

APPROVED ON 1/21/20

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – January 7, 2020

Present: Patricia D. Carlino, Chair, David Consolati and Thomas P. Wickham, Board of Selectmen and Christopher Ketchen, Chief Administrative Officer (CAO).

Patty Carlino 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 December 3, 2019 and December 17, 2019.*
2. **Public Hearings:** 1) Green Theory Cultivation – Special Permit under section 199-9.11 (Marijuana Establishments) S3ction 13.3 (Sit Plan) an 13.4 (special Permit) from the Town of Lee Zoning Bylaws for the construction of a Marijuana Cultivation and Marijuana Product Manufacturer facility, to be located at 845 Pleasant Street located in the OPLI (Office Park Light Industrial) Zoning District (Assessors' Map 80, Lot 84). *Upon a motion duly made and seconded, the Board members voted unanimously to continue the hearing until the Selectmen Meeting dated Tuesday, February 4, 2019 at 7:00 PM.*
3. **General Business:** a) Erik Williams – Canna Provisions – Update – As it has been six (6) months since the opening of Canna Provisions, Operational Manager, Erik Williams came before the Board to update them on the progress of their store located at 220 Housatonic St., Lee. He offered that they are doing great with no major snags and have reached 1 ½ times the stabilized projections. Because of more turnover, they have hired 60+ employees and have leased 2 floors across the street and they will hire 30 more employees. Because of the streamlining of their service they have not had to keep the detail officers for traffic control and their communications with the police department have been fantastic. They have immersed themselves into the community; they own a home here, have volunteered to help with cleanup, made donations, have sponsored the Farmer's Market, volunteered for Founder's Day and have become members of the Chamber of Commerce. They promote other businesses in town and say they owe a lot of their success to an incredible team, with great employees. Because they do an abundance of pre-orders people are in and out in less than four minutes. Pre-orders are 50% of their business. Erik stated that security and safety is a great concern and they have a good relationship with the police and fire department. They haven't really had any major issues. The only issues were one

counterfeit bill which turned out not to be counterfeit; just a very old bill and they have had one citizen in need that was picked up on the property. They are planning on more promotions.

Chairman, Wickham asked how things were going with the Quarry Hill project. Erik stated that things have been delayed. Once the weather is better, they will do land clearing. They expect to be fully operational and have plants in the ground by June. They also expect to be done with construction by then. They have begun hiring core staff and as this is a perpetual harvest, they will launch the business in stages. They expect to hire about 40 employees with 16 – 18 on site. The Board thanked Erik for the update.

b. Host Community Agreement (HCA) – Columbia Growth, Inc. - Mr. Richard Evans, Counsel for Columbia Growth came before the Board and informed them that Columbia Growth, Inc., is willing and ready to sign the standard HCA with the Town. After a brief discussion and *upon a motion duly made and seconded, the Board members voted unanimously to execute the Host Community for Columbia Growth, Inc.*

c. One Day Beer & Wine License - *Upon a motion duly made and seconded, the Board members voted unanimously to grant a One Day Beer & Wine license to the Lee Sportsmen's Club for their annual fundraiser on Sunday, January 26, 2020 from 3:00 PM until 10:00 PM.*

d. Selectmen Appointment(s): *Upon a motion duly made and seconded, the Board members voted unanimously to appoint Stephen D. Wellington to the Zoning Board of Appeals.*

e. Berkshire Gas Permits: *Upon a motion duly made and seconded, the Board members voted unanimously to grant a permit to Berkshire Gas for property located at Fuller St. (near #17) for a gas repair. Upon second motion duly made and seconded, the Board members voted unanimously to grant permits to Berkshire Gas for the following properties (all to retire gas service for demolition of buildings): 105 Canal St., 51 W. Center St., 63-65 W. Center St., 67 W. Center St., 57 W. Center St., 49 W. Center St., 43 W. Center St., 39 W. Center St.*

f. Discussion: Potential Special Town Meeting – Topics/Articles - Christopher Ketchen spoke about the need to improve Main Street. The paving of Main Street is currently out to bid. The consensus is to keep the character of downtown. This will be a full repair including, but not limited to water line and drainage work. We hope to go to the town with bids in hand. DPW Superintendent, Alan Zerbato, came before the Board and informed them that they had the sewer system evaluated and there are no issues. There is a 12-inch line which delivers adequate water supply. Steve Mack from Foresight spoke about how we would run the new line parallel with the existing line which would only be a minor disruption for a couple of hours. We would re-route traffic and shut down one lane of traffic. David Consolati suggested that they notify Berkshire Gas to notify any residents or businesses on that line, that now would be the time to convert to gas if they wish to do so; otherwise, it will be a long time before we would entertain any permits that would cut into brand new paving on Main Street. We will have a moratorium on cutting into the road and will enforce the moratorium. The bids will be opened on Jan. 24 and the project will be contingent upon approval at town meeting. Chairman Wickham mentioned that the Benchmark people were around again so perhaps we could stub off into the parking lot. Board of Public Works member, Bob Bartini, asked if we could use capacity fees

for funding and Christopher Ketchen responded that we can certainly look into it. David is concerned about doing the water line at the same time as the paving, because he is concerned that it may mess with the businesses. He doesn't want all the businesses to suffer at the same time while the work is being done. All in all, we want to do a lot of work to beautify Main Street.

4. Pending Business:

- a. A public hearing will take place in the Planning Board office on the second floor, 32 Main Street, Lee, MA on Wednesday, January 8, 2020 at 7:00 PM, on the application of Carr Hardware for a variance for replacing the existing sign with a smaller sign but one larger than allowed by bylaw regulations.
- b. A public hearing will take place in the Lee Planning Board office at the Lee Town Hall, 32 Main Street, Lee, MA on Wednesday, January 8, 2020 at 7:15 PM, on an appeal of the decision of the Building Inspector dated October 19, 2019 to Harold Sherman, for property located at 505 Laurel Street.
- c. A public hearing on Monday, January 13 2020 at 6:00 PM regarding amendments to the Lee Zoning Bylaws Section 199-6.1 Nonconforming Used, 199-7.5 Nonconforming Signs, 199-13.3 Site Plan Review, 199.13.4 Special Permits. The additions to the Lee Zoning Bylaws Sections, 199-4.2 Parking Lots and Parking Structures and to the Table of Dimensional Requirements under Multiple Dwellings permitted uses under CBC (Commercial Business Corridor)

5. Chief Administrative Officer:

- a. The FY 2019 Revenue and Expense Reports for the period ended December 31, 2019 are available on the Selectmen's Table for their review.
- b. Appointment: Edwin Hernandez – Full-time Police Officer – *Upon a motion duly made and seconded, the Board members voted unanimously appoint Edwin Hernandez as a full-time police officer at the recommendation of Police Chief, Jeffrey Roosa.*
- c. Appointment: Sergeants-Officer Stephanie Burdick & Officer Richard Roy – *Upon a motion duly made and seconded, the Board members voted unanimously to appoint and promote Stephanie Burdick & Officer Richard Roy as Sergeants at the recommendation of Police Chief, Jeffrey Roosa.*

6. Public Comments:

Patty Carlino, on behalf of the Board and the Town of Lee, extended a huge "Welcome Home" to Khali Zabian!

7. Next Regular Meeting: Our next regular meeting is scheduled for January 21, 2010 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 8:05 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 Chairmen
Superintendent of Schools
Town Accountant