

PLANNING BOARD MINUTES

DATE: January 24, 2013

TIME: 6:00 P.M.

PLACE: Fire Station

FOR: Regular Meeting

PRESENT: Jonathan Hankin, Chairman; Suzanne Fowle Schroeder; Jack Musgrove;
Ethan Culleton; Richard Dohoney
Brandee Nelson, Associate Member
Chris Rembold, Town Planner

Mr. Hankin called the meeting to order at 6:00 P.M.

FORM A'S:

Gary Reed from WSP-Sells was present with a Form A application on behalf of Neenah Paper, FR, LLC for two parcels located on the south side of Route 183. Lot 2A-1A has been cut out of Lot 2A-1. Lot 2A-1A contains 5.183 acres of land. Lot 2A-1 contains 66.58 acres of land.

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

MINUTES: JANUARY 10, 2013

Ms. Schroeder made a motion to approve the minutes of January 10, 2013 as amended, Mr. Musgrove seconded, all in favor.

Mr. Dohoney made a motion to take agenda item #4 out of order as he has to leave at 6:45 P.M., Mr. Musgrove seconded, all in favor.

BARRINGTON BROOK OSRD SPECIAL PERMIT:

The Planning Board closed the public hearing on the special permit application for an Open Space Residential Development for Barrington Brook, LLC and Stone Path Development, LLC. The Board had received a draft document titled Special Permit Decision dated January 19, 2013 that was reviewed by Town Counsel.

Ms. Schroeder said she had looked at the first document that was distributed prior to Town Counsel's review. She asked what changes had been made after Town Counsel review.

Mr. Hankin said there were no substantive changes.

Mr. Rembold said there were no additions to the findings.

Mr. Musgrove said he read the first draft and was very pleased with the findings. He said he had no issues.

Mr. Dohoney said he didn't find where the styles of dwelling units were discussed. He said it was discussed during the public hearing and there were concerns expressed. He said he thought there would be a condition regarding the architectural styles.

Mr. Hankin said he is not sure if it is something we want to impose or not. The applicant had the obligation to show diversity. They first showed style diversity then they came up with condo

units and estate lots. Mr. Hankin said he is not sure if he cares if the structures are Victorian or Contemporary. He said he would expect it to be market driven.

Ms. Nelson said if you hold the applicant to a palette of five styles there will not be much diversity.

Mr. Musgrove said he did not think he wanted to put a limit of five styles on the structures. Perhaps we can require all the structures to have a similar architectural vocabulary.

Ms. Nelson asked Mr. Dohoney what he was thinking.

Mr. Dohoney said he is not sure what the diversity housing language means. He said he originally thought the requirement referred to the diversity of the housing stock in the community as a whole. If the requirement is specific to the development then perhaps that needs to be specified. He said the applicant has supplied housing diversity, style and ownership.

Mr. Musgrove said there is diversity with the two housing types—condos and “estate” lots.

Mr. Dohoney said he is not adverse to architectural standards especially with this development because there are current owners who purchased their property with an idea of what the development would be and now it is being changed. He said he thinks the bylaw is satisfied with the plan.

Mr. Musgrove said he thinks the homeowners association (HOA) should be the enforcement mechanism.

Mr. Dohoney said the findings suggest the five styles discussed during the public hearing but there is nothing in the conditions.

Mr. Musgrove said he thinks there needs to be variety. It would be annoying to have all the units look the same.

Mr. Hankin said as they build the units, the developer may get smarter and the plans will evolve. What is originally built could be improved upon as the development grows.

Mr. Musgrove said it might be good to have the developer put together vocabulary to control the building types. He said he thinks the HOA is the best place for the condition.

Mr. Hankin said there will be no enforcement mechanism through the HOA, because it is typical for the developer to control the HOA until at least 50% of the units have been sold.

Ms. Nelson said she didn't feel an architectural control condition was necessary.

Mr. Dohoney said if our philosophy is that the project and developer take care of style then there is no need for the Planning Board. He said he could be ok with this approach for this project but not for every project that may come in. He said his concern is for the original three property owners.

Ms. Schroeder had many questions and comments regarding the findings document. She took exception to the findings relating to habitat, since there had been no actual assessment of habitat. She went through each page flagging the areas for further discussion. Many of the issues raised were determined to be easily addressed by making reference to how this plan compares to a conventional subdivision.

Mr. Hankin asked Ms. Schroeder to suggest language for the findings that she would be comfortable with, and to provide that to Mr. Rembold for distribution and additional discussion. The discussion will be taken up at the next meeting whose date has not yet been determined as there will not be a quorum for the next regularly scheduled meeting on February 14.

Mr. Dohoney left the meeting at 6:45 P.M.

SPECIAL PERMIT PUBLIC HEARING: STUDIO ONE, LLC

Present on behalf of the applicant, attorney Lori Robbins, architect Grigori Fateyev and engineer Nicholas Anderson.

Mr. Culleton recused himself due to a possible conflict of interest. Mr. Hankin explained to the applicant's representatives that a special permit requires four affirmative votes. Mr. Dohoney will not be able to participate in the vote as he is not present for this public hearing. Even if he were present for the rest of the public hearings he will not be able to vote. Therefore there will only be four members to vote and all of them will need to vote for the proposal to have the permit approved. He gave the applicant the opportunity to postpone the opening of the public hearing until there would be five members available.

Attorney Robbins said she understood Mr. Hankin's explanation and wanted to proceed with the public hearing.

Mr. Hankin elevated Ms. Nelson to a voting member.

Mr. Musgrove made a motion to open the public hearing, Ms. Schroeder seconded, all in favor. The public hearing was opened at 7:01 P.M.

Mr. Hankin announced that the public hearing was being recorded. He read the public hearing notice into the record. The public hearing notice was published in the Berkshire Record on December 7, 2012 and December 14, 2012. Notices were sent to abutters and abutting towns.

Mr. Fateyev explained that the proposal requests to be convert the former Barbieri mill building into a single family dwelling with an accessory dwelling unit. The residence would have three floors of approximately 4,000 square feet each floor for a total of 12,000 square feet. An elevator tower, would be built on the exterior and would serve the three floors and the basement. The existing stairs would be repaired for use. The third floor of the building would be the primary residence. The second floor would be guest rooms and gallery space. The first level would be private studio space and the ADU.

Mr. Fateyev said the existing building is brick. The elevator shaft would be clad with Cor-Ten steel siding that when matured will be a similar rust color of the brick. This will relate best to the neighborhood and the building.

Mr. Fateyev said most of the building remains the same. The primary exterior change occurs on the north side. A six foot high fence will surround the building. The fence will comply with zoning. The bright lights installed by the previous owner will be taken down when the construction has been completed. Any exterior lighting will not spill onto adjacent properties.

Ms. Nelson asked what type of lighting would be in the gallery space.

Mr. Fateyev said nothing out of the ordinary. It would not shine onto abutting property.

Ms. Nelson said the space has been dark for a long time. There needs to be sensitivity to lighting.

Mr. Fateyev said this will be a private gallery. The windows will be high. He said he will make sure there is no offensive illumination. We will make sure the light does not spill out.

Mr. Musgrove said the apartment has a door to the outside, does it have access to the main stairway.

Mr. Fateyev said the issue of whether a second egress is required for the space has not been resolved with the Building Inspector. We would like to keep the apartment independent if possible.

Mr. Fateyev said the Cor-Ten is a series of flat interlocking panels that weather to look like rusty steel in about a year.

Mr. Hankin asked Mr. Fateyev if he had brought a sample of the cladding material, as had been requested. He had not. Mr. Hankin said he likes Cor-Ten. It can be quite elegant, but he said I have an issue with it here. He said this is the first project in the mill overlay district and we want it to look great and for the change to be positive and noticeable. There is enough rust in Housatonic. Having an appearance of more rust does not send a message to people that the mills

are being revitalized. Mr. Hankin said he understands the choice but said he did not think it works here.

Mr. Fateyev said he likes the look but other materials could be considered.

Mr. Hankin said the flat panels are fine, it is the rust finish that I have an issue with.

Mr. Fateyev said it is an aesthetic issue that could be debated.

Mr. Musgrove said to him the rendering appeared more chocolate brown, he said he likes the brown.

Mr. Fateyev said it is not brown.

Mr. Hankin asked if the path of travel to the elevator could be ADA compatible even though it is not required for this use, but will likely be for future uses Mr. Fateyev said it could be made so.

Mr. Hankin objected to the location of the propane tanks, which would require being filled from Grove Street. He said he does not think under the code that the propane tank can be within 10 feet of a structure. The 11' high retaining wall that remains of the mill, would certainly be considered a structure.

Mr. Anderson said he could find a suitable area to relocate the tank. He said he didn't want to eat up room that could be used for parking if the property were to some day have a commercial use. He said his goal was to keep as much out of the north side of the parcel as possible.

There were some questions about drainage. Mr. Anderson said 80-85% of the water would be reused on the site for irrigation.

Ms. Schroeder asked if the roof was flat.

Mr. Anderson said yes. The roof is internally pitched with a trough around the entire building.

Ms. Nelson asked if there is site detail.

Mr. Anderson he had not planned to present an extensive build out.

Mr. Rembold said if the Board does not feel they have sufficient details to make a decision then more details would need to be submitted.

Ms. Nelson asked about drainage.

Mr. Anderson said there is no municipal easement for drainage on site. There is an existing utility easement for electric that hopefully will be relocated.

The Board reviewed the zoning compliance chart on the plans.

Mr. Musgrove said he needed someone to interpret the chart.

There were a couple of errors on the chart. The applicant will make the corrections.

The Board requested more lighting details.

Mr. Hankin said the Board has to continue the meeting as there is another meeting in the room at 7:30 P.M. The Board discussed when there would be a quorum to continue the public hearing. It was decided to meet on January 31.

Ms. Schroeder made a motion to continue the public hearing to Thursday, January 31, 2013 at 6:00 P.M. at the Town Hall. Mr. Musgrove seconded, all in favor.

Mr. Musgrove made a motion to adjourn, Ms. Schroeder seconded, all in favor. The meeting was adjourned at 7:35 P.M.

Respectfully submitted,

Kimberly L. Shaw
Planning Board Secretary