions from the Planning committee.

Jason asked why the bylaw was modified. It took a long time to get the required approval from the Attorney General and that the state statute had changed. The bylaw presented reflects that changes required/implicated by the changes to the State bylaw. What is currently in the draft bylaw, to be presented to the town at the annual town meeting, includes feedback from the Attorney General and Town Counsel. The Planning Board is responsible for holding a public hearing on all zoning articles to be presented at Town Meeting.

Jason asked if there were any other comments on the issue of setback variances? That came up at the previous meeting. Jody noted that the current bylaw allows flexibility on setbacks if existing structures are used. There is no need to amend this section.

Stephen asked about the quality of the Night-Time lighting. The current bylaw complies with the state statute regarding night lighting.

#### Other Information:

A Permit from the state Cannabis Control Commission is required before a local special permit to set up an establishment is requested from the Town of New Braintree.

Conclusions: Bylaw is clear in terms of Zoning and Planning

Motion: To Recommend ByLaw to Town Meeting	by: Genevieve Stillman vote : 4/5 in favor (passed)	second: David Thompson abstain: Stephen Thomas
Motion: To close public hearing	by: Jody Kablack	second: David Thompson

Vote:5/5 (passed)

## Floodplain Overlay District

Presenter : Corwin Castonguay

Discussion: The Select Board were notified by a FEMA representative that although the Town is enrolled in the National Flood Insurance Program (NFIP), we do not have a Flood Plain Bylaw, which is a requirement if any property in Town wants to obtain flood insurance. Having a bylaw also makes us more eligible for FEMA and MEMA grants after flooding occurrences.

Genevieve : Concerned if a change in the bylaw puts someone in a new zone. What will happen? Who will be affected?  
reply :

Corwin : The maps are not changing so this does not concern any property that is or is not already in a flood zone.

We need the town floodplain bylaw to conform to the FEMA guides/maps. If so then the this will allow the town to get Federal Rescue Funds in case of flooding. Without the bylaw the town will not be able to apply/file-for federal government emergency funds and grants.

Discussion of article C on the Draft bylaw. Most towns use the ‘town engineer’ for the role of Administrator in the bylaw, but our bylaw designates the Chair of the Conservation Commission and is someone who knows the lands very well; that is an appropriate official in New Braintree.

Motion: To Recommend ByLaw to Town Meeting	by: Jody Kablack vote : 5/5 in favor (passed)	second: Genevieve Stillman abstain: -none-
Motion: to close meeting	by: David Thompson vote : 5/5 in favor (passed)	second: Jody Kablack abstain: -none-

## Tanner Airport

Presenter:  
Jody

Reviewed:  
TODO

Discussion:

Jody : suggested that the PB (Planning Board) put forth an idea to the Select Board (or the Planning Board) to create a subcommittee that will be responsible for evaluation and recommendation to the Town on how to adjust Zoning and other town requirements to promote the sale of the former ‘Tanner Airport’ to those organization wanting to develop light agri-based industries, like marijuana and hemp cultivation.

Jennifer Pollard: Concerned about precedence, will this lead to other changes that may not support the character of the town?

Genevieve: Any new or changes to zoning will still need to have a town meeting vote and get permits through various committees; the proposal fto create a sub-committee is not changing the approval process.

Jody: There are several potential uses for the land that have already been identified: extension of the Mass Central Rail Trail ; priority habitat protection and some limited development. The East Quabbin Land Trust is very interested in being part of the process to develop ideas for the property.

Ultimate Goal is to provide covenants for the Rail Trail (which is the old runway) and to support the light agri-based industries.

Jody: A subcommittee could be composed of a Selectman, a Conservation Commission member, a Planning Board member, Bylaw Review Committee member, Park and Recreation Commission member, a Finance Committee member , town residents and others. It was suggested that there may be 2 or 3 public meetings to receive input from residents. The end

result may be a proposal to create an Overlay District that changes zoning only on this parcel of land and allows others uses or intensity of uses that are not normally allowed in town. The site is currently zoned the same as the entire town.

Other Information: The airport is private and is not controlled by the FAA so shutting the airport down is allowable.  
CMRPC: will be aksed if they can facilitate the public process.

Motion: To start the process to create a subcommittee to generate an Overlay zoning district for the Tanner Airport property.	by: Jody Kablack vote : 5/5 in favor (passed)	second: Stephen Thomas abstain: -none-
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Motion: to <b>Approve Minutes</b> from the May 9, 2022 meeting	By:Jay Ayer vote: 5/5 (passed)	Second: David Thompson
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Information: <b>Gravel Pits Site Visits</b>	When : <b>Tuesday June 28</b> prior to Planning board meeting	Meet at the town center 5:30
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Correspondance: No significant mail, notifications from abutting towns

Summit Solar: The Chair noted that the Board will go into Executive Session and will return to regular session after that is over.

At approximately 8:30 pm the Board returned to regular session and notified the public that a settlement with NexAmp on the Summit Solar Farm proposal is nearly reached, and final documents should be available within the next several weeks.

Motion : to Adjourn meeting by David Thompson, second by Jody Kablack, all agreed

Meeting adjourned 8:33 pm