

EGREMONT PLANNING BOARD

Minutes June 10, 2019

Call to Order: 7:00 PM

Present: Greg Cherin, Jared Kelly, Nick Keene, Helen Krancer
Citizens in attendance: Zoe Hirsch-Buckley, Eileen Vining, Tom Race, Jeff Cohen, Bruce Bernstein, Scott Race, Abigail McKee, Margaret McDonough, Planner, BRPC, Lucinda Vermeulen, Mary McGurn

The Chairman read the following: The official record of this meeting is being kept via written minutes. The Planning Board is not recording this meeting. Anyone wishing to record this meeting must inform the Chair now. There were no requests.

Form A(s): None

Citizen Time: 1) Scott Race showed the existing subdivision plan for Terra Ferma Estates, located on Route 23 between house lot numbers 123 and 137, stating they want the subdivision lots released, and that the Nature Conservancy lot had previously been released. Tom Race stated he bought the subdivision under the name Terra Ferma Nominee Trust. Scott is leaving the plans for the Board to review. His email is EgremontContractors@gmail.com. The subdivision is to be placed on the June 24 agenda.

2) Jeffrey Cohen said he has 64A Main Street under contract to purchase. His plans include a market rate second floor rental apartment and offices on the first floor. The Zoning Bylaw requires a 50 foot commercial setback for a new business but the actual setback is close to the 25 foot residential setback. The property's history was discussed.

3) Lucinda Vermeulen praised the new Board.

Mail: 1) Great Barrington notice of Special Permit Decision granted allowing an existing driveway to be discontinued and restored to lawn at 166 Castle Hill Avenue;

2) Paperwork from the Berkshire Regional Planning Commission requesting the new delegate's contact information.

Old Business: Recreational Marijuana

The Chair and Board agreed to switch agenda priorities to first discuss the duties of the proposed recreational marijuana bylaw committee/taskforce.

In response to Jared Kelly's report of his meeting with Mary McGurn about how the volunteers, to be called an ~~%~~Advisory Committee+, or ~~%~~Committee+, would assist the Planning Board in creating the recreational marijuana bylaw, Krancer pointed out that having the Board wait for the volunteers to do all the research on how to mitigate negative impacts before starting to write the bylaw, would mean that a potential recreational marijuana bylaw would not be ready until the May 2020 Annual Town Meeting; the town would remain vulnerable with only the special permit to protect it.

In response to Kelly's and McGurn's other recommendation that McGurn regularly inform the town about the issues and what the Planning Board is doing, Krancer and Cherin stated that it is important to present our citizens with finished work, not work in progress that is subject to change, as it will only lead to confusion about a very complicated topic and that this is something we want to avoid. The Board did agree that it is happy to have Mary McGurn help us disseminate information the Board has approved.

Citizens who wished to assist the Planning Board by researching negative impacts of recreational marijuana establishments such as odor, safety and such, were welcomed, but the Board did not vote to establish a formal group and no names were designated. Greg asked any citizens doing this research to bring their information to the next meeting on June 24th. Eileen Vining offered to meet with anyone wishing to do some of this research at Mom's on Wednesday morning.

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Krancer handed out a draft of a potential recreational marijuana bylaw for the Board to read and possibly to develop.

Accessory Dwelling Unit Proposed Bylaw

Bruce Bernstein, who is also chairman of the Council on Aging, asked questions about the Purpose and Intent because seniors are not mentioned. Greg stated not specifying seniors allows people to decide the uses for themselves while including persons with disabilities makes the housing disabled friendly. Peg McDonough said that among other reasons, the regulations came out of the Age Friendly Berkshires initiative. Vining pointed out that this bylaw is not about maximizing rental income, but about having more moderately priced dwelling units, and if short term rentals are allowed the goal will not be accomplished. Jared will redraft the Purpose and Intent and wants each Board member to develop their own for the next meeting. McDonough said limiting the size of accessory dwelling units is important which is why it is currently at 700 sq ft, not 900 sq ft. Use of %Gross Floor Area+definition was questioned as people buy living space which is inside the walls, not the exterior size. Kelly answered that this is the way houses are assessed. The definition of %Attached Utility Structures+needs clarification. Bruce also questioned proposed %D+of Procedures & Requirements+ that %Only one dwelling unit at a time, either Secondary or Primary, on the lot shall be rented+. He also asked about how to parse the authority of the Planning Board and the Zoning Board of Appeals under section 2 concerning preexisting, non-conforming one-family homes on lots less than 1 acre. The suggestion was made that one or the other of the units should be owner occupied and the Board consider specifying maximum distance of the ADU from the main house to control impacts.

Proposed Residential Ground Mounted Solar Panels Bylaw

Krancer withdrew the recommendation to try to get this ready for the September Special Town Meeting as she believes the Board's focus needs to be on the recreational marijuana bylaw.

Minutes: No minutes reviewed.

Next Meeting: June 24, 2019 at 7:00 PM

Meeting adjourned: 9:22 pm

Respectfully submitted,
Helen Krancer, Clerk