

**TOWN OF SHEFFIELD  
PLANNING BOARD  
May 26, 2021  
TOWN HALL & VIRTUAL MEETING  
7:00 PM**

Board Members Present:     George Oleen  
                                     Robbie Cooper  
                                     Sari Hoy  
                                     Caitlin Marsden McNeill

Members Absent:             Chairman Smith

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

C. MacNeill opened the public hearing at 7:05 PM.

Public Hearing: Pursuant to the provisions of Chapter 40A, Section 5 of the Massachusetts General Laws for a proposed addition to the Sheffield Zoning Bylaw following sentence and the number of Marijuana Cultivator, Outdoor locations shall not exceed five (5)."

C. MacNeill opened the public hearing and asked if anyone from the public would like to speak regarding the bylaw change.

Several citizens spoke to ask the Planning Board to support the citizen's petition.

Some of the citizens that spoke were Sandra Wijnberg, Catherine Miller, Rohan Weerasignhe, Brian Simon, Lauren Hyde, David Crombie, Adam Gordon, Tammy Pipa, Tod MacKenzie, Robert Kilmer, Betsey Pezzi, and Sandra Preston.

Some of the main talking points were:

- The citizens would like the Planning Board to take a thoughtful approach as to how we approve the licenses and how it is managed. Otherwise, we will be changing the total nature of Ashley Falls and Sheffield if we get this wrong.
- It's a critical moment in the history of this town.
- I am not opposed to Cannabis. I think it has to be balanced and put in the appropriate location. It should be in a commercially zoned area. I am concerned about the focus we are getting in the press. Counties around us are limiting the number of sites and people are gravitating towards Sheffield.
- There is a balance that can be achieved that is very important to preserve the rural characteristic of this town and yet provide for the economic benefit that marijuana may provide. Mr. Trocchi posted on the website set up by WiseAcreFarmCannabis.com called the Vision for the Future. It envisions a fantastical future for Sheffield where it is compared to the NAPA Valley for weed and a center for research and development resulting in cannabis tourism and massive increases in property values where all of the sellers of homes in Sheffield realize amazing windfall. I would encourage the Planning Board to give serious consideration to the Citizen's Petition and recommend that the bylaw change be accepted.

- It is not a retirement town anymore. It is a town with young families who will contribute for many, many, years to the vibrancy of the town. We want this to be a town to be a place where the next generations want to live and raise their families.
- I wanted to point out there are six, currently running, outdoor cultivation marijuana establishments in the state of Massachusetts and three of them are located in the town of Sheffield, Welco, Theory Wellness, & Nova. The number of limiting the establishments to five seems pretty reasonable. I don't think anyone would want 12 Dollar Generals in their community. I don't think we should be looking to have potentially a couple dozen outdoor and indoor cultivation operations for cannabis as well. I think the Planning Board should take this issue to the Town meeting and let them know you have a strong will in making Sheffield and Ashley Falls formed in the way that residents want for the future.
- I believe the zoning needs to be updated so that all of our neighbors throughout Sheffield are not subjected to this. It will be a continuous on-slaught of special permit applications in places they do not belong. It is no different than someone applying to a liquor store or an auto body shop next to your residential home. We really ask if the Planning Board can do something to correct the zoning to put these type of commercial operations in districts where they belong.
- A town is a vibrant living thing it needs to have growth and development at the same time there is character of a place that needs to be managed carefully. The character of a place rarely changes overnight it tends to be the consequence of an accumulation of small things.
- Our Zoning Bylaws are constringent and flexible enough where we can have establishments where they belong and not have them where they don't belong. I hate to take the steps to limit things that don't need to be limited. I like to have a little flexibility which I believe our zoning bylaws give us. I do believe the zoning bylaws have been written appropriately. I think they have been followed appropriately and I think the Planning Board has the town's best interest at heart. I would like you to keep in mind, there may be six good spots in town and when you go with this proposal, you will limit somebody who shouldn't be limited.

C. MacNeill asked R. Kilmer with the suggestion that it is limited but that we are limited to 10 proposed cultivation sites. Is that something that can be taken into consideration for Town Meeting? Putting a cap on it still, but allowing private land owners, people involved in agriculture, to have say over their land in a little bit broader circumstances. R. Kilmer replied, if you set a strict limit, you could eliminate people who do not need to be eliminated. The Planning Board has a lot of control. It gives the town flexibility but also rigidity. We haven't had complaints yet, and if we do, we take action to make sure it gets resolved as best as it can. One citizen spoke of when she purchased her home it was not in the Commercial district. Now she is in the Commercial District. She stated, there are 3 marijuana facilities within a tenth of a mile. How many more are we going to have in this town?

Lauren Hyde spoke to say, the Special Permit worked in the Polikoff area for both of the sites because one brought attention to the other. I don't feel the process is so seamless. I feel if ZGC didn't follow J. Piasecki's bad lead. They would have been in. This has been hours and hours of my life taken away from me. It is not my first, fifth or tenth meeting. This has been hours and hours that I have spent to navigate how to change a bylaw, how to change the process, what happens next. It is me that has been the lead in my neighborhood. If someone is not as motivated,

it is going to sneak up in their back yard. Planning Board member, G. Oleen, responded by saying, we spent over a year trying to develop this marijuana bylaw. With the exception of one grower and one or two others, nobody attended the hearings for the development of this bylaw. It wasn't until it actually affected your neighborhood when anyone took an interest.

C. MacNeill stated, the Planning Board did receive and review the mail from everyone regarding the Citizen's Petition and thanked everyone for their input.

Kathy Orlando shared her knowledge stating, any farmer who uses any USDA programs, whether it is farm insurance, technical assistance, loan guarantees, even if they rent their land, they will become ineligible for any USDA programs, even on the rest of their land. It is important for farmers and land owners to know this. The language is very ambiguous. It falls under horticulture. Chapter 61A land cannot be used. C. MacNeill asked how much land in Sheffield is under the Chapter 61A. K. Orlando will find the answer. G. Oleen asked does the restriction apply if you grow hemp. K. Orlando stated, no. Hemp is legal at the Federal level. The modern APR's almost all have money in them. Those APR's will not be able to grow Cannabis but they can grow Hemp.

C. MacNeill encouraged people to look at the bylaws. There are limitations. We are focused on the

G. Oleen made a motion to close the public hearing of the Citizen's Petition at 8:22pm. S. Hoy seconded the motion. Motion carried 4-0.

C. MacNeill opened the regular Planning Board Meeting.

The first item up for discussion is the Citizen's Petition. C. MacNeill discussed the voting process. G. Oleen mentioned it will be on the town warrant as it is. I think we should abstain from making a decision one way or another. Let the towns people decide. S. Hoy said the bylaw as it stands has worked very well with the cases that have come before us already. I do not support the change. R. Cooper spoke to say he thinks the bylaw is effective.

C. MacNeill took a vote.

G. Oleen – Vote: To abstain from recommending the bylaw change for the Special Town Meeting.

S. Hoy – Vote: Nay

R. Cooper – Vote: Abstaining from recommending the bylaw change: Aye

C. McNeill - Vote: Aye to abstain from recommending the bylaw change.

Motion 3-0.

ANR Requests – No ANR's

Approval of Minutes: The Board reviewed the draft meeting minutes of May 26, 2021.

S. Hoy made a motion to disapprove the minutes as written. G. Oleen seconded the motion. the motion carried 4-0.

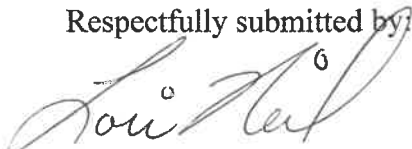
C. MacNeill reviewed the mail:

- Town of Egremont – Board of Appeals – Special Permit - Notice of Decision Issued to: Peter R. Horsfall and Leslie Alfin,
- Town of Egremont – Planning Board – Notice of Hearing for proposed amendment to Zoning Bylaws.
- Town of Great Barrington – Zoning Board of Appeals – Notice of Decision on Appeal from order of building inspector: Applicant: GJO, LLC.

G. Oleen made a motion to adjourn the meeting. S. Hoy seconded the motion. Motion carried, 4-0.

The meeting adjourned at 8:39 PM.

Respectfully submitted by:

A handwritten signature in cursive script, appearing to read "Lori Neil", with a small number "6" written above the end of the signature.

Lori Neil  
Administrative Assistant

Supporting Documents:

Citizen's Petition

Draft Meeting Minutes

Mail