

PLANNING BOARD

DATE: February 28, 2019
TIME: 6:00 P.M.
PLACE: Large Meeting Room
FOR: Regular Meeting
PRESENT: Brandee Nelson, Chair; Malcolm Fick; Jonathan Hankin; Jeremy Higa;
Pedro Pachano
Garfield Reed, Associate Member
Chris Rembold, Town Planner

Ms. Nelson called the meeting to order at 6:00 P.M. Mr. Higa had not yet arrived.

FORM A'S

Patrick McColgan from Taconic Land Consultants was present with a Form A application on behalf of Blue Hill LLC for land located on the east side of Monument Valley Road.

Lot 2A contains 16.33 acres of land. The lot is intended to be conveyed to an abutting lot and is not to be considered a separate building lot.

Lot 2B contains 8.339 acres of land. The lot is intended to be conveyed to an abutting lot and is not to be considered a separate building lot.

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

MINUTES: FEBRUARY 14, 2019

Mr. Hankin made a motion to approve the minutes of February 14, 2019 as amended, Mr. Fick seconded, all in favor.

REVIEW & RECOMMENDATION TO THE ZBA: 260 STOCKBRIDGE ROAD

Attorney Susan Smith was present on behalf of Kathleen Sinico to remove a condition from a ZBA special permit from 1986.

Ms. Smith said both of the existing buildings are now in compliance, meeting the ZBA's previous concerns, though they are within the front yard setback. She said there was a garage that was within the side yard setback. That building has been removed so the issue is gone. Ms. Smith asked for a positive recommendation

Mr. Higa arrived at 6:06 P.M.

Mr. Hankin and Mr. Fick agreed that there is no longer an issue.

Mr. Hankin made a motion to send a positive recommendation to the ZBA to remove the prohibition of the division of the lot consistent with the Form A already approved, Mr. Pachano seconded, all in favor.

SITE PLAN REVIEW: 546 MAIN STREET

Attorney Shawn Leary was present with applicant Tom Doyle and engineer Brent White from White Engineering.

Ms. Leary said this project has been a long process with many changes. She said each time the project changes it get simpler. Ms. Leary said there is a special permit for a mixed use development for this site. The special permit was appealed holding up the project for years. The by-laws for the zone have changed requiring the Site Plan review.

Ms. Leary said there is a special permit for work in the Water Quality Protection District that has been extended. She said the revised plan is for four buildings with commercial space in one building and 22 residential units throughout the building. Parking would be located behind the buildings.

Mr. White discussed the site. He said the property is on the corner of Route 7 (aka South Main Street) and Mahaiwe Street. He said there are 2 curb cuts on Mahaiwe Street and 1 curb cut on South Main Street that will be preserved.

Mr. White said rain water will be collected by roof leaders into a catch basin that has an oil separator and infiltrators. The parking lot surface will be crushed stone resulting in less impervious surface than what was proposed in the previously approved plan.

Mr. White said the existing rain gardens proposed along Mahaiwe Street will be used for snow storage.

Mr. White said there are new drainage calculations for the new design. The new calculations take into consideration 100 year storm numbers.

Mr. White said the buildings would have a stucco finish. The buildings would be 38 feet high, two feet lower than what is allowed by the bylaw and 1.5 feet lower than a neighboring building. He said any lights proposed for the site would be downward directed.

Mr. Hankin asked if the property has been surveyed.

Mr. White said yes.

Mr. Hankin asked why the property line is identified as an approximate line.

Mr. White said he always marks the property lines as approximate but the line has been confirmed.

Mr. Hankin asked if the three street trees will be removed as indicated on the plan.

Mr. Doyle said the large maple tree on Mahaiwe Street was determined to be 200 years old in 2008. The health of the tree was in question back then. He said the tree frequently drops limbs. He said it is now or will be a hazard. He said the other trees on either side are ok.

Ms. Nelson said the Board looks for the preservation of significant trees.

Mr. Doyle said the large tree is significant, the others are less significant. He said the other 2 trees should be ok. The big maple is already compromised and will be disturbed by the construction.

Ms. Nelson said the other trees need to be shown on the plan. She said other trees may be required to be planted.

Mr. Hankin said it appears that the sewer line will be within the root zone of the large maple tree.

Mr. Pachano asked if the tree is on the property line or on the property.

Mr. Hankin said it is a street tree.

Mr. Higa said the other two are on Main Street.

