

**Town of Lenox  
Zoning Board of Appeals  
September 17, 2020  
7:00 p.m. via Zoom**

**Members Present:** Albert Harper (AH), Robert Fuster (RF), Cliff Snyder (CS), Clayton Hambrick (CH), Shawn Leary Considine (SLC)

**Staff:** Gwen Miller, Land Use Director; Jessica Cote, Land Use Assistant

RF opened the meeting at 7:02pm.

**1. Blantyre Inclusionary Housing Agreement – Terms and Conditions with Lenox Affordable Housing Trust**

- RF reopened the hearing and stated that the only part of the Blantyre petition that is being reopened is the affordable housing section.
- Syd Smithers spoke on behalf of the petitioner.
- Board was presented with the signed Inclusionary Development agreement signed by both the petitioner, Linda Law, as well as the Chair of the Affordable Housing Trust, MaryBeth Mitts. Changes that party on the agreement instead of the “The Town” it is now the Lenox Affordable Housing Trust.
- AH spoke of one concern that there is a slight wording difference between the Lenox Town Bylaw with regard to construction of affordable housing and what the agreement stated. AH had concern that the difference in wording would affect where the funds were deposited. The bylaw states The Town of Lenox Housing Trust Fund and the agreement states the Lenox Affordable Housing Trust.
- Town Manager, Chris Ketchen, submitted a letter to the Board for this hearing to confirm that the two are one in the same and the funds would be deposited into the correct account.
- Gwen Miller read the letter into the read.
- RF moves that the revised Inclusionary Housing Agreement be accepted by the board. AH seconds. All in favor 5-0.
- RF moves that the Agreement, letter from the Town Manager and Copy of Affordable Housing Trust Declaration be included in the decision. CH seconds. All in favor 5-0.

**2. 130 Cliffwood Street – Special Permit Application**

- Jeffrey Lynch spoke on behalf of the petitioner, Mathew & Mary Lo.
- Petitioners came in front of Board on March 4<sup>th</sup> and received approval for a Special Permit for construction to their home.
- There have since been changes to the design of the construction. Previous design included an attached two-car garage which was approved at the March 4<sup>th</sup> hearing. The modified design includes a detached carport, with no attached garage.

- The biggest change from a zoning perspective is that the carport area is only 15 feet 10 inches from the southern property line.
- RF asked why a carport instead of the attached two-car garage. Jeff Lynch responded that there were cost considerations and site considerations.
- AH asked if the carport would eventually become a garage. Petitioners responded "no".
- One piece of correspondence was received. Jessica Cote read the letter into the record.
- RF asked two questions of the petitioners based on the reading of the correspondence: why carport can't be closer to house? Petitioners feelings on the conditions that were stated in the correspondence letter?
- Jeffrey Lynch responded to RF. The location of the proposed carport was chosen due to aesthetics as well as moving the carport more central on the property puts the carport directly in front of the new entry to the home. The proposed location is also the flattest area of the property.
- The petitioner spoke to the conditions listed in the correspondence. Mr. Lo stated that there are large conifers growing between their property and the property to the south. Petitioners believe planting more fast, aggressively growing trees will just create more shading.
- AH stated that the two structures shown on the north border on the property line of 124 Cliffwood, owned by Mrs. Reigner, have been demolished and being relocated to the south and slightly to the east of current position on survey plans submitted. AH stated that if you draw a line from Mrs. Reigner's back window to the proposed carport the structures will obscure the view almost entirely.
- SLC requested a site visit.
- SLC moved to continue hearing to September 22, 2020 at 12:00pm for a site visit. RF amended to also include continuing the hearing until Wednesday, September 23, 2020 at 6:00pm via Zoom. SLC seconds. All in favor 5-0.

SLC moves to adjourn at 7:53pm. AH seconds. All in favor 5-0.