



CITY OF NORTH ADAMS, MASSACHUSETTS

Planning Board

REGULAR MEETING

MINUTES

August 10, 2020

Call to order 6:00 p.m.

Chair statement for virtual public hearing

Chairman Leary read the following statement: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the North Adams Planning Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can listen to this meeting while in progress via teleconference. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by teleconference.

Members present virtually Chairman Michael Leary, Lisa Blackmer, Lynette Ritland Bond, Robert Burdick, Kyle Hanlon, Kayla Hollins, Brian Miksic, Paul Senecal, and Larry Taft

Members absent

Others present virtually 529323, Bryan, Tammy Daniels – iBerkshires, Joseph Dean, Zachary Feury – Project Coordinator, Ben Lamb, Jennifer Macksey, William Meranti – Building Inspector, David Moresi, Anthony Parrinello, Bill Preite, and Colleen Taylor

Public hearings new business

- **Case No: SPA2020-22** Application of Taylor North Adams Properties LLC for property located at 465 Curran Highway. Special permit requested for a change of use to operate a to go, pick up, drive through and eat outside dining establishment in a B-2 zone.

Chairman Leary opened the public hearing to Colleen Taylor. Ms. Taylor explained that they are planning to open a pick-up/to go/drive through place. They have reached out to the health and building departments for suggested improvements. There will be no eating inside. They hope to have people wait for their food in their cars. They will offer breakfast, lunch and dinner.

Member Ritland Bond inquired about the timeline to open, the signage and the business name. Ms. Taylor stated that the business name would be Craft Food Barn and the hours would be 6:00 a.m. to 10:00 p.m. daily. The signage is being worked on and will be brought to the board when ready. They are planning to have directional signage around the building to encourage one-way traffic as well as some roof signage. Chairman Leary stated that the signage must be approved by the Planning Board.

Chairman Leary requested questions or comments from the board or gallery. No questions or comments.

Chairman Leary requested a motion to close the public hearing. Member Hanlon made a motion to close the public hearing. Member Burdick seconded the motion. All in favor. Motion carried.

- **Case No: SPA2020-23** Application of Joseph T. Dean for property located at 175 Hodges Cross Road. Special permit requested for a site plan approval for an addition to an existing use of a building or structure greater than 200 square feet in an I-1 zone.

Chairman Leary opened the public hearing to Joe Dean. Mr. Dean explained that he and his partner Mike Libardi bought the old Rick's Quality Auto and plan to do auto restorations. They are looking to add on with a wood frame building. They would like to add a 40 x 36-foot single story addition to add a couple of bays to the existing structure. Colors and layout will stay the same. Their

hours will be 8:00 a.m. to 5:00 p.m. Monday through Friday. Deliveries will be made during business hours. They will have minimal traffic as they are a project-based business.

Chairman Leary clarified that they will be removing the junk cars that are currently on the property. Mr. Dean confirmed that they have already removed over 50 vehicles and the rest will be removed as well. The place will be cleaned up and it will look brand new.

Chairman Leary requested questions or comments from the board. Members Miksic and Hanlon expressed that the place already looks better and they are happy to see that.

Member Ritland Bond requested clarification on the number of vehicles. Mr. Dean explained that they will only need a maximum of 50.

Member Burdick inquired about the location of the addition to the building. Mr. Dean explained that the addition would be on the west side toward the cable company.

Chairman Leary requested questions from the board or the gallery. No questions.

Chairman Leary requested a motion to close the public hearing. Member Hanlon made a motion to close the public hearing. Member Blackmer seconded the motion. All in favor. Motion carried.

- **Case No: SPA2020-24** Application of William A. Preite for property located at 401 Curran Highway. Special permit requested for a change of use to operate a sporting goods retail store in a B-2 zone.

Chairman Leary opened the public hearing to William Preite. Mr. Preite explained that he is opening a sporting goods store where he plans to sell fishing equipment such as reels, lines and lures, and hunting equipment, including guns. He explained that the guns will be collectible guns in the \$1,000-\$7,000 range. No Saturday night specials.

Chairman Leary inquired about how much of the building he planned to use and whether there were plans for improvement to the façade, etc. Mr. Preite explained that his business will be in the front of the building where Doran's Carpet used to be. The inside has been done over already. He will have steel doors and bars on the windows.

Member Miksic also inquired about exterior improvements. Mr. Preite explained that the owner told him that the plan was to change the siding.

Chairman Leary inquired about the lack of information on the application in regard to the state of the building and the parking plan. Mr. Preite stated that there is room for eight to ten cars to park at a time and he plans to use the rear entrance for ADA compliance. Member Miksic stated that due to the size of the business he would probably only need two parking spots.

