



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

Meeting Minutes for February 23, 2021

Meeting held via Zoom

Board Members Present: Robert Ronzio, James Levy, Alvin Blake and Ann Krawet

Board Members Absent: Howard Lerner and Gale LaBelle

Administrative Assistant: Jessica Perotti

Public Present: None

1. **Call to order:** Robert Ronzio opens the meeting at 5:05 PM and forgoes reading the rules of the meeting since there are no members of the public present.
2. **Board to review and approve meeting minutes of February 12, 2020 and November 18, 2020:** Ann Krawet **makes a motion** to approve the minutes of February 12, 2020. Alvin Blake **seconds the motion**. Mr. Ronzio calls for a roll-call vote:

- Ann Krawet: yes
- James Levy: yes
- Robert Ronzio: yes
- Alvin Blake: abstains
- Howard Lerner: absent
- Gale LaBelle: absent

All in favor with the exception of Mr. Blake who abstains. **Motion passes.**

Ms. Krawet **makes a motion** to approve the minutes of November 18, 2020. Mr. Levy **seconds the motion**. Mr. Ronzio calls for a roll-call vote:

- James Levy: yes
- Ann Krawet: yes
- Alvin Blake: yes
- Robert Ronzio: yes
- Howard Lerner: absent
- Gale LaBelle: absent

All in favor. **Motion passes.**

3. **Old Business:**
 - a. **Update on letter sent to property owner regarding locked gate installed across Tanglewood Circle:** Mr. Ronzio reminds the Board of the gate situation on Tanglewood Circle. Mr. Ronzio gives examples of similar situations in the other private communities with private roads in town. He clarifies that all roads have



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public access. Mr. Blake says he has walked the area and believes the gates were installed by the solar company because the gate on the other side is exactly the same. Mr. Ronzio confirms he spoke with the solar company that verified they don't have any plans that show blocked roads in that development. There is a brief discussion regarding the layout and what the road accesses. They decide the road only accesses the lots within the subdivision. There is a brief discussion regarding the current state of the gates. It is confirmed that the gate closest to the entrance of Tanglewood Circle is closed but unlocked for emergency situations. The gate farther in will remain open. Mr. Blake **makes a motion** that no further action be taken since emergency vehicles and personnel now have access. Ms. Krawet **seconds the motion**. *Discussion:* Mr. Ronzio agrees but thinks a letter should be sent to the property owner to confirm the gates need to stay this way especially for emergencies but also because of the marijuana facility that was approved on Tanglewood Circle. Mr. Blake **makes an amendment to the motion** that a letter be sent to the property owner to confirm the gates need to remain open/unlocked. Ms. Krawet **seconds the amendment to the motion**. Mr. Ronzio asks the Board to vote on the amendment to the motion:

- Alvin Blake: aye
- Ann Krawet: aye
- James Levy: aye
- Robert Ronzio: aye
- Howard Lerner: absent
- Gale LaBelle: absent

All in favor. **Motion passes.**

Mr. Ronzio asks the Board to vote on the original motion:

- Alvin Blake: aye
- Ann Krawet: aye
- James Levy: aye
- Robert Ronzio: aye



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- Howard Lerner: absent
- Gale LaBelle: absent

All in favor. **Motion passes.**

- b. **Informal discussion regarding establishing zoning districts:** Following a brief discussion, the Board agrees that this will not be acted upon at this time since there has been no response from the public. Mr. Blake suggests making an announcement at the **Annual Town Meeting (ATM)**. Mr. Levy doesn't think there should be any kind of discussion at the ATM, just to make the announcement. Mr. Blake **makes a motion** that an announcement be made at the ATM to see if there is an interest in establishing a zoning district. Ms. Krawet **seconds the motion**. Mr. Ronzio calls for a roll-call vote:

- Alvin Blake: aye
- Ann Krawet: aye
- James Levy: aye
- Robert Ronzio: aye
- Howard Lerner: absent
- Gale LaBelle: absent

All in favor. **Motion passes.** Mr. Ronzio asks Ms. Krawet if she would like to make the announcement. Ms. Krawet agrees. Mr. Ronzio suggests that she read the announcement that is already posted on the website.

- c. **Informal discussion regarding revising the existing marijuana bylaw:** Mr. Ronzio asks the Board for their input. Ms. Krawet recalls a previous discussion regarding increasing the setbacks. There is a brief discussion. Mr. Blake questions if there would be enough time to get the revisions made in time for the ATM. Mr. Levy doesn't think there is enough time. Ms. Krawet says they could still make some revisions. Mr. Levy thinks that these bylaws were created with the intention to help the local farmers, communities and residents- not make it easier for large companies to come in and take over the area. Mr. Blake agrees but doesn't think a 500' (five-hundred foot) setback would preclude anyone from establishing an outdoor marijuana grow facility. Ms. Krawet suggests they take the same approach as the solar or wind turbine bylaws that



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require different setbacks for different lot sizes. There are brief discussions regarding odor and water usage. Mr. Blake doesn't think any of the suggested changes would satisfy the abutters of the current application. He suggests moving on since there isn't enough time to make the necessary revisions for the ATM. Mr. Ronzio says that if marijuana is removed from the federal "schedule 1 narcotics" list, then marijuana would become an agricultural product and odor complaints would no longer be relevant. Mr. Blake suggests making another announcement at the ATM.

- d. **Informal discussion regarding the town's Master Plan:** Due to the many sections of the Master Plan, Mr. Ronzio suggests they review the "Introduction" to discuss at the next meeting. He adds that the document should be converted into an editable format making it easier to make changes to the remaining sections; he has a program that can convert it to a word document.
- e. **Review of Special Permit issued to Spencer House LLC for a retail marijuana facility at 3235 Main Street:** Mr. Ronzio reviews the history of this proposal and approval. He feels that any alterations to special permits should be confirmed by the Board. Mr. Blake agrees that she should have come before the Board but because the alterations didn't affect the retail area that no further action should be taken. Mr. Levy agrees it should be formally amended. There is a brief discussion regarding what was required of the applicant. Mr. Levy feels the enforcement official is outside of the jurisdiction of those that grant the approvals for special permits. He suggests addressing this with the Select Board. There is a brief discussion regarding permissions that are by-right versus those that are allowed by special permit. Mr. Blake says there seems to be 2 (two) recourses: to do nothing or send notification that she formally amend her special permit. There is a brief discussion regarding other amendments made to past applications submitted by the same applicant that were not approved by the Board. There is an additional discussion regarding consulting town council about what would be involved in amending a special permit. Mr. Levy isn't sure how to handle it because the situation was mishandled beyond the Board's control. Ms. Perotti shows an email from the Town Administrator, which relays a message from town council, stating he feels the matter is closed based on his conversations with the Building Inspector. While Ms. Perotti retrieves the email,



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Mr. Ronzio lets the Board know he doesn't agree because the Building Inspector withheld issuing other building permits because the applicant(s) had to get a special permit. He feels the circumstances are quite similar and in the case regarding Spencer House LLC, the applicant should have been referred again to the Planning Board. Mr. Ronzio goes into further details. Ms. Perotti returns with a copy of the email and Mr. Ronzio reads it into the record. Mr. Ronzio suggests a letter should be written to the Building Inspector stating their objections. Mr. Blake questions the purpose of a letter when the Board has agreed they don't want to stop her from opening the establishment. Mr. Ronzio argues that the Building Inspector should be informed how such permits should be handled in the future. Mr. Levy thinks the letter should say that if anything changes regarding a special permit, the applicant should always be referred back to the Board that issued the permit. Mr. Ronzio refers back to some instances where the Building Inspector referred others to the Board to get their special permits; changes to special permits are in the same category. Mr. Ronzio describes the parameters approved at the public hearing. Ms. Krawet feels that the special permit should match what is currently standing. Therefore, it should be formally amended. There is a brief discussion regarding what was submitted. Ms. Perotti reminds the Board that the minutes regarding this special permit have not been approved yet. Mr. Blake feels that because the dimensions were not part of the public hearing, the Board has no standing. Mr. Levy feels that this applicant got lucky. He suggests that the Board learn from this and drop it. Mr. Ronzio polls the Board. Ms. Krawet is still not satisfied. There is a brief discussion regarding the minutes of that meeting. Mr. Blake **makes a motion** that Ms. Perotti contact the CCC to confirm the permit is in good standing. In addition, a letter be sent to the Building Inspector, with a copy to the Select Board, stating any building permits issued, in relation to a special permit issued by the Planning Board, the Building Inspector needs to advise the applicant to return to the Planning Board for consultation. Mr. Levy **seconds the motion**. Discussion: Ms. Krawet is not satisfied with the outcome. Mr. Ronzio calls for a roll-call vote:

- Alvin Blake: aye
- James Levy: aye



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- Ann Krawet: abstains
- Robert Ronzio: aye
- Howard Lerner: absent
- Gale LaBelle: absent

All in favor with the exception of Ms. Krawet who abstains. **Motion passes.**

- f. **Letter to William Girard regarding non-conforming lots- review for approval:**
After their review of the drafted letter to Mr. Girard, Mr. Blake **makes a motion** to approve the draft and send it. Ms. Krawet **seconds the motion**. Mr. Ronzio calls for a roll-call vote:

- James Levy: yes
- Alvin Blake: yes
- Ann Krawet: yes
- Robert Ronzio: yes
- Howard Lerner: absent
- Gale LaBelle: absent

All in favor. **Motion passes.**

4. New Business:

- a. **Informal discussion with Joseph McCarthy regarding a marijuana cultivation facility:** Mr. Ronzio lets the Board know he found out that Joseph McCarthy is interested in developing an outdoor marijuana grow facility somewhere in town. Since Mr. McCarthy is not present, there is no further discussion.
- b. **Informal discussion regarding a proposed small wind turbine next to Town Hall:** Mr. Blake advises that the Energy Committee is looking into various scenarios that would offset the energy costs of the town. A small solar array was proposed, next to Town Hall, but was not favorable. Now, they are suggesting a small wind turbine, 150' (one-hundred fifty feet), to be installed next to Town Hall. Mr. Blake feels the installation would fit within the bylaws. Mr. Blake advises that the wind turbine would produce more energy than the proposed solar array. Mr. Blake says it would be a long time before a decision is made and wanted to get feedback from the Board. Mr. Blake says it can be discussed at a future meeting.



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5. **Budget:** This item is tabled.
6. **Correspondence:**
 - a. **DLTA application for 2021:** Mr. Ronzio doesn't think there is enough time to act on this application.
 - b. **CPTC 2021 E-Workshops notification:** There is no interest from the Board.
 - c. **Town Caucus Notice:** Mr. Ronzio reminds the Board that Mr. Levy is up for re-election this year. Following a brief discussion, Mr. Levy confirms he would like to continue on the Board. The Board agrees they will help Mr. Levy get signatures due to the current pandemic.
7. **Any other business to come before the Board:** Mr. Levy advises that the **Community Preservation Committee (CPC)** will be meeting on March 1, 2021. He will report information discussed at that meeting.

Ms. Perotti forwards an article, written by Peter Spotts of the Country Journal, regarding 509 Quarry Road. It is a concern that Mr. Spotts, may have recorded the meeting, which he is allowed to, but is required, by law, to let the Board know that he is recording it. Mr. Spotts did not answer, at all, when asked and he did not attend the entire meeting. This concern is based on direct quotes given in the article.

8. **Adjournment:** Mr. Blake **makes a motion** to adjourn. Ms. Krawet **seconds the motion**. Mr. Ronzio calls for a roll-call vote:

- Alvin Blake: aye
- Ann Krawet: aye
- James Levy: aye
- Robert Ronzio: aye
- Howard Lerner: absent
- Gale LaBelle: absent

All in favor. **Motion passes.** Meeting is adjourned at 7:27 PM.



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Meeting minutes reviewed and approved on March 10, 2021 by:

Robert Ronzio, Chair

James Levy, Vice Chair

Ann Krawet, Clerk

Alvin Blake, Clerk Pro Tem