

Zoning Board of Appeals Minutes, 02/01/2017

**Zoning Board of Appeals
Minutes
February 1, 2017
Board of Selectmen's Meeting Room**

Members in Attendance: Acting Shawn Leary Considine (SLC); Robert Fuster Jr. (RFjr); Ned Douglas, (ND); Al Harper (AH); Clayton Hambrick (CH)

Absent with notification: Chair Ethan Berg, (EB); Robert Fuster, (RF); Cliff Snyder, (CS)

Staff in Attendance: Peggy Ammendola, Land Use Clerk, (PA)

The meeting was called to order at 7:00 PM.

Christian Selke and Robert White, 33 Main St., (Map 43 Parcel 21) Special Permit under Section 8.8 "Bed and Breakfast Establishments" to permit the adaptive reuse of an existing building for a Bed and Breakfast Inn.

RFjr pointed out to SLC that the petition filed was for a Special Permit for exception under the provisions of Section 6.9.2, a section which no longer exists, but the legal notice stated that the petitioner was seeking a Special Permit under Section 8.8 "Bed and Breakfast Establishments" He suggested the applicants amend their petition.

SLC explained to all present that Section 6.9.2 was the applicable section of the bylaw before the bylaw was updated. Attorney Hashim acknowledged that he was not using the updated bylaw and apologized. He then made an oral motion to amend the reference to Section 6.9.2 in his application and replace with Section 8.8. The Board agreed 5-0.

Presenting the petition was Robert White and Attorney Michael Hashim, who represents Mr. White and Ms. Selke.

Also present was Chauncey Collins of Austen Riggs, Shirley Fondu, Kelley Vickery and Myron Schiffer.

Attorney Hashim stated that this application meets the criteria for a B & B. It has 8 rooms, and 8 off-street parking spaces with additional square footage to create the 9th space that would be for the owner or caretaker. There will be no changes to the exterior, but there will be interior renovations. Attorney Hashim said that Ms. Selke, a co-founder of Pine Cone Hill, in Pittsfield, is well known throughout the design community specializing in design of fabric, furniture, rugs etc. Her intent is to renovate utilizing her talent as an adjunct /display for her business.

Attorney Hashim provided a brief history on the home. Austen Riggs has used it as a group home since 2004. Prior to that it was a group home for the elderly and Bobbie Hollingsworth operated the Lilac Inn, a seasonal B and B prior to that.

Mr. White said the he and Ms. Selke are partners and he is the CO of the Annie Selke Companies and that they have an agreement to acquire the property from Austen Riggs. He said that Ms. Selke's vision is to have a luxury lodging experience with the intimacy of a B and B. Last year they paid for 200 nights in hotels in the area, but not in Lenox, so they are starting off with a customer base of 200. It will be a year-round facility.

Ms. Vickery said that when Austin Riggs purchased the property they added a room that would be wheelchair accessible. She stated that the building is ADA compliant.

There was discussion as to if the Decision should be conditioned requiring a Certificate of Occupancy (C of O), but the idea was dismissed as the Building Department would require one anyway as this is a change of use.

Mr. Schiffer, an abutter, said that he is in favor of the project.

The Public Hearing was closed and the Board discussed the proposal. The consensus was that the project met the criteria for a Special Permit.

RFjr made a motion to grant a special permit for exception under Section 8.8 of the zoning bylaw regarding the premises at 33 Main Street to permit the use of a B & B inn that will have eight guest rooms and nine parking spaces. AH seconded the motion

and the Board voted to agree
5-0.

No correspondence has been received.

Approve minutes:

December 7, 2016

December 21, 2016

January 12, 2017

All were approved as presented by consensus of the Board.

RFjr made a motion to adjourn the meeting and AH seconded the motion. The Board voted to agree 5-0 and the meeting was adjourned at 7:35 PM.

Respectfully submitted,
Peggy Ammendola