

## PLANNING BOARD

DATE: August 25, 2022

TIME: 6:00 P.M.

PLACE: Zoom Virtual Meeting

FOR: Regular Meeting

PRESENT: Brandee Nelson, Chair; Pedro Pachano; Jonathan Hankin; Malcom Fick;  
Jeremy Higa  
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 July 16, 2022, from the agenda. She said the meeting was being recorded.

Ms. Nelson also read Section 241-1 of the Town Code.

She called for roll call attendance:

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

### **FORM A's:**

There were no Form A's

### **MINUTES: AUGUST 11, 2022**

Mr. Hankin made a motion to approve the minutes of August 11, 2022 as amended, Mr. Fick seconded.

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

### **SITE PLAN REVIEW: 30 ELM COURT**

Mr. Pachano recused himself from the discussion. He muted his sound and turned off his video.

Kardin Rabin and Ryan Beattie were present to discuss the SPR application for 30 Elm Court to convert a commercial use into a two unit residential use.

Mr. Radin said the building is perfectly split for a two-family use.

Mr. Beattie said he is a landscaper. He said he will landscape the front of the building to provide more character to the area.

Ms. Nelson asked about the ownership of the right of way.

Mr. Rembold said Elm Court is a public street.

Ms. Nelson asked about the way on the west side.

Mr. Rembold said that is private. He said the Town does not maintain that road.

Mr. Radin said there is a storm drain in the southwest corner of the property.

Mr. Beattie said there are four parking spaces. He said three parking spaces are required. He said there will be parking along the south side of the building and the existing stone wall.

Ms. Nelson asked about a waste receptacle.

Mr. Radin said there is a green space near the building where the receptacle will be located.

Ms. Nelson asked about using the spaces for short term rentals.

Mr. Radin said he is aware of the restrictions.

Mr. Fick said the changes are great.

Mr. Hankin asked about the size of the units.

Mr. Radin said the unit on the second floor will have two bedrooms and it is 1200 square feet. The unit on the first floor will be a one bedroom and it is 1,000. He said there is a mechanical room on the first floor the unit is slightly smaller than the one on the second floor.

Mr. Hankin asked Mr. Beattie about the plantings. He said honeysuckle is on the planting list. He said honeysuckle is an invasive species.

Ryan said there are a lot of vines listed. He said the honeysuckle is a natural source feeder for hummingbirds. He said if the plants aren't native the area to be planted is very small. He said the invasives would be controlled. He said he is a proponent of feeding birds.

Ms. Nelson asked about the exterior stairs being removed.

Mr. Radin said the stairs on the east side of the building are on someone else's property. He said there will be new stairs in the vestibule going to the second floor. A door going into the first floor will be off the vestibule. He said there will be an exterior door on the west side for access to the mechanical room.

Ms. Nelson asked about walking space to the building.

Mr. Beattie said there will be a path parallel to the building to the green space. He said the parking spaces will be 10x24 square feet. He said there will be dividers on the south side. He said wheel stops would be put in 4 feet from the building. People will be able to walk in the 4 foot area between the building and the parking.

Ms. Nelson said the lighting is to be downward directed. She said she saw flood lights. She said the flood lights have to be changed or the application won't be approved.

Mr. Beattie said the flood lights are currently in place. He said they are dimmable but if there is a condition that they aren't allowed we will be fine with it.

Mr. Rembold said there is a street light on Elm Court that meets the private right of way.

Mr. Beattie said he is fine with eliminating the flood lights.

Ms. Nelson said a light is needed over the egress.

Mr. Beattie said he will he will comply. He said the building will have sprinklers so only one egress is required.

Mr. Higa asked what variety of honeysuckle will be used.

Mr. Beattie said it wasn't specified. He said he can remove honeysuckle from the list.

Mr. Higa requested that native plants be used in the landscaping.

Mr. Beattie said he will use native plants.

Ms. Nelson read through 10.5.

Ms. Nelson asked about a dumpster enclosure.

Mr. Radin said there will be totes behind the green space.

Ms. Nelson said the wheel stops and dark sky compliant lighting, no flood lights, will be conditions.

Mr. Hankin pointed out that the front of a car will overhang the wheel stop so the wheel stop should be 6 feet from the building instead of 4 feet.

Ms. Nelson said another condition is there will be no invasives planted.

Mr. Hankin made a motion to approve the SPR with the three conditions discussed, wheel stops, no flood lights and dark sky compliant lights and no invasive plants, Mr. Fick seconded.

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

Mr. Pachano rejoined the meeting with audio and video at 6:30 PM.

### **ZONING STRATEGIES TO INCREASE HOUSING OPPORTUNITIES:**

The Board continued its discussion of housing opportunities. There was discussion of Mr. Fick's list of where SPR is referenced in the bylaws.

The Board talked extensively about various types of housing, two units, three units, small scale, co-housing. They discussed the ability of people to be able to afford to attain housing. There was discussion about what zones housing should be allowed in by-right with no or very little oversight.

There was discussion of residential uses in the industrial zone. It was noted that a two unit use in the I zone is currently allowed by right and a single unit in the I zone is allowed with a special permit. The idea of residential uses in the I zone was not agreed upon. It was decided to discuss it at another time.

The discussion moved to the Performance Standards. They discussed the Performance Standards suggested by Mr. Pachano. The Board discussed writing a checklist that would be including with a building permit application. If the criteria are not met the application would be required to go through the SPR process. Applicant could be encouraged to speak with staff prior to beginning the building permit process.

The Board discussed ADUs and how they are allowed. Three units allowed by right, but if an ADU is added as a fourth unit, it would require a special permit.

Mr. Hankin asked why the Board of Health would have to approve a plan for a property that is served by town water and sewer. He said the language requires it.

Mr. Rembold said he is aware of the language. He said that sentence is targeted to be removed.

Mr. Rembold said the job for the Board to work on for next time is to look at the list Mr. Fick provided showing all of the places SPR is in zoning. He said the Board should look at single, two and three unit housing and ADUs and consider suggestions for the performance standards started by Mr. Pachano.

Mr. Pachano said the Board should look at the amendments Mr. Rembold proposed.

Ms. Nelson said she thought Mr. Rembold nailed it.

The Board resumed discussion of residential housing types, dormitories, shared living and cohousing. They discussed how these types of housing fit into the bylaws such as a boarding house or transient housing. The bylaws address boarding and transient housing.

Ms. Nelson said she would want the housing to be long term.

Mr. Rembold said that is where the building code and zoning code intersect.

Mr. Pachano said the building code defines a tourist home as having less than 30 days of occupancy. He suggested that rather than defining uses we should say what we want to allow. Right now a kitchen and a bathroom are required for a dwelling. He said that needs to change.

Ms. Nelson said she would like to get information from people who live in affordable housing. She said she doesn't want to support substandard housing space.

Mr. Pachano said for the first 140 years in this country this was the type of housing people had.

Ms. Nelson said she thinks of domestic violence victims living in these types of situations. She said she would want input.

Mr. Higa suggested that Construct would be a good source for input from people who have lost their homes. He said this type of housing would be built for permanent housing but as a springboard of permanent housing.

Ms. Nelson said she thinks we need to look at the housing and do our homework this year to prepare the zoning for next year. She said we can get some sample bylaws to look at.

Mr. Pachano said the bylaws don't exist.

Mr. Rembold said he will look into it.

#### **CLIMATE LEADER PROGRAM:**

Ms. Nelson asked Mr. Rembold if there are things we should be looking at if we pursue this program.

Mr. Rembold said he didn't know. He said the Sustainability Committee may look at prototypes. He said Great Barrington is already doing many of the things in the program.

Ms. Nelson said the Climate Leaders piece is not in our purview. She said the land use policy piece is in our purview. She said that is her reason for bringing it up.

**BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:**

Mr. Fick said there is a Housing Sub-Committee meeting scheduled for September 9.

Mr. Hankin said he would like to have the driveway language on an agenda.

Ms. Nelson said it will go on the next agenda. She said she didn't intend to miss it.

Mr. Pachano said there is a Housing Advocacy Group. He said there was a survey asking how many communities are putting up housing. He said Great Barrington is the only community in South County that is putting up housing. He said we are in our own little bubble. It might be a benefit to reach out to other towns to encourage regional thinking.

Mr. Higa said the CPC made Karen Smith the chair. He said there will be a public hearing to review and discuss the annual plan. The public hearing will be on September 15 at 5:30 PM. He said two deadlines were set up. The Step 1 deadline is October 28 at 4:00 PM and the Step 2 deadline is December 2 at 4:00 PM.

Mr. Pachano said he would like to see tree plantings fall under Open Space and Recreation for CPA funding.

**TOWN PLANNER'S REPORT:**

Mr. Rembold said the next agenda will have a discussion of the driveway language. He said the Board will see a preliminary plan for the North Plain Road site.

**CITIZEN'S SPEAK TIME:**

No one spoke.

Having concluded its business, Ms. Nelson adjourned at 7:40 PM.

Respectfully submitted,

*Kimberly L. Shaw*

Kimberly L. Shaw

Planning Board Secretary