

Town of Lenox
Planning Board
Via Zoom
March 9, 2021

Members present: Chair Pam Kueber (PK); Vice Chair Tom Delasco (TD); Kate McNulty-Vaughan (KMV); Lauryn Franzoni (LF);

Absent Without Notification: Jim Harwood (JH)

Staff Present: Jessica Cote, Land Use Assistant (JC)

List of documents provided for this meeting:

- January 12, 2021 Minutes
- January 26, 2021 Minutes
- February 9, 2021 Minutes
- February 23, 2021 Minutes
- March 9, 2021 Agenda
- 83 Yokun Street Form A / ANR
- Commercial Signs in Residential Districts 3.5.21
- Lenox 2021 DLTA Request
- ZBA Feedback – Agri Bylaw
- PB Correspondence

PK opened the meeting at 6:00pm. The meeting was recorded via Zoom.

1. Approve minutes for Jan 12, Jan 26, Feb 9, and Feb 23, 2021

- KMV moves to approve January 12, 2021 minutes as presented. LF seconds. All in favor by roll call: PK: Aye; TD: Aye; KMV: Aye; LF: Aye.
- TD moves to approve January 26, 2021 minutes as amended. KMV seconds. All in favor by roll call: PK: Aye; TD: Aye; KMV: Aye; LF: Aye.
- TD moves to approve February 9, 2021 minutes as presented. LF seconds. All in favor by roll call: PK: Aye; TD: Aye; KMV: Aye; LF: Aye.
- TD moves to approve February 23, 2021 minutes as amended. LF seconds. All in favor by roll call: PK: Aye; TD: Aye; KMV: Aye; LF: Aye.

2. Review / Endorse Approval Not Required application for 83 Yokun Ave., Lenox

- Heather Brown from Foresight Land presented the Form A/ANR and the survey plan with the lot to be divided at 83 Yokun Avenue.
- TD moves to endorse the ANR as presented. LF seconds. All in favor by roll call: PK: Aye; TD: Aye; KMV: Aye; LF: Aye. TD, KMV, LF to sign ANR in Town Clerk's office.

3. Public Hearing (continued from Feb. 23): Agricultural Uses bylaw

- The Planning Board continued their public hearing for the Agricultural Uses bylaw.

4. Discuss feedback from Zoning Board on Agricultural Uses Bylaw; discuss Right to Farm

- The Planning Board reviewed feedback from members of the Zoning Board of Appeals for the Agricultural Uses bylaw.

5. Discuss any potential changes to Agricultural Uses bylaw based on Public Hearing and other comments, research

- Jim Biancolo (JB), Mark Smith (MS) and Ariel Smith (AS) from the sign bylaw subcommittee reviewed some of their suggestions to the bylaw with the Planning Board.
- MS stated that the document shared with the Planning Board are what was found that may be in conflict with the draft sign bylaw the subcommittee is working on.
- JB reviewed the suggestions that the sign bylaw subcommittee found when reviewing the Agricultural Uses bylaw.
- The Planning Board will incorporate comments/suggestions into the proposed bylaw during their next meeting on March 23, 2021.
- TD moves to close the public hearing for the Agricultural Uses bylaw. LF seconds. All in favor by roll call: PK: Aye; TD: Aye; KMV: Aye; LF: Aye.

6. Discuss upcoming Lenox ZBA petitions for 48 Main Street and 52 Main Street (scheduled for March 17); discuss next steps including whether to provide comments.

- Gwen Miller, Town Planner, shared a document with the Planning Board on Review Criteria for the Planning Board when the Board wants to comment on applications for Special Permits and Variances. The Board reviewed the criteria provided by GM.
- KMV concerned that upstairs/downstairs units in the village are going to become transient housing and lose the opportunity for year-round residents.
- KMV questioned the use of the variance on the 48 Main Street application. She does not believe that it meets the variance standard.
- PK stated that use variances, which is what the applicant is requesting at 48 Main Street, are not allowed under state law unless the municipality calls out the allowance of use variance in their own zoning bylaws.
- PK asked the Board if any members have a desire to send anything to the ZBA as correspondence for the petition. TD needs to read through applications again. LF needs to review use variances and needs more time to review the applications. It was agreed that PK and KMV would work on a formal comment and LF may join in.

7. Report from Chair

Update on application submitted for District Local Technical Assistance “to evaluate tangible next steps for encouraging the successful and sustainable re-development of the Niagara Mill in the neighborhood of Lenox Dale.”

- GM submitted the application for DLTA.

8. Discuss upcoming Planning Board agenda items

- **Board discussed items for next agenda including:**
 - Wrap up Agricultural Bylaw
 - Discuss Wireless Bylaw
 - Possibility of discussion on application in Lee for Adult Use marijuana retail sales and manufacturing at 635 Laurel Street
 - Preparation for Town Meeting presentations

LF moved to close the meeting at 8:14. TD second. All in favor 4-0.