

**TOWN OF SHEFFIELD  
PLANNING BOARD  
FEBRUARY 24, 2021  
TOWN HALL & VIRTUAL MEETING  
7:00 PM**

Board Members Present: Kenneth Smith, Chairman  
George Oleen  
Sari Hoy  
Caitlin Marsden McNeill  
Dale Martin

Others Present: Members of the Public  
Lori Neil, Administrative Assistant

Chairman Kenneth Smith called the meeting and Public Hearing to order at 7:00 PM.

Public Hearing at 7:00 pm – A proposed amendment to the Sheffield Zoning Bylaw regarding Accessory Uses. Amend Section 3.1.3 Table Use Regulations G-10 Home Occupation and to amend 3.2 Accessory Uses or Structures – 3.2.1 Home Occupation. Chairman Smith mentioned, as it currently states in the bylaw, a home occupation is not allowed in the general business district. It is allowed in the rural village center and commercial district by Planning Board approval. This will be on the town meeting warrant. Chairman Smith asked the Board if there were any questions. C. M. McNeill stated the Board has reviewed the proposal and feels satisfied with it going to the town meeting. G. Oleen made a motion to close the public hearing. C. M. McNeill seconded the motion. Motion carried, 5-0.

Chairman Smith opened the second Public Hearing at 7:15 pm.

A Public Hearing was held for a proposed amendment to the Sheffield Zoning Bylaw regarding Accessory Uses. Amend Section 3.1.3 Table Of Use Regulations D-31 Retail Store, Individual. Currently, a retail store individual is not allowed in the general business district. It was recommended to move it to a Planning Board decision. Chairman Smith and the Board reviewed the proposal that was brought forth by the Select Board. C. M. McNeill made a motion to close the public hearing. G. Oleen seconded the motion. Motion carried, 5-0.

Chairman Smith opened the regular portion of the meeting at 7:25 pm.

ANR Requests:

1.) Kelly Granger & Parsons, Associates, Inc., for Robert & Rose Cronk located at Polikoff Road. M. Parsons gave an overview of the property. The Board reviewed the site plans. C.M. McNeill made a motion to accept the ANR for Robert & Rose Cronk as presented. S. Hoy seconded the motion. Motion carried, 5-0.

2.) Sheffield Land Trust located at Lime Kiln Road and West Road. The agricultural preservation restriction surveyed on the Batacchi farm to meet the state and federal requirements. The family will continue to own it and the land will stay as agricultural land. G. Oleen made a motion to accept the ANR for the Sheffield Land Trust as presented. D. Martin seconded the motion. Motion carried 3-0. C.M. McNeill and S. Hoy abstained from the vote.

Approval of Minutes: The Board reviewed the draft meeting minutes of February 10, 2021. G. Oleen made a motion to approve the minutes of February 10, 2021 as written. S. Hoy seconded the motion, the motion carried 4-0. Dale abstained from the vote.

A Public Hearing was held at 7:30 pm for a Special Permit application for Berkshire Welco, LLC property located at 34 Home Road. Chairman Smith reviewed the application with the Board. S. Hoy asked how long the fans would run, 24 hours, and would they run part of the year or all year long? C. Weld stated some of the fans will be used as needed for processing. C. Weld stated, under his assumption, the fans to be exhausted outside will have the motor housing based in the attic. A carbon filter will align the fan. There were no other questions from the Board. Chairman Smith opened the floor to the public. One citizen shared his concern of the noise level especially in the summertime with the windows open. C. Weld stated they had tested the oil tank and the well water. He said they don't have noisy equipment in the cannabis industry it is all very quiet. C. Weld stated because of the security, they would not be operating with open doors or windows. He said the noise will be a fraction of what it was when Custom Extrusion was there. Additional questions asked were: How much water will you use? Will you be drawing from our aquifer? C. Weld stated, there are two wells on the property. Assuming we are not cultivating on the property, the water use would be minimal. If we do cultivate, it would not be more than a few thousand square feet. It would only be a fraction of what Custom Extrusion had used. One citizen asked multiple questions including, how many hours the facility would be used. Will there be Security? What kind of traffic do you expect? How many people will be working there? How many hours will you be open? In response, C. Weld stated there would be 6 offices and up to 30 employees which is approximately the same as Custom Extrusions. Berkshire Welco will not be open during the night as Custom Extrusions had been. They will not be there past 10:30 pm. How imposing will the sign be? C. Weld said the sign will go in the same casing as the old Custom Extrusion sign. No fencing for the facility is planned. Lighting was discussed. C. Weld mentioned there are two security systems. G. Oleen asked what times the routine deliveries and pick-ups are scheduled. Chris responded, it would be for daytime use from 8am to 5pm. G. Oleen made a motion to close the hearing, seconded by D. Martin. Motion carried. 5-0.

Public Hearing for a Special Permit application for Wise Acre Farm, Inc., property located at 286 Polikoff Road, for Outdoor Cannabis Cultivation, per Section #.1.3.H-2 of Adult Use Marijuana Establishment of the Sheffield Zoning Bylaws.

Chairman Smith opened this Public Hearing at 8:20 pm. As the Board began to review the Special Permit, Chairman Smith mentioned there were a couple of items he wanted to note. When this bylaw was drafted by the town, the state had not yet finalized their whole process and it was thought the applicant would already have their Cannabis Control Commission License. There are many other steps after the town. This is one of the conditions upon their approval. If they do not get the license, then this Special Permit is null and void. After completing the

reviewing process, the permit was found to be complete. Chairman Smith opened the floor to the Board to ask questions or share concerns with the applicant. There were no questions. The floor was then opened to the public. Multiple citizens shared their views and concerns of this proposed site. One citizen asked the applicant if it was true he was not willing to put up a bond for the potential litigation of well problems that may arise. J. Piasecki stated, he was correct. He explained the water usage will be very small compared to the size of the parcel, using around 750,000 gallons of water. Drip-o-meters and watering tape will be used to water the dryland crop. Except for the water that is lost for evaporation, any water used will immediately go right back down to the aquifer. Of the 22 acres, there will be 2 acres of cannabis and 4 acres of additional opening and the remainder of the land will stay woods, as it is now. One citizen asked how many plants will be grown in the 95,000 square feet? J. Piasecki answered; approximately 4,000 plants.

The Planning Board and J. Piasecki continued to hear comments and answer questions regarding public concerns, such as, noise, odor, water consumption and dry wells. There were questions concerning signs, the driveway, the parking area, and the number of employees that may be hired. Many shared concerns of safety, security/cameras and the traffic impact on the already busy road. J. Piasecki reported that he is required to give money, other than the 3% that goes to the town, to donate a portion of the profit to people who are negatively impacted. There were trepidations as to who would receive the donations or the college scholarships that Wise Acre Farm, Inc. has offered to set up for its abutters.

The Polikoff Road community has agreed that J. Piasecki has a right to run a business, but Wise Acre Farm, Inc. does not fit to the appropriateness of the neighborhood and has asked the Planning Board to please deny this Special Permit.

Additional questions arose. One citizen asked if J. Piasecki were to decide to sell in a year or two, could the new owner make a larger facility? Chairman Smith answered, the state maximum on outdoor grow is 95,000 feet. There is no potential of expanding that. Another citizen informed the public that J. Piasecki is not the owner of the property. He will be leasing the land. As one citizen spoke about the new economic opportunity individuals have with Cannabis, there was a request to post-pone the meeting due to an error in posting.

S. Hoy made a motion that we close the public hearing. D. Martin seconded the motion. Motion carried, 5-0.

C. M. McNeill made a motion to open the Planning Board meeting. S. Hoy seconded the motion. Motion carried, 5-0.

G. Oleen made a motion to suspend and not discuss the marijuana Special Permits until March 10, 2021. All in motion, 5-0.

There being no more business before the Board this evening, C. M. McNeill made a motion, with a second from G. Oleen to adjourn the meeting. The motion carried 5-0.

Chairman Smith adjourned the meeting at 10:30 PM.

Next tentative meeting will be held on March 10, 2021.

Respectfully submitted by:

A handwritten signature in dark ink, appearing to read "Lori Neil", is written over the printed name.

Lori Neil  
Administrative Assistant

Documents reviewed:

Special Permits

ANR's

Draft Minutes

Zoning Bylaws