

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

**TOWN OF LENOX  
PLANNING BOARD  
Sept 14, 2021, Minutes**

In attendance: Pam Kueber (PK), Tom Delasco (TD), Kate McNulty-Vaughan (KMV), Lauryn Franzoni (LF)

Absent with notification: Jim Harwood (JH)

Also in attendance: Jes Cote (JC), Land Use Clerk; representatives of Pennrose including Charles Adams (CA), Rebecca Schofield (RS), Michelle Crowley (MC), Steve Mack (SM), Andrew Stebbins (AS-P); and on sign bylaw, Ariel Smith (AS-L). Several citizens also logged into zoom call.

Meeting was recorded on Zoom

**Documents:**

- Lenox\_Brushwood Farm\_Appendix 3\_Area Rents & Market Demand
- Lenox\_Brushwood Farm\_OneStop Output.pdf
- Lenox\_Brushwood Farm\_OneStop Operating.pdf
- 1\_Lenox\_Brushwood Farm\_PEL Narrative.pdf
- Brushwood Farm Housing 30 Day Letter 8.2021.pdf
- Lenox\_Brushwood Farm\_Appendix\_1\_Site Plan, Floor Plans, Ele.pdf
- Lenox\_Brushwood Farm\_Appendix\_2\_Purchase Option Agreement
- Sign\_Bylaw\_Info\_Form\_Meeting\_Sept\_14 copy.pdf
- Draft of Pennrose support letter
- September 14, 2021 Planning Board Agenda
- 9\_12\_2021\_Draft Update for PB approval 9\_14.docx

Meeting held by zoom, and recorded on Zoom and by the Berkshire Eagle.

**Presentation by Pennrose Development for 40B development at Brushwood Farms, 36 Pittsfield Rd; agree on text of potential support letter.** Not a public hearing, the PB goal is to review the project and potentially submit a letter of support for the project as part of packet to DHCD to help obtain tax credits for Pennrose. Normally in Gateway District PB has site plan review, but Pennrose checked with their attorney who says that is not required in a 40B. CA: Looking for input and feedback from PB to make the plan better. Pennrose background – in

34 15 states, 17,000 units in 50 years, tries to work with cities and town to find out  
35 what their needs are and how to approach project. RS – Described how project  
36 aligns with Housing Production Plan and other Lenox plans and goals, how it will  
37 meet the needs of the community; highlighted the income needs and proposed  
38 affordability mix; local resources near site including groceries, health care. SM of  
39 Foresight, civil engineers went over various details about road, parking, 1.5:1 (1.5  
40 spaces per unit) parking ratio – found by Pennrose to be sufficient for  
41 developments like these, served by Town water and sewer, have met with various  
42 Town department and so far have their blessing – need to go back with final  
43 plans. Scenic Mountain Act protects areas over 1,400 ft. elevation. Two areas are  
44 above that and project adapts to that – goes around it. No wetlands or  
45 endangered species on the parcel being purchased and used for this  
46 development. There is a sidewalk that loops in front of all the units and then  
47 down to bus-stop on Rt. 7. Parcel is 13.3 acres. MC, landscape architects, outlines  
48 in red are the elevations above 1,400 ft not being disturbed. Trying to minimize  
49 clearing around the housing, may be more clearing than shown to deal with storm  
50 water and grade changes, goal will be to re-forest that effectively and efficiently.  
51 In other areas cleared – there are nestled amenities – playground, picnic tables  
52 etc. AS-P, architects – geared toward creating a sense of community, space and  
53 scale. Each cottage/home has 5 units – 3 on ground, 2 upper level, all look like  
54 two story from street. Softer color palette on siding, trim, windows to  
55 complement natural surroundings. Individual entrances for residents to have their  
56 own space but also encourage community. RS: All-electric development prefer  
57 not to rely on gas, might be an opportunity for solar if that is feasible given goal to  
58 preserve the tree canopy. Timing: Applications currently to town and state next,  
59 then go to state to next tax credit round in January. In 2022 see where Pennrose  
60 lands with award announcement and what their next steps are.

61 Questions: KMV: Location of wetlands and protected plants – Pennrose noted  
62 that these areas (noted on larger site plan) are not part of their parcel and that  
63 the locations identified on their drawing may not be accurate, owner of those  
64 areas could provide current info. PK – all buildings look alike? AS-P: TBD will be in  
65 relation re massing, any variations would be in color palette. KMV: Ledge? CA:  
66 Yes, some blasting may be considered, will make sure it's done the right way with  
67 contractor and protocols; parcel is up in the woods, nearest abutter is Marriott

68 Courtyard, haven't made the decision yet will be well discussed no one will be  
69 surprised if we need to go that route. KMV: exciting how you are working around  
70 natural landscape and features of the site, ledge, tree canopy, etc. Look from  
71 street, wonderful job on siting, thoughtfully done; when get to ZBA can we see  
72 how it will fit in with other businesses? Much sight of project from street? TD also  
73 asked about this. AS: The Community building is the only building that will be  
74 visible as you come up from roadway – you will see 2 levels of its back side. RS:  
75 We are really in the trees. Will be tough to see that from the street. RS and AS-P:  
76 went from 8 acres to 13 acres to enable storm water management and to protect  
77 1,400'+ areas – spread out the plan. RS: houses at top – have view to the east;  
78 beautiful views. TD: Lawn available for family bbq/table without having to go to a  
79 common community space? CA: Yes, some outdoors space behind buildings for  
80 chairs etc. RS: Some porch space in front. CA: Playground on site. MC: Community  
81 grilles and table and playground for everyone's use to minimize taking trees down  
82 and minimize clutter. Trail going up the knoll also for community use. CA: Central  
83 grilles if there is a demand; a fire safety issue / risk. RS: Community building will  
84 have interior gathering space as well, along with big patio. KMV: A lot of  
85 amenities – hope the community building has a great windowscape facing west;  
86 AS: will be refined. PK: Dimensional proximity to cell tower to the north? RS: 400-  
87 500 to nearest building, about 1,000 feet spanning across the rest of the  
88 development. Where does school bus pick up? CA: Will talk to bus company and  
89 can add a bus stop – happy to talk to them and add that depending on how the  
90 school bus wants to come in and safely pick children up; no challenges to putting  
91 it wherever they want. Bike racks but currently no bike lanes; number of bike  
92 racks can be increased if there is the demand. PK: Likes that development is going  
93 all-electric given the trend to move the power grid off fossil fuels and to  
94 renewables. TD: Is electric infrastructure in place to handle electric needs? RS:  
95 Have not talked specifically but have a good understanding of what availability is.  
96 KMV: great effort, appealing, fits in nicely meets our needs in so many ways, part  
97 of get-outside culture of Lenox and Berkshire County, design seems appealing,  
98 also amenities, shows a real understanding of the community. Asked about  
99 project in Hartford – it had an ownership component. Suggested let's get this  
100 built, then let's talk about an ownership project. CA: In Hartford, a 7 phase 420  
101 unit development with 18 home ownership units idea/plan – the issue is that they  
102 have still not been able to arrange the financing for those 18 – really is a challenge

103 to do that wherever they go, haven't given up. Summary comments: TD:  
104 Development is very well laid out, fact that its up over crest of hill and not visible  
105 from 7/20, not a big imposing development, tucked away – nice. RS: Clarified-built  
106 on slab due to ledge. TD noted water system in town is currently underutilized  
107 due to conservation efforts and otherwise over the years... won't stress water  
108 resources. LF: concurs with TD, a lot of attractive features, seems like this is an  
109 organization that is watching the market, residents, being responsible,  
110 opportunity for us to find the space for people who want to live and work here.  
111 PK: a beautiful development, buildings, layout, nestled into the environment,  
112 seems all very high quality. Smart growth – masses 65 units amidst outdoors,  
113 preserves open space, is integral to open space, typical of Lenox. KMV: a  
114 tremendous opportunity, had a long list of detailed questions you had already  
115 answered them, lot of consideration of site itself, gives us the housing we need,  
116 and how it fits into the town, very appreciative of effort. Looked at others of  
117 yours across the state and elsewhere. To PB: Should provide a resounding letter  
118 of approval that we think this has a lot to offer the town in so many ways.

119 Reviewed support letter drafted by PK: PK motion to write letter, LF-second, to  
120 show support and approval of plan as it's been presented. KMV amend:  
121 acknowledging that they have lots of details to finalize. All aye. Points to add to  
122 characterize discussion? LF add: Pennrose has come up with a community design  
123 that respects the natural environment nestled into the environment without  
124 creating an unpleasant appearance to the area surrounding it, with attention to  
125 needs of potential residents, and knowing that it will not place an undue burden  
126 on resources.

127 PK: Assuming ZBA application is submitted, if there any additional things this  
128 Board wants to recommend we can do so at that time. We can continue to stay  
129 connected via the Public Hearing process. TD: Will need a waiver for parking, we  
130 can support their ask for less parking, we've discussed many times when projects  
131 come before us, parking rules in zoning bylaw are sometimes a lot more than they  
132 need to be. 'Do we want more trees or more pavement for parking that never  
133 gets used/parking spaces that are mandated?' RS: We are commissioning a traffic  
134 study and will include memo to ZBA. CA: agrees with the way TD talks about it –  
135 trees over spaces. PK: Good that this is at a traffic-lighted intersection with turn  
136 lanes; RS-will be part of traffic study. KMV: mentioned in one of our bylaws the

137 desire to reduce number of spaces. Desire for site visit. Thanks to Pennrose team  
138 with particular thanks to RS and CA.

139 **No Minutes for August 24, 2021 meeting are available yet for review.**

140 **ANR mylars for 241 Walker** – need to sign again due to technical issue, notation  
141 had to be updated to “not a building lot” as per Joel Bard recommendation. KMV,  
142 LF, and PK will go into Town Hall to sign. LF a Board member through end of  
143 following week and can sign.

144 **Wireless Communications activities.**

145 New Board member lead on wireless materials – LF: Responsibilities on this issue  
146 included liaising with AL, keeping latest versions of each document showing most  
147 recent edits and changes (sans minor typo-type edits), keeping them dated,  
148 updating summary/status at top in each version. PK: Suggested asking GM to take  
149 over the roll. LF to put together history file and share with Jes. PK: Make sure we  
150 have version control including for public info purposes. TD: Good at document  
151 retention and version control, maybe he plus another person to do track changes  
152 and summaries could take over.

153 Approve update on wireless communications for posting to Planning Board  
154 website – Drafted by PK and LF, KMV and TD agreed with summary and posting it;  
155 Board agreed to leave setback and Use Table info out given they will be  
156 determined as part of the needs analysis and wireless master plan; LF: These  
157 things reflect what is the need – where do we have the holes, where do we need  
158 capacity and/or coverage, and how can we achieve those within the purposes of  
159 the bylaw. Post with minutes and/or via minutes.

160 Other updates: No update on conflict of interest question; no specific update on  
161 draft of RFP scope and deliverables. Discussion re RFP: TD: Scope: Determine  
162 where coverage exists currently, extent of coverage, highlight gaps. PK: Map of  
163 where likely infrastructure can and should go combined with adequate setbacks  
164 from residential, e.g. fewer tall towers or more small towers? TD: Need to  
165 understand capabilities of applicant – do they have ability to recommend location  
166 for new infrastructure. Map needs to be topographical in nature and show  
167 housing. KMV: New tool from federal level to see maps of voice and data  
168 coverage mapping by locality; PK to send news story with this info to all. LF-has

169 re-sent the Fort Collins master plan and gap analysis as example. KMV: Expressed  
170 concern that the local level is constrained by lack of ability to talk about health  
171 effects – write a letter to congressional people – to get their attention ask for  
172 their help in a particular way – what we’re asking our congressional people to do  
173 for us – KMV will continued working on research and draft aiming for effective  
174 letter; 40A says we are supposed to look at health and welfare of residents yet  
175 you have a situation where we’re being told by federal rules that we can’t do that.  
176 PK-yes, contradictions. TD – until health effects documented for FCC, things  
177 unlikely to change, tide is turning though. PK-will give KMV an idea. Repeated that  
178 AL had said regarding citizen concerns: concerns best directed at congressional  
179 delegation. KMV – discussed DC court decision and fallout – FCC got slapped on  
180 the hand for using old information/lack of reasoned decision-making. Our  
181 question is: Can we alert the congressional delegation as planning board in  
182 Massachusetts that we can be so handcuffed by federal rules that we are in  
183 conflict with 40A - have given up our right to keep our citizens healthy; KMV -  
184 working-with-Congress handbook says you have to be very specific what your ask  
185 is...LF: Ed Markey must have FCC specialist in his office.

186 Volunteer sign committee has completed its work – AS-L: main document is actual  
187 proposed sign bylaw rest is support. Start with that and as you are going through  
188 it, can reference trace document as required. Discussion on how to approach  
189 review. Splitting this up in hour long sessions will make it difficult because things  
190 relate. TD: No big philosophical shifts, it’s all consistency throughout the bylaw  
191 and within the sign section itself, codifying it to make it easy to read and apply,  
192 love the diagrams. AS: longest to figure out will be approvals part and who is  
193 responsible for enforcement and how it relates to all the other boards in town –  
194 this will take the most attention. TD-ultimate enforcement is building inspector.  
195 PK: meet in person, single-subject meeting, have pages on big boards as well as in  
196 hand. Oct. 12 – meet in person at Town Hall from 5-8.

197 The Board thanked Lauryn Franzoni, who is leaving the Board, for her service and  
198 contributions.

199 Respectfully submitted,

200 Pam Kueber

201 9/28/2021