

PLANNING BOARD

MINUTES

DELIBERATION OF Four Corners LLC SPECIAL PERMIT APPLICATION Thursday, March 25, 2010

Nadia Milleron read the purposes of the deliberations and C. Tomich led the Board in making findings on the application. The result was the following detailed record:

The members of the Town of Sheffield Planning Board, which is also the Special Permit Granting Authority (SPGA) hereby certify that the following is a detailed record of all the board's proceedings for the above named applicant. The property, which is the subject of this special permit application, is located on Lot 4, Sheffield Business Park, referred to on Tax Map No.8, Block 4 & Lot 20.4, Book 1614 & Page 316. (The Special Permit Application and subsequent additional application documentation are found in Exhibit #1.)

The Special Permit application was dated February 9, 2010 stamped by the Town Clerk on February 10, 2010 and accepted by the Board on February 11, 2010 as case # 021110. The property is located in the General Business District.

The applicant requested a Special Permit under Sections 3.13 e 6, 7.2, and 9.4.10 of the Town of Sheffield Zoning By-Laws for the purpose of light manufacturing of wood plastic and metal. The applicant, David Brigham, presented the application to the Board at a public hearing on March 11, 2010 at 8:00 PM.

Notices of Public Hearing on this Special Permit were made as follows: (see exhibit #3)

1. Notices of the public hearing were published in The Berkshire Record, a weekly newspaper of general circulation in the Town of Sheffield, in editions as follows: February 26 and March 5 issues.
2. Notice was posted in a conspicuous place in the Sheffield Town Hall at least 14 days before the public hearing on March 11, 2010 at 8:00 PM.
3. Notice of Public Hearing were mailed, postpaid, on February 26, 2010, at least 14 days before the hearing, to the applicant, abutters to the property in question, owners of land directly opposite from the property in question on any private or public street or way as supplied by the town assessors Certified Abutter List and to the Planning Boards of the abutting towns of Great Barrington, Alford, Mt. Washington and New Marlborough.
4. Notice of Public Hearing and site plan were delivered to the Board of Selectmen, Fire Department, Highway Department, Police Department, Board of Health and Conservation Commission at the Town Hall for review and feedback. Notice was dated February 26, 2010 and distributed on the same date.

Also identified at the March 25, 2010 deliberations were:

Documentation entered into the public record. (list all documents)

- Special Permit application, cover letter, \$250 application fee and all documents submitted with the initial application dated February 10, 2010.

The board noted that the Special Permit hearing began on March 11, 2010 and was closed on the same day.

It was reviewed that SPGA members present during all of public hearings were; Christopher Tomich, David Smith Sr., Margaret Martin and Peter Cherneff. Alternate member Anthony Gulotta was also present.

List all Findings:

The board reviewed the application which is exactly the same as the original granted application:

3.13.e.6: Light manufacturing.

Refer to Section 10, definitions. Refer to Section 9.4 for Special Permit requirements.

- **9.4.2.2.1: The Social, economic or community needs which may be served by the proposed use.**

Will Employ and Increase Tax Base

The SPGA, by a 5-0 vote, found that the beneficial effects of the proposed use DO outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

- **9.4.2.2.2: Traffic impact, flow and safety, parking and loading and accommodation to pedestrian and non-automotive transportation.**

Plan was designed professionally and has a good design serving proper function

The SPGA, by a 5-0 vote, found that the beneficial effects of the proposed use DO outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

- **9.4.2.2.3: Adequacy of utilities and other public services.**

Design Sufficient

The SPGA, by a 5-0 vote, found that the beneficial effects of the proposed use DO outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

- **9.4.2.2.4: Appropriateness to the proposed location, the neighborhood character and town land use objectives.**

Fits Nicely

The SPGA, by a 5-0 vote, found that the beneficial effects of the proposed use DO outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

- **9.4.2.2.5: Environmental impacts, including, but not limited to, visual effects, noise, order, dust, vibration, fumes, smoke, light intrusion, glare, impacts on natural habitats, views, water pollution, erosion and sedimentation.**

Engineered and Designed Sufficiently

The SPGA, by a 5-0 vote, found that the beneficial effects of the proposed use DO outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

- **9.4.2.2.6: Potential fiscal impact, including impact on town services, tax base and employment.**

All a Positive for the Town

The SPGA, by a 5-0 vote, found that the beneficial effects of the proposed use DO outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

Conditions: None

Waivers: None

Final Vote:

In keeping with its authority, on March 25, 2010, the SPGA voted as follows:

Christopher Tomich:	GRANT
David Smith, Sr.:	GRANT
Margaret Martin:	not present (applicant agreed to allow deliberations by only 4 members)
Anthony Gulotta:	GRANT
Peter Cherneff	GRANT

By a 5-0 vote, the Board vote unanimously to GRANT the special permit application of Four corners/ Borestone, LLC for light manufacturing, as documented in the special permit application.

On March 26, 2010 the SPGA filed its Notice of Decision of Special Permit with the Town Clerk who certified its receipt and release date. A true copy of the Notice of Decision is filed under Exhibit #4.

Notice of Decision of Special Permit was sent to the applicants, all abutters, all Town of Sheffield boards and/or commission, which received notice of the Public Hearing and to the Planning Boards of adjacent towns. Notices were sent or delivered on March 9, 2010.

Town of Sheffield SPECIAL PERMIT GRANTING AUTHORITY
(SPGA), also known as the Town of Sheffield Planning Board

Christopher Tomich, Chairman
March 26, 2010

The board directed Christopher Tomich to work with Rhonda LaBombard to complete the required documentation within the 14 days after the board's decision, as required by law.

At 8:36 p.m., D. Smith Sr. made a motion, seconded and approved, to adjourn the meeting.

Respectfully submitted,

Nadia Milleron,
Secretary to the Planning Board