

**Shutesbury Planning Board
Minutes – July 14, 2025**

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

Virtual

EXECUTIVE SESSION

Board Members Present: Michael DeChiara (acting Chair), Jeff Weston, Keith Hastie, Deacon Bonnar, Steve Bressler, Ashleigh Pyecroft, Nathan Murphy and Tom Siefert (Associate Member)

The Board voted to invite Tom Siefert, Associate Member, to participate in the session.

At 8:45 pm Michael 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. Board will not return to open session. Jeff seconded.

DeChiara – aye

Hastie – aye

Weston – aye

Pyecroft – aye

Murphy – abstain

Bressler – aye

Bonnar - aye

Motion carries.

Michael reported on the conference with the parties before Judge Vhay on June 27, 2025. The judge stated that he did not want to entertain a motion for summary judgement. Both parties were told to expect going directly to trial. The trial was scheduled to start on November 4, 2025 and last for 4 to 6 days.

Adam Costa, on behalf of the Town conceded two of the provisions confirming the Town would not defend them. These were the prohibition of pesticides and herbicides, and the limit of one solar installation per sector. The remaining five provisions would be defending at the trial.

Adam identified the following people as experts for the town:

- Bill Martin
- Jeff Lacy
- Michael DeChiara
- The current or previous Shutesbury Highway Superintendent
- Bill Moomaw
- Patrick Garner

The plaintiffs offered no experts.

Michael answered questions regarding the conference and its implications for the Town and for the Planning Board. Discussion occurred including providing the answers to these questions.

Michael suggested that it would be appropriate for the Select Board make any official announcement to residents of the Town regarding the upcoming court date. Further, it was agreed that only factual information available in the court record should be shared. Michael will reach out to the Town Administrator and Select Board to convene this opinion.

Michael moved to adjourn. Ashleigh seconded.

DeChiara – aye

Hastie – aye

Weston – aye

Pyecroft – aye

Murphy – aye

Bressler – aye

Bonnar - aye

Motion carries.

Meeting adjourned at 9:15 pm.