

EGREMONT PLANNING BOARD
May 28, 2019

Call to Order: 7:03 PM

Present: Greg Cherin, Eddie Regendahl, Jared Kelly, Helen Krancer
Citizens in attendance: Eileen Vining, Marj Wexler, Mary McGurn

Form A(s): None

Planning Board Reorganization:

Chairman	Greg Cherin
Vice Chairman	Jared Kelly
Clerk	Helen Krancer
Treasurer	Nick Keene
BRPC Representative	Eddie Regendahl

Citizen Time: No requests or statements

Mail: 1) Citizens Planner Training Collaborative Brochure: Rules & Responsibilities of Planning Boards and ZBAs;
2) Alford Notice of Public Hearing for special permit for accessosry structure, barn, over 600 square feet;
3) Housatonic Valley Assn, from Mike Jastremiski, Watershed Conservation Director: HVA was awarded a grant to conduct a Road-Stream Management Planning project in 5 Berkshire towns, including Egremont.

Old Business:

Accessory Dwelling Unit Proposed Bylaw

Jared gave the Board copies of a draft proposed bylaw called ~~%Secondary Dwelling Units+~~ There was discussion but no decisions about whether an accessory dwelling unit can be built by right if it meets setbacks or if it needs a special permit. Jared is leaning toward the special permit because of impacts on abutters. Some discussion of the definitions of primary dwelling and secondary dwelling units with Krancer recommended the term Accessory Dwelling Unit as it is standard and the other is new language; there was no discussion about using Gross Floor Area for the size of the Accessory Dwelling Unit.

Discussion about: no ADU for a 1 family converted to two family on a 1 acre lot or less; no ADU for a 2 family on less than 2 acres; minimum sizes of ADUs too small or just right at 700 and 800 sq ft.

Decision on page 2, item 2 of draft proposed bylaw with language changes to read: Pre-existing nonconforming 1 family homes on lots less than 1 acre may have a Secondary Dwelling Unit by special permit by the Zoning Board of Apeals, provided that they meet the zoning setback requirements in section 1(e) above. Discussion about larger setbacks in these situations.

Jared will do a new draft proposed bylaw based on tonight's discussion.

Decision: Greg is to invite the BRPC's ~~%Reg+~~Margaret McDonough to the next meeting.

Recreational Marijuana Warrant Articles and Draft Proposed Bylaw

Helen handed out proposed warrant articles, from New Marlborough, for each of the 8 marijuana establishment licenses for voting on at the next town meeting and a draft proposed recreational marijuana bylaw. She explained that the warrant articles would be voted on first and then the

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proposed bylaw would be voted on. It could be amended to remove references to any marijuana establishments that were voted to be banned. This will be discussed at the next meeting.

Proposed Residential Ground Mounted Solar Panels Bylaw

Krancer suggested that the Board consider presenting a Residential Ground Mounted Solar Panel Bylaw at the September town meeting. She will find the draft created last year and send it to the Board.

Which Board Issues the Special Permit for a New Business in a Nonconforming Building

This issue was brought up because the Planning Board expected to receive the Zorn application for a Recreational Marijuana Retail Store and it went to the ZBA. Discussion about whether the Planning Board or the ZBA hears new business special permits for new conforming usages in nonconforming building. Retail is a conforming use which is allowed by special permit by the Planning Board. The Select Board is holding a meeting on Tuesday, June 11, 7:30 pm with the Boards involved and the Building Inspector to discuss and settle this question.

Next Meeting: June 10, 2019 at 7:00 PM

Meeting adjourned: 9:22 pm

Respectfully submitted,
Helen Krancer, Clerk