

PLANNING BOARD

DATE: May 14, 2020

TIME: 6:00 P.M.

FOR: Regular Meeting Via Zoom

PRESENT: Brandee Nelson, Chair; Malcolm Fick; Jonathan Hankin; Jeremy Higa;
Pedro Pachano
Chris Rembold, Assistant Town Manager/Director of Planning & Community
Development

Ms. Nelson read the opening statement from the agenda regarding the meeting format during the pandemic. She stated that the meeting was being recorded.

Ms. Nelson called the meeting to order at 6:00 P.M. The Board members through roll call announced that they were present.

Mr. Pachano, Mr. Hankin, Mr. Fick, Ms. Nelson present.

Mr. Higa was not present at the start of the meeting.

FORM A's:

There were no Form A's presented.

MINUTES: APRIL 23, 2020

Mr. Hankin made a motion to approve the minutes of April 23, 2020 as amended, Mr. Fick seconded.

Roll call vote: Mr. Pachano, aye; Mr. Hankin, aye; Mr. Fick, aye; Ms. Nelson, aye.

SITE PLAN REVIEW: 438-446 MONTEREY ROAD

The Board's discussion of the Site Plan Review of 438-446 Monterey Road is continued to the first meeting in June as requested by the applicant.

Mr. Hankin noted that the attachment that was submitted showing the site plan had some differences. He said the easement drawn in red was not clear about the area of the easement. He also said the easement agreement had not been signed by the bank.

Mr. Rembold said he would convey the concern to the applicant.

Mr. Higa joined the meeting at 6:04 P.M.

SITE PLAN REVIEW: 26 DRESSER AVENUE

The Board received for review a Site Plan Review application on behalf of “House in Town, LLC”. The applicants Bill Cooke and Deb Philips were present along with Linda Shafiroff from Creative Building Solutions, to discuss the construction of a two-family residence at 26 Dresser Avenue.

Mr. Hankin disclosed that he had been the agent for the buyer. He had no financial interest at this point therefore there is no conflict.

Mr. Cooke said he and Ms. Philips purchased the property last July. He said they have been working with Ms. Shafiroff on the house plans. He said the house will be in the same location as the previous house.

Ms. Nelson asked if there will be interior stairs to access both the upper and lower floors.

Ms. Shafiroff said yes.

Ms. Nelson asked if there will be an outside entrance to the apartment.

Ms. Shafiroff said there will be an entrance into the lower level from the west and south side.

Mr. Cooke said they expect to eventually move into the house. The lower level might be rented or used for guests.

Ms. Nelson said three parking spaces are required. She asked if three parking spaces can be accommodated.

Mr. Cooke said yes.

Mr. Pachano said he had concerns for the applicants about the way the site drains. He said the lowest part of the property is lower than Pleasant Street. He said there is a retaining wall that is higher than the property. He said he wanted to bring the concern to the attention of the applicants that there could potentially be a drainage issues. He said it appears that everything converges to the center of the site.

Ms. Shafiroff said everything drained into the backyard for 100 years. She said the soils are very good. She said there is nothing from the sidewalk back. She said we don’t feel there will be any pooling of water. She said she doesn’t think there is an issue.

Ms. Nelson said she has no sense of a drainage issue.

Mr. Rembold said it is good to flag for the applicant.

Mr. Fick said he didn't have any questions.

Mr. Higa said he didn't have any questions.

Mr. Rembold asked if there would be a fire code issue with the two units being connected by a stairwell.

Ms. Shafiroff said there is a fire separation. She said she is complying with the code for 1-2 family units.

Mr. Rembold said there will be rated doors.

Ms. Shafiroff said that is correct.

Mr. Hankin said he thinks the plan is very straight forward.

Ms. Nelson said she is thrilled that the site is being rebuilt.

Mr. Fick read through the Site Plan Review criteria.

Ms. Nelson said there is an existing curb cut.

Mr. Cooke said yes but a new curb cut is going in. This has already been discussed with the Town.

Ms. Nelson said she wanted to stress that three parking spaces are required. She said that will be a condition of the SPR approval.

Mr. Cooke asked if the existing curb cut could be used for the third space.

Ms. Philips said there could be two parking spaces on the right side of the building and 1 on the left side.

Ms. Nelson encouraged LED lighting with a maximum 3000K temperature. She said all lighting must be downward directed.

Mr. Hankin made a motion to approve SPR with the condition that there will be 3 parking spaces and the lighting will be downward directed, Mr. Higa seconded.

Roll call vote: Mr. Pachano, aye; Mr. Hankin, aye; Mr. Higa, aye; Mr. Fick, aye; Ms. Nelson, aye.

671 STOCKBRIDGE ROAD:

The Board discussed the potential property line adjustment relative to the approved special permit #889-19 for a solar facility.

