

APPROVED

ADAMS ZONING BOARD OF APPEALS

MEETING MINUTES

TUESDAY, APRIL 25TH, 2023

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MEMBERS PRESENT: Nat Karns, Thomas Whalen, Raymond Gargan, David Rhinemiller, and Aaron Girgenti.

OTHERS PRESENT: Eammon Coughlin, Town of Adams, Charles LaBatt, Engineer/, John R. Cowie Jr., Abutter, Craig Corrigan, Abutter, Robert Hinton, Petitioners Joseph Nowak, Adams Selectboard Member, John Duval, Adams Selectboard Member

CALL TO ORDER: The meeting was called to order at 6:00PM

Case #23-03 Continuation of application of Robert Hinton, on behalf of Hinton's Berkshire Homes LLC, for property located at 20 East Street (Map 116 Parcels 268 & 269) requesting a Special Permit under §125-4 of the Adams Zoning Bylaw to convert an existing structure into apartments in an R-4 Zoning District.

Charlie Labatt from Guntlow and Associates, representing Hinton's Berkshire Homes gave an overview of the case and changes to the site plan that had occurred since the last ZBA meeting. Mr. Labatt described that a previously used driveway at the property had been discovered during a site visit. This driveway enters onto the 20 East property much sooner than the currently used driveway. By utilizing this other driveway as the main entrance into the property, there would be fewer impacts to abutter Cowie's property. Additionally, screening could be installed along the reconfigured entrance drive to increase privacy for Mr. Cowie.

Members discussed the driveway width, which was measured in the field at 17 feet. Mr. Labatt described how the reconfigured driveway would be 16', which meets the Adams subdivision requirements for a "lane" type street serving up to 12 residences.

Mr. Cowie reiterated his objections to the driveway as proposed. Mr. Corrigan restated his objections to the project.

Member Karns made a motion for the approval of Case #23-03 application of Robert Hinton, on behalf of Hinton's Berkshire Homes LLC, for property located at 20 East Street (Map 116 Parcels 268 & 269) requesting a Special Permit under §125-4 of the Adams Zoning Bylaw to convert an existing structure into apartments in an R-4 Zoning District. With the following findings:

The Board made the following findings related to the Special Permit Criteria:

1. *The traffic generated by nine (9) multi-family units is not enough to cause congestion, hazard, or substantial change in the neighborhood in light of the building's historic use as a retirement home and subsequent use as a community center;*
2. *The continued operation of adjacent single and multi-family residences would not be adversely affected by the redevelopment of the existing building to nine multi-family units and, in fact, given the condition and attractive nuisance nature of the existing vacant structure, adjacent uses probably will be benefitted;*
3. *Renovation of this building to multi-family use will not only not create a nuisance or hazard but will eliminate what has become a hazard or nuisance because of the structure's deteriorating and vacant nature, allowing it to become an attractive nuisance.*
4. *The R-4 district in Adams generally has a mixture of different types of residential uses; this proposed use for nine (9) multi-family rental apartments would appear to be in conformance with the general intent and purpose of the R-4 district and the Adams Zoning Bylaw.*
5. *The rehabilitation of this existing deteriorated, vacant building would be in conformance with the surrounding neighborhood; the renovation and reuse would actually decrease blight and enhance the abutting residences.*
6. *Given the existing building and parking area, there is no apparent negative impacts on the environment. The Town's required site plan review by the Planning Board is the appropriate venue to ensure that any environmental impacts are adequately addressed.*
7. *All required public services are reasonably available to the site. Site Plan review by the Planning Board is the appropriate venue to determine that the site and building are specifically adequately served.*
8. *The economic effect of the rehabilitation of this property will not create an excessive concentration of rental apartments meeting modern standards, negatively impacting other similar properties in the Town. There is, in fact, a well-documented shortage of such market-rate modernized rental apartments in Adams and throughout the Berkshires.*

The following conditions were also attached to the Special Permit:

1. *This Special Permit is limited to rehabilitation of the existing former community center building into nine (9) multi-family apartments and related necessary site work; and*
2. *During Site Plan review with the Planning Board, we recommend special attention be paid to feasible ways to improve access, the condition of the driveway and parking lot, management of stormwater from the site, and enhancement of the natural environment on and adjacent to the site.*

The motion was seconded by member Gargan. Motion passed, vote was unanimous.

OLD BUSINESS/NEW BUSINESS:

REVIEW MAIL:

ADJOURN: *Member Rhinemiller made a motion to adjourn, seconded by member Girgenti at 6:45PM.*

Respectfully Submitted,

Eammon Coughlin
Community Development Director

Date: _____