

## Planning Board Minutes, 05/23/2017

**Town of Lenox  
Planning Board  
May 23, 2017  
Landuse Meeting Room**

**Members present:** Chair Kameron Spaulding, (KS); Tom Delasco, (TD); Pam Kueber, (PK)  
**Members absent with notification:** Deborah Rimmner, (DR); Kate McNulty-Vaughan, (KMV)  
**Staff present:** Gwen Miller, Land Use Director/Town Planner, (GM); Peggy Ammendola, Land Use Clerk, (PA)  
**Also present was:** Clarence Fanto, Berkshire Eagle

The meeting was called to order at 6:06 PM.

Document presented for this meeting:

- Creating an affordable and attractive housing stock for a new era

**Approval of Minutes-**

*March 21, 2017-Tabled as there was not a quorum.*

*March 28, 2017-Tabled for the Board to have time to review.*

**Re-organization for 2017-2018-**Consensus to continue to when there is a full board present.

**Town Meeting Debrief-**The Board discussed and agreed that there was success in that all of the Board's regulations had passed one amendment.

The Board touched on the Warrant Articles 30, 31 and 32 which related to requests for both Special Tax Assessment (STA) and Tax Increment Financing (TIF). PK commented that she had watched the BOS meeting of May 17<sup>th</sup> and she stated that the Selectmen indicated that they wanted to have working sessions to reexamine the TIF and STA policies with the potential for revising. She feels that since the Board has been involved in the research regarding these policies, they should follow up so that they could participate in the sessions. KS said that he understands the BOS is interested in looking into the process as well, noting how long it had taken before the proposals came before the Town Meeting.

**Multi-family Housing & Apartment Bylaw Amendments & Accessory Dwelling Units (ADU) Regulations-** KS presented to the Board his document (Creating an affordable and attractive housing stock for a new era) which outlines what he feels should be on the agenda over the next ten months. Page one was his description of items he would like to focus on, and pages 2, 3 and 4 included text from the existing zoning bylaw related to the following:

- Multi Family and Apartments
- Multi Family and Town House Buildings
- Mixed Use Development
- Accessory Dwelling Units

KS provided his proposals for amending these parts of the bylaw which he feels would put Lenox in the position to grow sensibly by attracting young professionals; provide affordable housing; and to meet the needs of those who wish to "age in place".

KS gave a brief review of his document and asked the members to spend time studying it and be ready to discuss in greater detail.

**Short Term Rentals (Discussion)-** PK suggested that this be placed on the agenda. Airbnb, VRBO, Home Away and other online sites for vacation rentals are growing in popularity. To begin with it was agreed that these rentals be officially referred to a "short term rentals". PK said that she understands that there are currently 300 "Airbnb" listings in Lenox online. She added that investors are coming in and buying entry level and "missing middle" houses and turning them into the Airbnb's which puts families or individuals in competition who want to buy and live in Lenox. This reduces the number of homes available for families and adds to the problem of affordability. KS stated that in the past he has spoken to the former Building Commissioner and Building Inspector who have emphatically said that such rentals are not allowed under the building code. There is a bill that is before the senate that if approved will tax short term rentals. There was considerable discussion and KS felt that this goes beyond zoning bylaws.

Seasonal rentals are addressed in the bylaw and permitted with stipulations.

Vacationers prefer to rent a home rather than a hotel room when they are including additional family members mainly because the home provides the opportunity for them to all be in the same space.

It was agreed that this issue will take a fair amount of work to find reasonable solutions and should involve the Building Department and community outreach. A letter from the Executive Office of Health and Human Services, dated May 16, 2014, and addressed to Local Boards of Health and Code Enforcement Agencies, stated that the Department of Public Health has determined that "lodging provided through Airbnb or similar online services is subject to local licensure or permitting as a lodging house or bed and breakfast in the same manner as traditional lodging houses or bed and breakfast establishments are licensed or permitted." The Board agrees that this issue requires study and a plan should be developed when the full Board meets.

**Downtown Parking-**KS stated that a parking engineer (BETA) should be brought in to look into the parking. He discussed many areas within the District that are behind properties that could be developed, paved and marked to provide additional parking. He suggested diagonal parking on

Main Street which he states would create approximately 15 additional parking spaces. Once a plan is developed, the BOS would negotiate with the owners of the properties.

TD made a motion to adjourn. PK seconded the motion and Board voted to agree 3-0. The meeting was adjourned at 7:20.

TD made a motion to adjourn. KS seconded the motion and the Board voted to adjourn at 7:10 PM.

Respectfully submitted,  
Peggy Ammendola