

Planning Board Meeting Tuesday March 7th, 2023. Chair Barb Cormier attending via zoom, members Paul Gaudette, Lisa Leavenworth, Bill Taylor, and Paul Adams attending in person. Alex Bowman and Ron Pachulski attending in person. Opened at 6:33 PM.

1a. Form A for Foresight Land Service-Form A for Nelson: Create new parcel with 200' frontage on Dodd Rd. gazebo straddles property line between new parcel (Rose's) and remaining parcel. Barb moves to accept form A, Bill seconds, passes 4-1. Paul G voted no because of preexisting nonconforming structure (pavilion) on east property line between. Nelsons did not want a jagged property line and want to share use of gazebo. Discussion whether shared use of the gazebo less than 30' from the newly created property line is legal. Possibly gazebo would need to be moved if required, more likely if parcels were sold separately to different parties.

1b. David Etzel. Selling part of his land to Commonwealth of MA. PB approved an earlier version a couple of months ago. State does not want Tennessee pipeline land so redid boundary taking Tenn. land out. Still meets frontage. Paul G moves, Lisa seconds. Unanimous.

2. Policy updates for planning board members. Emails go to Secretary and she will send individually to each member. Paul A question: send to chair? No, through Gina. Will bcc everyone or do individually. Alex: not to discuss with quorum. Two members are not a quorum so could discuss. To be safe though we will follow the above procedure, so members can prepare before a meeting without any possible open meeting law violations.

3. Permit eyes: Paul G. Several projects on Permit Eyes. Several single family homes. Problem: people pull a permit and don't understand what they need to do and expect the boards to come to them for various needed approvals. EX: applicant submits a project without providing site plans. Before permit eyes people knew steps. Now people think because it is computerized that it should go faster. Many people don't have a plan. Alex: need to warn people you need to know the rules and steps. Barb suggests: make a paper with all requirements. Post such a packet on Permit Eyes. Put this in front of permit eyes so people see it. Bill: suggests packet state "It is on you as applicant to demonstrate to the necessary boards the compliance of your project with law" "here is how to do it". Discussion of delays, Bldg inspector is zoning enforcement officer. Discussion of several examples where setbacks or other issues not met. More discussion on how to get applicants to do it legally. Used to be a paper packet. Also a form each dept had to follow. Approvals from dept./Board can be gotten in any order.

24 Prock Hill Rd., bldg. permit. May need to do wetlands (Paul G is also on Conservation Commission). Snow on ground, need to check

Barb: Paul, do you want to have meeting with Paul Greene? Board decides have this meeting. Will discuss the above issue and zoning enforcement. Barb will schedule.

4. Update on Cannabis bylaw. Suggestion to ban cannabis grows at next meeting. Barb: wait until AG has a ruling. Jonathan sugg ban. Doug M agrees to wait. Alex: AG says a problem with bylaw. Clarification about HCA and 3% no longer for anything but reasonably and justified (documented) expenses. Not a revenue option anymore so proclaimed advantages no longer coming. Paul A: AG will rule. Doug in contact today, sending more paperwork. AG objection was 50 acres is arbitrary and asked for justification. Barb met with AG and Jonathan. Said it was compromise. Lisa: Can we pull (revoke) a SP if not complying with the terms of the SP (odor etc)? We need to enforce. Alex: vote to repeal?

Schedule for May town meeting warrant is schedule and notice in papers Mar 21 and 28, notice to abutting towns and state agencies by 3/21, hearing 4/11, Alex: repeal means not explicitly allowed. Paul G: At a special Town Meeting we could act if we don't meet deadlines. Alex realizes should keep bylaw to have at least some restrictions in place. Barb moves Lisa seconds. Unanimous.

5. Review and vote to finalize proposed STR bylaw. Discussed line by line. Purpose back to GB. Discussed time between water tests, Chapin said every year. Bill and Paul A wanted longer. Kept at 1 year. Appeals of fines to SB or Zoning Board of Appeals? Paul G yes, Barb no. Appointing new people to ZBA. Paul A: state gives quarterly payments of town excise tax. Leave out dog leash law; under an existing leash law. Registration number in listings? Paul A yes, Bill why? Helps with enforcement

Owner occupied and non owner occupied: How many? LLC's? Chapin: very real problem in Stock, GB, Sheffield. Not a problem in Monterey, Egremont, etc. May want to divide and do STR's on many. Make excise the maximum. But don't need to limit numbers. STR's rent for more than LT. Discussion. Paul A says does that make rentals go up? How do we get deter commercial interests into the bylaw without it costing much for enforcement? LLC owned could have higher impact fee if they own more than 1. Paul A: do through state short term rental rules, on the warrant for town meeting. Excise tax resolution – recommend to SB. Add new regulation: **Only 1 non owner occupied dwelling can be an STR per lot.**

Posting to newspaper by 3/21/, and again 3/28. Posting for hearing 3/21. Send to adjacent towns and state 3/21. Hearing 4/11, 6:30 PM (meeting at 6 to set up and any form A's) for warrant finalized 4/21.

Approve bylaw draft as written today. Lisa moves, Paul A seconds, unanimous. Paul G does not like but favors moving it on to the town. Paul G will edit the draft and send it to Secretary (Gina Colelli)

6. Review and approval of February 14, 2023 minutes. Not presented so we will do this next meeting.

7. Mail and warrants to be reviewed and signed. None.

8. Anything not anticipated within 48 hours. none

9. Adjourned moved by Bill second by Paul A. Unanimous, at 9:46 PM.