

PLANNING BOARD

DATE: February 23, 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; Mr. Pachano, present; Mr. Higa, present; Ms. Kain, present; Ms. Nelson, present

FORM A's:

Patrick McColgan from Taconic Land Services was present with a Form A application for Revena Realty Trust, Elise Ring Abrams for two parcels of land at 542 Egremont Road.

Mr. McColgan said Lot 1, containing 13.933 acres, is not to be considered a separate building lot. It is to be conveyed to an abutter. Lot 2, contains 17.871 acres and will remain with the current owner.

Mr. McColgan said the lots need to be legally created so the plan can be filed with the Registry of Deeds.

Mr. Hankin made a motion to endorse the Form A, Mr. Fick seconded.

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

Mr. Rembold said the Board does not need to do roll call vote when everyone is present in person.

MINUTES: FEBRUARY 9, 2023

Mr. Hankin made a motion to approve the minutes of February 9, 2023 as amended, Mr. Fick seconded, all in favor.

SITE PLAN REVIEW: 965 MAIN STREET

Sam VanSant was present with Tessa Kelly to discuss the application on behalf of Multi-Cultural Bridge for a change of use of a portion of an existing mixed use building at 965 Main Street. The use will change from storage to educational per section 10.5.

Mr. Pachano said he didn't think this use required site plan review.

Mr. Rembold said the Building Inspector directed the applicant to go for SPR.

Ms. Nelson said the educational use is by-right.

Mr. Pachano said it is a mixed use. There is nothing that says mixed use should come before us for SPR.

Ms. Kelly said it is a change of use in a commercial structure for an educational use. She said there are no exterior changes.

Ms. Nelson said SPR deals with exterior changes. She asked Ms. Kelly to explain the use and the lighting.

Ms. Kelly said no lighting will be added. There are 25 parking spaces on the site. She said 13 parking spaces are for the retail/residential use. The other 12 parking spaces are for the educational use. There are no exterior changes.

Ms. Kain asked where the front door is.

Ms. Kelly said the front is in the back. She said the double door is the entrance. She said she didn't do a parking plan because the bylaw doesn't require parking for an educational use.

Ms. Nelson asked if there is a handicap parking space.

Mr. VanSant said the parking lot is gravel. He said he would look into marking a handicap space.

Ms. Nelson said one handicap space is required for every 25 parking spaces so there should be one.

There were no additional questions.

Mr. Hankin made a motion that the Planning Board is of the opinion that SPR is not required for the use. The Building Inspector can move forward, Mr. Fick seconded, all in favor.

SPECIAL PERMIT: 352 MAIN STREET

The Board will make a recommendation to the Selectboard on the application from St. James Place to permit the construction of an electronic marquee sign in the Village Center Overlay District at 352 Main Street.

Mr. Pachano recused himself as his office is in St. James Place.

Brent White from White Engineering was present to discuss the application. Fred Clark was also present.

Mr. Hankin said he doesn't see any place in the bylaw that requires the sign to receive a special permit. He said the sign will need a special permit from the Planning Board and a sign permit.

Ms. Nelson said it is clear in the VCOD language that a special permit is required, because the Building Inspector considers this sign a structure.

Mr. Hankin said there is no structural change.

Mr. White said this is not a straight line permitting process. He said the Building Inspector has taken a conservative view for this sign in the VCOD. He said there have been similar rulings.

Mr. White said the sign meets all of the requirements for the VCOD and the special permit. He said we met all requirements so it can't be questioned. He said we here for advisory purposes for the Planning Board to make a recommendation to the Selectboard. He said we meet the requirements of the marquee section.

Mr. White said the marquee sign was previously located at the Clark. He said the marquee will be located to the left of the front (looking toward the street). He said it will show programs at St. James Place. He said this is a great opportunity to provide public information and hopefully generate more foot traffic. He said St. James Place provides entertainment, houses the People's Pantry and provides office space.

Sally Harris, applicant, was present via Zoom. She said we are excited about the opportunity the sign presents to us. She said she hopes the Board will look on the application favorably. She said this is an opportunity to recycle a sign that fits the building. She said people still think the building is a church which is a problem. She said the sign is a tremendous opportunity to get information out. She said we are excited for the opportunity to get the sign. It is very elegant and cost effective for us.

Ms. Kain asked how tall the sign is and how far is it from the wall.

Mr. White said the sign is 8 feet from the wall behind it. He said the height is 12.5 feet from base to the top. The overall dimension exceeds the 50 square feet allowed but the illuminated portion of the sign is 43.3 square feet.

Ms. Kain asked if the images in the application are existing designs or proposed designs.

Mr. White said the images are of events already held at St. James Place. He said the intent was to show what could be shown on the sign.

A Zoom attendee asked if the sign is located in the Historic District and if the application will go to the Historic District Committee.

Mr. Rembold said it is not in the Historic District. He said the site is on the National Registry but not in the Historic District.

There were no additional comments.

Mr. Fick made a motion to send a positive recommendation to the Selectboard for the VCOD special permit, Mr. Higa seconded, all in favor.

HOUSING INITIATIVES:

Ms. Nelson suggested the Board have a brief discussion of the joint meeting with the Housing Sub-Committee and the Selectboard held on February 13.

Ms. Nelson said the Board can make a recommendation for next year's CPA funds for help with staffing issues.

Mr. Pachano said we could use CPA funds to do what Nantucket did to explore housing possibilities in Town.

Ms. Kain said it was a compelling part of the meeting to learn how many towns in the Commonwealth have similar issues that we have. She said we could learn so much from the other towns. She asked how we get the data.

Ms. Nelson said perhaps we can get some technical assistance.

Mr. Fick stated that everything takes money and time. He said it would be at least a year's work. He said if the benefit is worth the cost.

Ms. Kain said if the money is approved who decides how the money would be used.

Ms. Nelson asked Mr. Rembold to weigh in.

Mr. Rembold said the list from the Sub-Committee is long and can only be done by hiring someone or volunteers. Volunteers would take longer to get the work done. He said there is no space available for additional staff in the Town Hall. He suggested a consultant could be considered.

Ms. Nelson said we need to determine tangible and actionable items.

Mr. Pachano asked Mr. Clark, who is the chair of the Affordable Housing Trust, if the Trust would be willing to work with this.

Mr. Clark said yes he would be more than happy to support such a project.

Ms. Nelson said it would address a broad range of housing.

Mr. Clark said housing is housing.

Mr. Higa said if the CPA is asked for funds, the funds would have to go to affordable housing work.

Mr. Rembold said yes at least 50%.

Mr. Pachano said we are handcuffed by a definition of AMI that is too low because it does not take into consideration all the second home owners in our community . He said in Nantucket the person they hired found a way around zoning. The person went to Boston to appeal 40A zoning. He said he is not sure of the logistics.

Ms. Nelson said she doesn't disagree. She said the list is has a broad range of items. She said lobbying Boston takes a long time. She said we are losing sight of the issue for a CPA application. She said it could go to the Annual Town Meeting for 2025.

Mr. Fick said for the FY 2025 budget year.

Mr. Pachano asked if it could go to a special town meeting in the fall.

Mr. Higa said it can't be done outside of the CPA cycle but he could advocate for it.

Ms. Nelson said we need clarification on the way CPC is structured on State Statute. She said affordable housing is one category. She said AMI is in play.

Mr. Higa said he would think a new position would require a lot of oversight and should be under Mr. Rembold.

Mr. Fick said the Affordable Housing Trust needs to get money somewhere else. A new hire could look at grants and other ways to get money. If we get someone in place the list becomes obsolete as the list is the reason to justify the need for someone. He said let the Sub-Committee lead.

Mr. Pachano suggested inviting the Housing Trust to the next Sub-Committee meeting.

Mr. Clark said he has attended the meeting to listen to the discussion. He said he has not yet been invited or recognized.

Mr. Higa said he is most interested in incentivizing housing. He said he would be interested in other revenue streams besides what come from taxes.

Mr. Fick said we have to find ways to raise funds. He said he knows it is expensive. He said he knows how much a recent CPA applicant applied for.

Mr. Higa said people don't have to be completely compensated for providing affordable housing.

Mr. Fick said even CPA money is generated through taxes. He said the proposals are a long way from being approved.

Ms. Nelson said she would like to seek technical assistance from BRPC.

Mr. Rembold encouraged the Board's representative to BRPC to discuss the idea. He said perhaps several towns could contribute to hire a person to work through BRPC.

Mr. Pachano said he has discussed the AMI issue with Tom Matuszko at BRPC. He said the topic didn't make the list as an actionable item. He said it was suggested that the Board write a letter to BRPC that could be taken to the State.

Mr. Hankin questioned the legitimacy of how the AMI is calculated. He said the calculation is the same across the country.

Ms. Nelson said it is income vs. housing costs.

Mr. Rembold said the way AMI is calculated is not going to change. He said the change needs to be how affordable housing is calculated.

Mr. Pachano said he would like to see what effect the conversation would have at a state level. He said the funding mechanism needs to be changed so more money can go to more people.

Mr. Clark said the AMI is different between north county and south county. He said it would be interesting to see what the difference is.

Mr. Fick said he will take the comments about staffing to the Sub-Committee.

Ms. Nelson said there can be more discussion with BRPC and a letter could be put together for them.

Mr. Rembold said he could discuss another joint meeting.

BOARD & SUB-COMMITTEE/ISSUES & CONCERNS:

Mr. Hankin asked about the Design Advisory Committee reviewing the special permit for the VCOD special permit as is required by the zoning.

Ms. Nelson said staff reviewed and determined it wasn't required.

Mr. Hankin said DAC hasn't met in over a year.

Ms. Nelson said maybe it should be dissolved.

Mr. Hankin did not disagree.

TOWN PLANNER'S REPORT:

Mr. Rembold said the Planning Board will hold a public hearing on March 9 for the zoning amendments. He said he will prepare something for discussion.

Mr. Rembold said budget discussions start next week if anyone is interested in attending.

CITIZEN'S SPEAK TIME:

Mr. Clark said he is an advocate for inclusionary zoning. He said mixed income housing makes for better communities. He said developers get a lot of benefits to build affordable housing. He said now is the time to increase housing. He said the developers get a lot of money back so they should have to pay it back in affordable housing units. He said we can't buy our way out of the

housing crisis. He said we shouldn't have to pay developers for affordable housing. He asked the Board to consider this in the future.

Mr. Pachano said inclusionary housing was allowed in the B-3 zone but no one built anything. He is not convinced inclusionary housing will work in this Town. He said the incentives help to make this a desirable place to build here.

Jim Stark was present via Zoom. He said the Board referred to a "list" several times but it was not available on the website. He asked if the list should be discussed if it is not available to the public.

Ms. Nelson said the list was presented at the joint meeting with the Selectboard and Housing Sub-Committee when we met last week.

Mr. Stark asked where he could see the list.

Mr. Hankin said to look at the Housing Sub-Committee website.

Mr. Stark said most affordable housing is usually in trailer parks. He asked why not allow trailer parks.

Mr. Hankin said they are not allowed by our zoning.

Mr. Stark asked, of the eight abutting towns, how many have affordable housing. He said he will vote against affordable housing if it means the tax rate is going to go up. He used Alford as an example of a town with a low tax rate that would take advantage of affordable housing in our town.

There were no additional comments.

Having concluded its business, Ms. Nelson adjourned without objection at 7:39 PM.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary