



Town of Sheffield

Planning Board

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Regular Meeting Minutes

Wednesday, April 3, 2013, 3:30 PM

TOWN HALL – 1st FLOOR MEETING ROOM

Board Members Present: David A. Smith Sr.
Margaret Martin
Peter Cherneff
James T. Collingwood Jr.
Maria Nation

Members of the Public Present: David Smith Jr.
Julie Hannum
Rene Wood
Thomas Carmody
Barbara West
David West
Rhonda LaBombard
Alicia Powers

The meeting was called to order at 3:30 PM.

The Board distributed copies of a proposed notice of appeal by the Planning Board to the action of the Building Commissioner with regard to the granting of Building Permit, No. 1319, dated March 7, 2013. The Board read the proposed notice of appeal

Rene Wood requested that the copy of the proposed notice be read aloud. The Board responded that the notice would be made available when approved.

Peter Cherneff moved that the Planning Board be a party to an appeal of the actions of the Building Inspector in regard to the approval of a Building Permit for Dollar General. Margaret Martin seconded his motion.

Ms. Milleron, expecting a shorter meeting, informed the Chairman of her need to leave. R. Wood volunteered, and the Board accepted, her scribing for the Board.

Discussion ensued on the motion on the table.

Chairman Smith allowed members of the audience to participate in the discussion on the motion.

Selectman J. Hannum, representing the Board of Selectman, presented the Selectman's offer for a conference call with Town Counsel to the entire Planning Board. Discussion ensued and the offer was declined by the Planning Board.

P. Cherneff reviewed the Planning Board's earlier request for access to Town Counsel for purposes of understanding the appeal process and noted the request had not yet been officially addressed. Discussion ensued with Selectman Hannum and R. LaBombard, Town Administrator stating the Board of Selectman's policy on access to Town Counsel and the reasons for such policy. This policy applies to all Town Counsel access by any Board, Commission, Department, etc.

Selectman R. Wood further explained the Selectman's offer to the Planning Board, which would include an independent review of the Primax Properties file by Attorney J. Silverstein and direct, unfiltered conversation with the Planning Board. Discussion ensued. The Planning Board again declined the offer.

J. Collingwood stated he had not been involved with the appeal and asked his fellow Planning Board members to rethink the matter.

Comments and discussion ensued from T. Carmody questions regarding proper posting of Planning Board meetings, particularly the 3/27/13 meeting.

J. Collingwood again asked his colleagues to rethink the matter at hand.

P. Cherneff made a motion to file an appeal regarding Building Permit # 1319, as drafted, with the Town Clerk's office as required and to authorize Planning Board Chairman, David Smith Sr. to sign the appeal document. M. Martin seconded the motion. Chairman Smith requested a voice vote and the results were:

Maria Nation – aye

Margaret Martin – aye

Peter Cherneff – aye

David Smith Sr. – aye

James Collingwood – abstain

The motion passed 4 – 0 – 1.

Chairman Smith signed the original and copies of appeal document.

Selectman Hannum asked the Planning Board how it had decided to decline the Selectman's offer of the conference call. Discussion ensued.

Selectman Hannum expressed the concerns of the Selectman regarding potential open meeting violations and the appearance of such violations. Discussion ensued including citation of exception #3 as to when a Board does not have to post a meeting.

Chairman Smith Sr. voiced his concerns and observations that communications within the Town are terrible and the problems created when Boards, employees, etc. do not work together. Discussion ensued, including the observation that the Planning Board did not include their relationship with Administrator LaBombard in this critique.

J. Collingwood motioned to adjourn the meeting, which was seconded by M. Martin. The motion carried unanimously. The meeting adjourned at 4:25 pm.

Respectfully submitted by Rene Wood



Nadia Milleron
Planning Board Secretary