



# TOWN OF LEYDEN

## Meeting Minutes

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### Planning Board

**Where:** Leyden Town Offices – 7 Brattleboro Road

**When:** November 12, 2025 at 6:30 PM

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### In Attendance

**Members:** Jim Brodeur, Chair, Liz Kidder, Emily Yaswinski

**Audience:** None

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**Time meeting called to order:** 6:32 pm

**Review of Minutes:** October 8, 2025 as corrected

**Motion:** Emily Yazwinski

**Second:** Liz Kidder

**Vote:** Approved Unanimously

### Discussions:

#### 1. Correspondence

**Discussion:** Jim reviewed Greenfield zoning legal notices

**Motion:** none needed

**Second:**

**Vote:**

**Action:** None

#### 2. Reports from members attendance on recent meetings by the Town and other agencies assisting us.

**Discussion:** Liz reported that the Regionalization Advisory Committee had reviewed memos prepared by the Collins Center which analyzed options for sharing services with the Town of Bernardston. At this point, combining the 2 towns into one-entity is no longer being considered. The committee is focusing on sharing: town administration/town clerk, a town financial team (accountant, treasurer, tax collector, assessor), and the fire department.

Liz noted that a representative from the Mass. DCR had met with the Select board regarding the revised National Flood Insurance Program map that is under review. The Select Board were told that within the next year, Leyden has to update their Floodplain Protection Overlay District zoning bylaw and their Hazardous Mitigation Plan in order to be in compliance. The DCR contact can forward to the Planning Board a list of the revisions that need to be adopted and is willing to have a zoom meeting with the Board to review the necessary changes that need to be made to our current floodplain overlay district section of our bylaw.

**Motion:** none needed

**Second:**

**Vote:**

**Action:** continue tracking these meetings.

3. **Potential draft**, based upon last meeting, on citizens' request for a proposal to alter section 2.3 of the zoning bylaws, "Lot and yard requirements," decreasing lot setbacks by right, w/o special permit

**Discussion:** As a follow-up to the Board's last meeting, Jim presented a preliminary draft of a possible new paragraph to include with our bylaw relative to pre-existing non-conforming uses.

*D. On pre-existing non-conforming lots, or lots with pre-existing non-conforming (structures, dwellings?), setback requirements for any new non-residential, non-habitable accessory structures may be allowed with only Site Plan Review, as specified in Section 5.6 of these Zoning Bylaws. New structure proposed must be no more non-compliant, with regard to setbacks, than pre-existing non-compliant (structure/dwelling?)*

Liz noted that she had suggested the Board review our criteria for Special Permits, Section 8.1 and prepare a use table. Part of the reason that Sara Seinberg and Elizabeth Tuberger, had suggested a review of the need for a public hearing when individuals wanted to modify a pre-existing non-conforming structure was the cost of a public hearing application. Chapter 40A requires a town to put a legal notice twice in a local paper prior to the hearing. The costs of those legal notices has risen over the past couple of years and therefore Leyden is charging an applicant over \$400 to hold a hearing. It could be possible to achieve the same review of a proposed addition, through a site plan review which would not fall under the legal notice requirement of Chapter 40A. A site plan review can be done during a regular Planning Board meeting rather than during a public hearing.

It was the consensus of those present, to start a review of Leyden's bylaws to develop a use table, review our site plan review process and to add to our criteria for a special permit review. During that review, the board could consider how to include site plan review for additions to pre-existing, non-conforming properties.

**Motion:** none

**Second:**

**Vote:**

4. Green Communities criterion for State acceptance. Looks like they're looking to enforce a one-year maximum decision process for solar projects.

Jim reviewed the number of months it takes for a review process under our current bylaw. If the applicant agrees to an extension, then a review could run over the one year time limit for a green community. It was suggested that the Board ask Donna to review our process and let us know if we are in compliance with Green Communities or if we need to make any changes to our process. This information can then be given to our Town Coordinator who needs this for her annual reporting requirement.

**Motion:** none

5. Status of Attorney General submission of Bylaw Amendments after Town Meeting, 90-day AG response deadline – Nov. 7<sup>th</sup>

Jim reported that the town had received an initial decision from the Attorney General's office on the articles we presented at SPTM. Their initial response was:

Articles 1, 4 and 5 – were approved

Articles 6, 7, 8, and 9 – by agreement with our Town Counsel, the deadline has been extended to January 1, 2026

Article 3 – was disapproved

Article 2 – partially approved except for

- Section 5.13 (C)(2)'s requirement that the principal dwelling be existing
- A portion of Section 5.13 (C)(4)'s dimensional requirements; and
- A portion of Section 5.13 (C)(6)'s parking provisions

After reviewing the comments, the board discussed several questions for Town Counsel, especially regarding Article 3 which the board felt had been misinterpreted by the AG's staff.

Action: it was the consensus that Liz should contact Town Counsel about this decision, especially in regards to Article 3.

**Motion:** none

6. Update on electromagnetic effects from Eversource "smart meter," concerns from resident. Nov. 13<sup>th</sup> talk by Dr. Kent Chamberlain at the greenfield middle school. \$34/month to "opt out" of the new household meter installation.

Jim updated everyone on an article in today's newspaper listing an information session on the health impacts from smart meters. There are a lot of questions about whether residents can opt out of having a smart meter which would currently require them to pay a \$24 monthly fee. This is an ongoing issue that he will follow.

**Motion:** none

**Miscellaneous:** *List any topics not reasonably anticipated by the Chair prior to the 48-hour posting requirement for the meeting.*

1- None

**Next Meeting:** December 10<sup>th</sup> at 6:30pm

**Meeting Adjournment**

**Motion:** Liz Kidder

**Second:** Emily Yazwinski

**Vote:** Approved unanimously

**Submitted By:** Liz Kidder