

## GRAET BARRINGTON PLANNING BOARD

DATE: November 9, 2016  
TIME: 6:00 P.M.  
PLACE: Large Meeting Room  
FOR: Regular Meeting  
PRESENT: Brandee Nelson, Chair; Malcolm Fick; Jonathan Hankin; Jeremy Higa  
Pedro Pachano, Associate Member  
Chris Rembold, Town Planner

Ms. Nelson called the meeting to order at 6:00 P.M. Mr. Pachano had not yet arrived.

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

Michael Parsons from Kelly, Granger, Parsons and Associates was present with a Form A application on behalf of Monument Valley, LLC for two parcels of land located on the east side of South Main Street and the north side of Brookside Road. Lot 1 contains 6.8 acres of land. Lot 2 contains 21.908 acres of land.

Mr. Hankin made a motion to endorse the plan as submitted, Mr. Fick seconded, all in favor.

Mr. Parsons presented a Form A application on behalf of Gary and Jennifer Storti for three parcels of land located on the east side of East Street. Lot 1 contains 0.890 acres of land. Lot 2 contains 0.262 acres of land. Lot 3 contains 0.275 acres of land.

Mr. Pachano arrived at 6:08 P.M.

There was a brief discussion of the plan as there is an error in the deed. Ms. Nelson said the plan meets the lot minimums so it can be endorsed.

Mr. Hankin made a motion to endorse the plan, Mr. Fick seconded, all in favor.

Brian Huntley from Tighe and Bond Engineering was present with a Form A application on behalf of Robert Coons for a parcel of land located at 20 West Plain Road. Parcel A contains 7,885 square feet of land and is to be combined with Map 31 Lot 23C.

Mr. Hankin made a motion to endorse the plan, Mr. Fick seconded, all in favor.

### **MINUTES: OCTOBER 27, 2016**

Mr. Fick made a motion to approve the minutes of October 27, 2016 as amended, Mr. Hankin seconded, all in favor.

### **SPECIAL PERMIT: 137 BRIDGE STREET**

Mr. Hankin disclosed the property is under contract with the company he works for, Berkshire Property Agents. He said he is not involved in any way.

Attorney Nick Arienti, counsel for Mary Rivers applicant, was present to discuss the special permit application for 137 Bridge Street. Mr. Arienti said the application has been submitted under sections 8.3.3 and 10.4 of the zoning bylaws to bring the multi-family use into compliance with the zoning. He said the house was built in 1850 as a single family home. There is no record of it being converted into a multi-family structure. The special permit will make the pre-existing use a legal use.

Mr. Arienti went through the special permit criteria. He said there are no changes proposed to the exterior. He said the property is close to town. The use fits the economic needs of the community. The existing social structure of the neighborhood will be maintained. There are no changes to the site. There will be no impact on the Town services. Mr. Arienti said there would be a more significant impact if the permit were not granted.

Mr. Arienti said waivers are being requested from #1, 2, 3, 4, 7 & 9 of 8.3.3.

1. The total lot size is 8,712 square feet. The bylaw requires 10,300 square feet. The waiver request is for 1,788 square feet.
2. The bylaw requires 50% of the total area be open space. There are no changes being made to the existing site so a waiver from this requirement is being requested.
3. A waiver from set back requirements is requested as the property is pre-existing non-conforming and does not comply with setback requirements.
4. A waiver from parking requirements is requested. Six parking spaces are required, four spaces are provided. The parking in the garage is not counted in the total. There are three one bedroom apartments.
7. The property exists. A waiver from a traffic study is requested as there is no change in the property.
9. A waiver from a drainage plan is requested as there are no changes to the site.

Ms. Nelson said the Board needs to make a recommendation to the Selectboard.

Mr. Fick asked if it is within our scope to include a condition for the lease to require parking.

Mr. Hankin said the property is very small and the lease is in place.

Mr. Rembold said the Board may require that the parking be clearly marked. He said he didn't know why the Board would want to be involved with each and every unit. That should be left up to the landlord and tenant. Let the landlord have the flexibility to figure out what is needed.

Mr. Hankin made a motion to send a positive recommendation to the Selectboard including the requested waivers, #1, 2, 3, 4, 7 & 9 from section 8.3.3, Mr. Fick seconded, all in favor.

#### **SPECIAL PERMIT & SITE PLAN REVIEW: 300 STOCKBRIDGE ROAD**

Attorney Nick Arienti was present to discuss the Special Permit application and the Site Plan Review application submitted on behalf of Kimco GB at 300 Stockbridge Road. Also present for Kimco GB was Chris Ciminello and Scott Rodenbaugh, architect for the project.

Mr. Ciminello began the presentation explaining that Kimco owns 500 properties nationwide and 100 in the northeast. He said the goal with this property is to improve the look and feel of the space currently occupied by K Mart. K Mart will be vacating the space at the end of the year. Marshalls will be taking half of the space. The proposal is to change the façade to create a fresh look to give Marshalls the best opportunity to be successful.

Mr. Ciminello presented two options for the façade. Option 1 shows three store fronts. Option 2 shows 2 store fronts.

Ms. Nelson asked what the intent is for the options.

Mr. Ciminello said at this point the only space to be leased is Marshalls. It is unknown if there will be one more retailer or two.

Ms. Nelson said with the demographic of Great Barrington which space is easier to fill, 15,000 square feet or 20,000 square feet.

Mr. Ciminello said he does not know.

Ms. Nelson asked if there will be flexibility in the façade for each tenant.

Mr. Ciminello said flexibility is preferred. Marshalls will be constructed first. Other improvements will be done in a reasonable amount of time if that is agreeable to the Board.

Mr. Rodenbaugh clarified that all of the demolition work will be done at once. The mansard roof will be removed. There will be a standard background façade in place until other tenants go in.

Ms. Nelson said she is concerned about the appearance while the other space is vacant.

Mr. Ciminello said we want to attract other tenants to the space. We would make the appearance appealing and attractive.

Mr. Hankin said this is an open air shopping center. He asked if the new façade would be at the relative height of the existing facades.

Mr. Rodenbaugh said the height will be 30 feet. The current K Mart façade is 25 feet high. The new façade will only be 5 feet higher than what exists.

Ms. Nelson asked why the rest of the plaza would not be matched.

Mr. Rodenbaugh said we are not matching the rest of the plaza exactly but we are trying to use a natural look from the community. Future renovations of the plaza could be made to match.

Mr. Arienti said the existing condition of the plaza is a mishmash of styles. The K Mart space was created in 1984. Price Chopper has a more contemporary style. It is our goal to make an improvement for the new tenant. The new tenant will bring traffic to the site. Marshalls has

requirements that are consistent with their brand. We want to meet the requirements of Marshalls.

Mr. Rodenbaugh said the colors are dictated by Marshalls.

Mr. Ciminello said Marshalls, like many retail tenants, have proto-typical designs.

Mr. Rodenbaugh said it is likely we would need to present another plan when we know whether it will be one space or two.

Mr. Arienti said we do not expect it to take long to get another tenant once Marshalls is in. We would expect to have to come back.

Mr. Pachano asked if the façade would be smooth from the end to the Marshalls space or would there be bump outs.

Mr. Rodenbaugh said it would be smooth.

Ms. Nelson said she would like to see what it would look like after demolition. She said she is struggling with a wall of brick from Marshalls to the north end.

Mr. Ciminello said what we are able to present is dictated by leasing. He said he appreciates the concerns of the Board. We want one of the two options but at this point we don't know which one.

Ms. Nelson said that leaves the community with a building with plain brick or stone facade.

Mr. Arienti said the point is taken. He said some period of time is necessary to figure this issue out. The client is aware that something needs to happen sooner rather than later. He asked if Marshalls could be built with a specific period of time for the remaining area to be built.

Mr. Higa asked if this has to happen before Marshalls goes in.

Mr. Arienti said Marshalls could break the lease if the special permit does not go through.

Mr. Hankin noted Option 2 is a larger space than the space Marshalls is going into.

Mr. Ciminello said it is easier for us to split the space just once.

Mr. Hankin asked why Marshalls picked the space they picked.

Mr. Ciminello said the space fit their configuration the best.

Mr. Hankin said there will be no entrance into the unleased space.

Mr. Rodenbaugh said it is a catch 22. He said there will be a new loading space created in the back. The space will be accessed from the back so we will only have to cut the entrance once. He asked if Option 2 could be approved with the option to return if a third tenant is found.

Mr. Rodenbaugh said the length of the building permit could dictate how long we have to find another tenant.

Mr. Pachano said the concern is the opening of Marshalls and additional construction. The issue is what the building will look like while waiting for another tenant.

Mr. Hankin said the building permit would be good for 6 months with no activity. If there is activity extensions can be granted as long as work is progressing.

Mr. Arienti said we are asking for flexibility with the time frame within which the other work begins.

Mr. Hankin said either option is ok. While we wait it is scary.

Mr. Rembold said if the Board is concerned about the façade not being finished you should require them to build one of the options.

Mr. Arienti said there is a time frame already associated with the building permit.

Ms. Nelson asked what the time line is for getting Marshalls in.

Mr. Ciminello said K Mart will be out by the end of January. The goal is for Marshalls to be in by the end of June 2017.

Ms. Nelson asked about the time line for getting another tenant.

Mr. Ciminello said we are already marketing the space. He said he thinks it will happen relatively quickly.

Ms. Nelson asked what a realistic time frame would be to secure another tenant.

Mr. Ciminello said January 2019.

Mr. Hankin asked if another tenant would be accommodated simultaneously if someone comes along now.

Mr. Ciminello said yes.

Mr. Rembold asked about signage.

Mr. Arienti said the sign would be building mounted. No sign would be larger than 150 square feet. We are asking for a waiver from the bylaw to allow for one sign of 100 square feet and the other 50 square feet.

Mr. Rembold said he doesn't know the surface area. The existing sign exceeds the threshold of 100 square feet.

Mr. Arienti said the surface area is 1800 square feet. We are not asking to exceed the 150 square feet.

Mr. Fick asked if the bylaw allows per space.

Mr. Hankin said no it is calculated per façade.

Mr. Ciminello said we are 250 feet from the road. The size is important so the sign can be seen.

Mr. Hankin asked if the sign will be lit.

Mr. Ciminello said it will be internally illuminated like the rest of the signs in the plaza.

Mr. Arienti said if the building were not so far from the road it would not be so important to have such a large sign. We feel it is a reasonable request for the larger sign because of the distance from the road.

Mr. Arienti said the Selectboard handled the previous 3 special permits and they addressed the sign controls during the process.

Mr. Fick asked if we are going to make a recommendation to the Selectboard.

Mr. Rembold said yes. The Selectboard controlled the process previously it should continue that way.

Mr. Ciminello said Kimco is willing to take the risk to complete option 1 or 2 within a specific period of time providing we get two years from the time the permit is granted. If we deviate from either option we would come back. He said he understands the concern about the appearance.

Ms. Nelson said the Site Plan Review will address parking, loading spaces and lighting.

Mr. Rembold said the existing truck dock is in the back. Turning diagrams were approved for the previous permits. There will be one new dock in the back for the future tenant.

Mr. Arienti said we are asking for a waiver of the Site Plan Review as there are no exterior changes.

Ms. Nelson asked if the drainage structures are being maintained. Will there be changes or upgrades to the landscaping?

Mr. Arienti said there are no site improvements proposed. There will be no site work just improvements to the façade.

Ms. Nelson said that is disappointing.

Mr. Rembold said the rest of the plaza has a canopy to walk under.

Mr. Rodenbaugh said that is correct. We are minimizing the site work. Retail has gotten away from the canopy design. We are not going in that direction.

Mr. Rembold said there are windows in the other stores allowing natural light in. It doesn't appear that windows are proposed.

Mr. Rodenbaugh said there is no ability for Marshalls to provide windows in their store. There are too many security risks when there are windows. If another tenant requests windows we can cut them in.

Mr. Rembold asked about lighting.

