

PLANNING BOARD MEETING MINUTES
WEDNESDAY, December 10, 2025

Jake Schultzberg called the meeting to order at 7 pm.

1. **Attendance:** Chair Jake Schultzberg, Vice chair Meg Schlesman, Mike Derose, Rich Preston, Mike Greco, Mike Zwicker, Jake Gniadek, John Charbonneau Town Planner

Absent: Aaron Socrat, Ernie marks (both excused)

2. **(0:35 TS) ANR's: NONE**

3. **PUBLIC HEARINGS: NONE**

4. **(0:40 TS) ADDITIONAL BUSINESS:**

- a. Woodland Road – Deer Crossing (DEF-030612) – Final Phase – Peer Review Discussion - **Possible Votes**
Margaret Bacon with Civil Site Engineering representing the Woodland Road – Deer Crossing regarding the final phase and peer review. They still need stormwater to be reviewed, and the Conservation Commission is reviewing the wetland impacts and the notice of intent. John Charbonneau stated that there is still an active 53G account for this project with some funds. (2:35 TS) Motion for Woodland Road – Deer Crossing (DEF #030612) Final Phase – Peer Review through Graves Engineering via the 53G account, made by Mike Zwicker, 2nd by Rich Preston. The vote passed unanimously.

- b. (3:20 TS) Covenant – The Lane @ Hunt's Pond (DEF-160628)
John Charbonneau gave a brief history that this is a definitive subdivision that was approved back in 2017 by the Planning Board, and no construction was started on it and the approval is still valid. There is just the matter of executing a new covenant for the new owners (Afonso). Attorney Susette Ferrera representing D&F Afonso Builders and the business owner Dominic Afonso for the discussion to get the mylars released and finish out the process. Attorney Ferrera stated that the covenant is now signed by the new owner. John Charbonneau stated that Attorney Ferrera has worked with Attorney Winner and has approved the content of the covenant.

- c. (9:40 TS) Open Space Lot Release – Hilltop Estates – **Possible Votes**
John Charbonneau gave an overview that back in 2003 the Planning Board voted to release all 22 of the building lots that are part of this subdivision however, the Planning Board never officially released the three open space lots. The owner of those open space lots would like to transfer them to the state to DCR but they need the board to release the lots first. Shaun Provencher, a land protection planner for the department of Conservation and Recreation, confirmed what Mr. Charbonneau stated.

(11:50 TS) Motion to release the open space lots related to the Hilltop Estates definitive subdivision, made by Mike Zwicker, 2nd by Meg Schlesman. The vote passed unanimously.

- d. (12:30 TS) Master Plan Committee Update – Rich Preston gave his update that they last met on November 19, they are in the middle of editing the final master plan and reviewed the second draft of both land use and zoning element and population and housing. The final version of all seven elements should be completed by February or March, and the next meeting is December 17 at 5 pm.

e. (13:20 TS) Accessory Dwelling Unit (ADU) Bylaw Amendments Discussion

In 2024 Town Meeting passed an ADU bylaw that replace the current accessory apartment bylaw, however, the Attorney General rejected 3 or 4 aspects of it. John Charbonneau (town planner) and Ken Frasier (building inspector) met with Attorney Jay Talerman and Attorney Brian Winner to address the states rejections. Ken Frasier discussed revisions and the in-law apartment differences from the ADU apartments and the regulations and restrictions for each. There are majority of the in-law apartments that are not compliant with the new ADU by-laws, and the board must decide what is going to be allowed in town. Ken Frasier feels there should be a distinction between in-law apartments and ADU dwellings and that there should be an allowance to do an in-law apartment. Mr. Frasier does not think the in-law should have been eliminated from the bylaw and in his opinion should be put back in. Mr. Charbonneau voiced his concerns and if they are going to add the in-law language back in, he feels it should be a separate article than the changes requested by the state for the ADU's to try to reduce confusion for the voters at Town Meeting. Mr. Charbonneau and Mr. Frasier are looking for guidance from the board on which direction they would like to go. The board decided to move forward with adding in-law language (accessory apartment) and making it a separate article from the ADU article.

(54:05 TS) Motion for John Charbonneau to draft the changes from the state for the ADU as well as work with Ken Frasier for adapting a new accessory apartment bylaw off the previous guidelines making them 2 separate entities, made by Mike Derose, 2nd by Mike Zwicker. The vote passed unanimously.

f. (55:20 TS) Subdivision Rules & Regulations Amendment Discussion

John Charbonneau went over the requested revisions for specifications regarding asphalt sidewalks that he worked with Adam Furno. They discussed the changes made and others they would like to see. The items discussed tonight included adding in specifications for concrete curbs and cast-iron warning. They are scheduling a public hearing for this for the second meeting in January 2026.

5. ONGOING DEVELOPMENT:

- a. (1:11:50 TS) The Cubes at Gilboa (SPR-220215) – Per Mr. Minarik negotiations are ongoing with three possibly four companies to occupy the building.
- b. Business Park @ Legacy Circle (DEF-2018-18)
- c. BW Solar @ Oak St, (SPR-200203 & SR-200203)
- d. Stone Gate Development (DEF- 020319)
- e. (1:12:05 TS) Whitin Reservoir Estates (MOD-120906) – the engineer stated that efforts to communicate with the owner to complete the improvements necessary to have the roadway accepted have been unsuccessful. The town is considering beginning the process of taking the \$25k bond to be able to complete the work for the residents there.
- f. (1:13:00 TS) Deer Crossing (DEF- 030612) – Phase 6a is under design and the applicant requested to use Graves Engineering
- g. Gilboa Court Ext (DEF-170222)
- h. Evergreen Estates (DEF- 061010)
- i. William Estates (DEF-060712)
- j. Hawk Hill Farms (RC-210701)
- k. Sutton/Douglas Development (DEF-220215)
- l. ASD Wallum Solar, LLC (SPR-181002)
- m. O'Leary Welding (SPR 24-0305)

- n. (1:13:05 TS) Douglas Package Store (SPR 23-0425) – their foundation is going in and moving along.
 - o. 286 Webster Street (ER-24050)
 - p. (1:13:10 TS) The Lane @ Hunt's Pond (DEF-160628) – they are moving forward with the new owner and starting activity in a couple months.
6. **(1:13:55 TS) Town Planner Report**
- a. Upcoming public hearing on January 14, 2026, for the Freshwater Preserve a Flex Design Definitive Subdivision off SW Main Street.
 - b. (1:15:30 TS) Update on administrative projects – a senior volunteer has started and is working ANR files and then work on reorganizing the ANR files
 - c. (1:16:25 TS) CMRPC DLTA Grant: Zoning Bylaw Diagnostic – **Possible Votes**
Emily at CMRPC contacted John Charbonneau and she offered to include Douglas with the Town of Rutland on a grant application to do a zoning bylaw diagnostic, to look for inconsistencies and recommendations.
(1:17:40 TS) Motion to request the grant money for the zoning bylaw diagnostics from CMRPC in combination with the Town of Rutland, made by Mike Zwicker, 2nd by Rich Preston. The vote passed unanimously.
7. **(1:18:00 TS) SIGNATURES:**
- a. Vouchers
8. **(1:18:05 TS) Open Session for Topics not reasonably anticipated 48 hours in advance of the meeting**
- Mike Derose updated that in October he attended a region wide ADU seminar done by CMRPC and he went over some information he received and that the state is trying to make low-cost housing rents with the change of the ADU laws. He wanted to mention that the town can still restrict short-term rental of the ADUs and talked about other stipulations he heard. Mr. Derose is going to send the link to the other board members and to John Charbonneau with all the information from the seminar.
9. **(1:28:40 TS) MINUTES: September 10, 2025, October 8, 2025 & November 12, 2025 – Possible Votes**
- (1:29:45 TS) Motion to accept the meeting minutes of September 10, 2025, as amended, made by Meg Schlesman, 2nd by Mike Derose. The vote passed unanimously.
- (1:32:05 TS) Motion to accept the meeting minutes of October 8, 2025, as amended, made by Rich Preston, 2nd by Meg Schlesman. The vote passed unanimously.
- (1:33:20 TS) Motion to accept the meeting minutes of November 12, 2025, as amended, made by Meg Schlesman, 2nd by Mike Derose. The vote passed unanimously.

Next Meeting(s): January 14, 2026 & January 28, 2026

10. **(1:33:30 TS) ADJOURNMENT – Motion to adjourn the meeting made by Mike Zwicker, 2nd by Rich Preston. The vote passed unanimously.**

Respectfully submitted,

Stephenie Gosselin