

Minutes of the Town of Lee Planning Board
December 27, 2021
6:00pm Via Zoom

A regular meeting of the Lee Planning board was held virtually in accordance with Governor Baker's Order suspending certain provisions of the Open Meeting Law (MGL Chapter 30A, Section 20) on Monday, December 27, 2021 at 6:00pm on Zoom.

Present: Buck Donovan (Chair), Peg Biron, Matt Carlino, David Forrest, Gordon Bailey (alternate) and Peter Bluhm (6:31 pm).

Others Present: Daniel Glissman, Kiran Patel, and Kathy Hall.

Call to Order

Chairperson Donovan called the meeting to order at 6:00 p.m. For the record he informed those in attendance that the meeting was being recorded.

Public Hearing (cont.) – Zoning Bylaws

Chairperson Donovan reopened public hearing on the zoning bylaw amendments. Chairperson Donovan confirmed that the Board has received the recommendations from Code 360.

Member Carlino suggested continuing the Public Hearing until next meeting so all Planning Board members could be present.

Member Biron moved to continue the Public Hearing to January 10, 2022 at 6:00 pm; Member Carlino seconded. Planning Board voted (4-0). (Biron – aye; Carlino – aye; Forrest – aye; Donovan – aye).

Site Plan Review (report approval) – 635 Laurel Street

Chairperson Donovan stated the proper paperwork did not get submitted to the Selectmen that the Board approved the site plan with conditions due to the absence of an administrative assistant at the time.

Member Biron stated she missed the draft letter in the packet and questioned who in particular sent it.

Chairperson Donovan stated that the letter had not been sent and confirmed it was a “draft” to be sent to the Selectmen and the minutes included in the packet included the decision made by the Board.

Member Forrest moved to endorse the letter and send it to the Selectmen.

Attorney Glissman introduced himself on behalf of the Forest Wild team. He stated the reason for their request was to get their ducks in a row for the Cannabis Control Commission. They are requesting a confirmation from the Board that the vote did in fact take place consistent with the meeting minutes that are on record and be sent to the Selectmen for proper procedure.

Member Biron stated she did not have a problem with the request as long as the minutes were included in the submission.

Chairperson Donovan seconded the motion to endorse. Planning Board voted (3-0). (Forrest – aye; Biron – aye; Donovan – aye).

Sign Permit – 150 Housatonic Street, Sunset Inn

Chairperson Donovan shared the picture that was submitted to permit eyes. He stated it is a pre-existing non-conforming sign that would be refaced.

Business owner Kiren Patel introduced himself and stated the original sign is worn and faded. It would be a decal that goes over the polycarbonate and would basically be the same as the original.

Member Carlino requested a picture of what the original sign looks like currently.

Member Carlino referred to section 7.5 (a). He stated the zone is Commercial Business Corridor.

Member Forrest stated the sign has been pre-existing for a long time, there are no drastic changes and the Board should allow the business to reface the sign.

Member Carlino moved to endorse the sign as presented with the condition that the sign is the same size as the existing sign for 150 Housatonic Street; Member Biron seconded. Planning Board voted (4-0). (Biron – aye; Forrest – aye; Carlino – aye; Donovan – aye).

Approval of Minutes – December 13, 2021

Member Biron moved to approve the minutes of December 13, 2021; Member Forrest seconded. Planning Board voted (4-0). (Biron – aye; Forrest – aye; Carlino – aye; Donovan – aye).

Discussion – Short Term Rentals

Chairperson Donovan opened discussion of short-term rentals stating that the Board should determine what their goal is moving forward.

Chairperson Donovan suggested that the owner or manager should have to live within a 10 mile or 20-minute radius to the property.

Alternate Member Bailey stated the SJC has made it clear that short term rentals, specifically non owner occupied, is not the same as a single-family long-term rental or single-family owner occupied in a residential zone. He suggested the Board have some public forums to see how the residents feel about the topic.

Member Biron asked if Berkshire Regional Planning was going to come up with something or try and look into it.

Chairperson Donovan stated the argument is the housing shortage. People say if everybody wasn't doing the Airbnb, we would have more apartments to rent.

Member Biron stated she would be interested in hearing from the public.

Member Carlino stated he like the bylaws from other towns that were included in the packet and they would be a good starting point and could work off that. He also stated he would like to hear from the public regarding the issue.

Chairperson Donovan stated his objective is not to ban short term rentals altogether but to make it as low impact as possible to the neighborhoods.

Alternate Member Bailey stated if somebody starts buying two to three houses and does not live in any of them, that should be considered a business. Therefore, it should be treated and/or controlled as a business in the zone.

Member Carlino discussed the daily inquiries he receives regarding the allowance of short-term rentals.

Chairperson Donovan stated that once the Board gets this under control, they can jump into the other issue that is linked to it which is accessory dwellings.

Resident Hall stated how pleased she was to see the Planning Board try to get more townspeople involved.

Member Carlino moved to adjourn meeting; Member Forrest seconded. Planning Board voted (4-0) Chairperson Donovan declared the meeting adjourned at 7:31 pm.