

EGREMONT PLANNING BOARD

Minutes July 22, 2019

Call to Order: 7:06 PM

Present: Greg Cherin, Eddie Regendahl, Helen Krancer; Jared Kelly
Citizens in attendance: Eileen Vining, Mary McGurn, Heidi Zorn, Margaret McDonough, Planner, BRPC, George McGurn, Frank and Donna Gordon

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: Frank Gordon, a member of the Egremont Housing Committee, expressing his own opinions, stated his concern that the proposed Accessory Dwelling Unit bylaw can increase Air B&Bs and rentals. To solve this, he suggested no rental of less than 30 days. He stated that this bylaw is an opportunity to create work-force housing. He wants Egremont to be a more inclusive community. Margaret McDonough agreed, pointing out that work-force friendly housing came from the Purpose and Intent for Age Friendly Berkshires, which she wrote. Discussion of measurement and enforcement problems, as well as unintended consequences of specifying rental time minimums. It was pointed out that the proposed ADU bylaw would allow only one unit to be rented at a time which keeps the owner there in control.

Heidi Zorn said she doesn't want the Board to offer the town the choice of voting to ban any recreational marijuana business licenses. She said people are talking to her, that there are things to consider when writing a proposed Recreational Marijuana Bylaw: protecting the land, the possibility of including an amount of time to have lived in Egremont before a prospective business owner could apply for a special permit, but she doesn't know if it is legal to do this. As for manufacturing, she said this is not done in giant buildings; people are clipping flowers and must use air filters. She cited Hudson Hemp, Hudson, NY as doing an excellent filtering job.

Mail: Note from Lucinda Vermeulen wishing the Planning Board success.

Minutes: July 8, 2019 minutes to be resent for approval at the next meeting with formatting and other changes.

Old Business: Accessory Dwelling Unit Proposed Bylaw

Two-part motion by Kelly, seconded by Cherin:

Part 1) to vote on Kelly's 7/22/19 draft ADU bylaw to see if the Board wants to include Section C iii that would not allow a free-standing accessory structure to be converted into an ADU unless it was built before a specific date. Unanimous vote: find out from Town Counsel whether we are allowed to stipulate a date.

Part 2) vote on allowing pre-existing non-conforming one family lots to have an ADU.

Decision: Ask Town Counsel if lots smaller than one acre are excluded from having an ADU under the current Zoning Bylaw even if the ADU would meet all the intensity regulation setbacks. If it is allowed, should the special permitting authority be the Planning Board or the Zoning Board of Appeals?

Discussion of including a Purpose and Intent: Peg McDonough stated that when the Purpose and Intent are clear, whatever is included in the bylaw flows from that. Vining suggested including the ADU Purpose and Intent to the one at the beginning of the Zoning Bylaw under section 1.3.1.4 or 1.3.1.5, depending on how it is written. Krancer wants the ADU as a separate bylaw with its own Purpose and Intent in section 4.3.8 and reference the ADU bylaw in section 4.1.1.3.a.v. Kelly moved, seconded by Cherin, to put the ADU in a new draft. Discussion: Krancer suggested waiting for the next meeting for Nick to be able to decide also.

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The Board agreed to delete section C k) home occupation, as it is already allowed in the Zoning Bylaw.

Next Meeting: Tuesday, August 6, 2019 at 7:00 PM

Meeting adjourned: 9:21 pm

Respectfully submitted,
Helen Krancer, Clerk