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## TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

### Selectboard Meeting via Zoom and in person at 334 Main Street, Great Barrington, MA Order of Agenda for Monday, April 29<sup>th</sup>, 2024, at 5:30 PM

Please click this link to join the webinar:  
Webinar ID: 860 4872 7526

<https://us02web.zoom.us/j/86048727526>  
Dial-in, audio-only: (929) 205 6099

*Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and Governor Healey's March 29, 2023 Revised Order extending remote participation by all members in any meeting of a public body, this meeting of the Selectboard will be conducted both in-person and via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on town's website: [www.townofgb.org](http://www.townofgb.org). Committee members and members of the public may attend this meeting in person or remotely. Instructions for remote access can be found at the top of this agenda. Every effort will be made to ensure that those attending remotely can access the proceedings in real time, via technological means.*

#### **5:00 PM: Selectboard site visit for the Timberlyn Heights Special Permit application (8b). Selectboard members only – no meeting or discussion**

1. CALL TO ORDER SELECTBOARD MEETING
2. CONVENE INTO EXECUTIVE SESSION (will return to open session)
  - a. Executive Session under MGL Ch. 30A, sec. 21(a)(3) for the following purpose: To discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares
    - i. **Anticipated Motion:** Move that the Board meet in executive session pursuant to MGL Ch. 30A sec. 21(a)(3) for the following purpose: To discuss strategy with respect to litigation threatened against the Town concerning the December 8, 2023 Complaint and Police Department response at the W.E. B. Du Bois Middle School.
    - ii. Roll Call Vote
3. RECONVENE INTO OPEN SESSION
4. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS
5. APPROVAL OF MINUTES
  - a. March 25, 2024
  - b. April 8, 2024

6. TOWN MANAGER'S REPORT

- a. Housatonic Water Works
- b. Annual Town Meeting Reminder

7. LICENSES AND PERMITS

- a. Spring License Renewals
- b. Application for Special Farm Winery License: Nine Pin Ciderworks, 32 Learned St., Albany NY, for sale and sampling at the Great Barrington Farmers Market, 18 Church St., from May 11, 2024 until November 11, 2024 – 9:00 AM through 1:00 PM
- c. Application for Common Victualler License: No Comply Foods, 258 Stockbridge Rd., GB
- d. Application for One Day Beer & Wine License: No Comply Foods, Hilltown Hot Pies Pop Up, 258 Stockbridge Rd., GB – May 4, 2024 from 11:00 AM through 9:00 PM
- e. Application for One Day All Alcohol License: Railroad Street Youth Project, Culinary Dinner Celebration Fundraising Event, 17 Seekonk Rd., GB – May 18, 2024 from 5:30 PM through 8:30 PM
- f. Application for One Day Beer & Wine License: Bard College at Simon's Rock, Two Day Alumni Reunion Event, 84 Alford Rd., GB
  - i. May 31, 2024 from 12:00 PM through 11:00 PM
  - ii. June 1, 2024 from 12:00 PM through 11:00 PM

8. PUBLIC HEARINGS

- a. Pole petition, work order number #30875972. Petition by National Grid and Verizon New England, Inc. to install 1 JO pole on Van Deusenville Road beginning at a point approximately 1,175 feet north of the centerline of the intersection of Division Street. National Grid requests to install a new 40-foot Class-2 midspan pole, numbered 6-50 onto public way of Van Deusenville Road for a new service to customer property: 12 Van Deusenville Road and permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said Petitioners may desire for distributing purposes.
  - i. Open Public Hearing
  - ii. Explanation of the Project
  - iii. Public comments, speak in favor or opposition
  - iv. Questions from the Selectboard
  - v. Close Public Hearing
  - vi. Selectboard discussion
  - vii. Motion to continue/deny/grant
- b. Special Permit 942-24 continued from April 8<sup>th</sup> 2024: application from Bear Mountain 320 Properties, Timberlyn Heights Care Center, to construct an addition on the existing nursing home at 320 Maple Avenue, GB, filed per Sections 3.1.4, B(10) and 10.4 of the Zoning Bylaw.
  - i. Open Public Hearing
  - ii. Explanation of the Project
  - iii. Public comments and questions, speak in favor or in opposition
  - iv. Questions from the Selectboard

- v. Comments from other Boards
  - vi. Selectboard discussion and draft findings
  - vii. Close Public Hearing
  - viii. Motion to continue/deny/grant
- c. Triplex Cinema, Inc. Application for Amendment to Change or Alteration of Premises to an all Alcoholic Liquor License at 70 Railroad St., GB, MA 01230
- i. Open Public Hearing
  - ii. Explanation of Project
  - iii. Public comments and questions, speak in favor or in opposition
  - iv. Questions from the Selectboard
  - v. Close Public Hearing
  - vi. Selectboard discussion
  - vii. Motion to continue/deny/grant
- d. Alteration of a Public Way, Elm Court: Per General Law ch. 82, sec. 22 to consider whether to alter Elm Court, a public way, by removing from the layout a portion thereof abutting 9 Elm Court
- i. Open Public Hearing
  - ii. Explanation
  - iii. Public comments, speak in favor or opposition
  - iv. Questions from the Selectboard
  - v. Close Public Hearing
  - vi. Selectboard discussion
  - vii. Motion to adopt an Order to alter the public way

## 9. PREVIOUS BUSINESS

## 10. NEW BUSINESS

- a. December 8<sup>th</sup> Independent Report Findings
- b. Real Estate Exemption Options – Discussion with Principal Assessor
- c. Review and comment to the Zoning Board of Appeals on the Special Permit application from Grigori Fateyev of AF Architecture on behalf of James Hendrick for exterior alterations of the nonconforming structure at 232 Main St., GB in the Village Center Overlay District
- d. Renewal Access Corporation Agreement with CTSB
- e. Requests from American Legion Murphy-Leary Post 298
  - i. Annual Poppy Boot Drive between Gas House Lane and the entrance of JB Hull Oil Inc. on May 18, 2024 from 10:00 AM through 2:00 PM (rain date May 25<sup>th</sup>)
  - ii. Memorial Poppy Fundraiser – donations collected at locations in Great Barrington and Housatonic throughout May 2024
- f. Proposed appointment to the Conservation Commission – Ashlee Van Deusen
- g. Proposed appointment to the Affordable Housing Trust Fund – Peter Most
- h. Proposed appointment to Design Advisory Committee – Bobby Houston

11. CITIZEN SPEAK TIME

*Citizen Speak Time is an opportunity for the Selectboard to listen to residents. Topics of particular concern or importance may be placed on a future agenda for discussion. This time is reserved for town residents only unless otherwise permitted by the chair, and speakers are limited to 3 minutes each.*

12. SELECTBOARD'S TIME

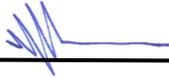
13. MEDIA TIME

14. ADJOURNMENT

NEXT SELECTBOARD MEETING

May 6, 2024 – (Annual Town Meeting) | May 9, 2024 – (Possible Continuation)

May 15, 2024 (Reorganization) | May 20, 2024 | June 3, 2024



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Mark Pruhenski, Town Manager

*Pursuant to MGL. 7c. 30A sec. 20 (f), after notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body, or may transmit the meeting through any medium. At the beginning of the meeting, the chair shall inform other attendees of any such recordings. Any member of the public wishing to speak at the meeting must receive permission of the chair. The listings of agenda items are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law*