

PLANNING BOARD

DATE: October 14, 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 said the meeting was being recorded. She called for roll call attendance:

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

FORMS A:

Al Thorp, from Accord Engineering, was present on half of David Strassler, 372 Maple Avenue, for two parcels of land located on the north side of Route 23, aka Maple Avenue. Lot A contains 40.615 acres of land. Lot B contains 67.00 acres of land. Mr. Thorp said each parcel has over 300 feet of frontage. He said there is an existing driveway that currently serves two houses. He said a common driveway permit might be applied for in the future.

Mr. Hankin asked if the driveway is in the floodplain.

Mr. Thorp said he isn't sure if it is out of the 100-year floodplain. He acknowledged that large portions of the land flood.

Mr. Hankin said if a common driveway is applied for there will be improvements required and another permit.

Mr. Pachano pointed out that the name block says Maple Street instead of Avenue.

Ms. Nelson said that won't be an issue for approval.

Mr. Thorp said he would make the correction.

Mr. Hankin made a motion to approve, Mr. Fick seconded.

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

Russell Sackett from Sackett Survey Services was present with an application on behalf of Joseph Muller, 111 Park Street North, for two parcels of land. He said the parcel had been previously divided. Lot A-2 contains 1.59 acres of land. Lot A-1 contains 2.63 acres of land. There is an existing house on Lot A-1. He said the setbacks are sufficient for the existing house.

Mr. Higa asked if there is an issue with the existing driveway being so close to the property line.

Mr. Sackett said there is plenty of room to plow. He said he doesn't believe there is an issue.

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

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

Michael Parsons was present with an application for Mary Beth Merritt at 110 Christian Hill Road. He said there are 18 acres of land on the east side of Christian Hill Road that was previously divided. He said this is a lot line adjustment. Lot 1 contains 10.003 acres of land. Lot 2 contains 7.906 acres of land.

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

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

MINUTES: SEPTEMBER 23, 2021

Mr. Hankin made a motion to approve the minutes of September 23, 2021 as amended, Mr. Fick seconded.

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

PUBLIC HEARING: 198 MAIN STREET

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

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

The public hearing was opened at 6:20 P.M.

The public hearing is for an application from GB Historic Preservation, LLC seeking relief from the sign bylaw regarding the size and location of a sign in relation to the travelled way. The sign is located at 198 Main Street. The application has been filed in accordance with the sign bylaw Section 146-20 and Section 10-4 of the zoning bylaw.

The applicant, Paul Joffe, was present but experienced technical difficulties with the Zoom connection, specifically the audio. After several minutes of trying to connect Ms. Nelson suggested going to the next agenda item to give Mr. Joffe more time to work out the issue. The public hearing was paused at 6:33 P.M.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Mr. Pachano said the Housing Sub-Committee met earlier this month. He said it was discussed to bring a bylaw for short term rentals to a joint meeting with the Selectboard and Planning Board. He said an email was sent to Ms. Nelson and Mr. Bannon, chair of the Selectboard. He said the bylaw will need attention for it to make it to the Annual Town Meeting. He said he would forward the bylaw on October 27.

Ms. Nelson said there have been discussions about a joint meeting. She said perhaps a meeting date in November can be agreed on.

Mr. Higa said the Community Preservation Committee had a deadline of November 5 at 4:00 P.M. for Step 1 applications and December 17 at 4:00 P.M. for Step 2 applications

Mr. Pachano asked Mr. Higa if he could find out if the CPA funds could be used for marketing of events.

PUBLIC HEARING:

Mr. Joffe worked out his difficulties so the public hearing resumed at 6:39 P.M.

Mr. Joffe said the sign was erected as approved by the Building Department in its current position and orientation. He said the sign does not block the view of drivers. He said the sign is in character to what a church sign should look like. He said it has a little slate roof.

Mr. Joffe said the sign should fit under the business center signs in the Town code, but those signs are large. There is nothing for a small business center. He said the sign is important for people to find the businesses in the Flying Church.

Ms. Nelson said dimensionally the sign is inconsistent with the code.

Mr. Joffe said it fits under the business center signs.

Ms. Nelson said but you said it doesn't fit under business center signs. She asked what the reason is for not meeting the code.

Mr. Joffe said the sign was built according to the plans submitted and approved by the Building Department. He said he followed the sign design that was approved. He said this is a small business center therefore seeking relief for the sign to fit a small business center.

Mr. Rembold said the sign was on the approved plans. He said he is not sure that there was a sign permit but apparently not if a special permit is being applied for. He said a sign, under a business center, could provide relief for the size of the sign, but not the location.

Ms. Nelson said the sign is freestanding and within 10 feet of the travelled way.

Mr. Rembold said the sign is 7.5 feet from the curb.

Mr. Hankin said the sign is perpendicular to the road. In the drawings submitted with the application, it was parallel.

Mr. Joffe said the Board has the revised plans showing it perpendicular.

Mr. Hankin said if Mr. Joffe wants to preserve this sign, he has to say that it is a business center sign as it appears to be. He said he doesn't think it is detrimental to the street or the neighborhood. He said he thinks the sign could be better but he would agree to grant the special permit for the sign.

Mr. Joffe said the sign is not causing any problems. It is not blocking anything and it would be expensive to move.

Ms. Nelson asked if there is an intention to have tenant information on both sides.

Mr. Joffe said yes. He said there are two telephone poles blocking the view so he is trying to get one pole removed.

Ms. Nelson asked if the sign is called a business sign is there going to be a request for a larger sign. She said she does not want to approve a larger sign.

Mr. Hankin said he is getting a special permit for this sign. If he wanted to change it he would have to get another special permit.

Mr. Joffe said he has no intention of making the sign bigger.

Mr. Fick said we need to make sure the special permit is for this sign.

Ms. Nelson asked if the sign would be illuminated.

Mr. Joffe said yes it can be illuminated. The intent would be for lights pointing down under the roof shining on the face of the sign. He said there wouldn't be any light pollution.

Ms. Nelson said it should be included in the special permit that the sign will be illuminated.

Mr. Hankin noted the building is on a corner lot there could be another sign on Rosseter Street.

Mr. Higa said a second sign would come back to us.

Mr. Hankin said not if it is conforming.

Mr. Joffe said he wouldn't build another sign without permission.

Ms. Nelson asked if there were comments from the public.

Travis Derr said if anyone is hung up on the sign being too close to the road he suggested looking at other signs in Town that are close to the road and in sight lines.

There were no other comments from the public.

Ms. Nelson said the applicant intends to have downward facing lights on the sign.

Mr. Higa said he has questions about the Selectboard's recommendation.

Ms. Nelson said the Selectboard gave a negative recommendation without comments. She said the Design Advisory Committee gave a positive recommendation.

Mr. Rembold said as he recalled the conversation, Mr. Abrahams didn't see it as a hazard but the Selectboard voted that the sign was too close to the road.

Mr. Hankin said he doesn't see the sign as a detriment.

Mr. Pachano said the applicant is complying because he has applied for the special permit.

Mr. Hankin said the building is far less than the 50,000 square feet cited in the Town code, but it is still a business center.

The Board went through 10.4 and the special permit criteria. There was agreement that they want the business to be successful to serve the needs of the community. The area is more of a driving

area than a walking area so it is important for a sign that is visible from the road. There was discussion of turning out of the north parking lot. The turning was restricted to one way out and a right turn only during Site Plan Review. Mr. Joffe was advised to put up the directional sign for both the one way and the right turn only.

Mr. Hankin said the sign does not result in substantial detriment to the neighborhood, which is the sole criterion in the Town code for a sign special permit.

There were no other comments.

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

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

The public hearing was closed at 7:09 P.M.

Mr. Hankin made a motion to grant relief from 146.4 C allowing the sign to be 7 feet from the travelled way and 3 feet clear in height and from 146.8 E for a sign that is larger than 24 square feet, Mr. Fick seconded.

Mr. Fick asked if there should be a condition for a sign on Rosetter Street.

Mr. Hankin and Mr. Pachano did not see why there should be a restriction.

The Board added to the motion the condition that any illumination will comply with 146.4 B.

Mr. Higa said he doesn't want to see any light bulbs.

Ms. Nelson said if the size of the sign changes the applicant must come back to the Board.

Mr. Hankin said yes, he would have to come back.

Ms. Nelson called for a vote on the motion.

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

Mr. Joffe thanked the Board. He said he would have come sooner had he realized this was so complicated.

Mr. Fick said directional signs need to be put in for the north driveway.

Mr. Nelson agreed. She said the signs should have been installed prior to getting a Certificate of Occupancy as the condition was part of the SPR approval.

TOWN PLANNER'S REPORT:

Mr. Rembold said he didn't have a report.

CITIZEN'S SPEAK TIME:

Mr. Abrahams said if the meeting had been in person Ms. Shaw would have gotten a standing ovation for reading back the motion.

Having concluded their business, Ms. Nelson adjourned without objection at 7:22 P.M.

Respectfully submitted,

Kimberly L. Shaw

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Planning Board Secretary