

Planning Board Minutes

October 2, 2018

Present: Chairman Pitney, Vice-Chair Fletcher, Member Raftery, Member Slosek, Clerk, Member Sauer, Member Edmonds, and Jennifer Carmichael Secretary; Absent -Member Talbot.

Chairman Pitney opened the meeting and asked for a motion to approve the minutes from September 18th. Member Fletcher asked for a change to the zoning review comment she had made in the last meeting. Member Slosek made a motion to approve the minutes as amended and Member Edmonds seconded; the vote was: Chairman Pitney – Yes, Vice-Chair Fletcher – Yes, Member Raftery – Yes, Member Slosek – Yes, Member Sauer – Yes, and Member Edmonds – Yes, the motion carried.

Lisa Bouchard from TKG, a Real Estate company, was present to discuss her application to change her sign at 10 Elm Street. The signs are exactly the same size, she is changing the location and the logo has changed. The sign bylaw has changed since Lisa's original sign permit. Vice Chair Fletcher felt none of the application presented met the new sign bylaw. Suggesting she could have two signs flush against the building, limiting the total of the signs to not more than 30 sq. ft. and TKG signs come to 37 sq. ft. It is not allowed to have the photos of the homes for sale hanging on the porch which is considered to be a parapet. Vice Chair Fletcher offered to work with Ms. Bouchard to find something that meets the bylaw and would work for TKG. She will call Vice Chair Fletcher and setup a meeting. Vice Chair Fletcher ask if there were any objections from the board Chairman Pitney had no objections. A question arose if the signs were grandfathered and could the signs just be refurbished and left in the same spots. A question regarding the sign being grandfathered will be posed to Town Council.

Member Raftery gave an update on several things going on at BRPC.

Clerk Slosek read the notice published in the paper for the demolition of 29 East Street. Roberto Laurens and Atty. Matt Mozian were present to discuss the property. Looking for a final determination by the Planning Board whether the building is historic under Article XII. Peter Williams Clerk from the Historic Preservation Committee gave reason for its significance as a contributing building to a potential historic district. Mass Historic Commission from Form I East Street south has listed this building in several places as contributing to a potential historic district. After a discussion where it was added that it was over 50 years old, making it historic, Chairman Pitney asked for a motion. Member Sauer motioned that it was a significant historic building and Vice Chair Fletcher seconded and the vote was: Chairman Pitney – Yes, Member Edmonds – Yes, Member Slosek – Yes, Member Raftery – Yes, Member Sauer – Yes, Vice Chair Fletcher – Yes, the motion carried.

The next step was to decide what could be done with the building. High Lawn has asked for the demolition of the building. Section 3.8 was discussed, Section 3.8 (b) there has not been an

effort to sell the property over 12 months and have no plans to sell it. There were suggestions of how to put the property on the market; High Lawn has no intention of selling any property. They had their contractor give them an appraisal to bring it to the state sanitary code for habitability which was approximately 330,000. Atty. Mozian for High Lawn Farm may apply for Section 3.8 (a) of the bylaw. Again, it was mentioned that they do not desire to sell any property. It was felt that if they do not want to do either Section 3.8 (a) or (b) that the Planning Board would not be able to make a determination. Atty. Mozian felt they would like to make their case with 3.8.a. and not (b). It was felt that 3.8 (a) or (b) was the decision of the Planning Board not the owner. What will happen if we deny the demolition. Is it in the Town's best interest to deny the demolition. There was a disagreement as to Section 3.8 (a) and (b) being the option of the Planning Board or the owner. Greg Wellenkamp from the audience had 3 attorneys he hired interpret Section 3.8, he put his property on the market through a real estate broker and was not able to sell it. His attorneys feel he has satisfied 3.8 and he plans to apply for demolition. No one wants to houses in disrepair around them. There is a risk in telling people they cannot tear down a building; the building has the potential to continue to fall into disrepair and become more of an eye-sore. If a property owner does not want to sell, the building inspector would have to deem it unsafe such as open to the weather or falling down. Member Sauer asked for 3 contractors to give estimates one who focuses on historic preservation and 2 others. Peter Williams pointed out that Jay Rhind gave an estimate for a property to bring it up to a "grade B" renovation after it was sold and it was done. The bylaw passed with an 80% vote for it; protecting and preserving significant historic buildings within the town. Encourage owners to seek out alternative options to preserve, rehabilitate or restore such buildings rather than to demolish them or alter them in a detrimental way. Preserving the heritage of the town think about the policy of the Town. Continuing to allow one after another after another to come down the town will become very different. Member Pitney suggested the next step to either deny or approve the demolition or continue the hearing allowing High Lawn to come back with an alternative plan or a reinforcement as to why it should be demolished and not rehabilitated. Attorney Mozian felt their only alternative was 3.8a as "b" was not an alternative for the farm. Chair Pitney asked for a motion to continue the hearing and Member Slosek motioned to continue the hearing and Member Raftery seconded. The vote was: Chairman Pitney – Yes, Vice-Chair Fletcher – Yes, Member Raftery – Yes, Member Slosek – Yes, Member Sauer – Yes, and Member Edmonds – Yes, the motion carried.

Chairman Pitney mentioned speaking with Member Talbot and he will be resigning, Vice Chair Fletcher asked that Chairman Pitney write a letter to Gene and all the members will sign it.

Member Sauer asked about the legality of the TV at real estate company on Main St. and is in violation of 6.8.5d. Member Pitney made a motion to send a request to the Stockbridge Building Inspector to look at Wheeler & Taylor's video screen under 6.8.5d to determine if it is in violation of the sign bylaw and Member Sauer seconded; the vote was: Chairman Pitney – Yes,

Vice-Chair Fletcher – Yes, Member Raftery – Yes, Member Slosek – Yes, Member Sauer – Yes, and Member Edmonds – Yes, the motion carried.

Chairman Pitney motioned to adjourn and Vice Chair Fletcher seconded, the vote was: Chairman Pitney – Yes, Vice-Chair Fletcher – Yes, Member Raftery – Yes, Member Slosek – Yes, Member Sauer – Yes, and Member Edmonds – Yes, the motion carried.

Respectfully submitted by,

Jennifer Carmichael, Secretary