

**Minutes of  
The Williamstown Planning Board  
TUESDAY, FEBRUARY 10, 2015  
7:00 p.m. at the Municipal Building**

**Members Present:** Elizabeth McGowan, Amy Jeschawitz, Carol Stein – Payne, Chris Winters, Ann McCallum.

**Others Present:** Andrew Groff, Rita Coppola, James Art, James Kolesar, Vince Guntlow, Nancy Nysten.

Ms. McGowan opened the meeting at 7:00 PM.

Members of the Board introduced themselves to the public.

**ANR**

*None at time of posting*

**New Business**

**Water Street Parking**

Ms. McCallum stated that in the spirit of attempting to improve the business community on Water Street. Ms. McCallum stated that she has been enjoying the book, Walkable City by Jeff Speck. This literature talks greatly about the obstruction wrought by parking minima. This is the exact problem on Water Street. A problem that was removed from Spring Street several years ago. Eliminating required spaces on Water Street could be the solution to this problem. We have a defacto municipal parking lot on Water Street and the town has a long standing plan to fix Water Street and provide better pedestrian access and about 30 parking spaces. Perhaps it would not be foolish to eliminate the off street parking requirements for the entirety of the Village Business District. There are at least a handful of projects scuttled by the parking requirements this change could allow these projects to proceed.

Ms. McGowan stated that it would be good to slow down traffic on the street.

Ms. McGowan asked what the status of the dirt lot is officially.

Mr. Groff stated that it is not a legal parking lot under the zoning bylaw.

Ms. Jeschawitz stated that it could be possible to create a legal parking lot at 59 Water Street and then add in the virtual parking regime similar to what originally was in place on Spring Street prior to removal of all parking regulations. It seems that without a legal parking area at the dirt lot this change would be displacing people from other areas.

Ms. Jeschawitz added that looking at Spring Street and the broader neighborhood there is likely not a parking problem, there is likely enough spaces to meet the entirety of the demand it is just not well managed.

Ms. McGowan stated that the proposed idea is to take the entire change done for Spring Street and change it to affect the Village Business District in general.

Ms. Stein Payne asked if there are additional comments from the board or public.

Ms. McCallum stated that any future RFP for the dirt lot could include some type of public parking allotment.

Ms. McGowan asked Mr. Groff what steps would have to be taken to turn the lot into a permanent parking lot.

Mr. Groff stated that the town would have to seek a special permit from the ZBA for a municipal use and meet the standards of sections 5 and 6 in the bylaw.

Ms. Jeschawitz stated that there needs to be a vision, an actual plan for Water Street, before the bylaw is changed.

Ms. McCallum stated that the bylaw currently prohibits anything from happening due to the parking restriction.

Ms. McGowan stated she sees this as the first step in revitalizing Water Street.

*Mr. Winters entered the hearing.*

Ms. Stein Payne stated that we should go take a site visit to the Town Garage site and look at the option of removing the parking restrictions and having people use this lot.

Ms. McGowan stated it would take extensive study and renovation to the lot to make it a proper legal parking lot.

Ms. McCallum stated that the positive impact of this move is creation of a more business friendly environment.

Ms. Jeschawitz stated she believes the Board should study this more carefully. Will this have far reaching impacts? Perhaps we should more carefully study this situation. What would it take for us to study the Town Garage site and make it an official parking lot?

Mr. Winters asked if the current thinking is to revise the parking requirements when the street is rebuilt, or simply

do it now.

Ms. McCallum stated the de-facto lot already exists why not just remove the restrictions and allow it.

Mr. Groff and Attorney Art added that there have been projects that have been scuttled due to this requirement.

Mr. Groff added that many think the bar for a parking variance is too high.

*Ms. McCallum moved that the Board adopt the same standards for the whole of the Village Business District as have previously been adopted for Spring Street.*

*Ms. Stein Payne seconded.*

*The motion carried with 4 in favor (McCallum, McGowan, Stein Payne, Winters) and 1 opposed (Jeschawitz).*

*The proposed language for this bylaw amendment is as follows;*

#### ARTICLE D

To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend §70-6.1.D(2) Spring Street Parking Requirements by removing the phrases “Spring Street Parking Requirements” & “properties fronting on Spring Street” and replace with the following;

“Village Business District Parking Requirements” & “properties located in the Village Business District.”:

#### **Old Business**

Mr. Winters noted that the Board does not have a quorum to begin this deliberation without invoking the Rule of Necessity, as described by the State Ethics Commission, for the public record.

Mr. Winters noted that the State Ethics Commission has been consulted about this particular conflict with Williams College and advised the use of the Rule of Necessity.

