

Minutes of Meeting –December 7, 2022; meeting called to order at 6:00pm. Present: Ed Lane; Warren Archey; Dave Roche; Neal Maxymillian. Absent: Marybeth Mitts.

MOTION by EL, seconded by NM to approve the Minutes of November 16 and 22. 3/0 vote with DR abstaining.

Citizens Open Forum: Courtney Gilardi stated that Pittsfield has adopted several resolutions in support of further study of FCC guidelines, and asked that Lenox consider doing the same. She also asked if Article #10 could be moved up so that people with young children could attend and vote on the issue. Sean Leary Considine gave a copy of a summary for the Board to use when presenting Articles #2 and #3. Diane Sheldon asked about the ability to distribute flyers at the STM. It was decided that as long as they were outside of the building, it would be acceptable.

Consent Agenda: MOTION by EL, seconded by NM to approve monetary donations to the police department; monetary donations to the fire department; monetary donation to Lenox Ambulance; monetary donations to the community center; include a clarifying amendment to the MCOP (Police) union contract (overtime for details). 4/0 vote.

21 Housatonic Street, LLC d/b/a Belvedere Lenox came before the Board seeking an annual A/A Restaurant license for property located at 21 Housatonic Street. The clerk read the legal notice as it appeared in the newspaper. MOTION by EL, seconded by NM to open the public hearing. 4/0 vote. Attorney Jeff Lynch was present to explain the plan for this property. He stated that they plan to use this building as an events/function space, and possibly have pop-up restaurants. It has a seating capacity of 220 (150 inside; 70 outside). They are asking that they be allowed to play amplified radio music from 8:30am-1am inside and until 10pm outside. A resident from 6 Main Street questioned parking. Attorney Lynch stated that this project shouldn't trigger any zoning issues, and stated that there are approximately 129 rooms available within walking distance of this location. MOTION by EL, seconded by NM to close the public hearing. 4/0 vote. MOTION by EL, seconded by NM to approve the issuance of an annual A/A Restaurant license to 21 Housatonic Street, LLC d/b/a Belvedere Lenox for property located at 21 Housatonic Street, Frank Evan Hughes IV, Manager. 4/0 vote.

The Board discussed the various additional licenses being requested by 21 Housatonic Street, LLC. They are seeking a common victualler license and an entertainment license for amplified live and recorded music indoors; acoustic music with and without vocals not amplified, inside and outside, dancing by patrons. They are also seeking an Outdoor Dining License, year-round, weather permitting. MOTION by EL, seconded by NM to grant a common victualler, entertainment and outdoor dining license to 21 Housatonic Street, LLC d/b/a Belvedere Lenox. 4/0 vote.

FY23 Tax Classification Hearing: MOTION by EL, seconded by NM to open the public hearing. 4/0 vote. Board of Assessor Chairman Tom Romeo gave a brief overview of assessments, and stated that the Town has enjoyed a good amount of new growth. The TM then gave a brief power point presentation showing two scenarios, one that would stick with the 4.12% increase as presented at the Annual Town Meeting and another that would shift the tax burden of the current split rate more toward the commercial/industrial sector. MOTION by EL, seconded by NM to close the public hearing. 4/0 vote. MOTION by EL, seconded by NMR to adopt a residential factor of 0.923 for the purposes of determining the Fiscal 2023 tax rate. 4/0 vote.

MOTION by EL, seconded by NM to grant a one-day W&M license to the Church on the Hill for 12/14 from 8:30-10pm. 4/0 vote.

The Board quickly determined who would be presenting what Motion(s) at the December 8 STM. Sonya Bykofsky asked if this agenda item was to explain the procedure as to how to get items on a warrant, to which the TM stated that this was merely to determine who would read which Motion at the meeting. It was suggested that a member of the Board should state an opinion on Article #10 (cell tower bylaw), and that the Board should formally endorse the article. DR offered to do this.

The Board discussed the upcoming schedule of meetings. They agreed to meet on December 21 and January 4, 2023.

DR returned to the preparations for the STM. He felt that despite their earlier discussion about supporting Article #10, an official vote would be appropriate. MOTION by EL, seconded by NM to formally endorse Article #10 of the Special Town Meeting warrant. 4/0 vote. Meeting adjourned at 7:26pm.

Minutes Taken By: _____ Minutes Accepted By: _____
Mary Ellen Deming Clerk
Director of Administrative Services Board of Selectmen