

TOWN OF LEE  
SELECT BOARD MEETING  
Tuesday December 6, 2022 @ 7:00PM  
Town Hall • 38 Main Street • Former Courtroom

Minutes

**Members Present:** Sean Regnier, Bob Jones, Gordon Bailey

**Members Absent:** None.

**Chairman Regnier called the meeting to order at 7:02PM. Mr. Bailey was not present at the beginning of the meeting.**

1. Minutes

Open Session Minutes of 11/15/2022

*Mr. Jones made a motion to accept the open session minutes of 11/15/2022 as submitted which Chairman Regnier seconded and it was unanimously approved, 2-0.*

Open Session Minutes of 11/29/2022

*Mr. Jones made a motion to accept the open session minutes of 11/29/2022 as submitted which Chairman Regnier seconded and it was unanimously approved, 2-0.*

**Mr. Bailey joined the meeting.**

2. Public Hearings

a. Approval of three (3) underground propane storage tanks – 229 Chanterwood Road

Fire Chief, Ryan Brown, stated that after reviewing 229 Chanterwood Road, he supports the request for a Flammable Liquid License.

Chairman Regnier opened the meeting up to the public. No one came forward.

*Mr. Jones made a motion to approve the license for three underground propane storage tanks at 229 Chanterwood Road, which Mr. Bailey seconded and was unanimously approved, 3-0.*

b. Alpamayo Restaurant, Inc. – Alteration of Premise

Javier Fernandez, the owner, was present to represent the business.

Mr. Fernandez began by stating customers have responded well to the temporary outdoor seating he has offered during Covid and he would like to continue to keep the seating permanently. He is requesting five tables and twelve seats outdoors on the sidewalk.

Mr. Bailey questioned if the Town needed to be listed under Mr. Fernandez's insurance if the tables will be on the town's sidewalk. Mr. Bailey stated he has no problem allowing this as long as there is adequate space on the walkway. The Board agreed that Atty Pollard would know the laws of outdoor seating. Mr. Bailey suggested they continue the hearing until they can speak with Atty Pollard and give Mr. Fernandez provisional approval to put out at least three tables until he can come back in two weeks.

Chairman Regnier opened the meeting up to the public. No one came forward.

*Mr. Bailey made a motion continue the hearing until December 20<sup>th</sup> and allow Alpamayo three outdoor tables with up to nine patrons until the next hearing which Mr. Jones seconded and was unanimously approved, 3-0.*

c. Continued from 11/15/2022- Special Permit Application – Canna Provisions

*Mr. Bailey made a motion to continue the Canna Provisions special permit application to the December 20, 2022 meeting at 7:15pm in the Courtroom and to at least get something in writing from the applicant on whether or not they will be moving forward, which Chairman Regnier seconded and was approved, 2-0. Mr. Jones abstained from the vote.*

3. Public Comment

Kathy Hall, Lee Youth Commission, stated that the Lee Youth Commission postponed the building of the ice-skating rink on Saturday December 3<sup>rd</sup> because of inclement weather but the volunteers are ready to try again this Saturday December 10<sup>th</sup> at 9:00am at the Lee Athletic Field.

Peg Biron, 42 Park Street, stated that she was at the Board of Health (BOH) November 19<sup>th</sup> Adjudicatory Hearing and she wanted to commend the BOH for trying to find answers. She stated that they did a great job, she thinks the Town is very fortunate to have the BOH and she was very impressed with all of the members.

4. General Business

a. BBA-Housing Rehabilitation Services for Lee Residents

Alice Boyd (Founder of Bailey Boyd Associates), Cassie Boyd Marsh (President of Bailey Boyd Associates), and Dawn Lemon (Housing Rehab Program Manager) were present.

Ms. Boyd began by stating that Bailey Boyd Associates (BBA) has been doing housing rehabilitation for over thirty years and they are recently in Berkshire County. Ms. Boyd stated that Smitty Pignatelli had come to them asking them to expand the program to Berkshire County residents, including Lee. Ms. Boyd stated that there is no cost to the town to join this program. She stated that BBA secures community development block grant funds, and all the town has to do is sign to say they'll participate as a community in the grant. Ms. Boyd stated that BBA rehabs homes for low income, frequently elderly, people who can't afford to make repairs on their home. She stated they provide a 0% interest deferred payment forgivable loan they don't want to see anyone ever pay back. Ms. Boyd stated that BBA can apply for up to \$1.5 million with the next grant to split with one other town. This would give each family they help up to \$50,000 for repairs. This money will help with code violations but also handicap accessibility, leaking roofs, emergency furnaces, and septic systems.

Ms. Boyd Marsh stated this is a wonderful program. She stated if the homeowner sells the home within 15 years, the homeowner will have to payback a portion of the loan, and those funds get recycled back into the program. Ms. Boyd Marsh stated that BBA has received lots of inquiries from Lee residents and they'd like to expand the services.

Ms. Boyd stated she would ask the Board to vote tonight to participate in the FY22/23 CDBG grant, then they would just be sending the Board a form for the Chair to sign. Ms. Boyd Marsh stated these grants are due early March, and they probably will not hear about the success of the program until mid-summer, and start the program in Lee until late fall of next year.

Ms. Boyd stated that there is income eligibility. She stated that a 2-person household would be \$60,250 and a 4-person household would be \$75,300.

Ms. Lemon stated that she currently works with five local licensed contractors who are part of the program. The contractors bid on each project and they take the lowest, most qualified bid. Ms. Lemon stated that she works with the conservation and building departments to keep them posted on each project.

*Mr. Bailey made a motion to accept the Housing Rehabilitation Services for Lee residents and allow the Chair to sign the paperwork which Mr. Jones seconded and was unanimously approved, 3-0.*



b. ARPA - \$2,000 Bike Bath (Additional Title Work)

*Mr. Jones made a motion to approve the \$2,000 for additional title work for the bike path which Mr. Bailey seconded and was unanimously approved, 3-0.*

c. Sweetgrass Special Permit Administrative Amendment

Chairman Regnier stated the Board already acted on the administrative amendment and this is just a follow-up. He added that the new plan has all that the Board requested be updated.

*Mr. Bailey made a motion to accept the site plan modification SP-01 last revised on 12/05/2022 as part of Sweetgrass' special permit and place it on record which Chairman Regnier seconded and was approved, 2-0. Mr. Jones abstained from the vote.*

d. Berkshire Gas Permit – 840 East Street

*Mr. Bailey made a motion to sign off on the Berkshire Gas Permit for 840 East Street which Mr. Jones seconded and was unanimously approved, 3-0.*

5. Any topic the Chairman could not reasonably anticipate.

Mr. Jones stated that he has a 2:00pm meeting tomorrow with Melissa Provencher of the Berkshire Regional Planning Commission and he should have a much better overview of RoR and he will report back to the Board.

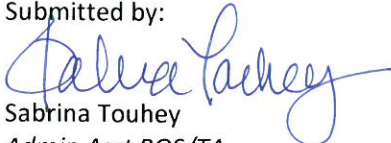
Mr. Bailey stated he has people asking him what is going on at the Eagle Mill. The grant money was received, they were supposed to begin in October, and nothing has happened. Mr. Bailey is confused why Berkshire Housing has not moved forward and stated that the people in town are anxious to get the eye-sores down. He stated he feels like he can't trust what anyone says anymore. Chairman Regnier stated he feels a similar way and Eileen Peltier, the CEO of Berkshire Housing, came to the Master Plan Committee meeting and stated then that they are still excited to go ahead with the project and are planning to in the spring. Mr. Bailey stated he would like to be better informed by Berkshire Housing. Chairman Regnier stated he would speak with Admin Chris Brittain and have him reach out to Ms. Peltier and have her attend the next Select Board meeting for an update.

Chairman Regnier stated they had a Master Plan Committee meeting last night and Lenny Tisdale, the DPW Superintendent, brought up the idea of the Select Board taking on the "complete streets" state program which would give a priority list of streets that need to eventually be refinished and would make them "complete streets". This would open up the town to a lot more grant money and would improve the town's infrastructure over time. The Board agreed they would like to learn more about the program.

**The next Select Board meeting is scheduled for December 20, 2022.**

**Mr. Jones made a motion to adjourn at 7:50pm which Mr. Bailey seconded and was unanimously approved, 3-0.**

Submitted by:



Sabrina Touhey  
Admin Asst BOS/TA

**Approved on 12/20/2022**