

PLANNING BOARD

DATE: August 13, 2015
TIME: 7:00 P.M.
PLACE: Large Meeting Room,
FOR: Regular Meeting
PRESENT: Jonathan Hankin, Chairman; Suzanne Fowle; Jack Musgrove; Malcolm Fick
Chris Rembold, Town Planner

Mr. Hankin called the meeting to order at 7:00 P.M. Ms. Fowle had not yet arrived.

FORM A'S:

There were no Form A's present.

MINUTES: JULY 23, 2015

Mr. Musgrove made a motion to approve the minutes of July 23, 2015 as amended, Mr. Fick seconded, all in favor.

SPECIAL PERMIT: 224 NORTH PLAIN ROAD

Architect Diego Gutierrez was present with the applicants John Tracy and Linda Hoddy for a special permit application for a change to a pre-existing non-conforming structure at 224 North Plain Road.

Mr. Rembold said the Board would be making a recommendation to the ZBA.

Mr. Gutierrez said the house is completely within the front yard setback. The property is pre-existing as it was built in the 1870's.

Mr. Gutierrez said the property is very noisy because of the intersection and the metal bridge on North Plain Road. The applicants would like to enjoy the exterior of the property so they are requesting to renovate the front porch. They will not be enlarging it. It will be rebuilt on the same foot print. The deck in the rear of the property would be slightly enlarged. The deck would be constructed on metal piers. There would be a garden wall on a lattice fence to help mitigate the sound. The applicants want to create a back exit from the house out onto the deck. The deck will be a big benefit to the use of the property.

Mr. Musgrove asked if the renovations would make the structure any closer to the street.

Mr. Gutierrez said no. There is no increase in the non-conformity.

Mr. Musgrove said the proposals seem perfectly acceptable.

Mr. Hankin asked if there would be a side door in the garage to access the deck.

Mr. Gutierrez said no but it is doable. There could be a little bridge so they could go right into the house. He said they also want to make the house handicap accessible. The deck entrance will make for easy access into the house.

Mr. Fick asked if allowing a large deck is changing the footprint which could allow for someone to extend the house.

Mr. Hankin said in theory that could happen.

Mr. Musgrove said he did not feel that the non-conformity would be increased so it shouldn't be an issue.

Mr. Rembold said the Conservation Commission reviewed the plan and found no issues. They issued a negative determination.

Mr. Musgrove made a motion to recommend to the ZBA to permit the porch and the deck to be rebuilt as neither creates more of non-conformity. The proposals are not more detrimental to the character of the neighborhood than what exists. The Planning Board is also in favor of a potential connection from the garage to the deck, should the applicants choose to, Mr. Fick seconded, all in favor.

The Board must also make a recommendation to the Board of Selectmen.

Mr. Musgrove made a motion to send a favorable recommendation to the Board of Selectmen that under 9.2.14 there is no practical alternative to what is proposed and there would be no adverse impact, Mr. Fick seconded, all in favor.

SPECIAL PERMIT: 415 STOCKBRIDGE ROAD

The Board conducted a site visit prior to the meeting.

Attorney Nick Arienti from Hellman, Shearn and Arienti was present along with the property owner Navin Shah, Engineer Mike Kulig from Berkshire Engineering, architect Bob McIntosh, of Bradley Architects, Traffic Engineer Jon Dietrich, of Fuss and O'Neill, and Catherine Chester from Hellman, Shearn and Arienti.

Mr. Arienti said the application is to expand the existing Holiday Inn Express at 415 Stockbridge Road by adding a third floor and adding 20 rooms. The property is a pre-existing non-conforming use as there are currently 58 rooms, which exceeds the 45-room limit, but the hotel was approved prior to the 45 room limit being adopted. The application is to expand the use to 78 rooms. The original permit was granted in 2001. The room limit was adopted in 2008.

Mr. Arienti said the building footprint would not be increased and the height of the building would not exceed the zoning maximum of 40 feet.

Mr. Arienti said the Board of Health is satisfied with the project and the Conservation Commission has approved the project and issued an Order of Conditions.

Mr. Musgrove asked Mr. Rembold for clarification that because the hotel already exceeded the 45 room limit and is considered a pre-existing non-conforming use, the applicant can request a special permit to add additional rooms.

Mr. Rembold said that is correct.

Mr. Musgrove said there are two trees he would like to have saved; the maple tree on the south side of the property and the oak tree on the north side. Both trees would be lost because of the parking requirement. He suggested recommending that the ZBA consider waiving the four required loading spaces.

Mr. Hankin asked Mr. Shah how often the three loading spaces are used.

Mr. Shah said never. Only one of the loading spaces is used and it is used twice a week.

Mr. Fick said it is possible that at some point a restaurant could be added that could possibly require another loading space.

Mr. Arienti said there is currently no restaurant. If one were to be added it would require a special permit.

Mr. Rembold the zoning bylaw defines hotels as uses that might or might not have a restaurant, so a hotel might be allowed as a part of a hotel and might not require a separate special permit.

Mr. Musgrove said the Board could recommend waiving the spaces.

Mr. McIntosh gave a brief overview of the addition explaining the layout for the additional rooms and the rearrangement of the existing rooms and common areas as per the submitted application.

Mr. McIntosh said there are two noticeable changes proposed for the exterior of the building. The first would be the addition of the third floor. The second would be the addition of 4-4.5 feet of stone at the base of the building and the exterior of the tower. The stone will be a nice accent to the building.

Ms. Fowle arrived at 7:41 P.M.

Mr. Kulig presented the engineering of the site as described in the application. He said the north side of the parking lot would be expanded 20 feet. The dumpster would be moved over two parking spaces. New parking on the south side of the building would be accessed along the east side of the building. The existing catch basins on the site will accommodate all the water on the site. There will not be an increase in run off as the surface material will be pervious.

Mr. Kulig said the existing lighting will remain. There are three lights on the south side of the building that will have a new type of light that will have less of an impact than the existing lights. They will be on a motion detector and timer.

Mr. Kulig said there are no issues with the water and sewer. The Conservation Commission has issued an Order of Conditions. There will be a modest impact on the abutting wetlands. We can work to keep the pin oak.

Mr. Musgrove asked about the drainage on the south side of the building.

Mr. Kulig said the surface will be pervious. If there is a lot of rain, the water will go into the catch basins and the perforated pipe that goes into the detention pond in the back.

Ms. Fowle asked if they have a permit from the Conservation Commission.

Mr. Kulig said yes.

Mr. Hankin asked if the hotel is full would all the parking spaces be used?

Mr. Shah said yes.

Mr. Musgrove asked how many handicap spaces there are.

Mr. McIntosh said there are currently three spaces, one more would be added.

Mr. Hankin asked how many entrances are there to the building.

Mr. McIntosh said there are a total of 5 entrances.

Mr. Hankin asked if there is a sidewalk on the east side adjacent to the driveway.

Mr. McIntosh said yes there is a sidewalk along the east side of the building to the south corner. He said the south parking lot would not be lit all the time. It would be lit when being used. There will be 0 foot candles 50 feet from the building.

Mr. Hankin asked if the lights would have horizontal cutoffs.

Mr. McIntosh said they would be adjustable and the lights would be pointed down. Currently the lights are bare bulbs. The new light can be adjusted. The lights are mounted 16 feet up and will not be raised any higher.

Mr. Musgrove asked how long the lights will stay on.

Mr. Kulig said five minutes but they are on motion sensor so if people are in the parking lot moving around the lights will not go off until there is no more motion.

Mr. Musgrove said he would like to swap out two loading spaces for the two trees.

Mr. McIntosh said it is possible to work around the oak tree. The maple tree is more difficult as the root system is shallow. Both trees will need to be pruned to reduce their demand for water and nutrients.

Mr. Arienti asked if the required number of parking space can go in and still save the trees.

Mr. McIntosh said he is not sure.

Mr. Kulig said both trees were planted as part of the original plan and would be replaced if they can't be saved.

Mr. Fick said a good effort should be made to save the trees but if they can not be saved they should be replaced.

Mr. Rembold said we do not currently have a site plan review application. They will need to file for site plan review if the special permit is approved. The recommendation for the trees can be made to the ZBA but the Board can make it a condition of the site plan review approval.

Mr. Fick said he would be willing to recommend waiving the loading spaces provided a good faith effort is made to save the trees.

Ms. Fowle said the reason for the special permit is for an increase in the number of rooms.

Mr. Hankin said yes that the room limit was imposed after this project was approved for more rooms than allowed by the room limit. Because the hotel already exists with more rooms it is a pre-existing non-conforming use so a special permit can be applied for from the ZBA.

Mr. Musgrove said future hotels would be required to meet the room limit. He said he is confident the owner thinks there is enough of a demand for additional rooms. He said he thinks the expansion should be allowed as it would be better to add to what exists rather than have a new hotel.

Mr. Arienti said 5.2.1 requires the proposed changes not to be substantially more detrimental to the neighborhood. He said the statement is requiring a finding that the change not outweigh the benefits of the project.

Ms. Fowle said this is the gateway to Great Barrington when entering from the north so it is important.

Mr. Musgrove said he wished it would look more like a New England structure. He said he has seen some that are better looking than what is proposed.

Mr. Hankin said gables would increase the mass. He said hip roofs are also indicative of New England architecture. He said that from a land use standpoint the parcel has already been developed. The project sacrifices a bit of green lawn but it is for a pervious parking surface.

However, it is a chain hotel that would become more prominent. He said the Board could choose to not make a recommendation.

Mr. Arienti asked if he could point out that the project is in compliance with the land use section of the Master Plan. He said the project hits all the points of the land use section. He said he feels the presentation has done a good job of demonstrating compliance. Any impact would be mitigated by installing new plantings. He said the project is as minimal as possible.

Mr. Fick added that the changes are very small. The footprint of the building is not being increased. He suggested, even though it has nothing to do with the project, that a crosswalk needs to be installed on Stockbridge Road.

Ms. Fowle said she appreciates the efforts to minimize the impact. She said we need to hang on to our character. This hotel is a misrepresentation of Great Barrington at the entrance. She said she puts stock in the psychological impact.

Mr. Hankin said there would be tax benefits.

Mr. Arienti said yes. There would be an additional \$25,000 in property tax and approximately \$22,000 in room tax.

Ms. Fowle said it seems inconsistent with the work the Board did to allow for rooms in historical structures.

The Board took a straw vote. Mr. Fick and Mr. Musgrove were in favor of the project. Ms. Fowle was opposed to the project.

Mr. Hankin said he would like to abstain. He said he didn't feel strongly one way or the other. He wished the hotel were not there but it is and adding 20 rooms wouldn't change it much. Overall he said he does not want to encourage chain hotels.

Mr. Rembold said it might help the ZBA to talk about the reasons for your vote in relationship to the special permit findings that they will be required to make.

Mr. Musgrove made a motion to send a letter to the ZBA that the Planning Board finds that the project only needs one loading space and ask them to incorporate it into their findings and recommend using those loading spaces to save the oak tree on the north end of the project, Mr. Fick seconded, all in favor.

Mr. Musgrove said the proposed change would not be substantially more detrimental to the neighborhood. He said he would be happier if the building was more attractive.

Selectman, Ed Abrahams asked what could be done to make the building more attractive. He asked if a recommendation could be to add some architectural features.

Ms. Fowle said there is a lot of work proposed for the buffer zone that will have a big impact.

Mr. Hankin said section 5.2 requires the applicant to demonstrate to the ZBA that the project would not be substantially more detrimental to the neighborhood. He said in his mind the neighborhood is the entire town.

Mr. Fick said he does not think it would be more detrimental. He said this is a well run business. He thinks that visitors find it a good place to stay. He said he does not think it is ugly. A good job has been done providing shielding. He said he does not wish that it were not here. He said if we didn't have chain hotels we wouldn't have visitors. He said he would rather not make a recommendation than to oppose it.

Mr. Hankin said this has been an informative discussion. He asked if the main points had been put down.

Mr. Rembold said yes. He could transmit them to the Board members. Mr. Rembold had put the main points into a document he displayed on the wall.

Mr. Fick said he thinks the Board will agree on what has been discussed.

Mr. Arienti said he did not feel the aesthetics were really noticeable. He said when driving into Great Barrington the radio station with the big antennae is very noticeable. Mr. Arienti asked the Board to consider the neighborhood to be only this area on Stockbridge Road. This area is a mix of many businesses. Overall this proposal is a very insignificant change. He added that Holiday Inn Express management is requiring the owner to add the third floor. If he doesn't expand the building he is going to lose the brand. There is value for this brand to be in Great Barrington. It attracts visitors to the town and provides revenue. The business is a plus for the community. The project is a substantial benefit to the community. The negatives do not outweigh the benefits.

Mr. Musgrove said this is the first mention that the brand name could be lost. He said that point might have been brought up earlier in the discussion. He said he is sympathetic to the cause.

Mr. Fick said Great Barrington is a tourist based economy. We act like we want the economy, but not the tourists.

Mr. Hankin said visitors come here because we are not like other towns in the USA. If we homogenize, they will not come.

Ms. Fowle said the town spoke clearly when they adopted the room limit.

Mr. Fick said he would not have voted for a room limit.

Mr. Hankin said it already exists and taking that into consideration the proposal would be substantially more detrimental.

Mr. Musgrove said it would be better to add to what exists rather than build another somewhere else.

The Board decided to continue the recommendation to the next meeting on August 27, 2015. Mr. Musgrove said he would not be present for that meeting.

TOWN PLANNER'S REPORT:

Mr. Rembold said the Secretary of Transportation for the State was in Town to look at the Main Street project with Town staff and contractors. She was pleased with the project and how smoothly the project was going.

Mr. Musgrove asked when the trees would be planted.

Mr. Rembold said they would most likely be planted in the spring, but maybe not until fall.

Mr. Hankin asked if there was anything new regarding the 100 Bridge Street remediation.

Mr. Rembold said there is nothing new.

OTHER CONCERNS & BOARD/COMMITTEE UPDATES:

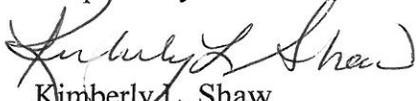
There were no concerns or updates.

CITIZEN SPEAK TIME:

No one spoke.

Having concluded their business, Mr. Hankin adjourned without objection at 9:42 P.M.

Respectfully submitted,


Kimberly L. Shaw
Planning Board Secretary