

Minutes of the Town of Lee Planning Board
November 14, 2022
6:00pm Lee Town Hall/Hybrid

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, November 14, 2022, at 6:00pm.

Present: Buck Donovan (Chair), Peg Biron, Peter Bluhm, Matt Carlino (hybrid), David Forrest, and Conrad Decker (alternate).

Others Present: Kathy Hall, Matt Kollmer, Gordon Bailey, Nicola Gray, Kimberly Snyder, Pete D'Agostino, Sean Regnier, Dan Delaney, Chris Young, and Marc Digrigoli.

Call to Order

Chairperson Donovan called the meeting to order at 6:03 p.m. For the record he informed those in attendance that the meeting was being recorded.

Public Comment

Resident Hall thanked the Board for making the meeting available via zoom.

Discussion – Building Commissioner

Chairperson Donovan stated that sign permits will now be approved by the Building Commissioner. The Board requested he submit a report on issued permits monthly. Building Commissioner Kollmer stated he would submit reports on both approved and denied permits.

Member Bluhm asked the Commissioner if there were any issues regarding zoning that have come up.

Commissioner Kollmer stated that there are a few zones in town that are split that have caused issues.

Chairperson Donovan stated that the Board is currently working on a proposed bylaw amendment regarding split zoned lots.

Commissioner Kollmer stated he would like to see language in the bylaws regarding accessory dwelling units.

Public Hearing – 187 West Park Street

Chairperson Donovan opened the Public Hearing for Special Permit pre-existing nonconforming at 6:15p.m.

Resident Snyder stated their existing porch is falling apart and needs to be replaced. She stated they would like to replace the porch and extender further by 3.6 feet.

Chairperson Donovan stated that the porch was already nonconforming so the decision the Board would need to make is to allow it to be more nonconforming.

Member Carlino referred to bylaw 6.1 C (3).

Member Bluhm moved that the Board treat submission as an application of approval of a minor site plan; Member Forrest seconded. The Planning Board voted (5-0). (Biron – aye; Bluhm – aye; Forrest – aye; Carlino – aye; Donovan – aye)

Member Bluhm moved that the Board find that the application for Special Permit dated October 17, 2022, and the accompanying plan dated October 22, 2022, be found to be not more detrimental than the existing structure to the neighborhood provided that the doorway be moved to the driveway side of the structure; Member Carlino seconded. The Planning Board voted (5-0). (Biron – aye; Bluhm – aye; Forrest – aye; Carlino – aye; Donovan – aye)

Member Bluhm moved that the Board grant the Special Permit under 6.1 C (3) with the condition that the door be moved to the driveway side; Member Biron seconded. The Planning Board voted (5-0). (Biron – aye; Bluhm – aye; Forrest – aye; Carlino – aye; Donovan – aye)

Site Plan Amendment – 635 Laurel Street

Member Carlino recused.

Dan Delaney introduced himself representing Fuss & O'Neil. He stated that the amendment is to a change to the driveway. It is due to a result of filing with the Mass DOT for an access permit to allow access from the site onto Route 20. The amended plan consists of closing off the northerly curb cut and reducing the size of the southerly curb cut to a more standard size of 24 feet with flares on the left and right sides of the cut. It will limit the speed of vehicles entering the site and greatens the predictability of where people will be entering and exiting the site. There will be movable planters along the boundary line to remove the 6 parking spaces located in the Town of Lenox on the plan.

Member Bluhm stated concerns with limiting the curb cut to 24 feet and how it would make it safer to enter the site with the speed limit of 45 miles per hour on Laurel Street.

Representative Delaney described the curbs as mountable for safety reasons in case a vehicle was travelling too fast into the entrance.

Alternate Member Decker suggested landscaping the blocked off parking spaces in the northern lot.

Representative Delaney stated that once the project begins, they will proceed with Lenox to discuss use of the space.

Member Bluhm moved that the Board approve the modified site plan dated October 14, 2022, and recommend its approval to the Select Board; Member Forrest seconded.

Resident Bailey requested that the Board include in their motion whether it is a minor or major modification.

Member Bluhm amended his motion to add minor modification to plan; Member Forrest seconded. The Planning Board voted (4-1). (Biron – aye; Bluhm – aye; Forrest – aye; Decker – aye; Donovan – nay)

Discussion – 40 & 50 Fox Run

Contractor Marc Digrigoli shared a map pointing out the frontage on Fox Run for lots 2 & 3 (40 & 50 Fox Run). He stated the idea is to do a common driveway off Fairview Street to the 2 lots.

There will be no further curb cuts to Fairview Street. He also stated that if there is a curvature you are allowed a decrease in frontage by 20 percent.

Chairperson Donovan requested more information regarding the approved subdivision plan showing the actual frontage for both lots.

The Board decided to continue discussion to the next meeting once information requested provided and they receive a determination from the Building Commissioner.

Update – Master Plan Committee

Member Bluhm stated that the next meeting's theme is housing. The Committee received a document from Berkshire Housing Authority describing the need for housing in Berkshire County. The Committee will be discussing what part of the plan will include housing. The Committee will be hosting a public forum in the Lee High School auditorium on Saturday, December 17, 2022, at 11:00 a.m.

The Committee is also working on a town wide survey.

Approval of Minutes

Member Forrest moved to approve the minutes from September 26, 2022, with an amendment to add Member Carlino to attendance; Member Biron seconded. The Planning Board voted (5-0). (Biron – aye; Bluhm – aye; Forrest – aye; Carlino – aye; Donovan – aye)

Other Topics

Member Biron stated that the Community Preservation Act held their first meeting. The Act will focus on 4 accounts that each year at the town meeting use of the accounts will be voted on. Open space and recreation, housing, historical buildings/monuments, and a separate unnamed account. The Committee will meet on the second Monday of each month.

Member Bluhm moved to adjourn. Planning Board voted (5-0). (Carlino – aye; Bluhm – aye; Forrest – aye; Biron – aye; Donovan – aye)

Meeting adjourned. 8:33 p.m.

Respectfully Submitted,

Elizabeth Mead
Administrative Assistant