Chairman Leary inquired about signage for the building and explained that a rendering would be needed for approval from the board. Mr. Preite explained that the sign company in Williamstown is working on a four by four sign for him that says sporting goods store. Chairman Leary reiterated that the rendering would need to be approved by the board.

Member Ritland Bond stated that she is uncomfortable selling guns in close proximity to a childcare facility and would like to know what safety precautions are in place. Mr. Preite explained that the guns are collectible and is trying to bring collectors to the area. He will lock all guns in a gun safe at night. Member Miksic inquired about one stop shopping for guns and the clientele expected due to the types of guns offered and that most people would not be in the market for this type of gun. Mr. Preite confirmed and stated that he would be selling ammunition for all types of guns.

Chairman Leary requested clarification on the types of guns that will be offered as the description in the application was not very detailed. Mr. Preite explained that he would only carry collectible guns in the store but if someone wanted to order a specific type of non-collectible gun, he would order it for them, but not carry it in the store. Chairman Leary inquired about whether a condition could be added to the special permit that only collectible guns could be carried in the store. Member Miksic stated that the Planning Board should not be telling businesses what they can and cannot sell. That would be a terrible precedent for the board to make as the items in question are legal items to sell. Member Hanlon agreed with Member Miksic as that type of classification is too broad and open to interpretation and he would be reluctant to try to classify something like that.

Member Blackmer agreed about not being able to tell a business what they can sell but she stated that a safety plan should be in place and she is concerned about lighting and locked cases. Mr. Preite explained that there will be a camera system that will be wired to the police department and will have alarms and lighting as well as steel doors.

Member Ritland Bond requested a more detailed drawing on exterior improvements. Chairman Leary stated that he would like to see the case postponed to the next meeting so that more detailed information could be provided on a detailed security plan as well as details from the landlord on improvements to the property. Member Senecal stated that he felt that was a fair request.

Chairman Leary requested a motion from the board to postpone to the September meeting pending additional details on the site plan. Member Ritland Bond made a motion to postpone. Member Blackmer seconded the motion. Member Hanlon was opposed. All others in favor. Motion carried.

Chairman Leary requested that Mr. Preite return to the meeting in September with a more detailed plan from the landlord as well as a detailed security plan. Member Miksic stated that it would also be a great idea for Mr. Cellana to attend the meeting as well.

- **Case No: SPA2020-25** Application of Orion Howard and Benjamin Lamb d/b/a “Poddy Mouth Studio LLC” for property located at 55-59 Union Street. Special permit requested for a change of use to operate a recording studio in an I-1 zone.

Chairman Leary opened the public hearing to Ben Lamb. Mr. Lamb explained that they are creating a space for a four person recording station but will limit to two people to start due to COVID-19 regulations. They are looking to record podcasts, audio books, etc.

Chairman Leary requested questions or comments from the board or others on the call. No questions.

Chairman Leary requested a motion to close the public hearing. Member Hanlon made a motion to close the public hearing. Member Burdick seconded the motion. Member Miksic abstained. All in favor. Motion carried.

- **Case No: SPA2020-26** Application of North Berkshire School Union for property located at 26 Union Street. Special permit requested for a change of use to operate administrative offices in an I-1 zone.

Chairman Leary opened the public hearing to Jennifer Macksey from North Berkshire School Union and David Moresi. Mr. Moresi explained that the building is being redeveloped and would be a better fit for this tenant with expanded office space and ADA accessibility, etc. Ms. Macksey explained that they employ six people and office hours are 7:30 a.m. to 4:30 p.m. with occasional evening meetings.

Member Senecal inquired about signage. Ms. Macksey explained that the sign would read North Berkshire School Union with Administrative Offices in a smaller font underneath. The colors would be black and gold and the sign would be 60 inches by 18 inches. Chairman Leary explained that a rendering of the sign would need to be submitted to the board for approval.

Chairman Leary requested questions or comments from the board or the gallery. No questions.

Chairman Leary requested a motion to close the public hearing. Member Hanlon made a motion to close the public hearing. Member Ritland Bond seconded the motion. All in favor. Motion carried.

Approval of minutes

- Planning public hearing – July 13, 2020

Chairman Leary requested a motion to approve the minutes of the Planning public hearing for July 13, 2020. Member Hanlon made a motion to approve the minutes. Member Miksic seconded the motion. All in favor. Motion carried.

- Regular meeting – July 13, 2020

Chairman Leary requested a motion to approve the minutes of the Planning public hearing for July 13, 2020. Member Blackmer made a motion to approve the minutes. Member Hanlon seconded the motion. All in favor. Motion carried.

New business

- **Case No: SPA2020-22** Application of Taylor North Adams Properties LLC for property located at 465 Curran Highway. Special permit requested for a change of use to operate a to go, pick up, drive through and eat outside dining establishment in a B-2 zone.

