

PLANNING BOARD

DATE: November 12, 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.

Mr. Musgrove said he had filed a statement with the Town Clerk that he read the minutes and the material from the last meeting he missed. He is in compliance with the Mullen Rule regarding the 79 Bridge Street matter.

FORM A'S:

Michael Parsons from Kelly, Granger, Parsons and Associates was present with a Form A application on behalf of Fairgrounds Redevelopment LLC to create 1 lot containing 9.488 acres of land located on the east side of South Main Street. The parcel will be used for a solar array. The property is owned by a non-profit organization. There will be a fee paid for the solar panels to be on the site therefore the parcel had to be separated from the remaining land.

Mr. Musgrove made a motion to approve the plan, Ms. Fowle seconded, all in favor.

Michael Gigliotti from Sacket Survey Services was present with a Form A application on behalf of Shin Nominee Realty Trust for two parcels of land located on the east side of Stockbridge Road. Lot A contains 1.05 acres of land. Lot B contains 0.73 acres of land.

Mr. Musgrove made a motion to approve the plan, Mr. Fick seconded, all in favor.

MINUTES: OCTOBER 8 & 22, 2015

Mr. Musgrove made a motion to approve the minutes of October 8, 2015 as amended, Ms. Nelson seconded, all in favor.

Ms. Fowle made a motion to approve the minutes of October 22, 2015 as amended, Ms. Nelson seconded, all in favor.

SITE PLAN REVIEW: KSNS STOCKBRIDGE ROAD REALTY TRUST

Attorney, Nick Arienti was present to discuss the Site Plan Review application for KSNS Stockbridge Road Realty Trust. He said the ZBA granted a special permit for the third floor addition to the Holiday Inn Express. There would be no expansion of the footprint. There will be some revisions to the lighting and impervious surface for the additional parking.

Also present for the applicant, Mike Kulig from Berkshire Engineering and architect Bob McIntosh from Bradley Architects.

Mr. Kulig said the Pin Oak at the north end of the property will remain. The goal is to save it. If the tree does not make it, another tree will be planted in that location.

Mr. Kulig said the access driveway in the front of the building has been moved 5-7 feet closer to the building. Pulling the driveway in will allow for plantings between the access road and Stockbridge Road. He said these are the only modifications from the previously submitted plans.

Mr. Hankin asked if the trees along the south property line will be cut down.

Mr. Kulig said yes.

Mr. Hankin asked if they would be replaced.

Mr. Kulig referred him to the Landscaping Plan sheet in the plans.

Mr. McIntosh the planting plan between the access road and Stockbridge Road will allow the planting area to expand to about 12 feet. He said the plants that currently exist will remain. The plan is to replicate the density and quality of the plantings already there. The goal is to make the new plantings be as good and as effective as what exists.

Mr. McIntosh said there is only one large tree on the south side of the property. That tree will be removed and not replaced. There is an Oak on the south east corner that will also be removed. He said as many plants as possible will be moved and replanted. The goal is to replicate what is there.

Mr. Musgrove said the plans show that there will be 3 loading spaces. He asked that the plan be corrected to show only one as approved by the special permit.

Mr. McIntosh said he would make the correction.

Mr. Hankin asked that Mr. McIntosh go through the lighting plan.

Mr. McIntosh said an existing light pole on the northwest side will be moved to the west. There are three lights mounted on the south side of the building. Those lights will remain in the same location but the fixture will be changed with LED downward directed lighting. There will be no spill onto adjacent property. These lights will be on motion sensors so they will not be on all the time.

Mr. Hankin asked if the drainage from the site will go into the detention basin.

Mr. Kulig said yes. He said there will be a perforated subdrain under the pervious pavement material of the parking lot. Rainwater will infiltrate through the parking lot surface, into the drain, and will go into the detention basin.

Mr. Hankin asked if the detention basin would be enlarged.

Mr. Kulig said no because the parking lot will be made of pervious material. There will be no need to expand the detention basin.

Mr. Hankin said he is concerned about the Purple Loosestrife.

Ms. Fowle said if it is not Purple Loosestrife it will be something else.

Mr. Kulig said it could be mowed down to keep under control.

Ms. Nelson suggested it be managed and not allow it to go to seed.

Mr. Hankin asked about screening.

Mr. Arienti said most of the screening along the south boundary will remain.

Ms. Nelson said she noticed the landscaping this fall. She said the property looks nice. They are doing a good job. She said she hopes the landscaping will continue to be maintained to look nice.

Mr. Hankin asked Ms. Nelson if she saw any drainage issues.

Ms. Nelson said no.

Mr. Musgrove said the traffic study indicates that there will be no change in service at this location.

Mr. Kulig said that is correct.

Mr. Arienti said with the 20 additional rooms the traffic study demonstrates that there would be 5 additional trips during the week and 7 additional trips on weekends during peak traffic hours. There would be no decrease in levels of service at affected intersections.

Ms. Nelson read through the site plan review criteria.

Mr. Musgrove asked if there would be a crosswalk put in.

Mr. Arienti said the owner has engaged the Town in discussion regarding a crosswalk.

Eileen Mooney asked if Stockbridge Road is a Town road or a State road.

Mr. Rembold said the State maintains and owns Stockbridge Road. He said Town staff has begun informal discussion with the hotel owner.

Mr. Hankin asked if there would be anti-tracking pad put in during construction.

Mr. Kulig said the new construction would be far enough off the road that he did not believe one would be necessary.

Ms. Nelson asked if there is a construction plan.

Mr. McIntosh said the plan for construction is beginning in September 2016 with construction over the winter. A full plan has not been set yet.

Mr. Hankin asked that appropriate sediment controls be in place to not track onto the road.

Mr. Kulig said it will be part of the plan. He said the State will also have a say in the construction plan.

Mr. Hankin asked about the maintenance of the detention basin.

Mr. Kulig said the Conservation Commission has put language in place for maintenance.

Ms. Nelson said there is probably a requirement to clean the detention basin once a year. She suggested a requirement to mow the detention basin once a year and require an annual vacuuming of the impervious area.

Mr. Musgrove made a motion to approve the Site Plan Review with the conditions that the detention basin be cleaned at least once a year, that the detention basin be mowed once a year before the Purple Loosestrife goes to seed and the impervious surface be vacuumed once a year, Ms. Nelson seconded, all in favor.

ZONING BYLAW AMENDMENTS FOR 2016:

Mark Malloy from BRPC was present to discuss zoning for the MGL Ch. 40R Smart Growth State program. He provided the Board with handouts.

Mr. Malloy said he concentrated on development within the next 5 years. He said the zoning is focused on mixed use high density residential areas. The Town would receive an upfront payment from the State once the zoning is adopted. The Town could potentially realize \$2.5 million if the plan were fully developed.

Mr. Hankin asked how the residential density bonus is calculated.

Mr. Malloy the figure is 20 units per acre. There would be incentive payments for every unit built.

Mr. Hankin said the density calculations assume that parking can be accommodated.

Mr. Malloy said it depends on the area.

Mr. Musgrove said we could write the zoning to have a parking requirement.

Mr. Rembold said design guidelines would be the tool to use for parking requirements. He said right now the Board needs to decide if 40R is something you want to adopt.

Mr. Malloy said there is availability in the B-2 zone for this zoning overlay. He said the State Road and Belcher Square area is too difficult to accommodate the required density. He said he didn't think the State would approve anything north of the Brewery but they could approve in the B-2 zone which would potentially accommodate 600-700 units.

Jeff Cohen, a developer familiar with 40R zoning, said Lee and Adams have 40R zoning. He said he didn't know if it would apply to a residential zone.

Mr. Malloy said commercial and industrial zones are generally what the State looks at. Here the B-2 zone allows some residential. It might not be in compliance with the affordable number requirements.

Mr. Rembold said there is the potential for a lot of multi-family development that could occur in the sub zones. He said a great deal of the B-2 zone does not fit the high density residential, walkable area with water and sewer. He said having 40R applied to the B-2 zone, as was previously suggested, is not in keeping with the Master Plan.

Mr. Malloy said it could be recommended in Housatonic as the first increment, then the Board should figure out what you want to do with the B-2 zone before adopting 40R.

Mr. Cohen said 40R zoning enhances development of industrial uses that would not otherwise be developed. It changes the playing field for reuse by making tax credits available.

Mr. Hankin asked if the Housatonic school would be more appealing to a developer with 40R zoning.

Mr. Cohen said the school is developable as it sits. He said the mills need this incentive to be redeveloped.

Ms. Nelson said each one would be identified with a subzone if we adopted this zoning.

Mr. Rembold said there would be one zoning bylaw. The decision to seek adoption of 40R would be joint with the Selectboard. The decision would be submitted to the Department of Housing and Community Development who would have to approve the decision. Then the zoning amendment would go before the Annual Town Meeting for approval.

Mr. Hankin said with 40R in place it would remove the possibility of a 40B development going in.

Mr. Malloy said some towns deny 40B proposals when they are close to meeting the affordable housing threshold of 10%. DCHD would back the denial if there is 40R housing in place.

Mr. Higa asked if there is a requirement in 40R to reuse buildings.

Mr. Malloy said there would be no issue with tearing buildings down.

Mr. Cohen said 40R enables developers to reuse some old buildings. Sometimes it is better to tear down if not designated historic.

Mr. Hankin asked which is better.

Mr. Cohen said there are more tax credits to tear down and rebuild under 40R. It doesn't preclude seeking historic tax credits for adaptive reuse of buildings. He said there are more benefits with 40R.

Mr. Rembold said the Town is very close to having 10% affordable housing. He said the Town needs 63 affordable housing units to reach 10%. There are 11 proposed by Construct and another 45 proposed at 100 Bridge Street. He said it is likely the 10% will be reached within the next 8-10 years.

Mr. Hankin said 40R might offer initiative for redevelopment of the Housatonic Mills.

Mr. Rembold said yes. There is already a 20% requirement for affordable housing in the mills. There is an overlay applied to the mills.

Mr. Cohen said affordable does not have a negative connotation. Affordable 1 bedroom units can rent for up to \$940 per month and a 2 bedroom rents for \$1300. The numbers are very close to market value.

Mr. Musgrove said the 40R makes a lot of sense for the mills in Housatonic.

Ms. Fowle said maybe for the mills but not necessarily for the school.

Mr. Higa said the school could be torn down.

Mr. Fick said a preservation restriction could be put in the bylaw to keep it from being torn down.

Mr. Malloy said requirement could be modified by subzone. Each subzone could be crafted a little differently.

Mr. Rembold said the Design Guidelines could also be the tool to restrict certain things.

Mr. Malloy said yes.

Ms. Nelson said she loves ideas for redevelopment and reutilization but she said she has concerns about the mill building potentially having 200 housing units.

Ms. Fowle wasn't feeling well and left the meeting.

Mr. Rembold asked what the next step is in the process.

Mr. Malloy said if you want to move forward bring the information to the Selectboard. There are a number of things that need to be decided before BRPC can draft a model bylaw.

Ms. Nelson asked Mr. Rembold how soon a meeting could be arranged with the Selectboard.

Mr. Rembold said there is a lot going on right now. He did not think it would be possible to get everything done in time for the 2016 Annual Town Meeting.

Ms. Nelson said perhaps the 40R Fact Sheet could be forwarded to the Selectboard so they are aware of what we are considering.

Mr. Cohen suggested having a couple of developers attend the discussion when it takes place.

Ms. Nelson made a motion to send a letter of inquiry to the Selectboard with some basic background information on 40R zoning with the potential benefits for the Town. Explain the graphics of subzones and the Smart Growth Residential Density Spreadsheet, Mr. Musgrove seconded.

Mr. Fick said the B-2 zone should not be included.

All in favor.

Mr. Rembold went through the report he prepared for the Planning Board dated 11-12-15 regarding mixed use zoning on South Main Street, Maple Avenue and State Road.

Mr. Musgrove said he thought there should be different rules for existing buildings and vacant lots. He said he thought development on vacant lots should be sympathetic to the existing fabric.

Ms. Nelson said both State Road and South Main Street are busy highways but there is a different feel for each area.

Mr. Musgrove felt size of structures should be considered.

Mr. Higa asked if we can adopt design standards that are very specific.

Mr. Fick said he did not think density should be substantially increased.

Mr. Hankin said he is concerned about adversely affecting property values.

Mr. Rembold said he would like some help working on this zoning.

Mr. Hankin and Mr. Musgrove will assist.

Ms. Nelson said the more zones and subzones that are created, the more complicated it becomes.

There was a brief discussion of the Water Quality Protection District. The language in the bylaw needs to be cleaned up. The Board agreed that drinking water sources need to remain protected, but there are sufficient regulations with the DEP and the Conservation Commission to protect other waters.

TOWN PLANNER'S REPORT:

Mr. Rembold said the Site Plan Review discussion of 79 Bridge Street is scheduled for the December 10 meeting.

Ms. Nelson said she is concerned about this Board putting a lot of time into this discussion when the applicant might not get their special permit.

Mr. Musgrove said he would like to discuss the letter about 79 Bridge proposal received from Town Counsel.

Mr. Fick said he would like the Board's recommendation to be reconsidered.

Mr. Hankin said that since this item was not listed on the agenda there could be no discussion, but that it can go on the next agenda.

Mr. Rembold said there needs to be a joint discussion with the Selectboard regarding 100 Bridge Street. He said he had not been successful in getting a meeting date. He said there might need to be another meeting scheduled in December.

BOARD & COMMITTEE UPDATES:

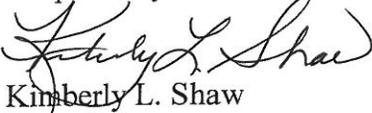
Ms. Nelson said the Lake Mansfield Improvement Task Force had a meeting on November 4 with the consultant. She said approximately 60 people were in attendance. Another public information meeting is scheduled for January 13, 2016 and another in March. She said any suggestions on how to reach a wider cross section of people would be appreciated.

CITIZEN'S SPEAK TIME:

No one spoke.

Having concluded their business, Mr. Hankin adjourned without objection at 9:40 P.M.

Respectfully submitted,



Kimberly L. Shaw
Planning Board Secretary

Material Presented at the Meeting:

- Undated handouts from BRPC re: Smart Growth Zoning
- Town Planner's Zoning Power Point dated 11-12-15

