

Minutes of the Town of Lee Planning Board
December 13, 2021
6:00pm Via Zoom

A regular meeting of the Lee Planning board was held virtually in accordance with Governor Baker's Order suspending certain provisions of the Open Meeting Law (MGL Chapter 30A, Section 20) on Monday, December 13, 2021 at 6:00pm on Zoom.

Present: Buck Donovan (Chair), Peter Bluhm, Peg Biron, Matt Carlino, David Forrest and Gordon Bailey (alternate).

Others Present: Kathy Hall, Janice Leprevost, Tim Leprevost, Rich Aldrich, Janet Warner and Sean Regnier.

Call to Order

Chairperson Donovan called the meeting to order at 6:00 p.m. For the record he informed those in attendance that the meeting was being recorded.

Public Hearing (cont.) – Zoning Bylaws

Chairperson Donovan reopened public hearing on the zoning bylaw amendments. Chairperson Donovan confirmed that the Board has not heard from Code 360 yet.

Member Bluhm suggested that the Board cut the 360 Code loose and go forward with the rest of the bylaw changes.

Member Carlino stated the reason there is a delay in receiving is because the Board asked them to prepare it for town meeting.

Chairperson Donovan asked the Board to continue the Hearing until the next meeting.

Member Carlino stated that by continuing every meeting it gives the public the opportunity to come in and ask questions about the bylaws.

Member Biron moved to continue the Public Hearing to December 27, 2021 at 6:00 pm; Member Carlino seconded. Planning Board voted (5-0). (Biron – aye; Carlino – aye; Forrest – aye; Bluhm – aye; Donovan – aye).

Discussion of Zoning – 50 & 58 West Center Street

Chairperson Donovan introduced Tim and Janice Leprevost, owners of the properties.

Resident Leprevost stated the properties are on the market and they had a potential buyer but they found it to be very difficult to get a variance to have a drive thru at the location. The property is not zoned for a drive thru.

Resident Aldrich, Stonehouse Properties, introduced himself to the Board representing the Leprevosts and stated he has an investor client interested in buying the two properties to develop for potential financial service institution.

Member Carlino stated the property is in DCBC zone which does not allow a drive thru.

Alternate Member Bailey suggested the clients speak with a municipal attorney.

Alternate Member Bailey stated the case could be a zoning change or a special permit by re-establishing a pre-existing use.

Member Carlino stated the Board is going to town meeting with bylaw changes and suggested adding a zone change of dropping the drive thru part to the list.

Alternate Member Bailey stated at the time the bylaw was created the members of the Board had a different vision of downtown. He also stated the Master Plan needs to be updated.

Alternate Member Bailey referenced section 6.1 (b) in bylaw and stated you can re-establish something that is gone but only if it is non-conforming by special permit to the Planning Board.

Member Bluhm read section 6.1 (e) titled abandonment. "Any non-conforming use, which has been abandoned or not used for two years or more, shall not be reestablished, except by special permit from the Planning Board. Otherwise, any future use of such premises shall conform to the provisions of this chapter."

Discussion – Master Plan

Member Carlino stated he attended the Selectboard meeting and the process is in delay mode due to one of the Selectmen wanting to get prices from companies other than Berkshire Regional Planning before moving forward.

Selectman Regnier stated the Board tabled the topic until the next meeting to see if they could get pricing from other private consulting planners.

Member Bluhm stated the importance of keeping a master plan up to date and that Lee's master plan has not been guiding the Board's decisions nearly enough in recent years.

Resident Hall stated the open space and recreational plan should go hand in hand with the master plan. Resident Hall also suggested that the master plan be put on the Town of Lee's webpage so residents could review it.

Sign Permit – 76 West Park Street, NBT Bank

Chairperson Donovan shared the pictures that were sent in to permit eyes. A freestanding sign, main entrance sign and one on rear of building. Zone is DCBC.

Member Bluhm moved to endorse the sign permit for 76 West Park Street; Member Carlino seconded. Planning Board voted (5-0). (Biron – aye; Forrest – aye; Bluhm – aye; Carlino – aye; Donovan – aye).

Approval of Minutes – November 8, 2021

Member Bluhm requested to remove the words "and quote" from first line in approval of minutes section.

Member Carlino moved to approve the minutes of November 8, 2021; Member Biron seconded. Planning Board voted (5-0). (Biron – aye; Forrest – aye; Bluhm – aye; Carlino – aye; Donovan – aye).

Approval of Minutes – November 22, 2021

Member Bluhm moved to approve the minutes of November 22, 2021; Member Carlino seconded. Planning Board voted (5-0). (Biron – aye; Forrest – aye; Bluhm – aye; Carlino – aye; Donovan – aye).

Any Other Topics

Chairperson Donovan stated Member Bluhm circulated a document regarding illumination standards to the Board for discussion.

Member Bluhm concerned with certain gas station signs being discordant with the overall tenor of the town and trying to preserve the historical character. The illumination being more appropriate for a city.

Member Biron stated the lighting may be important for safety reasons.

Member Forrest discussed light levels under canopies. He stated it's something that the Board can not change what exists but from here on out, have a say on just how bright they really are.

Member Carlino stated his biggest concern was not that they are too bright but that it is not affecting any abutters.

Member Bluhm stated he has been working on a couple other bylaw topics including freedom of speech signs and enforcement that he would like to discuss with the Board in the future.

Member Carlino stated he would like to have a discussion regarding airbnb bylaws and accessory dwellings.

Brief discussion occurred regarding what other towns have in their bylaws and options the Board should consider.

Member Bluhm moved to adjourn meeting; Member Carlino seconded. Planning Board voted (5-0) Chairperson Donovan declared the meeting adjourned at 7:40 pm.