

PLANNING BOARD

DATE: February 9, 2023

TIME: 6:00 P.M.

PLACE: Hybrid In-Person/Zoom Virtual Meeting

FOR: Regular Meeting

PRESENT: Brandee Nelson, Chair; Pedro Pachano; Jonathan Hankin; Malcolm Fick;
Jeremy Higa
Associate Member Jackie Kain
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.

Ms. Nelson called for roll call attendance:

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

Mr. Higa had not yet arrived

FORM A's:

There were no Form A's presented.

Mr. Higa arrived.

MINUTES: JANUARY 26, 2023

Mr. Hankin made a motion to approve the minutes of January 26, 2023 as amended, Mr. Fick seconded.

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

SPECIAL PERMIT: PURD NORTH PLAIN ROAD

Mr. Hankin asked for clarification of what the Board was expected to do with this application.

Ms. Nelson said we received and reviewed a site plan several months ago.

Mr. Fick said a preliminary review is required.

Ms. Nelson said this is still a preliminary review.

Mr. Rembold said this plan reflects comments from the September 7 meeting. The Board will make a recommendation to the Selectboard. He said this is not a definitive plan for a subdivision and this is not a public hearing.

Mr. Hankin said he thinks a definitive plan has to be part of the process.

Mr. Rembold said he thinks the Board can move forward with special permit recommendation.

Fred Clark was present from the Great Barrington Affordable Housing Trust to discuss the application. He said the plan will create home ownership. The purchase of the property was approved at the 2020 Annual Town Meeting. He said the property was purchased in 2021. The project has received a Mass Works grant. He said the ownership of the property will remain with the Town, but Habitat for Humanity will build the project. He said Habitat has attended several community meetings and we are thrilled they are in Great Barrington.

Also present to discuss the application are Attorney Elizabeth Goodman, Brent White from White Engineering and Erin O'Brien.

Ms. Goodman said she represents Central Berkshire Habitat. She said she didn't see that it was a must to get subdivision approval. She said we need to know if we will be required to file a subdivision application.

Mr. White said the special permit conditions will meet subdivision requirements.

Mr. Rembold said he thinks the plan meets the requirements of 8.5.9. He said most if not all of the information has been submitted. He said the plan is different than a definitive subdivision plan.

Mr. White said a great deal of time has been spent factoring in comments from the September meeting. He said there is more opportunity for home ownership style of homes. He said the general access currently is the existing logging road. The sight lines are not safe so the access road has been moved north to provide better sight lines.

Mr. White said each house site has its own driveway. He said it will be a four phase project. He said the project has received a Mass Works grant for the infrastructure.

Mr. White said the project will be connected to the Town sewer. He said the system will be gravity fed on site. A pump slab will be installed on the site. He said it will be a super high pressure system that is designed in compliance with Town's sewer requirements. The Town will take it over.

Mr. White said the water will be supplied by the Housatonic Water Works Company. There is sufficient capacity for the project.

Mr. White said the road will be paved. He said the Fire Chief has reviewed the road and determined it to be suitable.

Mr. White said the drainage will include sub-catch basins in the middle of the road. He said there is open space.

Mr. White said the lighting plan shows 15 foot light poles with solar powered LED fixtures. He said the goal was to limit the number of light poles along the road. He said the 15 foot light poles are shorter than the 20 foot cobra lights on North Plain Road.

Mr. White said the entrance/egress is safe. He said the Town installed solar speed signs on North Plain Road.

Mr. White said project does not fall within the floodplain or within the Williams River buffer.

Mr. White said all of the homes will have municipal sewer connections. He said the feedback from the Board was appreciated as the team was able to go back to review the plan. He said this revised plan provides more density while maintaining the buffers. He said we will appear before the Selectboard on March 6. When we receive the special permit we will prepare the construction documents.

Ms. Nelson asked if there are questions from the Board.

Mr. Fick asked if the high pressure sewer system will be a problem.

Mr. White said it will not be a problem. He said it will be an easier connection. He said the neighbors will still be allowed to connect. He said the design is different. He said the Town determined there is ample capacity.

Mr. Fick asked if the photometric detail was the same scale as the map.

Ms. Nelson said it is not to scale.

Mr. Hankin said he is pleased the project went from 19 units to 30 units. He said he doesn't think the project accomplished a PURD. He said the PURD allows clustering units to provide more open space. He said this is a subdivision. He said he doesn't see one cluster.

