



Town of Becket  
Planning Board  
557 Main Street  
Becket, Massachusetts 01223  
Phone (413) 623-8934 Ext. 20

## Meeting Minutes for September 13, 2017

**Board Members Present:** Robert Ronzio, Gale LaBelle, Ann Krawet, Alvin Blake and James Levy-arriving at 7:30 PM

**Board Members Absent:** Charles Andrews

**Administrative Assistant:** Jessica Perotti

**Public Present:** Peter Pucilocki, Steven Salvini and Mike Baldasaro

### Call to Order

Robert Ronzio calls the meeting to order at 7:02 PM and goes over the rules of the meeting. He then introduces the Board Members present at the meeting.

### Board to Review Meeting Minutes for the May, June and August Meetings

The Board reviews the minutes of the May, June and August Meetings. Ms. LaBelle was not listed on the June minutes as being absent or present; it needs to be verified whether or not she attended the June Meeting. Ms. LaBelle says she was at the August meeting too. No one remembers Ms. LaBelle being present in August. Ms. Perotti says she will play the recordings to determine who was present at the June and August Meetings and make corrections where necessary. After a brief discussion, the Board agrees that Ms. LaBelle was not at the August Meeting. The Board agrees with Ms. Perotti to listen to the recording of the June Meeting to find out if Ms. LaBelle was there. Mr. Blake makes a motion to approve the minutes of the May Meeting. Mr. Ronzio seconds the motion. Mr. Ronzio and Ms. Krawet are both in favor of approving the minutes for the May Meeting; Ms. LaBelle, Mr. Blake and Mr. Levy did not vote on the approval for the May Minutes. Motion passes to approve the May Meeting Minutes. Mr. Blake makes a motion to approve the minutes for the August Meeting. Mr. Levy seconds the motion. Mr. Ronzio, Mr. Blake and Mr. Levy are all in favor of approving the August minutes; Ms. LaBelle and Ms. Krawet did not vote on the minutes. Motion passes to approve the August Meeting Minutes. The approval of the June Minutes was tabled to the next meeting in order to verify if Ms. LaBelle was in attendance.

### New Business

**ANR Plan for 0 Tanglewood Circle:** The Board recognizes Peter Puciloski, an attorney representing Borrego Solar Systems, Inc. Mr. Puciloski presents the Board with a map outlining the lots to be combined. Mr. Ronzio says they have more than enough road frontage and more than enough acreage and that is all that is required to combine the lots. The Board has no further discussion. Although the lot combination does not require approval, the Board voted on the combination of the lots. Alvin Blake makes a motion to vote on the proposal. Gale LaBelle seconds the motion. All in favor. Mr. Ronzio then calls for a vote: all in favor. Motion is approved. The Board signs the maps and documents.



Town of Becket  
Planning Board  
557 Main Street  
Becket, Massachusetts 01223  
Phone (413) 623-8934 Ext. 20

## Meeting Minutes for September 13, 2017

**ANR Plan for 415 Prince John Drive:** The Board recognizes Mike Baldasaro of Taconic Consultants regarding the combination of lots on Prince John Drive. Mike presents the Board with his Form A, including a \$50.00 check, as well as the maps outlining the combination. There are 13 lots on the other side of the road of Prince John Drive and also on Nottingham Circle that will be combined into a four (4) acre lot. Ms. LaBelle makes a motion to combine 13 lots into 1 four (4) acre lot on Prince John Drive and Nottingham Circle. Ann Krawet seconds the motion. No further discussion. Mr. Ronzio calls for a vote: all in favor. Motion passes to combine 13 lots into 1 lot on Prince John Drive and Nottingham Circle. The Board signs the maps and documents.

**ANR Plan for 76 Hamilton Road:** The Board recognizes Steven Salvini of Salvini Associates regarding the combination of lots on Hamilton Road. Mr. Salvini presents a map and a Form A, including a \$50.00 check, to the Board outlining what they would like to do with the property. They would like to take a 2 acre parcel out of the 5.687 acre lot. Mr. Ronzio looks over the proposal and explains they would like to have a buffer between their house and the contractor's yard that is on the other side of the pasture. Mr. Ronzio sees that there is more than 200 feet of frontage and there is exactly 2.0 acres remaining. Ms. LaBelle asks where the contractor's lot is located on the map. Mr. Ronzio and Mr. Salvini point it out on the map. Ms. Krawet makes a motion to accept Mr. Salvini's proposed ANR plan for 76 Hamilton Road. Mr. Blake seconds the motion. There is no further discussion. Ms. LaBelle chooses to abstain from the vote. Mr. Ronzio calls for a vote from the remaining Board Members: all in favor. Motion is approved. The Board signs the maps and documents.

### **Board to Review Section 6.6 of the Becket By-laws regarding Large Scale Solar Systems**

Ms. Krawet suggests that the Board review the recommendations given by the Berkshire Regional Planning Commission (BRPC) before they begin looking through the Town's By-law. Mr. Ronzio says he would be more than happy to look it over but that BRPC used the Town of Becket's Solar By-law to create their Solar By-law. Mr. Ronzio says that basically, everything that is in BRPC's Solar By-law is already in the Solar By-law for Becket. Ms. LaBelle brings up the error that has still not been corrected about the approving Board for the Large Scale Solar Fields. The Planning Board should be listed as the approving Board. As of now, the ZBA is listed as the approving Board. Mr. Ronzio agrees and points out that in Section 3.1.3, Table of Use Regulations, there should be a section for Large-Scale Ground-Mounted Solar Photovoltaic Installations. When the By-law was first drafted, the responsibility was to go to the Planning Board, not the ZBA. It was never intended to be a responsibility of the ZBA. Mr. Ronzio says the table should have been updated when the By-law was added but it was overlooked. Mr. Blake feels this should be corrected because there are other solar companies that have been



Town of Becket  
Planning Board  
557 Main Street  
Becket, Massachusetts 01223  
Phone (413) 623-8934 Ext. 20

## Meeting Minutes for September 13, 2017

looking into putting more solar fields in Becket. Mr. Blake says these applicants will be forced to go before 2 Boards again. Mr. Ronzio says changes can't be made until the next annual Town Meeting. Ms. LaBelle wants to know why a change in the table would need to wait for a Town Meeting. Mr. Ronzio tells her that it is still considered a change to the By-law and any changes to a By-law need to be approved at an annual Town Meeting getting approval with two thirds (2/3) of the vote. Mr. Blake says that there are potentially three (3) By-law changes that need to be prioritized before the next Town Meeting in November so that they can be voted on there. Mr. Ronzio says there is no way to have a public hearing before the next Town Meeting; Ms. LaBelle agrees with Mr. Ronzio and says it will have to wait until the Town Meeting in May. Mr. Blake asks what the criteria is for advertising for a public hearing. Mr. Ronzio explains that notifications need to go in the newspaper for 2 weeks, the hearing itself needs to be held with an appeal period, it is then posted on the Town Bulletin Board- with time for comment on it, it would then need to be published in the warrant for the Town Meeting and that needs to go out before the Town Meeting. There is just not enough time to do it before the November Town Meeting. Ms. Krawet says that this Board wrote it so logically, this Board should be the one to oversee it. Ms. LaBelle doesn't know why some things were listed as being overseen by the Planning Board and is not under special permitting. Ms. LaBelle says they tried to set it up so that people wouldn't need to go through two (2) Boards with their applications; the Planning Board could also be the Special Permitting Granting Board. Mr. Ronzio then refers to the Large Wind Energy Systems By-laws Section 6.7.3 Definitions. He references in the definitions under **Special Permit Granting Authority (SPGA)** – The SPGA shall be the Planning Board. Mr. Ronzio confirms that the Photovoltaic definitions should include this definition from the Large Wind Energy Systems. It also needs to be changed in the Table of Contents. Mr. Ronzio says he doesn't want to make a change now and then need to come back in six (6) months for another change. Mr. Blake says that realistically, the only change to make right away would be to make the Planning Board the approving Board to an application for Large-Scale Solar. Ms. LaBelle agrees but with the language that is in the By-law now, it makes it more difficult to just change. Ms. LaBelle says that that first sentence will need to be changed also. Mr. Blake says that all references would need to be changed from the Sight Plan Approval Board to the Planning Board. Mr. Ronzio agrees with Mr. Blake. Mr. Ronzio references the Small Wind Energy Systems - Section 6.5.3, Definitions. Under Special Permit Granting Authority (SPGA): The SPGA shall be the Planning Board which is the same for Large Wind Energy Systems. The only place this definition wasn't placed was in the Large-Scale Ground-Mounted Photovoltaic Installations. It's not needed for the small-scale solar panels because those are by right and not for commercial use. Mr. Levy questions the amount of "energy space" that is available in the powerlines on Route 20. Mr. Ronzio answers that even though the lines on Route 20 have 3 phase power, it's not enough to handle the excess capacity of the solar panels at Tanglewood



Town of Becket  
Planning Board  
557 Main Street  
Becket, Massachusetts 01223  
Phone (413) 623-8934 Ext. 20

## Meeting Minutes for September 13, 2017

Circle; someone will need to spend a lot of money to do that. After further discussion on the By-law, the Board agrees that a lot of work needs to be done with this By-law. Mr. Ronzio says that with all the issues with the Large-Scale Ground-Mounted Solar Photovoltaic Installation By-law, it really needs to be rewritten as well as a By-law for Small Scale Photovoltaic to go along with it.

### Old Business

**Proposed Driveway By-law:** Mr. Ronzio says that for the most part, everything is okay with the By-law because they did have a public hearing on it, they took input from the Select Board and the Highway Department. Those were the only two (2) agencies that had any issues with the By-law. Mr. Ronzio refers to the Model Access Management Regulation hand-out and the Common Driveway hand-out. After speaking with Berkshire Regional Planning Commission, Mr. Ronzio discovered they took a lot of the information from Becket's Common Driveway By-law to create their By-law. Mr. Ronzio instructs the Board Members to read both of these hand-outs over and figure out what needs to be added or not be added. Mr. Ronzio talks about inviting the Highway Department to the next meeting. Mr. Ronzio says there will need to be a public hearing anyway and the Board can either re-write the By-law and have him come and react to it or have him come in to give input or set up a time when it is turned over to a subcommittee. Ms. Krawet doesn't want to turn it over to a subcommittee; she feels the Board should have someone to come in to give suggestions. The Board discusses objections from the Select Board regarding the By-law. The Select Board's objection was that you can't tell people what they can do with their property. Mr. Ronzio disagrees and says that that is exactly what Zoning By-laws really do. Zoning By-laws were created to tell people what is expected from the Town. Ms. Krawet says she withdrew it from the warrant because the language didn't match. She wants to be sure that if and when the Driveway By-law is resubmitted, the Board needs to be sure that the language is the same throughout on both documents. Mr. Ronzio talks about different types of driveways: the shape of the driveway, the distances to neighboring driveways and the angle of the driveway where it meets the roadway. Mr. Ronzio gives examples of similar situations with roads in other towns. When you have a sharp angle where roads intersect, it makes it difficult to enter the roadway safely. Mr. Ronzio says the state has reduced, in many cases, those types of intersections. Mr. Ronzio and Ms. LaBelle feel the Driveway By-law and the Solar By-law need to be reformed by the end of the year and the hearings should be in January and February.

### Rules and Regulations for the Planning Board

Mr. Ronzio takes out a copy of the Rules & Regulations of the Planning Board that he had previously drafted. He also got a copy of the Rules & Regulations from the Town of Warren to



Town of Becket  
Planning Board  
557 Main Street  
Becket, Massachusetts 01223  
Phone (413) 623-8934 Ext. 20

## Meeting Minutes for September 13, 2017

compare. Their regulations are from 1999. Mr. Ronzio asks the Board Members to review both and to come to the next meeting prepared to revise Rules & Regulations for the Board.

### **Marijuana Workshop Review**

Mr. Ronzio informs the Board that he was contacted by Jody McCarthy who is working out a land deal with someone on Quarry Road. Mr. McCarthy is also interested in property near the bottom of the hill at routes 8 & 20 close to where Lindal Cedar Homes and Sunrooms is located. Mr. Blake asks Mr. Ronzio if he knows what Mr. McCarthy is planning to do with the land on Quarry Road. Mr. Ronzio says he will be growing marijuana there. Mr. Blake asks if it will be for recreational marijuana. Mr. Ronzio tells Mr. Blake that it's just marijuana. Mr. Blake says there are still regulations regarding medical marijuana. Mr. Ronzio refers to the Table of Use Section: marijuana doesn't fall under agricultural use exempt. However, Becket has agricultural-nonexempt and it says commercial greenhouse. Mr. Ronzio questions if Mr. McCarthy will need to get a letter of approval. Mr. Blake says that that is the difference he was talking about with medical marijuana versus recreational. Mr. Ronzio lets Mr. Blake know that medical marijuana has been moved out of the Department of Public Health and moved it over to this new Commission. This Commission will be regulating the rules over marijuana. It is unknown if the current laws regarding medical marijuana will stay the same. Ms. LaBelle questions what will happen when patients in the hospital want their medical marijuana. Ms. Krawet asks Mr. Ronzio how he knows this information. Mr. Ronzio tells Ms. Krawet that Mr. McCarthy called him and also Ed Gibson, the Town Administrator, to let him know that he would be returning to Becket to go before various Boards to see about having a growing facility as well as a retail outlet. Mr. Blake says that until March 31<sup>st</sup>, he would only be able to grow medical marijuana. Mr. Ronzio questions this because of it being taken away from the Department of Public Health and given to this new Commission. He feels that this topic has not yet been addressed. He reminds the Board that it is not a question they need to answer. Ms. LaBelle feels that the Board should address the Commission with this question; this needs to be dealt with now. Mr. Ronzio says that he thinks what Mr. McCarthy is intending to do is to follow the rules of medical marijuana. He will come in and ask for a cultivation license on Quarry Road and put in what he has come before the Board about previously. Mr. Ronzio doesn't think that anyone in that immediate area will object to his plan. Ms. Krawet asks where exactly on Quarry Road is Mr. McCarthy looking at property. Mr. Ronzio and Ms. LaBelle let her know it is within Peace Haven Farm - at the entrance of the Quarry. The Board feels this is a very logical place for him to grow. Mr. Ronzio says under the old rules, he would be considered agricultural; with the new rules, he is considered agricultural-nonexempt. Mr. Ronzio refers again to the agricultural section and under agricultural use nonexempt: commercial greenhouse, they would need to come before the Planning Board. Ms. LaBelle questions if they will need to go before the Select



**Town of Becket  
Planning Board  
557 Main Street  
Becket, Massachusetts 01223  
Phone (413) 623-8934 Ext. 20**

## **Meeting Minutes for September 13, 2017**

Board. Mr. Ronzio says that if they were to ask for this now, they would need to go before the Select Board. If he were to wait until March 31, 2018, he would need to come before the Planning Board. Mr. Ronzio feels that the Select Board will be taken out of the picture under the new rules, after March 31, 2018. Ms. LaBelle questions the taxes that will be imposed in the future. Mr. Ronzio and Mr. Blake confirm that the Town could add another 3% on if they choose to do that. Ms. LaBelle asks Mr. Ronzio if he knows when Mr. McCarthy will be coming back to Becket. Mr. Ronzio said he was unsure; Mr. McCarthy merely said that he would be coming up and wanted to know if he (Mr. Ronzio) would be available. Mr. Blake heard that the Board may be asked to pass a moratorium on marijuana. Mr. Ronzio reminds the Board that the last time it was requested, Mr. Ronzio wrote it up and it was not acted on at all. Ms. LaBelle questions why the Board should be required to draft a moratorium. Mr. Levy is against it and feels it is a political issue not a statutory issue. Mr. Levy feels that the Select Board is asking the Planning Board to insert themselves in what is effectively a political stance they (the Select Board) wish to take: it's not the job of the Planning Board. Mr. Blake also questions why it would be their responsibility to form a moratorium; he says that in other towns, the Select Board has written moratoriums. Mr. Ronzio says that it really falls under Zoning because it's a Zoning By-law. Mr. Ronzio says that the intent of the moratorium is to give time for a By-law to be written. A By-law can't be written until the Rules & Regulations are written by the Commission. Mr. Blake questions if it is the Board's option to deny the request of a moratorium. Mr. Ronzio answers that if a letter is sent and put on the agenda, the Board can then vote against it, if they choose. Ms. LaBelle agrees that a letter would need to be submitted first before anything can be done about it.

### **Correspondence:**

#### **Board to sign James Levy's appointment slip to serve on the Community Preservation Committee**

The appointment slip for James' appointment is passed to Mr. Ronzio and Mr. Blake for their signatures. Charles Andrews will be asked to come in to sign the appointment slip since he is absent tonight and was present when Mr. Levy was voted in to serve on the Committee.

### **Budget**

There is not a copy of the budget on hand to review. Mr. Ronzio reminds the Board that salary warrants are no longer being taken out of the budget and no ads have needed to go in the newspaper so no funds have been taken out since the last meeting.

### **Any Other Business to Come Before the Board**

There is none.





Town of Becket  
Planning Board  
557 Main Street  
Becket, Massachusetts 01223  
Phone (413) 623-8934 Ext. 20

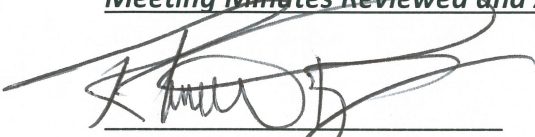
## Meeting Minutes for September 13, 2017

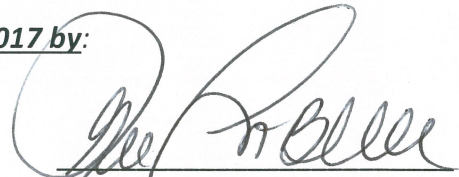
*The next Planning Board Meeting is set for October 11, 2017 at 7:00 PM*

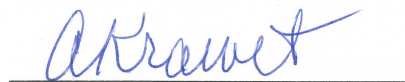
### Adjournment

Mr. Blake makes a motion to adjourn. Ms. LaBelle seconds the motion. All in favor. Motion passes to adjourn the meeting. Meeting is adjourned at 9:11 PM.

Meeting Minutes Reviewed and Approved on October 11, 2017 by:

  
Robert Ronzio, Chairman

  
Gale LaBelle, Vice Chairman

  
Ann Krawet, Clerk

  
Alvin Blake, Clerk Pro Tem

  
James Levy