Mr. Ciminello said there will be a sconce at each pillar by the door. There is no new lighting proposed.

Mr. Hankin asked if a bike rack is proposed.

Mr. Rodenbaugh said one is not proposed but we can add it.

Ms. Nelson said she thinks some significant site improvements can be made with little effort.

Mr. Hankin asked where the staging area will be..

Mr. Rodenbaugh said in the back.

Ms. Nelson said she understands the request for waiving the Site Plan Review but there are some issues that need to be addressed through that process, most of which we have already discussed.

Mr. Arienti said he agrees that improvements to site characteristics would be nice but the intent is to not impact the site so no site improvements have been proposed.

Mr. Fick said we should see a lighting plan.

Ms. Nelson said the lighting plan should have been included. She said it is a small thing for us to ask that you replace the landscaping in the 3 small planted islands that exist in the parking lot.

Mr. Ciminello asked if there is a list of plants that would be acceptable.

Mr. Ciminello was advised that there is a list on the Town website, but whatever is planted should be non-invasive and native.

Mr. Rembold suggested the Board could make their recommendation to the Selectboard and ask the applicant to come back to discuss Site Plan Review and to provide the information discussed at this meeting.

Mr. Fick said he would like to see a lighting plan for the façade.

Mr. Higa said he would like to see the plan as well but he didn't think they should be held up because of it.

Ms. Nelson agreed. She said we can send a recommendation to the Selectboard and have them come back for Site Plan Review.

Mr. Fick made a motion to send a positive recommendation to the Selectboard to alter the façade of the K Mart box and to make a positive recommendation on the sign request with the condition that façade improvement, option 1 or 2, be completed by February 1, 2019 and the Planning Board continue review of the landscaping and lighting as part of the Site Plan Review process, Mr. Higa seconded, all in favor.

Mr. Rembold said the applicant has until December 26, 2016 for Site Plan Review. We can ask them to come back to our December 8 meeting and bring the landscaping plan at that time.

Ms. Nelson said the applicant has requested a waiver of the Site Plan Review. Our items of concern as part of that process include the landscaping of the 3 islands in the parking area that service the K Mart building. Invasive plant species are prohibited.

Mr. Rembold said we will want to know what plants will be used to replace what exists. A planting detail with the depth and soil types as well as a plan for irrigation for plantings that requires a lot of water should be submitted no later than December 1.

#### **SMART GROWTH ZONING:**

Mr. Rembold said he met with Mr. Hankin and Mr. Fick to discuss the Smart Growth Zoning. He gave an overview of their discussion.

Mr. Pachano asked if the zoning is aimed at under used sites.

Mr. Rembold said yes. It would allow multi-family housing and the Town would receive incentive payments for allowing the growth under the zoning.

Mr. Rembold went through his memo to the Board titled Great Barrington 40R SGOD version 2, 11/9/16.

Mr. Higa said he is curious about where the money will go. He said he would like to see it used for affordable housing.

Mr. Rembold said it will be figured out as we go forward.

**SOLAR ENERGY ZONING:**

Ms. Nelson went through the memo titled Solar Energy Systems v. 2, 11/9/16

There was a brief discussion.

**TOWN PLANNER'S REPORT:**

Mr. Rembold said the next meeting will be busy. He suggested meeting at 6:00 P.M. Items to be on the agenda include Kimco, 42 Bridge Street, 40R and Solar zoning and a multi-family use on Cone Avenue.

**BOARD & COMMITTEE UPDATES:**

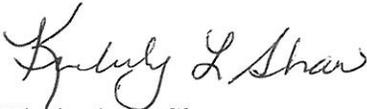
Mr. Pachano said he had a call from a citizen who is outraged about the 42 Bridge Street project.

**CITIZEN'S SPEAK TIME:**

No one spoke.

Having concluded their business, Ms. Nelson adjourned without objection at 9:11 P.M.

Respectfully submitted,



Kimberly L. Shaw  
Planning Board Secretary

Meeting Material:

--Great Barrington 40R SGOD, v.2, 11/09/16

--Solar Energy Systems, v.2, 11/09/16