

**Town of Becket
Planning Board
557 Main Street
Becket, Massachusetts 01223
(413) 623-8934 ext. 120 fax (413) 623-6036
planning@townofbecket.org**

Meeting Minutes – January 12, 2022

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

Board Members Absent: Gale LaBelle

Administrative Assistant Present: Jessica Perotti

Public Present- via ZOOM: Abigail Ostow & Arthur Telegen, Adele Levine, Andrew Wilkinson, Barbara Mandler, Bob Gross & Barbara Wacholder, Brian Vincent, Bruce Kohn, Carl Goodman, Charles & Paula Miller, Cynthia Trenholm, Dan Scher, David Edell, David Giannini, David Killeen, Debbie Sheridan, Donna Schaefer, Doris Starr, Elliot Slotnick, Gordon Celliers, Harold Ware, Jim Petosa, John & Beverly Lambert, John Verity, Josh Swartzbach, Judy Pillinger, Julia Kay-Grace, Kathy Dickinson, Larisa Shpitalnik, Larry Parness, Laura & Rich Fredricks, Lauren Staley, Laurie Friedman, Laurie Thomas, Lei-Anne Ellis, Lynn Howard, Mary Broden, Michael Goodenough, Michael Lavery, Michael Pillinger, Michele Cohen, Morris Freeman, Paul Aube, Pete Gould, Philip Wasserman, Rafi Bildner, Richard Graf, Rob & Linda Benton, Robert Gemmell, Robert Schwartz, Sharon Sparkowich, Shaw Izikson, Stephen Stander, Tess Lundberg, Victoria & Andrew Bleier, Wendy Wright, Wesley Vercosa and Yale Robbins

1. **Call to order:** Following some technical difficulties, Robert Ronzio calls the meeting to order at 6:13 pm. Mr. Ronzio reads the rules of the meeting and introduces the board members present. He notes Howard Lerner is attending via ZOOM and Gale LaBelle is having trouble getting in to the ZOOM but will continue to try.
2. **Board to review and approve meeting minutes of:**
 - a. **December 8, 2021:** Alvin Blake **makes a motion** to approve the minutes for December 8, 2021. Ann Krawet **seconds the motion**. Mr. Ronzio calls for a roll-call vote:
 - Alvin Blake: aye
 - James Levy: aye
 - Ann Krawet: aye
 - Howard Lerner: aye
 - Robert Ronzio: aye
 - Gale LaBelle: absent

All in favor. **Motion passes.**

3. **Old Business:**

- a. **Public Hearing, con't.:** Brian Vincent, on behalf of Tetra Hydra AgTek LLC, seeks relief from § 6.8 of the Becket Zoning Bylaws to operate a Tier 11 marijuana



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cultivation facility at 0 Quarry Road; map/lot: 416/10.1: Mr. Ronzio re-opens the public hearing at 6:19 pm. He gives a brief overview of the proceedings and asks Brian Vincent to go ahead with his presentation. Mr. Vincent requests a continuance until February. He explains he was able to get the percolation (perc) test and delineations done before the requested date of December 29, 2021. He notes the delineations weren't received until December 27th and they were still able to make the target date. He further explains that the layout of the greenhouse also needs to be adjusted. Unfortunately, their greenhouse company is based in Canada and due to the effects of the new Covid-19 variant, they were forced to close shortly before Christmas and re-opened only two (2) days ago. The changes needed for the greenhouse also means they are forced to change the layout of the heating/cooling systems. He didn't want to do a rush job to get it to the board today. He wanted to allow enough time for the board to review the plan. Mr. Ronzio asks the board if they have any questions. Dr. Lerner **makes a motion** to grant the continuance. Mr. Blake says he would like to confirm the size of the lot. Mr. Ronzio says that the Conservation Commission has some concerns and asks for an update regarding the configuration of the lot. Mr. Vincent says the configuration of the building and locations of the storm water management will be the only changes. He also notes there was an error regarding the size of the lot that will be addressed. Dr. Lerner interrupts the discussion and says he would rather have this discussion after the site plan is re-submitted with changes- not in bits and pieces. Ms. Krawet says she would like to do a site visit. Dr. Howard asks for a second to his motion. Mr. Blake says he wants to know the size of the lot. Mr. Ronzio asks Dr. Lerner to withdraw his motion at this time. Mr. Ronzio suggests the revised final site plan should be submitted by January 28, 2022 and to schedule a site visit before the February meeting. Mr. Blake looks for a confirmation of the lot size. Mr. Vincent confirms the lot is 5.6 acres. He explains there was an overlay error when the files were transferred. Mr. Vincent says he will make himself available to the board's schedule for a site visit. There is a brief discussion regarding the location of the perc test in relation to the reconfiguration of the building. Following the discussion, the board and Mr. Vincent agree that the final site plan will be submitted on or before January 28, 2022 and a site visit will be scheduled before the February 9th meeting.



