

MINUTES  
REGULAR BUSINESS MEETING

February 27, 2007

Meeting was called to order at 7:00 PM

Members present were: Rene Wood (Chair), Bart Elsbach, Anthony Gulotta, B. Gillooly and Christopher Tomich.

**Review of Minutes:** B. Gillooly moved to accept the Minutes for the Planning Board's General Business Meeting on 2/6/07 as amended. The motion was seconded and approved.

**Mike Parsons appeared, query: how subdivision in both Sheffield & New Marlboro** would be handled. The Board let him know that they will be attending a BPRC discussion on that topic on March 15. He should pose his question to the Building Inspector, Tom Carmody and get a letter from Mr. Carmody to resolve his concern.

**Form A Application: (re-submitted, see 1/16/07 & 1/31/07 & 2/6/07 minutes)**

**Full name of applicants/deeded owner(s):** Salisbury Road, LLC, care of: Ronald Durning and Samuel Herrick, 86 Glennana Way, Sheffield, MA

**Brief explanation of application and fee paid:** Dividing one lot into 3 lots. Paid by check. The application was not stamped.

**Physical address / location as it appears in the Registry of Deeds (Map# & Lot#):** Barnum Street at the corner of Salisbury Road, Book 1733 page 212

**Name of civil engineer company and representative presenting Form A:** Ronald Durning Sr., presented the Form A Application. The civil engineer company was John DiCara, L.S. 35780, 294 Main Street, Winsted, CT 06098

**Form A determination / Board member voting outcome:**

The Board discussed their visits to the property and the review of the common driveway. The Board endorsed the Form A Application.

The Planning Board reviewed the letter from Fire Chief Boardman, the letter from Mr. Durning and the plan showing the common driveway and will write a letter, giving approval on the common driveway, to be filed with the plan. The Planning Board is approving the common driveway as there are no waivers requested and the driveway conforms with all sub-division regulations.

**A. Gulotta requested 4 maps when a common driveway is involved,** for review by the fire department.

**Review of Minutes:** B. Gillooly moved to accept the Minutes for COG Brewing Company's Special Permit Hearing on 2/6/07 as amended. The motion was seconded and approved.

**Letter from Susan Smith re: COG Brewing Co. reviewed.**

**Susan Smith, attorney for Sumac Realty Trust, explained her suggestions for the parking requirements for the business:** 3000 square feet of retail space in Great Barrington requires 15 parking spaces. Here there is no retail space, no external lighting needed or anticipated. They have 15 parking spaces. This could be made a condition of the Special Permit for Sumac.

**Meeting Suspension:** At 7:55 PM, B. Elsbach moved to suspend the meeting to resume the Special Permit Hearing for Scott, Kurt and Lisa Bartzsch. The motion was seconded and approved.

**At 8:50 PM the Regular Meeting Resumed.**

**Review of Minutes:** B. Gillooly moved to accept the Minutes for the Special Permit Hearing for Rock Solid Granite on 2/6/07 as amended. The motion was seconded and approved.

**Schedule:** For the next several meetings C. Tomich will be teaching at Berkshire Botanical Gardens on Tuesdays. The meetings will be Thursday March 8 and Wednesday March 21. Rene will take minutes on March 21 because Nadia cannot come to the meeting. A. Gulotta will post notice of the new times and days.

**The Master Plan documentation is finished.** It incorporates the changes the Planning Board made prior to its adoption. Copies are on the web, with the Town Clerk and at the Library. In addition the Select Board and the Planning Board each have copies.

**Bills were reviewed and payment authorized.**

Mail was reviewed.

**The Planning Board's appeal of the Building Inspector's Decision to the ZBA** was denied on February 8. Barbara West notified the Board that the tape is available and anyone has 20 days from the notice of decision to appeal. No one wished to appeal the ZBA decision.

**The Zoning By Law Review Group will have a report by the next PB meeting** on what they will recommend be on the warrant. Their next meeting will be Thursday, March 1 at 6:30.

**Records retention project:** Anyone can take books and maps left under the mailboxes.

**Board discussion of procedure when the public appears seeking advice:** The Board agreed to redirect such inquiries to the Building Inspector.

### **Deliberations on the Special Permit Application of Sumac Realty Trust:**

Board members began their deliberations on the Special Permit application of Sumac Nominee Realty Trust for a “Major Commercial Development” at 534 South Main Street, Sheffield. All board members present at the hearing were present during these deliberations.

The board had a brief discussion of the timeframe for deliberations, given the recent receipt of the awaited Building Inspector’s ruling on whether parking was grandfathered, it is not, and the applicant’s submission of a conforming parking plan prior to the board’s next meeting. It was decided that the board would not complete its deliberations during this meeting.

The proposed use was reviewed per Section 9.4.2.2, Decision, which requires that for Special Permits issued by the Planning Board, a Special Permit shall be granted only upon the board’s written determination that the beneficial effects of the proposed use outweigh any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site. During its determination the board considered each of the following:

- **The Social, economic or community needs which may be served by the proposed use.** The Planning Board unanimously found that the beneficial effects of the proposed use **outweigh** any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.
- **Traffic impact, flow and safety, parking and loading and accommodation to pedestrian and non-automotive transportation.** The Planning Board unanimously found that the beneficial effects of the proposed use **outweigh** any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.
- **Adequacy of utilities and other public services.** The Planning Board unanimously found that the beneficial effects of the proposed use **outweigh** any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.
- **Appropriateness to the proposed location, the neighborhood character and town land use objectives.** The Planning Board unanimously found that the beneficial effects of the proposed use **outweigh** any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.
- **Environmental impacts, including, but not limited to, visual effects, noise, order, dust, vibration, fumes, smoke, light intrusion, glare, impacts on natural habitats, views, water pollution, erosion and sedimentation.** The Planning Board unanimously found that the beneficial effects of the proposed use **outweigh** any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

- **Potential fiscal impact, including impact on town services, tax base and employment.** The Planning Board unanimously found that the beneficial effects of the proposed use **outweigh** any potential adverse impacts to the town or neighborhood as it applies to the particular characteristics of the site and in relation to that site.

In addition, R. Wood noted that since this application was for a major commercial development, future development on this site would likely expand beyond the current structure and footprint. She asked the board to add a condition that any subsequent additions to the existing structure or increase in the number of structures require a site plan review by the board. The board was in unanimous agreement.

The board also agreed to conditions that all parking must conform to setbacks and all signage must be in conformance with the Zoning By-Laws.

There was discussion about what wording should be added as a condition to the Special Permit, which would require the applicant to return to the board and review any substantive change to the special permit application. The Euro-Precision special permit application was given as such an example. R. Wood volunteered to work on such language, which would be a condition of the Special Permit if accepted by the board. The board felt such language should be evaluated for all applications.

The board did not take a final vote on the application.

**Deliberations on COG's Special Permit Application will be next week.**

**The Bartzsches Special Permit Hearing will be continued until Thursday, Mar 8, 8:00 PM.**

**10:15 PM A. Gulotta moved to adjourn, the motion was seconded and approved.**

Respectfully submitted,  
Nadia Milleron  
Planning Board Secretary  
and Rene Wood, Chair