

New Braintree Planning Board Minutes

Monday, April 1, 2024

Present: Genevieve Stillman, Vice-Chair, Dave Thompson, Jody Kablack

Also attending were Jenny Hope, Holly Haller, Dick Reavey, Marty Goulet, Tom Clough

The meeting was called to order by the Vice-Chair at 7:02 pm.

- Minutes to Approve: January 8, 2024

A Motion was made by D. Thompson, seconded by J. Kablack, to approve the minutes of January 8, 2024 as drafted.

- Discussion of Potential Changes to Zoning Bylaw

Members of the Zoning Board and the Bylaw Review Committee were invited to discuss these items.

Short-Term Rentals (STR). The model bylaw from CMRPC was distributed.

J. Kablack questioned what is the intent of adopting such a bylaw – do we need to restrict these, or do we want to encourage them. G. Stillman thought putting some controls on the creation of short term rentals units was warranted. Dick Reavey noted that units on Barr Road was advertised on AirBNB, and did not contain plumbing. This unit has since been discontinued by order of the Building Inspector.

The group read the model STR bylaw. There was significant language that would not be appropriate for a bylaw in New Braintree. There seemed to be too much oversight required and the town does not have the staffing. Some basic rules should apply – requirements for Board of Health approval, requirements to register with the town (and possibly receive some tax revenue) and others.

There was also discussion about the possibility of allowing Accessory Dwelling Units (ADUs) in detached structures as a means of providing housing for family members, or for longer term rentals for generate income. The ZBA members noted that they have discussed this issue and want to continue the conversation with the relevant town boards. The discussion focused specifically detached structures since the current zoning bylaw allows 2 family dwellings as long as they are in 1 structure. A possible change would allow for an ADU to be created in an existing detached structure such as a barn or garage. There was debate over whether you could construct a new, smaller housing unit on a lot with a principal dwelling, or whether the ADU would need to be in an existing structure.

The group did not think any bylaws would be ready for the Annual Town Meeting in June, but did want to continue discussions about these issues. Marty Goulet volunteered to reach out the CMRPC to see if they had bylaws from other nearby towns. J. Kablack will review legal case law

about short term rentals. The group wanted to form a working group to include members from the Planning Board, ZBA, Select Board, Bylaw Review Committee, Fire Dept and Board of Health.

Tentative working group meeting was scheduled for Monday May 6, 2024 @ 7 pm.

- Casella Landfill Expansion Proposal, Hardwick

G. Stillman has been asked to give comments from the NBT Planning Board at their hearing scheduled for April 9, 2024 at 6:30 pm. Will impact NBT roads – Ravine, Rt 32, Rt 67. J. Kablack did not think there was adequate review of the project to provide substantive comments. G. Stillman and J. Kablack will attend the hearing.

- West Road Gravel Operation

NOTE: This item was not listed on the posted agenda

Tom Clough attended the meeting to discuss his concerns about the West Road gravel pit which is operated by Bo Lee's Excavating. The site has recently been cleared of trees, including up to the road surface. Mr. Clough asked if this was permitted, and if abutters had been notified? Mr. Clough believes that RJ MacDonald is doing the work.

The Board noted that a permit was granted in July 2023 allowing the expansion of the operation at this site, including clearing approximately 17 acres of land and removing 5,000 cubic yards of sand and gravel (each). Additionally, abutters were properly notified of the last hearing when this gravel permit was issued in 2023. No Planning Board members have been approached by any resident about this issue.

The Board decided to investigate the issue by calling the applicant to see if they were removing more material than allowed, or if any other provision of the bylaw is being violated, including: Is loam leaving town; and if the gravel operation will impact the old medical waste dump in the vicinity.

The Board will call the Applicant and notify the Select Board, and report back at the next meeting.

Next meeting: The Board tentatively scheduled the next meeting for Monday May 6, 2024.

A motion was made by J. Kablack, seconded by G. Stillman and voted unanimously to adjourn at 8:30 pm.