

Town of Lenox

Zoning Board of Appeals

Continued from 7/20/20 (Blantyre Special Permit Request)

7/22/20

7:00 p.m.

Via Zoom

ZBA Members Present: Robert Fuster, Jr (RF), Shawn Leary Considine (SLC), Al Harper (AH), Clifford Snyder (CS), Clayton Hambrick (CH)

Staff Present: Gwen Miller, Town Planner

The meeting commenced shortly after 7:00 p.m. Representing the Blantyre application were Attorney Syd Smithers, owner Linda Law, Steve Mack of Foresight Land Services, Steve Saveria of Fuss & O'Neil and Ann McCallum, architect.

An abutter, Russ Hopiewiz, had some additional questions for the Board. The Board moved to re-open the hearing briefly to discuss these questions and responses from the petitioners.

There was also an update from Marybeth Mitts and Linda Law. The two had come to an agreement during the day regarding the provision of affordable housing payments. Rather than a payment in lieu as discussed at the previous hearing, the two had agreed to the following provision linked to the achievement of a specific building permit milestones:

- Donation of a single-family home at 38 Patterson Road
- A payment of \$100,000
- The donation of four single-family building lots on Patterson Road.

There were some questions from abutters and discussion of the location of the single-family home and the proposed building lots. Marybeth Mitts indicated these had already been permitted by the Planning Board and Conservation Commission.

The hearing was closed and the Board moved to approve the petition as presented.

The petition passed 4-0. (RF's internet had lapsed and was not on the Zoom conference at the moment)

The Zoning Board of Appeals adopted the following conditions:

- Completion bond for public infrastructure improvements
- Implement recommendations of traffic engineer
- Changes to inn, outdoor events and restaurant business model...must apply for a new Special Permit
 - If under 8.9.13, if any of these limits in bylaw are exceeded, more than 175 people outdoors, later than 11 outdoor music or the restaurant operating as it is now...they will have to come before the ZBA again
- Conditions from abutting homeowners' associations be included into this special permit

The executed agreements between the two homeowners associations had been e-mailed to the Board earlier and were entered into record

AH asked for a clean copy of agreement from Linda Law, as the one provided earlier in the day still said "DRAFT". LL said she would provide this.

Meeting adjourned @ 9:53 p.m.

DRAFT