

GREAT BARRINGTON PLANNING BOARD

THURSDAY, JANUARY 27, 2022

6:00 PM

Remote Meeting via Zoom Video/Telephone Conference

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88092135879?pwd=Qi9xYlk0ZEprNU9yN002V0pTdzhSQT09>

Passcode: 528528

To dial in by phone, dial +1 929 205 6099

Webinar ID: 880 9213 5879

Passcode: 528528

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's June 16, 2021 Revised Order extending remote participation by all members in any meeting of a public body, this meeting of the Planning Board will be conducted 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, at www.townofgb.org. For this meeting, members of the public who wish to listen to the meeting may do so by following the instructions at the top of the agenda. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means.

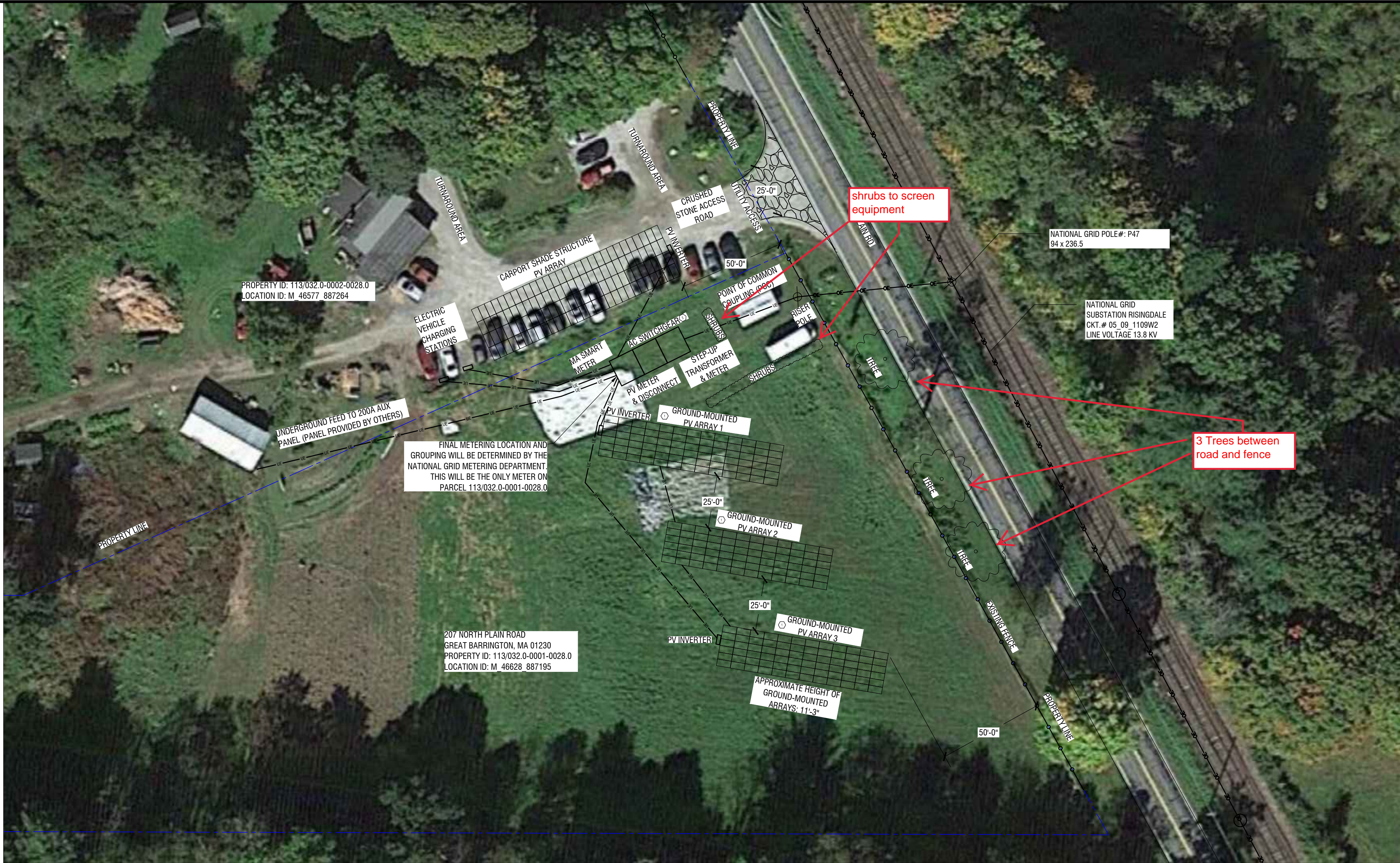
SITE VISIT: 4:30 PM 173 DIVISION STREET (BOARD MEMBERS ONLY)

