

Town of Lenox
Planning Board
Via Zoom
January 26, 2021

Members present: Chair Pam Kueber (PK); Vice Chair Tom Delasco (TD); Kate McNulty-Vaughan (KMV); Lauryn Franzoni (LF); Jim Harwood (JH)

Absent Without Notification:

Staff Present: Gwen Miller, Town Planner (GM); Jessica Cote, Land Use Assistant (JC)

List of documents provided for this meeting:

- January 26, 2021 Agenda
- Lenox MA – LF Notes – SWF Row Bylaw v1
- Lenox MA – SWF Row Bylaw w comments re 1 14 21 discussion
- Agricultural Uses Review (3)
- Pk Jan 7 2020 December_8_2020_PB_minutes
- Brown ANR Draft 1-7-2021 2

PK opened the meeting at 6:00pm. The meeting was recorded via Zoom.

1. Approve meeting minutes for December 8, 2020

- LF moves to approve meeting minutes. TD seconds. All in favor by roll call: PK: Aye; TD: Aye; LF: Aye. (KMV & JM not yet in Zoom mtg)

2. Public Comment

- Member of the public (Mrs. Campoli) ~~was present and~~ asked about the Master Plan. PK explained the Master Plan process and showed on the town calendar when those Master Plan meetings are scheduled.

3. Review / Endorse Approval Not Required application for 83 Yokun Ave, Lenox

- ANR deferred until a future meeting TBD.

4. Agricultural Uses Bylaw – Discuss/Finalize setback question in draft bylaw

- Board discussed final changes/amendments to setbacks for small-commercial agriculture section.
- KMV suggested changes to the “overview” document for Agricultural Uses bylaw and will make changes and present to the Board at next meeting.
- Board will discuss at the next meeting how to communicate the proposed bylaw to the public.
- Board discussed where this proposed bylaw will go in the overall Lenox Zoning Bylaw.
- GM to review and make recommendation as to where new bylaw section should be placed.
- Board agreed to take this Bylaw to May Town Meeting.

PK moved, and TD 2nd to move agricultural from Section 5.4 and consolidate the agricultural changes and references in the bylaw to Section 8.X, etc. Rollcall Vote unanimous in favor: PK: Aye; TD: Aye; LF: Aye; KMV: Aye; JH: Aye.

- The public hearing for this bylaw will be held on February 23, 2021.

5. Work on next draft of Institutional Uses bylaw (incorporating Religious, Educational, Recreational and other uses currently in Use Table)

- PK suggested reviewing with Town Counsel whether this proposed bylaw is legally sound relevant to religious and educational exempt uses.

- The Planning Board decided that this proposed bylaw will not be ready for the 2021Town Meeting.

6. Wireless Communications – Update on status of work with consultant, begin familiarization with first chunk of work ready for review

- LF updated PB about the status of work with the consultant.
- Board reviewed two documents: Lenox MA – LF Notes – SWF Row Bylaw v1 and Lenox MA – SWF Row Bylaw w comments re 1 14 21 discussion.
- Board discussed what 5G poles may look like in small wireless infrastructure and design standards that can be incorporated within the bylaw, and a companion “Standards” document. Also considered is the need for collaboration with the Historic District Commission, and the possibility of flexible standards/specifications on a neighborhood level (“fake” historic and/or new contemporary designs). GM noted that topography is a key determinant for the size and number of towers necessary for coverage, and utilization of town-owned poles can produce revenue for the Town.
- LF will provide another update on progress at the next scheduled Planning Board meeting.

7. Review and discuss how Special Permits and Variances are handled within the Zoning Bylaw

- Board discussed to what degree does the Planning Board get involved with ZBA decision making.
- JH stated that he believes if a project is in the spirit of the zoning but outside the letter of zoning the ZBA’s inclination -- if they like the proposal -- is to bend the zoning and waive whole sections.
- KMV stated that the Planning Board has the ability to send recommendations to the ZBA and that may be something that the Planning Board needs to look at moving forward.
- PK suggests putting agenda item on future meetings to review Special Permits that the Planning Board believes they should comment on for the ZBA and provide recommendations to the ZBA.

8. Updates

Updated copies of ZBL – distribution to members.

- LF stated she needs the most recent copy of ZBL. JC to provide.

Master Plan – Update / Community Plan sessions, all via Zoom – We may participate but not deliberate as a Board.

- PK updated Board on when community meetings are scheduled.

Summary of Housing Provisions and other zoning-related provisions in Commonwealth’s recently passed Economic Development bill H.R. 5250.

- PK updated Board on legislation that was signed and there is now only the need of a majority vote on certain housing related bylaws.

Update on boards and committee assignments and affiliations.

- LF shared information from her BRPC meeting in regards to developing a regional strategy to help guide more housing development options.
- TD gave a CPC update for Round 2 application process.

LF moved to close the meeting at 8:10. TD second. All in favor 5-0.