

PLANNING BOARD

DATE: December 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

Ms. Nelson read the opening statement from the agenda. She announced that the meeting was being recorded.

Due to some technical difficulties, Ms. Nelson called the meeting to order at 6:12 P.M.

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

FORM A'S:

There were no Form A's presented.

MINUTES:

Mr. Hankin made a motion to approve the minutes of November 12, 2020 as amended, Mr. Fick seconded

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

Mr. Hankin made a motion to approve the minutes of November 18, 2020 as amended, Mr. Fick seconded

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

Mr. Hankin made a motion to approve the minutes of October 29, 2020 as amended, the joint meeting with the Selectboard, Mr. Fick seconded,

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

SITE PLAN REVIEW: 454 MAIN STREET

The Board continued its discussion from November 12 of the SPR for Coastal Cultivars for a retail marijuana establishment at 454 Main Street.

Ms. Nelson asked if there are any outstanding issues.

Mr. Rembold said the Selectboard granted the special permit with no conditions.

Ms. Nelson said SPR review was done at the last meeting with no suggested conditions.

Mr. Hankin made a motion to approve SPR, Mr. Pachano seconded

Mr. Reed said he is not a voting member but he is opposed.

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

SITE PLAN REVIEW: 292 MAIN STREET

Architect, Diego Gutierrez was present to discuss the SPR application for an exterior alteration at 292 Main Street for the creation of an entry door.

Mr. Gutierrez said there are two store fronts in the space on the corner of Main Street and Railroad Street. He said the property owner wants to create two store fronts so a second entrance needs to be created on Main Street.

Mr. Gutierrez said there are three panels in the front. It will be easy to take the middle panel out and put an entrance in. He said a single in swing 42" door will be installed. The door is made of painted metal

Mr. Gutierrez said inside the door is a small slope as the floor of the store is higher than the sidewalk. He said he met with the Design Review Committee where revisions were discussed.

Ms. Nelson asked why SPR was required.

Mr. Gutierrez said the Building Inspector went by the letter of the law. He said the Building Inspector said any permit on Main Street requires SPR. He said it would be easier if SPR were not necessary. He said DAC was helpful providing good advice. Mr. Gutierrez said he will meet again with DAC.

Mr. Rembold said SPR was triggered because of exterior alterations.

Ms. Nelson suggested going through the 10.5, SPR criteria.

Mr. Hankin asked if the procedure can be waived.

Ms. Nelson suggested going through it quickly.

Mr. Hankin made a motion to waive reading the criteria, Mr. Fick seconded
Roll call vote; Mr. Hankin, aye; Mr. Fick, aye; Mr. Pachano, aye; Mr. Higa, aye; Ms. Nelson,
aye

Mr. Hankin made a motion to approve SPR for 292 Main Street, Mr. Fick seconded
Roll call vote; Mr. Hankin, aye; Mr. Fick, aye; Mr. Pachano, aye; Mr. Higa, aye; Ms. Nelson,
aye

SPECIAL PERMIT: 45 PEARL STREET

Applicants Dan and Jenna Huggins were present to discuss their special permit application to expand a non-conforming home at 45 Pearl Street.

Mr. Huggins said the proposed modular addition would increase the home by 25%.

Ms. Nelson asked if the addition will go into the back yard.

Ms. Huggins said no it will be on the side.

Mr. Rembold reminded the Board that they approved a Form A for this lot.

Mr. Hankin said the only non-conformity is the lack of frontage.

Ms. Nelson said the house will extend into the side yard. She said she didn't see any significant issues with the proposal.

There were no additional questions from the Board.

Mr. Hankin made a motion to send a positive recommendation to the Zoning Board of Appeals, Mr. Pachano seconded.

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

PUBLIC HEARING: 145 MAPLE AVENUE

The Planning Board, as the special permit granting authority, would consider the special permit application for the conversion of a former nursing home into a multifamily use at 148 Maple Avenue.

Mr. Hankin made a motion to open the public hearing, Mr. Pachano seconded.

