

PLANNING BOARD

DATE: October 9, 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: SEPTEMBER 11 & 25, 2014

Ms. Fowle made a motion to approve the minutes of September 11, 2014 as amended, Mr. Fick seconded, all in favor.

Ms. Nelson made a motion to approve the minutes of September 25, 2014 as amended, Mr. Fick seconded, all in favor.

REST OF RIVER DISCUSSION:

Mr. Rembold asked the Board if they have concerns they want conveyed.

Ms. Fowle said Ms. Tabakin, the Town Manager, should draft a letter with comments from the joint meeting. Perhaps we should wait to see what is in her letter.

Mr. Rembold said the Board could take that approach, but suggested if there are concerns a letter from the Board could be drafted to make sure their concerns have been conveyed to be included in the formal comment from the Town.

Ms. Nelson said she did not feel the Planning Board's jurisdiction extends too far into the process. She said hopefully the Town will have a good relationship with the EPA. She said Tim Gray of Housatonic River Initiative is the best avenue for lay persons to get information.

Mr. Fick said he didn't remember any specific Town concerns.

Mr. Rembold asked if the Board wanted to see a PCB landfill at Rising Pond.

Mr. Hankin said he thought that was off the table.

Mr. Rembold suggested a formal comment on the record would be a good idea. He said there is no guarantee what the court settlement will be. Nothing should be assumed. It is best to have comments on the record.

Ms. Nelson said the EPA plan does not stand on its own. The process is not one sided. GE will put forward what they feel is economical and there will be a back and forth process to make the final agreement to move forward.

Mr. Hankin said the website has stated that GE has not agreed to the implementation of a plan.

Ms. Nelson said there is not an actual detailed plan.

Mr. Fick said if Mr. Rembold thinks we should put our comments in writing to get them on the record then that is what we should do.

Ms. Nelson said she had a comment to throw out to the Board. She said no one wants a PCB landfill in their community but she said she has concerns about waste from one community being dealt with in another community.

Mr. Hankin said it has been stated that the waste will go into an approved landfill.

Mr. Rembold went through potential points of concern.

--Location of a landfill, if any is allowed.

--How involved would the Town be in the scope of work for dredging?

--Should an industrial facility on the banks of Rising Pond be subject to a site plan review? He pointed out that federal law would override any local requirement, but it is worth asking.

Mr. Hankin said he does not want to see a facility on the east side of Rising Pond. He asked if Hazen Paper or GE owns that side of the pond.

Mr. Rembold said GE owns the dam and a bit of the pond. Hazen Paper owns the east side.

Mr. Hankin said he is concerned about material falling off the back of trucks. He said he wants the work to be on the west side of the pond not on the Route 183 side.

Mr. Rembold said Ms. Fowle had concerns about benefits to the Town.

Mr. Fowle said there should be a net benefit to the Town. Perhaps the access roads could be turned into usable roads for the Town to have access to the river after the clean up is complete.

Mr. Hankin said it would be nice to have a right away. It is private property.

Ms. Fowle said it would be a shame to lose the opportunity not to make it accessible.

Ms. Nelson said we don't want to give GE an opportunity to say they can't do the clean up because it is in the R-2 residential zone.

Mr. Rembold said there will be many truck trips.

Ms. Nelson said the best way to mitigate the situation is to have regular communication with the community. People need to be kept informed and updated.

Mr. Hankin said he expected the initial work would be off of Van Deusenville Road. He said there will be serious impact on the roads for a number of years. It is unfortunate but it can't be helped.

Mr. Rembold agreed. He said we do not want to give GE an excuse not to clean up the river.

Ms. Nelson said there are environmental opportunities. She said it is not clear if we will have input.

Mr. Fick said GE has proposed PCB disposal sites. If there is a disposal site in Great Barrington we could have more than just local truck and train traffic to deal with. This is another reason to oppose a disposal site in Great Barrington.

Ms. Fowle we could request a canoe launch in one of the banks going into the river.

Mr. Fick we could broadly say we want some recreational plans with parking to be considered in the plans.

Ms. Fowle said the Town has not been able to use this incredible resource because of the contamination. We should get some thing back post clean up.

