

**Planning Board
Meeting Minutes of July 9, 2012**

Present: Michael Fitzgerald, Chair (MF)
Lauren Preston-Wells (LPW)
Sarah Holbrook (SH)
Alan Rice (AR)
Walt Cudnohufsky (WC)
Ron Coler, Guest (RC)
Brittany Martin (BM)

The meeting is called to order at 7:34pm.

1. Planning Board reviews the June 20, 2012 minutes. AR moves to accept the minutes as amended, SH seconds and all vote in favor.
2. AR discusses the Open Meeting Law meeting held in Huntington, MA. A PowerPoint presentation was presented by an attorney from a Boston, MA firm. There was a one hour presentation and one hour of questions/answers. Planning Board discusses the law regarding the email laws prohibiting Board members to email each other regarding topics and making decisions on agenda items. MF discusses that emails between Board members are acceptable as long as there are no decisions being made regarding agenda topics and they consist of only Board members opinions. Visit www.mass.gov/ago where you can get the most updated revisions to the open meeting law and the guidelines.
3. Planning Board discusses Sonom. There is removing and excavation of stone occurring without a permit. Sonom is in violation of the Ashfield Zoning Laws. The Building Commissioner or MESHSA will have a say in how to proceed. The neighbors are not happy; one couple moved, however the mining is not always active. The Planning Board was Cc:'d on the correspondence via email regarding this topic. MF states that the Planning Board has the right to walk the land, take pictures and send them to the Building Commissioner. MF states that there is little legal action the Planning Board can take but he will draft a letter to the Building Commissioner asking him to follow up on this.
4. Planning Board discusses the Wind Turbine By-law and the fact that it would be better to have a town by-law as opposed to just the state having one so that the town has better governance for implementing the wind turbines when a proposal is received and approved. Planning Board discusses that there is no rush to complete the by-law and that there are other topics to discuss that are more important at this time especially because the state doesn't seem to be in a rush to complete their by-law.

MF discusses that the information is so complicated and that the voters may not be willing to learn enough about wind turbines to vote and pass the by-law and the information seems to be contradictory that the Planning Board may not be able to make decisions at this time. WC states that there is no reason to scrap the work that has been done to date. AR discusses the fact that the Planning Board has spent a lot of time on this by-law, but there is a lot of information that the Planning Board cannot absorb the way they need to. Planning Board discusses that they are going to focus on the smaller turbines, not the commercial turbines. AR does not want to table the Wind Turbine By-law; he states that if the state is still working on their by-law, the Planning Board should still be working on theirs. AR discusses moving forward with the Open Space Plan and that there may be a way to address the Wind Turbine By-law jointly with the Open Space Plan. AR asks the Planning Board if they think that a public meeting should be held to discuss this. MF thinks that when we have a final draft of a coherent document it's then worthwhile to present it to the town.

RC states that the Planning Board should consider holding a public meeting to discuss the by-law with the town so the residents don't think the by-law has been 'tabled' and inform the residents about the information and concerns they are faced with. Planning Board discusses that they need some professional opinions on scale and aesthetics for wind turbines. AR discusses that there was a survey that went out to residents so they could give

their opinions on what is significant to them so the Planning Board can incorporate into the Open Space Plan. Planning Board discusses that they would like to work on the Open Space Plan and it may help to work on the Wind Turbine By-law. MF motions to work on the Open Space Plan, AR seconds and all vote in favor.

5. SH motions to adjourn the meeting, AR seconds and all vote in favor.

Meeting adjourns at 9:32 pm.
Respectfully submitted,
Brittany Martin