AGENDA

- 1. FORMS A (SUBDIVISION APPROVAL NOT REQUIRED PLANS):**
- 2. MINUTES:** January 11, 2022
- 3. 205 NORTH PLAIN ROAD, SITE PLAN REVIEW:** Continued review of application from Peter Stanton, 205 North Plain Rd for the installation of an accessory use solar energy system greater than 750 square feet, at 207 and 205 North Plain Rd, filed per Sections 9.12 and 10.5 of the Zoning Bylaw.
- 4. 173 DIVISION STREET, SITE PLAN REVIEW:** Application for Site Plan Review from Patricia and Dennis Hogan to add a second dwelling unit in an R2 zone at 173 Division Street, filed in accordance with Sections 8.1 and 10.5 of the Zoning Bylaw.
- 5. 82 RAILROAD STREET, SITE PLAN REVIEW:** Application for Site Plan Review from Jeremy Bromberg, Bridge City Collective and OBCC, LLC, for a retail marijuana establishment in a B zone at 82 Railroad Street, filed in accordance with Sections 7.18 and 10.5 of the Zoning Bylaw.
- 6. ZONING AND TOWN CODE AMENDMENTS:**
 - a. Stockbridge Road incentive zoning, continuing discussion
 - b. Special permit and site plan review moratorium for certain projects that include low- and moderate-income rental housing
 - c. Review and approve draft letter of transmittal of zoning amendments and Town code amendments to the Selectboard
- 7. AFFORDABLE HOUSING:** Continued discussion of existing and potential municipal housing programs, actions, incentives, studies or recommendations
- 8. BOARD & SUBCOMMITTEE UPDATES / ISSUES & CONCERNS**
- 9. TOWN PLANNER'S REPORT**
- 10. CITIZEN'S SPEAK TIME**
- 11. ADJOURN**

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 also be brought up for discussion to the extent permitted by law.

Agenda Item 3



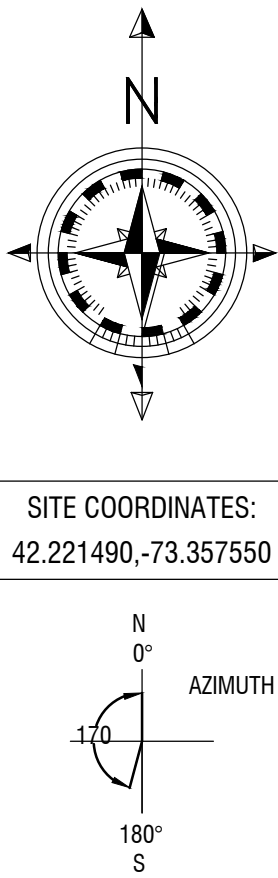
1
E-100 1/32" = 1' 0"

PROPOSED ELECTRICAL SITE PLAN

ELECTRIC KEY NOTES:

- 1 450W 144-CELL MONO-CRYSTALLINE SOLAR (PV) MODULE, 20.3% EFFICIENCY, 0.5% ANNUAL DEGRADATION OVER 30 YEARS. DIMENSIONS: 65" X 39" INCHES. 12-YEAR PRODUCT WARRANTY ON MATERIALS AND WORKMANSHIP AND 25-YEAR LINEAR POWER OUTPUT WARRANTY. MODULES ARE UL1703 LISTED. EACH MODULE INCLUDES OUTDOOR RATED QUICK CONNECTS FOR MODULE INTERCONNECTION. DO NOT REMOVE THE QUICK CONNECTS, OTHERWISE THE MODULE WARRANTY AND UL LISTING MAY BE INVALIDATED. QUICK CONNECTS SHALL COMPLY WITH NFPA 70 ARTICLE 690.53(C).
- 2 SYSTEM DISCONNECTING MEANS AND METERING SHALL BE ACCESSIBLE TO UTILITY 24/7 AND LOCKABLE.

SITE PV SUMMARY	
CARPORT SHADE STRUCTURE	
MODULE STC RATING:	450 W
MODULE QTY:	116
TOTAL DC GENERATION:	52.2 kW
GROUND-MOUNTED ARRAY	
MODULE STC RATING:	450 W
MODULE QTY:	222
TOTAL DC GENERATION:	99.9 kW



SITE COORDINATES:
42.221490, -73.357550

300 State Street, Suite 201
Rochester, NY 14614
585-454-6110

labellapc.com

It is a violation of New York Education Law Article 145 Sec.7209, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered; the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

© 2021 LaBella Associates

ARIES POWER

441 LOUDON ROAD
LOUDONVILLE, NY 12211

CARPORT & GROUND-MOUNTED PV ARRAYS

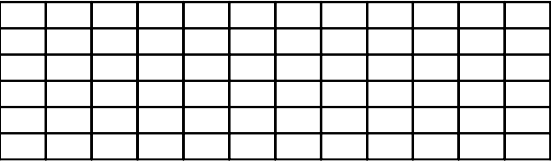
207 NORTH PLAIN ROAD
GREAT BARRINGTON, MA 01230

--	--	--
NO:	DATE:	DESCRIPTION:
REVISIONS		
PROJECT NUMBER:		
--		
DRAWN BY:		
REVIEWED BY:		
ISSUED FOR:		
INTERCONNECTION APPLICATION		
DATE:		
JANUARY 2022		
DRAWING NAME:		

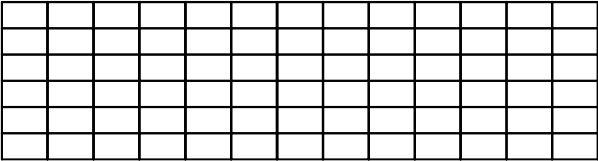
SITE LAYOUT

DRAWING NUMBER:

E100



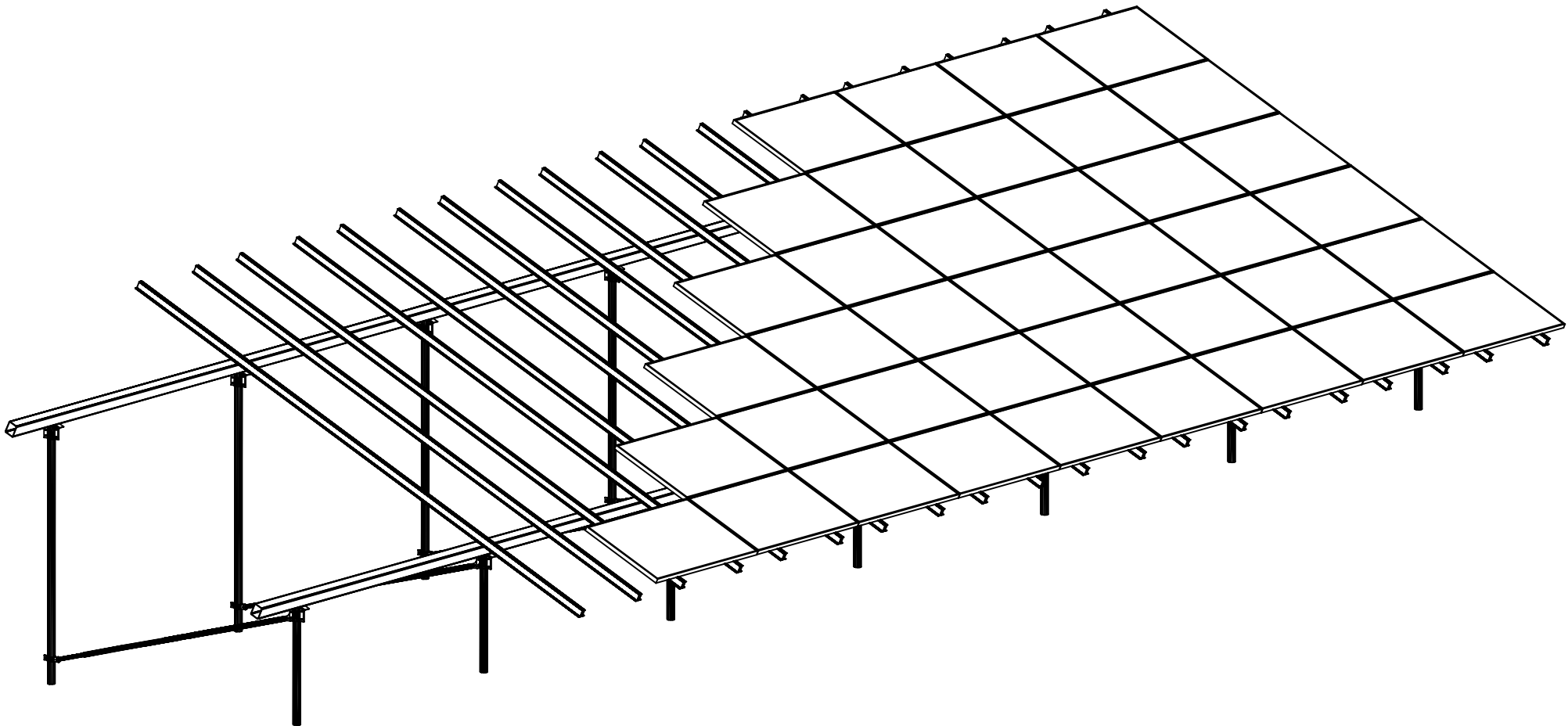
Typical (2) Arrays



Typical (1) Array

Plan View

NOT TO SCALE



Site Design Conditions

Basic Wind Speed: (Risk Category II)	115 MPH	Max. Leg Axial Bearing:	5,380 lbs.
Basic Wind Speed: (Risk Category I)	105 MPH	Max. Leg Uplift:	2,115 lbs.
Exposure Category:	B	Max. Lateral Resistance:	2,085 lbs.
Ground Snow Load:	50 PSF	Top Rail Max. Loading:	139.0 plf
Flat Roof Snow Load: (if applicable)	40 PSF	Helical Pile Depth:	60" Min
Site Contour:	<5 Degree Slope	Lateral Resistance Plate Size:	Not Req'd

All design work has been performed in accordance with the Massachusetts State Building Code, Ninth Edition, Base Volume (780 CMR) including but not limited to the 2015 International Building Code as amended by 780 CMR.

Net design pressures were calculated in accordance with ASCE 7-10 section 27.4.3, "Open Buildings with Monoslope, Pitched, or Troughed Roofs". All load cases were evaluated in determining the limiting design conditions. The data table above provides the results for the limiting load case. Maximum leg reaction forces represent the highest load condition seen by any leg in the structure. All legs in the structure are designed to meet the maximum load conditions.