Mr. Doyle said those two trees are outside the property line. He said they will be fine. He said 3 of 4 of the existing trees shown on the plan will make it.

Mr. Pachano said the big maple will need to be removed for construction.

Mr. Hankin said he thinks the Selectboard has to sign off on the removal of a street tree.

Mr. Rembold said if the Tree Warden deems the tree to be a hazard it can be removed without a public hearing. He suggested that the Board request more details about the trees.

Mr. Hankin asked about the grade dropping in the driveway. It appears, based on the spot elevation and the existing contour shown, that it is being dropped one foot, possibly creating a problem with handicap accessibility to the site. He said he is not sure why the grade would be dropped. It makes for a steep slope. He also noted that there are no walkways shown on the plan.

Mr. White said all the walkways will be made of permeable materials.

Mr. Hankin said he is not sure why there is a light pole shown at the entrances instead of a building mounted light.

Mr. White said the light analysis is still in process.

Ms. Nelson said a light plan with fixtures and with photo metrics needs to be provided. The information on the plan does not show light spillage over the property line. There should be no light spilling over the property line. She said in addition we want more information about landscaping, the grade change in the driveway and pathways.

Mr. White said he thinks the paths are shown. He said he will prepare and the requested information including what trees will remain and what will be removed.

Mr. Hankin said he would like to see more emphasis on the entrance from Main Street into the commercial space. He said compatibility with ADA regulations needs to be clear both at Main Street and at the driveways onto Mahaiwe Street.

Ms. Nelson asked for a cut-sheet acknowledging ADA compliance.

Mr. White said the decision for what material to use on the paths has not been decided.

Ms. Nelson said the demarcation of the paths and the need to use a porous material for the paths and the parking lot must be clearly shown on the plans.

Mr. Hankin said he is not sure how the site drains with no contours or spot elevations shown.

Ms. Nelson requested that spot grades and arrow showing the intended direction of water be provided.

Mr. Hankin requested the square footage of the residential units be provided.

Mr. White said that information is in the written application.

Mr. Pachano said he didn't see the square footage.

Mr. Hankin asked the commercial space be shown and the community space. He said they appear to be the same size on the plan even though the square footage differs.

Mr. Doyle said the commercial space is 935 square feet and the community space is 743 square feet.

Ms. Nelson asked that a schedule with the information be put on the plan.

Mr. White said he would put the square footage information on the site plan.

Ms. Nelson also asked that the external entries also be shown on the plan.

Mr. White said yes.

Ms. Nelson said to make sure the space is working out between the buildings. There needs to be clarification of how all of the spaces work.

Ms. Nelson asked if there was a waiver request for a traffic study because it was submitted with the original special permit.

Mr. White said he didn't know a formal waiver needed to be submitted. Information was included in the narrative.

Mr. Rembold said he would look through the application. He said there should be a discussion of traffic as it is required for the SPR. He said he didn't think there was a need for a new study. He said there will be less traffic impact than the previous plan.

Mr. White said he would resubmit the information and update the narrative.

Mr. Hankin asked if only one handicap space is required.

Ms. Nelson said yes. One handicap space is required for every 25 spaces.

Mr. Hankin said the space is clearly set up for handicap access to an apartment. He said he is worried about handicap accessibility to the commercial space and community room access.

Ms. Nelson asked that a first floor elevation be provided for all buildings.

Mr. Rembold asked if the curb cut off of Mahaiwe Street is being shared with the Bronstein property.

Mr. White said the curb cut is on the property line as is the Bronstein driveway.

Mr. Rembold said it is very wide.

Mr. White said we need as much space as possible for fire apparatus to gain access.

Mr. Doyle said the abutter has widened the driveway on their side by going over our property.

Ms. Nelson asked about the dumpster location.

Mr. White said the location is not shown on the plan. The dumpster will be enclosed by a privacy fence.

Ms. Nelson asked that the location be made clear on the plan as well as demonstrating how the dumpster will be accessed.

Mr. White said he would show access. He said the garbage truck would be able to back into the location once a week.

Ms. Nelson asked if signage showing the direction of travel on the site could be provided.

Mr. White said that level of detail is not ready.

Ms. Nelson said we need to understand how the circulation will work. She asked how the people using the site will know how the circulation will work if there is no signage.

Mr. Doyle said that Highway Superintendent, Sean VanDeusen, requested that the entrance be on the west side to prevent cars from backing up onto Main Street. The exit from the site would be on the east side with stacking occurring on the site.

