

## **EGREMONT PLANNING BOARD**

### **Minutes: Monday February 27, 2017**

The meeting opened at 7:05 PM.

Present: Helen Krancer, Don Pulfer, Greg Cherin, Mark Holmes.

Also: Eileen Vining, Marj Wexler, Nicholas Andersen of Berkshire Engineering, Evan Hardcastle of 377 Builders LLC, Mike Parsons of Kelly Granger Parsons.

The Chair 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 prior to the meeting.* No one so stated.

#### **Special permit application: Berkshire Engineering:**

Nick Andersen of Berkshire Engineering presented an application on behalf of 377 Builders LLC, owned by Evan Hardcastle, proposing a change of use for a building at 64 Main Street, South Egremont, MA. They are proposing to change the use from residential to retail consumer services establishment. The lot is a conforming one, with 1.514 acres and 150' of frontage on Main Street. Some of the setbacks, however, are pre-existing non-conforming: Front yard frontage: 42'; Side yard west: 19.8'; side yard east 26.5; and rear yard 26'. The building is adjacent to the South Egremont Post Office, and that building is built right on the property line. The applicants are not proposing to change any of the existing building footprints. They are proposing to use the building for offices for the construction business and a shop for cabinet making. The office will house four employees, with proposed parking in the rear for four vehicles.

There was some discussion about whether the applicant could move forward with the application, given that the setbacks to the adjacent property were non-conforming. The split of the lot at 64 Main Street was created in August 2004, when the adjacent lot was created for the Post Office.

A motion was made and seconded that the Board accept the application for Special Permit for Change of Use. The motion passed. Helen Krancer requested that the Planning Board ask the advice of Town Counsel as to the correct path forward.

Nick Andersen will forward an electronic copy of the application to Helen Krancer. The Town Clerk accepted the application from the applicant on Feb. 17, 2017. A check for \$410.00 was accepted from the applicant for the notification of 25

abutters (\$250.00 for the first nine abutters, and \$10.00 for each of the additional 16 abutters.

**Form As:**

Mike Parsons of Kelly Granger Parsons presented a Form A plan for Tony and Sharon LaBranche of Shun Toll Road. Proposed Lot 1 will consist of 15.253 acres with 645' of frontage on Shun Toll Road, and the remaining land of LaBranche consisting of approximately 16 acres. Krancer requested that the Board inspect the property to confirm the location and the frontage before the plan was endorsed. The Board agreed to meet for a site visit at the LaBranche property on Shun Toll Road at 3PM on Friday March 3, 2017. Clerk will post the meeting.

**Mail:**

Travel and Expense vouchers for Helen Krancer and Don Pulfer for attending the Recreational Marijuana workshop sponsored by the Berkshire Regional Planning Commission on January 26, 2017.

A list of abutters for the Appalachian Trail Conservancy Special Permit Amendment, notifying them of the Notice of Recording in the Registry of a Decision on a Special Permit, dated Feb. 22, 2017, from Town Clerk Juliette Haas.

Memo from Town Clerk Juliette Haas concerning email correspondence with SBA Communications' cell tower at Catamount, and a Certificate of Insurance from SBA Communications, listing the Town of Egremont as Certificate Holder.

Great Barrington Zoning Board of Appeals, Results of Public Hearings. The ZBA voted 3-2 in favor of an appeal of Kearsarge Energy LP of Watertown MA, an appeal of the Building Inspector's zoning interpretation that a commercial ground-mounted solar photovoltaic array is not by right use in an R-4 Zoning district. But since four votes are needed to overturn an action of the building inspector, the motion failed. The Great Barrington ZBA also voted to approve a special permit application of Berkshire Aviation Enterprises for property at 70 Egremont Plain Road, to build a deck and a disable access ramp onto the rear of the office building.

Town of Sheffield Planning Board Notice of Public Hearing, to be held on a proposed amendment to the Sheffield Zoning Bylaws, on Wednesday March 8, 2017 at 7:00 PM in the Sheffield Town Hall.

Town of Sheffield Planning Board Notice of Public Hearing, to be held on a proposed amendment to the Sheffield Zoning Bylaw regarding the addition of a new Section 3.1.6 Temporary Moratorium on Aviation Landing Facilities, on Wednesday March 8, 2017 at 7:00 PM, in the Sheffield Town Hall.

**Zoning Bylaw Proposed Changes:**

Don Pulfer submitted a draft proposal for a warrant article for zoning bylaw amendment to the Town's Zoning Bylaw, Table of Contents, to add: Section 4.3.7, "Temporary Moratorium on Marijuana Retail Sale." There were two corrections suggested to the language. Pulfer will draft another version with the corrections and distribute it to the Planning Board.

Pulfer also submitted a draft proposal for changes to the Zoning Bylaw to clarify the language. The changes will address the definition of footprint; 4.3.6.2 common driveway: Common Driveway Requirements; and 5.6.3: LGSPI Overlay District and its relationship to other districts. Pulfer will also send again to the Board of Selectmen after making formatting changes, and also send to the members of the Planning Board.

Pulfer will also make proposed changes to the Rules and Regulations of the Planning Board, to include language stating: "The entire application, including plans, sketches, and diagrams shall be submitted also in electronic portable document format (pdf). This change does not have to be brought to Special Permit Hearing. Pulfer will make adjustments to the formatting and distribute to the Board.

**Budget:**

Helen Krancer reported that the Board of Selectmen approved the Planning Board budget request for \$2,800.00 total budget.

The next meeting will be:

Site visit meeting: Friday March 3, 3:00 PM.

Regular scheduled meeting: Monday March 13, 2017 at 7:00 PM.

The meeting was adjourned at 9:40 PM.

Respectfully submitted'

Mark Holmes, Planning Board Clerk