

PLANNING BOARD

DATE: July 26, 2018

TIME: 7:00 P.M.

PLACE: Large Meeting Room

FOR: Regular Meeting

PRESENT: Brandee Nelson, Chair; Malcolm Fick; Jonathan Hankin; Pedro Pachano
Jeremy Higa present via telephone
Chris Rembold, Town Planner

Ms. Nelson called the meeting to order at 7:00 P.M.

FORM A'S:

Michael Parsons was present with a Form A on behalf of Joseph Gerard and Suzanne Sylvester for two parcels of land located on the east side of Park Street (north). Lot 1 contains 0.557 acres of land. Lot 2 contains 0.654 acres of land.

There was a brief discussion of the lot line that is not straight. Although the line is allowed and required to provide the necessary setbacks, it is not preferred.

Mr. Fick made a motion to approve the plan, Mr. Pachano seconded, all in favor.

SITE PLAN REVIEW: 82 RAILROAD STREET

Christopher Bock and Brian Vincent from Commonwealth Cultivation Inc. were present to discuss their application for SPR.

Mr. Vincent said a window will be added on top. A door and window are being replaced and two more windows will be added. There will be lighting added over the door. All lighting will be downward directed. Each corner of the building will have a security camera. There is an existing fence that will be replaced. There is vegetation on the north side of the building that will be spruced up.

Mr. Vincent said the entrance to the building will be on the south side of the building. The customer will enter through the fenced in area to the door at the rear; a security guard will check ID's before allowing admittance into the retail area. One or two people will be allowed in the retail area at a time. The exit is through the front door which faces Railroad Street.

Mr. Higa asked how the customer will know to enter through the fence to the south rear entrance door.

Mr. Vincent said the gate would be open when the store is open.

Mr. Higa asked if people will be able to see in the building from the outside.

Mr. Bock said no the windows are blacked out.

Mr. Higa said there is a second door on the south side.

Mr. Vincent said it is an emergency exit.

Mr. Hankin said there is a handicap entrance but you can't have handicapped employees because there isn't a handicapped accessible bathroom.

Mr. Vincent said if we need to install a handicap bathroom to comply with code we will put one in upstairs.

Mr. Vincent deliveries will be made through the front of the building after hours.

Mr. Bock said the deliveries will be made by car not delivery trucks. The delivery person will park in the front and go around to the back.

Ms. Nelson asked what hours the store will be open.

Mr. Vincent the store will be open 7 days a week 10 AM-8 PM.

Mr. Hankin asked about the retaining wall on the east side of the building.

Mr. Vincent said the retaining wall will be landscaped so it will look nice.

Mr. Hankin asked if there could be parking there.

Mr. Vincent said no, that is too steep there. The parking will be in the front of the building.

Ms. Nelson asked about employee parking.

Mr. Vincent said there will be only 3-5 employees.

Ms. Nelson asked for the square footage of the retail space.

Mr. Vincent said the building is 2500 square feet with retail space of 1250 square feet.

Mr. Hankin asked if the L shaped portion of the building on the south east corner will be removed.

Mr. Vincent said it was a walk in cooler that will be removed.

Ms. Nelson asked where a dumpster would be located.

Mr. Vincent said the garbage will be kept internally and in the downstairs area of the building.

Mr. Hankin asked if the trash is regulated.

Mr. Vincent said yes.

Ms. Nelson said she is frustrated. She said we want to be flexible with the use. We need to see a set plan for the property. You need to provide a lot of detail. There is more detail than what was previously provided but more is needed. She said the parking in this area is challenging. It is important to have information to understand the potential impact of the traffic, the parking and number of people to be employed.

Mr. Vincent said there will be 5-6 people working per shift. There will be a general manager plus 4-5 additional employees.

Ms. Nelson asked how many shifts per day.

Mr. Vincent said that will be up to the employees to decide how many hours they want to work. There will be at least 15 employees total.

Ms. Nelson said there will be 6 employees assisting 50-75 customers per day.

Mr. Hankin asked why parking will not be provided in the back.

Mr. Vincent said the retaining wall is vegetated and would have to be cleared.

Ms. Nelson said there could possibly two head in parking spaces in that area.

Mr. Rembold said the area to the east of the retaining wall is vegetated and there are power transformers. It is not a useful space.

Ms. Nelson asked how long people will be in the store.

Mr. Vincent estimated people to be in the store for 15-30 minutes.

Ms. Nelson said there will be a significant increase in parking demands.

Mr. Hankin said it is in the downtown B district. There are no parking requirements.

Ms. Nelson said she understands that.

Mr. Pachano said there is plenty of parking in town. The problem is that people want to park right in front of where they are going.

Mr. Fick asked about lighting.

Mr. Vincent said the lights will be on when the store is open.

Mr. Fick asked what the light intensity will be.

Mr. Vincent said he is planning to use a soft white light. He said the lighting will comply with the specs for security purposes. He said no light will leave the property except on the south side.

Mr. Fick said the light will only be intense enough to for the needs of security.

Mr. Vincent said yes.

Mr. Hankin asked if people will have their ID's checked inside or outside the building.

Mr. Vincent they will go inside.

Mr. Hankin said he is concerned about creating a space with the walkway behind the fence. He said the area could be dangerous when the gate is not open.

Mr. Vincent said the gate will be open when the store is open. He said the security cameras will be active and monitored 24/7 by the security company.

Ms. Nelson asked if there is a camera over the back door.

Mr. Vincent said the entire outside of the building is required to have camera coverage.

Mr. Pachano asked about the windows.

Ms. Nelson said we are not asking about parking to make the application more complicated. We are suggesting a proactive approach to provide an employee parking plan. We asked for a parking agreement for 47 Railroad Street. She said we set a precedent with that agreement so I am comfortable asking for it.

Mr. Fick said this spot has four parking spaces. There is no requirement for parking in the downtown area. He said he is aware that there are complaints about employee parking but he said he didn't feel comfortable requiring parking for this applicant.

Mr. Pachano said it is a good thing to plan. He said he has no problem with people having to walk to where they need to go.

Mr. Higa said we do have provisions for parking in SPR.

Mr. Fick said if we are going to making parking requirements for the downtown area then we need to modify the bylaw. We don't have a right to require parking in the downtown area.

Mr. Hankin said this applicant has four parking spaces for the business.

Mr. Pachano said it is ideal to be able to park in front of the building but it isn't realistic. He agreed that an employee parking plan would be a good idea.

Ms. Nelson asked if the Board would like to do a site visit.

Mr. Pachano said he doesn't need to do a site visit. He would like to see accuracy on the plan.

None of the Board members wanted to do a site visit.

Mr. Fick asked that the applicants deal with the questions raised at this meeting.

Ms. Nelson asked the applicants to update the plan to reflect specifically the lighting, security cameras and the fence. She said any signage should also be addressed including the "82", directional signs on the gate and an exit sign.

Ms. Nelson said she would like to see an employee parking plan.

Mr. Vincent said he would get all the information together.

Ms. Nelson said a specific fence design needs to be provided to the Building Inspector.

Mr. Vincent said the windows are frosted with hidden wires in the glass.

Mr. Hankin asked about the material for the fence.

Mr. Vincent said the fence is steel. It will be aesthetically pleasing.

Mr. Hankin agreed that it looks nice but he said he doesn't know what it is.

Mr. Vincent said it is horizontal bars with about an inch opening in between. He said it can be seen through.

Ms. Nelson said the designer of the fence needs to specify the material, the pattern and the height of the fence.

Mr. Vincent said the fence will be 6 feet high.

Mr. Hankin asked if there will be a color change of the building.

Mr. Vincent said all the brick will stay the same. The lettering will be white for the "82" on the building.

Mr. Higa said it would be nice if all the downtown businesses could have a plan for employee parking. He said it is difficult when downtown parking is taken up by employees.

Ms. Nelson asked if there is parking for the employees at the end of the road.

Mr. Vincent said he may be able to arrange for employee parking at the north end of the road.

Mr. Fick said it is not up to these guys to solve the parking problem.

Ms. Nelson said she respects Mr. Higa's opinion about the parking as he has worked in the downtown area for a long time. She agreed that it would be a good idea to have an employee parking plan.

Mrs. Mooney asked who designed the plans for this application.

Mr. Bock said the designer is out of California.

Mr. Vincent asked if the Board was making a parking plan a requirement.

Mr. Hankin said he wanted to see the elevations labeled.

Ms. Nelson agreed that the elevations needed to be labeled properly. She said that a complete packet needs to be submitted to Mr. Rembold. She also asked for a demolition plan for the freezer.

Mr. Higa asked if a handicap bathroom will be installed.

Mr. Vincent said yes.

Ms. Nelson asked for revised plans before returning to the Board.

The Board went through SPR so the applicant would have all the information prior to returning. Mr. Fick read SPR.

Mr. Pachano asked that the plans show that it is safe for vehicles to back out into the street.

Mr. Fick pointed out that those parking spaces currently exist. He continued reading through SPR.

Mr. Fick asked if there is overspill from the lighting.

Ms. Nelson said a lighting plan needs to be submitted showing color temperature and how far it shines from the building.

Mr. Fick finished SPR.

Ms. Nelson asked if we have a copy of the deed.

Mr. Rembold said yes.

Mr. Higa asked if the plants that will be used for the landscaping could be listed.

Ms. Nelson said there is mostly gravel it will be difficult to landscape.

Mr. Higa said he thought they were going to landscape along the south elevation.

Ms. Nelson said the plan currently says there is gravel there.

Mr. Pachano said there will be some landscaping inside the fence.

Ms. Nelson said she is not interested in what is inside the fence. She asked that any areas proposed to be landscaped be shown on the plan. Landscaped areas, inside and outside the fence on the south side, need to be clarified.

Ms. Nelson asked what was being done to prevent consumption outside the building.

Mr. Vincent said there will be a sign inside near the exit saying no loitering outside the building. There will be a security guard to keep people moving.

Mr. Hankin suggested reconfiguring the entrance off of Railroad Street so that it opens wider.

Mr. Bock said we can do larger doors.

Ms. Nelson said this is a good location for the use.

Mr. Pachano said section 7.18 requires additional papers to be submitted such as the license and the lease.

Mr. Rembold said a condition of approval for a previous application was the final license from the State would be provided to the Town prior to having the certificate of occupancy issued. The start of the operation would be contingent upon the Town receiving a copy of the license from the State.

The applicants will return to a future meeting.

SITE PLAN REVIEW: 65 ANDERSON STREET

Amy Turnbull and James Weber were present to discuss their application for an accessory dwelling unit at 65 Anderson Street.

Mr. Rembold asked how big the ADU would be.

Ms. Turnbull said it would be 16x20, 320 square feet.

Mr. Hankin asked if the ADU needed two doors to meet residential egress standards.

Mr. Pachano said that was a good question. He said he didn't know if a small house would need two doors for egress. He said a window could be an egress as well.

Ms. Turnbull said there is only one door. There is a half door to access the water heater.

Mr. Hankin said there are no stairs but a there is a ship's ladder to access the upper area.

Ms. Turnbull said that is a storage area only. It is not a big space.

Mr. Hankin asked why the primary door is in the back.

Ms. Turnbull said the choices for the door were the back or the side. The snow will all be pushed to the back so that is where the door will be located.

Mr. Hankin asked if the unit would be prefabricated or stick built.

Ms. Turnbull said it would be stick built.

Ms. Nelson said it meets zoning but it is very tight. She asked Ms. Turnbull if she knows where the property lines are so that a non-conformity is not created.

Ms. Turnbull said she know where the property lines are.

Ms. Nelson asked if there would be tandem parking.

Ms. Turnbull said yes. There is one parking space for each unit.

Mr. Rembold said there is enough space in the driveway for three cars. It meets the parking minimums.

Mr. Hankin asked for the size of the footprint for the existing house.

Ms. Turnbull said the existing house is 20 feet x 24 feet.

Ms. Nelson asked about the sewer connection.

Mr. Weber said there will be a separate sewer connection for the ADU.

Ms. Nelson asked if there would be any major clearing of the property.

Ms. Turnbull said there won't be any clearing.

Mr. Fick read SPR.

Ms. Nelson asked if there will be any landscaping between the two buildings.

Ms. Nelson asked if the Trust Fund could be helpful in funding ADU's?

Mr. Hankin said the Trust Fund doesn't have money. If the Trust Fund had seed money toward ADU's it could be helpful.

Ms. Nelson said there could be tax abatements but it would be up to the Selectboard.

Mr. Higa said at the last CPC meeting there was interest in looking at what BRPC has for a housing study before spending any more money. They want more information to determine if a housing study is really needed.

Mr. Rembold said BRPC is gathering data about the housing stock.

Mr. Higa said the CPC is having a public hearing on August 14 to see if we will put 50% toward affordable housing needs. We can look at it at the next meeting.

Mr. Rembold said he would try to have information for the next meeting.

Ms. Nelson said we have a snap shot. We need to look at our code and restrictions.

Mr. Rembold suggested looking at what Mr. Pachano handed out. He said perhaps the Board will hold a workshop to discuss the issue.

Mr. Hankin said we might want to have a subcommittee.

Mr. Rembold said two volunteers working in the meeting room will be ok. More than that will require Open Meeting Law to be met.

Ms. Nelson asked for volunteers to look at the housing issues.

Mr. Pachano and Mr. Hankin said they would be interested in being the subcommittee. They will review housing and a comprehensive approach for the Master Plan goals. They will bring their findings to a Planning Board meeting in about 2 months.

Mr. Fick said Mr. Pachano proposed simple changes that could be done.

Ms. Nelson said the Board will look forward to a report at the end of September.

TOWN PLANNER'S REPORT:

Mr. Rembold said the Manville Street developers had an informal discussion about the project. Their time line is to submit a SPR application for a by-right mixed use project in the MXD to the Planning Board and a special permit application for Water Quality Protection to the Selectboard. The Planning Board may see something at their next meeting but all of the information will be available for their August 23 meeting. He suggested a site visit on August 23. He said the special permit and SPR will run concurrently. The Board will have to make a recommendation to the Selectboard on the special permit.

Mr. Hankin said he wonders about the schedule of granting the SPR prior to the special permit as we won't know what conditions may be put on the special permit approval.

Mr. Rembold said it is the applicant's decision.

COMPLETE STREETS:

Mr. Rembold said the final draft of the Complete Streets report is available. He said he is looking for feedback. Please go to the website and do the survey. It takes into consideration all methods of mobility. The goal is to make it as easy and smooth as possible. The sidewalk extension in Housatonic rose to the top of the list. Improvements on Railroad Street and on South Main Street to the Senior Center are both underway. We need to know what we need to prioritize and hopefully have a funding source through Mass DOT. The hope is that the Selectboard will finalize the plan at an early August meeting.

Mr. Hankin said it is 50 pages, where do we start?

Mr. Rembold suggested starting with the maps.

Mr. Pachano said there is good historical information at the beginning. It is good information to know.

Mr. Rembold said the figures are useful. There is a list of projects and the costs associated with it.

Mr. Pachano said the top 7 projects have funding in place.

Mr. Rembold said \$15.4 million in tax credits have been given to the CDC for 100 Bridge Street. The money will allow for remediation of the entire site and capping. The housing will be done. Phase 1 will be the cleanup. Phase 2 will be the housing and the park along the river. CDC has been working on this for a long time.

Mr. Hankin asked if this will get the project done.

Mr. Rembold said they need to close on the funding, sell tax credits to the equity market and start to build.

BOARD & COMMITTEE UPDATES/ISSUES AND CONCERNS:

There will be a program on WGBY on Monday at 8 PM about marijuana.

CITIZEN'S SPEAK TIME:

Amy Turnbull said she is impressed with the information provided at the meeting and glad that a subcommittee has been formed. She said ADU's in California are the thing that is happening. Los Angeles went from 400 units in 10 years to 4,000 units in 1 year with new zoning.

Ms. Turnbull said Air B&B's are not your friend. They take units out of your housing stock. You can contact Air B&B to tell them they need to pay taxes. She suggested not restricting ADU's. She suggested that Nantucket's bylaw requiring the units to stay in common ownership could be a good idea. She said her project could be a pilot project if it happens.

Mr. Abrahams said he would like to have the Planning Board take up the Air B&B issue. He said the subcommittee could have more members the meetings would just have to be posted. He said we don't have stores in the downtown that don't enter from the front, referring to the application on Railroad Street.

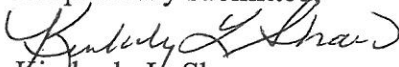
Ms. Nelson said 20 Railroad Street does not enter from the front.

Mr. Abrahams said you can see the entrance down the alley.

Mr. Hankin said there are cameras for the exterior.

Having concluded their business, Ms. Nelson adjourned the meeting at 9:22 P.M.

Respectfully submitted,



Kimberly L. Shaw

Planning Board Secretary