

Minutes of Planning Board Meeting
Town of Whately
Town Offices Building, 4 Sandy Lane
January 31, 2017

Members Present: Don Sluter, Judy Markland, Nicholas Jones, Sara Cooper
Members Absent: Fred Baron (resigned)
Staff Present: Mary McCarthy, Secretary

Attending: John and Janice Saunders, 165 River Rd.; Nancy Pickunka, 17 Bridge St., Hatfield; Rod and Thuy Reed, 25 Swamp Rd.; Dan Denehey

Call to Order, 7:00 p.m.
The meeting was not recorded.

I. NEW BUSINESS

It was noted that Fred Baron had resigned from the Planning Board to join the Finance Committee. Helena Farrell, a candidate to join the Planning Board, attended the meeting to observe the proceedings and was invited to sit with the board for discussions.

1. Saunders ANR

John and Janice Saunders explained they wish to make three lots become two lots of two acres each, and submitted a plan of the proposal for the land at Book 1504, Page 231. After discussion, Don moved to endorse the ANR. Nicholas seconded the motion, and the board endorsed the ANR unanimously. The board stamped and signed the required plan copies.

2. Sugarloaf Shoppe access to Deerfield Medical Marijuana zone

The board consulted a map/plan of the subject property. Discussion points included easements, change of use, common driveway, side lot access, odors, lighting, and traffic. Judy suggested sending a letter describing the board's concerns to the town of Deerfield, which is the location of the project will control and permits. The board agreed to send such a letter to the Chair of the Deerfield Planning Board. It was noted that Whately's only other leverage in the matter would be through comments at a public hearing.

3. Recreational Marijuana

Discussion points included how to handle zoning and how to keep the associated businesses in the commercial areas; what kinds of changes would be needed to bring the zoning bylaws up to date; whether the marijuana would be considered an agricultural product (since that term is

still being defined where the state is concerned). It was noted that, since there are not yet any regulations for recreational marijuana it is very difficult to work out zoning for it. It was also noted that some work needs to be done on this for this year's town meeting, but that given the time frame scope and options will be limited. Other topics touched upon were possible state requirements for security. The last word was that it is probably better not to rush into any measures, but to wait to see what the state does with its own regulations as things develop.

II. OLD BUSINESS

1. Reed property on Swamp Road

The board discussed with Ron and Thuy Reed the Reed's desire to use a house near their own as a duplex. Their special permit application with the Zoning Board of Appeals is under consideration, and the Reeds came to find out the Planning Board's requirements in the matter. Don said he looked up the Assessor's Office records and found that the house is registered as a two family home already, and so the Planning Board has no requirements under Section 171-20B(3) that need addressing.

III. Other

1. The Board discussed the cell tower proposed for Haydenville Road, in an area outside the town's cell tower district. Nicholas noted that the town had originally created the district as a way of controlling what the law allowed the town to control about the tower, since the state does not allow the town to deny such a tower outright. He said it was also thought that, since everyone in town would have to look at such a tower, it was only right to have any profit made from such a project benefit the town as a whole.

IV. Approval of Minutes

Nicholas moved to approve the minutes of November 29, 2016 as amended. Don seconded the motion, and the board unanimously approved the minutes as amended.

V. Planning Board Mail

The board reviewed the mail

VI. Next Meeting Date

February 28, 2017 (if necessary)

VII. Adjourn

Don adjourned the meeting at 8:50pm

Documents reviewed (kept in the Planning Board files)

1. a plan of land dated 1/17/17 , prepared by SVE Associates, and titled:

3.

Site Improvements
prepared for
New England Patient Network
4 Greenfield Road
Deerfield MA 01373

2. Form A, Application for Endorsement of a Plan Believed Not to Require Subdivision Approval, endorsed by the board for applicants John and Janice Saunders of 165 River Road and owner Nancy S. Pickunka of 17 Bridge Street, Hatfield
3. A plan of land dated September 30, 2015, prepared by Harold L. Eaton and Associates, and titled:

“Subdivision Approval Not Required”
Plan of Land in
Whately, Massachusetts
prepared for
Janice A. & John B. Saunders, Jr.

Mary C. McCarthy, Secretary
Planning Board
Town of Whately