

PLANNING BOARD

DATE: February 27, 2014
TIME: 7:00 P.M.
PLACE: Large Meeting Room
FOR: Regular Meeting
PRESENT: Jonathan Hankin, Chairman; Ethan Culleton
Malcolm Fick, Associate Member
Chris Rembold, Town Planner

Mr. Hankin called the meeting to order at 7:00 P.M. Mr. Hankin elevated Mr. Fick to a voting member for the purpose of a quorum.

FORM A'S:

Jack Magnatti from Kelly, Granger, Parsons and Associates was present with a Form A application on behalf of Lynn Hutchinson for one parcel of land located on the west side of Long Pond Road. Lot 1 contains 1.410 acres of land.

Mr. Culleton made a motion to approve the Form A, Mr. Fick seconded, all in favor.

SITE PLAN REVIEW: 325 STOCKBRIDGE ROAD

Mr. Hankin said the application is for changing windows and a canopy over the entrance. He said he had contacted the applicant, John Delmolino to tell him he did not need to attend the meeting. There was no site visit.

The Board determined there was no need to go through the Site Plan Review checklist as there are no major alterations and there is no site work or lighting change.

Mr. Fick made a motion to approve Site Plan Review, Mr. Culleton seconded, all in favor.

TOWN PLANNER'S REPORT:

Mr. Rembold said he had news that the Town had received a grant to implement a downtown business plan from the Department of Housing and Community Development. He said the grant would allow businesses to cooperate formally to raise funds for the things they want to do. An economic consultant will convene forums with business groups to assist with the program. Mr. Rembold said this was a Master Plan goal. It will be good for the business community.

John Robertson from Massachusetts Municipal Association, Jennifer Tabakin, Town Manager and Board of Health Agent Mark Pruhenski joined the meeting.

Mr. Rembold told Mr. Robertson that the Board attempts to keep up on the Land Use Reform. Mr. Rembold said he keeps the Board informed. There was hope that two years ago there might be some changes but nothing happened. Is there anything new being introduced or pending?

Mr. Robertson said Chapter 40A is big and complicated. It has not been raised to a level of "must do". There was objection to a measure that took a lot of control away from cities and

towns and moved it to a state level. At this time there is another bill that has been drafted and filed. It is more focused on land use. It is hoped that the bill will be sent for consideration in a month or two.

Mr. Robertson discussed another change that would lower the threshold for zoning approval at town meeting. He said the 2/3 majority is often too difficult. It would be proposed to go to a simple majority. He also said the variance statute is too tight. Very few variances are approved. A rewrite of the statute would allow for more flexibility.

Mr. Rembold said the solar exemption in Chapter 40A section 3 is a vague area. The Town would like to encourage solar but we would like some clarity on how to apply the law.

Mr. Robertson said he is not sure where they will end up with solar. He said the land use is not so much the issue, but there are revenue issues between municipalities and solar organizations.

Ms. Tabakin said Mr. Fick is the Town's Solar Coach who addresses residential issues. She said we have heard from 3 or 4 groups who are interested in future projects.

Mr. Hankin said he has heard that power purchase agreements are hard to come by. The power companies fight the solar hook ups.

Mr. Rembold said it takes an extremely long time to hook up to the utilities. He said the Town of Lee is trying to get municipal solar power and they were told it would cost one million dollars to hook up. National Grid came down to half a million dollars but it would take a year and a half to hook up.

The discussion continued with Registered Marijuana Dispensaries. Mr. Robertson said there were apparently no qualified applicants in Berkshire County. It is required for there to be a site here so suitable applicants will be allowed to locate here. He asked if there were any applicants for the area.

Mr. Hankin said yes. The applicant received permits from the Town. He said the applicant had a consultant who ran three facilities in Rhode Island. The consultant wrote portions of two different applications identically but they were scored differently with the local applicant not receiving the permit.

Mr. Rembold said there is concern that there was favoritism shown to the applicants in the eastern part of the State.

Mr. Robertson said DPH did a poor job scoring and explaining how they did the screening. He said he is not sure how they will remedy the situation but the scoring was an issue. It has left DPH with a bit of a black eye.

Mr. Rembold said there would be ramifications if DPH is not meeting the public health law. This county is aging and there are many of low income. There is real concern for the right to have access to this medication.

There was discussion about money given to small towns and how the towns use it. Sometimes holding on to it so it can be added to additional money the following year in order to complete larger projects. Mr. Robertson said there is language proposed to deal with how the money is used that is not going to be beneficial to small towns. It is a problem if the money can not roll over.

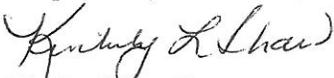
There was some discussion of the law that changed Flood Insurance requirements and the major impact it is having on real estate.

There was discussion of Regional Schools and the sharing of educational costs. Mr. Robertson said that these issues are based on local agreements and the State does not get involved.

The Board thanked Mr. Robertson for attending the meeting.

Without objection, Mr. Hankin adjourned the meeting at 8:01 P.M.

Respectfully submitted,



Kimberly L. Shaw
Planning Board Secretary

MATERIALS PRESENTED OR DISTRIBUTED:

Site Plan application 325 & 389 Stockbridge Road

