

Planning Board Minutes

March 23, 2022

7:00 pm

Virtual Meeting

Members present: Kenneth Smith, Chairman
Caitlin Marsden McNeill
George Oleen
Robbie Cooper
Sari Hoy

Members absent:

Other present: Members of the Public
Catherine Miller
Lauren Hyde
Betsy Garcia

Chairman Smith called the meeting to order at 7:00PM.

1. ANR Requests – None

2. Approval of minutes:

February 23rd minutes – Nature's Way to Nature's Works. G. Oleen made a motion to accept the minutes. Second from S. Hoy. Motion passed 4-0

3. Citizen Group's Petition: S. Hoy to meet with C. Miller on February 24th 2022.

Chairman K. Smith stated that the town administrator is not familiar with how to overlay districts work and nor was Select Board Chair Renee Wood and so he would be following up with the Berkshire Regional Planning Commission. Discussion ensued regarding residential protection in the rural district based on residential density, in addition to town center and building in additions to the deliberation guide. Full exclusion of marijuana establishments to include the center of town from the police station to Miller Avenue. Chairman K. Smith to submit question for new overlay/exclusionary zone to town counsel through the town administrator and the select board chair, Renee Wood.

Deliberation guide discussion. L. Hyde has drafted a copy of an updated deliberation guide which will be shared in advance of the next planning board meeting. Chairman K. Smith requested that the planning board members prepare their own versions of an updated deliberation guide in advance of the next planning board meeting.

Discussion regarding transference of marijuana establishment from one business to another. K. Smith stated that there is already consideration for this is the current by-

law. L. Hyde and C. Miller request that town counsel address the issue of 'grandfathered' marijuana establishments as to whether or not they will be subject to the current by-laws in this case, as they are not currently obligated to adhere to the marijuana by-law put in place after their Cannabis Control Commission licensing.

4. **Discussion Regarding Recommendations of the Proposed Community Residences By-Law** – No discussion, still waiting on Town Hall for information.
5. **Discuss Citizen Group Petition Amendments**– Procedural discussion regarding the special town meeting. The vote on the number of outdoor grows will come before anything else for the special town meeting. K. Smith will draft a statement that the planning board is supporting this article as presented. The citizens group will have two amendments in writing for presentation at the special town meeting.
6. **Planning board Rules & regulations vs special permit application**– C. Marsden McNeill stated she and R. Cooper have two upcoming scheduled meetings and will present in the next meeting.
7. **Dark Skies Bylaw Review** – Chairman K. Smith to request draft of New Marlborough Dark Skies proposed by-law as well as the meeting minutes for consideration by the Sheffield Planning Board. Mike Parsons, New Marlborough stated that limited participation in the public hearing but that there has been a positive response. There is the concern that the by-law is 4 pages and that may not be palatable for the public.
8. **Planning Board Mail Review** –Town of Great Barrington, Notice to Abutters, 77 Seekonk Cross Road regarding 70 Egremont Plain Road, Zoning Board of Appeals, on April 5th regarding the scope of current airport.
9. **Board Member Items** – G. Oleen stated that there are more trees dying on the county road solar field. Chairman K. Smith will notify Paul Green, the Zoning Enforcement Officer. C. Marsden McNeill stated she noticed additional cars being parked in front of the split rail fence at Autobahn. Chairman K. Smith will send to Paul Greene. S. Hoy asked if the town administrator will be coming in front of the planning board to discuss the open meeting law. S. Hoy spoke about the New Marlborough public meeting on March 10th that they will be stating there will be no up lighting, including flag poles. Chairman K. Smith stated that after our last meeting he was in communication with Rhonda regarding hybrid meetings and she stated that meetings must be in-person or virtually. Chairman K. Smith stated that he will press the town administrator for further clarification. G. Oleen stated that other towns are doing hybrid and he doesn't understand why Sheffield can't hold hybrid meetings.

10. Public Comment– None.

C.Marsden McNeill made a motion to adjourn, seconded by R. Cooper. The motion carried unanimously.

Chairman Smith adjourned the meeting at 8:15 pm.

Respectfully submitted by:

Caitlin Marsden McNeill

Amended by Ken Smith 5/18/22

A handwritten signature in blue ink, appearing to read "Ken Smith", is written over the typed name and date.