

To: John Gunn, Chair, and the City of Beacon Planning Board

Date: December 7, 2018

Re: **554 Main Street Amended Site Plan**

I have reviewed a cover letter and Change of Use Summary from Burns Engineering Services, both dated November 26, 2018. No revised plans were submitted, so I will repeat the applicable comments from my previous November 9, 2018 memo to the Planning Board.

### **Proposal**

The applicant is proposing to expand the commercial use of a mixed-use site to include an existing outdoor pavilion for outdoor dining, cooking, and music. The parcel is in the Central Main Street (CMS) district and the Historic District and Landmark Overlay (HDLO) Zone.

### **Comments and Recommendations**

1. The rear portion of the property is now included in the CMS district, which permits commercial uses and has separate parking requirements. However, the new CMS district also includes more specific standards than the previous CB district, which should be applied whenever possible in new site plan approvals. As examples:
  - a. Parking shall be screened from street views by architectural or landscaping elements. An evergreen hedge next to the sidewalk along space #18 should be provided in the Site Plan. A 3' X 3' planter does not adequately screen the side yard parking adjacent to the street.
  - b. Chain link fencing is not permitted in the CMS district, so the six-foot solid wood fencing should replace the chain link fencing on both the side and rear yards to better contain noise and other impacts on neighboring residential properties.
2. Parking spaces #13-18 cannot encroach beyond the property lines or onto the sidewalk. If the two 8-foot-wide ADA spaces were switched back to this eastern corner, 20 total spaces could be accommodated on the site, as well as a 3- to 5-foot-wide evergreen hedge along the sidewalk. The ADA sign should not be placed on the neighbor's tree.
3. Live outdoor music with speakers and outdoor smokers are not listed as specifically permitted accessory uses in the CMS district. To be permitted, they must be considered uses customarily incidental to the permitted use. The Planning Board may impose restrictions on such uses, especially if they could conflict with the Noise Chapter 149 or the Zoning Performance Standards in Article IV. Conditions might include relocation of the smoker, noise attenuating fences, not permitting outdoor speakers or amplified music, partial enclosure of the pavilion to contain the noise sources, or limiting hours of outdoor activities. The applicant is now appropriately seeking a professional sound consultant to provide advice on means to ensure that any outdoor music complies with the City's noise standards.

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4. Any exterior alteration of a landmark structure or property in the HDLO district needs a Certificate of Appropriateness under Chapter 134, Historic Preservation.

If you have any questions or need additional information, please feel free to contact me.

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