

**TOWN OF SHEFFIELD
PLANNING BOARD
November 17, 2021
7:00 PM**

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

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

Chairman Smith opened the public hearing at 7:03 pm.

1.) Public Hearing: Pursuant to the provisions of Chapter 40A, Section 5 of the Massachusetts General Laws to amend the Sheffield Zoning Bylaw Section 3.1.3.H, Adult Use Marijuana Establishment. Chairman Smith and the Board reviewed the documents and opened the floor to Lauren Hyde to explain the proposed changes of the bylaw. She explained how this bylaw change came about due to a few different proposals for marijuana establishments that caused stress/turmoil for people who lived in those areas. To keep marijuana establishments in the proper place in the town of Sheffield the feeling was to no longer allow the different types of establishments in rural or village center and continue to allow them in commercial and general business zones which include outdoor cultivation sites. This would affect future business endeavors not anyone who is already operating in Sheffield. They would be grandfathered in. L. Hyde answered questions from the Board. There was discussion of the appropriateness of location. C. McNeill stated her concerns of areas are being pinpointed in the community based on personal concerns rather than what is good for the community. As a municipality in the State of Massachusetts, we need to treat businesses equally and to consider; how is this going to look if we get sued? There were members from the public who spoke in favor of the proposed bylaw changes. There was discussion of the Planning Board's involvement/participation in the development of this bylaw change. G. Oleen spoke to say, this is a hearing on the proposed changes. As the Planning Board, we are holding a hearing of which we have three actions, to approve, disapprove or abstain. Then, this proposed change will go to Town Meeting. G. Oleen stated; the Planning Board came up with the initial bylaw, some of the citizens wanted to change it. He stated, for the Planning Board to be in your meeting for what you want to change; is not in our purview. There was a brief discussion of comparison of alcohol versus marijuana businesses. With no other comments from the public or the Board, **G. Oleen made a motion to close the public hearing. R. Cooper seconded the motion. Motion carried, 5-0.**

2.) Public Hearing: Pursuant to the provisions of Chapter 40 S, Section 5 of the Massachusetts General Laws to amend the Sheffield Zoning By-law Section 7.4.2 Definitions, Solar. Chairman Smith read the proposed changes to the bylaw. Large Scale Solar

Photovoltaic Installation (LSSPI): Any installation greater than 5,445 square feet no matter how or where mounted. Small Scale Solar Photovoltaic Installation (SSSPI): Any installation less than 5,444 square feet no matter where it is mounted. Solar will be defined upon by the square footage and not on how it is mounted. There were no comments from the public. **C. McNeill made a motion to close the public hearing. G. Oleen seconded the motion. Motion carried, 5-0.**

3.) Recodification Bylaw Review: 1.) Community Residences. Chairman Smith announced seven hours of time was approved for Christopher Skelly, Project Specialist of the Berkshire Regional Planning Commission to do research of the recodification of bylaws. Chairman Smith read a letter to the Board from C. Skelly. G. Oleen mentioned having C. Skelly join a Planning Board meeting in December or January to learn more about the topic. C. McNeill agreed it would be very beneficial. Chairman Smith will invite Chris Skelly to the December meeting to discuss as to what has been researched.

4.) Approval of Draft Minutes: **G. Oleen made a motion to accept the minutes of October 27, 2021. S. Hoy seconded the motion. Motion carried, 4-0. C. McNeill abstained.**

5.) Planning Board Rules & Regulations versus Special Permit Application. There was no update at this time.

6.) Planning Board Mail Review: Chairman Smith reviewed the mail:

- Notice of Decision on Special Permit granted to Benjamin Wohlfert of Gt. Barrington.
- Notice of Decision on Special Permit granted to Great Barrington Historic Preservation LLC.

7.) Board Member Items: G. Oleen asked about the trees being planted on County & Home Rd. Chairman Smith said a different species was selected and the trees have been planted.

8.) Public Inquiries: None at this time.

Adjournment: **G. Oleen made a motion to adjourn the meeting. S. Hoy seconded the motion. Motion carried, 4-0.** The meeting adjourned at 8:35 pm.

Respectfully submitted by:



Lori Neil
Administrative Assistant

Supporting Documents:

Meeting Agenda
Citizens Petition Article 2 Hearing Documents
Solar Definitions Hearing Documents
Draft Meeting Minutes: Oct. 27, 2021
Planning Board Mail