

## Planning Board Minutes, 03/08/2016

### Lenox Planning Board March 8, 2016 Minutes

#### Members in Attendance

Tom Delasco (TD); Mark Smith (MS); Kameron Spaulding (KS), Chair; Kate McNulty Vaughan (KMV)

#### Staff in Attendance

Gwen Miller (GM), Town Planner

#### Others in Attendance

Jim Seidl

#### Absent with Notification

Ken Fowler (KF), BoS liaison

KS called the meeting to order at 6:04 pm.

#### Form A

Jim Seidl, representing 130 Pittsfield Road LLC, the Magnuson Hotel property, made a presentation regarding land at 130 Pittsfield Road (Map 22, Parcels 36 and 37). He said the developers are planning to add three parcels of land to 130 Pittsfield Road (A, B, and C) for the purpose of “squaring things off” for future development. The total for this parcel will then be 10+ acres. There are no new building lots being created. After the squaring off, each remaining parcel will remain conforming (exceeding the zoning requirements, having the proper frontage area, etc.). The remaining land area is 18.7 acres. TD moved to endorse the Form A; MS seconded. The motion was passed unanimously.

#### Zoning bylaw amendment for May 2016 Town Meeting

KS noted the materials provided for the PB’s review: the draft bylaw; Appendix A (Table of Uses); and a summary document noting the proposed changes to the zoning bylaw. He said that cross-referencing to other committees will be added, as well as an index.

KS went through the document of proposed changes, which included rearrangement in the numbering of some sections of the bylaws, the addition of definitions to a number of terms and clarification to others.

KS went through the table of uses document, focusing only on line items where there were changes (noted in red on the document). Following PB discussion on each line item, the following changes were recommended (for consensus only at this meeting; the changes will be voted on formally at the March 22 meeting):

- Two family or duplex: Not allowed in zones R3A, C3A and C1A; allowed by right in R15; and allowed by special permit in R1A, R30, C and I.
- Multifamily dwelling: Not allowed in zones R3A, R1A, C1A and C; allowed by special permit in R30, R15, C3A and I.
- Upper story units in a mixed-use development: Not allowed in zones R3A, R1A, R30 and R15; allowed by right in C; allowed by special permit in C3A, C1A and I.

Eliminate the line item “Apparel or antiques store or art gallery...” from the Table of Uses.

- Day care service for dogs and other household pets: change is in wording (from “household” to “domestic”). Also, definition of this term needed in the bylaw.
- Kennel: Not allowed in zones R3A, R1A, R30, R15; allowed by right in C3A, C1A, C and I. Also, a change in wording (add the words “for domestic pets” at the end of the definition).

Mixed-use development: Not allowed in zones R3A, R1A, R30 and R15; allowed by right in C; allowed by special permit in C3A, C1A and I (changed to align with uses for upper story units in a mixed-use development).

Estate preservation area: two line items were added to clarify some additional uses for such a property.

A number of items were discussed but tabled, to be revisited in the fall:

- Distinctions among nursing home/convalescent home, extended care nursing facility, and assisted living or congregate care.
- Distinctions among retail store, apparel or antiques store or art gallery, and furniture store (distinctions might better be made by square footage rather than type of establishment).
- Eating places not allowed in zone C3A.
- Separation of commercial recreation indoor and commercial recreation outdoor line items.
- Pets (number of allowable pets in day care; discussion of exotic pets).
- Home occupation (consider loosening requirements).
- Estate preservation area (further discussion).

## **BRPC Update**

None.

## **HDC/CPC/AHC/LMC Update**

Re the HDC, MS said there is thought about reviewing the HDC guidelines/bylaw with a view toward eliminating the guidelines and just retaining the bylaw.

## **Old Business**

None.

## **Minutes**

Minor changes were made to minutes of the January 26, 2016, and February 23, 2016, meetings. With these changes:

January 26, 2016: KMV motioned and MS seconded a motion to accept; approved unanimously.

February 23, 2016: KMV motioned and TD seconded a motion to accept; approved unanimously.

Minutes from the All Boards meeting of February 9, 2016, were not reviewed.

## **Correspondence**

None.

MS moved to adjourn and KMV seconded. The meeting was adjourned at 8:15 pm.

Schedule of upcoming meetings:

- March 22, 2016. Next scheduled PB meeting. TB will not be able to attend. The PB will vote at that meeting to approve the bylaw.
- April 12, 2016. This will be a regular PB meeting but will also serve as an informal information session regarding bylaw changes.
- April 19, 2016. This will be a special PB meeting that will serve as a formal public hearing regarding bylaw changes.