

**Planning Board Minutes**  
**April 13, 2022**  
**7pm**  
**Virtual meeting**

Board Members Present: Chairman Ken Smith, George Oleen, Robbie Cooper, Caitlin McNeill

Members absent: Sari Hoy

Others present: Lauren Hyde, Catherine Miller, Alexander Thorp

Chairman called the meeting to order at 7:00pm.

1. **ANR Requests** – Alexander Thorp was present to discuss a division of land on Hickey Hill Rd into two lots. Robbie Cooper made a motion to approve, George seconded the motion. Motion carried 4-0.
2. **Question and Answer Discussion w/Town Counsel Regarding Issues and Procedures** – Ken informed the board that town counsel would prefer to meet with two board members rather than answering questions in public meeting format. Ken volunteered himself as one member and would like another board member to be present. George said that the meeting will probably bring up more questions and that communication has been difficult.
3. **Approval of minutes** – Robbie made a motion to accept the March 9 meeting minutes as presented. George seconded. Motion carried 4-0.
4. **Discussion/Possible Action Regarding Deliberation Guide** – Ken said that he has been in conversation with Lauren regarding her proposed changes. Discussion ensued on some of the specific wording. Robbie said that he had met with the citizens group in recent days, Sari was not able to attend because she was on vacation. Robbie and Lauren discussed Chapter 61A as it could pertain to cannabis businesses. George clarified some of the specific uses of 61A and how that land is taxed. Said that its taxed on ¼ of it's value. Ken said that the other stipulation with Chapter 61 land is that you have to produce income on it and show that you are managing it. George said that Chapter 61 all land for agricultural purposes, the state takes ownership of the development rights. George said that you could grow hemp on 61 land because it's agricultural land. Robbie asked if the state of Massachusetts ended up deeming cannabis as an agricultural product, what would the impact be. Ken said that if rec. marijuana was made an agricultural product, it would change the ballgame for every town in the state. But there would be stipulations such as canopy size. Ken said that Sheffield could put its own restrictions in. Caitlin brought up the federal legalization bill that is currently pending. She asked if the towns restrictions would be superseded by the federal legalization in that instance. Catherine Miller said that it seemed to her that if marijuana was legalized

on the federal level, she wonders which of her bylaws would even stand at that point. She thinks the whole thing could still be tossed out at that point. Caitlin reminded her that we would still be able to limit retail licenses. Ken said that the cultivation side of restrictions would be gone though. Robbie asked Lauren if the most critical element of the deliberation guide is the abutter count. Ken said that he wanted to move some of the wording around, discuss some of the substance with town counsel and hopefully have a tight version of the guide to take action on next meeting. Robbie asked Ken about how changes could be drafted outside of the open meeting format. Lauren asked about historic districts as a restrictive zone but wanted to mention it to the group that it has been discussed at length. Ken said that he may add some wording to the guide as it pertains to this but will bring it up to town counsel at the scheduled meeting. Robbie asked if town counsel found exclusion zones to be problematic, what other options there would be to protect residents concerns in certain areas. Lauren thanked the board for their efforts in taking all of this on. Catherine Miller seconded the compliments and said that its been an enjoyable experience working with Sari & Robbie and the citizens group.

5. **Discussion regarding housing production plan community outreach meeting** – Ken said that with Sari not being present we should postpone conversation on this item. George brought up a recent email that circulated about an upcoming meeting for the housing production committee where they are looking for public input.
6. **Review Mail** – Town of Sheffield Public hearing on April 28<sup>th</sup> for 7pm for the ZBA in regards to concerns to 1515 Boardman Street. Town of Mount Washington Planning Board, needs to reschedule a public hearing for Manuel Rodriguez for additions to his primary residence – May 4<sup>th</sup>, 6pm.
7. **Board Member Items** – Caitlin said that the Sheffield Times were asking who the best PB member would be to discuss the Dark Skies Bylaw changes. Ken said that there's probably nothing to talk about just yet, but he did get some information from the BRPC. Caitlin said that she has been sensing interest from community members who want to get a better understanding on the topic and wanted to determine who the best person would be to provide that information. Ken said that if people want information that George or Sari would be the best people to talk to. Robbie asked about how political flags interplay with the town's signage bylaws and what's allowed or what's not allowed. Robbie brought up just outside of Millerton, NY there is a political flag that has expletives on it and it doesn't seem like the town is capable of having it removed. Robbie said that he didn't bring up the topic to be aggressive in nature or to infringe on someone's First Amendment rights but was more of a question of certain flags negatively affecting the character of the town. Ken brought up community residences topic and how the PB might have to approach it with the bylaws, based on recent communication with town counsel.
8. **Public Comments** – none

George made a motion to adjourn the meeting. Robbie seconded. Motion carried 4-0.

Meeting ended at 8:04pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robbie Cooper', with a long horizontal flourish extending to the right.

Robbie Cooper