Mr. Fick agreed. He said he wished we had a more aggressive plan but it needs to move forward.

Mr. Hankin said there is some floodplain and some work will be done in that area as well.

Mr. Rembold said there will be just a little work done in the floodplain. He suggested that post restoration there could be a plan to prevent invasive species.

Ms. Nelson said it has been her experience that it is in the plans to prevent and maintain control of invasive species but it is a good idea to re-enforce the requirement.

Ms. Nelson said there is talk of railing out a lot of what is removed. She asked if the Town could be compensated for excessive truck traffic.

Mr. Rembold and Mr. Hankin will draft a letter based on the discussion.

HOUSATONIC ZONING:

Mr. Rembold said a representative from BRPC will be at the November 13th meeting to discuss their study to investigate what sort of zoning will work in Housatonic. They will discuss SMART Growth zoning districts that require a certain density in certain areas. If this zoning is adopted the State pays for some things part of Chapter 40R. BRPC will look at the zoning and see where it might go.

Mr. Rembold said the Village Center zoning will be the focus of the December 11th meeting.

Ms. Fowle asked if after the last meeting was there a feeling that there were things that needed further discussion or is the zoning ready to go.

Mr. Hankin said there are some questions about the Main Street and North Plain Road area. He said he would like to have a consensus on the issue.

Ms. Nelson said she is concerned about creating non-conformities for the properties involved in the potential zoning change. She asked if the existing commercial use would be allowed to continue. The answer was yes.

Mr. Fick said we should try to do as much as possible at the May Town Meeting.

Ms. Nelson agreed. She said each issue would be a separate article so they would be voted on independently of each other.

Mr. Fick said he thought the zoning on North Plain Road should go from B-2 to R-1-A.

Ms. Fowle suggested reaching out to Country Carpets to get their input on a potential zoning change.

The Board also agreed that the Rising Café zoning change should be included on the town meeting warrant to make the change that was originally intended for that property.

TOWN PLANNER'S REPORT:

Mr. Rembold said there are 21 applications for the CPA totally \$21 million. The overall available money is a little over \$1 million. The CPA committee is creating a process to evaluate the applications in order to make a decision in late January.

Mr. Hankin asked if there is an equal spread of the type of applications.

Mr. Rembold said in the beginning it was equal. Now there are 8 or 9 for each historic and open space and 4 for housing.

Mr. Hankin said it would be nice for the Board to be informed about the strengths and weaknesses of the applications. He asked to let the Board know what they should know.

Ms. Fowle said in Phase 1 of the process we will determine if we think the application fits the requirements of the CPA. We will give feedback to the applicants. We have not seen full proposals yet. When we see the full applications there will be more to talk about. Ms. Fowle said there are a lot of creative and dedicated people in this Town.

Mr. Rembold said the Board will have a site plan review application at the next meeting for 13 Forest Row for a porch on a multi-family unit.

Mr. Fick asked if the Board needed to conduct a site visit.

Mr. Rembold said there is nothing to prohibit it. The porch is pretty straight forward. He said anyone who wants to look at it can go. He said he would send the information. It is the second building on the left.

Ms. Nelson said she and Mr. Hankin went to a Lake Mansfield Task Force meeting with the Select Board, Conservation Commission and the Parks Commission. She said Mr. Rembold gave a presentation on to the various options to improve the road. She said the road needs improvement. Any degree of improvement will require substantial permitting. She said if the road is maintained as a two-way road it will require substantial cost.

Mr. Fick said he understood that there is not a big difference in cost between maintaining the 2-way road and going to a 1-way road.

Ms. Nelson said that is correct but the cost estimates were not accurate. She said it seemed that most people want to maintain the 2-way road. People need to understand that there will be substantial cost to the Town. Sensitivity to the bank restoration and stabilizing the bank is required. There is no strong voice for closing the road or making it a 1-way road.

Mr. Hankin agreed the voices to close the road or make it 1-way are not as strong as they have been in the past.

The Board concluded their business. Without objection, Mr. Hankin adjourned the meeting at 8:05 P.M.

Respectfully submitted,



Kimberly L. Shaw
Planning Board Secretary

