



Town of Sheffield

Planning Board

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Special Permit Application of Melissa Kushi Public Hearing Minutes September 12, 2012, 7:15 PM

TOWN HALL – 1ST FLOOR MEETING ROOM

Board Members Present: David A. Smith Sr.
James T. Collingwood Jr.
Peter R. Cherneff
Maria Nation

Board Members Absent: Margaret Martin

Others Present: Melissa Kushi, 15 Castle Hill Ave., Great Barrington,
Dennis Egan, Attorney for Applicant, 58 Glory Drive, Pittsfield,
Nicholas Andersen, Berkshire Engineering, 157 Columbia St. Lee
John James, Architect, 250 E. Main St., Ashley Falls
Rene Wood, 928 Boardman St. Sheffield

Meeting was called to order at 7:15 PM.

Chair of the Planning Board, David Smith Sr., read the notice of public hearing, published on the 24th of August and the 6th of September, 2012 in the Berkshire Record and explained the purpose and procedure of the hearing. He read that Melissa Kushi of 15 Castle Hill Ave. in Great Barrington, submitted a Special Permit Application for Light Manufacturing with Mixed Use with Single Family Accessory Dwelling, within the General Business District. The Board scheduled a public hearing for September 12, 2012. Originally, a Site Plan was missing from the application.

Nick Andersen of Berkshire Engineering presented a schematic of the infrastructure at 1375 Boardman St. He stated that water use will remain approximately at the level of previous use. He also stated that there are no signs of erosion, piping is in good working order, the site is served by underground utilities, the infrastructure is very good. Mr. Andersen said that the single family home would be standard for the use of single family home, deliveries would occur a few times a week with daily Fed Ex deliveries between 9am-6pm and that they estimate about 9 employees. He stated that few municipal services would be needed; Ms. Kushi's children are 18 and 20 years old. He reminded the Board that over the last 15 years the previous owners were first a pig farm, then a furniture manufacturer and most recently a special effects studio.

Jim Collingwood inquired about town's obligation to snowplow.

Peter Cherneff asked if the driveway is within the lot. Attorney Dennis Egan described the

shared driveway and said that it was pre-existing non-conforming.

Attorney Egan described the application for a Special Permit for Mixed Use. He said that his client would be bringing in salt and natural flavorings. He said there would be no smoke or vibrations and that all the concerns of bylaw 7.2 are not applicable. He stated that this will be an accessory use under 3.2.8. Salt, garlic, essential oils and palates are all part of the business. He described offices, a single family 3 bedroom dwelling unit and a photovoltaic array. The attorney stated that Melissa Kushi feels that this fits in well with the master plan of the Town of Sheffield. The Applicant before the Planning Board has also filed an application for variance with the ZBA.

Melissa Kushi added that of the approximately 6 acres, 2.5 acres is arable soil and she has plans to grow her ingredients there. She stated that the maximum number of employees would be 18 and that she would immediately grow to 12. Going to 20 would put her into a different category as an employer.

The Attorney stated that the use would not be greater than previous uses.

Ms. Kushi explained that the salt materials come from Pakistan, course grain, fine grain, slabs and chunks, that there will be a shrink tunnel, that they do have a stone mill to grind, powered by electricity. Ms. Kushi said that the work is done by individuals and that there are no emissions, noise or vibration.

Peter Cherneff asked if he stood outside the building what would he see or hear. Ms. Kushi explained that on the north side he would only hear something if he went near the windows of the production. In that case, she said, he would hear the music the employees are listening to and smell the garlic or lavender when they use it. She stated that all materials are dry. She also explained that the 4th quarter is her biggest quarter of the year and that three 18 wheelers would come in per week. She said that Fed Ex comes everyday at 3pm.

Jim Collingwood asked about loading equipment, noise and emissions. Ms. Kushi stated that she wants to put in an electric loading dock and that a solar array would be on the south side of the building. She stated that she will eliminate most of the parking that exists now, there will be a truck turn-around, her hours will be 9am-6pm and the exterior lighting will go off at 7pm.

The Engineer, Nicholas Andersen, believes that it won't be a problem to be dark-sky compliant. He stated that none of the drives are now lit and that only the building is lit and that the solar array will face south toward Kathleen Tillet.

Rene Wood said that she was disappointed that the hearing started early. She said that she doesn't know where the residence or loading dock will be. Nicholas Andersen demonstrated the location of the proposed activity on the property. Rene was concerned that this is bringing manufacturing to the rural district. Rene recommends checking with general counsel about whether the Board can make a decision pending the decision from the ZBA.

David Smith explained that there will be no decision tonight, and that the Board will have to deliberate on it. Melissa Kushi asked what their decision would be, Board said that they could

not state their decision in advance but that they don't see any major problem with the Application.

Jim Collingwood made a motion to continue the public hearing until after the ZBA meeting. His motion was seconded by Peter Cherneff. The motion carried unanimously.

At 8:10 p.m., a motion to continue the public hearing until after the ZBA meeting was made by James Collingwood Jr., seconded by Peter Cherneff and approved by the Board unanimously.

Respectfully submitted,

Nadia Milleron
Secretary to the Planning Board