

Minutes of Planning Board Meeting
Town of Whately
Town Offices Building, 4 Sandy Lane
November 7, 2017

Members Present: Don Sluter, Judy Markland, Nicholas Jones, Sara Cooper
Members Absent: Helena Farrell
Staff Present: Mary McCarthy, Secretary

Attending:

Jessica Atwood, FRCOG, 12 Olive St., Greenfield; John Wroblewski, 29 Straits Rd.

Call to Order, 7:04 p.m.

The meeting was not recorded.

I. PUBLIC HEARING for Proposed Changes to the Medical Marijuana Bylaw

Don moved to waive the reading of the legal notice, Nicholas seconded, and the motion passed unanimously. Judy explained the reason for the public hearing – that the board must inform the local farmers that marijuana is not covered by the Agricultural rules in place for other crops, per the Commonwealth of Massachusetts. She submitted a document titled, “Recommended Changes to Whately Zoning Bylaws for Marijuana”, which shows added text underlined and deleted text stricken out. The document includes a change to the definition of agriculture in the Table of Use Regulations to incorporate the states exclusion of marijuana. It also includes a change to Section 171-28.6, A., with the added statement, “For the purposes of the Table of Use, Section 171-8A., marijuana is not agriculture”. The final change is to Section 171-28.6, B., with the deletion of the word, “permanent” from the description of the type of building required. It was noted that more changes will be needed as more is learned about what the state’s requirements will be. Don moved to approve the changes and forward them to the selectboard for approval at town meeting. Nicholas seconded, and the changes were approved unanimously. Don then closed the public hearing.

II. Old Business

1. Pine Plains – Discussion of Support for Street Acceptance as Public Roads

John Wroblewski asked for acceptance of the streets at Pine Plains Estates as public roads. He stated that Town Administrator Brian Domina had received a letter from town counsel about the road acceptance plan, dealing with points and distances that describe the 55-ft. right-of-way. The board hadn’t yet seen the letter and Mr. Wroblewski did not have it with him. He described the road acceptance plan as in the process of being drawn up by Hatch Mott MacDonald, saying that when it is finished he will give it to the selectboard, which will give it to the planning board as part of the process of acceptance of the plan.

2. Pine Plains – Stormwater Management Plan Changes

Judy noted that the stormwater management plan says that no salt is to be used on the roads in winter – and said that the town may not accept that. John Wroblewski said that the “no salt” plan did not work, and that was a safety hazard. Instead, he said, he has begun using a salt made from beer residue, and read from an amendment he has proposed to deal with this matter.

The board then reviewed an emailed letter dated November 7, 2017, to Don Sluter, Chair, Planning Board, from Brent White of White Engineering, Inc., who wrote that he reviewed both the “Recommended Long-Term Stormwater Pollution Prevention Plan, Operation & Maintenance Plan” dated May 5,, 2009, as well as the “Long-Term Stormwater Pollution Prevention Plan, Updated Operation & Maintenance Plan”, dated November 7, 2017. The letter approves the summary maintenance schedule for structural BMPs. When asked the difference between the new version of the plan and the previous one, John Wroblewski referred the board to an email that would soon arrive in their inboxes. Don told Mr. Wroblewski that the board would need a new version of today’s letter from Brent White, comparing the approved version with the previous one. The board also stated that they wanted board member Helena Farrell’s opinion on this matter, and Don explained that they would hold a meeting on November 28 if one is necessary. John Wroblewski agreed to give Don ten days notice if he is ready to revisit the matter on that date.

Mr. Wroblewski then told the board that he wished them to release additional lots for sale. He submitted a document titled,
Certificate of Performance
Covenant Approval Release
written to certify the work requirements of the covenant dated August 7, 2009, and to release the listed lots. Mr. Wroblewski did not have the 2009 covenant with him, and this matter will be continued at a future meeting.

III. Other

Jennifer Atwood, of the Franklin Regional Council of Governments (FRCOG), explained that she is Economic Development Program Manager of the DLTA Economic Development Planning Task for Whately, whose purpose is to engage the community in creating a broadly shared vision for future economic development in Whately. Ms. Atwood described the project’s proposal to hold a public event to gather opinions of residents, and submitted a document listing the particulars of the proposal. The board discussed various related items with Ms. Atwood.

IV. Planning Board Mail

The board reviewed the mail.

V. Approval of Meeting Minutes

Minutes of August 15, 2017

Nicholas moved to approve the minutes as amended, Sara seconded, and the minutes were unanimously approved as amended.

Minutes of August 23, 2017

Nicholas moved to accept the minutes as amended, Sara seconded, and the minutes were unanimously approved as amended. Judy will finalize the amended version of Don's minutes, and will email them as approved.

VI. Next Meeting Date

November 28, 2017 (if necessary)

VII. Adjourn

Don adjourned the meeting at 9:02 pm

Documents reviewed (kept in the Planning Board files)

1. A 1-page document titled, "Recommended Changes to Whately Zoning Bylaws for Marijuana"
2. A 2-page emailed letter dated November 7, 2017, to Don Sluter, Chair, Planning Board, from Brent White of White Engineering, Inc.
3. A 1-page document with blank spaces for dates and other information, titled,
Certificate of Performance
Covenant Approval Release
4. A 1-page document titled, "DLTA Economic Development Planning Task for Whately"

Mary C. McCarthy, Secretary
Planning Board
Town of Whately