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Mr. Ronzio recognizes Abigail Ostow. Arthur Telegen clarifies he is sharing a screen with his wife. He reminds the board that this public hearing has been continued several times over the past year and a half so that the applicants could get things correct. Because it has taken so much time for the applicants to get things right, he questions if they will act immediately on odor mitigation or handling environmental leakage. He wonders how anyone on the board or from the public should have confidence that this organization will remedy any problems they may cause. Mr. Vincent says there were things that were out of their control in regards to getting the site plan finished including the architect's mother passing away due to Covid-19 and the greenhouse manufacturer was also closed due to Covid-19. He doesn't feel those circumstances should be held against them.

Michael Pillinger is recognized. Dr. Pillinger is recognized. He notes that the Conservation Commission has had some input on the site plan and looks for reassurance that decisions will be made on a final plan and not a preliminary plan. Mr. Ronzio says notifications are sent to the boards and commissions, in Becket, to give them an opportunity to make any comments or take any necessary action(s). He briefly discusses actions taken by the Conservation Commission and future site visits that are needed. He confirms the board will not make a decision until input has been given on the final plan. He also discusses the Board of Health regulations that need to be addressed. Mr. Ronzio says the applicant has talked about a security plan that needs to be discussed with the Police Chief, Fire Chief and Ambulance Director. He notes the board has not heard from any of those officials yet. Mr. Ronzio says multiple continuances have been needed on past applications that were similar in nature.

John Verity is recognized. Mr. Verity notes there is a clause in the **Host Community Agreement (HCA)** that states after five (5) complaints regarding odor are received by the town, Mr. Vincent would meet with the town to take the necessary steps to control it. He asks Mr. Vincent if he is aware that is in violation of the bylaw. Mr. Vincent says he has talked about that with the Town Administrator, William Caldwell, and an amendment to the agreement is being made.



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Secondly, Mr. Verity wants to know why the property was delineated in December when most everything is dormant. Mr. Verity thinks it should have been done in the springtime. Mr. Vincent says it was raining during the delineation. Mr. Verity argues that the migrating of birds or native animals were not included. He says there may be an endangered species there. Mr. Vincent says he would need to defer to his environmental engineer to answer that question. Mr. Verity wants to know if there will be an impact study. Mr. Vincent confirms an impact study will be done.

Tess Lundberg is recognized. She thinks the proposal should be voted down based on § 6.8.3 of the Becket Zoning Bylaws that specifies any such facility cannot be within 500' of a place where children are known to gather. She then refers to Town of Becket Annual Reports from 2013 and 2016 that refer to various youth groups that visited the quarry. Mr. Vincent claims the quarry has been classified as a dangerous area- based on articles he read in the Berkshire Eagle- that has been deemed a liability to the town and says he can't understand how this could be considered a place for young children to gather. He claims to have discussed the proposal with the new owners of the quarry who wish to remain neutral. Ms. Lundberg seeks further confirmation from the board that they plan to go against the town bylaw. Mr. Ronzio says the board will take her comments under advisement when they make their decision.

Barbara Wacholder is recognized. Ms. Wacholder wants to understand the tree buffering- specifically the types of trees that will be used and how many. She would like to know how those types of trees were selected to be used. She also wants to know if anyone has read the information she provided, regarding buffering, by the **USDA (United States Department of Agriculture)**. Mr. Vincent says they will not be using that as a method to mitigate odor. Instead, they will be using a method using helium to bring the odor plumes into the upper atmospheres. He claims it is a more effective method as well as better economic solution. Ms. Wacholder wants to know what trees will be planted. Mr. Vincent says the trees on site have been there for years. He clarifies that the trees were put on the plan as identifying markers. Ms. Wacholder is upset that this change was made since she did so much research on the tree buffering. She requests further information so she can start her research. Following a brief discussion regarding the helium process, it is agreed that Ms. Wacholder will get Mr.



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Vincent's contact information in order to get some names of companies being considered.

Michael Goodenough is recognized. Mr. Goodenough talks about the steps they've taken to get the site plan submitted by the target date of December 29, 2021. He notes that getting plans in to the board/public 2 weeks in advance takes 2 weeks away from their processes. This includes not being able to make revisions before the meeting. He thanks the board for the opportunity.

Mr. Ronzio closes public comment regarding the application. He reminds the board of Dr. Lerner's previous motion and asks for a motion to either accept or deny the request for a continuance. Mr. Blake **makes a motion** to continue the public hearing to the next Planning Board meeting on February 9, 2022 with a stipulation that a revised site plan is submitted by January 28, 2022. Ms. Krawet suggests having a site visit after the revised site plan has been submitted but before the February meeting. Mr. Levy **seconds the motion**. *Discussion:* The Board agrees a site visit will be scheduled following the submission of the site plan. Mr. Ronzio calls for a roll-call vote:

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

All in favor. **Motion passes**. Mr. Ronzio lets Mr. Vincent know that an agreement to continue will be emailed and asks for confirmation that he will sign and return it. Mr. Vincent agrees.

