

PLANNING BOARD

DATE: August 12, 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. Pachano, present; Mr. Fick, present; Mr. Higa, present; Ms. Nelson, present

The meeting is being recorded. Mr. Rembold said there were technical difficulties on his end. He made the Board aware in the event the meeting was disconnected.

FORMS A:

There were no Forms A presented.

MINUTES: JULY 22, 2021

Mr. Hankin made a motion to approve the minutes of July 22, 2021 as amended, Mr. Pachano seconded.

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

SITE PLAN REVIEW: 227 EAST STREET

Ms. Nelson said the Board previously reviewed the SPR for 227 East Street putting a condition on the permit for a common driveway permit. Research into the property shows that the common driveway is existing with a town owned right of way.

Mr. Hankin made a motion to waive the condition requiring a common driveway as part of the SPR approval in June of 2021 for 227 East Street, Mr. Fick seconded.

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

38, 40, 42 BLUE HILL ROAD:

Matt Puntin from SK Design was present to discuss a common driveway permit submitted on behalf of Howard Jacobs for property located on Blue Hill Road. Attorney Lori Robbins was also present on behalf of the applicant.

Mr. Puntin said there are three parcels to be served by the common driveway. Mr. Jacobs was ready to move forward with construction before the other two property owners so he went to the Selectboard and received a driveway permit for the first 300-400 foot. The other two owners have moved quickly so now there is a need to get the common driveway approved.

Mr. Puntin said the Fire Chief reviewed the design. He had an issue with the grade of the single part of the driveway so the grade has been reduced from 12% to 10%. He said another concern was brought to his attention on Monday or Tuesday of this week regarding the turning radius for a fire truck at the cul-de-sac. Mr. Puntin said he will make the radius large enough to make it work for the Fire Chief.

Ms. Nelson said due to our technology issue she was not able to share the screen to look at the plans.

Mr. Rembold was able to share the screen and show the plans.

Mr. Puntin said the driveway from the south side of Blue Hill Road crosses a stream. The Conservation Commission approved the plan.

Ms. Nelson asked about the reduction in width.

Mr. Puntin said the first 300 feet of the driveway is 12 feet wide and it crosses a culvert. He said work has been done there for the 12-foot width. More disturbance and fill would be required to increase the width to 14 feet. This would require further review by the Conservation Commission. He said he thinks it makes sense to leave it as it is. Mr. Puntin said it is an old logging road. Beyond this portion of driveway, the common driveway will be created and that will be 14 feet wide.

Ms. Nelson asked that when the plan is revised to show the turning radius please show where the driveway is 12 feet and where it will go to 14 feet wide.

Mr. Hankin said the plan is pretty straight forward.

Ms. Nelson said yes.

Mr. Pachano said currently three dwelling units can share a driveway.

Mr. Rembold said all three lots can be served.

Mr. Fick said Mr. Rembold commented that other staff needed to comment.

Mr. Rembold said the Fire Department commented as has the Conservation Commission. To this point the project is permitted to their satisfaction. He said the Highway Department has not commented neither has Town Counsel commented on the covenants and conditions. He said hopefully we will have heard from them by the next meeting.

Mr. Hankin asked if the Conservation Commission has given a Certificate of Compliance.

Mr. Puntin said the final Certificate of Compliance has not been issued. He said there are invasive plants that are required to be removed. The plants haven't been removed yet.

Mr. Hankin said the permits should be conditioned on the Certificate of Compliance being issued by the Conservation Commission.

Ms. Nelson said the driveway is gravel. She said there have been a lot of washouts this past month. She asked how the grade will be handled for washouts.

Mr. Puntin said the swales will be rip rapped. The driveway will have a slight crown pitch with side sweeps out into the woods.

Ms. Nelson said it is clear on the uphill side. She asked if the Conservation Commission commented on that portion of the driveway.

Mr. Puntin said no, it is out of their jurisdiction. He said the plan wasn't this far along when the Conservation Commission reviewed the single driveway.

Mr. Rembold said the Conservation Commission did see this plan and the single driveway application that was approved by the Selectboard. He said the lower portion is also steep. He said he visited the site after the torrential rains and there was no issue at Blue Hill Road.

Ms. Nelson said she didn't see the details for the stabilization of that slope.

Mr. Puntin said he can explore options for the side slopes and bring the information to the Board.

Ms. Nelson said it will be helpful if the Highway Department can comment in time for the next meeting about where the driveway meets the road. She said she doesn't expect major comments.

Mr. Puntin said he will provide information at the next meeting showing the distance of the 12 foot to where the 14 foot driveway starts, the turning radius and the side slope.

Ms. Robbins said Mr. Hankin commented on the Certificate of Completion. She said there is a document stating the outstanding order of conditions that will be in place for several years because of the need to remove the invasive species, so the common driveway will be completed before the Certificate of Completion can be issued.

Ms. Nelson thanked Mr. Puntin who will return to the next meeting in two weeks.

COMMON DRIVEWAY REGULATIONS & STANDARDS:

Mr. Rembold provided a draft of the comments for the revised regulation. He said hopes the draft is acceptable so we can wrap it up for now. We can deal with it again during the public hearing prior to the Annual Town Meeting.

The Board was satisfied with the draft.

CPA PLAN 2021-2022:

Mr. Rembold said each year the Community Preservation Committee looks at the directive for the Committee. He said they look at the priorities for the housing needs, open space and recreation and historic preservation. He said an addition to the open space and recreation is to help the Town adapt to climate change.

Mr. Rembold said the CPC has robust discussions regarding setting money aside for projects. He said there is significant money set aside for housing. He said the CPC wants project to go to them for discussions.

Mr. Higa said the CPC is not interested in turning CPA funds into affordable housing. He said even a motion to set 30% aside for housing has failed. He said he doesn't think, with the way the CPC is set up, that it will be aggressive toward funding affordable housing. He said the CPC, to date, has not trusted the Great Barrington Affordable Housing Trust.

Ms. Nelson asked if there is a sense of what funds are available.

Mr. Rembold said probably \$800,000 with the State contribution. He said this is a general discussion. He said the CPC won't discuss funds without an application before them.

Mr. Hankin asked about the income chart.

Mr. Rembold said the chart is per the statute.

Mr. Hankin asked if the CPC can raise the statute for a higher income percentage of the median income. He said it should be raised to 120%.

Mr. Rembold said no, it can't be raised.

Mr. Hankin said the housing assessment report said there are 1637 affordable housing units in Great Barrington. He said he can't imagine where you find them.

Mr. Rembold said he didn't have the report in front of him.

Mr. Hankin said affordable means subsidized.

Mr. Rembold said no it doesn't.

Mr. Hankin said the median rent is \$897. per month. He said that is hard to believe.

Mr. Higa said all the numbers are from the most recent housing study.

Mr. Hankin said parts of that study could well be wrong.

Ms. Nelson said the Planning Board reviewed the study and asked for it to provide us with baseline information.

Mr. Higa said we had back and forth discussion about the study but that was before Covid. He said there are some different parts but the message is consistent. It is clear that people are spending over 30% of their income on housing.

Ms. Nelson said yes. Housing is in short supply and it is expensive. She said that should be enough of a reason to drive the issue of supporting affordable housing.

Mr. Higa said Town owned properties do get some priority. Town funds to spend on Town projects.

Mr. Rembold said all things being equal Town funds get Town priority. He said some projects are permanently affordable and can get deferred interest loans from the GBAHT.

Mr. Higa said no interest loans remain affordable because the money is returned to the Trust and is put back into the available funds.

Ms. Nelson said the CPC can review applications that are submitted and decide on the merit of the application.

Mr. Higa said he wants to be more aggressive and the rest of the CPC wants to be more conservative.

Mr. Fick expressed concern at Mr. Higa's statement that the CPC was not supporting affordable housing.

Mr. Higa corrected his previous statement, pointing out the town has reached, or nearly reached, an important threshold of 10% affordable housing, largely due to the CPA funds granted by the CPC for Construct, Boswick Gardens, the Bently Apartments, North Plain Road, and other affordable housing projects. Mr. Higa stated that the CPC has refused to fund only one affordable housing request.

Mr. Pachano said as a Town we need to find other ways to fund the GBAHT. He said the Planning Board can become creative to figure out funding.

Mr. Hankin said in the language for the affordable housing development on North Plain Road it looks like there is a cap of up to 20 affordable houses. He said it is written like a cap.

Mr. Rembold said it is a cap in terms of sales. He said the language for up to 20 homes was what was accepted. The entire parcel has been turned over to Habitat for Humanity for them to build up to 20 homes.

Mr. Hankin said up to 20 homes on 7 acres of land is suburban sprawl, a wasted opportunity, and not what we want.

Mr. Rembold said funds were appropriated at the Annual Town Meeting on the basis of 20 homes.

Mr. Hankin said this is bad planning.

Ms. Nelson said we will leave this item on the agenda for the next meeting. She said any comments can be sent to Mr. Higa.

Mr. Higa said the meeting that discussed the project was a tough one for the former chair. The Trust needs a win not just in what they can get but how happy the community is in the end. Maybe this project will be a win and change the perception of the Trust.

ZONING DISCUSSION:

Ms. Nelson said part of the packet included language for commercial event venues from other areas that have had similar issues to what we have had. She said there is no enforcement or a

mechanism for enforcement so we might want to enact some zoning. She said she offers the language as food for thought. She said we can discuss at the next meeting.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Mr. Pachano said the Clinton Church Restoration project received a substantial grant for work on the north side of the building.

TOWN PLANNER'S REPORT:

Mr. Rembold said the Housing Sub-Committee discussed some regulations of short term rentals.

Mr. Rembold said there is a report available for the Housatonic water system. He said the report was sent to you.

Mr. Rembold said the meeting to discuss the Town's brownfield sites assessment had good participation. He said he hopes we got good information out there. He said he thinks the Selectboard will advance Cook's Garage as the cost is just the building materials.

CITIZEN'S SPEAK TIME:

Eileen Mooney asked if the Board has received any interest for the Associate Member position.

Ms. Nelson said we haven't found anyone yet. She said the Chair would love to have an Associate Member from Housatonic but no takers yet.

The Board concluded its business. Ms. Nelson adjourned without objection at 7:05 P.M.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary