

Sandisfield Planning Board
Public Hearing and Meeting Minutes
Tuesday, August 23rd, 6:30 PM
3 Silverbrook Rd

1. Open meeting. 6:29 PM. All 5 Planning Board members present. 3 members of public at the start (about 10 later), and 2 or 3 on zoom.
2. Opened Public Hearing at 6:30 PM.
3. Review line by line and hear public comment on Accessory Dwelling Unit (ADU) Draft Bylaw. Paul G reads each line. Questions about change: Robert Sampson asked procedure for creating an ADU. Paul A said by right with building permit. Mary Turek likes changes, won't be a free for all. Ralph: Shouldn't short term (ST) rentals be inspected? Barb, Paul G: next bylaw will govern ST rentals etc. Ralph: we already have lot of ST rentals. Have alarms, renters don't know how to shut off. Barb: A Short Term Rental bylaw can include rules to deal with it, maybe fines. Administration and enforcement. Mary: back to ADU: Will they need another house number? A or B easier to see than a decimal like .5 after the number. Gina Coletti: why no Short Term rentals allowed in the ADU? What about camping? Barb responds that could be a new bylaw.
4. Hear public comment on and discuss Shared Driveway Draft Amendment. Paul G reads line by line. Ralph Morrison: 12% too steep for fire truck on a dirt or gravel driveway. Planning Board responds that we will redo based on what Ralph finds. Ralph: If driveway permit applicant needs to apply to Conservation, Planning Board, Hwy/DPW? Line of site and culvert (Brad). Ralph has to do 7 numbers this week. Doesn't know if driveways are approved. Ralph tries to measure and figure out number, and neighbors will argue. Used to be every 200'. At some point decision was made to not include town, state, cemetery property, but sometimes that is included in calculating. People refuse to change numbers that are done wrong. Barbara: maybe we need a fine process. State law also requires that house number be visible from both directions. Mary: wonders about 600"; of frontage if 3 properties share driveways, how will Planning Board (PB) deal with that? Barb: PB will see design. Conservation Commission can ensure driveway avoids wetlands. Procedure for bylaw vote: Oct 20 is special town meeting. If approved, bylaw goes to Attorney General for approval.
5. Close Public Hearing: 7:11 PM. Paul G moves, Lisa seconds. Unanimous. Discussion of 12% and change – 8% for first some number of feet? Reopened Planning Board meeting at 7:18 PM after Paul G and Lisa did web research on the 12% issue. Steve Seddon brought up a Select Board and Town Manager request for Planning Board to handle an issue. The Cannabis Committee wants us to amend the cannabis bylaw to make the Committee an ad hoc one, to eliminate the cumbersome requirement (48 hour notice of meeting, etc) to comply with the open meeting law. If we do so it is needed by Sept. 26. Steve's opinion is that an ad hoc committee serves purpose and dissolves, while the Cannabis Committee is not dissolved. We all agreed that PB should ask cannabis committee about their intent. Bill: should be open. Mary: should be open meeting if long term appointment. Lisa: thinks the Committee is nervous about people yelling at them. Several comments that all boards and commissions get yelled at. Robert Sampson thinks allowing closed meetings could be open to conflict of interest, since the Committee will be recommending suitable 50+ acre properties to proponents of a cannabis grow, and that could get corrupted. We will meet with the committee. Barb will call chair and check scheduling.
6. Discuss upcoming Community Meeting on what people want for Sandisfield: Barb handed out draft to Planning Board members. Fri Sept 23, 7 PM. Barb will call Bill Price about stuffing it in Sandisfield Times. Bill suggested adding camping to topics already brought to the Board's attention as it has been also. Barb said we need to limit it to the 3 topics she has on the draft. Paul A will investigate # of St rentals to present at the meeting; the State should have that info as AirBNB, VRBO and others need to report to

the state for taxation purposes. Lisa and Bill said we should include camping issue and make the meeting more open. Barb responded that we limit detailed discussion to 3: Short term rentals, Dark Sky, and requiring new construction to be fossil fuel free (something being discussed at the state level and that 2 people had brought up to her). Bill pointed out that 2 people had brought camping up at Planning Board meetings. Barb reiterated that other topics that are brought up at this first community meeting can be put on a future community meeting agenda for further discussion.

7. Discuss and Finalize Bylaws and Vote: Section 4.0 clause 7: There was a word missing. Seems we need to add the word "codes" after building, as was in the previous draft. Paul A moves, Lisa seconds. Unanimous. Discussion of ban on ADU Short Term rentals. Bill and Paul A think it seems arbitrary to allow primary residence to be rented short term while not allowing ADU to be so rented. If the idea is to not have 2 short term rentals, we should ban that instead and allow more latitude in which one can be rented short term. Gina: base discussion on broader look. National, state and county discussion. Sandisfield has opportunity to look at it from bigger perspective. ST is a pain, some people decided to do LT. Gina prefers allowing either dwelling to be ST but not both, over a ban on ADU. Bill moves to change, Paul A seconds. Paul G says banning short term ADU rental aligns with the intent of ADU bylaw stated in the purpose to provide LT rentals, for caregivers, family etc. not ST's. Paul A will go along with keeping ban because of the intent of ADU's. There were 2 votes: Motion to rewrite to allow only one short term rental, either principal residence or ADU, was defeated 4 to 1. Motion to keep the ban passed 4 to 1. We discussed the issue Ralph Morrison brought up about steep grades. The web search Paul G and Lisa did came up with 12% consistently used as the limit. Several Planning Board members suggested to handle that through the driveway approval process, to have fire chief also be added to those needing to approve driveway permits to ensure emergency vehicles could use the driveway by looking at the grades. Mary Turek suggested we say emergency access rather than grades. Change to 13 to add fire chief and emergency access approved unanimously.
8. Berkshire Regional Planning Commission wants Sandisfield to be represented by an appointed member and an alternate. Meets in Pittsfield. Barb is the main attendee and Lisa is alternate, Bill and Paul Adams said they could not commit without knowing the time of the meeting. After the vote Bill said he could go if neither Barb nor Lisa can go, although Barb stated that as unofficial he can't participate but only observe.
9. Adjourned meeting at 8:13 PM.