(2) 6Lx12C Sub-Array Design Conditions

Front Leg Height:	35½"	Array Tilt Angle:	30 Degrees
Rear Leg Height:	105½"	Overall Array East-West Dim:	87'-2"
North-South Leg Spacing:	123"	Number of Modules/Sub-Array:	72
West Span Leg Spacing:	13'-0"	Number of Sub-Arrays:	2
East Span Leg Spacing:	13'-0"	Module Columns/Sub-Array:	12
Quantity Center Spans:	4	Number of Module Rows:	6
Center Span Leg Spacing:	13'-0"	Module Orientation:	Landscape
East & West Overhang:	3'-6"	Module Column Spacing	⅜"
Overall Beam Length:	85'-0"	Module Row Spacing	¼"
Front Edge Ground Clearance:	18"	Module Model:	JKM450M-7RL3-TV
Horizontal Rail Material:	5"x4"x⅝" HSS	Module Size:	40.63" x 86.81"
Top Rail Material:	SF Rails	Individual Module Rating:	450 watt
Qty Rails per Panel:	2	Sub Array Power Rating:	32.40 kw
Top Rail Length:	254"	Total Power Rating:	99.90 kw
Top Rail Center Span:	142"		
Top Rail Overhangs:	56"		

(1) 6Lx13C Sub-Array Design Conditions

Front Leg Height:	35½"	Array Tilt Angle:	30 Degrees
Rear Leg Height:	106½"	Overall Array East-West Dim:	94'-5"
North-South Leg Spacing:	123"	Number of Modules/Sub-Array:	78
West Span Leg Spacing:	14'-0"	Number of Sub-Arrays:	1
East Span Leg Spacing:	14'-0"	Module Columns/Sub-Array:	13
Quantity Center Spans:	4	Number of Module Rows:	6
Center Span Leg Spacing:	14'-0"	Module Orientation:	Landscape
East & West Overhang:	4'-3"	Module Column Spacing	⅜"
Overall Beam Length:	92'-6"	Module Row Spacing	¼"
Front Edge Ground Clearance:	18"	Module Model:	JKM450M-7RL3-TV
Horizontal Rail Material:	5"x4"x⅝" HSS	Module Size:	40.63" x 86.81"
Top Rail Material:	SF Rails	Individual Module Rating:	450 watt
Qty Rails per Panel:	2	Sub Array Power Rating:	35.10 kw
Top Rail Length:	254"	Total Power Rating:	99.90 kw
Top Rail Center Span:	142"		
Top Rail Overhangs:	56"		

Sheet 1 of 4

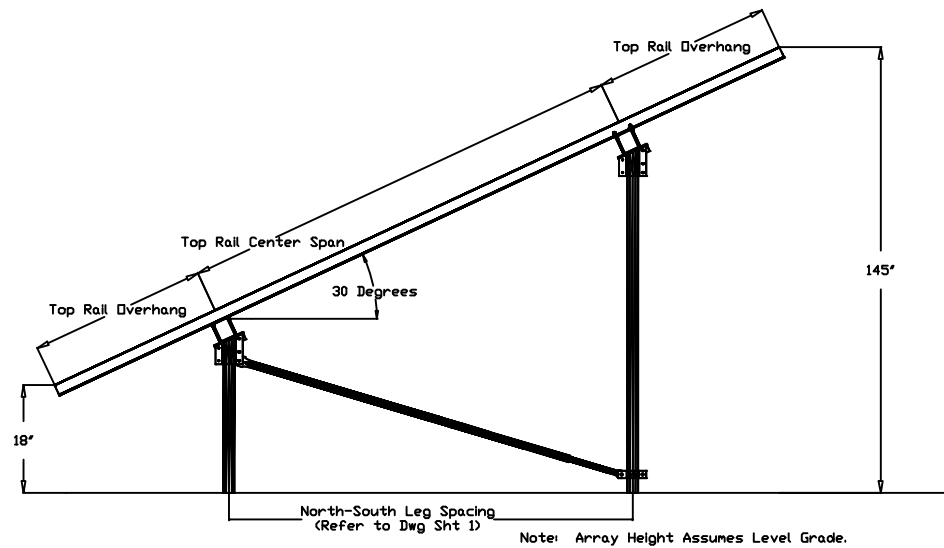
Date	Revision	Drawn By:	Review By:
12/28/2021	Original	MM	JD