Mr. Hankin said more units could be part of this project. He said when the GBAHT bought the land there had been a preliminary subdivision plan prepared by the past owners with big lots and 12 units. This project could have 36 units. He said we want a community. He said move the houses to approach the center. He said the parking should be moved so each driveway is shorter and serving more than one dwelling. He pointed out that a similar “common” greenspace designed by Landscape Architect Walter Cudnohufsky at Blue Hill Commons has never been used in its over 20 years of existence.

Ms. Goodman said one major difference between the PURD and the subdivision is the PURD is land has to be preserved. She said the bylaw doesn’t say what the open space is used for but it can’t be built upon. She said if this plan was a subdivision the center area wouldn’t be preserved at all. She said Mr. White designed the only way it could be designed to not have ground water flooding.

Mr. White said there are changing grades. All of the drainage is in the center of the property. He said the design of the road and the center area makes the drainage plan work.

Mr. Rembold said Central Berkshire Habitat for Humanity is driven by their experience in buying and selling homes. He said that is a reason for a driveway for each home.

Mr. White said many homeowners have previously lived in duplexes or apartments. He said they want individual home ownership. He said that is a priority.

Ms. O’Brien said the objective is to sell homes to people moving up. Those people want to be away from shared walls living. She said duplexes are hard to sell. People want their own driveways and their own yards.

Ms. Nelson asked if one of the properties could be zoomed in on to see how it works. She said she wanted to see the average area around a house.

Mr. White used lot 11.

Mr. Rembold said the exact dimensions of each property have not been determined yet.

Ms. Nelson asked if people get to choose their house style.

Mr. White said there is an opportunity to learn more about the needs of each family. He said the process is intended to give flexibility. He said people have a lot of factors to meet to be able to make a choice. He said the priority is to build homes for homeowners who are currently eligible.

Ms. O'Brien suggested someone could be in a wheelchair so the home would be built to meet those needs.

Ms. Nelson asked if there will be a plan to be followed. She said duplexes were shown on the plan as well as single family homes. She asked will those types of homes be built where they are shown or will there be a mix and match based on what the client is looking for.

Ms. O'Brien said the duplexes are in the back.

Mr. White said it is an easier location to site the duplexes in the back. He said he doesn't think there is much flexibility for the developers. He said the bottom line is we will sell whatever style of home we can sell.

Carolyn Valli, on behalf of Habitat for Humanity, joined the meeting at 6:46.

Ms. Valli said there will be a lottery associated with the project which is another layer. She said she hopes to get people to apply. She said we get to know the needs very clearly. She said even if a style is duplicated it won't be cookie cutter.

Ms. Valli said the building community does the houses better than anyone else. She said that the homeowners have to build sweat equity so the housing is built with the builders and the homeowners. She said we will ask questions about how much interaction people want with the neighbors. Some people want to talk to their neighbors but they don't want to be required to. She said a community will be built all along the way.

Mr. Higa said he lives in Blue Hill Commons. He said the project has not been built out in its entirety and it is a huge thing. He said he understands what Mr. Hankin is talking about when he suggests backing the houses to the common area but there are people that wouldn't be interested. He said he is excited that Habitat is involved and that there will be affordable home ownership in Great Barrington.

Mr. Higa asked if lights will be on during certain hours or fully on from dusk to dawn.

Mr. White said the lights have the ability to dim. He said he is not sure if they are motion sensor lights. He said ultimately the road will belong to the Town so there would need to be conversation with the Police and Fire Chiefs. He said there won't be any light trespass on abutting properties or properties in the development. He said the lights are intended to safely illuminate the neighborhood.

Mr. Higa asked if the Town will maintain the lights.

Mr. Rembold said he didn't know. He said it would be part of the local infrastructure. He said it could be the responsibility of the Town but probably the homeowners.

Mr. White said the understood the Town will maintain the sewer and the road. He said we want to minimize the homeowners' expenses. He said the Homeowners Association Fees will be minimal.

Mr. Rembold said we also need to have a further conversations with the Highway Department. Not everything has been settled.

Ms. Kain asked about landscaping.

Mr. White said there will plantings along the buffer. Again, the landscaping is not intended to burden the residents. He said we don't want something so elaborate that it can't be maintained. He said we have tried to provide as much natural landscaping as possible.

Ms. Nelson said she is not concerned about the buffer. She said Ms. Kain is asking about landscaping around the houses. She said the HOA would take care of for homeowners.

