

Meeting Minutes Planning Board July 21, 2021

1. Meeting opened at 7:03 PM

All 4 present: Chair Roger Kohler, Secretary Bill Taylor, John Field, Paul Gaudette. Also 3 community members in room, over a dozen on zoom

2. June 8, 2021 Minutes approval: Roger moved, John seconded, unanimously approved

3. Driveway permit discussion moot as already approved

4. Lighting bylaws: Paul suggested parking lot exemption. Bill will send a word document to all PB members (Westfield MA lighting bylaw and suggestions for Sandisfield) to edit and keep original. Post to website too.

Decided to continue Lighting bylaw to August meeting and develop survey questions before then

5. Noise bylaws: Bill pointed out that we will need something when high speed internet brings more people to build in the town.

John: likely to be resistance as both he and Paul say need to work early before PM thunderstorms cut the work day short. "May hear a lawnmower at 6 AM".

Decided to continue Noise bylaw to August meeting and develop survey questions before then

6. Cannabis Bylaw discussion: There was much discussion on this topic

Bill presented some ideas to allow larger tiers with larger setbacks, to specify indoor grows use natural daylight only; increase the total canopy in the town to 500,000 sq ft or about 12 acres or some other figure (bylaws presented at May 2021 town meeting had 300,000), allow as many retail cannabis establishments as there are liquor licenses in town. He and other PB members wondered aloud what changes would allow the bylaws to pass (they failed to even get a simple majority) Paul thought objections were that they are "too restrictive". Then the floor was opened for public comment.

Carl Nett: said objections were largely the tier restrictions. A couple of hundred landowners own 100 acres or more. Some own 1000 or 2000 acres. Why can't we allow a large grow in middle of that big parcel? Any legal endeavor should be allowed. Blanket restriction ignores geography.

Carl said growing canopy of 500k would be more reasonable to people, the minimum that would fly.

Leslie Garwood: lot of people interested. Thanks. She represents a large # of people. Many could not come, short notice. Lots of non-full-timers who pay taxes wanted it to pass. Sent letter to PB. Need conversation with George about what make it acceptable to pass. Wants to see dialog and input from community. Sheffield said NO after it got a certain number of outdoor growing facilities. It was 5 large outdoor grows. Find out what happened in Sheffield (Lev interjected)

Lev Natan: Asked us to consider a 10-20-30 year vision for Sandisfield What if all 100 acre parcels had a tier 11 with processing? Carl comments on zoom chat that not all tier 11 grows do processing. Will cannabis continue to boom? Do we want out of towners or locals having the grows? Would predicted revenue for town and building roads actually materialize?

Alex Bowman: questions: What about retail versus grow. Any feedback? Bill and Roger said no.

Community impact fee for operations. Retail tax revenue plus impact fee. In Haverhill there is a case in courts regarding legality of impact fees without documentation. Bill says could set precedents, as he had seen some articles questioning whether towns could charge the 3% fee when it was greater than the impact.

Leslie: Process: how move forward? Don't have a forum. Ways to ask. Smigels used Sandisfield Times for survey about store. Subcommittee to discuss. Should we do a survey?

Carl: Not all HCA's created equal. Grower waived rights to challenge impact fee in SAMA HCA (Host Community Agreement), which is different than most other towns' HCA's. Can't be challenged.

John Riedeman: Survey good idea. Did in Norfolk for town plan.

Kathleen Seagrin: Thanks for mtg and putting on zoom. Thanks to select person for attending.

John Field: bigger grows in middle of bigger parcels.

Carl: Brigitte thinks that in bylaws outdoor grows be restricted to uncleared land leading to more cleared land that could be available for traditional agriculture if the grows are later abandoned.

Lev Natan: sent a zoom chat mentioning Mass Audubon carbon

We agreed on the need for a survey, to be completed in the August meeting and then sent out. There was a discussion of using the Sandisfield Times, email lists, or mailing to all residents. Things to include in survey: Roger: Tier size and setbacks and size. John: Using email we could do a survey monkey survey

Decided to continue cannabis bylaws to August meeting and develop survey questions before then

7. Sign bylaw change discussion

Paul: currently business owners come to the select board. No private signs allowed on town property.

There was a discussion of what kinds of violations happen without complaint or enforcement, and the need to have the sign bylaws reflect what people are doing as long as it does not cause harm or road safety issues.

Carl: Not enforced. Why have a bylaw that can't be enforced?

Paul: only 1 enforcement

Alex: Special permits currently required

Bill and several others: We should keep special permits out of sign bylaws; they are too cumbersome and costly for just a sign

Alex: Sign bylaw change approved at November 12, 2020 town meeting was approved April 27, 2021 by state AG

Decided to continue sign bylaw to August meeting and develop survey questions before then

8. Other bylaws

John: Chapin Fish sent: Accessory building bylaw, Shared driveway bylaw. Tyringham

There was a discussion of shared driveways and what happens if there are changes in ownership. Also discussed allowing an accessory dwelling unit (ADU) for elder or special needs. Currently only one kitchen per parcel is allowed. Would these be used as BNB's? How could this be monitored?

John: Shared driveway hard to do. ADU more reasonable to address

Alex: examine the Special Permit (SP) process: make change to non-conforming structure (less than 200' frontage or 30' setback) Add zones for villages that allow smaller frontage and setback.

Principal use: there is not much in the bylaws. Not much people can do by right. More we could allow to avoid cumbersome SP process?

Another possible bylaw: Rights of nature. Suggested to also put on survey.

Survey continued to August.

9. Sign warrants: Bill needs to get warrants to record his hours (timesheet) for payment of secretarial duties.

10. Open mail: Mass Audubon brochure on carbon credits/offsets. Bill wondered if it is a scam as not destroying forests (supposedly increasing carbon) can be used by polluters allowing more CO2 release. Comment was that Sandisfield would not be getting into that.

11. Topics not anticipated: conflict with Aug 10 date. PB all agreed to change August meeting to August 3 (4th if conflict in use of room) at 6 PM (back to the regular time)

12. Around 9 PM, John moves to close, bill seconds, unanimous.