



Town of Sheffield

Planning Board

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Regular Meeting

Wednesday, September 25, 2013, 7:00 PM

TOWN HALL – 2nd FLOOR MEETING ROOM

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

No Member of the Public was present.

Review of Minutes:

M. Martin made a Motion to accept the Regular Meeting Minutes of September 11, 2013, as amended. J. Collingwood seconded the motion and the Minutes were approved by all present: D. Smith Sr., M. Martin, P. Cherneff and J. Collingwood.

Mail: The Board received two approved permit notices from Mt. Washington and a letter to Sotheby's Realty from Tom Carmody, the Building Inspector, explaining that the lot they are interested in is not buildable.

David Smith Sr. sent a letter to the Cushwa Applicants informing them that the Planning Board accepted their withdrawal of their Special Permit Application without prejudice.

The Board was advised of the Annual Dinner Meeting of BRPC regarding the use of mills and other abandoned industrial sites.

The Board took note of a letter to the editor in the Eagle from Joyce Hawkins of Sheffield.

The Board received notification that the Select Board had adopted a new policy that any Sheffield Board must get approval from the Town Administrator before going to Town Council. The Board discussed the new policy.

Dollar General Litigation: The Planning Board agreed to address the Select Board in writing and request to be included in every negotiation, mediation and communication that the Select Board conducts with counsel because the Planning Board is a party to the lawsuit. David Smith Sr. will draft the letter. Members proposed reading the letter at a Select Board meeting and then handing it to them.

Bylaw Review: The Board noted that it is believed that Berkshire Distillers, owned by Chris Weld, is preparing to build a Distillery and a retail store south of the Magic Fluke. They noted that there is a purchase agreement at this point and it's a "by right" situation. The Board looked at bylaw 30, 31 and 32, and raised the issue of whether 32 would preclude retail sale of wine in this zone. The Board noted that there is nothing before the Planning Board in this case. The Board agreed that the matter of Use 32 should be examined as part of the Bylaw Review process. The Board also agreed to present a bylaw addressing Formula Businesses at the next meeting.

The Chair reported that, at the last meeting, P. Cherneff volunteered to contact Brian Domina of the Berkshire Regional Planning Commission to see if he could provide guidance with bylaw development, and Mr. Domina said he was unable to provide such assistance.

J. Collingwood asked the Town Administrator, Rhonda LaBombard whether the Planning Board could address existing bylaws and she said yes. He mentioned this in regard to the Select Board appointing a bylaw review committee. He noted that any proposed changes to the bylaws by a citizen or the Select Board's appointed bylaw review committee would have to be brought to the Planning Board.

The Chair noted the following: Citizen Planner Training Collaborative offers seminars available to Planning Board members. There is a seminar on Nov. 7th from 7-9 at 1 Columbus Ave. in Pittsfield on how to run a perfect public hearing. On Dec 5th there is another seminar on Site Plan Review. Those interested may register by email at least 5 calendar days before the date.

New Acting Planning Board Chair: David Smith Sr. explained that for next few months, he has to reduce engaging in stressful situations for his health, per the advice of his doctor. He asked Peter Cherneff, as Vice Chair, to be the Acting Chair until he is able to resume his duties as Chair.

J. Collingwood made a motion to adjourn the Planning Board meeting. P. Cherneff seconded his motion and the Board Members, M. Martin, M. Nation, J. Collingwood, P. Cherneff and D. Smith Sr., all approved the motion.

At 8:30 PM the Planning Board adjourned its regular meeting.

Respectfully submitted



Nadia Milleron
Secretary to the Planning Board