

**The Commonwealth of Massachusetts**  
**TOWN OF LENOX**

Filing fee is due with the petition. If hearing expenses exceed this amount the Zoning Board of Appeals will bill the petitioner.

The undersigned hereby petitions the Town of Lenox Zoning Board of Appeals for:

☒ A Special Permit for exception under the provisions of Section 5.2.F.9 + 8.1 of the Town of Lenox Zoning By-Law.

☐ A Variance from the following provisions of Section \_\_\_\_\_ of the Town of Lenox Zoning By-Law.

To permit the following use or activity (describe proposed use or activity):

SEE ATTACHED

For premises:

Owner of Record PVI LENOX VILLAGE LLC  
Address 17 Housatonic St.  
Map and Parcel 43-178-1  
Zoned as C  
Deed Reference Book 6516 Page 245

*(This information is available from the Assessor's Office or townoflenox.com in the Property Assessments-Online Database section.)*

Petitioner *[Signature]* attorney for PETITIONER  
*(Your signature here also acknowledges that you agree to pay all hearing expenses relative to this petition.)*

Address (Mailing Address) 68 MAIN ST  
Telephone Number 413-728-5063  
Email address lynch@lenoxattorney.com  
Date 5-27-2023

C

196  
1.28 Ac

180

9,694 SF

181  
4,445 SF

179

21,835 SF

197

20,830 SF

174

7,712 SF

175

9,370 SF

178-1

15,965 SF

178

9,145 SF

177

5,445 SF

176

5,445 SF

119

6,160 SF

120

10,681 SF

121

8,929 SF

HOUSATONIC

172

4,762 SF

171

7,265 SF

170

16,921 SF

173

1.005 Ac

169

3,964 SF

168

7,617 SF

159

3,949 SF

160

5,984 SF

157

14,105 SF

161

156

3,371 SF

158

5,590 SF


HURCH

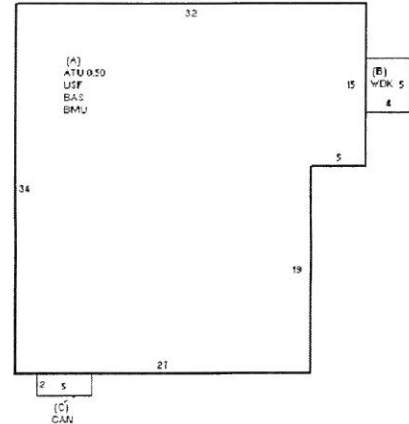
STREET

Key: 2028

## Town of LENOX - Fiscal Year 2023

12/8/2022 6:17 pm SEQ #: 2.211

CURRENT OWNER										PARCEL ID		LOCATION				CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD			
PVII LENOX VILLAGE LLC PO BOX 15709 SPRINGFIELD, MA 01115										43-178-1		17 HOUSATONIC ST				3250	100	RETAIL/SERVICE STORE				1	1 of 1			
TRANSFER HISTORY										DOS	T	SALE PRICE	BK-PG (Cert)	PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%				
PVII LENOX VILLAGE LLC										11/08/2019	V	2,400,000	6516-245	C20-0034	06/02/2020	12	Signs- Wall	400	08/25/2020	WJB	100	100				
SCHULZE LENOX PROP LLC										12/27/2012	F	5109-309	1084-699	TR19-0030	05/03/2020	9	Reno / Alter	18,200	08/25/2020	WJB	100	100				
SCHULZE CHARLES T										11/22/1983	X				09/26/2019	24	GAS		08/25/2020	WJB	100	100				
															77	Cycl Rev Nu		09/19/2019	WJB	100	100					
															9	Reno / Alter	10,077	05/10/2012	RJM	100	100					
CD	T	AC/SF/UN	Nbhd	Intf1	Intf2	ADJ BASE	SAF	Intf3	LPI	VC	CREDIT AMT	ADJ VALUE														
103	S	13,460	1	1.00	A	1.00	A	1.00	278.100	2.12	A	1.00	C-1	1.35												
TOTAL													13,460 SF	ZONING	COM	FRNT	0	ASSESSED	CURRENT	PREVIOUS						
Nbhd													Tanglewood	N	CONNECTED VIA WOOD & STONE STEPS TO 43/178	LAND	182,000	178,700								
Intf1													AVG	O	(COMMON OWNER) PARKING	BUILDING	220,500	213,100								
Intf2													AVG	E		DETACHED	0	0								
																OTHER	0	0								
																TOTAL	402,500	389,800								
TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO 08/24/2020																		
																										
								BLDG COMMENTS																		
								JANET PUMPHREY GALLERY/DR. CRAIG PIERS																		
								USF=2 OFFICES																		
BUILDING	CD	ADJ	DESC		MEASURE	9/19/2019	WJB																			
MODEL	5		COMMERCIAL		LIST	9/19/2019	WJB																			
STYLE	31	1.03	STORE(SM,RETAIL (50%))		REVIEW	9/27/2020	WJB																			
QUALITY	A	1.00	AVERAGE (100%)																							
FRAME	2	1.00	MASONRY (100%)																							
YEAR BLT	1810	SIZE ADJ	1.190	ELEMENT		CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	324 299								
NET AREA	1,986	DETAIL ADJ	1,021	FOUNDATION	3	FOUND. WALL	1.00	A	BMU	N	BSMT UNF	993			40.33	40 047	CONDITION ELEM	CD								
\$NLAIRCN	\$163	OVERALL	1,000	EXT. COVER	12	BRICK VEENEER	1.05	A	BAS	L	BASE AREA	993	1810		137.66	136 695	EXTERIOR	G								
				ROOF SHAPE	1	GABLE	1.00	A	USF	L	UP-STRY FIN	993	1810		137.66	136 695	INTERIOR	A								
				ROOF COVER	1	ASPH/CMF SHIN	1.00	A	ATU	N	ATTIC UNF	497			20.52	10 199	CDN/APP									
				FLOOR COVER	2	SOFTWOOD	0.95	B	WDK	N	WOOD DECK	20			21.80	436										
				INT. FINISH	2	DRYWALL	1.00	C	CAN	N	CANOPY	10			22.70	227										
				HEATING/COOL	1	FORCED AIR	1.00																			
				FUEL SOURCE	2	GAS	1.00																			
				NAF	0		1.00																			
CAPACITY				UNITS	ADJ																					
STORIES				2	1.00																					
% HEATED				100	1.00																					
% AIR COND				0	1.00																					
% SPRINKLER				0	1.00																					
EFF.YR/AGE   1980 / 41																										
COND 32 32 %																										
FUNC 0																										
ECON 0																										
DEPR 32 % GD 68																										
RCNLD \$220,500																										



## ATTACHMENT TO SPECIAL PERMIT APPLICATION

**Owner: PVI Lenox Village, LLC**  
**Property: 17 Housatonic Street, Lenox, MA**

Applicant seeks a Special Permit under Section 5.2.F.9 and Section 8.1 to open a one-unit tourist home/guest house on the second floor of 17 Housatonic Street. 17 Housatonic Street is in the Commercial District and currently has an office/gallery on the first floor and an office on the second floor. Petitioner seeks to convert the second-floor space to a tourist home/guest house<sup>1</sup>

A tourist home/guest house may operate in the commercial district upon issuance of a Special Permit from the Zoning Board of Appeals. In the present matter, the criteria for a Special Permit are met. Applicant purchased 17 Housatonic Street, which contains an office/gallery space on the first floor and an office on the second floor. Applicant seeks to rent a newly created residential unit on the second floor to transient guests on a short-term basis. The retail use on the first floor will remain an office/gallery or other permitted use.

### ***1. Community needs served by the proposal.***

As the Board is aware, a debate exists locally and nationally whether the rental of private single or multifamily units to transient guests are or should be regulated pursuant to zoning bylaws and subject to commercial taxation including locally assessed room tax. The Town has addressed this issue through its recent zoning amendment, but the Petitioner seeks the benefits of a full commercial permitted space. Taking the extra steps to obtain the Special Permit results in a better product. The new unit will be fully code compliant and be subject to annual commercial inspections. This will be a safer space for visitors if compared to the less regulated short term residential rental. In return, the Petitioner will receive the ability to market the property for year-

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<sup>1</sup> Motel is defined "The word 'motel' shall include 'hotel', 'inn', 'tourist home', 'guest house', and others of like significance.

round occupancy. In the present matter, Applicant seeks to use the second floor of 17 Housatonic Street for transient guests with the full authority of the Town and in compliance with the health and safety codes for a commercial space.

***2. Traffic flow and safety, including parking and loading.***

The property meets the parking and traffic flow requirements of Section 8.1. The frontage contains an access point on Housatonic Street; the driveway and Housatonic Street intersect at 90 degrees. The Commercial C Zoning District's loading and parking exemptions apply. Finally, the proposed use complies with parking requirements even though it is exempt. Under Section 7.1.4 Parking, two parking spaces are required for a dwelling unit, The C zone, is exempt from this provision under Section 7.1.20. Nevertheless, Petitioner has two parking spaces in the current lot at the back of the building that are accessed by the current driveway. There is adequate access and space for parking of two vehicles and snow storage.

***3. Adequacy of utilities and other public services.***

17 Housatonic Street is serviced by electric, natural gas, and town water and sewer.

***4. Neighborhood character and social structure.***

17 Housatonic Street is in the Historic Village. The surrounding uses include a mix of restaurants, inns, shops, and offices with some residential uses. The intended use is compatible with the commercial district and is not dissimilar to the services provided by the neighboring inns and boutique hotels.

***5. Impacts on the natural environment.***

None. The building is existing. The applicant is not extending the building's footprint.

***6. Potential economic and fiscal impact to the Town, including impact to town services, tax base, and employment.***

Positive. Increasing the number of overnight guests in the Village will benefit all of the merchants because the travelers staying within the Village will be more likely to walk through Town and patronize the stores and restaurants. As a tourist home/guest house the Town will receive the room tax. There will be no negative impact on town services. The intended uses will not increase the usage of town services when compared to the existing use of the structure.

The creation of a tourist home/guest house is not more detrimental to the neighborhood than the existing use as an office. As noted above, the Village District is comprised of hotels, restaurants and galleries, and retail stores. A guest house/tourist home is compatible and complementary to the existing surrounding properties. No negative direct impact is foreseen. *See Section 5.3.2* (regulating changes to non-conforming uses).