

EGREMONT PLANNING BOARD

SPECIAL PERMIT HEARING: 377 BUILDERS LLC

MINUTES: TUESDAY APRIL 4, 2017

The hearing opened at 7:03 PM in the Egremont Town Hall meeting room.

Present: Helen Krancer, Don Pulfer, Lucinda Vermeulen, Greg Cherin, and Mark Holmes.

Also: Don Waite, Peter Vallianos, Evan Hardcastle, Tucker Gillooly, and Nick Andersen.

The clerk read the Notice of the Special Permit Hearing.

Helen Krancer told the applicants that because of the fact that the structure at 64 Main Street, South Egremont is non-conforming, the application belongs with the Zoning Board of Appeals. Don Pulfer read a part of Section 4.3.1.5 of the Egremont Zoning Bylaws, and said that in his opinion the issue belonged to the Planning Board because its purview is conforming use of the non-conforming structure. Nick Andersen of Berkshire Engineering read the second half of that Section, arguing that it will be a “use in a non-conforming structure, not a non-conforming use.”

Helen Krancer read Section 4.3.1.3, stating that a non-conforming use or structure ... shall not be re-established unless the applicant goes before the ZBA.

The Board was polled by the Chair as to whether to allow the applicants to proceed with their presentation, and the majority agreed to let the Hearing proceed. Andersen stated that the applicants have every intention of taking the application before the Egremont ZBA to ask for lawful setback relief for 64 Main Street at a later date.

The hearing proceeded at that point. Andersen stipulated all the conditions and circumstances of the proposed use of the building at 64 Main Street by 377 Builders LLC, who at this point have not purchased the property from Donald Waite and Donna Leep. The activity at the property will be shop time of approximately 2-4 months to build cabinets, and office space for the owners. Andersen pointed out that the building does not really lend itself to a residential use at this time, because of the lack of a septic system. The new owners plan on installing a “tight-tank” septic system, which will need to be pumped out on a regular basis. There is parking in the back of the building for a maximum of four cars, the driveway is presently only 11 feet wide, approximately 7’ from the Post Office retaining wall and 2’ from 64 Main

wall. He said parking would typically be two cars, deliveries by box truck, and cabinet pick-up by pick-up truck or van. Evan Hardcastle also said they could, if need be, park a car between the retaining wall of the Post Office and the driveway. He pointed out that if more parking were needed in the future more space could be create by blasting the rock ledge in the back of the building. There will be no showroom for clients, contrary to the wording in the application.

Andersen mentioned that the applicant is asking for relief from 4.1.2.3 because the driveway is narrow and lies inside a 19.5' setback on the west side of the structure. Using the other side of the building for the driveway would be a hardship because of the topography and ledge on the east side. He said the applicant does not foresee any situation where they would need more than four parking spaces. He also said that there is not now any need to make the building handicapped accessible, as there will not be a showroom open to the public.

Krancer asked if the front setback was measured to the steps or to the building. Andersen answered that it measured 39.5 feet to the steps and about 44 feet to the structure. He believed that the front setback was normally measured to the actual structure, not the steps, especially since in this case the steps are made of stone, and not attached to the building.

Motion was made to close the hearing, and that the Planning Board would vote on the application at the next meeting of the Planning Board on April 17, 2017. Motion was seconded and the Hearing was closed at 7:55PM.

Respectfully submitted.

Mark Holmes, Egremont Planning Board Clerk