

## Planning Board Minutes, 02/13/2018

**Town of Lenox  
Planning Board  
Land Use Meeting Room  
February 13, 2018**

**Members present:** Acting Chair Tom Delasco, (TD); Kate McNulty-Vaughan, (KMV); Deborah Rimmmler, (DR)

**Members absent with notification:** Kameron Spaulding, (KS); and Pam Kueber (PK)

**Staff present:** Gwen Miller, Land Use Director, (GM); Peggy Ammendola, Land Use Clerk, (PA)

**Others present:** Joel Williams of the Berkshire Record (He did not record the meeting.); Ray Crowley, Kelly Brown, Bill Polk, and Carl Foote

The meeting was recorded.

**Approve Minutes:**

January 9, 2018-KMV made a motion to approve the minutes as amended. DR seconded the motion. The Board voted to agree 3-0.

**Documents provided for this meeting:**

- Minutes of January 9, 2018
- Construction Sequence for the 241 Walker Special Permit
- Planning Board Annual Report Draft
- Master Plan RFP Draft
- Strategic Plan-What Are The Most Meaningful Policy Questions We Face
- Recreational Pot Law
- B&B/Lodging Establishment Legal & Tax Benefits" from Ted Silverman

**241 Walker-Special Permit Application-**

Continued hearing (from January 23rd) for the Application of Stone Path Development, Inc. for the property at~241 Walker Street~(Map 8, Parcel 1 and Map 8, Parcel 6-1) in the Residential "R-1A" zoning district. This includes review of newly submitted documents and correspondence. The Applicant seeks to develop nine (9) single family homes on 9.5 acres under Sections 3.4 and 9.7 of the Lenox Zoning Bylaw: "Special Permits" and "Open Space Flexible Development".

The Applicant requested to continue the hearing to February 27<sup>th</sup>. DR made a motion to continue the hearing to February 27, 2018. KMV seconded the motion and the Board voted to agree 3-0.

**Planning Board submission to Town Annual Report — Review, amend (as required) and approve.** A few minor changes were suggested by KMV. The members present were not sure of the dates the served with other boards/committees and will provide later. DR made a motion to approve with amendments and KMV seconded the motion. The Board voted to approve 3-0.

**Discuss draft Master Plan RFP-**TD read a memo from PK in which she requested that the Board not vote on this draft. She requested input from the others. She would like to have others in the community who will be involved in working on the Plan to have an opportunity to review at this stage rather than after the RFP is issued. She would also like to have more time to work on this draft as she wants it to be very clear. The Board discussed the importance of hiring a senior certified planner who can provide master plans they have worked on for other communities.

Additionally it is important to have a well-defined scope of work. GM said that Lenox is hoping to hear soon from Berkshire Regional Planning Commission about a grant the Town is seeking for technical assistance to do a shared economic development plan with Lee. Also, Lenox will be working with graduate sustainability students from Columbia which will be helpful in the Master Plan process. GM took notes of the Board's comments.

**Update on Recreational Marijuana-**The Board quickly looked over the "Recreational Pot Law" document from BRPC which contains the up-to-date state regulations. The local moratorium ends in December of this year. With the state framework in place, GM suggested that the Board review and determine locations and regulations for the different categories of marijuana activities. It was suggested that there be community forums much like the ones for Short-Term Rentals to give the voters the opportunity for education. The Board should stay abreast of the discussion that is currently going on at the state level. The goal is to be ready to have something to go before the Town Meeting in November.

**Update on Short-Term Rentals-**There was a community discussion on Saturday, January 20<sup>th</sup>. Notes were taken by some members of the STR committee to provide a summary for discussion, but were not ready for tonight's meeting. Further discussion is scheduled for February 26<sup>th</sup>, but DR will not be able to attend. It was agreed to check to see if PK could be available on March 2<sup>nd</sup>, so that meeting could instead be held on March 2<sup>nd</sup>. At that next meeting all of the materials from the forums and results of the survey will be available. Mr. Brown presented a document to the Board tonight and he agreed that he could be available at that time to explain the contents. ~The Board will wait to see what the state will do. DR said that it would be helpful if the Building Department could advise the Board on this matter as it relates to the building code. The Board is targeting November 2018 for any changes or additions to the zoning bylaw. TD pointed out that there is an existing bylaw for seasonal rentals but only for a certain time of the year and under certain conditions.

**Other Town Committee reports:**

- Community Preservation Committee (CPC)-TD reported that the CPC met three weeks ago and that all of the requests for funding were granted after debate. All were fully funded with the exception of the Affordable Housing Trust. The funds are available through the statewide Community Preservation Trust Fund whose funding comes from the recording fees charged by the Registries of Deeds and a 3% property tax surcharge.
- Affordable Housing –KMV said that they expect to receive from the CPC \$250,000.00 plus \$100,000.00 from the hotel motel tax. Hopefully approval will come at the Annual Town Meeting in May. This, she said, would enable Affordable Housing to do something rather than talk about it. Two new members have been appointed. They are Carol Haythorne and Mindi Morin.

**Other business:**

TD's term for the Planning Board will be ending, but he is planning on running again in the May elections.

It is expected that the following three items will be on the February 27<sup>th</sup> agenda:

Short Term Rentals  
Marijuana  
241 Walker Street

DR made a motion to adjourn and KMV seconded the motion. The Board voted to agree 3-0. The meeting was adjourned 7:36 PM.

Respectfully submitted  
Peggy Ammendola