

CONSERVATION COMMISSION

Meeting Minutes

March 30, 2023

7:00 PM

Town Hall – First Floor Meeting Room

Commissioners present: Don Ward, Chairman
Ted Pitman, Vice Chairman
Anya Rosoff
Rene Wood

Commission Members Not Present: Donald Roeder

Others Present: Josh Risen, Board Administrator
Members of the public

Chairman Ward opened the meeting at 7:05 pm.

Discussion/Possible Action Regarding Scenic Mountain Act Legislation.

The Commission reviewed and discussed the minutes from February 27, 2023. *R. Wood moved to approve the February 27, 2023 minutes as presented, seconded by A. Rosoff. The motion passed unanimously.*

Chairman Ward requested that a short overview of the new proposed draft of the Scenic Mountain Act Regulations (SMA) be presented by R. Wood and M. Mitsoff. R. Wood and M. Mitsoff have met and discussed the SMA several times and have worked diligently to draft the regulation so as to be concise, consistent, and approachable. R. Wood stated that she and M. Mitsoff are both in agreement concerning the language in the SMA as presented and that they have made significant progress in making the regulations more user friendly.

R. Wood demonstrated the new version of the Map and Text to the Commission. The map now includes areas that are colored orange to indicate which portions of Sheffield are to be subjected to the SMA due to the steep slope portion of the regulation. The map in green shows which areas of Sheffield were already subject to other environmental protection regulations such as inland areas of critical environmental concern.

R. Wood gave a presentation of each section of the SMA beginning with the definitions section. A discussion ensued as to whether the term substantial is defined clearly enough in section 2.51. T. Pitman requested that the term substantial be removed from section 3.2 (6) as he thought it would cause confusion for applicants. Chairman Ward responded that there is going to be many amendments made to the proposed regulations and that each Commissioner should document all of their suggestions and comments and send them to either R. Wood or M. Mitsoff to incorporate into the next draft.

A. Rosoff asked about the exemption for maintenance of woodlands for personal use (section 3.2 (5)) and whether the exemption was too broad. Chairman Ward stated that this exemption was limited by section 4.2 (2) which states that clearing of land in any approved map region totaling one-quarter ($\frac{1}{4}$)

acre or more causes damage to natural Scenic qualities. R. Wood stated that the term woodlot carries a very specific definition and should be clarified in the next version of the SMA and told the Commission that she believes the term woodlot is defined as a piece of land used only to grow trees upon or for the harvesting of lumber for personal use.

A discussion regarding the ordering of the sections ensued. The Commission determined that they would address restructuring the order of the sections at the next meeting.

Chairman Ward asked R. Wood and M. Martin what the next steps were for the Commission, R. Wood responded that she doesn't want to take any further actions on the SMA until after the May 1, 2023 Town Meeting. However, M. Martin said that the Commission should continue to fine tune the SMA language and hopefully even adopt the map and text.

The Commission decided that adding street names and increasing the color contrast on the map would be done before the next meeting. Chairman Ward suggested that the text on the map be amended to include a link which would bring individuals directly to the SMA, and that the sections identified as Steep Slopes should have a dark line added to distinguish them.

R. Wood presented a letter from BioMap Outreach Specialist Sarah Wasserman, of Massachusetts Division of Fisheries & Wildlife, which invited the Commission to attend a BioMap presentation/workshop that is being held in Egremont. R. Wood asked for dates when the other Commissioners would be available and stated that she would compose an email to S. Wasserman with possible dates. M. Mitsoff requested that the meeting be made available virtually as well. Since this will be a public meeting of the Conservation Commission it was determined that posting notice of the meeting 48 hours in advance is necessary.

T. Pitman made a motion to hold another meeting on the SMA on April 24, 2023 at 7:00 PM, seconded by A. Rosoff. The motion passed unanimously.

R. Wood moved to adjourn the meeting, seconded by T. Pitman. The motion passed unanimously.

The meeting adjourned at 8:25 PM

Respectfully Submitted by,



Josh Risen, Board Administrator

Documents reviewed at this meeting:

- Model Bylaw – Scenic Mountain Act Draft v5_CLEAN;
- CC Appendix;
- Enlarged Berkshire Regional Planning Commission Map;
- Letter from BioMap Outreach Specialist Sarah Wasserman;
- Minutes from February 27, 2023.
- Sign in Sheet

Sheffield Conservation Commission

Date: March 30, 2023

PLEASE PRINT: Your Name

Street, Town

1. Martin Mitsoff

S. UNDREMTU RD

2. RACHEL CUNNINGHAM

BERKSHIRE SCHOOL RD, Sheffield

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