

## PLANNING BOARD

DATE: June 26, 2014

TIME: 7:00 P.M.

PLACE: Large Meeting Room

FOR: Regular Meeting

PRESENT: Jonathan Hankin, Chairman; Suzanne Fowle; Brandee Nelson; Malcolm Fick  
Chris Rembold; Town Planner

Mr. Hankin called the meeting to order at 7:00 P.M.

### **FORM A'S:**

There were no Form A's presented.

### **MINUTES: JUNE 12, 2014**

Ms. Nelson made a motion to approve the minutes as amended, Ms. Fowle seconded, all in favor.

### **ZONING MAP CORRECTIONS:**

Mr. Rembold said there are two issues dating from 2012 that need to be corrected at the 2015 Annual Town Meeting. The B-1-Zone that encompasses the Risingdale Café does not line up. The lines shifted due to the transfer to GPS mapping. The realignment needs to be done at the Town Meeting.

The other amendment has to do with two lots on Pothul Drive. These lots were created by a Form A and are currently showing as R-2, where they are non-conforming. They should have been R-1-A as are all the other lots in the subdivision. Both lots are built out.

Ms. Nelson asked if this amendment will make the parcels conforming.

Mr. Rembold said yes.

Mr. Rembold said other items of discussion include revising the B-2 zone in Housatonic. Also, the lot where the Brick House Pub is located is currently in the R-2 zone, which makes no sense.

Also the B-2-A mixed use transitional zone is all State Forest except for the Thornewood Inn.

Mr. Hankin said it is not a bad zone. There are other gateways where we might consider using it.

Mr. Rembold agreed. He said another item for consideration is the Belcher Square area where there are businesses with frontages in the B-2 zone and rear lots in the R-2 zone.

Mr. Fick asked if the proposal would be to extend the B-2 zone to include the entire parcel(s).

Mr. Rembold said he didn't know. He said the issue should be discussed.

Mr. Hankin said it is crazy to have zoning lines split parcels.

Mr. Fick said there could be implications associated with extending the business zone into the residential neighborhood.

Mr. Rembold said it might be worth discussing a mixed use district from the Brown Bridge to Belcher Square. He said this can be on the to-do-list for the 2015 Annual Town Meeting.

Mr. Hankin asked Mr. Rembold to prepare some proposals.

Mr. Rembold said he will work on the list. He said he wants to work on the Housatonic zoning first with the exception of the zoning map corrections. He said he would work on the other issues if there is time.

#### **HOUSATONIC REST OF RIVER:**

Mr. Rembold gave the Board an excerpt from the EPA's remedial action plan for the Housatonic River clean up. He said the entire river is a superfund site. The Pittsfield work has been completed. The worst of the concentration was in Wood's Pond. The concentration is less severe the further south it goes. The dam in Lenox holds back the sediment containing the PCBs.

Mr. Rembold said the public comment period is open through September or October. Great Barrington is part of a six member town committee collaborating in one voice on the clean up. All of the towns have their own opinion that can be voiced through the committee. Great Barrington has a specific issue with Rising Pond an area with high concentration. The Town may want to express specific concerns about Rising Pond. The six towns will advocate that the remedy take into consideration that the river is a moving changing dynamic system that needs to be respected.

Mr. Hankin asked if GE will have a chance to respond.

Mr. Rembold said yes. The process could take years. It has taken years to get to this point.

Mr. Fick asked if there is a contingency plan if the monitoring demonstrates that the river is not recovering after the work has been done.

Mr. Rembold said that is a good question he did not know the answer. He said there should be discussion regarding the dam removal. If the dam is removed the PCBs would be flushed down the river. He suggested there should be further discussion during the comment period.

Mr. Hankin asked if the Planning Board needs to take a stand on the issue.

Mr. Rembold said the Town should speak as one voice.

Ms. Nelson said the Selectmen would be the board to speak on behalf of the Town.

Ms. Fowle suggested the Board do some homework before speaking with the other boards.

Mr. Fick asked who the Town's representative to the committee is.

Mr. Rembold said the Town Manager. He said the committee is working together to get the best outcome for all the towns. There is an attorney who represents all the towns. BRPC is addressing issues and they are doing a great job. If the Planning Board has specific concerns they should be addressed to the Town Manager. He said he is happy to answer questions or the members can dig into the material.

Ms. Fowle said she would like to know more about the cap to be placed on the river bottom after dredging, specifically where the clean soil is coming from. She said in Pittsfield the bank was stabilized with rip rap making it an ecological dead zone. She said she would like to know what they propose to do. It will take an incredible amount of soil.

Selectman, Ed Abrams, suggested that it might be a good idea to have a joint meeting with the Planning Board, Board of Selectmen and the Conservation Commission to ask questions of an expert to see how we want to move forward with questions and comments.

Mr. Hankin liked the idea.

Mr. Rembold said he would ask the Town Manager to consider the suggestion.

Ms. Fowle said the Housatonic River is an important unifying land feature. The potential for it is tremendous.

Ms. Nelson said the river is under utilized due to its polluted condition.

David Scribner asked if the interests of the six towns are similar. He said the Mayor of Pittsfield had concerns about disturbing the tranquility of the neighborhoods by dredging.

Mr. Rembold said so far the towns seem to share a commonality. The spectrum of concerns is pretty wide, including the impact on roads and bridges. The towns are working really well together but there may be additional concerns over and above what the committee discusses.

Mr. Scribner asked if there would be a compensation fund.

Mr. Rembold said it is part of the committee discussion.

Mr. Hankin asked what the time frame would be for the clean up.

Mr. Rembold said 13-15 years. He said if you have questions you can do some research and prepare them for an additional meeting. He said he would ask Jennifer if we can have BRPC come for a joint meeting.

Ms. Nelson suggested that everyone read the material to educate ourselves.

Mr. Rembold said there are large files available on line with good summaries. He said to Google EPA-Rest of River. He said the process that is taking place with the committee is very good.

**TOWN PLANNER'S REPORT:**

Mr. Rembold said the Board is aware of the letter sent to the State Senate Ways and Means Committee regarding the Telecommunications bill that appears to be railroading local controls. Mr. Rembold read a letter in response from Christine Fisher in Senator Downing's office. There will be further discussion of the issue.

Mr. Rembold had an update on the special permits for Housatonic Solar 1 on Park Street and St. James Place, both were approved by the Select Board.

Mr. Rembold said the Main Street reconstruction project will begin in mid to late July. Maxymillian from Pittsfield received the contract. We are very pleased with that Maxymillian received the contract it is a company that has a history of working well with the town. No work will take place in the core area between July and August. The major full depth reconstruction won't begin until the spring of 2015. The hours of operation will be 7AM-3:30PM. Weekly updates will be provided to the Town.

Mr. Hankin asked if there had been further discussion of the merchants shifting their hours of operation.

Mr. Rembold said he thought the Chamber of Commerce was working with the merchants and the Town to keep the lively nature of the downtown going.

Mr. Scribner asked if the work would be completed in 2015.

Mr. Rembold said no. There are over 600 days allowed for construction. He suggested it might be June of 2016 when the work is completed.

Mr. Rembold said the July 10 meeting will be held at the Housatonic Community Center. He said the agenda will be focused on Housatonic zoning with the objective being to hear from residents about what types of uses and dimensions will work in the village. He said there will be one other item as there is a site plan review application for a loading dock at Big Y. A recommendation to the ZBA is required.

**OTHER ISSUES AND CONCERNS:**

Ms. Nelson said the Lake Mansfield Task Force is continuing to look at the issues related to the road. The road is not going to get better. There is an option of eliminating the two-way road that is being discussed. Ms. Nelson said she is aware that the board is not in favor of a one way road so those concerns have been expressed. The road is in very bad shape and getting worse. The Task Force is trying to balance the recreational use with the environmental and access issues. She said she will continue to keep the Board up to date and make sure the Board's concerns are expressed. Ms. Nelson said there are also financial issues related to keeping the road two-way so if there is a way the Board can consider endorsing something less it would be helpful to the discussion.

Mr. Rembold asked if the Task Force had formed an opinion.

Ms. Nelson said not yet.

Mr. Hankin said one-way roads are usually constructed in pairs. There is no way to provide a second one-way road.

Ms. Nelson said she thinks it will be a hard sell to keep it a two-way road. She said one representative from the State thinks the road should just be closed.

Mr. Fick said he walked around the area with the representative. The road is in very bad condition. It would take millions of dollars to keep it a two-way road.

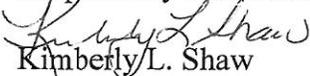
Ms. Nelson and Mr. Fick will keep the Board up to date.

Ms. Nelson said she is working on a project where the lighting has come up as a substantial issue. She said all new construction is going to LED lighting. She said this lighting has a different intensity pattern than what we are used to. She said she had looked at the Town's code regarding lighting and the Board may want to consider revisions to the lighting standard. She said she is willing to work with Mr. Rembold to bring the code up to the current standards. She said lighting measures have moved away from foot candles to a new metric of lumens. She said it might be good to consider changing with the technology.

Mr. Hankin said he would appreciate Ms. Nelson working with Mr. Rembold to move the process forward.

Having concluded their business, Mr. Hankin adjourned the meeting without objection at 8:15 P.M.

Respectfully submitted,



Kimberly L. Shaw  
Planning Board Secretary

Materials Distributed for June 26, 2014 Planning Board meeting:

Draft minutes of June 12, 2014 meeting

Chris Rembold comments of June 26, 2014 on the zoning map

Excerpt of June 2014 US EPA "Statement of Basis" and Proposed Remedy for Housatonic River "Rest of River"

Email from Chris Rembold to State Senator Brewer, dated June 25, 2014

