

Becket Planning Board
Approved Meeting Minutes
August 14th , 2013

Planning Board Members Present: Robert Ronzio (Chairperson), Howard Lerner (Alternate), Martin Schlanger (Clerk), Beth VanNess (Asst. Clerk).

Planning Board Members Absent: Gale LaBelle, Ann Krawet.

Members of the public present: William Elovirta, Maddy Elovirta, Larry Lorusso.

Meeting opens at: 7: 01 pm

Chairperson , Robert Ronzio, opens the meeting and announces that agendas are on the table for anyone who wants them. He advises that the meeting is being held in accordance with Massachusetts General Law Chapter 40A and the By-laws of the Town of Becket. A decision to issue a special permit requires a minimum of four positive votes from a five member board. The board has 90 days to make a decision after the close of a public hearing and 14 days to file paperwork with the Town Clerk once a decision is made. Any Appeals of decisions can be made only to the court and must be made pursuant to Section 17, MGL 40A as amended, and must be filed within 20 days after the date of filing of the decision with the Town Clerk. Mr. Ronzio asks if there is anyone who is going to make a video or an audio recording of the meeting; no recordings are announced. Lastly Mr. Ronzio informs everyone present that no person shall address this meeting without the permission of the chair and that all people, at the request of the chair shall be silent. Mr. Ronzio advises all present that it is the intention of this board to proceed with the posted agenda in the order in which they are listed, and again reminds everyone that agendas are on the table for anyone who wants one.

Mr. Ronzio informs all present of the Open Meeting Law, as he reads it aloud.

Approval of July 10th , 2013 Meeting Minutes- Mr. Schlanger makes a motion to approve the July meeting minutes as presented, Ms. VanNess seconds motion; Unanimous Approval.

Public Participation- Mr. Bill Elovirta introduces himself and his wife to all present. Bill advises that approximately one month ago, his wife emailed a letter to the Planning Board. Bill goes on to explain that the letter was written because they were having a water run-off problem with their next door neighbor. Bill goes on to explain that there are numerous other issues as well and that he has had to call the Becket Police Department two weekends in a row, explaining that there was a large boom-box placed outside his neighbor's house that was blaring very loud music, all the while the neighbor remained inside his home. Bill reads aloud a "Nuisance Law" that he had brought with him to share with the members of the Planning Board. Board briefly discusses the law read aloud. Bill asks that the Planning Board look into writing a "Public Nuisance Bylaw, as one does not exist in the Town of Becket.

Bill presents the Planning Board with a packet of information that he has prepared, to include: a Signed copy of the letter from Maddy Elovirta, the legal definition of a "public nuisance", along with documentation from a Town in British Columbia that currently has this kind of bylaw.

Board members further discuss and agree that this would be under a general bylaw rather than falling under Zoning.

Mr. Ronzio advises that they are looking at a couple of different issues and that in the situation of the water run-off issue, this has been a problem in the past and has been dealt with in the courts. Bill states that he does not have a problem with the surface water, however he explains that the neighbor's sump pump line dumps about two feet next to his property and that this has made his property so wet that he can no longer even mow that area with the tractor.

Maddy states that if there was a bylaw in place, it would give the police something to work with. Mr. Ronzio encourages Bill to bring this topic up to the Select board so that a committee can be formed.

Bill also asks board members about Code Enforcement, stating that he does not agree with the way enforcement is now being followed. Board members briefly discuss the way the bylaws are currently being enforced. Mr. Ronzio reads aloud from the Town of Becket Zoning Bylaws.

Bob explains that in the case of the water issue, the problem is that some kind of damage must be proven and then a value needs to be put on the damage done. Maddy asks that the Board members go back to the nuisance bylaw and the fact that the neighbor has no right to put water on their property at all.

Mr. Ronzio states that he will do further research and report any new information that he finds , also agreeing to pursue forming a committee to look into writing a nuisance bylaw.

Next, member of the public, Mr. Larry Larrusso, stands and introduces himself. He explains he is a resident of Clarksburg Mass , living only one mile away from a Large Wind Turbine. Larry explains that he had spoke with planning board member, Ann Krawet, on the telephone, and that she asked him if he were available to come and speak to the board as well as any public present to speak of his story and experiences, living so close to a large wind turbine. Larry goes on to explain that when the wind turbines went up, he felt as though he had no say due to the fact that they went up in different towns : Monroe and Florida. Mr. Larrusso states that there are many factors that come into play, however when the wind is coming out of the East, it is the worst. Larry states that it sounds like a jet and that many nights it wakes him up out of a sound sleep. Mr. Ronzio shows some distance maps to Mr. Larrusso , they briefly discuss. Mr. Ronzio advises Mr. Larrusso that he is speaking to the wrong board and that when a public hearing is actually scheduled, he is welcome to attend that.

Mr. Lerner also explains to Mr. Larrusso that he needs to speak at the right forum. Mr. Larrusso thanks the Planning Board for their time and states that he is just trying to prevent further suffering and share his personal experience with others.

New Business- Board members to elect a member to serve on the Community Preservation Committee-

Ms. VanNess makes a motion to elect Mr. Robert Ronzio to the Community Preservation Committee, Mr. Schlanger seconds motion. Planning Board members are called to a vote: Ms. VanNess, Mr. Schlanger as well as Mr. Ronzio approve, Mr. Lerner abstains. Motion carries and Mr. Ronzio accepts the nomination as new member of the Community Preservation Committee.

Correspondence- Mr. Ronzio reads aloud a letter that had been received that day from Jack and Mike Conboy. The letter formally requests a completed list of what would be required by the

Planning Board in order for the Conboys to go forward with their gas station proposal. Board members briefly discuss letter. Mr. Schlanger states that the applicants really need to do their own homework. Board members discuss section 9.3.2 under special permits, they also discuss a traffic ability study; done by a licensed traffic engineer, a peer review, and storm water management design . Mr. Ronzio advises that as Chairman of the Board, he will go ahead and draft a letter and send it certified mail.

All other correspondence read and reviewed.

Any other business to come before the board- Ms. VanNess states that she and Mr. Ronzio had attended a meeting of the BRPC Executive Committee and were made to feel uncomfortable and unwelcomed; Mr. Ronzio agrees with Ms. VanNess, explaining he felt the same way.

Mr. Schlanger makes a motion to adjourn, Ms. VanNess seconds motion; Meeting is adjourned at 8:30.

Schedule next meeting for Wednesday September 11th, 2013.

Respectfully submitted,

Heather Hunt
Administrative Assistant

Signed _____ Date _____
Robert Ronzio

Signed _____ Date _____
Howard Lerner

Signed _____ Date _____
Beth VanNess

Signed _____ Date _____
Martin Schlanger