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

The public hearing was opened at 6:34 P.M.

Ms. Nelson read the agenda item into the record.

Present for the applicant were: Attorney, Charles Ferris; Architect Nick Elton from Elton Hampton Architects; Sam VanSant, Project Manager.

Mr. Ferris outlined the general conditions of the project.

Mr. Ferris said he would outline the general conditions. He said the application is being made under the new bylaw, 8.11.2. The bylaw has not yet been approved by the Attorney General.

Mr. Ferris said the proposal is for the maximum number of units allowed. The parcel is 4.2 acres. The building is 2.5 stories. The building is setback 100 feet from the road. He said that 2.5 acres of the property would remain wooded.

Mr. Ferris said the building will be raised 11 feet allowing for 13 additional units. He said the building will be renovated with the state of the art amenity features including a gym and dog grooming area. The site is connected to Town sidewalks and a bus route. He said this project will add \$100,000 to the tax base. He said there will be 48 units, 8 will be 2 bedroom units the rest will be either studio or 3 bedroom units. This project will allow people to stay and work in the community. There is a shortage of residential properties in Town. There is a need for rental housing. He said this project will preserve the area. The use will change from a commercial use in a residential area to a residential use.

Mr. Ferris said the nursing home had 96 beds with three shifts of workers. There were approximately 192 vehicle trips per day. The traffic information for the intersection of Maple Avenue and Main Street shows no increased impact. The increase traffic impact is 3.3%, a minor impact. The application provides more traffic data.

Mr. Ferris said certification of adequate services for the proposed use has been obtained from the Water Department and the Sewer Department.

Mr. Ferris said the project meets the intent of what the Board was looking for when the new bylaw was created. He said the quicker a decision can be made the quicker we can get going.

Mr. Hankin said the special permit from 2015 showed there were 88 beds at the nursing home but you said there were 96 beds.

Mr. Ferris said he is relying on information supplied.

Mr. Elton said the beds were calculated by the floor plan with 2-3 beds per room. He said he came up with the number based on the 1968 plans.

Mr. Elton said the building is 2.5 stories. The building was built in 1968 and is serviced by Town water, sewer and natural gas. The parking area has parking for 50 cars. The site is entered from Maple Avenue on the east end of the property. The traffic flow on site is in one direction exiting the driveway in the front of the building onto Maple Avenue. He said the dumpster is located in the north east corner of the property.

Mr. Hankin asked about propane tanks on site.

Mr. Elton said maybe the tanks are for cooking. He said there is a 2 inch gas line coming into the building.

Ms. Nelson suggested the propane tanks could be for an emergency generator.

Mr. Elton said yes that is why they are there. Mr. Elton said the window openings will be made bigger and lower in the lower level. The garden level will have a low wall around the windows. There will be a landscaped area with landscape material, crushed stone, washed river stone. The area will be pitched to a catch basin that will easily be able to handle a 25-100 year storm.

Mr. Elton said the front of the building has a portico with stair. There is no handicap entrance in the front. The proposed plan would provide a handicap entrance using the natural grade. The entrance would be between the garden and first floor level and entering into the elevator.

Mr. Elton said there is a steep ramp in the back of the building that will be maintained. He said the back is a delivery entrance that will be maintained.

Mr. Hankin said the graphic scale for some of the drawings is improper. He said it makes the drawings hard to look at.

Ms. Nelson agreed. She suggested holding comments until we have more information.

Mr. Elton apologized for the graphic scales. He said he had missed that in his review of the drawings.

Mr. Elton said there are trees on the site that will provide screening on the south side. He said Evergreens were planted by the abutter on the western edge.

Mr. Elton went through the lighting plan L-2. He said lights on the site will be removed. The lighting for the driveway will be low level lights increasing at the entrance and exit points. He said the lighting will be similar to the lighting at Bostwick Gardens on South Main Street. The lights will be state of the art for energy savings. Lights will be on timers to have them come on and go off at specific times. Motion sensor lighting will be downward directed and night sky compliant.

