

PLANNING BOARD

DATE: March 11, 2021

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 and Development

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

Ms. Nelson called for a roll call of those present:

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

Mr. Reed had not yet joined the meeting.

FORM A's: 28 MONUMENT VALLEY ROAD

Michael Parson, from Kelly, Granger, Parsons and Associates, was present with a Form A application on behalf of Bernadette Daniels for a parcel of land located on the east side of Monument Valley Road. Lot 1 contains 1.715 acres of land. The lot meets zoning minimums. The remaining lot has 150 feet of frontage and 4+ acres of land.

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

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

1 NOLAN DRIVE: UNCLE ERNIE, LLC

Brian Koczela, from BEK Associates, was present with a Form A application on behalf of Uncle Ernie, LLC to create two lots on the west side of Nolan Drive. Lot 1 contains 0.964 with frontage on VanDeusenville Road and lot access from Nolan Drive. Lot 2 contains 0.879 acres of land. Both lots meet zoning minimums.

Mr. Hankin said with eight more feet on Nolan Drive lot 2 can have frontage on Nolan Drive.

Attorney Nick Arienti was present on behalf of the applicant. He said the frontage on VanDeusenville Road is part of the original subdivision. He said there are conditions of the subdivision approval that won't allow the frontage to be from Nolan Drive. He said there will be very little disturbance on the lot to if the access is from Nolan Drive.

Mr. Arienti said there are a variety of factors that went into the design. This design makes the most sense.

Ms. Nelson asked if the frontage for VanDeusenville Road is noted on the plan.

Mr. Arienti said no it is not. He said the subdivision has a covenant that restricts the lot without adding more language. If there were an attempt use VanDeusenville Road as access it would be in conflict with the covenant.

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

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

MINUTES: FEBRUARY 25, 2021

Mr. Hankin made a motion to approve the minutes of February 25, 2021 as amended, Mr. Fick seconded.

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

Mr. Reed arrived at 6:14 P.M.

SPECIAL PERMIT & PUBLIC HEARING: 148 MAPLE AVENUE

Ms. Nelson said the Board will consider the application from the Barrington Development, LLC for the conversion of a former nursing home at 148 Maple Avenue to a multi-family use filed in accordance with Sections 8.10 and 10.4 of the zoning bylaw. Ms. Nelson said the Board will reopen the public hearing that was continued from January 14, February 11, 2020 and February 25, 2021.

Mr. Hankin made a motion to reopen the public hearing, Mr. Fick seconded.

Roll call vote: Mr. Fick, aye; Mr. Higa, aye; Mr. Hankin, aye; Mr. Pachano, aye; Ms. Nelson aye
The public hearing was reopened at 6:16 P.M.

Attorney Charles Ferris was in attendance to continue discussion of the application along with Nick Elton and Sam VanSant.

Ms. Nelson said updated material was provided to the Board.

Mr. Ferris said he wanted to make three points with the new information. The information from his discussion is part of the updated information provided to the Board and part of the application.

Mr. Ferris said the traffic study report shows adequate sight and stopping distance. He said the traffic study was adjusted from 48 units to 30 units. He said the new use would have 40% less vehicle trips than the permitted nursing home use. There would be 162 trips per day with the multi-family use. He said the traffic will not be severely adverse.

Mr. Ferris said the parking compares favorably to other developments in Town, Bostwick Gardens, Power House Square and the new project on Bentley Avenue. He said there are no parking issues at the other developments. This project has 1.6 parking spaces per unit. He said there will be 10 parking spaces that will be available for sign up. He said the parking exceeds the Town's requirements.

Mr. Ferris said he understands that the people in the neighborhood feel the project is denser than the rest of the neighborhood. He said compared to what could be allowed at the site 30 units on the 4.1 acre site is well within other contemplated uses. He said there are 7.3 units per acre which is less than what is allowed. He said the density is less than what the people who drafted the bylaw anticipated.

Mr. Ferris said there are several letters of support for the adaptive reuse of the structure providing market rate rental housing that will help the workforce. He said the letters highlight that this is a positive way to update the building within the footprint with some additional landscape.

Mr. Ferris turned the discussion over to Mr. Elton and Mr. VanSant.

Mr. Elton went through the updated information. He said the site plan changes included relocation of three handicap spots. Spots 32, 33 and 34 will be located at the south east corner of the building. They are the spaces closest to the building for entering and exiting the building. There is now a community garden on the east side for the residents. He said a letter from the Fire Chief was submitted. The Fire Chief accepted the plan.

Mr. Elton said the lighting plan was updated for the mounting height of the pole lights. Lights will be 14 feet in height. There will be two bollard lights in the courtyard. The fixtures are part of the submittal.

Mr. Elton said there was concern expressed about the gates at the driveway entrance/exit during construction. He said the gates will be moved back to allow vehicles to pull in if the gates are closed. Allegrone Construction has said the gates will be open during construction.

Mr. Elton said the revised landscape plan incorporates landscaping plans around the handicap units. The plan agrees with availability for landscape in those areas. He said a tree on the

previous plan was incorrectly labeled. That correction was made. Those are the only changes for the plan.

Mr. Elton went over the roof plan that was requested. There were no changes to the roof only that it has been submitted showing the elevations from each side.

Mr. Elton said perspectives have been updated in the sense that the building lighting has been added. He said there will be one wall mounted light on the south east corner of the building. The light will not shine in the windows below. He said the brick rendering on the perspectives is now closer to the actual color of the existing brick..

Mr. Elton said there is no intention to change the color of the brick.

Mr. Elton said there are other drawings to show the plan is in compliance. There is a letter from the Building Inspector saying the plan is in compliance with the code.

Ms. Nelson said the letter is in our packet.

Mr. Elton said all the issues raised at previous meetings and shown in the minutes have been addressed in the memo.

Mr. Hankin said he appreciates the updated landscaping plan showing the walkway. He noted the conflict between the drawings has been addressed.

Mr. Elton said that is correct. He said the perspective of the east and west sides of the building were not included in the plan set.

Ms. Nelson asked Mr. VanSant if he had anything to add.

Mr. VanSant thanked the Board saying he had nothing at this time. He said he appreciates the process.

Ms. Nelson said she would resume the public comment portion of the public hearing. She said there were a number of letters supporting and opposing the project. She said she would not read them but they would be part of the permanent record.

Ms. Nelson asked if there was any public comment on the new material that has been present.

Richard Shimmon, immediate abutter to the west, asked about a fence for the dogs that will be on the property. He said if there are 30 apartments there could be 30 dogs. He said he has an

invisible fence for his dog. He said he would like a chain link fence installed to keep the dogs away from his dog. He said he is sure it will present a problem.

Mr. Shimon said he doesn't understand the lighting. He asked what would happen if the lights are too bright when it is built.

Ms. Nelson said the Board will get back to the questions.

Geoffrey Purcell said he has a problem with Mr. Ferris's argument about the number of people and cars. He said the project is not consistent with the character of the neighborhood. It is an invasion and not less detrimental than the previous use.

Mr. Purcell said he sees things differently. The traffic information is based on a full nursing home use. He said the study does not address reality. He said the redevelopment is much worse than the way it has been, not as it could have been. He asked if there is a plan to put in a maximum plan. What would it mean if there is more density on the 4.1 acres? He said amended bylaws don't address what is on the ground.

Mr. Purcell we have a petition asking that this plan be suspended to give us the opportunity to mount a defense. He added that the letters of support for the project came from friends and family of the developer.

Amanda Hochler said the lawyer mentioned letters of support that were written by the developer's friends and family. She said the citizen's petition will be voted on in May. She said the bylaw that was approved last year was written specifically for this building. She said we are talking about a theoretical use. Bostwick Gardens is for senior low income housing. She asked how many seniors can afford more than one vehicle. She said the proposed project can't be compared to Bostwick Gardens. She said she is not saying the building shouldn't be made into apartments but the property is being overdeveloped. She said she is not sure what recourse we have when it is built. She asked the Board to please consider the citizen's petition and wait to make a decision until after a full Town meeting.

Royce Jones, 135 Maple Avenue, said he underscores the comments of the last two speakers. He said they are accurate. He said the comparison to Bostwick Gardens is ridiculous. He said the traffic on Maple Avenue is so heavy he has to pull into his driveway then turn around. He said he wants people to have housing but the traffic comments are ridiculous. The traffic is intolerable. He said people will become outraged and there will be violence erupting on Maple Avenue.

Bernard Kinane said the neighbors have said what he wanted to say. He said it is not that we don't want the property developed. We don't want an eyesore. We would like something more in keeping with the character of the neighborhood.

Mr. Purcell further commented that the cost per space will make it difficult for people to be able to pay the price of the apartments. He said no one knows who will do the renting of the 10 parking spaces that will be rented for overnight guests or overflow parking. He said young people may rent a two or three bedroom unit to share the cost. It would be more like a city model. He said parking will be an issue. Quality of life will be an issue. He said these things were overlooked in the presentation.

Ms. Nelson said to capture the essence of your concern, the cost of the rental units sets up a scenario for multiple single individuals to rent a unit potentially creating an impact on the parking.

Mr. Purcell it has not been spoken to but it is a glaringly obvious flaw in the plan. The flaw is we neighbors will have to live with their mistakes.

Ms. Nelson said she has the gist of the concerns and asked if there were any other comments.

Ettore Toppi from 38 Silver Street said he has less concerns about the numbers of people but the number of units in the plan is overly aggressive. He expressed concern for the residents of the facility. Snow removal was also a concern as it will be tricky navigating through the parking lot. He said the design is wildly out of character in the neighborhood that is more traditional and old fashioned. He said new construction across the street was in character but this is completely out of character.

Ms. Hochler said the building size is what it is but the proposal adds to the size from the perspectives of the builders. She said the cost will go down if we wait. She said she doesn't understand what the rush is.

Mr. Ferris said he agreed with one comment that was made about there being less cars per unit at Bostwick Gardens. He said the neighbors are not making fair assumptions of the project. He said it is a reasonable assumption that there can be a wide range of uses.

Mr. Ferris said the Board and the Town voted for a bylaw of the reuse of nursing home structures with allowed density. If it remains vacant the property could be carved up into more parcels. He said the applicant has applied under the existing bylaw and therefore deserves a decision based on the current application.

Mr. Ferris said there is traffic as it is a busy street. He said the people coming and going from the site will not be a deluge. There won't be a significant change. Making a traffic comparison to a failed business is an inappropriate way to evaluate a structure.

Mr. Ferris said everyone has a different notion of design. Great Barrington has myriad developments from a modern industrial look to the new building down the street by Creative Building Solutions. Environmentally this is a good reuse of the structure and the parking is sufficient.

Ms. Nelson asked the Board members for their comments.

Mr. Higa asked if there is anything more than the booklet for an evacuation plan for the handicap units. He asked if the evacuation plan can be gone over with the residents and have them sign off on the evacuation plan.

Mr. Higa asked about parking agreements with the tenants. He asked how far the Board's purview would go to include agreements in the conditions.

Mr. Nelson clarified that you want to know if the Board can put conditions on parking.

Mr. Higa said yes. He said there is plenty of space to put snow but it wasn't addressed in the response. He said the chain link fence was not addressed. He said dogs should be leashed.

Ms. Nelson said we should think about letting the Site Plan Review process happen after the special permit process has been completed. She said some of the issues, such as lighting and grading, can be addressed in SPR.

Mr. Rembold said there is a description of the parking agreement in the submittal. He said snow storage is shown. He said if the Board decides through the findings process that the parking is not going to work for stated reasons conditions could be imposed to mitigate concerns. He said he thinks the developer has addressed parking.

Mr. Rembold said the material describes how parking is assigned to the units. One and two bedroom apartments get one space. If you find an issue you can address it.

