**Lenox Zoning Board of Appeals**

**Minutes**

**September 12, 2018**

**Land Use Meeting Room**

**Members present:** Acting Chair Shawn Leary Considine, (SLC); Robert Fuster (RF); Al Harper, (AH); Robert Fuster Jr. (RFjr)

**Absent with notification:** Clifford Snyder, (CS)

**Staff present:** Land Use Clerk Peggy Ammendola, (PA)

The meeting was called to order at 7:08 PM.

The hearing was recorded.

*It was explained to the petitioner that there were only four members of a five member Board and that all four would have to agree in order for a permit to be granted. She was advised that she could wait until a fifth member could participate or proceed. She chose to proceed.*

There were no members of the public present

**Berkshire Natural Resources Council, Inc. (BNRC), Undermountain Road(Map 16, Parcel 26-2)** Variance and/or Special Permit under Section 7.2 “Signs” to allow for the placement of a sign indicating Parson’s Marsh on Undermountain Road.

Mackenzie Greer, a project manager of BNRC made the presentation. She described the work which began in 2015 for the trail which is handicapped accessible. Signage is needed to bring attention to the property. The request is for a sign that will be 12 feet above the ground. The reason for this height is due to the topography. The ground is about 3.5 feet below the road grade, so the sign will appear to be only about 9 feet above the road grade. She pointed out that the sign needs to be higher because of snow banks, and because the immediate area is forested, it is dark. The sign will be on BNRC property.

Ms. Greer asked for a larger sign as that which is allowed is too small for visibility. A small hill obstructs the view. Safety is a concern as someone looking for the site may not notice the sign in time causing sudden stops or turning around. The sign requested is approximately 25.2” x 18” or 3.15 square feet. They are also requesting a second, smaller hiker sign of less than 1 square foot on each side of the post. Fire Chief Dan Clifford has said that the ZBA should condition the approval with a requirement that the address of the property be on the sign, stipulating that the size of the lettering be 4” high and be on a contrasting background. The Board clarified that the request is for one variance for a larger sign, more than one sign and height of the sign. After a brief discussion the Board agreed that the requirements for a variance were met.

Ms. Greer agreed to work with Chief Clifford on the details for the signage as it relates to the placement of the property address.

Ms. Greer said that she has spoken to the Wermans, the owners of Stonover Farm, who are abutters. They are supportive of the petition.

AH made a motion to close the public hearing. RFjr seconded the motion and the Board voted to agree 4-0.

RF made a motion to allow a variance from the height requirement, number of signs and the sign size requirement in Section 7.2. AH seconded the motion and the Board voted in favor 4-0.

RF made a motion that the large sign contain the address of 170 Undermountain Rd. and the lettering be four inches in height and on a contrasting background as recommended by Fire Chief Dan Clifford.

RFjr seconded the motion and the Board voted to agree 4-0.

The applicant questioned the little space available on the sign for spelling out the street name, “Undermountain”. There was some discussion and it was mentioned that perhaps Undermountain could be abbreviated. RF made a motion to reopen the hearing for the purpose of instructing the Petitioner. AH seconded the motion and the Board voted to agree 4-0.

SLC made a motion that the Board is open to any resolution on the size, style, and content of the address suggested by Chief Clifford based on the resolution agreed by Petitioner and Chief Clifford of that matter. RF seconded the motion and the Board voted to agree 4-0.

RFjr made a motion to close the public hearing. Ah seconded the motion and the Board voted to agree

4-0. The meeting was adjourned at 7:35.

**Approve minutes:** September 5, 2018 approved by consensus.

Respectfully submitted,

Peggy Ammendola