Mr. Elton said low bollard lights will be used at the entrance to the building in the front. The visibility will feel adequate but not too strong.

Mr. Hankin asked for the height of the light poles.

Mr. Elton said 12 feet. He said there will be 2 sets of lights mounted on the building at 12 feet and one double light on the back of the building.

Ms. Nelson asked Mr. Elton to check with the light vendor as MH16 generally refers to the height of the light.

Mr. Elton said the lights will be the same as what was used at Bostwick Gardens. Those lights are 12 feet in height. He said he will check and resubmit.

Ms. Nelson asked that the URB fixtures are consistent with the cut sheets and plan.

Mr. Elton said he would resubmit new cut sheets.

Mr. Elton said the construction logistics include equipment storage behind the building. He said it is a generous site for construction.

Mr. Hankin asked if the gates will be in place only during construction.

Mr. Elton said that is correct. He said he didn't expect much dirt coming in and out on the paved area.

Mr. Hankin asked how the gates open.

Mr. Elton said they are manual. He said the gates will be closed most of the day unless vehicles are entering or exiting.

Mr. Hankin said he is concerned about the traffic impact on the road when the gate is locked.

Ms. Nelson asked for the Board comments to wait until after the public comments.

Mr. Elton went over the photographic views. He said the portico and porches on the south and west side will be removed.

Mr. Elton went over the renderings of the exterior elevations. He said an additional floor will be added. The new floor would be slightly smaller than the floor below.

Mr. Elton said the entrance to the building will be handicap accessible with a patio and a marquis. He said the brick on the building will be retained. He said the building is very stable. He said corrugated metal and fiber cement will be used on the third floor to try to eliminate the institutional appearance and create a more residential appearance while keeping some of the brick.

Mr. Elton said the building will be outfitted to be PV solar ready. He said he hopes solar will be installed on the roof. He said there will be highly efficient heating and cooling units for each tenant. He said the tenants will each be responsible for their own heating and cooling costs.

Mr. Elton said there will be three handicap units but all other units will be handicap adaptable. He said a 13R sprinkler system will be added making the site safer.

Mr. Elton concluded his presentation saying he will answer any questions.

Mr. Hankin asked where 48 heat pumps will be located.

Mr. Elton said they will be on the roof in the shaded area.

Mr. Hankin asked if trees, shown in the renderings, will be planted. He said the landscaping plan does not show trees.

Mr. Elton said there are a series of trees on the south east side. He said a tree could be planted on the west side of the building.

Ms. Nelson asked how the number of units was determined. She asked how the height of the building was calculated.

Mr. Elton said the height was calculated by floor to floor heights. The proposed building height is proposed to be 34 feet 4 inches. He said that doesn't include the decorative parapet.

Ms. Nelson asked about other roof top structures. She asked if the elevator overrun would go through the roof.

Mr. Elton said the elevator is projected to protrude 2 feet above the level of the roof. He said it won't be seen.

Mr. Elton said the number of units was determined by the demand on site and the economic viability of the project.

Sam VanSant said the goal was to strike a balance with the economics of the project. He said they want a viable project that would offer something to the Town.

Ms. Nelson suggested revisiting the bulk calculation and clarifying the information that has been presented.

Mr. Reed asked about the accessibility of the handicap parking spaces to the building.

Mr. Elton said there are 3 handicap parking spaces shown on the plan that will accessible to the building. He said there will be one, one bedroom, handicap unit on each floor. He said there will be two units for hearing and sight impaired residents.

Mr. Reed said fire exits sometimes can't be used in a fire.

Mr. Elton said that is correct. He said those people will need to stay in their units until fire fighters arrive. The fire department has training for building like this.

Mr. Pachano asked if the route of egress is fire rated.

Mr. Elton said all hallways have a 1 hour fire rating. Egress stairways have a 2 hour fire rating. The building is fully sprinkled with a state of the art alarm system. There will be an automatic emergency light system and exit lights.

Mr. Elton added that the elevator is larger to accommodate a stretcher.