Ms. Valli said people want to be responsible for their own plantings. She said we have classes to educate homeowners on what should or could be planted. She said the common area(s) will be maintained by a landscaping company. She said that expense will be paid for by the HOA.

Ms. Kain said it is interesting that Habitat connects to the individual. She said she will like to see what it looks like in five years and how it will thrive.

Mr. Pachano asked if the road will be one lane or two lanes.

Mr. White said it will be a two lane road.

Mr. Pachano said he thinks Mr. Hankin was talking about a design problem. He said each house has a view of the road or driveway. He said he doesn't see how the open space is being preserved in this plan. He said a lot of land will be moved during the site grading because the existing grade doesn't seem right.

Mr. White said he is trying to minimize the grading for drainage as it exists. He said we can agree to disagree on the road layout. He said he is trying to maximize the site so Habitat can design homes that people will want to buy.

Mr. Pachano said Frank Lloyd Wright designed an unbuilt project in Pittsfield called Cloverleaf. He said the project is a good design.

Ms. Nelson asked how the units relate to the road in general. She asked what the setback from the road will be. She said there isn't a required setback but she asked if one is being proposed.

Mr. White said the house sites are slightly higher than the road for drainage.

Ms. Nelson said the road width is 18 feet with an inner sidewalk. She asked why the sidewalk isn't on the outside. She said it is nice to be able to walk out of a house and be on a sidewalk.

Mr. White said he wanted to have people cross the road and use the inner sidewalk like a track.

Ms. Nelson said she thinks a sidewalk near the door is more functional. She said this site isn't flat it is more like a saddle. She said a sidewalk on the outside of the loop is more consistent and makes more sense.

Mr. Hankin asked if a sidewalk is needed. He also questioned the need for the seven crosswalks shown.

Ms. Nelson said she doesn't know if it is needed but an 18 foot wide road is narrow.

Mr. Hankin said the road could be made 24 feet wide with no sidewalk.

Ms. Nelson said the road could even be 22 feet wide.

Mr. White said he thinks the Board's review can go to the Selectboard.

Ms. Nelson said if the road width is 22 feet the Town can plow it without having to clear sidewalks. She suggested mountable curbs on the uphill side.

Mr. White said the configuration can be reconsidered.

Ms. Nelson said if the houses are within 20 feet of the road it creates more strength in the community and allows for more space in the back. She said that could create more of a buffer in the back and create more community.

Ms. Goodman asked how close businesses are to the road.

Mr. Hankin said the houses are 20 feet from the road.

Ms. Nelson said she didn't see that the distance was 20 feet. She said there is plenty of precedent for a close setback.

Mr. White said on the north side of the road the setback is 40 feet. The others are 20 feet back.

Ms. Nelson asked if there is a cut and fill analysis.

Mr. White said there is more cutting on the north side. He said not all of the grades are set.

Ms. Nelson said it was mentioned that the project would be phased. She asked if the intent is to install all of the road and infrastructure then phase in the house building.

Ms. Valli said the entire infrastructure will be installed then the house building will be phased. She said we are hoping to have some of the foundations in when the road is done.

Mr. White said the service lines will be connected when the house is built. He said the utilities and infrastructure need to be in when the Mass Works grant is used up.

Ms. Nelson said there are nodes off the looping road. She asked if those will be served by the infrastructure too.

Mr. White said he didn't know.

Mr. Fick said the phases of building should be presented to the Selectboard.

Mr. Rembold said that will be worked on.

Ms. Nelson asked who will maintain the storm water drainage system.

Mr. Rembold said the Town usually contracts out the maintenance.

Ms. Nelson said the infiltration systems are more difficult to maintain.

Mr. Rembold said he expects it will be contracted out.

Ms. Nelson asked if the light temperature could be 3,000k instead of 5,000k. She said that change should not affect the photometrics.

Mr. White agreed.

Ms. Nelson asked about the hammerhead area in the road. She said it will be a hard area to plow. She suggested less pavement.

Mr. White replied he could meet with the Fire Chief to discuss.

Ms. Nelson said to use just grass in that area and also in from of lots 21 & 22.

Ms. Nelson asked about shared driveways.

Ms. Valli said shared driveways haven't worked in other communities.

Mr. Hankin said except for the center the open space is confined to the perimeter setback. He said none of the rest of the project is open space.

Ms. Nelson asked what is defined. She said there is 34,360 square feet of open space in the center. She asked if there is anywhere else on the site.

Mr. White said the primary open space is defined in the circle. He said the setback can be set at 20 feet to provide a contiguous open space.

Mr. Rembold said there is 2500 square feet of usable open space per unit.

Mr. Hankin said the open space has to be delineated.

Ms. Nelson asked that an open space plan be prepared to show all of the open space and the amount.

Mr. White said yes a plan can be prepared to show the open space behind the houses and common area. He said it can be presented more clearly for the public hearing.

Mr. Hankin asked what the visitor parking is for.

Ms. Valli said there have been a number of questions about parking at the Habitat meetings. She said if there is a time when people have a lot of company they park in other people's driveways. People thought a visitor parking area would make sense. She said electric charging stations might be installed.

Mr. Higa asked when the project will be turned over to the HOA.

Ms. Valli said the project will stay with Habitat for 5 years, until the homeowners can run the meeting. She said this is part of the training process provided by Habitat.

Mr. Hankin asked if there is common community space for the meetings.

Ms. Valli said the question was asked of people. Most wanted a covered pavilion.

Ms. Nelson asked how to proceed. She asked Mr. Rembold if the recommendation should go now or put a letter of recommendation together first.

Mr. Rembold suggested making a recommendation over all. He said it will be fine if the Board wants time for the recommendation.

Ms. Nelson asked the Board if they wanted to send a positive recommendation with comments. She said our role is to offer comments. She said there is a wide range of comments. It might be hard to pull it all together.

Ms. Goodman said there are no waivers sought. She asked for distinct findings and votes.

Ms. Nelson said this is not a public hearing. She said you will need to return to this Board with the road design.

Mr. Pachano said he didn't know where we have authority. He said the group could take our comments but he didn't think the Board has to make a recommendation.

Ms. Nelson asked if the Board feels strongly about the comments and recommendation. The Board said no.

Mr. Pachano said despite the Board's comments Habitat feels the project will be successful.

Mr. Higa said he thinks it is a good idea to get rid of the sidewalk.

Mr. White said we will take under advisement whatever recommendations the Board makes.

Ms. Nelson asked if the comments should be only advisory.

Mr. Rembold said the Board usually makes a recommendation on a special permit.

Mr. Hankin asked about losing the sidewalks.

Mr. White said he thinks it would be better for all to remove the sidewalk and widen the road.

Ms. Nelson said the minutes can stand to reflect the discussion.

Mr. Rembold said he thinks the team heard the comments and will address them.

Ms. Nelson asked if there are any comments from the public. There were none.

. Higa made a motion to send a favorable recommendation to the Selectboard, Mr. Fick seconded.

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

Mr. Rembold said the Board will see the final road layout.

BYLAW AMENDMENTS FOR MAY 2023 ANNUAL TOWN MEETING:

Mr. Fick made a motion to transmit the recommended driveway bylaw amendments to the Selectboard, Mr. Hankin seconded.

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

Mr. Rembold said there was a lot of conversation about a mixed use incentive zone for Stockbridge Road. He said there was discussion about community outreach. He said some objectives could be met. The B-2 zone includes other areas besides Stockbridge Road. He said if the regulations designed for Stockbridge Road go through they will impact all of the B-2 zone. He said the B-2 zone doesn't currently allow multi-family with mixed use. If approved, affordable housing would have to be included.

Mr. Fick said he is opposed to by-right development.

Mr. Pachano asked how can you justify not allowing housing by-right when retail up to 20,000 square feet is allowed by-right.

Mr. Fick said if something is allowed by-right there is no input. He said he doesn't want some big ugly building.

Ms. Kain asked what controls there are for a by-right use.

Mr. Pachano said site plan review.

Ms. Kain asked about landscaping, setbacks and trees. She asked what protection there would be for the corridor.

Mr. Fick said there is nothing being done for the corridor except housing. He said he would much prefer to see a plan for Stockbridge Road before giving the zoning a green light.

Mr. Pachano said if we want housing there needs to be some give and take.

Mr. Fick said it doesn't create, it enables.

Mr. Pachano said he made diagrams of a by-right building that any developer can propose and the Town can't deny. He said a huge building could be built on the site where the Goodwill is located. A Walmart, up to 20,000 square feet, could be built by-right but there is no housing that can be built by-right.

Mr. Fick said so if you can build big ugly commercial you should be able to build big ugly housing.

Mr. Pachano said no.

Ms. Nelson said Mr. Rembold put an option on the table to create more housing. She said it could be an intermediate step but it must be considered that the B-2 zone covers more than Stockbridge Road.

Mr. Hankin asked why there needs to be 2500 square feet of lot area per unit. He said this requirement needs to be taken out, as lot coverage, required setbacks, height restrictions and parking requirements provide plenty of protection.

Mr. Pachano said Habitat has a plan that will be successful. He said every developer will bring a plan that they think is successful.

Mr. Fick said the language reads by-right with affordable housing. He said multi-family, 9 units or more would only be by-right if there is 10% affordable.

Mr. Rembold said the text that was sent was for by-right 9 units or more with affordable housing.

Mr. Hankin said the incentive is to get rid of special permits.

Mr. Pachano said there would still be SPR.

Mr. Rembold said there would still parking requirements, setbacks and landscaping requirements.

Ms. Nelson said maybe we should consider losing the 2500 square feet per unit requirement.

Mr. Rembold said Mass DOT has done a survey to put in complete street requirements including sidewalks on both sides and bike lanes on both sides. The center turning lane would stay but the road width would be reduced.

Mr. Pachano said Mass DOT will look at it. Right now it is a rural road. In five years with 600-700 people living on the road they will look at it as something that has to change. He said the pattern of the area has to change before the road will be changed.

Mr. Higa said housing on the west side of the road would require sidewalks and crosswalks.

Ms. Nelson said the big question is how does everyone feel about a change to the entire B-2?

Mr. Pachano said it is not a zone change, it is a process change.

Ms. Kain said she thinks it is a great solution because it addresses critical issues.

Mr. Pachano made a motion to recommend the B-2 amendment to the Selectboard,

Ms. Kain asked about the B-2 areas.

Mr. Rembold said South Main Street is in the floodplain and WQPD. He said it would be unlikely that anything could happen without a special permit.

Mr. Higa seconded the motion.

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

The Board then discussed the next item, 4 B ii to amend the zoning map to rezone certain parcels on Silver Street from R-2 to R-1-A.

Mr. Hankin said the property was originally proposed for the SGOD but BRPC said no.

Mr. Rembold said the SGOD was only for areas intensely developed. This area doesn't meet the density of the SGOD. He said the Town can make a zoning change.

Mr. Pachano asked why not make it the MXD zone.

Mr. Rembold said the area is across Silver Street from the R-1-A, which is residential.

Ms. Nelson said she thinks the R-1-A is an easy step to take.

Mr. Higa made a motion to refer the proposal to the Selectboard, Mr. Fick seconded.

Mr. Pachano asked why the R-1-A.

Mr. Rembold said people are looking for additional housing.

Mr. Pachano said the interest is in changing the lot.

Mr. Rembold said yes.

Ms. Nelson called for a vote.

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

Ms. Nelson said that 4 B iii-iv still needs more work. We have a possible solution for now so let's table the discussion for now.

Mr. Hankin made a motion to amend 8.3.3.1 page 53 that requires multi-family uses to have 2500 square feet of lot area per unit. Eliminate all of 1 and renumber 2 & 3, Mr. Higa seconded. Roll call vote: Mr. Fick, aye; Mr. Hankin, aye; Mr. Higa, aye; Mr. Pachano, aye; Ms. Nelson, aye

BOARD & SUB-COMMITTEE/UPDATES & CONCERNS:

Mr. Fick said there will be a joint meeting with the Housing Sub-Committee, Planning Board and Selectboard on Monday. He said a chart has been created to identify initiatives. He said some things would require ATM approval.

Mr. Fick said the Sub-Committee wants to see what the Planning Board and Selectboard see for the Sub-Committee going forward. He said Vivian Orłowski is proposing to increase the income threshold for the senior tax deferral. He said Ms. Orłowski will not be at the joint meeting.

TOWN PLANNER'S REPORT:

Mr. Rembold said the joint meeting will start at 5:30 on Monday.

Mr. Rembold said at the next meeting on February 23, the Board will review a special permit application for St. James Place to construct an electronic marquee sign. He said the Planning Board is the SPGA for the sign. It will come before the Board on March 23 for the special permit.

Mr. Hankin said the sign is from the Clark. It is in an out building behind St. James Place.

Mr. Higa asked if there will be a site visit.

Mr. Rembold said he can set a site visit.

CITIZEN'S SPEAK TIME:

Fred Clark said he appreciated the Board's comments on the Housatonic site.

Having concluded its business, Ms. Nelson adjourned without objection at 8:44 PM.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary