

## PLANNING BOARD

DATE: October 13, 2016  
TIME: 7:00 P.M.  
PLACE: Large Meeting Room  
FOR: Regular Meeting  
PRESENT: Brandee Nelson, Chair; Malcolm Fick; Jonathan Hankin; Jack Musgrove;  
Jeremy Higa  
Chris Rembold

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

### **FORM A'S:**

Patrick McColgan from Taconic Consultants was present with a Form A application on behalf of Rosemarie Siegel for three parcels of land located on the west side of Alford Road. Lot 1 contains 2.007 acres of land, Lot 2 contains 1.004 acres of land and lot 3 contains 5.430 acres of land.

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

Mr. Higa arrived at 7:03 P.M.

### **MINUTES: SEPTEMBER 22, 2016**

Mr. Hankin made a motion to approve the minutes as amended, Mr. Higa seconded, all in favor.

### **SITE PLAN REVIEW: 47 RAILROAD STREET**

Applicant Ian Rasch was present along with Sarah Gapinski and Mark Valenti from SK Design to further discuss the Site Plan Review for 47 Railroad Street.

Mr. Rembold said the cover letter of the handout summarizes the minutes from the last meeting.

Ms. Gapinski addressed the issues raised at the last meeting. She said bollards would be installed at the alley entrance from Railroad Street. The bollards will double as bike racks. She said the electric service will be relocated and the gas line will remain the same. A new drain will be installed that Joe Sokul has reviewed and is in favor of the new location.

Ms. Gapinski said the proposed surface around the building and alley will be permeable. She said bollards will be installed at the Castle Street alley entrance. The bollards at both ends of the alley will be removable. She said the drainage from the site will be directed into drainage structures.

Ms. Gapinski provided information on the temperature specifications for the lighting.

Mr. Hankin asked how the roof drainage would be handled.

Ms. Gapinski it will go into the site drainage system.

Mr. Musgrove asked about lighting.

Mr. Valenti said there will be down lighting along the building and in the alley.

Mr. Hankin asked if the bollards at the south end of the alley will keep people out.

Ms. Gapinski said it will deter traffic.

Ms. Nelson asked about dumpster access.

Ms. Gapinski said the bollards are removable. Trash removal will not be an issue.

Ms. Nelson asked about grate specifications in the alley. She suggested selecting something pedestrian friendly.

Ms. Gapinski said it will be part of the construction detail. The suggestion will be considered during that process.

Ms. Nelson asked about parking.

Ms. Gapinski said there is no parking requirement for the residential portion of the project. Commercial parking is required. There is no availability for parking on site so an agreement has been made with 284 Main Street to lease 12 parking spaces for this use. There is a 10 year lease with 2 10 year renewal options in place. The project requires 11 parking spaces.

Mr. Musgrove asked what the percentage of project is commercial.

Ms. Gapinski said there are 5 commercial spaces and 12 residential units.

Ms. Nelson said Site Plan Review was gone through at the last meeting but with the additional information provided we can go through it again. They have met all of the requests made at the last meeting.

Mr. Musgrove asked if there would be tables outside as they were with the previous use.

Mr. Rasch said he would like to have tables outside and hopefully a café.

Mr. Musgrove read through Site Plan Review.

Mr. Musgrove said he didn't think there were any issues with Site Plan Review.

Ms. Nelson said the plan does not specify the color of the bollards.

Mr. Rasch said it is his intention to have black bollards.

Mr. Musgrove made a motion to approve Site Plan Review, Mr. Fick seconded, all in favor.

**THEORY WELLNESS: 394 STOCKBRIDGE ROAD**

Mr. Rembold said Theory Wellness is planned to propose a Medical Marijuana Dispensary on Stockbridge Road. The application was not submitted prior to the meeting. Nick Anderson is present to give a brief overview and set a site visit.

Ms. Nelson asked Mr. Anderson to provide the overview in 2 minutes.

Mr. Anderson said the proposal is for a one story wood frame structure. The use is for the sale of medical marijuana. The use is allowed by-right but requires Site Plan Review. The location is between Laramie Cleaners and Price Chopper. The surface at the site is impervious but a portion of it will be removed to plant grass. The project will take 6-8 months to construct. There is a purchase and sale agreement. The license from the State is in process.

Mr. Fick said if the construction is running concurrent with the license approval what will happen if the license isn't granted.

Mr. Anderson said he couldn't comment.

The Board set a site visit for 5:30 P.M. on October 27, 2016. The applicant will return to the next meeting.

Mr. Anderson said he did not have the Form A application for St. James place but he is working on the plan. He said there will be a revised site plan for the site. There is a parcel of land along the railroad tracks that will be proposed to swap with the parking at Hellman and Shearn. The present parking configuration would be changed to provide most of the required parking for St. James Place where Hellman and Shearn have parking.

Mr. Rembold said this is primarily a change of ownership.

Mr. Anderson said he will prepare the Form A and let Mr. Rembold know when it is ready.

**SMART GROWTH ZONING:**

Mark Malloy from Berkshire Regional Planning Commission was present to discuss 40R Smart Growth Zoning.

Ms. Nelson said the meeting with the Selectboard was good. There was a general consensus so the Selectboard has encouraged us to explore the zoning further. She asked the Board if they want to take a phased approach or to go all in.

Mr. Malloy proposed a time line of 30 days to review for completeness and 60 days for approval. The time frame is outlined in the handout.

Mr. Rembold said we will go through a typical writing of the bylaw. If we get into the process and we don't make it to the Annual Town Meeting we will still have time as the DHCD approval is good for three years.

Ms. Fick said it seems that the proposed time line could result in missing the Annual Town Meeting by a week or two. He asked if the process could be accelerated.

Mr. Rembold said there can be flexibility with that.

Ms. Nelson said if we consider sites in Housatonic we should consider having a meeting there. She asked if a subcommittee should be formed.

Mr. Rembold said one or two members could be assigned but ultimately it has to come through a public process.

Ms. Nelson asked if Mr. Rembold has examples of design guidelines.

Mr. Rembold said yes.

Mr. Malloy said the zoning would have 20 housing units per acre. Two-three family units could be at a lower density of 8 units per acre. Everything is planned at 20 units per acre.

Mr. Fick asked what would be the point of phasing.

Ms. Nelson said to see if the zoning would work in each area proposed for the overlay.

Mr. Rembold said it might be easier for one area to be considered at a time as there might be a different set of standards for each area.

The Board agreed that the lot on the corner of Main Street and Mahawie should be eliminated as part of this zoning.

Mr. Hankin asked about the Haddad farm on Silver Street.

Mr. Rembold said that land is in a residential zone. This zoning targets commercial zones where residential can be added. The Haddad property is not considered for growth in the Master Plan. He said he does not think the DHCD would consider that property.

Mr. Musgrove said there is industrial land along the back of Railroad Street.

Mr. Malloy said he would look into it.

Mr. Musgrove said this looks like spot zoning.

Ms. Nelson said the state does not look at it that way.

Ms. Nelson suggested the Board do a site visit to look at the sites designated.

Mr. Rembold said he would work on a bylaw.

Mr. Fick said he thinks the Board should go all in to work on a bylaw if it doesn't work then we can rework it.

Ms. Nelson asked if the residential units will be considered affordable.

Mr. Malloy said yes.

Ms. Nelson suggested adding another column to the Residential Density Spreadsheet. That column would identify the number of people in each unit.

Mr. Malloy said he hopes to have someone from DHCD come to the next meeting. He asked what the Board would like to know from that person.

Ms. Nelson said she would like to know about unintended consequences of adopting this zoning.

Mr. Musgrove said he would like to see and hear about successful developments especially those in Western Massachusetts.

Mr. Malloy said there is only one in this area that is in Pittsfield.

Mr. Hankin asked if there are incentives for developers.

Mr. Malloy said it is up to the towns to decide if they want to give incentives. The town gets the money from the state.

Ms. Nelson asked the Board if they would be willing to schedule a site walk before schedules start filling up. The Board agreed to do a site walk on November 12<sup>th</sup> at 3:30 P.M. They will meet at the VFW.

The Board advised Mr. Malloy that they will begin their next meeting at 6:00 P.M. with this discussion at the beginning of the meeting.

#### **TOWN PLANNER'S REPORT:**

Mr. Rembold said the only thing he had was to remind the Board that they will discuss commercial solar use in residential zones at the next meeting.

#### **BOARD & COMMITTEE UPDATES:**

Ms. Nelson asked if there were any updates on the Bridge Street project.

Mr. Rembold said maybe in a week or two.

Ms. Nelson said there has been discussion with the Parks and Recreation Committee regarding handicap access to the ball field. There will be further information as the process moves forward.

**CITIZEN'S SPEAK TIME:**

Sharon Gregory was present to ask the Board to consider sending a letter to the Berkshire Hills Regional Agreement Amendment Committee (RAAC) about the school tax structure and how it may be impacted by children living in the affordable housing developments that don't pay taxes.

Mr. Fick said the property owners do pay taxes.

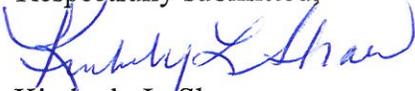
Mr. Rembold said not always, if the property is tax exempt.

Mr. Fick said he is not comfortable writing a letter without more information.

The Board thanked Ms. Gregory for her comments.

Having concluded their business, Ms. Nelson adjourned without objection at 8:52 P.M.

Respectfully submitted,



Kimberly L. Shaw  
Planning Board Secretary

**MATERIAL PRESENTED AT THE MEETING:**

--40R Zoning handout from Mr. Malloy, not dated

--Mr. Rembold's e-mail Planning Board Notes dated October 11, 2016