

**TOWN OF SHEFFIELD
PLANNING BOARD
OCTOBER 26, 2022
VIA ZOOM
7:00 PM**

Board Members Present: George Oleen, Chairman
Kenneth Smith
Sari Hoy
Robbie Cooper

Board Members Absent: Caitlin McNeill

Chairman Oleen called the meeting to order at 7:00 p.m. and asked if anyone had heard from Caitlin. Discussion took place on the status of her resignation.

Approval of Minutes:

Discussion began regarding the September 14, 2022 minutes. S. Hoy had some concerns regarding the discussion on holiday lights and will get her corrections to the clerk. These minutes were tabled until the next meeting.

K. Smith discussed an amendment to the September 28, 2022 minutes. He would like to strike the phrase a good fit for spot zoning. K. Smith moved to approve the September 28, 2022 minutes with the amendment, seconded by S. Hoy. The motion carried unanimously.

K. Smith made a motion, seconded by R. Cooper to approve the October 12, 2022 minutes. The motion carried unanimously.

Discussion on Dark Sky Bylaw:

Chair Oleen stated that he researched whether or not the Planning Board had the authority to set violation fees and they do, up to \$300. This is in section 6.3.6 of the proposed bylaw. Discussion ensued regarding how the violation and penalty would be assessed. It was the consensus of the Board that if a violation and penalty were issued and the property owner could not get a contractor or supplies to fix the issue they would not be fined if the light in violation was extinguished. They then discussed that there could be a clause that allowed it to stay on if there was a known safety concern. It would be the Zoning Enforcement Officer's discretion based on the amount of time allowed in the bylaw.

Discussion continued regarding the Village Green and that all of the lights in the Village Green and the Congregational Church are not compliant, which means that each could be fined up to \$100 per day. Chair Oleen stated that town streetlights are also not in compliance and K. Smith stated that street lights point downward so they are compliant, however the lights in the Village Green are non-compliant. Discussion continued regarding the number and location of street lights. S. Hoy stated that a map should be created showing each one. R. Cooper offered to compile information on the location and type of street lights all along Route 7 and on Berkshire School Road. S. Hoy offered to assist. The Board also mentioned that maybe the Town could find grant funding for changing any fixtures. Chairman Oleen stated that Maple Ave. also has lights and there have been complaints regarding those lights.

The Board then discussed the Berkshire School campus and all of their non-compliant lights. K. Smith stated that the school will site safety issues for keeping all of the lights and that they probably don't want to have to spend the funds to replace all of them. Chair Oleen stated that they could provide some effort to comply. The Board discussed shields for lights and the cost for replacing fixtures or providing shields. It was the consensus of the Board that the bylaw would contain a grace period for all lighting to become dark sky compliant.

R. Cooper expressed his concerns with citizens seeing this proposed bylaw as too extreme and overreaching. S. Hoy stated that maybe this could be presented to voters in stages. It was the consensus of the Board that something should be presented to voters to accept and continue to build on that later.

Chair Oleen discussed having lights extinguished by 11 pm and that this could go along with the past discussions on holiday lighting. S. Hoy agreed and stated that they just want no lights on all night and aiming on heavily used lighting. Chair Oleen stated that in his opinion the lighting issues stems from new residents from out of town who are used to excessive lights.

K. Smith stated that the Board should look at Section 6.3.4 that states that 11 pm as a general curfew, the applied for residential and commercial properties, for lights be turned off and that this applies to all residential and commercial properties. R. Cooper asked if the Southern Berkshire Regional School District was compliant. S. Hoy stated that some were worse than others and there is a level of non-compliance.

The Board discussed new construction and whether or not Dark Skies compliance was in the building code.

Discussion ensued regarding the purpose of the bylaw, it was the consensus of the Board that the purpose was to manage lights that are on after 11 pm. S. Hoy suggested adding a time that light could come on in the morning, one half hour before sunrise was discussed. R. Cooper discussed bulbs and confirmed that both the bulbs and fixtures were to be compliant. K. Smith stated that section 6.3.4 spells out what must be used for bulbs and the table at the end shows what is needed for fixtures. S. Hoy will add the purposed clause to the proposed bylaw.

The Board then discussed motion lights and sensors since all properties including business must comply with no lights after 11 pm. It was the consensus that the fixtures must be compliant in motion lights too. It was also the consensus that any light used after 11 pm could be motion lights in compliant fixtures. Chairman Oleen stated that this could still be a problem with neighbors.

Chairman Oleen will contact the Head Master at Berkshire School to discuss their lighting and he will also stop at Weld's liquor to get word that he would like to talk with him regarding the lights at his cultivation facilities.

R. Cooper made a motion to skip the second meeting in both November and December due to the holidays, seconded by K. Smith. The motion carried unanimously. It was the consensus that if an ANR request was submitted a meeting could be scheduled.

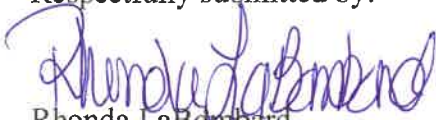
Board Member Items:

R. Cooper asked about the Housing Production Plan materials that were sent by Rhonda and if this would be added to the next agenda. K. Smith stated that he didn't receive anything from Rhonda, R. Cooper stated that it came from Bev, K. Smith did receive it. The Board discussed some of the information contained in the plan and what census numbers were used to create the plan. It was the consensus of the Board to add this to the next meeting agenda.

R. Cooper made a motion to adjourn, seconded by S. Hoy. The motion carried unanimously.

Chairman Oleen adjourned the meeting at 8:21 pm.

Respectfully submitted by:



Rhonda LaBombard
Town Administrator