

**Lee Planning Board
32 Main Street
Lee, Massachusetts 01238, 2012**

September 9, 2013

Present: Chairman, David Durante, Thomas Wickham, Shaun Hall, Buck Donovan, and Harold Sherman

This meeting was called to order at 6:15

Town of Lee/Site Plan Review/Special Permit

Dennis Daru, Broadway Electric Co., Inc., represented Town of Lee in a request for approval for a proposed project for the installation of a solar energy system at the Wastewater Treatment Facility. The property is located at 385 Pleasant Street. The solar energy system will be surrounded by a 6 foot chain link fence for security purposes.

Several abutters present at the meeting were concerned with the visibility of the project from their property and also whether the project might depreciate the value of their property.

The Board suggested that they could plant a double row of staggered 6 to 8 foot arborvitaes 5 feet apart along the fence line on the west side of the property along with several birch trees on the property to be relocated to this area. The Board requested that the applicant submits a landscaping plan to them.

Tom made a motion to waive strict site plan requirements and accept the site plan as presented. This motion was seconded by Shaun and was unanimously approved, 5-0.

Tom made a motion to make the following findings under Section 6.1(B) 1 & 2:

That such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

That such extended, altered or reconstructed structure or changed use shall not be in greater nonconformity with open space, yard and off-street parking requirements of this chapter.

The motion was seconded by Shaun and was unanimously approved, 5-0.

Tom made a motion to make the following findings under Section 13.4 (D):

The project is in compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose.

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The project is essential or desirable to the public convenience or welfare at the proposed location.

The project will not be detrimental to adjacent uses or to the established or future character of the neighborhood.

The project will not create undue traffic congestion or unduly impair pedestrian safety.

The project will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare.

This motion was seconded by Shaun and was unanimously approved, 5-0.

Tom made a motion to award the special permit as requested with one condition that there will be plantings between the project and Rte 102 which will consist of arborvitaes 6 to 8 feet in height in a double row 5 feet apart staggered for the full length of the fence line.

This motion was seconded by Sherman and was unanimously approved, 5-0.

Black Swan Inn

Jolly, LLC is applying for a sign permit for a 24 sq.ft. freestanding sign to be located at 435 Laurel Street. This is an existing sign that has been repainted with a new logo/name.

Tom made a motion to deny the sign permit as presented because it exceeds the square footage allowed. This motion was seconded by Shaun and the final vote was 5-0 to deny the sign permit as presented.

Osh Gosh/Sign Permits

Brian Cadran, Repro Systems Inc., is applying for two sign permits for two building signs to be located at 220 Premium Outlets Blvd. They are applying for a 30 sq.ft. building sign and a 20 sq.ft. rear building sign.

Tom made a motion to endorse the two sign permits as presented. This motion was seconded by Shaun and was unanimously approved, 5-0.

Jeff Cohen/Eagle Mill

Jeff Cohen presented the Board with a proposal for the redevelopment of the former Eagle Mill. The proposed project would include the following uses; retail, offices, housing, restaurant, recreational, and a community center. Mr. Cohen stated that they are also proposing under ground parking on the site. Mr. Cohen stated that the next step will

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be renderings of what the buildings will look like this will include elevations and floor plans. Mr. Cohen stated that the proposed project is subject to historic tax credits.

F. L. Roberts/320 Housatonic Street

Steven Roberts is requesting approval to operate his convenience store 24 hours. The property is located at 320 Housatonic Street in the CBC zoning district. The project was originally before the Planning Board for a site plan review which was approved on July 8, 2013. The consensus of the Board was that they didn't have a problem with the convenience store being opened 24 hours.

Covenant Release/Moose Drive

Attorney Don Hunter requested a covenant release for the subdivision Moose Drive. The developer would need to release the covenant before any of the lots in the subdivision could be sold. The Board indicated that they would need a letter from the engineer certifying that the subdivision has been built according to subdivision standards and the conditions of the approval of the definitive plan.

Other business

Tom made a motion to adjourn this meeting at 8:30 P.M.

Respectfully submitted,

Jaimy Messana
Land Use Administrative Assistant

CC: Board of Health
Principal Assessor
Board of Public Works
Town Administrator
Board of Selectmen

Town Clerk
Historical Commission
Conservation Commission
Building Inspector
Town Counsel