

**TOWN OF SHEFFIELD  
PLANNING BOARD  
October 13, 2021  
7:00 PM**

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

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

Chairman Smith opened the public hearing at 7:00 pm.

**1.) Public Hearing: Special Permit Application of Joe Wilkinson Excavating, Inc. for property located at 49 Lime Kiln Road, Sheffield, for a retail store, individual, per section 3.1.3 (D) (31), 9.4 and 9.5 of the Sheffield Zoning Bylaws. Retail consists of wood chips, stones, mulch and other natural materials. This property is in the General Business District, Tax Map No. 32, Block & Lot 2-8, Book 2709 & Page 58. Attorney, Kate McCormick of McCormick, Murtagh & Marcus Attorneys & Counselors at Law, represented the applicant. The land is a portion of the former Lane Construction Company. K. McCormick gave an overview of the site plan. The applicant spoke to say of the four acres available, only three acres will be used. One acre is in the floodplain area in which no work will take place. The yard will store bulk materials, plus, bins like a landscaping yard to sell a variety of stone, mulch and other natural materials. The entrances are currently black-topped and utilities are in place. With no other questions from the Board or the public, G. Oleen made a motion to adjourn the public Hearing. S. Hoy, seconded the motion. Motion carried, 5-0.**

**2.) ANR Requests: The Estate of Kenneth J. Cooper for property located at 25 South Main Street. Mark Reynolds of Kelly, Granger & Parsons Associates, Inc. represented the applicant. M. Reynolds discussed how a ½ acre lot was created out of a 9 acre parcel as described in the site plans. This was to allow each house to sit on its own lot. G. Oleen made a motion to approve the ANR of the Kenneth J. Cooper Estate at 25 South Main Street, C. McNeill seconded the motion. Motion carried, 5-0.**

**3.) Discussion & Deliberation regarding J. Wilkinson Special Permit at 49 Lime Kiln Lane. Chairman Smith read a letter of support written by R. Wood before deliberating on the hearing.**

**1.) 9.4.2.2.1:** The Social, economic or community needs which may be served by the proposed use. The SPGA, by a **5-0 vote**, found that the beneficial effects of the proposed use **DO** outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

2.) **9.4.2.2.2:** Traffic impact, flow and safety, parking and loading and accommodation to pedestrian and non-automotive transportation. The SPGA, **allowed a waiver.**

3.) **9.4.2.2.3:** Adequacy of utilities and other public services. The SPGA, by a **5-0 vote**, found that the beneficial effects of the proposed use **DO** outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

4.) **9.4.2.2.4:** Appropriateness to the proposed location, the neighborhood character and town land use objectives. The SPGA, by a **5-0 vote**, found that the beneficial effects of the proposed use **DO** outweigh any potential adverse impacts to the town or neighborhood as it applies to particular characteristics of the site and in relation to that site.

5.) **9.4.2.2.5:** Environmental impacts, including, but not limited to, visual effects, noise, order, dust, vibration, fumes, smoke, light intrusion, glare, impacts on natural habitats, views, water pollution, erosion and sedimentation. The SPGA, by a **5-0 vote**, found that the beneficial effects of the proposed use **DO** outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

6.) **9.4.2.2.6:** Potential fiscal impact, including impact on town services, tax base and employment. The SPGA, by a **5-0 vote**, found that the beneficial effects of the proposed use **DO** outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

**There were 2 conditions added to the Special Permit.**

**1.) Remove or Remediate Sign**

**2.) Any lighting is Dark Sky Compliant**

**Waiver: 9.4.2.2.2 - Traffic**

**Final Vote: The SPGA voted in a roll call vote as follows:**

**Kenneth Smith, Chair – GRANT**

**Caitlin M. McNeill – GRANT**

**George Oleen – GRANT**

**Sari Hoy – GRANT**

**Robbie Cooper - GRANT**

**5-0 Vote to Grant the Special Permit Application of Joe Wilkinson Excavating, Inc. for property located at 49 Lime Kiln Lane, Sheffield.**

**4.) Recodification Bylaw Review: 1.) Community Residences.** Chairman Smith informed the Board that the Select Board has approved 7 hours of time for the Berkshire Regional Planning Commission to review the Bylaw to see if it is compliant for today's standard's.

**5.) Discussion of Town Counsel's recommended changes to the Solar Bylaw:** Chairman Smith reported the solar definitions remained 100% in-tact. After the review of the Select Board's review on the Solar Bylaw, the Planning Board will hold a hearing, then submit a letter to the Select Board to be put on the Town Warrant. Chairman Smith will share Select Board's letter with L. Neil to send to the Planning Board.

**6.) Approval of Draft Minutes: G. Oleen made a motion to accept the minutes of Sept. 22, 2021 as written. R. Cooper seconded the motion. Motion carried, 5-0.**

**7.) Planning Board Rules & Regulations versus Special Permit Application.** C. McNeill mentioned that she and R. Cooper have not had a chance to work on this project but have a plan in place and will discuss at the next meeting.

**8.) Planning Board Mail Review:**

- 1.) Town of Egremont Planning Board, Special Permit Public Hearing on 10-06-21, filed by Jocelyn Gordan & Bruce Mallory at 91 Hillside Rd.
- 2.) Town of Great Barrington, Zoning Board of Appeals, Public Hearing on 9-21-21, filed by Justin Henderson of 810 Loma Drive, Hermosa Beach, CA.
- 3.) The Town of Great Barrington, Planning Board, Special Permit Public Hearing on 10-14-21, filed by GB Historic Preservation, LLC, c/o Paul Joffe.
- 4.) The Town of Great Barrington Select Board, Public Hearing on 10-25-21 to act on a Special Permit from Benjamin Wohlfert of Canaan, CT.
- 5.) Town of Sheffield Conservation Commission, Public Hearing on 10-12-21 for a Notice of Intent (NOI) application filed by the Sheffield Volunteer Fire Dept.

**9.) Board Member Items:** S. Hoy offered to become the delegate for the Berkshire Regional Planning Board if G. Oleen wanted to step down. **C. McNeill made a motion to make S. Hoy the new delegate for the Berkshire Regional Planning Commission. G. Oleen seconded the motion. Motion carried, 5-0.**

**10.) Public Inquiries:** The Board discussed meeting in person versus meeting on Zoom. The next meeting scheduled on 10/27/21 will be held on Zoom.

**Adjournment:** **S. Hoy made a motion to adjourn the meeting. C. McNeill seconded the motion. carried, 5-0.** The meeting adjourned at 8:08 pm.

Respectfully submitted by:



Lori Neil  
Administrative Assistant

**Supporting Documents:**

Meeting Agenda

Special Permit Application filed by Joe Wilkinson for property at 49 Lime Kiln Lane.

ANR filed by the Estate of Kenneth Cooper at 25 South Main Street.

Deliberation Guide

Letter from Rhonda LaBombard regarding Solar Bylaws

Draft Meeting Minutes: Sept. 22, 2021

Planning Board Mail