

## Egremont Planning Board Minutes

September 11, 2020

---

**Call to Order:** 10:05 AM

**Present via Zoom:** Jared Kelly, Eddie Regendahl, Nick Keene, Matthew Bersani, Donna Gordon

**Citizens in Attendance:** Marj Wexler, Lucinda Vermeulen, Eileen Vining, Mary McGurn, Joan Goodkind, Mike Parsons, Maureen Jacoby, Heather Brown

It was announced that the meeting is video and audio recorded.

**Form A's:** There were two Form A's presented:

1) Heather Brown and Maureen Jacoby from Foresight Land services represented Beatrice Holdings on Blunt Road. The plan entailed dividing an original lot (B) into two separate lots (Lot B1, and Lot B2) to create a new property line. The owner will sell lot B1 to her daughter and lot B2 will be combined and conveyed to an abutting parcel. (no information available on proposed owner of lot B2). The Board confirmed that the Lot being conveyed had no driveways, emergency access roads or anything being separated off of importance. It was confirmed there was just pasture fields with fencing and no building lot on B2. A motion was made to accept the Form A as purposed and was unanimously approved. The application and fees were delivered to Town Hall along with the original Mylar and 9 copies.

2) Mike Parsons of Kelley, Granger, Parsons and Associates presented on behalf of Peter Schoeffler who has a contract to purchase 16 acres of property from the Clark family on Rowe Road and entered into an agreement to sell off 5.98 acres with over 795 feet of road frontage with a residence to a third party. The remaining 10 acres with 150 feet of road frontage will be added back to his existing property.

Mike Parsons said there was no plan to develop the remaining land. The Board confirmed the Conservation committee, as well as other agencies, must be involved if there were to be any access/road development. There were questions from the Board regarding the siting of a narrow access point on the Plan of 56.6 feet width. Mike shared the industry standard is to keep width wider than a subdivision right of way; usually no narrower than 50 feet. It is his experience that towns allow driveways to be placed within setbacks. A motion was made to accept the Form A as purposed and was unanimously approved. The application and fees were delivered to Town Hall along with the original Mylar and 7 copies.

**Citizen's Time:** Matt B., as citizen, voiced the need to upgrade the town's website. The board and citizens present agreed. There was discussion around issuing a RFP to hire a professional to redesign the site. Mary McGurn mentioned that the

## Egremont Planning Board Minutes

September 11, 2020

Bylaw Review Committee had started to address the inadequacies of the town website and that a town employee had started a redesign. However the project was tabled due to lack of funding. Nick K. volunteered to put together a presentation to the BOS to advance this cause. Website building, hosting and maintenance including integration of a vibrant community aspect to the site was explored. This brought the discussion more specifically to what we, as a Board, can do to promote awareness about the Public Hearing of the ADU Bylaw.

**ADU Public Hearing:** The Board discussed ways to reach out to the community to inform them of the upcoming ADU Bylaw Public Hearing. The content, publication and distribution of a Public Notice was explored. Joan Goodkind discussed writing a one page “handout” (to be distributed electronically) to inform citizens of the purpose of ADU’s and briefly describe key differences between PB and CP version.

**Minutes:** The August 19, 2020, and August 26, 2020, minutes were adopted as amended.

**Mail:** 1) The town of Great Barrington’s notice of their decision on the special permit application dated 8/25/2020, concerning Guido Reality Inc. expansion in zone two of a large scale commercial area. The Select Board voted to grant a Special Permit with specific conditions.

2) The town of Great Barrington’s notice of their decision on a Special Permit application dated 8/25/2020, from Hillcrest Education Centers, to operate a group home at 6 Ramsdell Road, GB. After a Public Hearing, the GB Select Board voted to grant a special permit.

### **Draft Marijuana Bylaw:**

The Board continued the discussion regarding regulation of the Cultivator license either through setbacks, or minimum acreage requirements. The idea of having different setbacks for different tier levels was explored as well as setting minimum acreage requirements. It was suggested that setbacks would have the same effect of reducing acreage as well as disallow growing near or on a neighbor’s property line. Matt B. stressed the importance of discouraging large cultivators and wondered if acreage requirements would be better suited to this category. The group proposed that cultivation tiers 1-5 have a 200 feet setback and tiers over one acre; 6-11, have a 500 feet setback.

The discussion of how to measure the distance from Cultivator to residence was also revisited as, unlike other ME establishments, cultivation facilities always

## **Egremont Planning Board Minutes**

**September 11, 2020**

require fences. In order to have a more inclusive definition of what is to be set back, it was agreed that a building, fence and anything related to cultivation would be included, excluding parking.

After discussion, the board agreed on a definition to measure setbacks for Cultivator : from neighbors boundary to the building or fence of the ME. The Board discussed using this definition more broadly to include other license types.

Mary McGurn informed the Board of two new license categories to be approved on 9/28/2020: "Delivery Only", and "Delivery with Warehousing". To differentiate between the existing license of "Marijuana Transporter" and "Delivery with Warehousing", Mary described the latter as "it allows delivery company to buy, wholesale, repackage, and deliver, but in that process also acting as retailers". They require warehousing with (vault for storage) and necessary security. Licenses are restricted to Social equity members and economic empowerment members for 3 years.

To recap the current discussion, the Board is considering:

- MEs of all types (except MRs) will have 200 feet setbacks.
- Cultivation License(s): Tiers 1-5: 200 feet setbacks Tiers 6-11: 500 feet setbacks
- Setbacks will be measured from neighbors boundary to the building or fence of the ME.

Jared will check with town counsel with respect to whether we can regulate setbacks for MRs.

Matt B. will modify draft Bylaw.

**Meeting Adjourned:** 12:17 PM

**Next Meeting:** September 30, 2020 10:00 AM

Respectfully submitted,

Donna B. Gordon, Clerk, September 22, 2020