Mr. Pachano said he is a Passive House Consultant. He said that even efficient buildings use energy. He suggested the insulation and windows should be checked for energy efficiency.

Mr. Elton said he would check on it.

Ms. Nelson said she would open the meeting for comments from the public.

Jim Valencia, 84 North Plain Road, said in November the Planning Board discussed a housing project at 910 Main Street that would have 49 affordable housing units. He said that project is one mile from this proposed project. He said another 48 units is too much for the community. He said there will be increased traffic on Silver Street that might require a traffic light at the intersection with Maple Avenue to allow for making a safe left turn.

Ms. Nelson said, for clarification, 910 Main Street and this project adds too much housing?

Mr. Valencia said yes. He added that this project looks like there are four levels.

Nan Wile, Main Street, said Mr. Reed's questions about the handicap access were interesting. She asked if there has been collaboration with the Fire Department. She asked if there are public restrooms on the ground floor.

Mr. Elton said there are proposed common handicap restrooms on the ground level for residents, guests and staff. The restrooms are not for the general public.

Leslie Heilig, 32 Benton Avenue, said she is the owner of 100 Maple Avenue. She said there are 50 parking spaces for 48 housing units. She said there is not provision for more than one car per unit or visitors. She said she does not want to see 100 Maple Avenue as the overflow parking. She said she would like to see parking addressed.

Ms. Nelson said we will get to the parking.

Jamie Horwitz, 34 Silver Street, expressed concern about the existing intersection of Silver Street and Maple Avenue. Residents would potentially walk or bike or drive. The intersection is confusing and dangerous for bikers and walkers.

Bernard Kinare, 155 Maple Avenue, said he is concerned about the parking and drainage on the site. He said Maple Avenue is a busy road, adding more traffic makes more noise and an unsafe area. He said that when the nursing home was operating most of the parking was not used. He said it was below average busy. He said the extra floor presents privacy concerns for the abutters. He said we didn't sign up for this. There will be a significant increase in density. Sidewalks are needed.

John VanWagner, 1 Newsboy Monument Lane, said the building has an institutional look to it. He said adding 50% more height takes away from the quality of the building. He said the

abutters think this is an urban design that doesn't match the character of the Town. He said he is all about renovating the building and providing housing. He said he does not support the proposed height of the building.

Pete Jones, 165 Maple Avenue, said he lives across the street from the project. He said he echoes the concerns that have been raised. The character does not fit the Town. The additional floor is out of character for the village character. The traffic concerns are legitimate. He said he is concerned about headlight glare. He said the one way flow puts the headlights literally in our house. He also expressed concerns about the parking. He said there is no parking planned for building manager or visitors or contractors.

Amanda and Marc Hochler, 193 Maple Avenue, said they appreciate the concerns raised. They asked if the building was legal when it was constructed in 1968. They said the building probably shouldn't have been there. Ms. Hochler said there are 131 neighbors. The nursing home had 24 residents with 50 employees over three shifts. It was not a bustling business.

Ms. Hochler said there were 11 cars in the parking lot at any given time. The bylaw, 8.3.3, requires 1.5 parking spaces per housing unit. The number of cars will increase by 3%. She said 48 units almost doubles the people in our neighborhood. A building of this size does not fit the character of the town or the neighborhood.

Royce Jones, 135 Maple Avenue, said he lives across the street. He said he is in complete agreement with the previous comments. He said there is heavy traffic on Maple Avenue. He said sometimes he has to wait 5-7 minutes to cross the street. He said he would like to underscore some previous points. The parking is insufficient. He added that the level of garbage will be increased. He said there are bears on Maple Avenue and West Street that create problems. The bear problem will increase with the increased number of inhabitants in the building. He said a handicap unit with one bedroom is a concern. He said his wife was handicapped requiring assistance. Having one bedroom makes the ability for assistance difficult. He said it is not a good plan, the handicap units are too small, the trash will create a problem with predators and parking is a problem.