Mr. Rembold said it is not necessary to see the signs but the circulation needs to be shown on the plan.

Mr. Hankin asked about a detail of the infiltrators. He said the plan says they will be at a maximum depth of 12 feet and says that the depth has yet to be determined.

Mr. White said that is a manufacturers standard for the structure. He said the infiltrator will be 8 feet below grade and 10 feet above the water table.

Mr. Hankin asked that the information be shown on the plan.

Ms. Nelson said, based on the submitted photometric plan, it appears there will be light spill on the west abutter, which is not allowed. The plan needs to show the photometrics across the property line to make sure that is not happening.

Mr. Hankin asked that dimensions of at least one parking space be shown on the plan.

Mr. Rembold suggested that the Route 7 landscaping requirements be reviewed and to submit a landscape plan.

Mr. Fick asked if one parking space per unit is optimal from a business point of view.

Mr. Doyle said he hopes people will walk where they need to go.

Mr. Hankin asked if there are going to be any bicycle racks outside?

Mr. Rembold said there is storage in the building.

Ms. Nelson asked if there is any additional information required from the Board. She said we want to be as comprehensive as possible.

Mr. Higa asked what if there is damage to the two street trees during construction. He said trees are part of the character of that area. He said it would be nice to have a requirement for tree replacement if the trees are damaged during construction.

Mr. Hankin said he would like someone knowledgeable make a decision about the big maple.

Mr. Rembold suggested to Mr. Doyle that he submit a request through the DPW to have the tree assessed.

Ms. Nelson asked that the information be provided prior to the meeting on March 14. She asked Mr. Rembold if the Board would be able to review the new information at the meeting on the 14th.

Mr. Rembold suggested that the meeting on the 14th could be scheduled to start at 6:00 P.M. to have time to discuss the application. He said the continuation of the public hearing could be scheduled for 7:00 P.M.

Mr. White said for information that can't be provided, conditions would be acceptable.

Mr. Rembold said if you can't decide you can request conditional approval.

Mr. Hankin said accessibility has to be demonstrated. He said the whole premise is walk to town. Walkways accessing the property need to be shown.

TOWN PLANNER'S REPORT:

Mr. Rembold said there will be a budget public hearing on Monday night.

Mr. Rembold said there will be an information session by the State Department of Revenue regarding short term rental laws on March 7. He said it is the same night as our public hearing. He said the Selectboard is considering some regulation of short term rentals and some member of the SB will be attending.

Mr. Rembold said that Great Barrington currently taxes hotel and motel rooms at 6%. This would apply to other short term rentals.

Mr. Rembold said an additional community impact fee could be imposed, if approved at the Annual Town Meeting.

Mr. Rembold said there can be oversight about where the short term rentals can occur. There can also be some insurance requirements. He said that the Selectboard, as a whole, has not yet determined where they can go.

Mr. Fick suggested that the impact fee should go toward affordable housing.

Mr. Rembold said 35% must go to affordable housing. The Selectboard is thinking that 100% of the fee could go toward affordable housing. The wording is being incorporated into the draft they are working on.

Mr. Hankin said the short term rental language will not be part of zoning but part of the Town Code.

Mr. Rembold said that is correct.

BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:

Mr. Hankin said he had a call from Mike Gilmore who owns a building on Gas House Lane. The site had the first application for a medical marijuana dispensary. He said the I zone was split to allow for housing along the railroad tracks. Mr. Gilmore said the new language for the marijuana establishments prohibits them in the I-2. He is asking if it is possible to allow the use in the I-2 zone.

Mr. Hankin said he told Mr. Gilmore that it would be a year before the issue can be addressed. He told Mr. Gilmore it was a valid concern.

Mr. Pachano asked when reviewing the Doyle proposal how far do we go in architecture to make sure all of the units are accessible.

Mr. Nelson said she didn't think it is this Board's purview to deal with the architecture. We will deal with access from the parking lot to the building. The access within the building will be part of the building code.

Mr. Pachano asked how many units are required to be handicap accessible..

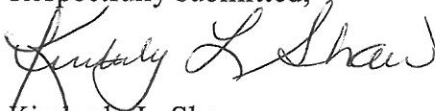
Ms. Nelson said she didn't know.

CITIZEN'S SPEAK TIME:

No one spoke.

Having concluded their business, Ms. Nelson adjourned without objection at 7:14 P.M.

Respectfully submitted,



Kimberly L. Shaw

Planning Board Secretary