Mr. Higa said the tenants may agree but if they have more cars it can be an issue. He asked if we can put conditions on for that situation.

Mr. Rembold said if you go through the process reasonable conditions can be put in place.

Mr. Fick said he is interested in a policy for dogs. He said he would like to make sure dogs are leashed or in an enclosed area.

Mr. Ferris said the Town has a leash law. He said people can be evicted if a dog is a nuisance. He said he hasn't drafted a lease for the building because it doesn't exist but we won't want issues with dogs for the neighbors or the residents.

Mr. Reed said he doesn't think there needs to be a pamphlet for evacuation of the building but rather procedure training.

Mr. Higa said the pamphlet is part of the recent submission.

Mr. Pachano suggested an option for the developer to rent the parking spaces separate from the units. He suggested unbundling.

Mr. Ferris said that has not been considered.

Mr. Pachano said parking spaces don't have to be assigned to a unit. If someone doesn't have a car they shouldn't have to pay for a parking space.

Mr. VanSant said he hadn't considered but he said he would be willing to explore the option.

Mr. Pachano asked about the handicap units.

Mr. Elton said there is a unit in the northwest garden level and one on the first floor. They are two bedroom/two bath units. The other flats are all handicap adaptable.

Ms. Nelson asked if the applicant would be opposed to a neutral color palette for the exterior alterations.

Mr. Elton said he would be happy to go through a color review.

Mr. Elton said Mr. Shimmon had questions about lighting. He said he is willing to offer his time to walk the site to give him more information. He said the nearest light is 120 feet from his boundary. He said he doesn't think the lights will be an issue.

Mr. Elton said there are six storage areas. There will be a fence on the west side. He said it won't be chain link but something more aesthetically pleasing.

Mr. Elton said there are different management standards. He said it is standard practice for there to be an evacuation course for tenants. He said the design will allow for handicap egress in an emergency.

The comments concluded. Mr. Hankin made a motion to close 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 closed at 7:39 P.M.

Mr. Rembold said he had prepared draft findings that were sent to the Board. He shared his screen with the document *Draft Findings of Fact, SP914-20*. Mr. Rembold said he will edit the document through the deliberation process. He said this is standard procedure for our Town for these findings to be prepared for the SPGA. The document ensures the Board is aware of all of the information that has been submitted and what findings need to be gone through. He said the Board members do not have to agree with what has been prepared but the document provides a way to go through everything that is required in a methodical way.

Ms. Nelson said it is the obligation of this Board to consider the application. There is not a moratorium so we need to proceed.

Mr. Rembold said the hearing was left open for the applicant to provide any missing or requested information. He said he thinks the Board has heard from all interested parties in a reasonable and timely manner. He said it was reasonable to close the public hearing so now the Board can move proactively to a decision.

Mr. Rembold said the petition submitted to the Selectboard is valid for a zoning amendment. He said it was received after the zoning amendments were sent for publication. The new petition will go before the Selectboard at their March 22 meeting for referral to the Planning Board. The Planning Board will then schedule a public hearing. As of right now the Planning Board has not officially received the petition. He said he expects the public hearing notice to be published on March 23.

Mr. Ferris said even if the petition were on the Town Meeting warrant this application comes under the current bylaw.

Mr. Rembold said it is proper to consider this application under the bylaw it was submitted under.

Mr. Hankin said he would like to make clear that if the special permit is granted there is a 20 day appeal period when filed with the Town Clerk. He said the special permit will be recorded after the 20 day appeal period expires.

Ms. Nelson asked the Board to go through the findings prepared by Mr. Rembold.

Mr. Rembold said Section A is straight forward.

Ms. Nelson said Section A outlines the current plans and the discrepancy between the plans.

Mr. Rembold said the revised landscape plan with trees is dated 3-11-21R and the Site Plan is dated 3-11-21.

Ms. Nelson said we will go through Section B, General Findings. Ms. Nelson commented that there is no light wash from lights on the building. She said the parking lot is shown on the lighting plan. She said the lighting is functional.

Mr. Elton said the all lights are 14 feet in height or less.

Ms. Nelson proceeded to Section C, Conversion to Multifamily Use.

Mr. Fick said the original proposal exceeded the boundaries in height. The revision fits the bylaw without altering the scale. He said it is well within the bylaw requirements.

Mr. Rembold said the Board asked the proposal be within the bylaw.

Ms. Nelson said the zoning has been complied with.

Mr. Fick said there was a roof addition but it is within the scale.

The Board discussed Section C-2.

Ms. Nelson said converting the driveways to one-way is an appropriate alignment so that no headlights are directly into anyone's home as the vehicles enter the highway.

Mr. Fick he understands the concerns for the State highway but it is more than adequate to handle the traffic in and out of the property.

Mr. Higa said the finding compares uses.

Mr. Rembold said the finding is not comparing uses. It addressed what is proposed.

The Board agreed to amend the second paragraph of #2 by adding that the character of the neighborhood is not entirely residential. Four of the eight properties on the north side in this section of Maple Avenue are commercial.

The Board discussed Section C-3.

Mr. Higa asked if the traffic finding is based on the existing condition.

Mr. Hankin said the traffic is based on an 80 bed nursing home use. That is what is permitted. He said since four of eight properties are commercial. Not all of the uses on Maple Avenue are residential.

Mr. Pachano said it is obvious the neighbors consider the area residential but they have to accept that there are businesses around. The neighborhood should be characterized as mixed use.

Mr. Reed asked if it can be included in the findings that the residents think the use is an issue.

Mr. Rembold said that is up to the Board.

Mr. Higa said he lives in a 32 unit development that exits onto Route 7. He said there are very few times that he is behind two or more cars. He said the traffic is already high so the housing project, which is similar to this, does not impact the traffic. He said he doesn't think the traffic from the proposed development will greatly impact the traffic on Maple Avenue.

Mr. Fick said the problem is implying that the area is not a residential neighborhood. He said we should be careful about implying it is not a residential neighborhood.

Ms. Nelson said the proposed residential use is less impactful than the nursing home use. The project will have a low impact on the roads.

Mr. Reed said it sounds like the Planning Board is saying that traffic is not a problem.

Ms. Nelson said we have to make a decision on a factual basis not on emotions. She said 163 vehicle trips is not a lot over a 12 hour period.

Mr. Reed said statistics can be twisted any way. He said the people are not happy because they think the traffic is an issue.

Ms. Nelson said we do need to listen but we have to make our decision based on factual information.

Mr. Reed said the studies are not real.

Mr. Fick said there are no numbers relating to the nursing home as it was. We only have numbers based off of traffic standards. We are trying to project into the future to understand concerns about apartments in a neighborhood that is on a state highway.

Mr. Reed said he would agree to disagree.

Ms. Nelson said Mr. Reed made a good point but we have spent a lot of time on the issue.

Mr. Hankin said the standards are national standards that apply anywhere. He said the trip generation may be generous. He said it doesn't take into consideration walkability.

Ms. Nelson said the national standard is an industry standard that allows us to look at the comparison of apples to apples. We can make a decision from a factual basis. She said there will be a minor increase in traffic. She said the finding is good.

Mr. Higa said we are not saying the road is not busy but the added traffic won't impact the road.

Section C-4

Mr. Rembold said the standard is straight forward. The Board agreed the finding is ok.

Section C-5

The Board agreed this finding is ok.

Section C-6

The Board agreed the finding is ok.

Section 8.10.3 Signs

Mr. Rembold said whatever signage the applicant wants to use must comply with the sign bylaw. The Board agreed this is ok.

Section 8.10.4 Lighting

Ms. Nelson said there is a significant reduction in lighting impact.

Mr. Fick suggested adding to the first paragraph after submittals: the existing building mounted and pole mounted lights will be removed. The Board agreed to add this to the findings.

Ms. Nelson said the applicant has selected good light fixtures.

Mr. Higa asked if light controls would be addressed in SPR discussion.

Ms. Nelson said yes.

Section 8.10.5 Density

Mr. Pachano said the open space for the project is 6,000 square feet per unit. He said that is in excess of the 2500 square feet per unit required.

The Board discussed what would be allowed by-right. Mr. Rembold provided a comparison at the beginning of the document.

Mr. Higa said the by-right comparison is the stronger comparison.

Mr. Fick said the project is not achieving the density it could.

Ms. Nelson said the Board is accepting 30 units on a four plus acre lot. The Board agreed.

Section 8.10.6 Parking and Loading

The Board agreed the finding is ok including at least one loading space.

The Board took a break at 9:00 P.M resuming the meeting at 9:06 P.M.

Section D

The Board discussed the special permit criteria and findings.

Criterion 1: Social, economic or community needs

The Board agreed with the finding with the amendment to the finding adding that a derelict property has detrimental impacts on the social and community needs particularly in a gateway area.

Criterion 2: Traffic flow and safety, including parking and loading

Mr. Hankin said the parking provided exceeds the zoning parking requirement.

Mr. Fick said if the building management is handling parking allocations why do we need to butt in?

Ms. Nelson said it is on the list of conditions. She suggested adding a statement about loading at the end of the third paragraph as discussed in 8.10.2 3.

The Board agreed to the finding with the addition.

Criterion 3: Adequacy of utilities and other public services

The Board agreed the finding as written.

Criterion 4: Neighborhood character and social structures

Mr. Hankin said the building is being taken from a commercial use and being converted to a residential use.

Ms. Nelson agreed.

Mr. Pachano said he doesn't like the term "institutional in nature". He said it could be a municipal look.

Ms. Nelson said it describes the use not the character.

Mr. Higa said the character becomes the use.

The Board agreed to remove that term.

Ms. Nelson said Mr. Pachano took many pictures of brick buildings in Town.

Mr. Pachano said he doesn't agree with the criterion. He said there is no attempt to recognize a rich tradition of brick buildings. He said the proposed building is unorganized in its representation. It has a suburban feel. He said he would argue that the purpose of adaptive reuse is to support the integrity of a building that is viable for reuse. He said the focus should be on identifying the qualities of a building that has existed for 60 years. The building and the community deserve a subtle intervention.

Mr. Fick said he would argue with the findings and Mr. Pachano but this is what we have to deal with. He said he believes it is an improvement.

Ms. Nelson said it is a modern interpretation. She said we always get stuck on character. Everyone has a different take on it.

Mr. Pachano said he is ok with the finding if there are no qualitative statements.

Mr. Rembold made edits during the discussion. The Board agreed with the finding as amended.

Criterion 5: Impacts on the natural environment

Mr. Hankin said the applicant is taking a building that is energy inefficient and making it efficient. He said they will have to deal with the building code and the stretch code.

Mr. Pachano suggested that the comment about LEED be removed.

The Board agreed finding is ok as amended.

Criterion 6: Potential fiscal impact, including impacts on town services, tax base and employment

Mr. Higa said people will move out of existing housing stock freeing it up for work force housing.

The Board agreed the finding was ok.

Finding and Proposed Conditions:

Mr. Rembold said there is no finding of potential negative impact. He said there are no clear concerns identified for conditions.

Mr. Hankin said no apartment should be leased or sublet for less than 30 contiguous days. He said this would be an anti-Airbnb provision.

Mr. Rembold asked where the concern has been listed in the findings.

Mr. Fick said it could be part of Criterion 1 that the Board is concerned that residential units rented on a short term basis would negate the positive contribution of these units to the market so the Board will impose a condition to mitigate the concern.

The Board discussed a condition that no units shall be rented or sublet for a period of less than 30 days.

Ms. Nelson suggested a second condition for a neutral color palette.

Mr. Pachano said he disagreed.

Ms. Nelson asked Mr. Pachano if he is ok if the building is bright blue or bright green.

Mr. Pachano said no but he asked how far do we take the regulation. If the building owner likes it and pays for it, it is not my problem. He said he doesn't know if we as a body can give design advice. He said he doesn't think it is the role of government. He said aesthetic questions are completely arbitrary.

Mr. Hankin said we don't tell the neighbors what color to paint their houses.

Ms. Nelson withdrew her suggested condition.

Ms. Nelson asked about parking.

Mr. Pachano suggested that unbundling parking could lower rent and become more equitable. He said he is not a fan of telling people how to run their business but maybe the Board would entertain.

Mr. Rembold said unbundling is a good idea for marketability. He said he is not sure how it impacts the findings. He said that is a decision for the manager when negotiating a lease.

Mr. Fick said there is a lot of expertise on the Board and there are a lot of opinions for suggestions. He said he is not sure we can put in the findings how the applicant runs their business.

Ms. Nelson said there is one condition for limiting subletting of units for short term rentals.

Mr. Hankin made a motion to approve the findings as amended, Mr. Fick seconded.

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

Mr. Hankin made a motion to approve the special permit with one condition, Mr. Fick seconded. Roll call vote: Mr. Fick, aye; Mr. Higa, aye; Mr. Hankin, aye; Mr. Pachano wished to make a statement prior to voting; Ms. Nelson aye

Mr. Pachano said I find the comments against any residential multi-family development in Great Barrington depressing. We are deluding ourselves if we honestly consider that we are a welcoming community. I've seen at least three multi-family projects come before this board harangued, denigrated and sued into submission. Whether it is a proposal on Mahaiwe, Manville or Maple, the residents of this area come out with the same complaints: parking, traffic and safety. There is no data or empirical evidence that will dissuade them from their ultimate objective—not to welcome new residents and families to town. It is about time that we realize that the “triangle” as it is often called, is a prime location for multiple new families. These are areas served by town infrastructure and located within walking distance of amenities and cultural institutions. We must also accept that for the past many years this area's residential character has been changing to mixed use. These are facts.

If we are honest with ourselves, I believe the fear expressed by residents is not so much traffic or parking but a perceived deterioration of safety on our streets, safety that is not associated with automobiles but with new people coming into our neighborhoods. What is most troubling is that

the adults that raise their concerns against these multi-family developments do not acknowledge this as their main issue. It took the 15 year daughter of one of the residents of this neighborhood to say what no one else would during our first public hearing-that she would not feel safe walking down the street with 30 new and strange families in her neighborhood.

Many people laud the work of Jane Jacobs of “preserving” the West Village of Manhattan from the imposition through it of a major highway. They laud the “eyes on the street,” which is only possible in a community of families, as the best way to keep streets safe. They also celebrate how she fought to “preserve” the same neighborhood for the residents who at the time were working and middle class families. What they fail to realize, however, that in so doing she made development impossible in the West Village which lead to the place we have today-a largely unaffordable neighborhood in the heart of Downtown. Great Barrington is on its way there, and if we do not allow the construction of rental housing we could end up as inequitable.

Mr. Pachano voted aye.

Mr. Rembold said staff will reduce to writing the Record of Proceedings then file it with the Town Clerk after being signed by the chair and vicechair.

ZONING AMENDMENTS:

The Board set the item aside to a future meeting. The next meeting will be the public hearing for the amendments to be on the Town Meeting warrant.

TOWN PLANNER’S REPORT:

Mr. Rembold said the next meeting will include the zoning public hearing for the B-3 zone and the 3 citizen’s petitions carried over from last year’s Annual Town Meeting.

He said the proposed petition, discussed earlier in the meeting, won’t be before the Board until the first meeting in April.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Mr. Pachano said the Design Advisory Committee looked at 6 sign permit application for new businesses in Town. He said that is positive for our Town. He said there are four more applications for the next meeting.

Mr. Reed said we are losing the identity of Town. He said he would like to keep the old families here.

Mr. Higa said existing housing stock will be freed up so kids can rent in town.

CITIZEN’S SPEAK TIME:

No one spoke.

Having concluded their business, Ms. Nelson adjourned without objection at 10:16 P.M.

Respectively submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary