

PLANNING BOARD

DATE: July 22, 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

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, revised by Governor Baker on June 16, 2021, from the agenda. She called for roll call attendance:

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

The meeting is being recorded.

FORMS A:

964 MAIN STREET:

Al Thorp from Accord Engineering was present to discuss a Form A plan on behalf of HAMFAS, LLC to create three parcels of land located on the west side of Main Street aka Route 7. Parcel A contains 0.700 acres of land. Parcel B contains 0.705 acres of land. Parcel C contains 0.953 acres of land.

Mr. Thorp said currently the property is divided into five parcels. The revised plan with three parcels allows for the zoning minimums to be met. The zone is light industrial.

Mr. Pachano asked if any of the new property lines create non-conformities.

Mr. Thorp said no. He said there is a line between parcels A & B that has a side yard setback from the existing building at 11 feet. The required setback is 10 feet.

Ms. Nelson asked if the current lot lines run along the buildings.

Mr. Thorp said it is a complicated property. He said there are three plans recorded with the Registry of Deeds. In some cases, the existing boundary lines are less than the minimums.

Ms. Nelson asked if the updated plan will supersede the other plans.

Mr. Thorp said nothing can take away what is on file at the Registry of Deeds but this plan should help to clarify the property lines for owners going forward.

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

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

65 STATE ROAD: FREEMAN

Michael Parsons from Kelly, Granger, Parsons and Associates, was present with a Form A application on behalf of Susanne Freeman for two parcels of land located on east side of State Road. Lot 1 contains 10.557 acres of land. Lot 2 contains 26.859 acres of land. Mr. Parsons said the property meets zoning minimums. Lot 1 has an existing house and has 486 feet of frontage. Lot 2 has 300 feet of frontage.

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

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

13 KNOB LANE: SHEMAN/LITVIN

Mr. Parsons was present on behalf of Robin Scheman and Yigal Litvin for two parcels of land located on the west side of Knob Hill. He said this is the third time the Board has seen this plan. The lot line has been adjusted again to allow for the rebuilding and expansion of the garage. The new line allows for an 11 foot rear setback. The required setback is 10 feet.

Mr. Hankin recused himself from the discussion.

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

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

MINUTES: JULY 8, 2021

Mr. Hankin made a motion to approve the minutes of July 8, 2021 as amended, Mr. Pachano seconded.

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

SITE PLAN REVIEW: 72 SOUTH STREET

The Board conducted a site visit prior to the meeting.

Attorney Kathleen McCormick was present with the applicant David Carpenter to discuss the SPR for the construction of a carriage house with an ADU at 72 South Street.

Ms. McCormick said the application complies with the R-1-A zoning. There is currently a two-family house on the .88 acre site. The ADU complies with the bylaw meeting the 900 square foot maximum. The project meets the zoning minimums. The carriage house will have a three car garage. There will be three parking spaces outside the garage. The parking exceeds the parking requirement. The ADU, above the garage, will be sprinkled. The entrance will be on the rear side of the carriage house.

Mr. Hankin asked why the unit will be sprinkled.

Mr. Carpenter said there would have to be an exterior staircase if it isn't sprinkled.

Ms. McCormick said the existing two-family house will be restored. The project meets the goal of the Master Plan by providing diversity of housing in an area that is walkable to Town. The project provides infill as suggested by the Master Plan. She said this is a perfect project.

Ms. Nelson asked if the foundation of the existing garage will be used.

Ms. McCormick said the existing two car garage was in bad shape. The garage was in bad shape so the structure was removed and Mr. Carpenter is willing to remove the existing garage foundation. There is an existing curb cut on West Ave. to serve the former garage which will not be used. The South Street curb cut will remain and serve the entire property.

Ms. McCormick said the drainage won't change on the site. Snow will be plowed to the east side of the property. She said there are two Norway Maples that will be removed and replaced with four evergreens. A pollinator garden will be added to the property.

Ms. McCormick said the carriage house will be behind the existing house located on South Street. There will be three dark sky compliant lights on the carriage house.

Ms. Nelson asked where the lights will be located.

Ms. McCormick said there will be two lights between the garage doors and one near the egress on the north side. She said cut sheets have been provided.

Ms. Nelson said one more will be necessary by the egress door facing the house.

Ms. McCormick said it is not a problem to add another light.

Mr. Higa asked if this is the kind of light we want to see. It appears that the light bulbs will be visible through the glass.

Ms. Nelson said when the lights are dark sky compliant there aren't any bulbs visible. There is an LED bulb at the top of the housing. There won't be any direct glare.

Mr. Higa asked how the light will be activated.

Ms. McCormick said the lights will be on a manual switch.

Ms. Nelson asked about the exterior construction.

Mr. Carpenter said he hasn't decided.

Ms. Nelson asked if the existing colors will be matched on the carriage house.

Mr. Carpenter said the colors will be in harmony with each other. The colors will not be the same. The carriage house will be more gray but harmonious with the existing house.

Ms. Nelson pointed out that West Street is eight feet higher than the property. From West Street the dormer of the carriage house is what will be seen.

Ms. Nelson read through 10.5 Site Plan Review.

Mr. Pachano said he doesn't find anything in the building code about lighting at doors only at exterior staircases.

Ms. Nelson asked about water and sewer on the property.

Ms. McCormick said there will be a sewer connection for the carriage house separate from the existing house. She said she isn't sure about the water connection.

The Board agreed to require a condition for egress lighting at the door facing the house. All exterior lights shall be Dark Sky compliant.

Mr. Hankin made a motion to approve SPR with one condition for lighting at the egress as discussed, Mr. Higa seconded.

Mr. Pachano commented that the pollinator garden is facing the east in a shaded area. He said native flowers require a lot of sun.

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

COMMON DRIVEWAY BYLAW DISCUSSION:

The Board reviewed the draft revision of the Common Driveway, Ch 153 prepared by Mr. Rembold.

Mr. Rembold said the draft reflects the discussion from the last meeting. He said the Board will be well prepared for the next Annual Town Meeting. He said the main points of the previous discussion were included to recognize current zoning that allows three dwellings on each lot. He said the current common driveway bylaw allows three dwellings on a common driveway.

The Board went through the redlined draft.

The Board added language that a maximum of nine dwellings can be served by a common driveway. They established for design guideline purposes that a “small lane” will serve up to five dwellings and would not have to be paved. A “minor way” can serve six to nine dwelling units. This is existing language in the subdivision regulations.

Mr. Rembold said the language is fairly straight forward. He said anything in existence will be addressed by the clause regarding those existing lots and dwellings.

Ms. Nelson suggested a qualifying statement for existing common driveways serving existing dwellings would have to comply with this section if additional dwellings are added. There will be a date (when the article might potentially be published for a public hearing) to mark the existence of the common driveway.

Mr. Hankin said it is clear that the common driveway does not constitute a subdivision road. No public hearing is required just a permit from the Planning Board.

Mr. Fick asked if the design criteria should not require shoulders along the driveway.

The Board agreed with that suggestion.

Mr. Fick said he doesn’t want backdoor subdivisions.

Mr. Hankin said subdivision roads provide frontage. The lots served by the common driveway have frontage.

Ms. Nelson commented that Mr. Rembold did a great job putting the draft together. She thanked Madison also.

Mr. Rembold said he would add the suggested changes and send the draft back to the Planning Board before sending to the Selectboard for them to put on the warrant and for the Planning Board to schedule the public hearing.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Mr. Pachano said he is in the process of scheduling a meeting for the Housing sub-committee potentially for August 2 at 1:00. He said he will report back. The sub-committee has two new members from the Selectboard, Leigh Davis and Garfield Reed, who will be brought up to speed on past work.

Mr. Pachano said 4.2.2 regarding the street frontage requirement, if anything can be built with 80% of the required frontage it should be effective across the board.

Mr. Rembold said the lot has to meet the full lot width requirement at building envelope. He said this language is to address wedge shaped lots on a cul-de-sac.

Mr. Hankin said the front setback can be anywhere on the lot where there is lot width.

Mr. Pachano said he will keep thinking about it.

Mr. Pachano said the Board should congratulate Mr. Fick for being named the vice-chair of BRPC.

Mr. Fick said BRPC had a short meeting to elect the officers and committee chair.

Mr. Pachano said South County was under represented at the meeting. He said there is only representation from Great Barrington and Sheffield.

Ms. Nelson said BRPC is a great resource for us.

Mr. Higa said the CPC will meet on August 3 to go over the annual plan. He said he will email the Board members for comments.

Mr. Hankin said he reached out to banks regarding the financing of ADUs. He said Berkshire Bank no longer issues construction loans. He said he would reach out to other banks.

Mr. Higa brought up that CPA funds could be used for creation of 1-2 affordable units each year. He said it could be achievable, if recommended by the Selectboard. A recommendation could be made at the Annual Town Meeting.

Ms. Nelson said the Housing sub-committee might take the idea up at their meeting.

Mr. Higa said the money might be able to go into the hands of the Great Barrington Affordable Housing Trust. He said he thinks it is a good idea.

Mr. Pachano said there are restrictions about what can be built or renovated. He said in Nantucket they can use 100% of the 25% of CPA money designated for affordable housing.

Mr. Higa said there are restrictions for a renovated property as it would have to have been purchased with CPA funds. He said a new build would be different. He said this can be an item for future discussion.

Mr. Higa said if the Planning Board has housing goals there should be recommendation to the Selectboard. We can lead, but it would be good for the Selectboard to agree and offer its support.

Mr. Pachano said the Design Advisory Committee has no one steering it since I left.

TOWN PLANNER:

Mr. Rembold said there are no applications for the first meeting in August. He said we can comment on the CPC plan. He said he can provide updates for the Floodplain overlay.

Mr. Rembold said the Housing Trustees would like to be included in the housing discussion. Some trustees saw the agenda item on one of our agendas and asked to be invited.

Mr. Hankin said he thinks they should come as soon as possible.

CITIZEN'S SPEAK:

No one spoke.

Having concluded its business, Ms. Nelson adjourned without objection at 7:19 P.M.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary

