

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 _____ of the Town of Lenox Zoning By-Law.
- ☒ A Variance from the following provisions of Section 7.8.b of the Town of Lenox Zoning By-Law.

To permit the following use or activity (describe proposed use or activity):
Please see attached letter for a description of proposed use.

For premises:

Owner of Record PLH Vineyard Sky LLC

Address 222 South 9th Street Suite 1600, Minneapolis, MN 55402

Map and Parcel 8-96-0

Zoned as West side of property is R-1A East side of property is R-I

Deed Reference Book 6636 Page 140

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

Petitioner 

(Your signature here also acknowledges that you agree to pay all hearing expenses relative to this petition.)

Address (Mailing Address) 222 South 9th Street Suite 1600, Minneapolis, MN 55402

Telephone Number 860.932.3086

Email address rodney.galton@ecosenergy.com

Date July 14, 2023

222 South 9th Street #1600
Minneapolis, MN 55402
Phone: 860.932.3086
E-mail: rodney.galton@ecosrenewable.com
July 14, 2023

To: Zoning Board of Appeals
Town of Lenox
6 Walker Street
Lenox, MA 01240

Re: 383 Housatonic Street – Variance Extension Request

Dear Board Members,

This letter is to request an extension for the variance granted on July 27, 2022 for 383 Housatonic Street for a period of 180 days beginning July 27, 2023.

In August 2022, PLH Vineyard Sky LLC (PLH) began the process of finalizing the arguments in support of a summary judgement for the land under Notice of Violation from the Lenox Conservation Commission (ConComm). Land Court instructed PLH and the ConComm to come to an agreement. As part of that agreement, PLH would have the party responsible for delineating the wetlands at 383 Housatonic Street and an expert representing the ConComm meet on site and agree on a wetland delineation as well as any remediation, if necessary. According to the agreement this was to take place in June of 2023.

In good faith, PLH provided ConComm's legal counsel with four dates that were appropriate for this site meeting. The ConComm and their legal counsel did not respond. It was the intention of PLH to have an agreement over jurisdiction and remediation finalized by the end of June of 2023, however, this did not occur due to the ConComm's failure to respond. It was PLH's hope that this agreement would have eliminated the need for a second curb cut.

PLH understands that work associated with the second curb cut for the property must begin within this 180-day period and no other extensions will be granted.

Best regards,

A handwritten signature in black ink, appearing to read 'Rodney Galton', written over a horizontal line.

Rodney Galton, PE CPESC
Senior Project Manager