Carol Purcell, 120 Maple Avenue, said she is against the proposal for reasons stated. She asked Mr. Ferris how he could request a quick approval of the project with the objections of the neighbors.

Ms. Nelson said the Attorney General has not approved the bylaw. She said the project will not be approved quickly. We have more information to gather.

Neil Elms, 6 Stanley Drive, said he is a renter and is curious about what a work force wage is. He said he is familiar with soil compositions. He asked how a 25% load increase will be carried. He asked what the work force rate is for the units.

E. Toppi, 38 Silver Street, reiterated all of the objections of the neighbors. He said he is concerned about lighting and people walking along our property. He said certain people will walk to Town. He said traffic is also a concern.

David Unger, 38 Silver Street, asked how much the project will cost, how long will the construction take and how much will the units cost to rent.

Marc Hochler, 193 Maple Avenue, he said he pleads with the Planning Board to require 1.5 parking spaces per unit. He asked that the Board not give any special exemption to this real estate. He said the project is a negative benefit to the community. He said there is another nursing home down the road that could create additional impacts.

Michele and Richard Shimmon, 180 Maple Avenue, said they are concerned about their privacy. Mr. Shimmon said the Town should look at the sewer line that goes under the railroad track and the 100 year old water line. He said he would like evergreens planted along his side. He asked if an Air B&B could go into the units. He asked if each tenant would be allowed to have dogs. He said he never had any problems with the nursing home.

Ms. Shimmon said the scale is too big.

Patricia Sharpe, 194 Maple Avenue, said parking should not be allowed on the street, it is not permissible on the street but people will park where they can.

Sharon Perlman, 155 Maple Avenue, asked if there is any way to petition the Attorney General to stop the building.

Ms. Nelson said the Attorney General deals with the zoning bylaw that was passed at the Annual Town Meeting in September.

Ms. Purcell suggested the possibility of litigation should be considered.

Amanda Hochler, asked if the dog grooming area is just for residents or will it be a business.

Mr. Pachano said the Design Advisory Committee reviewed the project in November.

Mr. Rembold said there was another change to the bylaws in September. That was voluntary review by DAC.

Madeline VanWagner, 1 Newsboy Monument Lane, said she is sixteen years old. She said she has a concern about kids in the neighborhood and the traffic. She said she it is difficult learning to drive with so much traffic. She said there will be 48 strangers walking by children playing in the yard.

Lois Hartwick, 188 Maple Avenue, said the traffic is a problem. She said there are continually accidents at the intersection of Silver Street and Maple Avenue. She said she walks her dog by the nursing home that never seemed full. She said it is inaccurate to compare this use to the nursing home use. She said she is concerned about light shining on abutting properties. She said the trees that blocked the building were cut down. The trees the Shimmon's asked for won't provide shielding for 10 years. The project is too large, there are too many people and not enough parking. The project is not suitable for the Town. People walking their dogs along the sidewalk use my lawn for their dogs. Any place planned for walking animals feels disruptive for the neighborhood. The nursing home was not disruptive.

Ms. Nelson said the public hearing will remain open. She asked the Board members to focus their comments on what the applicant needs to provide.

Mr. Rembold referred the Board to 8.3 multi-family and 8.10 parking requirements that requires 1 parking space per unit. He said 8.10 will govern this project.

Mr. Hankin said zoning allows two and a half stories or 35 feet in height. He said the applicant is proposing three and a half stories. He asked if the Board has the latitude to waive height requirements. Mr. Rembold said he would research that.

Ms. Nelson said we need a more thorough review of the elements of the code and how it applies, including 8.10, and how we apply it.

Mr. Hankin said the handicap parking spaces are remote. The spaces should be as close to an accessible path as possible. He asked where the sidewalks will be located as they are not shown on the plan. He encouraged the applicant to look at the courtyard. He said it appears to have been ignored. The courtyard might be a nice amenity. He said the north arrows on the plans need to be in agreement. He said there should be a least one two bedroom handicap unit. He said the parking is limited. He encouraged more bikes and pedestrians. He suggested more bike racks on the site.

Mr. Hankin said he had an architectural comment. The overhang on the front of the building could have mini-wind turbines that would make a nice statement as on a building he had seen in New Haven.

Mr. Fick said as the SPGA we can require more parking than the minimum requirements. We are not tied to the minimum. He said he would like to have the lease limiting one car per tenant. He said he didn't have any questions requiring additional information.

Mr. Pachano said he would like clarification on the height of the building and how to deal with it. He said he would like clarification about the lights that will be installed.

Mr. Fick asked if the lights on the building had been discussed.

Mr. Nelson said some lighting was discussed. Lighting will be downward directed.

Mr. Fick asked how the light spill will be controlled when the lights are on all the time.

Mr. Higa said he would like to hear the applicant talk about the questions that were asked about the need for the apartment, the price of the rent for the apartments and how the parking will work.

Mr. Reed said he agreed with Mr. Hankin about the handicap units. He said he would like to know how much the unit will rent for. He said he doesn't think they will be cheap.

Mr. Higa said the applicant has a lot to go over. He would like the public's comments considered.

Ms. Nelson said to Mr. Elton that the lighting plan needs to provide exactly what light will be used. She asked that he provide information about how the façade meets the character of the neighborhood; clarify the height calculations including the additional story. She said information about the refuse storage for the residents needs to be explained, as well as possible overflow parking. She said if there was a need could parking be added so that it is not detrimental to the neighbors. She asked for information about fire truck access.

Mr. Elton said he met with the Fire Chief and the Building Inspector to discuss minor modifications to allow fire access.

Ms. Nelson asked that the letter be provided for the record.

Ms. Nelson said there is no landscaping planned between the project and the Shimmon's property. She said it is difficult to realize how it will look. Screening could be provided.

Ms. Nelson said additional information about pedestrian and vehicle traffic. A more detailed traffic study is needed. She said Maple Avenue is a State highway made to accommodate traffic.

Mr. Reed agreed.

Ms. Nelson said she would like a consensus from the Board.

Mr. Fick said yes, a more formal traffic study should be provided. It is a major concern that needs to be addressed.

Ms. Nelson said she would like to see the building repurposed.

Mr. Pachano said he saw the price of the apartments as \$1,000 for a studio, \$1200 for a one bedroom and \$2300 for a two bedroom.

Mr. VanSant said yes that is correct.

Mr. Ferris said if the number of apartments is reduced the cost will have to be spread over the project. He said a legitimate traffic study can't be done during Covid.

Mr. Reed disagreed saying that is just an excuse.

Ms. Nelson suggested getting data from Mass DOT that would be more representative of the use.

Mr. Higa made a motion to continue the public hearing to January 14, 2021 at 6:00 P.M., Mr. Hankin seconded

Mr. Hankin, aye; Mr. Fick, aye; Mr. Pachano, aye; Mr. Higa, aye, Ms. Nelson, aye
The Board continued the public hearing at 9:08 P.M.

Mr. Rembold said public comment will still be open. The applicant will provide more information.

ZONING AMENDMENTS:

Mr. Rembold asked that the zoning amendments be passed over to the next meeting. He said he is not sure when the Annual Town Meeting will occur. It might be held in a month warmer than May. He said the zoning can be worked on in January. He said there are three citizen petitions that will have to be reheard.

Mr. Higa suggested an extra meeting in January to discuss zoning.

Ms. Nelson asked the Board to look at their calendars to see if an extra meeting in January would work.

TOWN PLANNER'S REPORT:

Mr. Rembold said he didn't have anything to discuss.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Mr. Pachano said there is some contention on DAC about the color of the bridge.

CITIZEN'S SPEAK TIME:

Nan Wile said as a point of order she would like to see the faces of those attending the virtual meetings and their names while they are speaking. She commented that the Board does great for a long meeting.

Ms. Mooney asked if written comments will be on the Planning Board's website.

Mr. Rembold said he would check.

Having concluded its business, Ms. Nelson adjourned without objection at 9:16 P.M.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary