

**Planning Board
Meeting Minutes – March 8, 2022**

Attending: Pam Kueber, chair (PK), Tom Delasco, vice chair (TD) Kate McNulty-Vaughan (KMV), Jim Harwood (JH), Sue Lyman (SL)

Also attending: Land Use Clerk Jes Cote (JC)

Documents: March 8, 2022 PB Agenda, Feb 8, 2022 PB Minutes, Criteria for ANR Endorsement, Signs “pinned” comments,

Recorded by Town and Berkshire Eagle.

Meeting minutes

Feb 8 minutes, motion kmv, 2nd TD. Approved as submitted PK aye, TD aye, KMV (aye), JH (aye), SL (aye)

Feb. 22 minutes tabled to next meeting because sent out late

Wireless Communications Master Plan – GM continues outreach to company that submitted qualifications and has identified three other companies and cityscape that may be able to be asked to consider submittal.

Update and discussion on Niagara Mill DLTA – JH did get a contact for owner of Mill, spoke to him on phone, he sounding enthusiastic and receptive about talking with us about getting something done with us. Now with GM re next steps. How to help? JH and TD volunteered to be part of meeting if that happens including going on tour if that can happen. KMV worthwhile to see building. PK to send out DLTA Summary to everyone so they can submit comments. PK to talk about this with GM and express our enthusiasm to do what we can effectively do to engage with this owner and move forward.

DLTA submissions – continue work on Niagara Mill and Housing amendments, PK amended Housing to reflect JH comments from prior meeting. All was submitted on time, thanks to Marybeth Mitts for signing document.

ANR Criteria Outline – PK created sheet to ensure that as we go through applications we make sure we hit on all the key things that we need to know to approve an ANR. Outline is based on subdivision definition which is inclusive of ANRs. Also addresses what we need to know re real access, we can ask for evidence. TD – this is great, really makes it simpler, also eliminates what we don’t need to ask/shouldn’t be asking e.g. what they are going to do with property. KMV – good slimmed down version of facts; definition of adequate access can get murky, it sometimes helps to understand plan for land to wrap our hands around it and help clarify when zoning questions exist; it’s helpful when applicant team is aware of what our zoning requires; when you start looking at the cases what’s adequate for one is sometimes contradictory in another instance e.g. grades, widths. TD – suitable grade is specified in zoning or town bylaw (?);

driveways have to be a min. width. KMV question re applying driveway standards to access part. Discussion of access question continued (looking at document).

PK suggestion: Discuss this with Joel Bard when we meet with him to talk about ANRs and what does adequate access mean, what can we ask for – what evidence can we ask for.

JH – we have to be careful that drawing doesn't show extraneous information; we don't want to be approving future subdivisions.

PK when these ANRs come in, hand to applicants, this is what we are going to need, you can even do it order – be ready.

Prelim Plan for Subdivisions – some work was done on some updates by PK, will put on the agenda in the future.

Hillcrest Application on W. Mountain Road – exempt educational use, JL agreed. We're working on updating that part of Lenox ZBL because we know that certain elements not compliant. In application reference to being "required 200' buffer". PK – we know that 200' buffer likely not compliant with state law, should we inform ZBA that we are working on this? KMV – wouldn't describe it exactly like that. JL – noted it's a requirement did not go into detail re enforceable adding to an existing building already within that setback – not creating a new nonconformity. KMV – looking at appropriateness of that element within our bylaw. PK – also bordering conserved land... current draft talks about such instances based on other such instances in the ZBL. JH and TD suggest we not get involved/comment until we are further along –; re buffer on conservation land (when we get to talking about that re Inst. Uses bylaw) we may want the buffer to protect enjoyment of conserved/recreational land from institutional building. TD - we haven't really discussed any of that yet, in flux. Underscore that this discussion is no reflection on the application in question. SL – why is buffer an issue? JL – 200' foot before leads to need for a very large property; may foreclose into a one- or two-acre zone. PK – agree with JH, in current bylaw we have been counseled it's not a good requirement because it's significantly larger requirement than other such similar uses in the zoning bylaw; dover amendment; not supposed to make it more onerous/difficult compared to other such similar uses eg. 50 and 100' for other uses in our ZBL. PK – conservation setback is somewhere else in bylaw, can flag for us to look at later.

Signs – Work continued on potential updates to our sign bylaw using the 'pin-it' document, with the volunteer team Jim Biancolo, Ariel Smith, and Mark Smith. JB to incorporate KMV suggestions into the master (as possible) for re-read and further discussion of open issues at next meeting.

Respectfully submitted,
Pam Kueber
3/17/2022