b. Becket Master Plan revisions

- i. **Board to review letter that will be submitted to BRPC to receive funding to rewrite the Master Plan:** Mr. Ronzio says it doesn't seem as though this can happen for this fiscal year and suggests trying for next fiscal year. Mr. Levy doesn't see the efficacy of revising the Master Plan. He doesn't think the board is in a position to follow through with a Master Plan. There is a brief discussion regarding the steps taken to re-write the plan including surveys sent to all residents. The plan will include how roads may be expanded and maintenance needed for bridges that go over the



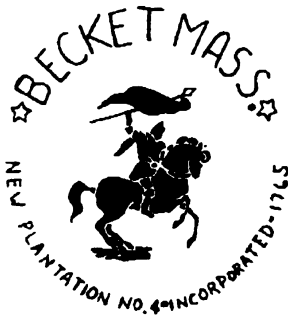
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roads. Mr. Ronzio says the board can't really take any steps until all the data from the surveys is received. There is a brief discussion regarding various businesses that were in Becket but have since closed down including gas stations, restaurants and doctor offices. Now, Becket is introducing marijuana facilities and that should be included in future plans. Mr. Blake clarifies that the purpose of a Master Plan is to set a blueprint for the future of the town usually for ten (10) years when it will be reviewed again. It is not the Planning Board's responsibility to execute the Master Plan. Ms. Krawet agrees it would be a good idea to have a paradigm to reflect what people living here now want for the future of the town. Mr. Levy notes his concerns that the demographic of the town is bound to change greatly in the next 10 years. Mr. Blake says that is the purpose of the Master Plan. He realizes that some is guesswork – some is calculated but without any plan, everything would be handled on a piecemeal basis. Mr. Levy doesn't think it is the right time for this. He thinks that the older generation will be writing the plan for the younger generation and doesn't feel the plan will match their needs. Ms. Krawet suggests talking to realtors to find out who is buying homes in town. Mr. Blake thinks it would be a good idea to work with **Berkshire Regional Planning Commission (BRPC)** since they have already worked with other towns to re-write them. Mr. Ronzio says the board should look at some other Master Plans that were recently revised- specifically the Town of Washington. Ultimately, something will need to be presented to the Select Board and the Finance Committee will need to be consulted. Mr. Ronzio says it may take a couple years to get it done. Ms. Krawet understands Mr. Levy's argument about the changing demographic and agrees they need to be sure they include input from the younger generations. Mr. Levy says he found out that funds are not available via the **Community Preservation Act (CPA)**.

c. Informal discussion regarding drafting a bylaw for Short Term Rentals

- i. **Board to set schedule for subcommittee:** Mr. Ronzio reminds the board that Ms. Krawet has agreed to be the Chair for the Short-Term Rental Bylaw Committee. He asks Ms. Krawet for an update. Ms. Krawet says so far, there are five (5) volunteers on the committee. The first meeting will



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be held via ZOOM on January 18, 2022 at 4:00 pm. Ms. Krawet explains she put together a meeting packet that included bylaws from neighboring towns and some of the issues that have come up during the processes. She explains the basic need for the committee/bylaw is to protect the town's liability in case the property owners don't meet the health and safety qualifications. She says the members of the subcommittee will bring their thoughts together to draft a bylaw. Ms. Krawet says anyone that would like to join the committee is more than welcome. She asks Ms. Perotti if she would be available to take minutes for the subcommittee. Ms. Perotti confirms she cannot commit to being at those meetings. There is a brief discussion regarding scheduling ZOOM meetings and posting agendas. Mr. Ronzio reminds Ms. Krawet that the subcommittee members will need to meet the open meeting requirements including being sworn in by the Town Clerk. There is a brief discussion regarding various subdivisions in town. Ms. Krawet says she would like to find out if there is a way to determine how many short-term rentals are currently in town. Mr. Blake says there are statistics available on short-term rental websites; he doesn't know the accuracy of the data. There is a brief discussion regarding various short-term renters that are known to not use those websites.

4. **New Business:** None.
5. **Public Input:** There is no further public input.
6. **Budget:** Ms. Perotti lets the board know about the invoice received, for \$12.00, regarding the meeting dates published in the Becket/Washington Community Calendar. Mr. Levy **makes a motion** to pay the invoice for \$12.00. Ms. Krawet **seconds the motion**. Mr. Ronzio calls for a roll-call vote:

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

All in favor. **Motion passes.**



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7. **Correspondence:** None.
8. **Any other business to come before the Board:** Mr. Blake reminds every one of the Special Town Meeting on January 18, 2022 and encourages attendance. There is a brief discussion regarding the warrant for the meeting and future meetings.
9. **Adjournment:** Mr. Levy makes a motion to adjourn. Ms. Krawet seconds the motion. Mr. Ronzio calls for a roll-call vote:
 - James Levy: aye
 - Ann Krawet: aye
 - Alvin Blake: aye
 - Robert Ronzio: aye
 - Howard Lerner: absent
 - Gale LaBelle: absent

All in favor. **Motion passes.** Meeting is adjourned at 8:25 pm.

Meeting minutes reviewed and approved on February 9, 2022 by:

Robert Ronzio, Chair

James Levy, Vice Chair

Ann Krawet, Clerk

Alvin Blake, Clerk Pro Tem

Howard Lerner