

APPROVED ON 5/5/15

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – April 21, 2015

Present: David Consolati, Chairman, Patricia Carlino and Thomas Wickham, Board of Selectmen and Robert Nason, Town Administrator.

Chairman, David Consolati, called the meeting to order at 7:00 PM .

1. **Approval of Minutes:** *The Board members voted unanimously to approve the Public Minutes of April 7, 2015 and April 15, 2015.*
2. **Public Hearings:** Daniel Dus – Special Permit Hearing – Amendment to Special Permit – 850 Summer Street - Attorney Anthony Gianacopoulos standing in for Attorney Ann Deely, came before the Board to represent Mr. Daniel Dus' application for an amendment to a special permit for the conversion of the assembly hall to a single family dwelling. On April 13th, the Planning Board voted to reject the site plan as they thought the site plan submission to be inadequate, recommending a complete site plan submission for the project. Tom Wickham conveyed that two of three members thought there was not enough information. Attorney Gianacopoulos stated that there would be no change to the footprint, no expansion of water usage or other utilities and that there is sufficient parking. He also commented that, if approved, the conversion would generate tax revenue and there would be substantially less traffic to a single family dwelling from an assembly hall. *The Board members, stating no conflict and by roll call as follows, voted unanimously to grant to Daniel Dus, the Special Permit changing the use of property at 850 Summer Street, Lee, from a former assembly hall to a single family dwelling: David Consolati – aye / Patricia Carlino – aye / Thomas Wickham – aye.*

Silverleaf Berkshires, Inc. – Mr. Robert Fornier, Director of Civil Engineering, SK Design Group came before the Board on behalf of Silverleaf Berkshires, with an application for an amendment to the Special Permit recorded with the Town Clerk on August 13, 2004. The request pertains to a modification of the approved Site Plan whereby additional parking spaces are now proposed in the vicinity of the Registration Building (west side of Meadow Street). The proposed parking spaces will replace the previously approved cul-de-sac in this area. The application would like to construct 30 additional parking spaces for guests primarily for check-in purposes. The current 13
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spots for check-in are not adequate during peak periods. The original plan for this area called for a cul-de-sac which was never constructed. The cul-de-sac would have provided only 6 additional spaces. The applicant wishes to abolish the cul-de-sac and construct additional parking. The existing entrance driveway would be re-located 100 feet to the west at an abandoned driveway. Additional drainage will be installed to capture runoff before it enters Meadow Street. He concurred that the proposed change will improve the traffic circulation and reduces the number of pedestrian crossings at Meadow Street. They are not increasing the number of units which would increase traffic and this would not impede the pedestrian traffic. Tom Wickham asked if they would be adding landscaping. Mr. Fornier responded that they would; and most likely it would be lower hedges. Abutters, Alice Collins and Cornelia Kalischer came before the Board with their concerns regarding the removal of trees. Ms. Kalischer asked the Board to look at the original plans that, as she recalled, contained more landscaping and a waterfall. Mr. Fornier responded that they will save as many trees as possible. Patty Carlino stated that she had no opposition to the plan, but trees needed to be replaced, to make the area look softer. *The Board members voted unanimously to continue the hearing, without a finding, until the next Selectmen Meeting on May 5th, at 7:30, allowing Mr. Fornier to present a landscaping plan for the project.*

- 3. General Business:** Winter Recovery Assistance Project Request (WRAP) – Mr. Nason reported that the WRAP contract has been signed by MassDOT with our notice to proceed as of April 15th. The Board of Public Works (BPW) met on April 17th with their plan of action for the \$44,486.00 to address our roadway issues, as follows: West Park Street Bridge Deck Repair- \$9,850.00 / In-house Town Wide Pot Hole Repairs - \$9,636.000 / Contracted Town Wide Pot Hole Repairs - \$25,000.00. The work must be completed by June 30, 2015, therefore it is mandatory that we start these projects as soon as possible.

May 14, 2015 Special (FY 2015) and Annual (FY 2016) Town Meeting Warrants - Mr. Nason presented the May 14, 2015 Special compensation draft with the additional supplemental information. The Class & Compensation plan was reviewed and approved by the Personnel Board last Friday (4/17/15). The only section that may be tweaked at the Baby Town Meeting would be the Snow & Ice. The May 14, 2015 Annual shows some gray areas that are incomplete. The State Aid will be revised. Articles 46-47 are submitted by Petition. Article 40. Revision – for the Athletic Field is to appropriate the entire amount and they will reimburse \$13,120.00. We have to apply for all to get back. Article – Net Metering Power Purchase Agreement – To see if the Town will vote to authorize the Board of Selectmen to negotiate terms and execute, on such terms and conditions as the Board of Selectmen deem in the best interest of the Town, one or more net metering power purchasing agreements for the purchase of net metering credits to be generated from one or more solar projects now or hereafter located in the Commonwealth of Massachusetts. To date, the Solar projects on town owned land have not been