Mr. Winters stated that the Board will not have a quorum without invoking the rule. Mr. Winters continued by stating that his conflict of interest is that he is employed by Williams College’s Provost Office.

Ms. Jeschawitz stated that she has an appearance of a conflict of interest as she works in the hospitality industry.

Ms. McGowan stated that she has a conflict as she is employed as a Professor by Williams College.

Ms. Stein-Payne stated that she has a conflict as she is employed by the Williams College Health Center.

Ms. McCallum stated she does not have a conflict.

#### **Potential Zoning Change for Spring Street**

Mr. Groff stated that he prepared three maps at the request of the Board. These are a 700 foot offset of Latham Street, a 550 foot offset, and a 400 foot offset (all maps on record in Planning Board’s files).

Ms. McGowan asked what the procedure for a zoning change is.

Mr. Groff stated that the Planning Board, should it decide to initiate the change, would vote to have the Board of Selectmen consider it. Should the Selectmen decide to pursue the change they would vote to send it back to the Planning Board. Then the Board will vote to advise Town Meeting on whether or not they should approve the proposal.

Ms. McCallum showed the Board a proposed design she has created for discussion. She noted that this proposal (on record in Planning Board’s files) puts a building directly on the street creating a strong shopping district and fills in the so called missing teeth on the street all while not losing any parking spaces.

Mr. Winters stated that this is the applicant’s preferred plan. The arguments it seemed from last meeting is that this design gives flexibility to place parking in unobtrusive places so a sea of asphalt will not be created. Perhaps the applicant would like to describe the advantages of this design.

Attorney Jamie Art stated that as Ms. McCallum mentioned the College’s initial conception of the Inn was to locate the inn directly on the street. This was extensively discussed, for this site the Riverfront Area of Christmas Brook extends the entire way to the Dennison Gate House. Along the way the College decided that this Riverfront Area issue prevents the hotel from being constructed at this site. The College however is fully committed to looking at this again. We do not know if it can be done but we are committed to fully investigating it. At this same time we would like to see this proposal move forward. A 400 by 400 foot zone change leaves very little room for a fall back plan if DEP doesn’t allow the development to proceed. What the College has tried to do is say let’s create a box that allows the College to spend the time and money to invest in the planning and design of these buildings in order to meet the serious regulatory challenges on this particular parcel of land.

Atty. Art added that the 700 by 550 foot box allows the College the maximum flexibility in meeting DEP’s

requirements. The DEP standard that must be met is very stringent. We must show there is no other economically feasible or practical alternative. The standard is slightly lower for previously developed sites. Having a larger area will allow the College the ability to invest the money to meet these standards.

Atty. Art stated that in terms of the Oakley Center there is no plan to build anything to the south east of Oakley but in order to meet the wetlands standard the College needs the space to build some of the ancillary wetlands protection structures such as storm water management structures.

Ms. McGowan asked about the 550 foot plan.

Atty. Art stated it is workable but the 700 foot plan is much better in case any issues arise.

Atty. Art further added that the 400 foot plan is so restrictive that it is the College's fear that parking gets pushed out in to other parts of the Village Business District that we might not want to see it.

Mr. Winters asked what is gained by the 550 vs. 700 foot level.

Mr. Guntlow stated it is mainly for site flexibility. The southern bound of the annex is right on the 550 line. We do not want to start our planning process handcuffed. We want the ability to do design that is best fit to the topography and existing vegetation on site.

Ms. McGowan asked if the concept is to build the Annex and Hotel at the same time.

Mr. James Kolesar stated that it is undetermined at this time.

Ms. McGowan asked if the model is the Red Lion Inn with its seasonal demand.

Mr. Kolesar agreed we have a significantly higher demand Memorial Day to Columbus Day.

Dr. Karen Lartin of The Knolls stated that the wetlands are all covered by these drawings. This is a concern. What happens to these wetlands if they are covered over?

Mr. Guntlow stated that keeping the areas to the south and west in the district allows a better prediction of permitting outcome. With the myriad of different standards for Riverfront Area it is tougher to determine what we will end up with for a permitting outcome. It is not a matter of ignoring the wetland in which case we know what we can and cannot do. Permitting in Riverfront area introduces a lot of subjectivity.

Atty. Art stated that it is important to note that these wetlands areas will not be built upon. There will be buffer zone impact but not right in the wetland.

Ms. McGowan asked if there is a plan.

Atty. Art stated there is only a basic concept. The College has a concept. Ms. McCallum has a concept. We cannot go and design a plan without a box in which to work. The Board is voting on the general concept of using this area for a hotel. Once this occurs the Conservation Commission and the Zoning Board will have a real plan to act upon on which to input feedback and impose a set of conditions to create a development that will be best for the community.

Atty. Art stressed reluctance to pass out a plan because the discussion then becomes about the plan and not about setting the box in which the professionals designing the proposal can work.

Ms. McCallum stated that she cannot endorse a proposal that is so large it is not compact like the district is supposed to be.

Ms. McCallum added that as planners the Board should determine where we want developments and parking lots and impact. We should not endorse a proposal by the Suzy Hopkins House. Perhaps we should consider the current inn site on Main Street.

Atty. Art stated the current conversation is why he was reluctant to pass out a plan. These issues need to be developed by designers. There are many options that can accommodate the Board's concerns. A temporary grass parking lot for the annex for example. Design must be done but first we need to create a box the College can work in.

Ms. Jeschawitz stated that more information should be made available to the Board before a final decision can be reached.

Atty. Art stated he understands the concern. However there is a legal process that must be followed, in effect the Board must trust that the ZBA and the Con Com will do due diligence on their pieces of this project.

Atty. Art stated on the process over the past few months the Board had questions that the College answered at a public hearing, there was a public outreach session, there was a site visit, and at the last meeting it seemed the Board had pinned down all boundaries excepting the southern boundary. The College is happy to provide additional information. We still need to have an official public hearing on this matter. We are more than happy to respond to these concerns.

Ms. Jeschawitz stated she would like to see areas of the market study that could be made public. Financial information can certainly be left out but the statement in the study on why this is the best spot can be shared.

Atty. Art agreed and added that this type of information should be what this conversation is based on not specifics on location of buildings and parking lots.

Dr. Lartin asked what Mr. Guntlow's definition of manage is in regards to the wetlands.

Atty. Art stated that the vast majority of wetland resource area is not damaged it is reclaimed and restored.

Mr. Winters stated that we as a board should not forget November's public input session. That meeting was overwhelmingly supportive of an inn at this specific location the bottom of Spring Street. A second point. Is this better than what we have today? We must act, as a Planning Board, in the public good. Is an inn at this location better than steel pre-fabricated buildings filled with furniture? It is. Recognizing that this is not "the plan", even if it was it is not offensive. The applicant is self-interested in maintaining the views and integrity of its existing properties. Bottom line is this is an improvement of a site that provides improvement to the community. Period.

Ms. McGowan stated that part of her issue with the 550 foot movement towards the west is the inclusion of Dowdy House. This additionally allows inclusion of the southerly extent of Dennison Park Drive as parking.

Atty. Art stated that if this plan is going to be built to properly function we have to be able to construct it in a way that will work. We need the flexibility to create the infrastructure support for the inn while being sensitive to the environment, Spring Street business owners, and the environment.

Ms. Jeschawitz asked if the commitment to considering other designs will be a publicly disclosed deliberation.

Atty. Art stated it will be.

Atty. Art added that the latest plan shows the site more compact with a taller inn.

Ms. Coppola stated it is 3 stories.

Ms. McCallum stated that this meadow on Dennison Park is a beautiful wildlife corridor. If we as planners do not want to allow development in this wildlife corridor we should draw our lines in a way to restrict them. Why let this be parking?

Ms. McCallum added that we should be as creative as Pittsfield in allowing valet offsite parking for the Hotel on North

Atty. Art added that the College has not had an opportunity to do that type of site development work. When the College returns for a parking determination the Board can have this type of conversation. Parking spaces are expensive. The less that can be built the better.

Mr. Winters stated that the unintended consequences of a smaller box could be a parking lot on a space such as the Wilmot Lot. This could create another missing tooth.

Mr. Winters stated he is unsure why this is being termed sprawl. We do not have a dearth of meadows in town we do have a dearth of vibrant economic activity on Spring Street. We do seem to give up a few blades of grass but we do created additional vibrancy downtown. Something we talk a lot about but do little about it. We must be very conscious of our resistance to change. We talk about the exact same things year after year and do not affect change.

Ms. McGowan stated that we are not anti-business we simply want to keep business where it currently is. An inn should be oriented towards the existing district and not the Knolls. If the inn is in the proposed location visitors will not interact with the merchants they will drive away.

Mr. Winters noted that the business community was very supportive.

Ms. McGowan stated that they did not see an adequate plan.

Ms. Stein Payne stated that the merchants are simply desperate for any vibrancy.

Ms. Jeschawitz stated that a common complaint is that there is no public gathering space in the community. Is this type of space possible at the legion site? A potential outdoor venue area. This could be a possible connection between the Inn and the community. Something like this development could possibly turn into a complex. There could be potential for Suzy Hopkins or the Oakley Center to turn into a part of the development a bridal suite maybe. This in addition to maybe a community gathering space. However to do any of this we need to give the College flexibility.

Mr. Winters stated that the person coming down Spring Street will not see an empty lot. They will view through it and see the Inn and the pathways beyond, a gateway to something no one knows about yet.

The Board discussed the merits of an expansion between 400 and 550 feet.

Atty. Art stated that a design below 550 will present some very serious constraints. If we want the project to go forward without unintended parking consequences we should not do that tonight. We can perhaps fine tune any amendment at the public hearing.

Mr. Groff added that this is correct as long as the advertisement is written properly amendments can be made up to the point where the amendment is on the floor of town meeting.

Ms. Jeschawitz added she would like to see data on the impact of the reduction of rooms overall in North County.

*Ms. McCallum moved that the Planning Board forward to the Board of Selectmen an amendment to the Village Business district for an extension of the district as proposed. With the following amendment a 550 foot southerly*

*setback from Latham Street (centerline) and a 400 foot setback from Spring Street (centerline).  
Ms. Stein Payne seconded.*

Atty. Art stated he is very concerned about the impact of that 400 foot line. This needs to be adequately studied. We need to have a conversation on boundary lines of district not a public critique session of a design that is not well prepared for rigorous review. If the line is only 400 foot from Spring Street there might be some serious negative unanticipated impacts.

Atty. Art discussed how case law guides this process it is much easier to go from larger to smaller than smaller to larger.

Mr. Groff agreed and noted that a preferred schedule for future meetings would be the Board of Selectmen on March 9 and this Board hosting a public hearing on March 17.

The Board agreed to the proposed schedule.

*Ms. McCallum revised her motion to a 550 x 550 (Spring and Latham Street offset) expansion.*

*Ms. Stein Payne seconded.*

*The motion carried unanimously.*

### **Solar Bylaw**

Mr. Winters noted the biggest issue left to discuss are sizes of systems. The COOL Committee would prefer larger systems. The Board it seems would prefer slightly smaller systems. The way the draft is currently written the COOL Committee's recommendations are in the comment section.

Mr. Groff added there are additional comments inserted by Town Counsel in the margin of the draft.

Mr. Groff added the first change is a recommendation by the COOL Committee to include canopy mounted solar arrays. This is to be a system mounted on an existing parking lot.

Mr. Winters suggested the Board discuss the changes proposed in permitting of various system sizes by the COOL Committee

Ms. Jeschawitz stated she was concerned with some of the upward revisions on sizing.

The Board extensively discussed the merits of varying

Ms. Nancy Nysten stated that making the small installation smaller than 4,000 would allow more flexibility.

Mr. Groff noted that he can not recall a system of that size in town.

Ms. Wendy Penner the state model is 1750 for a small system.

Ms. Jeschawitz stated that with Caretaker Farm in mind the 1,000 foot system seems appropriate for a residential scale system.

Mr. Winters agreed that small systems across the board should be 1000

Ms. Nysten added that 1750 is 10 KW with current technology.

Ms. McCallum added that if a homeowner wants a larger array all they have to do is apply for a medium sized system.

The Board agreed to keep the small system size at 1,000.

The Board moved on to discussing the medium system size.

Mr. Groff explained to the Board using some local examples what 20,000 square feet looks like in various residential neighborhoods in town.

Mr. Groff displayed some examples from the Town GIS system.

The Board agreed to keep the medium size cap at 20,000 square feet.

Ms. Jeschawitz expressed some concern with allowing any ground mount systems in Rural Residence 1.

Mr. Groff noted that there is a good example of a small installation already in the district on Henderson Road.

The Board agreed that small system sizes should be allowed as this current system is not obtrusive.

Mr. Groff ran through some various minor recommendations suggested by Town Counsel.

The Board agreed to all changes except one on defining coverage area.

*Mr. Winters moved to send this proposal to the Selectmen as modified this evening.*

*Ms. McCallum seconded.*

*The motion carried unanimously.*

### **ZBA Letter**

Ms. McGowan read the letter regarding the Zoning Board's concern on the definition of professional office in to the record.

The Board tabled discussion on the item and elected to include this on the list of issues that need attention in 2016.

**MINUTES**

Mr. Winters moved to approve the minutes from January.

Ms. Stein Payne seconded.

The motion carried unanimously 5-0

The meeting adjourned at 10:15 PM.