

## PLANNING BOARD

DATE: September 24, 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: Michael Parsons; Richard Stanley; Michelle Loubert; Eileen Mooney; Ed

Abrahams; Robert Holcomb; James Harwood; Allison Marchese

Mr. Rembold read the opening statement from the agenda. He announced that the meeting was being recorded.

Ms. Nelson called the meeting to order at 6:00 P.M.

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

### **FORM A'S: 13 KNOB HILL**

Michael Parsons was present on behalf of Robin Scheman and Yigal Litvan for two parcels of land located on the west side of Knob Hill Road.

Mr. Hankin recused himself from the discussion as the applicants are clients. He turned off his video and audio.

Mr. Parsons said a plan for this property was submitted in February. He said the revised plan isolates the house on a 0.327 acres parcel. The parcel meets zoning minimums.

Lot 1 contains 0.327 acres of land. Lot 2 contains 0.776 acres of land.

Mr. Fick made a motion to endorse the plan, Mr. Pachano seconded.

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

Mr. Hankin rejoined the meeting with audio and video.

### **MINUTES: SEPTEMBER 10, 2020**

Mr. Hankin made a motion to approve the minutes of September 10, 2020, as amended, Mr. Fick seconded.

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

#### **40R SMART GROWTH: 910 MAIN STREET**

Richard Stanley, Executive Director of the Community Development Corporation, was present with James Harwood and Allison Marchese to discuss the request to extend the 40R Smart Growth permit approval until December 31, 2021.

Mr. Harwood said there are still 49 units proposed for the site at 910 Main Street. He said the only change is there won't be any market rate units just affordable units. He said he expects funding in March. He said the request for the extension is because the funding won't be granted this year.

Ms. Nelson asked if there were any questions. She said the request for the extension is made to accommodate the funding.

Mr. Hankin asked why the market rate units aren't part of the project any more.

Mr. Stanley said the applications to the DHCD are awarded in rounds. Each round gets smaller and the rounds are very competitive. The market rate units were eliminated because it appears that an adequate number of units are available, the CDC is more likely to get the award if the project is entirely affordable units and with the pandemic there are more low income tax credits available so a potential developer feels more secure building affordable units.

Mr. Hankin made a motion to grant an extension on the 40R Smart Growth permit for 910 Main Street until December 31, 2021, Mr. Higa seconded.

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

Mr. Stanley thanked the Board. He said he thinks the Town will be proud of this project. He added that the CDC will have added 94 affordable housing units in Great Barrington over an 18-month period.

#### **ZONING AMENDMENTS:**

Ms. Nelson said there are no zoning amendments for discussion. She said she spoke with the Selectboard Chair, Steve Bannon about a joint meeting. The meeting has been set for the 5<sup>th</sup> Thursday in October, October 29, 2020. She said she is hoping the report from the Housing Task Force will be ready for that meeting. Additional topics to be discussed will be zoning for next year and lighting.

Mr. Rembold said he hasn't yet caught up from last week's continued Annual Town Meeting but he is getting there. He said he would prepare material, including the draft language from Mr. Hankin and Mr. Pachano.

Mr. Pachano requested that Mr. Rembold send out the revised proposal for the MHX District and the map locations.

Mr. Rembold said he would send that proposal out.

Mr. Higa had some questions about Article 23, amendments to 8.4 Mixed Use Development, and what zones it applies to. He said he was a little confused by the language.

Mr. Rembold and Ms. Nelson request that Mr. Higa send his questions to them so it can be discussed as an agenda item.

#### **TOWN PLANNER'S REPORT:**

Mr. Rembold said the Board, as the permitting authority, will review a common driveway application at the next meeting. He suggested individual site visits. The driveway location is on Alford Road.

Ms. Nelson asked if it has been staked out. She saw an area staked out near the driveway of the Daniel Art Center.

Mr. Rembold said he thought it might be staked out already. He said Town Staff, the Conservation Commission and the Selectboard will review the application and provide comments.

Mr. Hankin asked if the applicant will have to go to the Selectboard for a curb cut.

Mr. Rembold said Planning Board permit serves as a curb cut as well.

Mr. Rembold said SPR for the airport might be on the next agenda. The public hearing has been continued to October 5. If the Selectboard votes for approval the applicant will be on the next Planning Board agenda.

#### **BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:**

Mr. Hankin said he found a conflict in the Town Code with the Water Quality Protection Overlay District. The WQPOD removed highly restrictive language regarding setbacks from all waterways upstream of the wellhead adjacent to the Green River. When the WQPOD was passed, that setback language was also removed from the Conservation Commission's regulations. He said it remains mistakenly in the Town Code and asked how that is amended.

Mr. Rembold said it depends on where it is in the Town Code. He said he would look into it.

Mr. Pachano asked Mr. Higa about less funding from the CPC.

Mr. Higa said the funding was reduced in 2019 and is proposed to be reduced in 2020 as well.

Mr. Rembold explained that the money from the State was granted in FY 19 and FY20 as expected. He said the FY21 revenue is expected to be lower. The CPC will review projects against the FY22 revenue for the coming year.

**CITIZEN'S SPEAK:**

There were no citizens who wished to speak.

Mr. Higa, however, said he had received an email from Mrs. Mooney regarding abutter notification for Site Plan Review. He asked if something had been changed so that abutters would be notified.

Ms. Nelson said there was a box added to the application requesting applicants to talk to their neighbors. She said we are trying to encourage people to mitigate issues with their neighbors.

Mr. Rembold said the discussion of the change was between May of 2019 and February 2020.

Mrs. Mooney said she had read something regarding abutter notifications in other communities. She said this is not just an issue in Great Barrington. She said she doesn't know how much of a difference it would make. She said she is not advocating for it loudly.

Mr. Fick said he thought that we were trying to keep the cost down for the applicants.

Mr. Hankin said it is \$7.00 postage for each certified letter to an abutter.

Ms. Nelson said she didn't think the cost was appropriate for the threshold. She said it could be reconsidered.

Mr. Rembold said maybe.

Mr. Higa suggested that the procedures in general be reviewed. He said that public comment should be allowed during SPR.

Mr. Hankin said that it should be recognized that SPR can't be denied. It is the review of technical matters.

Mr. Higa said he had brought that point to people he had spoken with but he wondered if public comment could still be reconsidered.

Ms. Nelson said when there is something that is of more interest the Chair can allow comments or to move Citizen's Speak up on the agenda to allow for comments. She said she agrees with Mr. Hankin that SPR is a discretionary permit for the Board's deliberation, but not denial.

Ms. Nelson said it is a good idea for people with concerns to send e-mails. She said she encourages people to talk to their neighbors.

Mr. Higa said there is a perception about how the Board conducts itself. He said changing the procedures could go a long way with perceptions.

Mr. Pachano said SPR is a different process. Generally, there is not a lot of citizen talk.

Mr. Higa said public perception is a problem and it will get worse before it gets better. He said he doesn't want to see things voted down at Town Meeting because the Planning Board presented it.

Mr. Pachano said there was only one article voted down.

Ms. Nelson said this can be an agenda item. If there is something specific to tie to the discussion it would be helpful.

Having concluded their business, Ms. Nelson adjourned without objection at 6:45 P.M.

Respectfully submitted,

***Kimberly L. Shaw***

Kimberly L. Shaw  
Planning Board Secretary