

PLANNING BOARD

DATE: March 23, 2023

TIME: 6:00 P.M.

PLACE: Hybrid In-Person/Zoom Virtual Meeting

FOR: Regular Meeting/Public Hearing

PRESENT: Brandee Nelson, Chair; Pedro Pachano; Jonathan Hankin; Jeremy Higa;
Malcolm Fick, via Zoom
Associate Member Jackie Kain
Chris Rembold, Assistant Town Manager/Director of Planning and Development

Ms. Nelson called the meeting to order at 6:01 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.

The Board will conduct roll call votes as not all members are present in the meeting room.

Ms. Nelson called for roll call attendance:

Mr. Fick, present via Zoom; Mr. Higa, present; Mr. Hankin, present; Mr. Pachano, present; Ms. Kain, present; Ms. Nelson, present

FORM A's:

There were no Form As.

MINUTES: MARCH 9, 2023

Mr. Hankin made a motion to approve the minutes of March 9, 2023 as amended, Mr. Pachano seconded.

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

SPECIAL PERMIT: PUBLIC HEARING 352 MAIN STREET

Mr. Pachano recused himself from the discussion. He moved into the audience.

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

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

Brent White, from White Engineering, was present on behalf of the applicants for a marquee sign at St. James Place, 352 Main Street.

Mr. White said a marquee sign is being requested to show events at St. James Place. He said the sign would be setback in the nook to the right of the front entrance of the building. He said he anticipated that the image would change every 10-15 seconds.

Mr. White said there is 46 square feet of illuminated area. He said the intent is to draw people to the downtown area and provide public information for those passing by. He said it is situated so it is not a hazard to vehicles passing by.

Mr. White said there is no impact on utilities.

Mr. White said the sign fits in well with the aesthetics of the building. He said it looks like it will be in the proper place to serve the desired function. He said the fiscal impacts of the sign will be that it will make the events known which will bring more funds into the Town. Additionally, it will provide more opportunities for artist to perform.

Mr. Higa asked if the Selectboard had put any conditions on the special permit they issues.

Mr. White said no.

Mr. Higa asked about a condition on the 10-15 second screen change.

Mr. Hankin said there is no reason to put a condition on it as the bylaw for electric signs states no less than 30 second screen changes.

Ms. Kain said she has concerns about the design. She said the ads are very wordy. She suggested they need to be clean and easy to read.

The applicants responded saying the text will be easy to read and will direct people to the website.

Ms. Kain asked if the sign will just show events or will it also show services provided at St. James Place.

Applicant Sally Harris said the sign is not intended to advertise anything other than the site being a cultural center. She said the website is the key.

Ms. Kain said she wants to see the sign work out perfectly.

Ms. Nelson asked why the sign isn't even with the entry way.

Mr. White said this seemed like the most advantageous location as there are trees along the street and the intent is not to compete with the front of the building.

Ms. Nelson said the sign is being down played.

Mr. White said it is not competing with the front.

Ms. Nelson asked if the intent was for the sign to run all night. She said the sign bylaw refers to illumination between 11:00 PM and 6:00 AM.

Ms. Harris said St. James Place is a cultural center. She said the illumination can be lowered at night.

There were no comments from the public.

Mr. Rembold said the Selectboard sent a favorable recommendation.

Mr. Hankin made a motion to close the public hearing, Mr. Higa seconded.
Roll call vote: Mr. Fick, aye; Mr. Higa, aye; Mr. Hankin, aye; Ms. Nelson, aye
The public hearing was closed at 6:27 PM.

Ms. Nelson asked if there were any comments from the Board.

Mr. Higa said he didn't have any concerns about the application. He said he would like to discuss electronic signs in general.

Ms. Nelson asked if he had concerns health and safety.

Mr. Higa said yes. He said the sign can be distracting.

Ms. Nelson said the sign is setback and subtle.

Mr. Higa said it is setback but the applicant didn't have to set it back.

Ms. Kain said she is looking forward to the events.

Ms. Nelson went through the special permit findings.

Ms. Kain said she would like clarification about advertising for people who are not performing at the site.

Ms. Harris said there is no intention. She said that the sign is for the people performing at St. James Place.

Mr. Hankin made a motion to approve the special permit application. Mr. Higa seconded. Mr. Higa added that the applicant should remember to adhere to the 30 second screen change. He said it is not a condition just a reminder.

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

Mr. Pachano rejoined the meeting at 6:38 PM.

ZONING BYLAW AMENDMENTS:

Ms. Nelson said the one item left on the table last week is the bylaw about trees on Route 7. She asked if the Board wants to leave the bylaw as it is or go forward with the amendment to increase the distance for planning trees to every 50 feet in the frontage.

Mr. Rembold provided suggested language that he had Town Counsel review. The language would be the last sentence of 6.2.7. The sentence would read “*The Planning Board, as part of its Site Plan Review and approval for a project, may waive or modify the requirements of this subsection if it finds that strict adherence to this requirement would be impractical given the particular characteristics of the site.*”

Mr. Rembold said including this as part of SPR is the best and clearest way to achieve the objective.

Mr. Hankin added that it is also not controversial.

Mr. Rembold said 6.2.8 remains and governs anything in 6.2. He said the sentence is just a provision for trees in 6.2.7.

Mr. Fick said he is very much in support of the language.

Mr. Higa and Mr. Hankin agreed.

Mr. Pachano said he has a question about the special permit. He asked when the bylaw would be triggered.

Mr. Rembold said it only applies to trees along frontage on Route 7. He said it is just about trees.

Ms. Nelson thanked Mr. Rembold for having Town Counsel look at the language.

Mr. Hankin made a motion to send a positive recommendation to the ATM, Mr. Higa seconded.

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

Mr. Rembold said there is a citizen who would like clarification about the vote for the zoning change for parcels on Silver Street.

Bob West said he lives at 35 Silver Street across from the parcels. He asked what the rationale was for changing the zoning. He said someone told him the sale of the property is contingent upon the zoning change. He said he was told the potential buyer is looking for the zoning change.

Ms. Nelson said the potential buyer information is news to this Board. She said the reason for proposing the zoning change is to increase housing opportunities.

Mr. West stated the proposal is for more housing without input from the abutters.

Ms. Nelson said there was opportunity for input during the public hearing and then again at the ATM.

Mr. West said he is against the zoning change. He said he is not sure why you would propose the change without getting input from the abutters.

David Unger asked for confirmation that Mr. Fick, Mr. Hankin, Mr. Pachano and Ms. Nelson voted for the item.

Ms. Nelson said yes, all of the Board members in the room voted in favor.

Mr. Unger said to look at the meeting record. He said there were no ayes.

The Board went through the draft zoning articles that were sent out in a document by Mr. Rembold in an email on March 21, 2023.

Mr. Hankin read the clarifying edits he had prepared.

The Board decided to not group the articles so there will be 7 articles for the warrant. Ms. Nelson thanked the Board for their hard work.

BOARD & SUBCOMMITTEE/ISSUES & CONCERNS:

Mr. Higa said the CPC will meet on Tuesday April 4.

Mr. Hankin said the North Plain Road housing development plan has been modified since it was presented to us. He said the public hearing is on Monday. He said the applicant has to come back to us with a plan showing 20 houses. He said the plan came to us with 20 units, then it went to 30 units, now it is back to 20 units. He said we haven't seen the revised plan.

Ms. Nelson said the plan is less impactful. She said we are covered under our previous review.

Mr. Rembold said the Housing Trust endorsed the plan with 20 units. He said my opinion is that the proposal has been before this Board 2 times.

Ms. Nelson said she is happy to see the housing we don't want to get into a battle with another board.

Mr. Hankin said 20 units on 7 acres is not moving forward.

Mr. Rembold said the public hearing is not closed. No decision has been made.

Ms. Kain said there were complaints because Habitat didn't do outreach for 30 units.

Ms. Nelson said she would like to see 30-40 houses like the zoning allows. She said she hesitates to get too fussy and hold the entire project up.

Mr. Rembold said a definitive plan will come to the Board for review. He said there are a lot of factors at play with this.

Mr. Hankin said they brought a plan for 30 units.

Ms. Nelson said she is not willing to upend the process.

Mr. Pachano said the question is procedural, do they need to come back to us.

Mr. Rembold said he has given his opinion. He said the Selectboard is aware that you reviewed both plans for 20 & 30 units.

Ms. Nelson asked if Mr. Pachano had anything to discuss.

Mr. Pachano said BRPC is organizing communications to the State representatives for calculations on affordability. He asked for recommendations. He said BRPC is trying to get people on board.

Mr. Pachano said the Governor has approved a position for Director of Rural Affairs. The person in this position will be strictly working on rural issues. He said it is a positive thing.

Mr. Pachano said the census has two designations, urban area and urban cluster. He said the new census gets rid of urban cluster so there will only be urban area. He said the change takes us out of opportunities for funding.

Ms. Kain said she never thought of us as a city.

TOWN PLANNER'S REPORT:

Mr. Rembold said the next meeting is on April 13. He said the ATM will be held on May 1.

Mr. Fick asked if this will be the last Zoom meeting.

Mr. Rembold said the remote law is in place. As long as there is a quorum in the room attendance can be remote.

CITIZEN'S SPEAK TIME:

No one spoke.

Having concluded its business, Ms. Nelson adjourned without objection at 7:42 PM.

Respectfully submitted,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary