



**Town of Becket**  
**Planning Board**  
**557 Main Street**  
**Becket, Massachusetts 01223**  
**Phone (413) 623-8934 Ext. 120**  
[planning@townofbecket.org](mailto:planning@townofbecket.org)

## **Meeting Minutes for January 8, 2020**

**Board Members Present:** Robert Ronzio, James Levy, Ann Krawet, Alvin Blake and Howard Lerner- via telephone

**Board Members Absent:** Gale LaBelle

**Administrative Assistant:** Jessica Perotti

**Public Present:** Linda Houghtaling, Alan Houghtaling, Jason LaCourciere, Zach Lepore, Spencer Romano, Mike Kirchner, Louise Kirchner, John Perusse, Sr., Bob Cimini, Ann Spadafora, Martin Cooper, Natalia Likhtik, Boris Likhtik, Ekaterina Likhtik, Pioter Drubetskoy, John Gauthier, Karen Karlberg, Mike Conboy, Amanda Frigon-Lawrence, Neal Dach, Karen Brodie, Richele Baburina and Oleg Baburin

1. **Call to order:** Robert Ronzio calls the meeting to order at 7:00 PM. Mr. Ronzio reads the rules of the meeting and introduces the Board members present noting that Howard Lerner is present via telephone.
2. **Board to review meeting minutes for December 11, 2019:** Alvin Blake **makes a motion** to move this item to the end of the meeting. Ann Krawet **seconds the motion**. All in favor. **Motion passes.**
3. **Old Business:**
  - a. **Letter(s) to be drafted regarding Form 7 for Sections 6.6 and 6.8:** Mr. Blake **makes a motion** to move this item to the end of the meeting. Ms. Krawet **seconds the motion**. All in favor. **Motion passes.**
  - b. **Public Hearing, continued - 0 Jacob's Ladder Road, map/lots 404/19+20: Becket West CNB LLC seeks relief from Section 6.8 to operate a marijuana cultivation, packaging and distribution facility:** The Board recognizes Neal Dach and Bob Cimini. Mr. Dach requests to postpone the hearing until a percolation (perc) test can be done. Mr. Ronzio reopens the public hearing at 7:09 PM. Jessica Perotti reads the public hearing notice into the record. Mr. Ronzio notes that James Levy was not present at the original hearing and will need to be briefed; it is another reason for postponement. Mr. Ronzio asks Mr. Dach to give a brief overview of the presentation he made in November. Mr. Dach makes his presentation and asks if anyone has questions. Karen Karlberg asks if he received an approval from the Conservation Commission regarding a vernal pool that is located on one of the proposed lots. Mr. Dach confirms he did contact the Conservation Commission and was told that they did not have jurisdiction over the pool. Ms. Karlberg believes he will need approval at a state level.

Karen Brodie asks about pests that would be of concern and what type of pest controls will be in place. Mr. Dach says that spider mites generally cause the



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biggest problem and can be controlled with lady bugs that eat the spider mites. Mr. Dach also proposes to use neem oil mixed with water to prevent the spider mite eggs from hatching. Mr. Dach says that caterpillars are also a major problem and proposes to add a special collar around the base of the plant that prevents caterpillars from getting into the plant. These collars also help with rodent control. Mr. Dach says he does not plan on using any chemicals for pest/rodent control.

Following a brief discussion, the Board concludes that a perc test could be done in the spring. Ms. Krawet **makes a motion** to continue this public hearing to April 15, 2020. Mr. Blake **seconds the motion**. All in favor. **Motion passes.**

- i. **Reverse ANR at 0 Jacob's Ladder Road, Map/Lots: 404/19+20:** Mr. Ronzio reminds Mr. Dach and Mr. Cimini that this will need to be done on or before April 15, 2020.

**4. New Business:**

- a. **Public Hearing - 37 Shore Road, Map/Lot: 204/185 - Jason LaCourciere seeks relief from Section 3.4.6 to rebuild after a fire:** Mr. Ronzio asks Ms. Perotti if all interested parties have been noticed and if all fees have been paid. Ms. Perotti confirms they have been. Mr. Ronzio opens the public hearing reminding everyone of the rules. The Board recognizes Jason LaCourciere. Mr. LaCourciere says that he would like to rebuild the structure that was there previously to garage his boats; the dwelling would have a living space on the second floor to meet the zoning requirements. He says the septic system is still there but will require a Title V inspection. The Board determines the location for the proposal; it is just before the Mountain Grove Association on the right. Mr. LaCourciere says the dwelling will be built in the same estimated footprint of the previous dwelling because the original footprint is not on record. Dr. Lerner asks about how the waste will be disposed. Mr. Ronzio reminds Dr. Lerner that the applicant will still need to meet the requirements of the Board of Health and Building Department; those matters should not be considered by this Board. Mr. LaCourciere says he doesn't want to spend a lot of money on the septic system; he really just wants to garage his boats because he is unable to at his house that is across the street.

There is a brief discussion regarding the placement of the dwelling. Mr. LaCourciere says the previous dwelling was right up against the property line. Mr. LaCourciere says he will build it to whatever dimension the Board would like



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him to build it. The Board reviews the submitted plan and agree that it will need to be revised to meet the setbacks of at least thirteen feet (13') on each side and a forty foot (40') front setback. This will allow for emergency vehicles to get through if needed.

Mr. Ronzio opens public input and recognizes John Gauthier. Mr. Gauthier would like to know how high the structure will be. Mr. LaCourciere says it will need to be two (2) stories to meet the zoning requirements. After a brief discussion, Mr. Ronzio concludes it will be roughly twenty-four feet (24') high and will be well under the forty foot (40') height requirement. Hearing no further comment, Mr. Ronzio closes the public input and asks the Board to deliberate.

Mr. Blake says he doesn't have a problem with the proposal with the stipulation that those setbacks are met.

Ms. Krawet asks if it will look like the picture submitted. Mr. LaCourciere agrees and says he wants it to look nice too because he can see it from his house. Ms. Krawet confirms Mr. Gaurthier lives across the street and asks Mr. LaCourciere what is on each side of his property. Mr. LaCourciere says the Mountain Grove Clubhouse along with its parking lot and a neighbor.

Mr. Ronzio asks Ms. Perotti if there was any written notifications from any of the abutters. Ms. Perotti says there was not but a few people did stop in to review the application; all said they've seen Mr. LaCourciere's work and feel like he will do a good job on it.

The Board members write out their decisions as follows:

- **Alvin Blake:** I approve relief from Section 3.4.6 for Jason LaCourciere to build on map/lot: 204/185 to build a house/garage providing 13' side and 40' front setbacks are adhered to.
- **James Levy:** I, James Levy, approve because the person seeking relief has agreed to obey the 40' frontal setback and will also maintain a 13' setback on either side of the new building. My approval is conditional on these stipulations being met.



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- **Ann Krawet:** I, Ann Krawet, approve contingent on PB stipulation that front setback would meet the 40' requirement and that the structure would be narrow enough to have 13' setback on each side and that abutters have not objected to this proposal and that the proposed building would be an attractive addition to the area and town under 3.4.6.
- **Howard Lerner:** Abstains.
- **Robert Ronzio:** I, Robert Ronzio, approve the Jason LaCourciere application to rebuild a structure on 37 Shore Road, Map/Lot: 204/185 as it is in concert with the neighborhood with the following provision that the house be set back 13' from the sidelines and 40' from the road. Additionally, the structure must meet Mass. Building code and Board of Health regulations regarding well and septic.
- **Gale LaBelle:** Absent.

Mr. Ronzio advises the applicant that the twenty (20) day appeal period begins when the decision paperwork is submitted to the Town Clerk. Providing there are no appeals, the paperwork can be picked up from the Town Clerk after the appeal period had ended. The decision will also need to be filed at the Registry of Deeds. The applicant thanks the Board and leaves the meeting.

- b. **Public Hearing - 0 Jacob's Ladder Road, Map/Lot: 213/16 - Spencer Romano seeks relief from Section 6.8 to operate a Tier 3 marijuana establishment for cultivation and manufacturing:** Mr. Ronzio reminds every one of the rules of the public hearing. Mr. Ronzio asks Ms. Perotti if all interested parties have been noticed and if all fees have been paid. Ms. Perotti confirms all parties have been noticed and the applicant submitted payment tonight for the additional fees owed. Mr. Ronzio opens the hearing at 8:05 PM and asks the applicant to present his application. The Board recognizes Zach Lepore who is working with Spencer Romano. Mr. Lepore explains that following the expressed disapproval of the neighbors at the Community Outreach Meeting held last night, they have decided to withdraw the application. He would like to discuss any issues other than location. Mr. Ronzio informs the Board they can allow the application to be withdrawn with or without prejudice. If allowed to withdraw without prejudice, the applicants will not have to wait two (2) years to reapply. Following a brief discussion, Dr. Lerner **makes a motion** to allow the application to be withdrawn without prejudice. Mr. Blake **seconds the motion**. All in favor. **Motion passes.**



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Mr. Ronzio gives a brief description of the progress of the application. Mr. Romano thanks those present and asks for suggestions of an area that would be more acceptable to the town for this type of establishment.

5. **Public Input:** The Board recognizes Ann Spadafora. Ms. Spadafora says she is willing to help the applicants find a more suitable location for their proposal.

The Board recognizes John Perusse. Mr. Perusse suggests the property on Johnson Road that was previously proposed for a marijuana growing facility. He thinks it would be a great location because of the large size of the property along with the fact that it is isolated and already has its own road. There is a brief description regarding the property on Johnson Road.

Mr. Ronzio lets Mr. Romano and Mr. Lepore know about some other properties proposed for marijuana that were on Quarry Road and Werden Road. He explains that they could not develop in subdivisions like Indian Lakes because of their association bylaws. Mr. Ronzio also discusses a 2 acre lot next to the retail marijuana facility that was approved at 2727 Jacob's Ladder Road. The establishment would require three phase power.

The Board recognizes Louise Kirchner. Ms. Kirchner lives down the street from the project proposed by Mr. Romano. She is concerned that she did not receive a notice regarding the public hearing. Mr. Ronzio explains that abutters that would have received a notice need to be within three hundred feet (300') of the proposed property. Ms. Perotti shows her a copy of the map used to determine the abutters of the property; Ms. Kirchner lives more than 300' away.

The Board recognizes Mr. Lepore. Mr. Lepore asks if they should come for another informal discussion should they find another piece of property. Mr. Ronzio agrees that would be a good idea distinguishing that while nobody on the Board is a real estate agent, they are familiar with the town. Mr. Romano asks if there is other criteria the town residents are concerned by with this type of establishment.

Ms. Kirchner says she has a small child and would not like to have the smell of "skunk" in the neighborhood. Mr. Ronzio explains there is a sister plant to marijuana called hemp that produces the same odor when it grows. The farmer down the street from Town Hall grew a crop this past season and as far as he knows, there were no complaints about odor.



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The Board recognizes Ekaterina Likhtik. She lets the Board know that she lives in the house directly abutting the proposed marijuana establishment. Her concerns were the motion lights proposed for the facility would be turned on all the time with the many different types of wildlife in the area. She also has children that she is concerned about the odor that would be coming from the facility. She says there is a crime aspect to be worried about too. She respects his right to get into this type of business but she doesn't want it next to where she lives. She also says she works in a lab and works with carbon filters that are incredibly expensive to replace. She feels like the property isn't large enough for this type of establishment.

Ms. Krawet suggests that if people want to see changes made to the bylaw, they should get twenty (20) signatures to present at the next Town Meeting.

6. **Budget:** Approximately sixty six percent (66%) of the budget has been spent.
7. **Correspondence:** Ms. Perotti informs the Board she will have invoices for the notices published in the Berkshire Eagle for the Public Hearings scheduled tonight.

Ms. Perotti informs the Board that letters were submitted regarding the application withdrawn tonight.

Mr. Ronzio asks if anyone would like to attend the 5<sup>th</sup> Thursday event through Berkshire Regional Planning Commission (BRPC); the cost to attend is \$35.00. After a brief discussion, Mr. Ronzio and Ms. Krawet confirm they would like to attend.

8. **Any other business to come before the Board:**
  - a. Mr. Blake says he would like to see the newly passed bylaws regarding solar arrays and marijuana establishments on the website. Mr. Ronzio says the necessary information has been sent to the Town Clerk who may be waiting for approval from the Attorney General's office before posting it.
  - b. The Board has a brief discussion regarding making revisions to Section 6.8 of the Becket Zoning Bylaws. Following their discussion, they believe the setbacks may need to be expanded.
  - c. The Board returns to item 2 of the agenda. Following their review, Mr. Blake **makes a motion** to approve the minutes of December 11, 2019. Ms. Krawet **seconds the motion**. All in favor. **Motion passes**.
  - d. Mr. Ronzio advises he will return to the office before the February meeting to take care of the letter for the Form 7 regarding solar and marijuana



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establishments being added to the Table of Use in Section 3.1.3 of the Becket Zoning Bylaws.

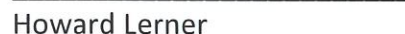
- e. There is a brief discussion regarding redrafting a driveway bylaw.

Dr. Lerner dismisses himself off the phone at 8:55 PM.

Mr. Levy dismisses himself at 9:03 PM.

- 9. **Adjournment:** Mr. Blake **makes a motion** to adjourn. Ms. Krawet **seconds the motion**. All in favor. **Motion passes**. Meeting is adjourned at 9:15 PM.

### **Meeting minutes reviewed and approved on February 12, 2020 by:**

  
Robert Ronzio, Chair  
James Levy, Vice Chair  
Ann Krawet, Clerk  
Alvin Blake, Clerk Pro Tem  
Howard Lerner