

# Town of Sandisfield

## Select Board

Minutes for Select Board meeting held on Monday, July 10, 2023 at 6:30PM at the Town Hall, 66 Sandisfield Road, Sandisfield, MA

Members present: Steve Seddon, John Field, Robert Fedell

### **1. Call to order: Note that the meeting is being recorded**

### **2. Special Permit Hearing – 158 New Hartford Rd, Pat Creem**

Patricia Creem has submitted a Special Permit Application requesting to build an attached garage onto her home at 158 New Hartford Rd which is on a nonconforming portion of her property.

Alex Bowman, property owner on New Hartford Rd, reiterates that the Town needs to determine whether the garage construction would be substantially more detrimental than the existing nonconforming use of the neighborhood. Alex believes this would be substantially detrimental, as it greatly increases the volume in the setback with no apparent attempt at conformity. He notes there are no other nonconforming homes in Sandisfield that are as large as the proposed construction, and therefore is in direct violation of Sandisfield's Zoning Bylaws.

A motion was made, seconded and so voted to exit the Public Hearing.

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

Steve did some research and spoke with Town Counsel regarding options for this Special Permit application. According to Massachusetts General Law (MGL), Chapter 40, Section 6, "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood." Steve personally does not see this garage as being "substantially more detrimental," as no abutters have complained a view will be impeded or have otherwise been negatively impacted.

Robert Fedell notes that the home and proposed garage are not within the setback of the property line, but are well within the setback of the road, at 60ft off the road. Robert and John agree this project does not feel “substantially more detrimental.”

A motion was made, seconded and so voted to approve the Special Permit of Patricia Creem contingent on the project not encroaching any further on the setback.

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

### **3. Appointment Term Review – Cemetery, Recreation, Green, & Yanner Park Committee**

Cemetery, Recreation, Green, & Yanner Park Committee now all have a three year term expiration for members. Cemetery and Recreation have submitted term expirations for their members. Janey will determine the expirations for Green and Yanner Park members at random.

### **4. Re-appointment of Green Committee**

The two members who were removed at the previous Select Board meeting were given one last opportunity to request re-appointment. Neither have done so. The vacancies have been posted on the town website.

### **5. General Fund & Trust Fund Investment Policy**

Town Counsel has returned the policy with the addition of references to MGL as to why certain items must be included. The policy will provide guidance on safe ways to invest and store the Town’s funds. The Select Board will vote to approve the policy as amended by Town Counsel at their next meeting.

### **6. Town Manager Project List**

Contracts and job descriptions have been posted on the Town website, which can be found under the Town Manager and Select Board pages.

The Board of Health conducted an inspection on Jennifer Pilbin’s property at 12 W. Hubbard Rd on 7/6/23. A follow-up inspection is scheduled for 8/2 to verify compliance.

Charter Committee Public Hearing is scheduled for 8/11.

Bridge work on the Rt 57 culvert bridge by 90 Sandisfield Rd will begin 7/24/23 and continue for no longer than 30 days. The road will be closed and alternate routes will need to be taken. A detour map is available on the town website.

**7. Town Manager Updates**

**8. Select Board Updates**

**9. Future Agenda Items**

- General Fund & Trust Fund Investment Policy

**10. Topics Not Anticipated**

**11. Public Comment**

**12. Review and vote to approve minutes of meetings: 5/8, 5/16, 5/22**

A motion was made, seconded and so voted to approve the minutes of meetings 5/8, 5/16, 5/22 and 5/30.

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

**13. Review and sign purchase orders, warrants, and mail**

**14. Adjourn Meeting**

Meeting adjourned at 7:35pm

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Steve Seddon

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John Field

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Robert Fedell