

**Town of Sheffield Planning Board
December 13, 2023; 7pm
Town Hall, 2nd Floor Meeting Room**

Members Present: George Oleen, Chair
Robbie Cooper, Vice Chair
Ken Smith
Brittany Ebeling

Members Absent: Sari Hoy

Public Present: see sign-up sheet

Chair Oleen opened the meeting at 7pm.

1.ANR Requests: None

2. Minutes: On a motion from R. Cooper and a second from K. Smith, the Board accepted the minutes as amended with a 4-0 vote. The corrections were the spelling of Audubon and the importance “of”. K. Smith will email the corrections to the Board Administrator.

3. Discussion/Possible Action regarding Four One Tree: Chair Oleen began the discussion by stating that the Building Inspector/Zoning Enforcement Officer P. Greene had been requested to get the Planning Board a synopsis of the Four One Tree’s business plan. Instead P. Greene issued a letter to the Board with his opinion that this business was allowed by-right. The Board was upset that P. Greene had not fulfilled their request.

Discussion followed that the Board had two options: 1. Appeal to the Zoning Board of Appeals or 2. Let P. Greene’s decision stand.

Members of the Board reviewed the Table of Use and definitions and the lack of certain definitions. Heavy Equipment Storage was not allowed in the Village Center and discussion of what constituted such equipment. With no business plan, it was questioned what would potentially be there. R. Cooper noted that the sign is likely to be non-compliant. K. Smith noted that they don’t allow landscaping companies, but P. Greene has said it is a service establishment, general. R. Cooper was concerned about establishing a precedent.

R. Wood, who was present to take minutes, noted that the Conservation Commission has invited the owner to a meeting to discuss possible wetlands violations, but to date he has not accepted the invitation. She also noted that many home occupations/businesses are landscape businesses.

R. Cooper noted the issue of legal expense if they reject P. Greene’s decision. R. Wood advised the Board not to let potential legal expenses make their decision. Chair Oleen reiterated the biggest issue was that the Board did not get what P. Greene was to give them. Heavy equipment and construction business was discussed again as was a service business versus a construction business. Is a tree business construction plus a landscaping business? K. Smith noted the company has an excavator. Does this equal heavy equipment? They also have an 80’ lift.

B. Ebeling wanted more information from P. Greene, as had been requested. R. Wood noted the 30 day window on P. Greene's letter.

A motion made by K. Smith and seconded by R. Cooper to file an Administrative Appeal P. Greene's decision on Four One Tree to the Zoning Board of Appeals, and to ask for more information to clarify Four One Tree's business plan, was passed on a 4-0 roll call vote.

The appeal process was reviewed, and Chair Oleen filled out the required paperwork.

R. Cooper noted that the Board should review definitions and establish them for construction and service establishments.

4. Mail: was reviewed.

5. Public Comment: R. Wood reviewed a DLTA (District Technical Assistance Grant) she had written for continued assistance from BRPC on the housing work the Board has been doing. She will have it forwarded to the Board for their review. It has been reviewed by CJ Hoss, authorized by the Select Board, and will be finalized by the Town Administrator. The Board will review at their January meeting in time for the late January filing deadline.

6. Board Member Items: R. Cooper briefly discussed the Alford Planning Board situation with the Berkshire Communists. Chair Oleen brought up a meeting request made by the Select Board and that the draft ADU Zoning By-Law had not yet gone to legal counsel for review. R. Wood clarified the highlighting the Select Board was seeking and not the Planning Board's multiple iterations of the draft. If none were available, fine. All members will meet with the Select Board on Monday 12/18 at 5pm.

A motion made by R. Cooper and seconded K. Smith to adjourn was passed by a 4-0 vote.

The meeting was adjourned at 7:45 PM.

Respectfully submitted by:

Rene Wood



The following documents were reviewed at this meeting: Board Minutes/Mail