

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – November 5, 2019

Present: Thomas Wickham, Chairman, Patty Carlino and David Consolati, Chairman, Board of Selectmen and Christopher Ketchen, Chief Administrative Officer (CAO).

Thomas Wickham called the meeting to order at 7:00 PM.

1. **Approval of Minutes:** Upon a motion duly made and seconded, the Board members voted unanimously to approve the Open Session Minutes of September 23, 2019.
2. **Public Hearings:**
 - a. Columbia Growth, Inc. - Special Permit for establishment and operation of a Marijuana Cultivation Facility under (9.11 [B] [6] and a Marijuana Product Manufacturer (9.11 [B] [7]) from the Town of Lee Zoning Bylaws to locate a Marijuana Establishment for the cultivation and manufacturing of cannabis. The cannabis will be sold to licensed marijuana establishments in Massachusetts. The property affected is located at 157 Columbia Street in the Industrial Zoning District (Assessor's Map 13, Lot 1). - Mr. McMann came before the Board to explain that they were not ready for their hearing quite yet. Their Site Plan review will be held on Monday, November 18th and they should be ready after that. Upon a motion duly made and seconded the Board members voted unanimously to continue the hearing until our Tuesday, November 19th meeting.
 - b. N-Star Electric Company, d/b/a Eversource - Permission to install four (4) solely across Woodland Road - *Upon a motion duly made and seconded, the Board members voted unanimously to grant permission to N-Star Electric Co. d/b/a Eversource to install four solely owned poles to the same side of the street as the substation to avoid multiple excavations across Woodland Road in order to upgrade the substation on said Woodland Road by adding four additional poles with the new equipment to going underground.*
3. **General Business:**
 - a) Canna Provisions - Discussion/Permission - Retail store open until 10:00 PM. - Meg Saunders came before the Board to request permission for their retail cannabis shop to remain open until 10:00 PM to allow them to be more competitive. Their last customer would be served at 9:45 PM. After a brief discussion and *upon a motion duly made and seconded, the Board members voted unanimously to allow Canna Provisions, Inc., to stay open until 10:00 PM.*
 - b) Green Theory Cultivation - The participants in Green Theory Cultivation cancelled their spot on the agenda as they were not prepared to go before the Board.
 - c) Forest Wilde, LLC - Pete Dagostino came before the Board and informed them that they are working through securing the property located at 635 Laurel Street (Cork & Hearth) by the close of business tomorrow (11/6/19). The property affords them easy in and out access. They are in the process of completing the application and setting up a Community Outreach Meeting. Board

member David Consolati stated that the Board would not be signing any Host Community Agreements (HCA's) at this time and Mr. Dagostino commented that intend to move forward regardless.

d) Berkshire Gas Permits - *Upon a motion duly made and seconded, the Board members voted unanimously to grant the following Berkshire Gas Permits:*

179 Main Street	-	replace existing gas service
Fuller St. (near #49)	-	gas repair
Fuller St. (near #30)	-	gas repair
50 Margerie Street	-	install new gas service

e) Hawker & Peddler License - Loretta Tenuta (Soma Catering) came before the Board with the application for a Hawker & Peddler License for their food truck which they intend to park near Moe's Tavern. They hope to be there next Friday from 3:00 - 9:00 and again between now and New Year's. They will use Moe's Tavern's power and facilities and hope to do this twice a month for the next 2 months. The Board listened and commented that they should not block any public way. *Upon a motion duly made and seconded, the Board members voted unanimously to approve the Hawker & Peddler License to Loretta Tenuta d/b/a Soma Catering starting today for 120 days.*

f) Temporary Sign Permits - *Upon a motion duly made and seconded, the Board members voted unanimously to grant the five (5) following temporary sign permits for the St. Mary's School Bazaar:*

*Corner of Main and West Center Gas Station Side
Corner of Housatonic St. & Orchard St.
Sign on Stake at top of St. Mary's School Driveway
On ground in front of Church secured to railing
Carr Hardware - secured to ground with wooden stakes*

g. Selectmen Appointment (Board of Health) - *Upon a motion duly made and seconded and upon the recommendation of James Wilusz, Director, the Board members voted unanimously to appoint Joanne Sullivan to the Board of Health for a 2-year term.*

h. Historical Commission - Preservation Act - Susan Stone, President and Bill Matthews, Secretary, came before the Board to talk about the Preservation Act and what it would afford the Lee Community. After a discussion about same, the Board explained that it would have to go on the 2020 ballot for Town Meeting. They will need to get it on the warrant, educate the public and have information meetings. The Board suggested they get in touch with Town Clerk, Brandi Page to find out the process.

i. DPW - Fall 2019 Hydrant Flushing Schedule - The Board read the hydrant flushing schedule for 2019 and if anyone has any questions regarding the flushing, they can contact the Department of Public Works.

4. Pending Business:

a. Zoning Board of Appeals - public hearing on Application of Carr Hardware for a variance from Section 199 Section 7.5(A)(B) and Section 718(D) 2 of the Town of Lee Zoning Bylaws - Hearing continued to November 20, 2019 at 7:00 PM in the Planning Board Office.

b. Zoning Board of Appeals - Appeal of the Decision of the Building Inspector by Harold Sherman. Public hearing on Wednesday, November 20, 2019 at 7:15 PM in the Planning Board Office.

5. Chief Administrative Officer:

a. Contract Settlement with DPW Union (Teamsters Local 404) - CAO, Christopher Ketchen announced that they have reached an agreement with the DPW Teamsters Union 404 for the 2020 contract. This is a three (3) year agreement with wage increases in 2020, 2021 and 2022 and includes a DOT physical, a boot allowance and the doctor's note after 3 days sick. It provides for the allowance of the highway Superintendent to perform work. The agreement is consistent with other settlements. *Upon a motion duly made and seconded, Board members voted unanimously to approve the DPW contract with Teamsters Local 404 as written.*

b. CAO, Christopher Ketchen announced that the Revenue and Expenses reports for the period ended October 31, 2019 are on the Selectmen's Table for their review.

6. Public Comments: Patty Carlino announced that the Town of Lee Winter Parking Bank will be in effect from November 1st through April 1st from 1:00 AM - 7:00 AM.

7. Next Regular Meeting: Our next regular meeting is scheduled for November 19, 2019 at 7:00 PM.

8. Motion to Adjourn: *By a motion duly made and seconded, the Board members voted unanimously to adjourn the meeting at 8:00 PM.*

Respectfully submitted,



Cindy L. Bigelow,
Administrative Assistant

Notice of Website Posting Sent to:

Board of Selectmen
Town Administrator
Town Clerk
Town Collector
Planning Board

Board of Assessors
Board of Health
Conservation Commission
Police Chief
Building Inspector

Dept. of Public Works
Town Treasurer
Town Reps. District Chair
Superintendent of Schools
Town Accountant