Chairman Leary requested a motion to approve with expected signage to be approved at a later date. Member Hanlon made a motion to approve. Member Blackmer seconded the motion. All in favor. Motion carried.

- **Case No: SPA2020-23** Application of Joseph T. Dean for property located at 175 Hodges Cross Road. Special permit requested for a site plan approval for an addition to an existing use of a building or structure greater than 200 square feet in an I-1 zone.

Chairman Leary requested a motion to approve. Member Miksic made a motion to approve with a condition that up to 50 cars may be stored on the property at any time. Member Blackmer seconded the motion. All in favor. Motion carried.

- **Case No: SPA2020-24** Application of William A. Preite for property located at 401 Curran Highway. Special permit requested for a change of use to operate a sporting goods retail store in a B-2 zone.

Chairman Leary requested a motion to postpone to the next meeting. Member Hanlon made a motion to postpone to the next meeting. Member Blackmer seconded the motion. All in favor. Motion carried.

- **Case No: SPA2020-25** Application of Orion Howard and Benjamin Lamb d/b/a “Poddy Mouth Studio LLC” for property located at 55-59 Union Street. Special permit requested for a change of use to operate a recording studio in an I-1 zone.

Chairman Leary requested a motion to approve. Member Burdick made a motion to approve. Member Blackmer seconded the motion. Member Miksic abstained. All others in favor. Motion carried.

- **Case No: SPA2020-26** Application of North Berkshire School Union for property located at 26 Union Street. Special permit requested for a change of use to operate administrative offices in an I-1 zone.

Chairman Leary requested a motion to approve with signage to be submitted at a later date. Member Blackmer made a motion to approve. Member Hanlon seconded the motion. All in favor. Motion carried.

Other business

- Evergreen Strategies update to add walk up window sales for property located at 221 State Road

Chairman Leary opened the meeting to Anthony Parrinello from Evergreen Strategies. Mr. Parrinello refreshed the board with what was originally submitted in December of 2018. Mr. Parrinello requested to modify the special permit due to the COVID-19 restrictions. Curbside pick-up would put them out of compliance without permission from the board.

Chairman Leary explained that he spoke to the building inspector and they felt that a walk-up window would be allowed at this present time with the current conditions. This would be similar to the situation in Williamstown where curbside pick-up is in the parking lot. His question would be would they go to the expense of putting in the window to use now with the possibility that it would not be allowed for future use. Mr. Parrinello stated that they would prefer not to do that. He explained that their request would be to modify the special permit to allow this window. He believes that the ordinance would have to be changed as it currently states that all things must happen indoors. Chairman Leary agreed that the board has the flexibility to allow this change right now under the current governor's order. When that changes, there would need to be a change in the ordinance if it were allowed to continue. Inspector Meranti agreed.

Member Burdick stated that he thought they could just cease to use the window when the order is lifted and if they continue to use the window, they would be in violation and could be fined. Chairman Leary agreed and explained that it was about the expense of adding the window for an unknown period of time could be a financial burden on the property owner.

Member Blackmer stated that she liked the idea of doing this now and looking at it in the future to potentially change the ordinance if necessary.

Member Leary requested a motion to approve to allow the modification with the recognition that the applicant will have to follow the city ordinance at such time the emergency declarations are no longer valid. Member Hanlon made a motion to approve. Member Burdick seconded the motion. All in favor. Motion carried.

- Proposed zoning amendments

Zac Feury explained that there were changes requested at the July meeting to direct the building or health inspector to submit to the special permit granting authority an application for revocation, suspension or alteration of a special permit. The language has been added and reads as requested by the Planning Board.

Chairman Leary stated that he was satisfied with the wording. Member Senecal inquired about whether it would have to go to City Council. Chairman Leary stated that it would but he would like to wait until after the housing needs discussion to vote.

Mr. Feury stated that he had no further information to the proposed changes to section 5 from the last meeting.

Chairman Leary stated that the next step would be to request a joint public hearing with the City Council but he would like to wait to do that in person and inquired about the timeline needed from Mr. Feury. Mr. Feury stated that this could wait until a time that the board sees fit. Mr. Feury explained that there will be more proposed zoning amendments needed in the future so that may be prudent to do them all at once.

Member Blackmer inquired about the word bylaw used instead of ordinance. Mr. Feury stated that he would correct it and it was just an oversight.

Chairman Leary requested a motion to file both matters and bring them back at a time when a formal meeting can be scheduled with City Council. Member Hanlon made a motion to file the matters. Member Miksic seconded the motion. All in favor. Motion carried.

- BRPC Alternate

Chairman Leary inquired about whether Member Blackmer would like to continue to be a representative for the BRPC Alternate. Member Blackmer accepted.

- Compliance

Member Hanlon inquired about expanded operations at the local motocross. He requested that Inspector Meranti touch base to ensure that communication is still good with the funeral people. Inspector Meranti stated that he has been in touch on several occasions and it is not always the fault of the motocross people. He will reach out again.

- Presentation on Housing Needs Assessment

Some key points of the presentation by Mr. Feury included:

- Vision 2030 Plan Housing and Neighborhood Goals:
 - Goal HN1: Provide high-quality housing options that meet a variety of needs and lifestyles
 - Goal HN2: Address blight and improve property values
 - Goal HN3: Support strong community connections within neighborhoods.
- Conducted by Berkshire Regional Planning Commission
- Funded through FY2020 District Local Technical Assistance Program
- Strategic, data-driven planning document that:
 - Analyzes demographic and housing data, specifically:
 - Housing stock characteristics and affordability
 - Rental and ownership housing conditions
 - Senior housing needs
 - Special-needs housing
 - Foreclosures and blighted and substandard housing
 - Seasonal housing needs
- Makes recommendations intended to fulfill housing needs
- Housing affordability
- Monthly housing costs include rent/mortgage, utilities, etc.
- Aging housing stock
 - 76.6% of housing units constructed prior to 1970
- Housing condition
 - 68.5% of residences are assessed below Good condition
- Housing grade
 - 95.7% of residences are assessed below Good grade

HNA Suggested Efforts

- Stimulate new housing production
- Enable rehabilitation of existing housing
- Improve neighborhood infrastructure

HNA Recommendations

- Designed to match needs with resources to achieve Vision 2030 goals.
 - Recommendation 1: Pursue Housing Choice designation
 - Recommendation 2: Enact Smart Growth Zoning

Housing Choice

- Benefits:
 - Provides access to state Housing Choice grant program
 - Provides bonus points on other state grant program applications
- Eligibility Criteria:
 - 3% increase (housing units) over five years
 - Adoption of 7 of 14 housing best practices
- North Adams currently ineligible:
 - <0.1% increase in housing units 2014-2018
 - Have adopted 3 of 14 best practices

Member Miksic inquired about whether Mr. Feury's opinion would be to push for new construction of units rather than rehabilitating existing units. Mr. Feury explained that these are the recommendations of the housing needs assessment and it identified the need for rehabilitation and new units so it's making recommendations to help align the city with resources to help stimulate new housing production and rehabilitation of existing units. Member Miksic inquired about whether building new units would hurt the rehabilitation of existing units. Mr. Feury stated that the way that the city could help rehabilitate existing housing units is generally for homeowner housing rehabilitation through community development block grant program. It is a recommendation of the document to pursue housing rehab through CDBG in the future however there are a lot of restrictions on those funds for such purposes such as requiring that housing renovations be done on an owner-occupied unit, etc. so there is not a lot of room for the city to lend assistance broadly across the board to all residences.

Housing Best Practices

- Adopt the following best practices:
 - Amend the zoning ordinance to:
 - Allow multifamily homes by-right in the R-5 district
 - Allow mixed-use developments by-right in the I-1 and B-1 districts
 - Allow accessory dwelling units by-right in all residential zoning districts

- Amend c.Z § 6 to
 - Reduce parking requirements for multifamily homes in CBD and I-1 districts

Section 12.4: Site Plan Approval

- Currently:
 - Site plan approval triggers special permit
 - The only by-right uses are single- and two-family homes
 - All other uses require site plan approval and special permit
 - Implementation of best practices requires:
 - Amend Section 12.4 to separate site plan approval from special permit
 - Amend Appendix A to identify uses allowed by-right with site plan approval

Smart Growth Zoning

- Benefits:
 - Encourages dense residential and mixed-use development in and around commercial centers
 - Provides financial incentives to municipalities
- Requirements:
 - Creation of a Smart Growth overlay zoning district:
 - Must contain a commercial center, downtown, or transit facility
 - Adoption of a Smart Growth Zoning ordinance that:
 - Allows residential/mixed-use development by-right or with limited plan review
 - Requires at least 20% of residential units be deed-restricted affordable to households earning 80% AMI
 - Application approval from DHCD

Summary

- Future zoning amendments for Planning Board Review:
 - Section 12.4 Site Plan Approval
 - Multifamily housing by-right with site plan approval
 - Mixed-use developments by-right with site plan approval
 - Accessory dwelling units by-right with site plan approval
 - Reduce multifamily parking requirements in the CBD and I-1
 - Smart Growth Zoning

Member Miksic expressed his gratitude that Mr. Feury is on the team leading the city through this process. Member Ritland Bond also extended appreciation to Mr. Feury.

Adjournment Motion to adjourn 7:00 p.m.

Respectfully submitted,



Michelle Ells
Planning Board Secretary