



CITY OF NORTH ADAMS, MASSACHUSETTS

Planning Board

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**REGULAR MEETING**

**MINUTES**

**November 9, 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, Brian Miksic, Paul Senecal, and Larry Taft

**Members absent** Kayla Hollins

**Others present virtually** Tammy Daniels – iBerkshires, Zachary Feury – Project Coordinator, Chris Horsfall, Sandra Horsfall, Mark Maloy – Berkshire Regional Planning Commission, William Meranti – Building Inspector, Francesca Paris – Berkshire Eagle, Shaun Richard, Jennifer Segala, and Jim Sisto

**Public hearings new business**

- **Case No: SPA2020-33** Application of Siperoglu Corp. d/b/a Pizza Works for property located at 315 Ashland Street. Special permit requested for a change of ownership to operate a restaurant in a B-1 zone.

Chairman Leary opened the hearing to Jim Sisto. Mr. Sisto explained that Alper Siperoglu is the sole owner of Siperoglu Corp. Mr. Siperoglu does not plan to make any changes to the business until the spring. There are no plans for renovations or to change the hours or the menu.

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

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

- **Case No: SPA2020-34** Application of Shaun Richard for property located at 350 State Road. Special permit requested for a change of use to operate an amusement device arcade in a B-1 zone.

Chairman Leary opened the hearing the Shaun Richard and Chris Horsfall. Mr. Richard explained that they plan to open a gaming center where they will offer retro coin operated machines as well as immersive gaming with consoles such as Xbox and Playstation 5. They will also offer tabletop gaming such as Dungeons and Dragons and Magic: The Gathering.

Chairman Leary requested questions from the board. Member Senecal inquired about the hours of the business. Mr. Richard stated that the hours would be 10:00 a.m. to 10:00 p.m. seven days a week.

Member Ritland Bond stated that she thought that the business would appeal to teens and young adults and inquired about whether there would be bicycle parking, how minors would be handled at their business, and what the COVID-19 protocols are for keeping the machines clean, etc. Mr. Richard stated that they would like to add bicycle parking early on. As for COVID-19, per Governor Baker, they would be at 40% capacity. They would sanitize each station in between use and each station will be spaced six feet apart. The concern for minors would be mostly during a school day so they would keep an eye on that and restrict access to age 18 and older until after school hours. Chairman Leary clarified that they would also require masking. Mr. Richard confirmed.

Member Ritland Bond inquired about a sign in sheet for parents looking for their children. Mr. Richard confirmed that they plan to do a sign in sheet for that as well as for contact tracing if necessary.

Chairman Leary inquired about a target start date. Mr. Richard stated that they are hoping for January 2.

Member Blackmer expressed concerns about parking due to the odd parking area and compared it to the Dream Machine from years ago noting the different parking area set up. She inquired about how the parking concerns would be addressed and also inquired about neighbors and how complaints would be handled if kids were starting to congregate. Mr. Richard explained that if parking became a concern they would paint lines in the parking lot and noted that the landlord would help with that. They would be aware of kids congregating and would break them up if needed. Mr. Horsfall stated that he has spoken with a neighbor and told them that if there is any trouble to let them know. They noted that sound should not be an issue.

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

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

- **Case No: SPA2020-35** Application of Steepleview Realty-Adams Inc for property located at 37 Main Street. Special permit requested for a change of use to operate a professional office in a CBD zone.

Chairman Leary opened the hearing to Jennifer Segala of Steepleview Realty. Ms. Segala explained that they are already at 53 Main Street and are just looking to downsize the office space. The space they are moving to is a former real estate office as well.

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

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

### **Approval of minutes**

- Planning public hearing – October 5, 2020

Chairman Leary requested a motion to approve the minutes of the Planning public hearing for October 5, 2020. Member Hanlon made a motion to approve the minutes. Member Senecal seconded the motion. All in favor. Motion carried.

- Regular meeting – October 5, 2020

Chairman Leary requested a motion to approve the minutes of the Planning regular meeting for October 5, 2020. Member Hanlon made a motion to approve the minutes. Member Blackmer seconded the motion. All in favor. Motion carried.

### **New business**

- **Case No: SPA2020-33** Application of Siperoglu Corp. d/b/a Pizza Works for property located at 315 Ashland Street. Special permit requested for a change of ownership to operate a restaurant in a B-1 zone.

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

- **Case No: SPA2020-34** Application of Shaun Richard for property located at 350 State Road. Special permit requested for a change of use to operate an amusement device arcade in a B-1 zone.

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

- **Case No: SPA2020-35** Application of Steepleview Realty-Adams Inc for property located at 37 Main Street. Special permit requested for a change of use to operate a professional office in a CBD zone.

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

## Other business

- Request from Andrew Casteel to add d/b/a WallaSauce to the file for property located at 189 Beaver Street.

Chairman Leary requested a motion from the board. Member Hanlon made a motion to approve. Member Taft seconded the motion. All in favor. Motion carried.

- Update on Smart Growth Zoning Efforts from Community Development.

Chairman Leary opened the meeting to Zachary Feury from the Office of Community Development. Mr. Feury explained that the full district comprises much of the downtown area and the city's eastern gateway. The district is composed of two subdistricts: the Mill District, which begins at 306 Union Street to the east and extends westerly to Eagle Street while incorporating Willow Dell, Canal Street, and a portion of East Main Street; and the Downtown District, which is bounded by Center Street to the north, North Church and Ashland Streets to the east, and American Legion Drive and Marshall Street to the west. The district is designed to encompass underutilized land within the urban core—as a land use analysis demonstrates 30 acres representing just over 37% of the district is classified as such.

The proposed Smart Growth zoning ordinance sets the minimum density for multifamily developments at 20-units per acre, as required by the enabling legislation; for 2- and 3-family developments the minimum density is 12 units per acre. In addition to minimum density the ordinance also sets a maximum density of 30 units per acre and 20 units per acre for multifamily and 2- and 3-family developments, respectively. MGL c.40R requires that at least 20% of all units within a smart growth development be deed restricted affordable housing. Under the requirements of the legislation, total monthly housing costs for affordable units within a Smart Growth Zoning development cannot exceed \$1,618 per month. In addition to minimum requirements for affordable housing, the local regulations also set a maximum requirement of 60%-meaning that no more than 60% of all units within a development can be deed restricted affordable housing to ensure that any Smart Growth developments will be mixed-income.

The Smart Growth ordinance sets separate use regulations for Smart Growth developments in each subdistrict. The use regulations are based on existing neighborhood uses, for instance the Downtown subdistrict, which overlays a portion of the Central Business District, encourages higher density mixed use developments while prohibiting single-family detached homes, townhouses, and two- and three-family homes. The Mill subdistrict, however, allows for lower density developments, including townhouses and two- and three-family homes. Smart Growth developments may include commercial uses, but they must be part of mixed-use developments, and allowed by the underlying zoning. In the Downtown district, mixed-use developments must be at least 51% residential while the Mill district requires 75% of Smart Growth developments to be residential. Industrial uses must be allowed in the underlying district to be allowed in a Smart Growth development.

MGL c.40R also requires municipalities to adopt Design Standards for Smart Growth zoning. The proposed local design standards were developed by City staff with input from Berkshire Regional Planning Commission to ensure that Smart Growth developments will preserve and complement existing architectural qualities, historic character, and pedestrian ways; while promoting infill development; and substantial redevelopment of historically significant and underutilized properties.

Additionally, the local Design Standard were developed with such guiding principles as promoting compact, mixed-use development in pedestrian oriented form, enhancing connectivity and accessibility, creating distinctive neighborhoods that provide diverse housing options, improving the design of public space and the built environment; and encouraging creative design consistent with neighborhood character.

MGL c.40R requires municipalities to designate a Plan Approval Authority to review plans for Smart Growth developments. The local ordinance designates the Planning Board as the local Plan Approval Authority and explicates the process for plan approval. Going forward, the City Council Community Development committee will hold a preliminary public hearing in early December at which the Smart Growth ordinance and design standards will be discussed at length and time for public comment will be provided. City staff and BRPC, however, felt that the Planning Board should be provided the opportunity to review and comment on the proposed Smart Growth district—its boundaries, ordinance, and design standards—prior to the preliminary public hearing.

Chairman Leary requested questions from the board. Member Miksic inquired about when this overlay happens would this be a set requirement as to what can and can't be done in these areas or is this simply a way one can qualify for Smart Growth tax credits. Mr. Feury explained that this is an overlay district. Unlike some overlay districts, this does not supersede the underlying zoning meaning that it doesn't take precedence over it. It allows developers who might be interested in developing a particular property with the boundaries of the district to opt in to the Smart Growth regulations that would allow them to essentially develop a property with a higher density, meaning more units per acre than might currently be allowed in the underlying zoning. That is still in place. This just provides another option.

Member Ritland Bond inquired about parking options, including bicycle parking and how that would fit in this area. Mr. Feury explained that the Smart Growth overlay zoning ordinance does set standards for the number of parking spaces for vehicles and

bicycles to try to promote multimodal transportation systems throughout downtown and beyond. Member Ritland Bond inquired about automobile parking and the need for shared parking and what that would look like. Mr. Feury clarified private developments using municipal lots. He explained that there is currently a system in place where private enterprise can purchase parking passes so that employees can park in municipal lots. If there were to be a scenario where a residential development in the downtown were to require municipal lots there are avenues where residential parking could be offered in municipal lots in exchange for payment or some other transaction.

Member Blackmer inquired about the lists of parking requirements for single family dwellings and duplex and triplex spaces that have two spaces per unit where multi-family units only require one and a half spaces per unit. Member Blackmer stated that she has heard numerous complaints over the years as a City Councilor for parking tickets for lack of available parking in the city. Mr. Feury inquired about where those parking complaints come from and whether they come from residents in the current Smart Growth overlay district or if they were from another area. Member Blackmer stated that some complaints came from the River Street area and some from North Street area. Mr. Feury explained that the city and the planning commission have been looking at the parking in the city for about a year and originally planned to include that Bracewell/Chase/Liberty/Hall Street area but pulled back that area because it wasn't the right fit and decided to focus on the area presented in this presentation. The downtown parking is predominately underutilized and seldom do any of the municipal or private lots exceed 45% utilization. This is something to keep an eye on to ensure that any residential development does have sufficient parking for the number of residents that will be driving cars. Overall, the majority of the parcel size have lot areas sufficient for parking based on the units per acre density.

Chairman Leary requested questions from the board. No questions. Chairman Leary inquired about the next steps needed for the Planning Board. Mr. Feury explained that they would appreciate any input from the board. The next step will be a preliminary public hearing conducted by the Community Development committee of the City Council in early December. This is a tool with a lot of positive potential impact for the city and they do not want to miss anything.

Chairman Leary inquired about the possibility of meeting in person. Mr. Feury explained that they have had more participation recently than prior to COVID-19. There will be a mailing sent to all property owners. From there they will submit an application to the Department of Housing and Community Development. DHCD would issue their preliminary approval of the application and from there it would go through the typical Chapter 40A zoning process with a joint public hearing held by the Planning Board and the City Council where there would be another opportunity for community input. From there it would go to City Council for a first reading and potentially sent back to a committee and then sent for a second reading.

**Adjournment** Motion to adjourn 6:35 p.m.

Respectfully submitted,



Michelle Ells  
Planning Board Secretary