

**Lee Planning Board  
32 Main Street  
Lee, Massachusetts 01238, 2012**

**February 24, 2014**

**Present:** Chairman, David Durante, Buck Donovan, Harold Sherman and Shaun Hall  
Thomas Wickham arrived at 6:30 P.M.

This meeting was called to order at 6:15

**Lewis & Lisa McCulloch/Site Plan/Special Permit**

This was a continuation of a public hearing that was held on February 10<sup>th</sup>. Sherman disclosed that he was a direct abutter and therefore would not be participating in the hearing or the vote.

Mike Kulig, Berkshire Engineering, John Warner and Gregg Moska represented Lewis & Lisa McCulloch in a request for approval of a special permit to reconstruct and extend a one-family structure which will increase the non-conformity by further encroaching on the required yard requirements on an existing nonconforming lot. The house would encroach into the setback by 3 feet. The property is located at 485 Laurel Street in the RB zoning district.

Tom made a motion to waive strict site plan requirements and accept the site plan as presented. This motion was seconded by Buck and the final vote was 4-0. Sherman abstained.

The Board made the following findings under Section 6.1(B) 1 & 2

Such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

Such extended, altered or reconstructed structure or changed use shall not be in greater nonconformity with open space, yard and off-street parking requirements of this chapter

The Board agreed that it met the two findings because the change is so minor.

Tom made a motion to make the findings. This motion was seconded by Shaun and the final vote was 4-0. Sherman abstained.

The Board made the following findings under Section 13.4(D) 1-5 that the project:

Is in compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose

Is essential or desirable to the public convenience or welfare at the proposed location

## **Lee Planning Board – Minutes – February 24, 2014**

Will not be detrimental to adjacent uses or to the established or future character of the neighborhood

Will not create undue traffic congestion or unduly impair pedestrian safety

Will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare

The Board agreed that it met all the findings of this chapter because the proposal is a new structure.

Shaun made a motion to make the findings. This motion was seconded by Buck and the final vote was 4-0. Sherman abstained.

Tom made a motion to award the special permit. This motion was seconded by Buck and the final vote was 4-0. Sherman abstained.

### **Berkshire Harvest Rental Kitchen/Sign Permit**

Rodney Clark is applying for a sign permit for a 15 sq.ft. freestanding sign to be located at 189 Water Street.

Sherman made a motion to approve the sign permit as presented. This motion was seconded by Buck and was unanimously approved, 4-0.

### **Stephane & Molly Bea Ferioli/Form A**

Russell Sackett represented Stephane & Molly Bea Ferioli in a request for approval of a Form A. The property is located at 43 Sunshine Avenue. Parcel A on the plan contains 10,036 sq.ft. of land which is to be combined with land of the applicant. The title to Parcel B is to be confirmed to the applicant by Schweitzer-Mauduit International, Inc.

Sherman made a motion to endorse the Form A as presented. This motion was seconded by Buck and was unanimously approved, 4-0.

### **Other business**

Sherman made a motion to approve the minutes of January 27<sup>th</sup> as amended. This motion was seconded by Buck and the final vote was 4-0. Shaun abstained.

Sherman made a motion to approve the minutes of February 10<sup>th</sup> as written. This motion was seconded by Buck and the final vote was 3-0. David abstained. Shaun abstained.

## **Lee Planning Board – Minutes – February 24, 2014**

Craig Cody, Tower Resource Management is requesting approval of a modification to the site plan for American Tower's cell tower located at 335 Forest Street. The proposal is a

request to rotate the placement of a generator on the site by 90 degrees. Sherman made a motion that the modification is not substantial so therefore they are not required to amend the special permit. This motion was seconded by Buck and was unanimously approved, 3-0. David abstained.

The Board discussed the proposal from Berkshire Regional Planning to assist the Board in drafting a new Master Plan. The Board decided that they would like to review the existing Master Plan and suggested that a digitized copy be made available to them. David made a motion to have the existing Master Plan made into digital form. This motion was seconded by Buck and was unanimously approved, 4-0.

David made a motion that the board nominate Thomas Wickham to serve as the delegate to the Capital Outlay Committee. This motion was seconded by Buck and the final vote was 3-0. Sherman abstained.

There was a lengthy discussion regarding the current draft of the sign bylaw proposed amendments.

Sherman made a motion to adjourn this meeting at 8:30 P.M.

Respectfully submitted  
Jaimy Messana  
Land Use Administrative Assistant

CC: Board of Health  
Principal Assessor  
Board of Public Works  
Town Administrator  
Board of Selectmen

Town Clerk  
Historical Commission  
Conservation Commission  
Building Inspector  
Town Counsel