

## PLANNING BOARD

DATE: October 12, 2023

TIME: 6:00 P.M.

PLACE: Large Meeting Room

FOR: Regular Meeting

PRESENT: Brandee Nelson, Chair; Jonathan Hankin; Jeremy Higa

Pedro Pachano via Zoom

Jackie Kain, Associate Member

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. She said the meeting was being recorded. Ms. Nelson also read Section 241-1 of the Town Code.

Roll call attendance: Mr. Pachano, present; Mr. Hankin, present; Ms. Nelson, present; Mr. Higa, present; Ms. Kain, present

### **FORM A PLANS: 21 KALLISTE HILL**

Michael Parsons from Kelly, Granger, Parsons and Associates was present with a Form A application on behalf of Greg Wellenkamp and Eric Wellenkamp for two parcels of land located on the east side of Kalliste Hill. Lot 1 contains 5.117 acres of land. Lot 2 contains 2.006 acres of land.

Mr. Hankin made a motion to endorse the plan, Mr. Higa seconded.

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

### **SILVER 35 STREET:**

Brian Kassella from BEK Associates was present with a revised plan for Blackwater Realty for 35 Silver Street. The plan was first presented at the Board's September 14, 2023. The plan was revised to provide 150 feet of frontage for Lot 2 that contains 1.167 acres of land. Lot 1 contains 3.169 acres of land.

Mr. Hankin made a motion to endorse the plan, Mr. Higa seconded.

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

### **MINUTES: SEPTEMBER 28, 2023**

Mr. Hankin made a motion to approve the minutes of September 28, 2023 as amended, Mr. Pachano seconded.

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

## **SITE PLAN REVIEW: 20 CASTLE STREET**

Architect, Zac Culbreth was present on behalf of Castle Street Firehouse LLC for a change of use to offices and exterior site alterations at 20 Castle Street.

Mr. Culbreth said there will be a stamped concrete easement that will be used for the circulation to the back of the building on the west side of the building. He said the area will be the primary vehicular access. There will be adequate turning radius for a garbage truck.

Mr. Rembold shared page L1 of the plan on screen.

Mr. Culbreth said an area in front of the building, south side, will be used for parking. He said one handicap space will be added. He said there will be two operable garage doors on the front of the building. He said entrance doors to the first floor spaces are located on the south side of the building. He said the historic front will be restored.

Mr. Culbreth said there will be a planted edge on the west side of the front that will lead into the pedestrian access to Railroad Street.

Mr. Culbreth said the primary and accessible access to the second floor is located in the northwest corner of the building.

Ms. Nelson asked if there would be bollards along the pedestrian walkway.

Mr. Culbreth said yes.

Ms. Nelson said there needs to be two bollards at the northwest corner for the transition area to prevent people from driving onto the stamped pavers.

Mr. Hankin said the primary entrance is in the northwest corner.

Mr. Culbreth said the northwest corner entrance provides a fire rated corridor for the second floor. He said the ground floor has access from the front of the building.

Mr. Hankin asked about parking.

Ms. Nelson said there is parking in front of the building.

Mr. Culbreth said there is direct access into the west unit on the ground floor. He said that is the only unit that someone will access by walking behind cars. He said there are 4 parking spaces and one handicap space for a total of 5 parking spaces.

Mr. Hankin asked how wide the space is between the parking space and the planter on the west end.

Mr. Culbreth said there is 2.5 feet between the space and the planter.

Mr. Hankin said that is not big enough for access.

Mr. Culbreth said the access is to the northwest corner. He said it is a legally accessible route.

Mr. Higa asked if someone could park to the west of the planter.

Mr. Culbreth said no.

Ms. Nelson asked if a no parking sign could be put in.

Mr. Culbreth said yes.

Ms. Nelson asked about the lighting, specifically the proposed up lighting. She said up lighting is not allowed without a special permit.

Mr. Culbreth said he hoped to get a special permit for the up lighting.

Ms. Nelson asked if the lighting could be changed to downward directed lighting.

Mr. Culbreth said it is might be possible but could see the light stripes if someone looks up.

Ms. Nelson said she doesn't understand why the tower needs up lighting. She said we are trying to not over light so up lighting is not allowed. She said you can apply for a special permit.

Ms. Kain asked if the Town has a dark sky bylaw.

Mr. Nelson said we use the rules of the Dark Sky bylaw. She said none of this project, as proposed, is dark sky compliant. She said we are getting away from up lighting landscaping.

Mr. Culbreth asked if gooseneck lights will be allowed to light the sign.

Ms. Nelson said we have approved those lights when the light is shielded and shining down. She asked if the light will be LED. She asked what the color temperature will be.

Mr. Culbreth said the color temperature will be 2700k. He said the light will be on a timer to shut off between 11 PM and midnight.

Ms. Kain asked if the roof is flat. She asked if there will be access for a patio on the roof.

Mr. Culbreth said it is not accessible. The roof is only accessible for repairs.

Ms. Kain asked if there will be up lighting on the roof.

Mr. Culbreth said no.

Mr. Higa stated that there are residences to the northwest of the building. He was concerned about lighting and having the lights on when people are sleeping.

Ms. Nelson said lighting usually shuts off an hour or so after the use stops.

Mr. Culbreth said he expects to apply for a special permit for up lighting because of the historic location. He said with the bright lights at the Mahaiwe Theater, we don't feel the lighting is as disruptive as it could be on a residential street.

Ms. Nelson said she is concerned that the application does not comply with the new bylaw. She said she doesn't want to set a precedent with allowing the lights because the area is already lit.

Mr. Culbreth said there will be a canopy over the northwest entrance.

Fred Clark was present. He is a member of the Historic District Commission. He said the HDC approved the canopy, the changes to the doors, the stamped pavers and the landscaping. He said the HDC did not discuss lighting.

Ms. Nelson thanked Mr. Clark for the information. She asked Mr. Culbreth about drainage.

Mr. Culbreth said the landscape material that will be used to maintain moisture and grading. The drainage will connect to the existing structure to the north. He said there is no plan to put in permeable pavement but it could be done.

Ms. Nelson said it isn't part of the plan.

Property owner Lauren Cameron was present. She said we want to make sure there are no icy puddles. She said we want to make sure the walkway is safe.

Mr. Hankin asked what will you do what with the hose tower.

Mr. Culbreth said there are steel beams in the tower. He said we are trying to figure the space.

Mr. Hankin asked if someone can see all the way up into the tower.

Mr. Culbreth said yes.

Ms. Nelson read through Site Plan Review. The following comments were made.

--Trees are proposed. Applicant is required to review the tree list to choose a species.

--Discussion of lighting from the handicap space in front of the building to the northwest entrance. The applicant said there is a street light across the street on the corner of the retaining wall near the tunnel entrance. There is a light at the entrance in the northwest corner.

--Recommendation for 2 bollards for pedestrian safety.

--All downward directed lighting as shown on the plan is approved. If up lighting is changed to downward directed lighting it would be approved. Up lighting that is not changed will need a special permit.

Mr. Higa asked for a recommendation for striping to restrict parking on the west side of the handicap parking space.

Mr. Culbreth said he would prefer to move the bollard south to match what is proposed in the alley way.

Mr. Hankin made a motion to approve SPR as submitted with the exception of the up lighting that is not approved. Mr. Higa seconded.

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

#### **MASTER PLAN REVIEW:**

Ms. Nelson said the Board will look at its items line by line.

Ms. Kain asked suggested setting a time line.

Ms. Nelson said she would like to review the tasks and determine if the task has been completed, where the task is in the process of being completed, and if the task is still relevant. She said these are the questions the Board members should be asking when attending other board meetings.

Mr. Pachano asked to have the Master Plan document listing the tasks shared on screen.

Mr. Rembold put the document on the screen. *2013 Great Barrington Master Plan Progress Update 8/2/2023.*

The Board discussed #11; development that incorporates existing or future agriculture in the overall plan. There is no progress on this item.

Mr. Hankin said 100 acres of land has been and will be put into an APR.

Ms. Nelson said she is not sure that is the intent of the task. She said she thinks the task requires garden space when there is new development. She suggested putting design standards in place.

Mr. Rembold said there is no formal strategy to implement.

Mr. Pachano said we could come up with a strategy.

Ms. Nelson said we could work on a strategy but tonight we need to review the tasks. She suggested a number system for the items as they go through; 1 for in progress; 2 not in progress but relevant; 3 not relevant; 4 completed

#11=2

#13=1&2 relevant with modifications—code is good but could be more

#21=2 Design Standards in place

#26=2 Use Design Guidelines to ensure development is in keeping with character. Design Guidelines need update but a big job. Possibly funding could be sought.

#28=1 Subdivision review to ensure roads are as narrow as practicable.

#34=2 Explore natural resource protection zoning. Lots are developed in a certain way, flips subdivisions on its head. Allows clustering on smaller lots.

#35=3

#84=4

#88=3 Keeping of chicken as an accessory use. Discussion determined this is no longer a relevant issue.

#100=2 Deals with amending zoning regulations to allow wind turbines up to 60 feet. This task was left at a 2 due to energy products being relevant. Need to look at to update Master Plan as it might not be relevant in Great Barrington since there are so few sites where wind turbines make sense.

#101=2 Ensure zoning does not preclude other energies like bio/waste digesters. Task could be updated as it might be allowed as an agricultural use. Board does not want to preclude energies.

#104=2 Zoning incentives for development of small, energy efficient homes or multi-family in efficient layouts.

#126=2 Encourage shared driveways and better access management.

#160=2 Ensure quality street scape environment  
#180=2 Revise zoning bylaws and subdivision regulations to protect farmland.  
#181=2 Ensure regulations support diverse income streams for working farms  
#182=3 Ensure regulations support green houses and hoop houses that extend the growing season.

Ms. Nelson said the items that need to be revisited can be discussed at a future meeting.

### **INDUSTRIAL ZONES:**

Mr. Pachano said this item can be removed from future agendas as it has been discussed.

### **HOUSING OPPORTUNITIES:**

Mr. Rembold said there is a new provision in State Law, 40Y that addresses starter home districts. He said it is similar to 40R. He said development would be by-right for houses of a certain size. If the development has more than 12 units there would have to be an affordable unit. The law sets a cap on the home size. He said this is something we could have in Great Barrington. He said the zoning would have to be approved at the Annual Town Meeting. H said there would be certain regulations like we had when 40R was adopted. He said the law just passed. He said he didn't know how it will roll out but wanted to make the Board aware. He said it is in the drafting process.

### **CONGREGATE HOUSING DRAFT:**

Mr. Hankin said the Thornewood Inn is being converted into congregate housing. He said a definition should be created to figure out where that type of housing should go in our zoning.

Mr. Pachano said the Building Code has a definition for congregate living. He said the Building Code says it succinctly.

Mr. Higa said single room occupancy is for one person. He asked what if there is a couple. He said it seems like SRO is intended for one person.

Mr. Pachano said the definition says dwelling unit.

Mr. Hankin said the definition he used was from HUD.

Mr. Pachano said the HUD definition is not relevant to what we want to do. We are not looking for dwelling units.

Mr. Hankin said there is confusion with the Building Code.

Mr. Pachano said it is in the zoning bylaw. He said it is confusing because in a dwelling unit there is a kitchen and bathroom. He asked if we need to include SRO if we have a definition for congregate living.

Ms. Nelson said dormitories cover it. She said we are kicking the ideas around but she doesn't love it. She said two inns are being repurposed for housing through the Bed and Breakfast loophole. She said we need to redefine in zoning to allow the use. She said Mr. Hankin tried to come up with a definition to incorporate to plug a gap.

Ms. Kain said the SRO definition is confusion because of the words dwelling unit.

Mr. Hankin said he agrees that dormitories cover it.

Ms. Nelson said we may want to add congregate living, but not SRO living. We will define and figure out what to do with it.

Mr. Pachano we don't need SRO it can be covered under congregate living.

Mr. Pachano said congregate living stands on its own. He said to get rid of the examples and the rest of SRO is ok.

Mr. Higa said some hotels have separate structures that are not dwelling units. Would that go under this definition?

Ms. Nelson said the language addresses one or more structures.

Mr. Higa said it fits.

Ms. Nelson asked if there needed to be additional discussion of SRO.

Mr. Pachano said he didn't think so.

Ms. Nelson said let's look at it at the next meeting with the current definitions.

Mr. Rembold said the next step is to filter out definitions.

M. Nelson said we can look at the definitions with the Table of Uses to try to get some consistencies.

Mr. Hankin said the boarding house use is not in definitions or the Table of Uses.

Mr. Pachano said boarders are listed in the Table of Uses as an accessory use, 3.2.3.

Ms. Nelson said we will add language. Boarders have been in the bylaw for a long time.

Ms. Nelson said we will revisit lodging houses, congregate living and boarding houses.

Mr. Pachano said he would provide a model to look at.

**TOWN PLANNER'S REPORT:**

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

**BOARD & SUB-COMMITTEE ISSUES & CONCERNS:**

Mr. Pachano said he attended the Tree Committee Meeting. He said he would be going to the Conservation Commission meeting in two weeks.

Mr. Hankin said he is waiting for a call back on the Council on Aging's next meeting.

Mr. Higa said the CPC has warrant articles on the special Town Meeting warrant for October 23.

Ms. Kain said she will report at the next meeting about the DAC meeting.

Ms. Nelson said there are new signs around Lake Mansfield for the construction to start in November.

**CITIZEN'S SPEAK TIME:**

Fred Clark said he thinks the Town is ready for co-housing. He said he is familiar with it. He said it is consistent with land use efforts.

Mr. Hankin said there is nothing that prohibits it. He said it would be up to a co-housing community to structure itself that way.

Having concluded its meeting, Ms. Nelson adjourned without objection at 8:26 P.M.

Respectfully submitted,

*Kimberly L. Shaw*

Kimberly L. Shaw  
Planning Board Secretary