

PLANNING BOARD

DATE: September 10, 2020

TIME: 6:00 P.M.

PLACE: Zoom Virtual Meeting

FOR: Regular Meeting

PRESENT: Brandee Nelson, Chair; Malcolm Fick; Jonathan Hankin; Jeremy Higa;
Pedro Pachano

Garfield Reed, Associate Member

Chris Rembold, Assistant Town Manager/Director of Planning & Development

In the Audience: Christopher Lee; Michelle Loubert; Joe Louis; Ed Abrahams; Ephrad David;
Erik Bruun; Jennifer Clark; Robert Holcomb; Leigh Davis; Sharon Gregory

Ms. Nelson read the opening statement from the agenda. She announced that the meeting was being recorded. She called the meeting to order at 6:00 P.M.

Roll call attendance, Mr. Pachano, present; Mr. Fick, present; Mr. Hankin, present; Mr. Higa, present; Mr. Reed, present; Ms. Nelson, present

FORM A'S:

There were no Form A's presented.

MINUTES: AUGUST 27, 2020

Mr. Hankin made a motion to approve the minutes of August 27, 2020, as amended, Mr. Fick seconded.

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

SITE PLAN REVIEW: 35 WEST PLAIN ROAD

The Site Plan Review application was submitted on behalf of the Berkshire Waldorf School located at 35 West Plain Road. Mr. Hankin recused himself as he is an abutter. He turned off his audio and video. Mr. Pachano recused himself. He turned off his audio and video.

Joe Lewis from Allegrone Construction was present on behalf of the applicant to discuss the application.

Mr. Rembold shared the plans on the screen.

Mr. Lewis said the structures are space dividers. There will be no modifications to the existing contours or grading. There will be a canopy over the structure that can be lowered. The structures will allow for outdoor attendance with teachers. The proposal is similar to the pictures provided with the application. He described them as tents with a canopy that goes up and down.

Ms. Nelson said they are giant umbrellas.

Mr. Lewis said yes. He said the canopy can come down for high winds or snow. He said there isn't much to the structure. It is very straight forward.

Ms. Nelson said there are four structures proposed.

Mr. Lewis said that is correct. He said if they work out more can be added. The goal is to get the process started.

Mr. Rembold asked if they would be located in clearings or will there be tree removal.

Mr. Lewis said they will be in clearings, there will not be any tree removal.

Ms. Nelson asked if there will be paths or other improvements.

Mr. Lewis said no. There are relatively flat approaches to each one. They are located in spaces currently used.

Ms. Nelson asked if they are ADA compliant.

Mr. Lewis said he couldn't find any ADA/521 requirements that pertain. He said these are not shelters or sheds, there are no roofs.

Ms. Nelson asked if there will be lights.

Mr. Lewis said there won't be any lights.

Mr. Fick said the information says there can be no more than 30 occupants. Is it intended for there to be that many at one time?

Mr. Lewis said no. The largest class is about 20 with the teacher.

Mr. Reed asked if 20 people are able to social distance in that structure.

Mr. Lewis said yes.

Mr. Reed asked if it will be wiped down and kept clean.

Mr. Lewis said yes, they fall within the guidelines.

Mr. Reed asked if the children will be out in the structures if there is snow.

Mr. Lewis said if there is snow, thunderstorm or heavy winds the canopy has to be closed down.

Ms. Nelson asked if people are trained to close the canopies down.

Mr. Lewis said they will be. The canopy can be dropped quickly as it is on a tether at the center pole. He said everyone will be up to speed on it.

Ms. Nelson asked if the structural information had been sent to the Building Inspector.

Mr. Lewis said yes. He said a very comprehensive package for installation was provided to the Building Inspector.

There were no other questions from the Board. Ms. Nelson read through 10.5.5 SPR criteria.

Ms. Nelson asked if the intent is for the structures are intended to be permanently on site even if used temporarily.

Mr. Lewis said yes.

The Board went through SPR finding no issues.

Mr. Fick, made a motion to approve SPR, Mr. Higa seconded.

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

Mr. Hankin and Mr. Pachano rejoined the meeting with audio and video.

LIGHTING BYLAW DISCUSSION:

Ms. Nelson said she reached out to Mr. Bannon, Chair of the Selectboard, to have a joint meeting to discuss including lighting in the Town Code instead of making lighting part of the zoning bylaws. She said she would like to table the discussion until that meeting.

SPECIAL TOWN MEETING DISCUSSION:

Ms. Nelson said Mr. Rembold sent out the reports for Town Meeting as well as the motions.

Mr. Reed asked if he is just reading what was prepared.

Mr. Rembold said the moderator will ask for the motion then the Planning Board's report. He reminded the Board that the meeting will be on Tuesday at the high school. He said check in will begin at 5:00 P.M. and the meeting will begin at 6:00 P.M.

Ms. Nelson asked if anyone had questions about the motions. She asked if it was necessary to go through them individually.

Mr. Rembold suggested reviewing the minutes from March 12 and March 26 to refresh the memory.

Ms. Nelson said everyone has 2 or 3 motions. She suggested talking to Mr. Rembold upon arrival at the meeting if there are any questions. She said to call her if anyone has an emergency and is unable to attend. Ms. Nelson suggested that everyone contact people to get them to attend the meeting. She said 100 people are needed for a quorum.

TOWN PLANNER'S REPORT:

Mr. Rembold said the next meeting will be on September 24. He said the airport might be expected to be on the agenda but if the Selectboard does not grant the special permit on Monday it will be delayed. He said zoning discussion can include lighting.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Ms. Nelson asked about Board member's availability for a joint meeting with the Selectboard.

Mr. Higa said he would not be able to attend a meeting on any Mondays.

Ms. Nelson said a Thursday meeting might be difficult because Mr. Bannon had School Committee meetings a couple times a month on Thursday nights.

Mr. Rembold said to let him and Ms. Nelson know availability and we will coordinate.

Ms. Nelson said she would like to have a joint meeting mid-October. She said there is a fifth Thursday in October that might be an option.

Mr. Rembold said that is a good idea.

Ms. Nelson said she would get in touch with Mr. Bannon to discuss and suggest the fifth Thursday.

Ms. Nelson asked if anyone had any other updates or issues.

Mr. Higa said the CPC set dates for the deadline for Step 1 applications on Friday October 2 at 4:00 P.M. and the Step 2 deadline on Friday November 6 at 4:00 P.M. He said the CPC will meet on October 6 to review the Step 1 applications.

Mr. Reed said his only comment was that he is enjoying the Planning Board process and how the Town runs.

CITIZEN'S SPEAK TIME:

Jennifer Clark said the zoning articles aren't written in layman's language. She said she is in favor of more density in areas close to the downtown and walkable to downtown. She asked if there could be a summary that would present the articles in a positive light.

Mr. Rembold said he could provide more information if Ms. Clark would send him an e-mail he will address it.

Ms. Clark asked if the Board members will talk to rebut comments.

Mr. Rembold said that will be up to the moderator. He said there is information on the website.

Mr. Pachano encouraged the Board to question the moderator so the Board members can respond. He said he doesn't think they will be allowed to respond if we don't press for it.

Sharon Gregory said it is difficult to hear the discussion in the parking lot. She said she had questions about density and the number of articles that increase density. She said she doesn't understand the subdivision of an ADU in a garage.

Mr. Hankin said it would not be subdivided but potentially separately owned as a condominium.

Mr. Rembold said many people don't want to be landlords so they could create a separate unit then sell that unit.

Ms. Gregory said the setbacks don't have to be met.

Mr. Rembold said yes frontage and setbacks have to be met.

Ms. Nelson said the square footage of the unit would be purchased not the parcel of land. It would not be a subdivision,

Ms. Gregory asked if there would be two times the frontage

Mr. Rembold said no because it would be a condominium form of ownership.

Ms. Gregory said there are many historic homes. Will this type of density and ownership be allowed in the homes in those districts?

Mr. Rembold said yes. The National Registry of Historic Districts has nothing to do with zoning. The National Registry is not a regulatory designation.

Ms. Gregory asked about setting the limits for the number of marijuana dispensaries.

Mr. Rembold said there is no limit now. The Selectboard asked the voters at the 2019 ATM if they wanted a limit set. The vote was to set a limit. A no vote at the Town meeting will mean no limit, a yes vote will set the limit at 7.

There were no additional comments from the public.

Having concluded their business, Ms. Nelson adjourned without objection at 6:57 P.M.

Respectively submitted,

Kimberly L. Shaw

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Planning Board Secretary