

PLANNING BOARD

DATE: August 26, 2021

TIME: 6:00 P.M.

PLACE: Zoom Virtual Meeting

FOR: Regular Meeting

PRESENT: Malcolm Fick, Vice Chair; Jonathan Hankin; Jeremy Higa; Pedro Pachano
Chris Rembold, Assistant Town Manager/Director of Planning and Development

Mr. Fick called the meeting to order at 6:00 P.M. He read the opening statement, revised by Governor Baker on June 16, 2021, from the agenda. He said the meeting was being recorded. Michele Loubert indicated that she too would be recording the meeting.

He called for roll call attendance:

Mr. Hankin, present; Mr. Pachano, present; Mr. Higa, present; Mr. Fick, present; The meeting is being recorded. .

FORMS A:

There were no Forms A presented.

MINUTES: AUGUST 12, 2021

Mr. Hankin made a motion to approve the minutes of August 12, 2021 as amended, Mr. Pachano seconded.

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

COMMON DRIVEWAY: 38, 40, 42 BLUE HILL ROAD

Applicant Howard Jacobs was present with Matt Puntin from SK Design to discuss the revised common driveway plans.

Mr. Rembold said the applicant submitted the plans revised from the Board's discussion from their last meeting. He said the revised plans were sent to Board members for their review. He said the issues that have been addressed include the slope and grading issues and the turning radius for emergency vehicles per the Fire Chief's request.

Mr. Rembold said the Board previously discussed a condition regarding the Certificate of Compliance to be issued by the Conservation Commission. He said a condition will not work as the time line for the Conservation Commissions order is five years.

Mr. Rembold said comments from Town Counsel on the covenant and maintenance agreement have not been received but Mr. Rembold said this can be conditioned so there is no need to hold up the decision.

Mr. Puntin said the modified radius has been put on the plan to satisfy the Fire Chief's concern. He said other engineering has been addressed per the discussion from the last meeting.

Mr. Fick asked if there were any comments from the Board, there were none.

Mr. Fick said we can't make a condition on the Conservation Commission's order but we don't need to because they will oversee their order. He asked if there were any conditions. There were none.

Mr. Hankin made a motion to approve the common driveway application, Mr. Higa seconded

Mr. Higa asked if there should be a condition regarding receiving comments from Town Counsel.

Mr. Rembold said it is not vital to have that as a condition. He said in his opinion a condition is not necessary.

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

SITE PLAN REVIEW: 1 NOLAN DRIVE

Attorney, Nick Arienti was present with the applicant Taj Mongiardo and engineer Matt Puntin from SK Design.

Mr. Arienti said the applicant has owned the lot at 1 Nolan Drive for a number of years. He said the property was previously owned by Kotleski Trucking. The site is in an industrial subdivision. There is a need for industrial space. The Board approved a Form A application in the spring dividing the lot. (February 11, 2021 meeting). He said the proposed building will be a carbon copy of the existing large industrial building with similar aesthetics and material. The building will be used for furniture making. He said the building will be 14,000 square feet, 200 x 70 feet. He said the use meets the zoning district and the zoning bylaws. It is a by-right use. He said there are no access issues.

Mr. Arienti said the building will be served by Housatonic Water Company. He said a septic system will be installed. He said the applicant is ready to move forward. He said the use is permitted. There is no retail use or hospitality use. The traffic impact will be minimal. He said a

waiver request has been submitted for the traffic impact study. He said the business will move from the larger building to this building leaving that building available for lease or sale.

Mr. Arienti said the applicant received a letter giving permission to hook up to the Housatonic Water. He said the septic system will be installed in the northwest corner. He said some of the manmade berm will be removed for the septic system but additional screening can be provided. He said the frontage for the lot is along VanDeusenville Road but access will be from Nolan Drive.

Mr. Puntin said the perk test has been done. The site is historically sand and gravel. There is good soil on the site. He said the application hasn't been submitted to the Board of Health yet but it will get done.

Mr. Puntin said the building will be placed on the low spot on the site. There will be underground chambers to collect the run off from the roof.

Mr. Hankin asked about parking.

Mr. Puntin said there are five parking spaces on the south side and three parking spaces on the east side.

Mr. Arienti said one parking space is required for every two employees. There are estimated to be 10 employees. He said this is a known use that is consistent with a light industrial use.

Mr. Mongiardo said he may have 15 employees. He said he could take spaces from the other existing building but he wasn't sure.

Mr. Rembold said there are eight parking spaces outside and four interior parking spaces for a total of twelve parking spaces.

Mr. Puntin said the interior spaces are for the loading. He said the overhead doors will accommodate a van to load or park.

Mr. Rembold said eight parking spaces will accommodate sixteen employees.

Mr. Hankin asked where additional parking will be. He said hopefully you will need more parking.

Mr. Arienti said the abutting building has plenty of parking. He said we can have an agreement to use some of that parking when needed. He said it is ok for that to be a condition.

Mr. Mongiardo said he owns that building too. He there is quite a bit of extra parking. He said he has never had a parking issue even with thirty five employees. He said he would gladly grant parking from one building to the other.

Mr. Puntin said there are 20-25 parking spaces on the other lot.

Mr. Hankin said the SPR is on this parcel. He said he would be concerned about allowing the extra parking on the other parcel in case it was sold.

Mr. Puntin said the application meets the parking requirements.

Mr. Fick said he isn't sure what the use is so we can't know how many employees.

Mr. Rembold said if parking is an issue the applicant will need to get a special permit to allow parking on the other lot. He said the number of employees can be limited to the amount of available parking.

Mr. Hankin said we can limit the employees to 16.

Mr. Arienti said or we can get a special permit. He said this is a light industrial use, assembly, and packaging. He said it is not uncommon to have unoccupied potential space. He said the SPR approval will allow the identified use. If we need more parking we can apply for parking accommodations.

Mr. Mongiardo said he currently has five employees working in 9,000 square feet of 14,000 square feet of space. He said he won't rent the building to a use having 20 employees. He said it is hard to gauge how to accommodate when there is currently not a parking problem. He said parking has never been an issue.

Mr. Pachano said he doesn't see a parking problem.

Mr. Rembold said the Board can waive the parking requirements through a special permit but that is not being asked for at this time.

Mr. Higa said he doesn't want to hurt potential businesses from growth.

Mr. Arienti asked if he could clarify that the waiver request is for the traffic impact assessment. He said there won't be an application for a special permit for parking because we don't know

who the users are. It is not a timely discussion. He said if the applicant needs more parking he can apply for a special permit in the future. He said what is before you is what we know is certain now.

Mr. Mongiardo said he is willing to limit the number of employees if necessary.

Mr. Puntin said there is more room on the property including the existing berm that could be modified for parking while still providing screening. He said he provided the required amount of parking but there is room on the property to provide more.

Mr. Fick said he assumed that the application was for the keeping maximum amount of employees in mind.

Mr. Hankin said we will cap the maximum number of employees at 16 and the applicant will come back to modify the site plan approval to allow more on this site. He said it is not a huge hurdle.

Mr. Arienti and Mr. Mongiardo agreed.

Mr. Pachano asked Mr. Puntin if the driveway would be blacktop.

Mr. Puntin said the driveway will be gravel.

Mr. Higa asked if public comment could be moved up even though this is SPR and not a public hearing.

Mr. Fick said he wanted to go through the storm water analysis.

Mr. Puntin said he did calculations for a 100 year storm. He explained that the water will go into the underground chamber at 1.5 cubic feet per second. Water will discharge from the chambers at 33 cubic feet per second.

Mr. Rembold said the storm water drainage for the Nolan subdivision was calculated for a 25 year storm.

Mr. Puntin said if the drainage works as designed not a drop of water will come out. He said we have recently seen 3-4 inches of rain in an hour. The system is not designed for that type of event.

Mr. Fick asked if the use is light manufacturing. He asked if we need to know what the use is or is it generally permitted.

Mr. Arienti said the term is broad but it is intended to be broad. He said a lot of uses could fall under the light manufacturing category.

Mr. Fick said when a home occupation is before us we know what the occupation is.

Mr. Arienti said if the is to break the use down into specifics, in this case, the use will be furniture building, restoration, art, woodworking and metal work. The intent is to be broad so we don't have to come back to the Board. He said he thinks the intended use will fall into the light industrial category.

Mr. Hankin asked about lighting. He said there is nothing shown on the plan about lighting. He asked if a handicap parking space is required.

Mr. Puntin said a handicap space is not required with less than ten parking spaces. He said there is a wall pack on the building.

Mr. Rembold said the outdoor lighting is integrated into the overhangs. They are shown on the south and east elevations.

Mr. Hankin said there is nothing about horizontal cut offs.

Mr. Arienti said the lights are downward directed. The light is not going off the site.

Mr. Mongiardo said he intends to keep the lights off at night. He said the lights will be on a motion sensor for brief periods.

Mr. Hankin said there is parking on the south side but there aren't any lights on the south side.

Mr. Fick said there is a light at the entrance on the south side.

Mr. Hankin said he thinks there needs to be a light at each door. He said he thinks there needs to be some wall mounted lights.

Mr. Puntin agreed.

Mr. Mongiardo said he will completely comply with what the building code states and for safety. He said he has no interest in lighting the sky. He said he doesn't want any more light than is necessary.

Mr. Pachano read Site Plan Review.

Mr. Fick asked how many trees will be removed from the berm.

Mr. Puntin said 2-3 trees will be removed.

Mr. Pachano said others will be planted for screening.

Mr. Puntin said that is correct.

Mr. Rembold said 100 trips a day and 35 or more parking spaces trigger the traffic impact study. He said he provided the information should the Board decide to waive the study.

Mr. Pachano said he agrees with the character of the proposed building.

Mr. Pachano said light industrial does not generally involve hazardous substances.

Mr. Mongiardo said if a certain threshold is met we would have to be permitted by the DEP.

Mr. Pachano made a motion to approve SPR with the conditions that there will be a maximum number of 16 employees and all lighting will be downward directed with horizontal cut offs.

There was a brief discussion then the motion was put on hold for Mr. Hankin to make a motion to waive the traffic study, Mr. Pachano seconded.

Mr. Fick said he thinks it is ok to waive the traffic study as there are fewer employees than in the past.

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

Mr. Pachano remade his motion above, Mr. Hankin seconded.

Mr. Hankin said he wants Mr. Mongiardo to understand that if he needs more parking on the side he can reconfigure the site and come back to the Board to revise the SPR or get a special permit for parking on the adjacent site. He said he does not want to discourage Mr. Mongiardo.

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

Mr. Arienti thanked the Board for their careful review.

REVIEW OF COMMUNITY PRESERVATION COMMITTEE PLAN:

The Board continued its review of the CPC plan. The Board focused the discussion on affordable housing and permitting people to make 100% of the median income and not 80%. Other issues discussed include the word “character,” as it is limiting, and the inability of people to build equity in their housing.

The discussion of affordable housing included the type of housing, multi-family, single family, the funding source, and the need for creativity in funding and design material for the housing.

Mr. Fick asked if comments would be sent to the CPC as a Board or individually. He said he doesn’t agree with all of the comments.

Mr. Fick made a motion to send to the CPC that the Planning Board supports affordable housing and increasing the affordable housing stock in Town. The Board encourages the CPC to think outside the box to encourage developers to support and propose projects that address people making 100% of the median income and address projects that may be outside of the community’s character.

Mr. Hankin said diversity should be encouraged as well. He said the targets should be shifted to smaller projects as large projects are eligible for money from the Feds and the State and small projects are not eligible for those funds. He added that ADUs should also be encouraged.

Mr. Fick added language to his motion that projects should be outside the box and consider small projects and ADUs that may not be able to secure other funding and projects should contribute to diversity in the neighborhoods. Mr. Higa seconded.

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

Mr. Rembold encouraged whoever can speak succinctly on these points to attend the CPC;s meeting on September 9, 2021.

The Board agreed that individual members could send comments.

ZONING:

Mr. Fick asked if this is a place holder on the agenda.

Mr. Rembold said yes. He said he hasn't been able to prepare the Floodplain zoning for the Board's review. He said he will reach out to BRPC for assistance with the affordable housing zoning. He said he hopes to have something ready for the next meeting.

Mr. Fick asked if the Board wants commercial event venues in residential neighborhoods.

Mr. Pachano said it is clear that people don't want it in residential neighborhoods. He asked why we would pursue the topic.

Mr. Hankin pointed out that the use requires a special permit.

Mr. Rembold said as a moderate impact home occupation it requires a special permit. He asked if the Board is ok with the Selectboard being able to condition the permit. He said he wasn't sure if the Board wanted to encode something in other areas where events might be able to be held. He said a commercial event use might be the avenue to pursue.

Mr. Higa asked how noise is conditioned when the enforcement of it is so difficult. He said impacts on the community are hard to condition.

Mr. Pachano said he understands what we have. He said there might be some criteria we might want to codify. If it is a special permit it needs to have criteria that can be followed or at least require SPR.

Mr. Pachano said he would like to hear Ms. Nelson's comments.

Mr. Fick said yes but maybe this item can be lower on the list.

Mr. Higa said he would like to have a handbook for developers to consider middle housing.

Mr. Fick said maybe it can be added to the zoning list.

Mr. Pachano said he thinks zoning for affordable housing and incentives for affordable housing is what we can do.

Mr. Rembold said affordable housing has been suggested in the B-3 district. He said more general requirements can be found throughout the zones. He said requirements for affordable housing can be done through zoning. He said maybe BRPC can help with access to incentives that can work.

Mr. Higa said the key is what is allowed by right. Developers want to to see what can be built by right. The real incentive is what is allowed by right. He said the Housing Study shows that Great Barrington has a need for housing.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Nothing was presented.

TOWN PLANNER'S REPORT:

Mr. Rembold said currently there are no applications for the next meeting. He said the discussion can focus on zoning.

CITIZEN'S SPEAK TIME:

No one spoke.

Having concluded their business, Mr. Fick adjourned without objection at 8:25 PM.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary