PLANNING BOARD

DATE: December 13, 2018
TIME: 6:00 P.M.
PLACE: Large Meeting Room
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:
There were no Form A’s presented.

MINUTES: NOVEMBER 29, 2018
Mr. Hankin made a motion to approve the minutes of November 29, 2018 as amended, Mr. Fick seconded, all in favor.

SITE PLAN REVIEW: 307 MAIN STREET
Sean Norman was present on behalf of Calyx Dispensary for a retail marijuana establishment at 307 Main Street.

Mr. Rembold said the Board had questions about the security cameras and lighting and how they would interact.

Ms. Nelson asked if there were any changes to what was presented at the last meeting.

Mr. Norman said he had secured the specifications for the small cameras. He said the camera can see in complete darkness up to 50 feet. He said the alley is 90 feet long. He said the security company feels the system is more is more than sufficient with the lighting that exists.

The Board was satisfied with the information.

Ms. Nelson said that the Board had gone through Site Plan Review at the last meeting. She asked if there needed to be any further discussion.

Mr. Fick made a motion to approve site plan review subject to the Town receiving the State license prior to commencing the use, Mr. Hankin seconded, all in favor.
Mr. Higa arrived at 6:04 P.M.
Tom Levin, an abutter to Calyx, said he hadn’t received notification of the discussion of the application. He asked why he didn’t receive notification.

Ms. Nelson said abutter notifications are not part of the Site Plan Review requirements. She said the Board did ask the applicant if there had been discussions with abutters.

Mr. Rembold said notifications were made months ago during the summer.

Mr. Norman said he had a conversation with Mr. Levin and suggested a discount at Calyx if people had purchased an item at his store, Tom’s Toys. He said he had offered an olive branch although he was not sure if Mr. Levin would accept it.

There was no further discussion.

ZONING:
Mr. Rembold said he would prefer to focus the discussion on the Stockbridge Road, B-2 zone. He handed out a memo Stockbridge Road Zoning Notes from B2X Zone North to Route 7/183 Split-For Pl. Bd. Meeting 12/13/18.

Mr. Rembold began going through the memo for discussion. He said when driving down Stockbridge Road it is clear that it is a commercial zone. He said it is important to look at the setbacks and the property sizes. The existing zoning is written to promote a commercial strip. The buildings are set back from the road and the parking is in the front. Residential uses in the area are difficult as half acre of land is required for the use.

Mr. Rembold said there are 15 residential parcels along Stockbridge Road, 14 of the parcels are non-conforming. Several of the commercial lots are also non-conforming. Additionally, multi-family use is not allowed.

Mr. Rembold said the Master Plan encourages the commercial nature of the area while being sensitive to the abutting residential zones.

Ms. Nelson said there are many parcels for sale along Stockbridge Road. She said it would be a good time to make adjustments to the zoning to provide more redevelopment opportunities. We need to consider if the zoning should continue to support a strip mall type of character or to try to reverse the nature of the zone, or soften it.

Mr. Reed said he walked Stockbridge Road. He said there is a large house on the road. He asked if it could still be used as a residence.
Mr. Rembold said yes. The use is allowed requiring a half acre parcel and a width of at least 100 feet.

Mr. Rembold said the need for brick and mortar stores is not as great as it was in the 1960’s. He asked if the corridor needs to be so preferential to business that apartments can’t be built or mixed uses allowed.

Mr. Hankin said the zoning has discouraged people from investing in their properties. He said he would like to change that.

The Board reviewed the map included with the memo. They discussed the area of I-Zone along Stockbridge Road. The I-Zone runs along the back of the B-2 zone including White House Square across from Price Chopper and the Price Chopper shopping area. There is also flood plain along Stockbridge Road. They discussed the conserved land north of Jenifer House, the antique store, single family residence, CHP and Dempsey’s Auto Sales. Half of the properties don’t meet the minimum setback requirements. Future new residential development would be very difficult.

Mr. Fick said the zoning was done on purpose when it was done. It was intended to encourage commercial and discourage residential.

Mr. Hankin said houses were built in the area before the zoning was put in place.

Mr. Rembold agreed.

Mr. Reed asked why the setbacks were put in like they are.

Mr. Rembold said he doesn’t know why we can only study what is there.

Ms. Nelson said typically we see what non-conformities exist and see if we can minimize them. We try to align the zoning with what is there and think about what we want to see in the future. We are now trying to determine if we can make zoning amendments to address all of these things.

Mr. Rembold said he and Mr. Hankin and Mr. Pachano have discussed this. He said the Industrial zone allows for manufacturing uses in the area. The proposal is to take the I-Zone away and allow light industrial uses by special permit in the B-2 zone.
Mr. Hankin said he has spoken with someone who is interested in a manufacturing marijuana baked goods on Crissey Road.
Mr. Rembold said he would propose to take a good portion of the B-2 zone away. Much of the land on the east side is part of the Scenic Mountains Act. The ridgeline would go into R-2, low density residential.

Mr. Fick had concerns about the B-2 impacting the residential areas of Commonwealth Avenue and surrounding residential streets. He asked about the Lipton Mart property that if divided would have frontage on Commonwealth Avenue. He asked if that property were divided if it could have another commercial use that could impact the residential neighborhoods abutting the parcel. He said he would hate to see commercial impacts on the residential neighborhoods.

Mr. Hankin said what is proposed would allow there to be a residential lot created on Commonwealth Avenue.

Mr. Rembold said that is a good question for the January meeting. He said currently the uses in the B-2 are limited. He said a multi-family use up to eight units is allowed by special permit as is mixed use. Light manufacturing and mixed use are not allowed.
Mr. Hankin said he doesn't understand why a home occupation isn't allowed by-right. He said he thinks it should be allowed.

Mr. Fick said he thinks industrial uses should be allowed by special permit.

Mr. Hankin said he is concerned about making existing businesses non-conforming.

Mr. Pachano said the changes we make will also impact South Main Street because that is also a B-2 zone.

Mr. Rembold said that is a good point. He said you need to think about the B-2 zone on Stockbridge Road as well as the B-2 zone on South Main Street. He said the Fairgrounds is an area that maybe shifts uses to the B-2-X zone. There needs to be consideration of both the potential impacts for both areas.

Mr. Rembold said there was discussion of capping the size of retail stores on Stockbridge Road. Some lots don't need the cap.

Ms. Nelson said in some areas there is a block of land for sale that could allow parcels to be combined into a large piece of land where a large retail store or strip mall could be located.
Mr. Hankin said we are not prohibiting strip malls.

Mr. Pachano said he would want to prohibit a strip mall.
Mr. Rembold said the uses would primarily be retail.

Ms. Nelson said we want to leverage the infrastructure on Stockbridge Road.

Mr. Pachano said the point is having a large scale retail building would be a bad idea. A mixed use with businesses and housing would be better. He said we should design for what we want and for what is viable.

Mr. Fick said he is concerned about designing for what we want and not what would be best for the Town.

Mr. Pachano said the way the B-2 zone is designed has historically discouraged one use and encouraged another.

Mr. Rembold recommended requiring landscaping in front and parking in the back.

Ms. Nelson agreed that she would like parking in the back as well as some screening from the residential uses.

Mr. Rembold said he thinks we should aim for calming the roadway/traffic. Increasing housing could possibly make the public transportation more viable.

Eve Shatz said the Board has good ideas and suggestions. She said the idea to increase housing close to Price Chopper and other businesses encourages walkability. The zoning could be amended to bring non-conformities into compliance and allow residential uses. Perhaps the area along the river could be another River Walk. Increase the attractiveness to create a lifestyle with recreation.

Mr. Hankin said that is a nice idea but all the land along the river is privately owned.

Mr. Rembold said it is a nice vision.

Ms. Nelson said we need to understand the fabric of the area. We don’t want to create an area that is so out of character with what exists.

Mr. Fick said we have to do something.
Mr. Pachano asked how this area is characterized. What could possibly be built that could be out of character.
Ms. Nelson said the setback issue is the most challenging part.

