

PLANNING BOARD  
MINUTES

**Public Hearing on two proposed amendments to the Sheffield Zoning Bylaws for the  
May 3 Town Meeting.**

Thursday, April 22, 2010

The public hearing was opened at 7:30 PM.

Planning Board members present were: David Smith Sr., Margaret Martin, Tim Fulco and Alternate Planning Board Member, Anthony Gulotta, who substituted for the absent Christopher Tomich. Peter Cherneff was also absent.

Secretary M. Martin read the notice of public hearing published in the Berkshire Record into the record.

Sheffield land owner, Donna Parsons, stated that she is concerned about being allowed to build on the flood plane. She is taxed by the state for 4 building lots and she is not allowed to build. She feels this is unfair.

Town Manager, Joe Kellogg, asked Ms. Parsons to indicate the location of her property on a map of the town.

Mr. Kellogg stated that an amendment to the town bylaws has been presented because of the Parsons' concerns. Attorney Sally Bell has suggested language that would allow the town to handle requests to build on the flood plain on a case-by-case basis.

Rene Wood, of 928 Boardman Street, clarified that she was attending the public hearing as a private citizen. She believes this proposed change in the bylaws is long overdue. Ms. Wood stated that the Planning Board is in charge per the new amendments, but that the order of procedure is not clear for a person trying to obtain a permit.

M. Martin suggested combining meetings of several boards to facilitate the process; thus the applicant would only have to attend one set of meetings and the boards would be aware of each other's concerns.

Rene Wood felt that people should go to the Conservation Commission first. She stated that proceeding in this order would simplify the process and eliminate guessing what the Conservation Commission result might be by the Planning Board. Ms. Wood does not think the meaning of the word "encroachment" is clear in 8.2.7.

Town Manager, Joe Kellogg, suggested that particular section be removed to allow the amendments to pass at the May 3<sup>rd</sup> Town Meeting. He stated that the proposed

amendments are an overlay to the town bylaws, they are not replacing sections of the bylaws.

D. Smith asked for more comments.

Mr. Richard Parsons, Sheffield land owner, said he is concerned about the conflicting numbers used to represent elevations governed by the bylaws.

Tom Carmody, Town Building Inspector, responded that the elevation criteria used by the Town from now on will be based on the elevation submitted by the applicant based on their own engineer's assessment. He stated that FIMA has very different assessments from local engineers.

*At 8:10 T. Fulco made a motion, seconded and approved, to close the public hearing.*

Respectfully submitted,

Nadia Milleron,  
Secretary to the Planning Board