

MINUTES
REGULAR BUSINESS MEETING

Thursday, July 12, 2007

Meeting was called to order at 7:00 PM

Members present were: Rene Wood, Anthony Gulotta, David Smith Sr. and Christopher Tomich. Margaret Martin was absent due to illness. R. Wood had to leave briefly to retrieve part of the recording device. She returned at 7:20 PM

Sign-in sheet is attached.

Minutes: A. Gulotta moved we accept the minutes of 6/21/07 as amended. The motion was seconded and unanimously approved. D. Smith Sr. moved we accept the minutes of 6/14/07 as amended. The motion was seconded and unanimously approved.

Berkshire Fence Special Permit Application: Michael MacDonald appeared, representing Berkshire Fence in their Special Permit Application. The Board reviewed the elements included in the application.

R. Wood pointed out that 4 uses are included within this one Special Permit Application. They are: 1) a major commercial development 2) an accessory single family dwelling 3) a kennel and 4) a sign. R. Wood suggested that the Planning Board seek legal counsel on how to handle this situation because she has never seen more than 1 use included in a Special Permit Application and because the applicant included the doggy daycare which the Planning Board has already ruled is not an allowed use.

Michael MacDonald stated that his client was instructed by the building inspector and by Town Counsel Janet Pumphrey to include the doggy day care as a kennel. He referred to a meeting in November, 2006 that his client had with the building inspector and Janet Pumphrey, where Ms. Pumphrey said they should apply under the old bylaw.

R. Wood also pointed out that any application with 10,000 square feet is required to do a detailed development analysis, which is not included in this application. R. Wood stated that she was unaware that Attorney Pumphrey had communicated her opinions and reasoning on this matter to the Board. R. Wood asked to postpone this conversation and pointed out that within the current time requirements, the Board would have to make a decision on the Special Permit Application by July 26. Attorney MacDonald gave the Board a one month extension in writing.

D. Smith Sr. made a motion to recess the regular business meeting. The motion was seconded and approved.

At 10:01 the Regular Business Meeting was resumed.

Form A Application:

Full name of applicants/deeded owner(s): Cooper Hill Farm Nominee, Robert Boyett, trustee.
Brief explanation of application and fee paid: Dividing lot into 2 parcels, 3 and 6 acres respectively. \$100 check included.
Physical address / location as it appears in the Registry of Deeds (Map# & Lot#): Easterly side of Cooper Hill Road, Southern Berkshire Registry, Book 1675, page 81.
Name of civil engineer company and representative presenting Form A: Kelly, Granger, Parsons and Associates Inc. Mike Parsons presented the Form A Application.
Form A determination / Board member voting outcome: C. Tomich moved to endorse the Form A application. His motion was seconded and approved. All board members present signed the mylar and 3 copies of the Form A plan.

Form A Application:

Full name of applicants/deeded owner(s): Cooper Hill Farm Nominee, Robert Boyett, trustee.
Brief explanation of application and fee paid: Divide off 3 acres from a much larger lot. \$100 check included.
Physical address / location as it appears in the Registry of Deeds (Map# & Lot#): Westerly side of Silver Street, Southern Berkshire Registry, Book 1020, page 129.
Name of civil engineer company and representative presenting Form A: Kelly, Granger, Parsons and Associates Inc. Mike Parsons presented the Form A Application.
Form A determination / Board member voting outcome: C. Tomich moved to endorse the Form A application. His motion was seconded and approved. All board members present signed the mylar and 3 copies of the Form A plan.

4 Corners LLC Special Permit Application: This LLC has a current Special Permit which expires in August 2007 and they need to get an extension on that Special Permit or the Town will buy back their lot. They include a check, but the application seems to be simply a reprint of the original application. The old bylaws are cited, it is dated April 2005, they ask for a Special Permit for light manufacturing, when what they apparently need to ask for is simply an extension on the original Special Permit. There is no list of current abutters included. The Board authorized R. Wood to call the applicant with these concerns. As in the case of Susan Butler, Attorney Sally Bell said that if the permit expired while the application for an extension was in process, the Board could make the approval retro-active.

Mail was reviewed.

Nadia will be on vacation August 9.

At 10:33 A. Gulotta made a motion to adjourn. The motion was seconded and approved.

Respectfully submitted

Nadia Milleron
Secretary to the Planning Board