Mr. Rembold said the project was permitted last summer but the solar facility has not been built yet. He said the lot is large consisting of 7.5 acres. The plan showed the entire tract as one property. The property line will change with the sale of the property but the special permit will remain with the property. He said the new property would meet all of the zoning regulations. He said there will be no zoning violations. There will not be any contradiction with the special permit. He said the applicant wants to make the Board aware of this prior to submitting a Form A.

Mr. Hankin asked if the panels are considered structures and subject to meeting setback requirements. He said he is not sure that the setbacks are being met according to the plan.

Kirt Mayland, the applicant, was present to discuss the project. He said all setback requirements can be met. He said he would submit a plan with the detailed setbacks.

Mr. Hankin said it would be helpful to have the dimensions shown.

Mr. Mayland said he would be happy to provide the plan if the Board is ok with moving forward with a Form A plan.

Mr. Hankin said it might be better to have the solar not shown on the Form A plan.

Mr. Mayland said he will show the frontage and that the width is designed to conform. He said he would provide two maps to show everything.

Mr. Pachano asked if there is a process by which a special permit can be amended at the staff level.

Mr. Rembold said no. He said there is no plan for an amendment to the special permit. He said there is no procedure to amend a special permit administratively. A special permit writes zoning for that particular instance. He said a condition could be built into a special permit outlining what could be changed but that would have to be done during the special permit process.

Ms. Nelson asked if there were any other comments.

Mr. Higa said no.

Mr. Fick said no.

Ms. Nelson said she thinks it is acceptable to move forward with a Form A.

Mr. Mayland said he would submit a Form A plan for the next meeting in two weeks.

Mr. Hankin asked when the project will begin.

Mr. Mayland said February or March. He said the virus has slowed the project down.

TOWN PLANNER'S REPORT:

Mr. Rembold said he has been working with Vivian Orlowski on a food plan for Great Barrington. He presented the Board with a letter of support for the Town's application for a Planning Assistance Grant for a Resilient Food Systems Plan. He said the plan will be to assess the food system and to make recommendations to make the system more resilient to climate changes. He said this is thoughtful and groundbreaking work. He said if we are successful we will begin work at the end of the year. He said we are requesting support from boards, organizations and non-profits.

Mr. Hankin said there are various areas to be addressed. He said it might be helpful to encourage homeowners to grow food. In WW1 and WW2 they were called Victory Gardens or Liberty Gardens. He said there are no restrictions on front yard gardens.

Mr. Higa suggested Town parks might be an option for garden space. He said in Hawaii community gardens are made available. The renters who live in apartments could take advantage of that type of option.

Ms. Nelson said that is a good idea. She called for a formal vote on the letter.

Mr. Fick made a motion to have Ms. Nelson endorse the letter submitted in support of the Planning Assistance Grant, Mr. Hankin seconded.

Roll call vote: Mr. Pachano, aye; Mr. Hankin, aye; Mr. Higa, aye; Mr. Fick, aye; Ms. Nelson, aye.

Mr. Rembold said on Monday the Selectboard will review the draft warrant articles for the ATM scheduled for June 22 and June 25. He said the draft warrant is incredibly long and it is mostly

zoning. He said he does not know about the ability to congregate. There might be a discussion how to approve the articles. He suggested there might be time at the next meeting to discuss the zoning for the ATM.

Mr. Hankin asked if all the zoning will be done on the second night.

Mr. Rembold said there are a number of things apart from the financial articles.

Ms. Nelson said we can discuss how to coordinate the zoning articles at our next meeting on May 28. We can discuss splitting up the explanations.

Mr. Higa suggested we could make comments to the Selectboard about how we would like to see the zoning addressed.

Mr. Rembold reminded the Board that the Selectboard will set the agenda.

Ms. Nelson said it was previously discussed that zoning would take place on the second night.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

There were no updates, comments or concerns.

CITIZEN'S SPEAK TIME:

Michele Loubert was present. She said she was concerned about the discussion with Mr. Mayland because she was unable to hear what he was saying. She said it was helpful that Mr. Rembold filled in the blanks. She said she has noticed that the audio is not always good.

Ms. Loubert said she had a procedural issue with item #4. She said Mr. Hankin said he "believed" that there was no conflict of interest with his participation in the discussion. She said she would have preferred that he check with the Ethics Commission.

Mr. Rembold said if there had been a point for something complicated we would stop and move on to the next item.

Mr. Higa asked if it should be recommended that people (applicants/participants) use headsets so the audio would be better.

Ms. Nelson said she understands what Mr. Higa is saying. Headsets are helpful with hearing and speaking. She said these are challenges we are working through.

Having concluded their business, Ms. Nelson adjourned without objection at 6:46 P.M.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary