

Shutesbury Planning Board

Executive Session Minutes

Minutes – 9/9/2024

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

Virtual Meeting

Members Present:

In person: Deacon Bonnar, Michael DeChiara, Ashleigh Pyecroft, Jeff Weston

Remote: Steven Bressler

Not present: Robert Raymond, Nathan Murphy

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

In person: Tom Siefert

Remote: Keith Hastie

Others:

Select Board: Rita Farrell, Eric Stocker, Melissa Makepeace O'Neil

Town Counsel – Donna McNicol

Becky Torres – Town Administrator (invited by joint agreement by Planning and Select Board members)

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 Cowls regarding the Shutesbury Solar Bylaw; not to return to open session. Jeff seconded.

Deacon- aye, Steve- aye, Jeff-aye, Ashleigh – aye, Michael- aye. Motion passes.

Recording was ended.

Board moved into Executive Session at 7:20 pm.

Michael, Rita and Donna reported on the current status of negotiations with PureSky based on the materials received in preparation for an August 2024 negotiation session with representatives of W.D. Cowls and Pure Sky Energy and materials shared with the Town subsequent to that negotiation session

The seven issues being litigated were reviewed. The elements of the plans for the five sites were reviewed. Michael, Rita and Donna spoke to the various elements of the negotiations. Questions from Planning Board and Select Board members were responded to and discussion occurred to increase the boards' understanding of the situation.

At 9:05, the Select Board, Town Counsel and Town Administrator left the meeting.

Michael told the Planning Board that the purpose of this part of the meeting was to get the pulse of the Planning Board. In particular, was the Planning Board receptive to the plans for the five sites as proposed by PureSky? The PB members discussed all elements of the situation. In considering about what is best for town, the majority thought that the bylaw represented the known position of residents reflected in the repeated high support for the solar bylaws and that the bylaw was a reasonable regulation. Points made during the discussion were put into a memo to the Towns attorneys and Select Board Representative.

Jeff moved to adjourn, Deacon Seconded

Ashleigh -aye, Jeff -aye, Deacon -aye, Steve -aye, Michael -aye. Motion passes.

Meeting adjourned 10:10pm

Documents used:

- Memo of discussion points for Town attorneys