

## PLANNING BOARD

DATE: March 26, 2015  
TIME: 7:00 P.M.  
PLACE: Large Meeting Room  
FOR: Regular Meeting  
PRESENT: Jonathan Hankin, Chairman; Suzanne Fowle; Jack Musgrove; Brandee Nelson;  
Malcolm Fick  
Jeremy Higa, Associate Member  
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: MARCH 12, 2015**

Mr. Musgrove made a motion to approve the minutes of March 12, 2015 as discussed and amended, Ms. Fowle seconded, all in favor.

### **SITE PLAN REVIEW: 198 MAIN STREET**

Attorney Kate McCormick was present with the applicant Paul Joffe and Engineer Steve Mack from Foresight Land Services.

Ms. McCormick said Mr. Joffe intends to have a restaurant and retail space in the former Methodist Church. A kiosk will be built in the front south corner. The intention for the kiosk is a small café. There would not be any indoor seating but there would be bathroom that would be open to the public. It is possible that there would be outside seating. Ultimately the kiosk would be controlled by tenant.

Ms. McCormick said the building would be raised 6 feet and built out toward the street. The north corner would be 13 feet from the sidewalk.

Mr. Mack said the existing asphalt in the back parking lot will be removed. The new parking lot would be gravel. He said there will be a curb cut for a driveway from Main Street. This will be a one way entrance 16 feet wide. A second access from Rosseter Street would be two way and 24 feet wide.

Mr. Mack said the parking lot would have 20 parking spaces including 2 handicap spaces. He said the drainage for the site would be collected in a swale on the northwest side draining into an underground storage area in the location of the foundation of current parsonage. The system would be connected to the Town System.

Ms. Nelson said the runoff for the site would not be changed.

Mr. Mack said the grade and infiltration would be changed.

Ms. Nelson said there would be a connection to the municipal system for the overflow.

Mr. Mack said yes. He said the water and sewer connection would come from Rosseter Street and the underground power would come from an existing pole on Main Street.

Mr. Mack said the Conservation Commission reviewed the plans due to the proximity to the Housatonic River. He said they approved the plan.

There was a brief discussion of the landscaping shown on the plans. It is proposed for there to be a line of trees along the west boundary with vegetation to provide a buffer for the abutter. There will be trees and plant beds along Rosseter Street.

Mr. Musgrove asked if any water would drain onto the abutting property.

Mr. Mack said absolutely not. We will take water from the abutting property and pull it into our swale.

Ms. Nelson asked about the lighting.

Mr. Mack said the proposed lighting would be LED and downward directed. There are four light poles proposed for the property. There would be two near the building 10 feet in height. The other two would be near Rosseter Street and would be 17 feet in height. There would be no light spill onto the abutting property, street or sidewalk.

Ms. Nelson said LED lighting is new with higher intensity at the light source. She said it is difficult to get even lighting. Designers are struggling to get the levels right.

Mr. Joffe said the proposed light for the building would be soft. He said he is aware of the changes being made to LED lights. He said he intends to put off purchasing the lights until he is ready for them to be installed. He hopes that the necessary improvements will be made by that time. He does not expect to be ready for lighting for a couple of years.

Mr. Musgrove said there will no light spillage.

Mr. Mack said no. The lighting plan meets the Town's requirements.

Mr. Musgrove asked what the ceiling height would be in the basement.

Mr. Joffe said ceiling height would be 11 feet but the old beams will be retained so the height will be 9-10 feet.

Mr. Hankin asked how the handicap ramp would be lit.

Mr. Mack said the light poles near the building.

Mr. Joffe said there is nothing specific for the ramp. He said there will be step lights along the ramp.

Mr. Hankin said the ramp is a dominate element that needs to be looked at more carefully. He asked if there is any way to reduce it.

Mr. Mack said the ramp has been discussed and reviewed numerous times with the architects. It was determined that this is the best choice.

Ms. Nelson said she likes how open it is. It is an improvement over the first proposal with the large earth embankment.

Mr. Musgrove asked about railing for the ramp as they were not shown on the plans.

Mr. Mack said there will be a railing.

Ms. Fowle asked about a one story elevator.

Mr. Joffe said he had looked into it. He said they are ugly and slow. He said he wanted to avoid an elevator.

Mr. Rembold asked if the Board was satisfied with the handicap access from the parking lot to the retail space.

Mr. Hankin said the handicap parking locations are confusing.

Mr. Mack said the grades are difficult in the parking lot that is the reason they are located where they are shown on the plan.

Mr. Hankin asked if there would be building mounted lights.

Mr. Joffe said there would be shielded lights on the building there would be no spillage from the building. There would be up lighting on the building but the light will stay on the building. There will be soft lighting inside every window so there will be a glow.

Mr. Musgrove said he likes this plan better than the last proposal.

Mr. Hankin said the special permit is for a restaurant use, modifications in the Village Center Overlay District and a parking waiver. Mr. Hankin asked if the kiosk is a separate restaurant.

Mr. Rembold said it would be permitted under the special permit for the site.

Ms. McCormick said there is only one restaurant use for the site.

Mr. Hankin said this might want to be clarified.

Mr. Musgrove asked if the same person would run both the restaurant and the kiosk.

Mr. Joffe said probably not.

Ms. Fowle asked what kind of glass would be used.

Mr. Joffe said he intends to use distressed glass.

Ms. Fowle asked if he had considered bird safe glass. The glass has a tint that reduces bird kill.

Mr. Joffe said the windows would be divided light. Not all the panes would be large. He said he intends to build the windows. Another window will be installed on the inside for energy efficiency.

Ms. Nelson asked if the most north westerly space is an actual space or a loading berth.

Mr. Mack the handicap aisle will be used for the loading area.

Mr. Joffe said we have to prevent any parking along the north side of the building.

Mr. Hankin asked if the kiosk would be seasonal.

Mr. Joffe said he expects it to be used all year.

The Board determined it was ready to go through the Site Plan Review criteria. Mr. Musgrove read it.

Ms. Nelson asked about the proposed use of Bradford Pear trees given they were just removed from Main Street.

Mr. Joffe said he intended to keep them trimmed and low. He does not want them to block the building.

Ms. Nelson said the Tree Committee has a palette of trees to choose from. She suggested he look the list.

There was some discussion of trees and shrubs on the site.

Ms. Nelson asked if there was any thought of a fence between the neighbor's property and the parking lot.

Mr. Joffe said he hadn't discussed a fence but he would be willing to put one up if the neighbor wanted one.

Mr. Hankin asked if the trash cans would be screened.

Mr. Joffe said they are screened from the street by the building.

Mr. Hankin asked about the grade relative to the neighbor's and the retaining wall.

Mr. Mack said the retaining wall is two feet high at the maximum then slopes down.

The Board discussed the following conditions:

The ramp lighting and railing details need to be provided.

Minimize the visual impact of the of the north east corner of the parking lot from Main Street.

There can be no light spillage into the night sky.

It may be appropriate to provide some type of screening of the headlight glare onto the abutting property. ( Mr. Musgrove said this could be discussed at the Public Hearing so this condition should be left to the Selectboard. We can reevaluate after the public hearing if not adequately addressed.)

Mr. Hankin asked if the site plan approval could be voted on after the public hearing.

Mr. Rembold said yes there is time

Mr. Musgrove said the provisional condition for the SPR could be mitigating the light glare on the neighbors.

Mr. Musgrove made a motion to send a favorable recommendation to the Selectboard on the special permit for a restaurant use, modification in the Village Center Overlay District and the parking waiver request, Ms. Nelson seconded.

Also, look into the bird safe glass and screen the headlight glare from the abutting property. All in favor.

The Site Plan Review vote will be finalized at the April 23 meeting.

#### **PRELIMINARY REVIEW: 27 HUMPHREY STREET**

Eric Shamie, Bobby Houston and Grigor Fateyev, were present to discuss a preliminary plan for property at 27 Humphrey Street. The plan entitled "The Greenhouses" a Condominium Development dated March 24, 2015 showed what the applicants described as a small village mixed use residential development. The plan showed four new buildings totaling 8,400 square feet.

Mr. Houston said the intention is to observe the 100 foot setback from the Housatonic River. He said the existing buildings within the setback would be removed. There will be as much green space as possible.

Mr. Fateyev said the property is within the Water Quality Protection District. The plan will go before the Conservation Commission. He said the goal is to conform with zoning.

Mr. Fateyev discussed the plan saying a loop road would be created with four two story cottages approximately 1200 square feet footprint each. The houses would be traditional type houses

with contemporary details. He said the existing house would remain and be used perhaps as a separate dwelling or possibly an accessory use. He said that one of the greenhouses may also be kept to be used for growing opportunities for the residents.

Mr. Houston said the contours of the site have already been disturbed. He said no matter what is done recontouring is necessary. He said the site is a hidden pocket. The goal is to create a pedestrian driven community. The driveway is more of a pedestrian feature than a car feature. The campus would provide amenities the homeowners would share including a pool, greenhouse and exercise space. It is the goal to create a micro community.

Mr. Hankin asked what is driving this project.

Mr. Shamie said the site itself is beautiful and it is walking distance to town.

Mr. Hankin said the zoning for this area was created with specific goals. It is intended to be a transition zone between the downtown area and the residential area. There is a high potential for density on this site.

Mr. Shamie said high density is not our interest we prefer the single houses.

Mr. Hankin said the density is significantly lower than the intent of the zone.

Mr. Shamie said it had not occurred to him that the plan was not fulfilling the zoning.

Mr. Houston said they had looked at co-housing but found that less than 12 units would not be viable. He said the site kept kicking us off. This proposal is more appealing.

Mr. Hankin said the purpose of the zone was to have walk to town pedestrian access. He said the proposed road dominates the site.

Mr. Shamie said the discussions with the Fire Chief dictated the size of the road. It is necessary to provide fire apparatus access to the buildings.

Mr. Houston said the goal would be to have one car or less at each of the units. There will be a space for a car to drop unload if necessary then it is the intention that the cars would be parked off campus at the parking area that will be provided. Mr. Houston said the existing house might be used for a common area designed as an area where people gather.

The applicants will bring the plan to the Conservation Commission. They will return when the plans are more concrete.

#### **SITE PLAN REVIEW: HOUSATONIC SOLAR 1**

Mr. Rembold said the applicant was not able to attend this meeting. The Planning Board approved Site Plan Review for Housatonic Solar 1 last year. The permit will expire in June but the project will not be complete. The request is for an extension of the permit.

Ms. Nelson made a motion to extend the Site Plan Review approval for an additional year, Mr. Musgrove seconded, all in favor.

**PLANNING BOARD REPORT TO THE ANNUAL TOWN MEETING:**

The Board continued its discussion of accessory structures.

Mr. Fick said he had additional information saying that the suggested zoning is not new and has been around for a long time.

Mr. Musgrove said Ms. Nelson's concerns are about commercial properties.

Mr. Hankin said the intent is for residential properties. He said money is not as much of an issue with commercial properties as for homeowners. It would be more likely that commercial properties would be combined as we saw with Cumberland Farms.

The Board discussed language that would convey the intent of the proposal by making a small change to 3.2.1 agreeing on "New accessory structures to principal residential uses shall be permitted on the same lot or an abutting lot in common ownership".

Mr. Musgrove made a motion to send a favorable recommendation to the Town Meeting on the proposed article to amend the height regulations and definitions of accessory buildings and accessory uses, including the deletion of the second sentence of 8.2.6, in order to allow for construction of garages or barns with accessory dwelling units and the construction of accessory buildings on adjacent lots in common ownership as amended at tonight's meeting, Mr. Fick seconded, all in favor.

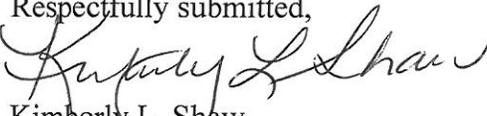
Ms. Nelson made a motion to have the Chairman sign the report, Mr. Musgrove seconded, all in favor.

**TOWN PLANNER'S REPORT;**

Mr. Rembold had nothing to report.

Without objection Mr. Hankin adjourned the meeting at 9:47 P.M.

Respectfully submitted,



Kimberly L. Shaw  
Planning Board Secretary

