**Minutes of the Town of Lee Planning Board**

**March 25h, 2024**

**6:00 pm Lee Town Hall Courtroom**

**Present:** Buck Donovan (Chairperson), Conrad Decker, Peg Biron, Peter Bluhm, Daniel Blaisdell (alternate).

Select Board Member Gordon Bailey, Resident Kathy Hall, Building Commissioner Matt Kollmer and Keith Bell were also present.

**Absent:** David Forrest

**Call to Order**: Chairperson Donovan called the meeting to order at 6:01pm. B. Donovan made D. Blaisdell a voting member for tonight.

**Public Comment:** Resident Hall announced that she, along with the DPW Superintendent Lenny Tisdale, went out and examined the tennis courts as it is spring. She said that they are in “terrible disrepair”, and is working with L. Tisdale to find ways to repair them.

**Minutes:** P. Biron moved to accept the minutes from 3/11/24 as presented. P. Bluhm seconded. Motion passed unanimously (5-0).

**Form A – Stockbridge Road:** Foresight Land Services were present to present the Form A for the property at 300 Stockbridge Road. This what was voted on at the last Special Town Meeting in December, where a parcel of property including a barn will be conveyed to Jeffery Leprevost. The town will lose no frontage.

P. Bluhm moved to endorse the motion of the Form A for 300 Stockbridge Road, prepared by Foresight Land Services, dated March 4th, 2024. P. Biron seconded. Motion passed unanimously (5-0).

**CPA Update**: P. Biron gave an update regarding the CPA committee. In their last meeting, the board approved all of the items.

P. Bluhm asked about the $50,000 for construct.

P. Bluhm asked about the bike path construction.

C. Decker asked about the funding reserve.

Selectboard Member Bailey answered the questions regarding the bike path’s construction, and why design is so expensive.

**Marijuana Bylaw Public Hearing:** B. Donovan opened the Marijuana Bylaw Public Hearing at 6:21pm.

P. Bluhm read his suggested changes. SBM Bailey’s changes were also incorporated in several locations.

There was a question regarding a definitive number of licenses instead of the current wording, which SBM Bailey explained that it is a fluent number which can change per year depending on the number of liquor licenses, which is why the current bylaw is 20%. P. Bluhm removed his suggestion of getting rid of the 20% and inserting a number instead.

SBM Bailey also mentioned that the current bylaws already list that the enforcement agent is the town’s zoning enforcement official (ZEO), which is the building official. The board asked the ZEO/Building Commissioner, Matt Kollmer, for his input on the suggestions. M. Kollmer said that he likes bylaws that are clear and concise, which makes them very enforceable. Keeping common definitions throughout the entirety of the bylaws helps, as well. Appeals also get a stay automatically.

P. Bluhm said that he wants to “up [Lee’s] enforcement”.

P. Bluhm attempted to clarify the ‘toxic and noxious’ wording throughout the bylaws. He suggested to add another definition, which would say that the Marijuana Establishment (ME) would be releasing odors entering with a “quiet enjoyment”, or something along that level which would cause an act of zoning enforcement on behalf of a resident by the town. SBM Bailey said that the selectboard can sue for nuisance, however there would need to be more than just 1 property which reported the ME to the town. SBM Bailey also said that the 102 ME facility is not the only ME in town which has had an odor problem.

P. Bluhm asked a clarifying question regarding enforcement, and M. Kollmer explained the process of writing a violation.

There was a brief discussion between the board and SBM Bailey about ‘handcuffing numbers’ within the bylaws to allow for flexibility.

P. Bluhm moved that the board refers favorably to the bylaws as printed with the following changes;

* Page 3, subdivision D, make no changes and retain the original
* Old D3, now D4 should be retained
* Reject any change to E9 and leave it as is in the bylaw

C. Decker seconded. Motion passed unanimously (5-0).

**Continued – 50 West Center St:** Keith Bell presented the minor site plan for 50 West Center Street.

P. Bluhm asked about the landscaping plans, and K. Bell said that he did not have it currently but could get it.

C. Decker had numerous questions and requirements that were not present in the minor site plan, including the landscaping plans, parking plans, dumpster site, sign locations, and a lighting plan.

B. Donovan asked about the cue around the building. K. Bell explained that there will not be a true cue, as even 2 cars are an anomaly.

Minor site plan requirements were reiterated to the applicant by the board. K. Bell will be back when minor site plans are completed.

**Discussion – Split Zones:** There was brief discussion regarding the setbacks for split zones. There will be a public hearing the third week of April.

**Master Plan Update:** P. Bluhm gave updates. There are copies available at the town hall as well as the library. The public forum will be on April 6th at LMHS at 1:00pm. The meeting should last two or less hours.

**Adjourn:** P. Biron made a motion to adjourn at 7:51. P. Bluhm seconded. Motion passed unanimously (5-0).