

Shutesbury Planning Board

Executive Session Minutes

Minutes – 10/7/2024

Approved and approved for public release: 8/18/26

Virtual Meeting

Members Present:

In person:, Michael DeChiara, Ashleigh Pyecroft, Jeff Weston, Robert Raymond, Steven Bressler

Not present:, Nathan Murphy, Deacon Bonnar

Associate Members: (invited by acting chair, Michael DeChiara)

In person: Tom Siefert

Not present: Keith Hastie

Siefert is activated as a full voting member.

Michael, serving as Acting Chair at the designation of the Planning Board chair, Nathan Murphy, moved to go into Executive Session for Reason No. 3, To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the government's litigating position. Litigation specific to Complaint received from Cows regarding the Shutesbury Solar Bylaw; not to return to open session. Jeff seconded.

Tom-aye, Steve- aye, Jeff-aye, Ashleigh – aye, Michael- aye, Robert-aye. Motion passes.

Recording was ended.

Board moved into Executive Session at 8:45 pm.

Michael shared a memo that he wrote based on the Planning Board discussion from the Sept. 9, 2024 executive session during which the Board discussed how to proceed with the Cows/Pure Sky plans. This memo laid out the Board's position in regards to the seven issues being litigated and conveyed the Board's position not to agree to the plans as presented. This memo was shared with the Select Board on Sept. 10 and with the town's attorneys.

Michael shared that at its Sept. 10, 2024 meeting, the Select Board voted to support the Planning Board's decision. The town's position was conveyed to the plaintiffs by our attorney, Adam Costa. Michael reported that as of tonight, Oct. 7, the town has not heard back from the plaintiffs.

The Board then discussed various external factors and timing-related issues that might impact the town's position in regards to the litigation; this included review of timing for the new SMART regulations, the deadline for submission of a definitive subdivision plan, and the Attorney General's approval of new energy storage bylaws approved at 2024 Town Meeting.

Following the discussion, Steve moved to adjourn, Jeff Seconded

Ashleigh -aye, Jeff -aye, Deacon -aye, Steve -aye, Michael -aye, Tom-aye, Robert-aye.

Motion passes.

Meeting adjourned 9:05pm

Documents used:

- DeChiara's memo from 9/9/24 Executive Session discussion