

**TOWN OF SHEFFIELD
CONSERVATION COMMISSION
November 27, 2023
TOWN HALL FIRST FLOOR MEETING ROOM
7:00PM
MEETING MINUTES**

Commissioners present: Rene Wood, Chair
 Ted Pitman, Vice Chair
 Anya Rosoff
 Donald Roeder

Others Present: See the sign-in sheet

Chair Wood called the meeting to order at 7:03pm, welcomed people to the meeting, and explained it was a special meeting dedicated to the Scenic Mountain Act (SMA). She detailed what was shown on two new maps from BRPC, as well as pointed out the Scenic Mountain Act map used during previous meetings. After these maps and a summary of public comments from previous meetings were reviewed, she asked for input.

J. Collingwood noted his Home Road land crosses into New Marlborough; that Three-Mile pond is protected; and some Home Road land falls under the Wetlands Protection Act. He suggested editing the Scenic Mountain Act to avoid overlapping regulations, including the Wetlands Protection Act and Rivers Protection Act. He agreed to provide specific objections to the SMA text.

A. Rosoff thanked him for his comments and time he has put into reviewing the SMA text and maps.

S. Hoy's comment focused on the benefits of having an extra layer of protection with the SMA regulations. The SMA is preventative, not prohibitive; it allows a layer of review before things are done.

S. Butler expressed her concerns about steep slope regulations, as it is almost impossible to enforce. How will this be done? She suggested only regulating steep slopes within the designated elevation areas.

Concerns were raised about how a 15% slope is calculated in the regulations. The Commission will review.

K. Orlando commented that the SMA is not stopping people from doing things but is to have people know what they can do and be proactive before building etc. She also noted the role of technology and how much more is possible building wise today compared to when the SMA was approved in 1975. She illustrated her points of unintended consequences of not doing enough pre-construction work using the construction of Dewey Court and the wet basements on Root Lane that followed. She presented the Commission with *MA Guide for Planners, Designers, and Municipal Officials; Erosion and Sediment Control Guidelines for Urban and Suburban Areas; MassDEP*.

She discussed moderate hazard slope per the document, including a 18% slope = a high erosion hazard. The guide is specific on slopes re: soils; no soil types are discussed in the SMA regulations.

J. Kelley noted he prefers 1300' elevation for both sides of Sheffield as well as a 20% slope; he also discussed his concerns with aesthetic issues in the SMA regulations as well as who would make such decisions. He also commented on the "scenic" areas and where viewed, as well as driveway regulations. He pointed out language in 3.12 and 6.3 needing review.

S. Smith commented that he did not think people should have to get permission to repaint their house. Discussion regarding these regulations versus approvals required in the AF Historic District ensued.

K. Orlando made additional comments about the qualities of Sheffield, which cause people to move here and that the SMA regulations encourage economic development.

B. Kilmer expressed his concerns about the creep of regulations, using the creep of the Wetlands Protection Act and Federal regulations on waterways as examples. He does not support layers of regulations and is sure the SMA regulations will have similar creep. R. Wood noted he is part of the Select Board, which has to approve the map and text associated with the SMA regulations for them to go to the State for review and final approval. She asked what elevation and slopes he could likely support. 1100' on both sides but no definitive answer on slopes.

D. Roeder discussed designating slope areas only within the designated elevation areas on the Map and Text; this would address several comments made during the meeting. J. Collingwood agreed.

R. Wood again requested specific rather than generic comments about the SMA regulations and thanked people for their time and specific comments.

The next Conservation Commission meeting is at 7pm on Monday 12/11. It is unclear as to the agenda as no NOIs or RDAs have been received to date. The Commissioners may have a chance to discuss the SMA regulations.

D. Roeder made a motion to adjourn the meeting, seconded by T. Pitman, which passed unanimously in a 4-0 vote. The meeting adjourned at 8:20pm.

Respectfully Submitted by,



Rene Wood
Chair

Documents reviewed at this meeting:

- Meeting Agenda, 11/24/2023; Sign in Sheet; 2 BRPC large maps; Scenic Mountain Act regulations and maps; *MA Guide for Planners, Designers, and Municipal Officials*; *Erosion and Sediment Control Guidelines for Urban and Suburban Areas*; MassDEP; 2 letters from S. Butler.