

Danbury Planning Board

April 28th, 2026

Un-Adopted

The Danbury Planning Board met on Tuesday, April 28th, 2026 in accordance with the schedule adopted and posted. Gary Donoghue called the meeting to order at 7:00 p.m. and welcomed everyone present. Gary asked if anyone had a conflict of interest and hearing none, proceeded with the meeting.

Present:

Gary Donoghue, Vice Chair

Jim Phelps

Edward Esty

Maggi Winn

Kristen McKenna

Katelyn Setterlund, clerk

Not Present: John Taylor, Chair, Anna Offen, clerk/alternate, Frances Bliss, Selectmen ex-officio

Guests: Lenny Ryan

The meeting minutes were reviewed from 4/14/2026. Maggi Winn made a motion to approve the minutes, Kristen McKenna seconded. **Roll call vote Gary Donoghue – Yes, Maggi Winn – Yes, Jim Phelps – Yes, Kristen McKenna – Yes, Edward Esty – Yes; motion passed unanimously.**

Gary Donoghue opened the meeting with a discussion regarding comments and concerns raised by the Select Board at the previous meeting, and the Select Board's follow up via email on April 28, 2026. The Planning Board recognized the often thankless nature of the Select Board's role and expressed sincere appreciation for the work the Select Board performs on behalf of the town. The Planning Board further appreciates the Select Board's willingness to attend a Planning Board meeting to openly discuss their questions and concerns. Gary noted that the Planning Board is an independent body and will continue to retain its independence. Gary also addressed the Select Board's request for the updated Master Plan, noting that it had been emailed to Select

stated that while campers are permitted for up to one year, there are residents who have been living in campers for multiple years with no intent to build. Additional examples were discussed, including campers and sheds being used as dwellings without required state-approved septic systems, structures being called “tiny homes,” and occupancy concerns. Maggi reiterated that enforcement is not the Planning Board’s responsibility and stated that the Town cannot effectively be run by limited staff availability. She noted that administrative staff are already fully occupied with existing duties. Jim stated that the Select Board raised several valid points and suggested that the Board begin a comprehensive review of its regulations in the fall. He proposed utilizing working sessions to review and potentially tighten regulations, also relative to home occupations, cottage industries, cisterns, ADUs, and other land use matters, with the goal of presenting proposed amendments for voter approval at the March 2027 ballot. Gary agreed and emphasized the need for input from relevant parties. He noted that assistance from the Fire Department would be important, referencing a prior meeting in which the Fire Chief discussed cisterns and dry hydrants and would be the appropriate authority for input on regulations of those matters.

Gary Donoghue pivoted discussion to the SF Mountain Co. proposed subdivision conversation from the last meeting. He questioned prior Board concerns if certain developments were restricted from becoming full-time residences, pursuant to the Development Agreement. He questioned the origin of this concept, noting that the cabins were originally built as rental units. At the time of approval, the Board’s intent was to prevent those rental units from being converted into full time residences. He expressed concern that the town could be financially exposed if permanent residents move in, particularly due to costs such as student education without corresponding tax benefits. Gary reviewed Ragged Mountain’s own rules and regulations for rentals, which state that no lot shall be subject to shared ownership, rental restrictions, or multiple ownership structures, and that units are to be used solely for residential housing purposes, excluding boarding houses, bed and breakfasts, or similar uses. Cabins may be rented nightly but may not be rented to the same tenant for more than 120 days. Gary noted that potential units derived from the proposed subdivision, if approved, are likely to become second homes that are occasionally rented. Maggi Winn asked whether someone could build a primary residence in the subdivision. Gary responded that this would be allowed and noted it could

demolition and difficulty obtaining subsequent approval issues. Gary Donoghue stated that he did not fully understand the demolition situation and noted that while the Select Board denied the request, the Zoning Board of Adjustment (ZBA) approved it. Maggi explained that the proposed structure was slightly larger than the original foundation. She noted that if applicants stay within the existing footprint, replacement is generally permitted. She added that the public becomes frustrated when required to return repeatedly to obtain approvals, reiterating her concern for lack of expertise within the Town to guide residents through processes and appropriate channels. Lenny clarified that no approval was ultimately granted by the ZBA, as the applicant withdrew the request. He added that the ZBA advised that rebuilding on the existing foundation would not require a variance or extension. Maggi stated that there is a lack of clear direction for applicants, resulting in confusion and dissatisfaction when people leave without answers. Jim noted that applicants are generally attempting to comply with regulations and act in good faith. Edward Esty stated that the applicant had been advised that demolishing the building would result in the loss of nonconforming lot status. Jim added that the structure had been deteriorating before permission to demolish was granted, noting its poor condition. Gary returned to the discussion of the issue of enforcement, stating that in addition to enforcement challenges, some issues stem from interpretation of regulations, leading the Select Board to feel uncomfortable making determinations. Maggi discussed camper regulations, noting that there are multiple regulatory standards involved, including state-approved septic systems and state-approved waste disposal. She stated that, at the state level, campers may be approved if waste is pumped appropriately. Jim stated that municipal ordinances supersede state law when they are more restrictive than state regulations. Kristen McKenna asked who is responsible for enforcement. Gary responded that enforcement responsibility lies with the Select Board. Jim confirmed that the LUZO specifically assigns enforcement authority to the Select Board and emphasized that consistent enforcement would significantly improve compliance. Kristen asked whether enforcement would require more than three officials. Jim responded that the Select Board may have up to five members but must have a minimum quorum of three. He cited Bristol as an example, noting that it has five members along with full time administrative and finance staff. Maggi noted that Bristol also has a part time land use staff person who returns calls and provides guidance, whereas in Danbury, inquiries often go unanswered.