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**ADAMS PLANNING BOARD
MEETING MINUTES
MONDAY, MARCH 28, 2022**

MEMBERS PRESENT: Chairmember David Rhinemiller, Member Sandra Moderski, Member Lisa Gazaille, and Member Michael Mach

MEMBERS ABSENT: Member David C. Krzeminski

OTHERS PRESENT: Isaiah Moore, Recording Secretary; Eammon Coughlin & Donna Cesan, Town of Adams Staff

CALL TO ORDER: called the meeting to order at 7:00 P.M.

APPROVAL OF MINUTES: The board needs to approve the minutes of September 27, 2021.

Member Gazaille motioned to approve the minutes of September 27th 2021 as written, seconded by Member Mach. The motion passed unanimously.

OLD BUSINESS:

NEW BUSINESS:

- **Discussion of continued zoning district boundary clean up to eliminate “split lots”**

Mr. Coughlin explained to the board that the that he had been working with the Berkshire Regional Planning Commission (BRPC) to go through the town’s zoning map and correct some of the parts of the map particularly in the eastern part of the town. The board was provided with a packet that showed the changes to the lots. The purpose of the changes was to better reflect what the various properties were being used for, and to stop having some properties in more than one zone at the same time.

Mr. Coughlin mentioned that he had reached out to the BRPC with the hope of starting the first step of the process to create a new master plan for the town.

Chairmember Rhinemiller asked if the plan was to have these changes be part of the master plan.

Mr. Coughlin responded that he wasn’t sure, that that was one possibility, but that it was going to depend on whether the town would get funding or not.

Chairmember Rhinemiller asked if there were going to be changes to the provided possible proposals after the start of the master plan.

Mr. Coughlin answered that he would like to work shop it some and look at things more comprehensively.

Member Gazaille asked what DLTA stood for.

Mr. Coughlin explained that it stood for District Local Technical Assistance, that it was a grant offered by BRPC staff time to help with municipal projects.

Member Moderski asked when the last master plan was made by the town.

Chairmember Rhinemiller responded that he thought it was 1986.

Ms. Cesan added that there have been large planning projects since then like the downtown development plan from 2003 but that there has not been a master plan since the late 1980s.

- **Discussion of potential Accessory Dwelling Unit (ADU) bylaw**

Mr. Moore announces the next discussion topic.

Ms. Cesan explains that there is not a final draft prepared for the board yet but that they were working on the process. Ms. Cesan explained why the state wants municipalities to be looking into a bylaw addressing these units as it will help with the housing supply.

Ms. Cesan explained that with a modern ADU bylaw, it will help keep aging residents in place as they will be able to live with their younger family members.

Chairmember Rhinemiller asked if there was going to be wording in the bylaw for if someone was to create an Accessory Dwelling Unit and then subdivide the property to sell it at a later date.

Ms. Cesan answered that that kind of scenario would be covered by the new bylaw.

- **Discussion of potential Home-Based Businesses bylaw**

Ms. Cesan continued to the next agenda item

Ms. Cesan explained that the last five years have had a large number of Special permits requesting the home occupation and that the current bylaw does not provide adequate guidelines to ensure that people are not taking on tasks so large that it disrupts the character of the neighborhood.

Ms. Cesan also explained that the town is looking at which body should be in charge of enforcing this new bylaw.

Chairmember Rhinemiller asked if the bylaw will be considering locations where there are current storefronts but that people are looking to change into residential properties.

Ms. Cesan responded saying that the town would need to look closely at those areas to figure out where we want our flexible zoning areas

Chairmember Rhinemiller asked how this would affect the two main drags of Adams (the commercial downtown areas).

Ms. Cesan responded that Chairmember Rhinemiller had a good question and that questions like that one should be asked and looked into if the town were to move forward with this plan.

Ms. Cesan said she was hoping to have the questions asked and more focused on by reviewing the bylaw.

Member Moderski asked if this business would apply to a hairstylist working out her home or if it would be a focus on a larger more full-time business.

Ms. Cesan responded that the goal would be to have a tiered or layered system where depending on how strenuous the business is the bylaw would require different levels of clearance, so that if there are small businesses that are serving a small or near nonexistent cliental they would have to get less permitting from the town than if there was a business with daily or a high volume of customers.

The board agreed that it was a good idea to look into this further, and that the town should look into it more.

- **Discussion of update to marijuana bylaw to allow for delivery by licensed marijuana businesses**

Mr. Coughlin proceeded to explain the next agenda item. The town is looking to update their marijuana to match CCC (cannabis control commission) guidelines.

Chairmember Rhinemiller asked what would happen if the federal government was to start enforcing their laws.

Mr. Coughlin responded that the whole Marijuana industry would come crashing down.

Member Moderski asked for clarification on the packet provided to the board as to what parts of the bylaw were the edited new parts.

Mr. Coughlin responded pointing out where on the paper there were changes.

Mr. Coughlin explained that the first change was to add language to the bylaw to allow home delivery, he also explained that the state has stringent rules when it comes to the home delivery service. The state regulation includes requirements of the drivers to drive secured car with gps trackers and body cams, that the deliveries must go to people that live at that property.

Member Moderski asked who would be able to work for these delivery services and Mr. Coughlin responded that anyone that received state certification could.

Chairmember asked about the hypothetical possibility of Marijuana food deliveries and or food trucks. Mr. Coughlin explained that the state law does not allow for that kind of business

Member Moderski asked if there was going to be any time restrictions to this delivery service.

Mr. Coughlin responded with the hours outlined in the new bylaw but mentioned that stipulations on when the business could operate could be included by the board when a business comes before them to be approved.

Member Gazaille asked if the times could be the same hours of operation as the liquor stores in the town or to at least think about that as an option.

Chairmember Rhinemiller asked if there were any regulations in the new draft about markings or advertisements on the delivery vehicles. Mr. Coughlin responded that there was nothing in the current bylaw but that the state had regulations that the vehicles had to be inconspicuous as to help prevent theft.

Mr. Coughlin also explained the other requirements of the delivery vehicles including but not limited to the need to have cameras and gps in the vehicles.

Member Mach motioned, seconded by Member Gazaille, to accept the proposed changes to the Marijuana bylaw to move them forward to public hearing to collect community comment. The motion passed unanimously.

- **Discussion of proposed Stormwater Bylaw**

Ms. Cesan explained the various contaminants that go into storm water management. Ms. Cesan explained that the federal government has began requesting that state and municipal governments to have an official stormwater bylaw to ensure that protective measures are being put in place and enforced to make sure that stormwater is being properly managed.

Ms. Cesan explained that the planning board was already doing this, but that we need to make it official. Ms. Cesan also explained that the town was going to need a body to be in charge of handing out storm water permits and that since the planning board already looks into the storm water management of developments the town would like the planning board to take on this responsibility.

Chairmember Rhinemiller asked if this would require a separate meeting for these stormwater applications.

Ms. Cesan responded that she thinks that the both applications would be able to be handled in the same meeting.

Chairmember Rhinemiller asked if this was going to make stormwater controls more stringent and Ms. Cesan explained that it would in most cases be identical. Ms. Cesan explained that the board was already doing many of the things that the board has already been requiring.

Chairman Rhinemiller asked if the board was going to have the authority to require enforcement mechanisms for noncompliance.

Ms. Cesan responded that the board would and that the board would have the staff support to help with this from the Community Development officer.

Chairmember Rhinemiller asked what the next step of the process was for this bylaw.

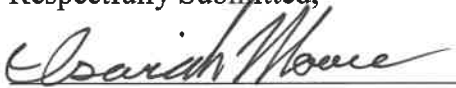
Ms. Cesan responded that it would need to go to a town vote and that there would be a few other steps before this became law.

MAIL REVIEW:

ADJOURN:

Member Mach, seconded by member Moderski, motioned to adjourn the meeting at 8:24 pm. The motion passed unanimously.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Isaiah Moore", written over a horizontal line.

Isaiah Moore, Recording Secretary

5/24/22

Date