

Planning board minutes 2/23/22

Board members present: Chairman Smith, George Oleen, Robbie Cooper, Sari Hoy.
Members absent – Caitlin Mcneill

Other present: Betsy Garcia, Alexander Thorp, Jim Valeriani, Todd & Sally Mackenzie, Nature Works landscaping, Lauren Hyde, Janine Yu, Catherine Miller, Diego Gutierrez, David ???, other members of the public.

Chairman Smith started the meeting at 7:10PM.

1. **Public Hearing: Proposed Amendment to the Sheffield Zoning Bylaw regarding Accessory Uses. This Amendment would: Amend Section 3.1.3 Table of Use Regulations A-6 Community Residence or Group Home.** – K. Smith explained the reasoning behind the zoning issues as it pertains to the amendment. He explained that the board wants to incorporate community residences into the bylaws. No public comments. K. Smith closed the public hearing at 7:15PM.
2. **ANR Requests** – Form A , Alexander Thorp appeared representing Pine Tree Farm Nominee & Trust LLC. Property on Barnum St. G. Oleen made a motion to approve the ANR, R. Cooper seconded the motion. Motion carried 4-0.
3. **Approval of minutes:** R. Cooper told Ken that he submitted the minutes to Jill earlier today and they are not prepared yet. K. Smith said that next meeting we will approve those minutes.
4. **Sun Drops LLC, 39 Silver St. Fence issue** – Diego Gutierrez introduced himself as architect working with Sundrops. He was updating the PB on compliance with the conditions of the special permit as it pertains to the fence. D. Gutierrez explained some of the difficulties with getting the fence installed, a couple issues being existing fences on the east side and with a lot of brush in some of the other areas. Janine Yu requested an extension on the timeline for the fence completion. She said that they are hoping to get final licensing in April but fence won't be in at that time. Rich Lasser from Nature's Way Landscaping said that he is running into issues with schedule and getting materials. K. Smith brought up idea of putting up temporary fencing in the interim. G. Oleen said that he would like to see some kind of sketch of proposed fence as opposed to outside property lines which was originally approved by the PB. Sun Drops legal counsel Jim Valeriani spoke on behalf of Sun Drops saying he felt that the conditions regarding the fencing were too dramatic. He said installing the fence has no purpose. Neighbor of Sundrops David K. spoke saying that nothing has been done regarding the fence line and that was a condition of approval. He also said at no point has Sun Drops or contractors contacted him directly about the fencing. K. Smith said that in the past the town has been burned by past applicants in regards to fencing and that's why the board needs to

look out for the town and that's why he brought up the temporary fencing idea. Said he is not in favor of allowing production to start in April without some fencing installed. R. Cooper said that he knows all about equipment shortages, that he is feeling it in his business from PVC to copper. Board discussed date of extension. Sari made a motion that temp fencing will be installed immediately and final fencing must be installed by 12/21/22. George seconded the motion. Motion carried 4-0.

5. **Discuss Citizen Group Petition Amendments for Article 1 & 2** – R. Cooper said that they met last week. S. Hoy brought up the 500' limit between businesses and said that Lauren discovered that it would eliminate any businesses from actually being able to go forward. Lauren said that they don't want to say no to everything, that they just want to protect homeowners. That they are not seeking a moratorium as a goal. L. Hyde asked the board if they have any other suggestions. S. Hoy brought up idea of playing around with other distances. Catherine Miller said that we need to step back and re-work the entire town to determine what's appropriate. L. Hyde brought up concept of waivers from potential abutters but said that it could create possibility of bribery. K. Smith said we don't want to create a quid pro quo environment. C. Miller asked for clarification on concept of spot zoning as it relates to these ideas. L. Hyde brought up idea of overlay district that has multiple boundaries. Ken said that overlay district could be in multiple places in town but PB would have to look at table of use to make sure they do not conflict with each other. Todd Mackenzie gave credit to Sari, Robbie & the CG for meeting. G. Oleen discussed overlay district in residential areas only. There was additional conversation regarding the protocol of articles as it relates to the town meeting and how amendments are dealt with.
6. **Planning board Rules & regulations vs special permit application** – No discussion tonight.
7. **Dark Skies Bylaw Review** – K. Smith asked if board was in favor of Public hearing for George's bylaw he drafted. Sari and Robbie said they were. K. Smith said he will prepare it for a warrant article.
8. **Planning Board Mail Review** – 1 letter for Town of Great Barrington public hearing for 183 Division St.
9. **Board Member Items** – K. Smith said that he was at a finance committee meeting. Told board the town was not moving forward with a stipend because of the precedent it sets.
10. **Public Inquiries** – None.

R. Cooper made motion to adjourn. Sari seconded. Meeting ended at (???)

A handwritten signature in black ink, appearing to be 'R. Cooper', is written over a horizontal line.