

Minutes of Meeting – September 20, 2023; meeting called to order at 6:00pm. Present: Ed Lane; Dave Roche; Marybeth Mitts; Max Scherff. Absent: Neal Maxymillian

MOTION by DR, seconded by MS to approve the Minutes of August 30. 4/0 vote.

Citizens Open Forum:

Steve Turner of Tucker St. attended an information session regarding the Housatonic River and thought the concerns raised regarding transportation were legitimate.

EL responded that there will be a public forum for concerns about the Transportation and Disposal plan.

Kate McNaulty-Vaughn discussed the “Fall Fix-It Fair” at the Lenox Community Center on Saturday, October 21 from 1-4PM. The fair is open to the public but call ahead to give time for volunteers to prepare, 2 item max per person. Volunteers are always needed. EL voiced his appreciation for the event.

Amy Judd of 6 Main St. spoke of her concerns regarding Small Cell Wireless regulation; the regulation was developed in secret, allows small cell near schools. She invited the Board to forums with doctors and lawyers. She cited the emails sent by other community members requesting the Boards attendance. EL the issue of Small Cell Wireless regulation would not be decided that night, but it is the Board’s decision and they have heard expert opinion. 85% of voters at Town Meeting asked for cell service in Town, tonight the Board will hear from a Planning Board representative regarding their proposed regulation.

Consent Agenda:

To grant permission:

- Donation acceptance, Lenox Police Department
- Donation acceptance, Lenox Fire Department
- One-Day W/M License, David Dembowitz, October 13, 4:30-9PM
- Rocky Horror Picture Show presented by BIFF in the Town Hall auditorium Friday, Nov. 17

MOTION to accept the Consent Agenda as presented by MS, seconded by MM, 4/0 vote

General Business:

Public Hearing, Doctor Sax House at 35 Walker St., requests an All-Alcohol Innholders Liquor License. EL The notice of Public Hearing was submitted to the Berkshire Eagle, but never published. MOTION to continue the Public Hearing for an All-Alcohol Innholders Liquor License for Doctor Sax House until October 4, 2023 at 6 PM by DR, seconded by MS, 4/0 vote

Gwen Miller, Land Use Director/Town Planner presented, on behalf of the Planning Board, the proposed Small Cell Wireless regulations. Small wireless facilities in the public RoW will require a grant of location by BOS, requires consultant; very detailed, thorough application; public hearing process with abutter notification; emergency contact for facilities; includes administrative requirements, such as a shot clock. Preference for collocation on existing utility poles, may consider new poles/facilities if result is preferable. Prohibited on local streets but can receive a waiver. Must be 40’ from a residence, or a distance no less than 1.5 times the height of the structure, or whichever is greater. EL the board will take this up at a later date.

TM discussed shared inspections department with Great Barrington, Lee, and Stockbridge, with Matthew Kollmer as shared Building Commissioner. The other three towns have already approved. MOTION to approve the IMA for a shared Inspections Department with the Towns of Great Barrington, Lee and Stockbridge as presented by the TM by DR, seconded by MS, 4/0 vote.

New/Old Business:

MM discussed Community Development Block Grant for Housing and Community Development, owner-occupied home improvement funding. They would like to present to the Board and Housing Trust.

MOTION that the Board convene in Executive Session to discuss strategy in open session may have an adverse impact on the Town’s negotiating strategy by DR, by roll call EL, DR, MM, and MS voted to go into Executive Session.

At 7:38 a roll call vote was taken to adjourn – Dave Roche (yes), Marybeth Mitts (yes), Ed Lane (yes) Max Scherff (yes).