PLANNING BOARD

DATE: June 14, 2018
TIME: 7:00 P.M.
PLACE: Large Meeting Room
FOR: Regular Meeting/Public Hearing
PRESENT: Brandee Nelson, Chair; Malcolm Fick; Jonathan Hankin; Jeremy Higa;
Pedro Pachano

Ms. Nelson called the meeting to order at 7:00 P.M. Mr. Higa and Mr. Pachano had not yet arrived.

FORM A’S:
There were no Form A’s presented.

MINUTES: MAY 24, 2018
Mr. Hankin made a motion to approve the minutes of May 24, 2018 as amended, Mr. Fick seconded, all in favor.

SITE PLAN REVIEW: 1 FAIRVIEW ROAD, HOUSATONIC
Emily Zelenovic was present on behalf of Halina Farnham who has applied for Site Plan Review approval for a two-family use in an existing structure on a single lot at 1 Fairview Road in Housatonic. The application is submitted under Section 8.1 of the Zoning Bylaw.

Mr. Higa arrived at 7:04 P.M.

Mr. Rembold said SPR approval will allow for a legal two-family use.

Ms. Zelenovic said there will be no structural changes.

Mr. Hankin said there are no issues with the use. He said there is adequate parking with at least four parking spaces.

The Board reviewed the SPR requirements.

Mr. Pachano arrived at 7:06 P.M.

Mr. Fick made a motion to approve Site Plan Review, Mr. Hankin seconded, all in favor.

PUBLIC HEARING: 506 STOCKBRIDGE ROAD
Ms. Nelson read the public hearing notice. The notice was published in the Berkshire Record on May 18 and 24, 2018. The notice was sent to the abutters and the nine Towns abutting Great Barrington and was posted at the Town Hall at least 14 days prior to the public hearing.

Mr. Hankin made a motion to open the public hearing, Mr. Fick seconded, all in favor. The public hearing was opened at 7:07 P.M.

The applicant had not yet arrived so the Board continued the public hearing until the applicant arrived and continued with the agenda.

TOWN PLANNER’S REPORT:
Mr. Rembold said there is a lot of Town infrastructure being worked on right now.
Mr. Rembold suggested the Board start thinking about zoning amendments for the next Town Meeting. He said there will be a Special Town Meeting. It is possible that zoning amendments may be able to be included if something is ready.

Selectboard member, Ed Abrahams, said the Special Town Meeting will be held sooner than later.

Mr. Rembold concluded his report. The applicant for the public hearing for 506 Stockbridge Road arrived.

PUBLIC HEARING:
Mr. Higa recused himself from the discussion. He sat in the audience.

Mr. Rembold said the public hearing is for a special permit for a free-standing sign in a residential neighborhood. Free-standing signs are not allowed in the residential zone. The previous owner refaced the existing nonconforming sign which was allowed without needing a special permit. The new owners want to put up a new sign.

Applicant Sarah Eustis from Hospitality Group said the sign has to be replaced. The sign’s functionality has reached its life span. She said Phil Ghi from Ghi Signs will be working on the sign. She said the sign will be the same square footage as the existing sign. The new sign will take up the same physical space as the existing sign. Ms. Eustis said the lighting of the sign will be different from the existing sign. The proposed lighting will be upward directed from the ground. She said the light would have a tight focus on the sign. The no-vacancy sign is the only part of the sign which will be internally lit; it will be controlled from inside the motel.

Ms. Eustis said the sign will be identical from both sides. The letters will be raised. A small low watt orb will be at the top of the sign. There will also be low orb lights at the entrance to the driveway to harmonize with the orb on the top of the sign. There will be differences but the proposed sign will be consistent with what exists. She said she hopes the Board will issue the special permit.

The existing sign is 36 square feet. The proposed sign is 26 square feet.

Ms. Nelson asked Ms. Eustis to explain the orb and the fixture in which the light exists. She asked if the light would be LED.

Ms. Eustis said she would want the light to be LED. She said she would like a recommendation from the Board on the wattage. She said she envisions the light to be low wattage. The orb will provide a visual completion to the structure. She said she wants a soft glow and it will mirror the low post globes at the end of the driveway.

