

Minutes for Nov. 27, 2018
Planning Board, Town of Lenox

Attending from the Planning Board: Pam Kueber (PK), chair; Tom Delasco (TD), vice chair; Kate McNulty-Vaughan (KMV)

Absent with notice: Deborah Rimmler (DR); Absent without notice: Kameron Spaulding (KS)

Citizens in audience included Kelly Brown, Bill Polk, Beth Tracy Gamble, and Clarence Fanto of the Berkshire Eagle

Recordings were taken by the Board and by the Berkshire Eagle.

Documents at this meeting:

- Agenda
- Draft meeting minutes for 11/13 and 7/24
- PPT Introduction to the Subdivision Control Act / CPTC training
- Text Introduction to the Subdivision Control Act (Including ANR Plans) / CPTC Training

Minutes:

- Minutes for 11/13 were approved. Minutes for 7/24 were approved; PK explained that the delay in approving these came after they were sent to Land Use Clerk to check the tape for clarification then in the midst of activities fell through the cracks/human error; Land Use Clerk noticed the error in an audit of minutes.
- Communications strategies: KMV initiated discussion about how to better communicate to citizens in advance of and at Town Meetings re PB proposals being recommended. Consensus among three board members attending – with acknowledgment that two members were not there and also should be brought into the discussion – that in the future we could:
 - Take more time introducing and explaining each proposal on the warrant and why each policy recommendation is being made. Recognized that there is no “right” way to do this – case can also be made to keep the presentations very succinct and provide detail in response to questions. However, group agreed that in the future, making point-by-point presentations, even though they may take more time, is the approach we should take. Precedent: Lenahan and Kellogg eras. This would also help citizens understand why zoning protocols mean we believe we cannot always make things simpler – why we need purposes, definitions, etc.
 - Consider mailings in advance of Town Meetings that also could point to web pages that explain proposals. Mailing could also promote one or more additional meetings (not just ‘the hearing’) to explain bylaw proposals. Noted that this

means we would have to back-time our deadlines even further, and again underscored the need to not change proposals once they are finalized.

- Discussion dovetailed into update from Chair's latest update with BOS liaison, where it was reiterated that changing any bylaws late in the game is not good legislative practice. Board recommitted to not doing this – that is, no changes once warrant item is filed. In addition, PB discussed and committed to not making new/late changes/policy changes to bylaws when our final deadlines are closing and we may not have had enough time to thoroughly consider all ramifications.
- Re communications, Board reiterated desire to forge stronger communications relations with BOS and BOS liaison. While it would be ideal, and has historically been the practice that our BOS liaison attended our meetings, we recognize the trade-off benefit of have a liaison with Planning Board experience. Chair explained new process of regularly scheduled phone calls and sharing of minutes with liaison – our meetings are on consecutive days so we have the opportunity for very timely communications, along with commitment on both sides to having a good process.
- Feedback from BOS on next steps on Adult Use Marijuana and Short-Term Rental bylaws
 - Chair related discussion with BOS liaison on STRs. BOS willing to set up informal roundtable discussions with various constituencies in conjunction with Planning Board in the new year. TD: “A great thing to do... but make it useful... and it has to be limited” – further explaining that our next plan/process needs to be one that will resolve the issue, we cannot keep coming back to it. Chair to pass along to BOS liaison the PB's agreement with concept for roundtable; nothing will happen until the new year; recognition that timing of potential state action also is a factor to be considered. PB agreed to have next discussion on any further next steps re STR bylaw in the new year including when other two members can be at the meeting. Also noted: Chair to clarify to BOS liaison that PB requests BOS take on the general bylaw inspections/registration portion (in addition to citizens' request for a noise ordinance.) Chair noted that BOS liaison mentioned that doing noise ordinances can get tricky given variety of noise sources, e.g. lawn mowers.
 - Re Adult Use Marijuana, agreement to ask the BOS – a few members at least – to sit with us first thing in the new year to map a plan and review/revise if/as necessary content for Adult Use Marijuana bylaw for May Town meeting. Chair to map timeline to Town Meeting, time goes fast to hit various public hearing and filing deadlines. Chair to discuss with BOS liaison.
- Board reports on other committee work:
 - Master Plan: Chair met with Town Planner Gwen Miller (GM) to get an update on Master Plan progress earlier in the day:

- GM has agreement from members of various boards to sit on a steering committee that will meet monthly. At BRPC recommendation, steering committee will include 9-11 people. Committee will meet monthly, on Mondays around 6 or 7 p.m., to provide oversight and guide planning process.
- GM recommended that BOS official appoint Steering Committee members, to underscore this is a town-wide effort. PB agreed this was a great idea.
- Next steps:
 - Dec. 10 orientation meeting for Steering Committee Members. PB members include PK and KMV. KMV will be out of town. Check minutes for who is our alternate.
 - Dec. 11 – Planning Board meeting/will get update
 - Dec. 12 – BOS meeting – appoint Steering Committee members/BOS to get update.
- It was noted that early Dec. is a rough time to launch initiatives but it was explained BRPC wants to begin data review and compilation, etc. Come January, we can launch strong.
- Affordable Housing RFP – GM updated that she was expecting to be able to issue this by close of business 11/27/today. KMV explained it's an open-ended RFP – asks developers to bring us proposals for developments they can get funding for.
- CPC – TD said process is moving forward, includes applications from Pleasant Valley Bird Sanctuary, BNRC Yokun Ridge Trail; Frelinghuysen Morris House & Studio.
- BRPC -- PK to attend several trainings:
 - 12/13 training, also by CPTC, on Section 3 of the Zoning Act providing certain exemptions for agricultural, educational, childcare and religious uses, as well as state and federal lands and uses, from local zoning regulations. Our bylaw needs attention re this topical area.
 - 11/29 talk on 2020 Census and what it means for our Towns
 - Also handed out PPT and text from recent ANR and Subdivision Control training. Noted that training included recommendation that for best compliance with Open Meeting Law, we ask ANR applicants to timely get on our agendas (rather than just walking in, day of, as sometimes happens); consensus agreed that this should be a requirement moving forward.

Board will meet again in two weeks, Dec. 11; meeting will include an ANR request and an update on the Master Plan orientation.

Meeting adjourned, TD moved, DR second, 4-0.

Respectfully submitted,

Pam Kueber