

*Planning Board Minutes*  
*December 19, 2017*

Present: Chairman Pitney, Member Slosek, Member Raftery, Member Pearce, Vice-Chairman Fletcher, Member Sauer and Jennifer Carmichael Secretary; absent - Member Talbot. Also at the meeting were: Clarence Fanto (Berkshire Eagle), Sean Ferry, Charles & Barbara Kenny, Stuart & Susie Hirshfield, Rosalie & Craig Berger, Victoria Sujata, Carl Bradford, Greg Gifford, L Freeman, John Hyson, Josh Peyron, Dennis O'Brien, Maureen O'Flynn, Claude Cordral and others who did not sign in.

Chairman Pitney opened the meeting and asked for a motion to approve the November 21st minutes. Member Fletcher moved to accept the minutes and Member Pearce seconded, the vote was: Chairman Pitney – Yes, Member Slosek – Yes, Member Raftery – Yes, Member Pearce – Yes, Member Fletcher – Yes, Member Sauer – Yes, the motion carried.

Carl Bradford at 2 Sawmill Road with his engineer, Greg Gifford, presented an LPOD plan to stop the erosion of the road into Kamposa Brook. They would like to place a few truckloads of medium size rip-rap to stabilize that area of the slope. The work would commence in the spring and take about one week. They have already been in front of the Conservation Commission and have received approval. Member Pearce asked about compensatory work, the engineer explained that over the years the material in the compensatory storage has eroded downstream and they are replacing what was part of the compensatory storage beforehand. They plan on planting a vine that Conservation had suggested at the base of the rip-rap which will over time grow up over the rip-rap. Member Fletcher asked if Conservation had asked about compensatory damage. The engineer's answer was no. Member Pitney read the findings from Section 6.3.6 and felt there was no issue with this project and asked for a motion to approve or disapprove. Member Fletcher motioned to approve the request from Carl Bradford dated 11/30/2017 and Member Slosek seconded. The vote was: Chairman Pitney – Yes, Member Slosek – Yes, Member Raftery – Yes, Member Pearce – Yes, Member Fletcher – Yes, Member Sauer – Yes, the motion carried.

Member Pitney asked if all the members had received the new town emails and suggested that members use them. The use of the town emails eliminates, in case of a subpoena, the comingling of personal emails with town emails where all would be subpoenaed.

Member Fletcher discussed the zoning review committee, reviewing the definitions continue. They are analyzing definitions that are no longer needed or those that need updating, being unclear, and adding definitions that were not there. Ultimately, they will hire a professional to do a diagnostic, a careful review and study of the zoning bylaws. The agenda and minutes are posted to the Town website and the group meets the second and fourth Mondays of the month.

Member Pearce last meeting we had representation from the Stockbridge Democratic Committee and they said at their last meeting suggested a public forum to discuss the cottage era estate bylaw. Not specific to any project now but just in general. Questions have been raised regarding if one is needed, what is the purpose of it, and if it is defined appropriately. The Democratic

committee asked if this could be part of the zoning review because they were encouraging a nonpartisan approach to this; not something the party would setup. This was discussed at the last zoning review meeting and it was felt that it should be brought to the planning board, for them to setup this type of forum to air options on the cottage era estate bylaw. Town Council suggested the Town have the forum, Member Pearce is not sure who should hold the forum. Mr. Hirshfield explained that a public forum allows for several points of view being heard, pros and cons. It would be better to hold the forum after the public hearing is held by the Planning Board. When it comes to the Town meeting people would be better educated as to what the issues are. Member Pitney mentioned the Select Board asking about a public hearing on a moratorium on marijuana establishments before the special town meeting on January 22<sup>nd</sup>. A discussion as to whether this change or addition could be presented at the special town meeting.

The letter from KP Law representing 37 Interlaken Road property regarding a change to the cottage era estate bylaw was sent to the Select Board. The Planning Board has not yet received any notification from them to hold a public hearing. Once we do receive notice we have 65 days to hold a public hearing on the proposed bylaw change. And make our recommendations as to endorse it to the Town meeting or to take no action on it or have some type of negotiation. Member Raftery asked if Town Council would give their opinions on what might be good or bad for the Town in the proposed bylaw. Town Council is working on a comparison (a red lined version) of the old bylaw and the proposed bylaw. What occurs if it is turned down by the Town. Member Pearce asked about a date for the hearing. Member Fletcher added that there had been a discussion as to having a moderator at the hearing to allow Member Pitney to participate more fully; she has reach out to Erik Plakun to see if he might consider doing this. Mr. Plakun was on the planning board for 21 years and has a lot of experience working with people. The Berkshire Eagle Newspaper was provided with a copy of the letter and proposed bylaw by the Attorney for 37 Interlaken property. An audience discussion with the Planning Board followed regarding the Select Board meeting Monday night and understanding the conversation that went on regarding the property at 35-37 Interlaken Road. Planning Board can accept, deny or negotiate the proposal to change the cottage era estate bylaw. Member Pearce asked to get advice from Town Council whether the ad hoc group can propose to put on the warrant a cottage era estate bylaw amendment of their own; there could be an independent opinion as the planning board is an authorize petitioner.

Chairman Pitney asked for a motioned to adjourn, Member Fletcher motioned to adjourn and Member Pearce seconded the vote was Chairman Pitney – Yes, Member Slosek – Yes, Member Raftery – Yes, Member Pearce – Yes, Member Fletcher – Yes, Member Sauer – Yes, the motion carried.

Respectfully submitted by,

Jennifer Carmichael, Secretary