Mr. Higa said there could be aesthetic challenges.

Ms. Nelson said Mr. Rembold has laid out some ideas. She thanked Mr. Hankin and Mr. Pachano for working on this with Mr. Rembold. She encouraged the Board to also look at South Main Street and how any changes could impact that area.

Mr. Rembold said we will have further discussion in January. He said the public hearing for the zoning amendments will be held by the third week in March.

**TOWN PLANNER’S REPORT:**

Mr. Rembold said he is looking at section 8.4-mixed uses. He asked how much mixed use is mixed use. He said he thinks we should make a minimum floor area at street level, 25% or 50%, commercial use.

Mr. Rembold said also where there is a large dense multi-family development the minimum lot area per unit should trigger the requirement for a special permit. He suggested that a lot area per unit less than 2,500 square feet would require a special permit. He said if this were in the bylaw when the Manville Street development was presented a special permit would have been required.

Mr. Rembold said tiny house have been discussed at great length. Mr. Hankin and Mr. Pachano think we have a definition that could open up the ability to allow tiny houses on wheels. He said this will be discussed in January.

Mr. Rembold said he recommends revising the bylaw that addresses the Design Advisory Committee, 9.4. He said the DAC is strictly advisory. The bylaw requires the DAC to convene for any exterior changes in the downtown area. He suggested that signs should be removed from the DAC review process. He said if a plan is in compliance it should able to move forward without their review. In addition, if a project requires Historic District Commission review it should not have to go to the DAC.

Mr. Rembold said the Water Quality Protection District needs to be discussed. He said he would have something at a future meeting.

Mr. Rembold said it might be a good idea to provide the option to allow the cultivation and processing marijuana in a single facility in the R-2 and R-4 zones. It would be more efficient to allow the combination of uses. There are many reasons to allow in one place.
Mr. Rembold said if the Board doesn’t have any issues with the zoning discussions so far he will work at providing language for amendments.

Mr. Hankin said the use table for the Downtown B district is confusing and conflicting.

Mr. Rembold agreed. He said there is a lot of work to do in January. He said that at this time there are no applications for the next agenda.

Mr. Rembold said there is a public hearing notice for Monterey where a monopole cell tower is proposed for Chestnut Hill Road.

Mr. Hankin said yes, it is intended to pick up the second half of Monterey.

**BOARD & COMMITTEE UPDATES/ISSUES & CONCERNS:**

Mr. Pachano said BRPC’s DLT program might be something we can apply for.

Mr. Hankin said we have two large affordable housing projects approved. He said he is concerned that these kinds of projects have to be segregated in order to qualify for funding with 80-90% of the units affordable. He said we may be creating what has failed in many cities. He said he is not sure if there is a way around it, but it would be much better if market rate units were integrated.

Mr. Rembold said he would work with Mr. Higa and Mr. Pachano on the DLT application.

Mr. Higa said the CPC will meet Monday at 5:30 at the Fire Station to go through the applications and divide them out.

**CITIZEN’S SPEAK TIME:**

Holly Hamer asked if the Board would look into a Hemp regulation. She said Hemp per acre brings in three times what other crops bring in. She said it is a wonderful crop and it doesn’t require the fences and security.

Ms. Nelson said she thinks it would be allowed.

Ms. Hamer said there has been a lot of input from the public on the tiny house issue. She would like to see tiny houses have the ability to share space.

Ms. Nelson said we have discussed it.
Mr. Fick said we have discussed expanding the ADU bylaw to have tiny houses fall under it. We will discuss further at the next meeting.

Mrs. Mooney asked if there will be a meeting on December 27.

Ms. Nelson said no.

Mrs. Mooney asked if the next meeting would begin at 6:00 P.M.

Ms. Nelson said yes.

Mr. Abrahams said Theory Wellness and another facility in Pittsfield received their recreational licenses today. They will open in about 3 weeks, after the final inspection.

Having concluded their business, Ms. Nelson adjourned without objection at 7:38 P.M.

Respectfully submitted,

[Signature]

Kimberly L. Shaw
Planning Board Secretary