Ms. Nelson said LED comes in color temperature and wattage equivalencies. Less than 4,000 R would be recommended because over 4,000 R gives off a blue color.

Ms. Eustis said she would like a soft warm color.

Mr. Pachano asked if the Board has ever recommended a lumen level.

Ms. Nelson said no nor have we recommended wattage.

Mr. Pachano said wattage is not a good indicator of brightness.
Mr. Rembold said these are good questions maybe we need more input.

Mr. Pachano looked up information about lumens in Energy Today. He said path lighting is generally 100-200 lumens, step lighting is generally 200-400 lumens and landscape lighting is generally 30-50 lumens. He said it seems like 100 lumens is a good number.

Mr. Hankin said he does not care for the proposed up lighting.

Ms. Nelson said the Board generally prefers down lighting as up lighting could interfere with traffic. She said the lighting is currently enshrouded in shrubbery. Will the shrubs be trimmed back?

Ms. Eustis said yes, the shrubs will be trimmed. She said the lights will be in the shrubs and directed at the sign. She said other options could be explored.

Ms. Nelson said if the lights are lower than the shrubs the shrubs might control the light.

Mr. Hankin said the light may spill into the night sky.

There were no other questions from the Board.

Carla Child from Main Street Hospitality said the proposed lighting would come out of the ground. She suggested the light might be able to be placed in the base. She said we have discussed ground lighting but we understand you might not like it. The goal is for ambient light. This proposal is how Phil Ghi saw the lighting.

Mr. Fick asked if the light will be on all night.

Ms. Eustis said yes.

Ms. Child said the orb is intended to be like a night light. The orbs at the driveway entrance are intended to be low ground lighting up high enough to not be impacted by snow plows and to be seen.

Richard Ruth asked if the light would be diminished when there are no vacancies.

Ms. Eustis said the sign would not be shut off. We want to let people know we are there.

There were no other public comments.

Mr. Rembold read comments from other Boards. The Selectboard in a letter dated June 11, 2018 made a positive recommendation. The Conservation Commission in a letter dated May 23, 2018 concluded there were no wetland or Scenic Mountains issue. The Board of Health commented that there are no health issues.

Mr. Hankin made a motion to close the public hearing, Mr. Fick seconded, all in favor. The public hearing was closed at 7:30 P.M.

Ms. Nelson said this is an existing business that needs a sign. Repairing the existing sign is not an option. We can grant a special permit with conditions that can guide the ultimate outcome. Specifically we can recommend about the light temperature and lumens and up lighting vs. down lighting.
Mr. Fick asked if we have a bylaw that requires down lighting.

Mr. Rembold said generally the Board advocates for down lighting to avoid excessive glare.

Ms. Nelson referred to a hanging sign she passes on her way to and from work that has up lighting. She said it requires a shield.

Mr. Hankin said the wall will mitigate glare. He said he is concerned with light spill.

Ms. Eustis said we have an experienced sign maker who we feel will figure out how to avoid glare and spill.

Mr. Rembold said if there is glare or light spill it would be a violation of the special permit.

Ms. Nelson said it would be a condition to minimize light spillage. Another condition would be that the orb lighting would be in a translucent globe and the third condition would be that the source of the sign lighting would not be visible from the road.

The Board reached consensus that the sign as presented with conditions would not be detrimental to the neighborhood and its positives outweigh the negatives.

Mr. Fick made a motion to approve the sign as presented in the special permit application submitted for Briar Cliff Motel with the 3 conditions discussed, Mr. Pachano seconded.

Mr. Pachano aye
Mr. Fick aye
Mr. Hankin aye
Ms. Nelson aye
Motion passed 4-0.

Mr. Higa rejoined the meeting.

**SITE PLAN REVIEW: 82 RAILROAD STREET**
Brian and Andy Vincent were present to discuss their application for retail marijuana use. Brian Vincent said they will rent the building at 82 Railroad Street under the name of Commonwealth Cultivation. There would be no exterior alteration to the building. Local contractors would be hired for interior renovations and local people will be hired to work for the business.

Andy Vincent said the business would generate $5,000,000 per year providing the Town with $150,000 in taxes. There would be 18 employees. The hours would be 10:00 AM-8:00 PM 7 days a week.

Ms. Nelson asked if there would be any window treatments.

Brian Vincent said there are no windows.

Mr. Hankin, in response to their proposed logo, said he thought there was a restriction in the State law about a leaf in the sign.

Brian Vincent said the cultivation application was submitted to the State with the logo. He said we are waiting for the provisional license from the State. We will get Town approval then submit to the State.
Mr. Higa asked if this is the proper order.

Mr. Rembold said there is no specified order. The applicant can go in any order. There is nothing specific in the Town bylaw or the state law.

Mr. Abrahams said this is the Wild West. Three things need to happen but there is no prescribed order. He said it is on his list to have an order and process in place as soon as possible.

Mr. Higa said he would want the Community Host Agreement in place prior to approving Site Plan Review.

Mr. Hankin said the impact of the security and lighting would be part of SPR.

Ms. Nelson said it is in a retail zone. She asked the Vincents to explain security and exterior lights for the front and the rear doors.

Brian Vincent said there is one door in the front that will have a security camera on it. There is a camera in the back over a double locked door. A security guard will be at the store when it is open. There will be 100% monitoring inside the store. The cameras will focus on the customers and follow them around.

Ms. Nelson asked if a floor plan could be provided.

Brian Vincent said a floor plan hasn’t been prepared. We wanted to see if we get approved.

Ms. Nelson said information needs to be provided about security, lighting, alarms, parking. It would be helpful if you can work with a designer or surveyor to put a plan together about the access to the building and location of cameras and exits.

Mr. Hankin said a site plan showing the actual building as it exists would be helpful.

Mr. Fick wanted information about employee parking.

Ms. Nelson said the building is in a good location. It is separate from the downtown but not far from it.

Mr. Fick said he can’t see any conditions that would be onerous.

Mr. Rembold said more details are needed.

Ms. Nelson suggested looking at Section 10.5 of the zoning bylaw as it tells you what we look for. Provide a plan prepared by a licensed professional.

Mr. Pachano asked for information on access and pedestrian safety and to provide a general idea of how the building will be used.

Ms. Nelson asked the applicants to find out if a handicap space is required. She said the next meeting is on June 28. If the plan is ready you can come back to that meeting.

Mr. Abrahams asked the Board to think about what order they would like to see regarding submissions. Should the Community Host Agreement come before the Community Outreach meeting or vice versa. He said the Cannabis Team would be interested in the Board’s input.
TINY HOUSES:
Katie Jackson from B&B Micro Manufacturing was present to discuss tiny houses. She presented a slide show depicting tiny houses of different styles. Ms. Jackson said she envisioned tiny houses as accessory dwelling units in Great Barrington. She said it would be the cheapest way to provide infill.

Ms. Jackson said the units are highly insulated with a high R value. She said they are built like a traditionally built home, they are not plastic. They are not RV’s. The tiny houses are 8.5 feet wide and 13.5 feet tall.

Ms. Jackson said she is not here to push tiny houses but to answer questions to see if they would be good for the community.

Ms. Nelson asked about cooking, heating, sewer and electric services.
Ms. Jackson said the tiny house would be treated like any other house. The sewer would be tied into a septic system or town system. If the tiny house is put in one place it would be tied into the water system and plugged into electric. The tiny house would be placed on a gravel pad or a concrete slab. It could also be placed on piers just like a normal house. The wheels can come off but they don’t have to.

Mr. Ruth asked what the cost would be.

Ms. Jackson said they range in price from $39,000-$100,000.

Mr. Hankin said when the tiny house is not going to stay on the chassis it is built to State building code.

Mr. Pachano said what separates it is the chassis.

Ms. Jackson said construction architecture separates it from an RV.

Mr. Pachano asked what the alternatives are for grey water-discharge from dishwashers and sinks.

Ms. Jackson said if it is on wheels it could go into a holding tank that can be pumped out. It could also be connected to the sewer or septic.

Mr. Pachano asked why doing a community of tiny houses is appealing.

Ms. Jackson said because there is no place to put them.

Ms. Nelson said our objective is to review the discussion from the last meeting. She said everyone had a job to bring information back. Mr. Hankin’s job was to get Ms. Jackson here. Mr. Higa was going to research communities. Mr. Pachano was going to research bylaws from other towns. Ms. Nelson said she and Mr. Rembold had a meeting with the Building Inspector.

Mr. Rembold said the tiny houses are a compliant small dwelling unit. He said zoning does not recognize something that is on wheels as a dwelling unit.

Mr. Hankin said historically people don’t want trailer parks in their communities because they are associated with poor people. Maybe it is time to look at it in a new light. This might be a good way to provide housing for poor people. He said the issue he sees is can they be left on wheels and be made compatible with a neighborhood.
Ms. Nelson said the zoning bylaws have room for growth. She asked if there is a cost benefit. Why leave the wheels on, is it more expensive to take them off.

Ms. Jackson said it is less expensive to have a chassis. The wheels could come off but the chassis could stay on. She said if a homeowner wants to use it as an ADU it is less expensive to leave the chassis on. She said the units can be built for any climate. They are well insulated and built to high standards. She said low income brackets cannot afford a tiny house. It is not housing for the homeless. She said it is affordable for the working class not the poor.

Mr. Hankin said it is good for baby boomers who are interested in downsizing.

Ms. Jackson yes. She said it is less expensive to build the unit at the factory than to build it in place.

Ms. Nelson said cheaper and at a lesser standard.

Mr. Fick said if we allow these we will have to define standards.

Ms. Nelson said a primary tiny house is no big deal and an ADU tiny house is permitted.

Mr. Hankin said he is leaning toward needing a permanent hook up. He said he doesn’t care if it is on wheels. He said he would want the sewer and water to be a permanent hook up. With permanent hook ups it would be less likely to be moved but it wouldn’t prohibit it from being moved. He said there are advantages to having it on wheels. He said the Board needs to figure out how to make it acceptable.

Ms. Nelson said we need to focus on a definition and the mobile home provision.

Mr. Hankin he thinks they are separate. Aesthetically it is not a mobile home.

Ms. Nelson said not everyone agrees.

Mr. Rembold asked if there is financing available for tiny houses.

Ms. Jackson said previously if they were on wheels they would be financed as an RV. Adams Community Bank is providing financing but it is not a mortgage. The rates are better than those for an RV.

Mr. Rembold asked if they have separate addresses or mailing address. He said the permanence of these units have tax implications.

Mr. Hankin said the assessor would tax as real estate or personal property. The Board of Health agent would treat it as a bedroom.

Mr. Rembold asked if there would be a certificate of occupancy process.

Mr. Hankin said he is not interested in promoting parking the unit for a month then moving it. He said he would like it to be an opportunity to provide rental housing.

Mr. Ruth said the electrical connection adds to the cost as does a driveway and sewer and water hook ups.

Ms. Nelson asked if Mr. Ruth was suggesting using holding tanks.
He said yes. The units could be used seasonally or monthly.

Mr. Pachano asked how the units are heated.

Ms. Jackson said they can be heated with electricity, propane or a mini-split. Ms. Jackson said the Board needs to consider the impact on the community if they are to be used as an Air B&B.

The Board concluded their discussion and thanked Ms. Jackson for attending the meeting.

BOARD & COMMITTEE UPDATES/OTHER ISSUES & CONCERNS:
Mr. Higa said the Community Preservation Committee is reviewing their plan. He asked the Board to consider providing comments and direction. The item will be added to a future agenda.

CITIZEN’S SPEAK TIME:
Ed Abrahams said there are four applicants interested in opening retail marijuana establishments. Currently there is no maximum number. He said he is concerned what will happen to the downtown area. He asked the Board if they would want to consider any limits.

Ms. Nelson said the Board has been visited by people concerned about the number of certain types of business on Main Street. She said typically we have shied away from restricting any one type of business.

Having concluded their business, Ms. Nelson adjourned without objection at 9:19 PM.

Respectfully submitted,

Kimberly L. Shaw
Planning Board Secretary