financially feasible. This will allow the Select Board to enter into an Agreement. Patty asked where this leaves the Stockbridge Road property and Bob explained that it had no material effect. The Municipal Water Infrastructure Investment Fund was discussed to see if the town will vote to adopt MGL, C. 40, §39 M to designate an amount of water infrastructure surcharge on real property. Funds to be deposited in a separate Municipal Water Infrastructure Investment Fund to be appropriated exclusively for maintenance, improvements and investments to the municipal drinking, wastewater and storm water assets. A local gas tax was also discussed, to see if the Town will vote to petition the legislature to enact special legislation authorizing the Town of Lee to adopt by majority vote of its registered voters a local tax per gallon of gasoline (and diesel) fuel sold to the public, such receipts to be reserved for the repair and maintenance of the town's roads and bridges, or to take any other action relative thereto.

Temporary Sign Permits – *The Board members voted unanimously to approve three (3) temporary sign permits for the following for their road tolls: 1) Knights of Columbus (nunc pro tunc – road toll of 4/18/15) 2) Lee Lions Club – road toll of 6/6/15 3) Sons of Italy No. 1620 – road toll of 6/20/15. They also voted unanimously to waive the sign permit fee for all three road tolls.*

Utility Cut Permit - *The Board members voted unanimously to grant a Utility Cut Permit to Despositos Utilities, Inc. on behalf of Time Warner Cable for the installation of Cable T.V. at 15 Via Maria.*

Hawker & Peddler License - Mr. Peter Bluhm came before the Board to submit the Hawker & Peddler Application for the Lee Congregational Church's Farmers Market to be held on the Town Green. He explained that this year they have 12 committed vendors and have changed the day of the Farmer's Market from Thursdays to Saturdays. They will start on May 23rd and will end on September 5th. The hours of operation will be from 2:00 PM – 6:00 PM. They will have the same signage as last year, and Mr. Bluhm will fill out the necessary paperwork for the sign permit. *The Board members approved the Hawker & Peddler License for Mr. Bluhm for the Congregational Church's Farmers Market to run from May 23rd through Sept. 5th.*

4. Pending Business:

- a. Planning Board – Public Hearing - Monday, April 27, 2015 at 6:15 PM to amend Section 199-4.2(J) 3 (Industrial) with the addition of (g) Restaurants and the deletion of Section (4) uses requiring a special permit as part of the reuse of existing structure.
- b. Planning Board – Public Hearing – Monday, April 27, 2015 at 6:30 PM to amend Section 199-7 SIGNS in its entirety.
- c. Planning Board – Public Hearing – Monday, May 11, 2015 at 6:15 PM on the application of Matthew D. Carlino & Jennifer M. Carlino for approval of a Definitive Subdivision Plan of approximately 58,780 sq. ft.

d. Spring 2015 Mini-Site Collections – Saturday, April 25th, 8:30 – 11:00 AM – Great Barrington Recycling Center.

5. Town Administrator:

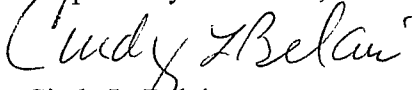
Employee Retirement - Mr. Nason announced that long time employee, Jerry Brasee, will be retiring after 34 years working for the Town. His effective date of retirement will be Monday, April 27, 2015. Mr. Nason, along with the Board Members extended their sincere thanks for his many years of service and will him well in his endeavors

6. Public Comments: Bill Navin suggested that in light of the fact that Mr. Bartini is no longer keeping cattle on the Stockbridge Road town-owned property, that the town keep the area mowed. David Consolati reminded everyone that dogs are not allowed at the town cemetery. Mr. Nason announced the Baby Town Meeting will be on Thursday, April 23rd at 7:00 PM and the Senior Center, Crossway Village gymnasium and the Annual Town Meeting will be on Thursday, May 14th at 7:00 PM at the Lee Middle & High School. David closed the meeting by reminding everyone that summer is coming and to slow down and watch for kids on bikes.

7. Next Regular Meeting: The next regular meeting will be on Tuesday, May 5, 2015 at 7:00 PM in the Courtroom.

8. Motion to Adjourn: *The Board members voted unanimously to adjourn the meeting at 8:22 PM.*

Respectfully submitted,



Cindy L. Belair,
Selectmen’s Secretary

Notice of Website Posting Sent to:

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| Board of Selectmen | Board of Assessors | Dept. of Public Works |
| Town Administrator | Board of Health | Town Treasurer |
| Town Clerk | Conservation Commission | Town Reps. District Cha Chairmen |
| Town Collector | Police Chief | Superintendent of Schools |
| Planning Board | Building Inspector | Town Accountant |