

PLANNING BOARD

DATE: March 24, 2015

TIME: 7:00 P.M.

PLACE: Large Meeting Room

FOR: Regular Meeting

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

Mr. Hankin called the meeting to order at 7:04 P.M. He announced that the meeting was being recorded.

FORM A'S:

There were no Form A's presented.

MINUTES: FEBRUARY 10, 2016

Ms. Fowle made a motion to approve the minutes of February 10, 2016 as amended, Ms. Nelson seconded, all in favor.

CHAPTER 61 : LAKE BUEL ROAD

Mr. Rembold explained that the Chapter 61 program is an assessment program designed to keep taxes low on farmland.

Mr. Rembold said the request is to remove one acre of land from Chapter 61. The land is owned by the Beckwith family and is located on Lake Buel Road. When land is being removed from Chapter 61 the Town has the right of first refusal to purchase the land. The Planning Board is to make a recommendation to the Selectboard on whether or not to exercise their right. The Conservation Commission supports the Selectboard waiving their right of first refusal.

Mr. Rembold said the remaining land will remain in Chapter 61.

Ms. Nelson asked if the Board of Health would approve the land for septic purposes.

Mr. Rembold said he didn't know but zoning requirements would be met. He said it would be a surprise if the land had not been determined to be suitable for a septic system. He said it wouldn't make sense to take it out of 61 if the land would not meet building lot requirements.

Mr. Fick asked what the options are.

Mr. Rembold said the Selectboard can exercise their right of first refusal; they can assign their right to a third party like a land conservancy or waive their right.

Ms. Nelson made a motion to recommend to the Selectboard that they waive their right of first refusal, Ms. Fowle seconded, all in favor.

TOWN PLANNER'S REPORT:

Mr. Rembold said there are emerging issues with "Tiny Houses". He said the definition of Tiny Houses is 500 square feet or less. The house is on a trailer with wheels so it can be towed around the country. The Tiny Houses are self contained housekeeping units with water tanks and septic tanks included.

Mr. Rembold said there has been an inquiry about if Tiny Houses are allowed in Great Barrington. The answer is cloudy because if the unit is on a trailer on wheels it would be registered as a motor vehicle. There would be no building code requirements because it would be registered as a motor vehicle and not a dwelling unit.

Mr. Rembold said typically the units have solar panels so they are off the grid. The units have composting toilets and self contained water tanks.

Mr. Rembold said the advantage to these units is they are cheaper to buy and live in than a conventional home. He said the Board can consider if there should be more in depth discussion specifically in terms of zoning implications.

Mr. Hankin said he had a discussion with the State Building Commissioner, Gordon Bailey. Mr. Bailey said a dwelling unit must be built to code and inspected before electric and insulation can be installed. Mr. Bailey said the building would have to be attached to the ground to be considered a dwelling unit for Building Code purposes.

Mr. Higa asked if we know if people would live in them on their own property or on the property of family or friends. He wondered if they would be taxed. He said it would be interesting to know how this issue has been addressed by other communities.

Mr. Hankin said taxes for motor vehicles would be the excise tax.

The Board briefly discussed the Town's regulation about living in a trailer or mobile home. The regulation would allow for a trailer or mobile home to be used as a dwelling for not more than 60 days in a 12 month period following a disaster, such as a fire. The regulation is specific to hardship cases.

Ms. Nelson said she appreciates the question of taxes. She wondered how sanitary the unit would be. She said if someone were living in one of these units for more than 60 days they would need to connect to potable water. They would have to get their septic tank pumped out. She said she is concerned about how healthy it would be to live in one for a long time.

Mr. Higa asked where the refuse water would go.

Mr. Rembold said he wasn't sure, perhaps into a gray water tank.

Ms. Nelson said she would have concerns about the character of the neighborhoods and the community.

Ed Abrahams asked why there is a restriction on mobile homes or trailers. Is it because they are ugly?

Mr. Hankin said they are not allowed. They are only allowed by special permit if a hardship can be proven.

Ms. Fowle said it is difficult for people in the lowest income brackets to get special permits.

Mr. Rembold said the building code regulates dwelling units and the minimum amount of square footage.

Mr. Hankin said there are four criteria that have to be met, the unit must have a kitchen, bathroom, sleeping area and living space. There needs to be a minimum of 70 square feet of sleeping space.

Ms. Fowle said we should consider the original question, should Great Barrington consider allowing them. She said with cost of living here it might be a way to allow groups of people we are lacking to live here.

Mr. Rembold said if they are kept on wheels building code would not apply.

Ms. Nelson said she thought it should be looked at.

Mr. Rembold said thinks BRPC should do a 5th Thursday Dinner meeting about this issue

Mr. Rembold said there will be a 5th Thursday Dinner on March 31. The topic will be Complete Streets. The discussion will be about ways of designing streets to be accessible and safe for all users, vehicular, pedestrian, bicycles. He said the Master Plan does recommend Complete Streets when reconstructing existing streets. He said the DPW does try to comply but some streets are too narrow so there is not enough room to accommodate the requirements.

Mr. Fick said the key is to have a plan so projects can apply for State funding.

Mr. Rembold said the first phase is for the Selectboard to accept a policy meeting the State's criteria for Complete Streets and identify streets that are eligible for the design.

Mr. Higa asked what the driving force is behind the Complete Streets program.

Mr. Rembold said the Department of Transportation, DOT. It is intended to provide transportation benefits.

Mr. Rembold let the Board know that the 3rd survey for Lake Mansfield is on line. He encouraged the members to take the survey.

Mr. Hankin asked if the Lake Mansfield committee looked at just the survey results or input from all sources.

Ms. Nelson said input is gathered from all sources.

Mr. Rembold asked if the Board wanted to do a site visit for the special permit discussion for the next meeting.

The Board said no.

Mr. Hankin said it is a straight forward application. We will look at what was approved. See if it is something we would approve now and recommend to modify if necessary.

BOARD & COMMITTEE UPDATES:

Mr. Rembold said the CPC had approved warrant articles for the Annual Town Meeting and worked on their report to Town Meeting.

Mr. Rembold said the CPC is planning an event on April 10 at the Wheeler Farmstead to allow people to review the proposed projects that will be discussed at Town Meeting.

Mr. Hankin said he would like everyone to present an article at the Annual Town Meeting as in previous years. He also asked the members to consider being the representative to the CPC as Ms. Fowle will be leaving.

CITIZEN'S SPEAK TIME:

Mr. Abrahams said he would like more guidance on the Chapter 61 right of first refusal.

Mr. Hankin said the Town has 120 days to exercise its right of first refusal for land being taken out of Chapter 61 . It has been suggested that if the Town does not plan to exercise their right they should let the applicant know as soon as possible. Mr. Hankin said one time he recalled the Town assigning their right to a third party, the Land Conservancy. That resulted in the Land Conservancy coming up with the money to purchase the property north of Taft Farm known as the strawberry field.

Mr. Rembold added that this is a small piece of land with the remaining land staying in Chapter 61 .

Having concluded their business, Mr. Hankin adjourned without objection at 8:02 P.M.

Respectfully submitted,



Kimberly L. Shaw
Planning Board Secretary

Material presented at the meeting:

--Draft minutes from the March 10, 2016 meeting

--Email dated 3/23/2016 from Town Planner Chris Rembold to the Board

--Article in Zoning Practice November 2015 re: Tiny Houses

--Citizens speak letter submitted by Nan Wile re: Lake Mansfield Road

