

## PLANNING BOARD

DATE: September 14, 2017  
TIME: 7:00 P.M.  
PLACE: Large Meeting Room  
FOR: Regular Meeting  
PRESENT: Malcolm Fick, Vice-Chair; Jonathan Hankin; Jack Musgrove; Jeremy Higa  
Pedro Pachano, Associate Member  
Chris Rembold, Town Planner

Mr. Fick called the meeting to order at 7:00 P.M.

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

Michael Parsons from Kelly, Granger, Parsons and Associates was present with a Form A application on behalf of Gary and Darra Happ for two parcels of land located on the north side of Castle Hill Avenue. Lot 1 contains 0.336 acres of land. Lot 2 contains 1.73 acres of land.

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

Mr. Parsons presented a Form A application on behalf of Robert Beusman for five parcels of land on Seekonk Cross Road. Lot A contains 9.074 acres of land and Lot 1 B contains 7.558 acres of land. Both lots are located on the west side of Seekonk Cross Road. Lot 2A contains 2.005 acres of land. Lot 2B contains 11.768 acres of land. Lot 2C contains 11.937 acres of land. These three lots are located on the east side of Seekonk Cross Road.

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

John Campetti from Foresight Land Services was present with a Form A application on behalf of Berkshire South Regional Community Center for a piece of land being conveyed to them from the Great Barrington Land Conservancy. Parcel A contains 0.78 acres of land and is not to be considered a separate building lot.

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

### **MINUTES: AUGUST 24, 2017**

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

### **SPECIAL PERMIT: TIMELESS AUTO SALES LLC**

The Board conducted a site visit at 109 Stockbridge Road prior to the meeting.

Attorney Lori Robbins was present with the applicant Brian Donovan and Glen Collins from Timeless Auto Sales LLC.

Ms. Robbins said the application is to sell high end used cars at 109 Stockbridge Road, the Cove Bowling Lanes. Timeless Auto Sales will have a small office and require 14 parking spaces for

the cars. She said the business will be open Monday thru Friday from 9 AM-5 PM and on Saturday from 9 AM-4 PM.

Ms. Robbins said she reviewed the parking requirements for the mixed use site. She said there is a bowling alley and miniature golf with a snack bar as well as a U Haul business. There are 100 parking spaces on the site including some behind the building.

Ms. Robbins said she did calculations for 100 seats in the bowling alley and snack bar coming up with 48 parking spaces required for 144 seats total. She said the U Haul trucks will be moved to the back of the property to open up more spaces along the south side of the building.

Ms. Robbins concluded saying this business will provide a good service to the community therefore we are requesting a favorable recommendation to the Selectboard.

Mr. Fick said Ms. Nelson had a question about the additional use in that building.

Ms. Robbins said there are several buildings on Stockbridge Road with multiple uses including the Price Chopper Plaza and the building where the East Restaurant is located.

Mr. Hankin said it is difficult to get a grasp on the parking.

Mr. Musgrove said he didn't think there is an issue with multiple uses on the site.

Mr. Fick said Ms. Nelson wanted to make sure that the parking spaces do not extend into the north entrance, specifically spaces 9 and 10 shown on the site plan.

Mr. Collins said no cars would ever be parked in a way to create a hazard.

Mr. Musgrove said he calculated about 40 parking spaces in the front parking area. He said the spaces are not lined so people may crowd in so there might be a few more.

Mr. Fick said we are looking at the plan in a vacuum. You tell us what you are going to do but we do not know what the owner will do. If he doesn't move the U Haul trucks that could be a problem.

Mr. Collins said Mr. Hankey, the owner, agreed to park the U Haul trucks in the back.

Mr. Higa said people will park somewhere. If all the spaces are taken they will find somewhere else to park. He wondered where people would park if all the spaces are taken.

Mr. Hankin said he thinks the entire parking lot needs to be shown with all of the parking spaces laid out. He suggested it might be advantageous to Timeless Auto Sales if some of their cars were parked near the street and not all up against the building.

Mr. Collins said Mr. Hankey will work with them to make sure the business does well.

Mr. Hankin said the plan just seems incomplete.

Mr. Fick agreed.

Mr. Hankin said a large portion of the property is in the wetlands. He said it needs to be demonstrated that there is adequate parking for the four businesses on the site.

Mr. Musgrove said he thinks we can say that the business is a good use that will be beneficial to the Town. The applicant needs to show that they meet the parking needs of the site. He didn't think the applicant needed to return to the Planning Board. The Selectboard should require the parking information.

Mr. Musgrove said the uses on the site complement each other. The car sales will take place during the day while the bowling alley is busy at night. He said currently there isn't enough parking on a busy bowling night.

Mr. Higa asked if there would be any lights in the parking lot.

Mr. Collins said they are already there. There will not be any new lighting.

Mr. Higa asked about signage.

Mr. Collins said the sign would be on the building.

Ms. Robbins said the sign will comply with the sign bylaw.

Mr. Collins said if we have to move the cars we will. We are only planning to have 6-8 cars on the property. He said he does not feel that parking is an issue.

Mr. Rembold said it sounds as if the applicant is looking for some flexibility in the dedicated parking spaces for their business. He suggested it would be a good idea to have a good site plan when going to the Selectboard.

The Board discussed how to calculate the parking requirements for the site. They discussed calculating the bowling use as an assembly calculating that an assembly use would require 24 parking spaces.

Mr. Musgrove said we could let the Selectboard know that we believe the use fits into the places of assembly category requiring 24 parking spaces.

Mr. Hankin said the restaurant, U Haul and car sales uses all need to be considered.

Mr. Musgrove made a motion to send a favorable recommendation on the application that includes the use of fourteen (14) parking spaces in the existing parking lot.

The Board recommends that the Selectboard review the parking needs of the four (4) businesses on the site. It should be determined if the parking is adequate for the businesses including traffic safety and

loading requirements. The Board thinks the business will be a good addition to the Town. Mr. Higa seconded, all in favor.

**ZONING ITEMS FOR 2018 ATM:**

Mr. Rembold said he had done some initial dimensional analysis for the B-3 zone. He said he was not ready to present.

Mr. Pachano presented the Board with a sample of what could happen on Church Street under the existing B-3 zoning. The Board discussed Mr. Pachano's potential development on the Church Street property.

Mr. Rembold said there needs to be further discussion of density and parking requirements in the B-3 zone.

Mr. Hankin pointed out that in the Downtown B district mixed use is allowed by special permit but the Village Center Overlay District allows mixed use by-right. He suggested making it consistent.

Mr. Rembold cautioned making changes to the B district. He said there are real parking issues in the downtown. The VCOD gives direction for addressing parking. The VCOD tripped special permits are in place for good reasons. He said he thinks there are reasons to be cautious.

Mr. Rembold said he has nothing ready for the B-2 zone.

Mr. Hankin said the property at 4 Gilmore Avenue is in the B-2 zone with a small portion in the R-1-B zone. He said his initial take was it should be residential but then thought there could be development potential for part of State Road. He said it is something to think about.

Mr. Higa said the character across the street is residential.

The Board then had a discussion of an overlay for lots in the B-3 that are less than 10,000 square feet.

Mr. Pachano provided the Board with a rendering of State Road to show that the road is wide enough to accommodate two travel lanes with parking and sidewalks on both sides. He said there is plenty of space to create a "slow street" like Main Street. If we are promoting mixed use on State Road this is a plan to show the roadway can accommodate it.

Mr. Rembold said the Water Quality Protection District bylaw is confusing. Clarifications may need to be made specifically in the non-conforming section.

Mr. Hankin said non-conforming uses cannot be expanded in the WQPD. Does that mean specific uses that are non-conforming in the WQPD or uses that are non-conforming in relation to other parts of the zoning bylaw? He said it does need to be made clear. He said it should be an easy change to make.

Mr. Rembold said he would put it on a future agenda.

Mr. Higa wanted to have a discussion about recreational marijuana.

Mr. Fick said his take from the meeting a few weeks ago was there are no regulations as yet, so the best plan might be to adopt a moratorium so there is time to decide what we can and can't do.

Mr. Musgrove was opposed to a moratorium.

Mr. Higa said we want to be able to make certain it wouldn't impact the medical marijuana site.

Mr. Pachano said the regulations are not coming out until April 2018.

Mr. Hankin said April 1-May 1 does not provide enough time to write something for the Annual Town Meeting.

Mr. Higa said that is the reason to impose the moratorium.

Mr. Rembold said the State is going to go by what laws are in place on April 1, 2018. If a moratorium is desired a special town meeting would have to be held prior to April 1, 2018.

Mr. Fick asked Mr. Rembold to put the topic on a future agenda.

**TOWN PLANNER'S REPORT:**

Mr. Rembold said the DHCD approve the 40R zoning. There will be a contract negotiated. Then the Town will receive a check for \$550,000.

**BOARD & COMMITTEE UPDATES:**


There were no updates.

**CITIZEN'S SPEAK TIME:**

No one spoke.

Having concluded their business, Mr. Fick adjourned without objection at 8:49 P.M.

Respectfully submitted,

  
Kimberly L. Shaw  
Planning Board Secretary