

**Shutesbury Planning Board
Minutes – June 17, 2025**

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

In Person

EXECUTIVE SESSION
In conjunction with the Select Board

Board Members Present: Michael DeChiara (acting Chair), Jeff Weston, Keith Hastie, and Tom Siefert (Associate Member)

Board Members Absent: Deacon Bonnar, Steve Bressler, Ashleigh Pyecroft

Recused: Nathan Murphy

Select Board Present: Melissa Makepeace O'Neil, Eric Stocker

Others: Donna MacNicol, town counsel, Hayley Bolton, town administrator

Call to Order: 6:01 pm

Michael appointed Tom Siefert to serve as a full board member for purposes of achieving a quorum.

Michael moved to enter 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. Jeff seconded. Board will not return to open session

DeChiara – aye

Hastie – aye

Weston – aye

Siefert – aye

Motion carried unanimously.

Donna reviewed for the boards the two offers that the plaintiffs extended to the Planning Board – the first in late May and the second in early June.

May offer:

- Pure Sky will consider paying \$50,000 per year for ten years to the Shutesbury Green Energy Fund for a total of \$500,000
- Proposed PILOT Amount to be \$120,000 per year with a 1% escalator (of course this is up to the SB and Assessors and then a vote of TM)
- Agree to 2: 1 ratio for conservation of land as proposed
- Pure Sky indicated it cannot make significant changes to Montague site
- Remainder of Settlement offer on the table now still stands

June offer:

Cowls would be willing to gift (in fee) to the town four parcels (shown on the attached map): (i) approximately 60 acres of land proximate to the Quabbin; (ii) the “Mary Clark” lot (42.2 acres proximate to the Town garage); and, (iii) the “Dutton” lot proximate to Amherst watershed. Of course, such a gift is conditioned on PureSky achieving commercial operation on their three proposed solar projects.

Michael reported to the Select Board about the Planning Board’s response to the plaintiffs. He read the June 9 statement that Donna conveyed to the plaintiffs’ counsel.

“The Shutesbury Planning Board appreciates the plaintiffs’ offer; however, we continue to have concerns about the congruency of the Montague design with the intentions and goals that underlie our town’s bylaws and regulations, including proximity to wetlands, the size of the project, driveway length, and the fragmented nature of the arrays.”

Members of the Planning Board and Select Board discussed the situation and possible next steps including the upcoming June 27 court appearance. The Select Board voted to support the position of the Planning Board and instructed town counsel to convey the message.

Jeff moved to adjourn. Tom seconded.

DeChiara – aye

Hastie – aye

Weston – aye

Siefert – aye

Motion carried unanimously.

Meeting adjourned at 6:55 pm.