Aries Power

Project:
Stanton Home
207 N. Plain Road
Great Barrington, MA 01230

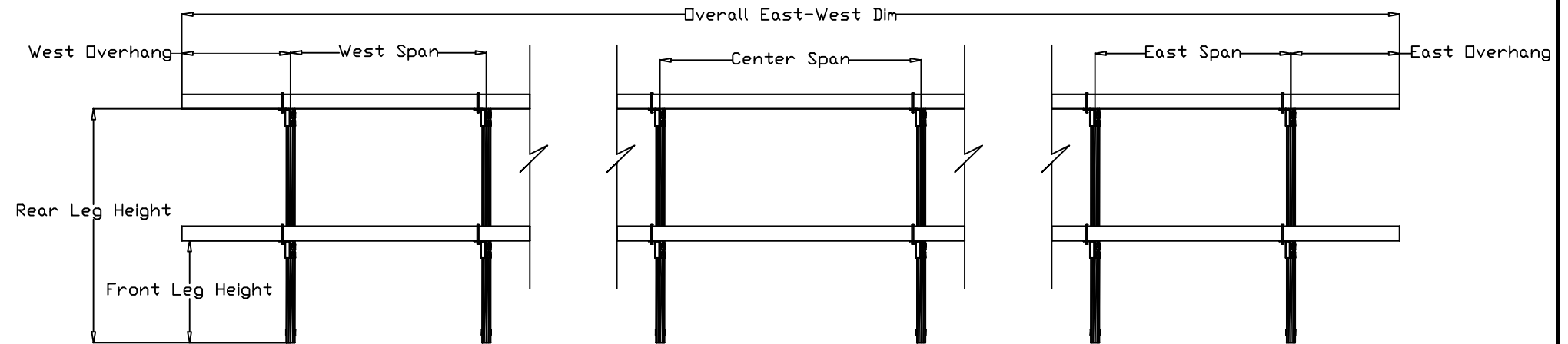
Solar Foundations USA

1142 River Road, New Castle, DE 19702 Ph: (855) 738-7200 Fax: (866) 644-5665

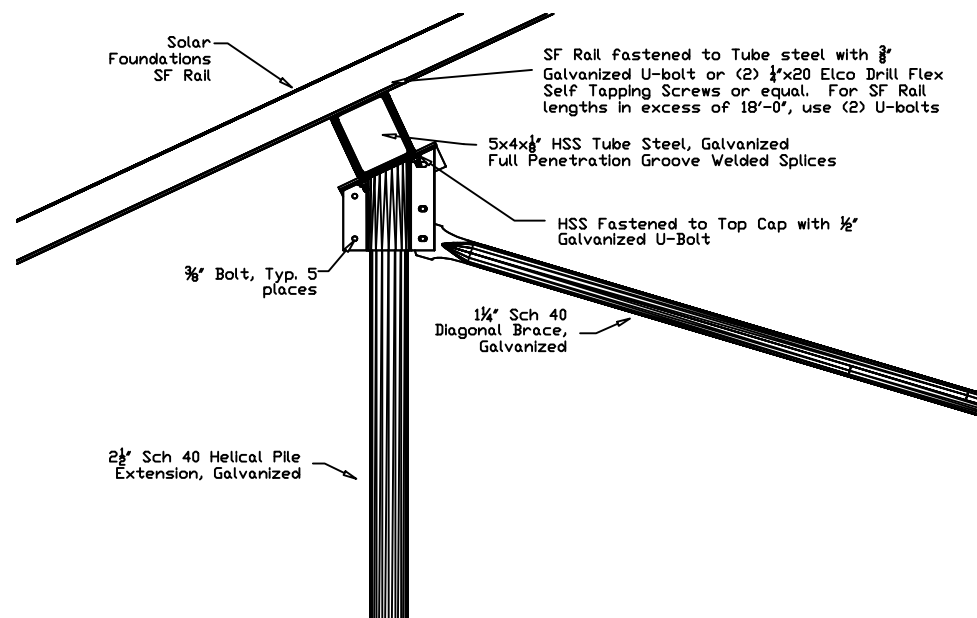


SIDE ELEVATION DETAIL

NOT TO SCALE

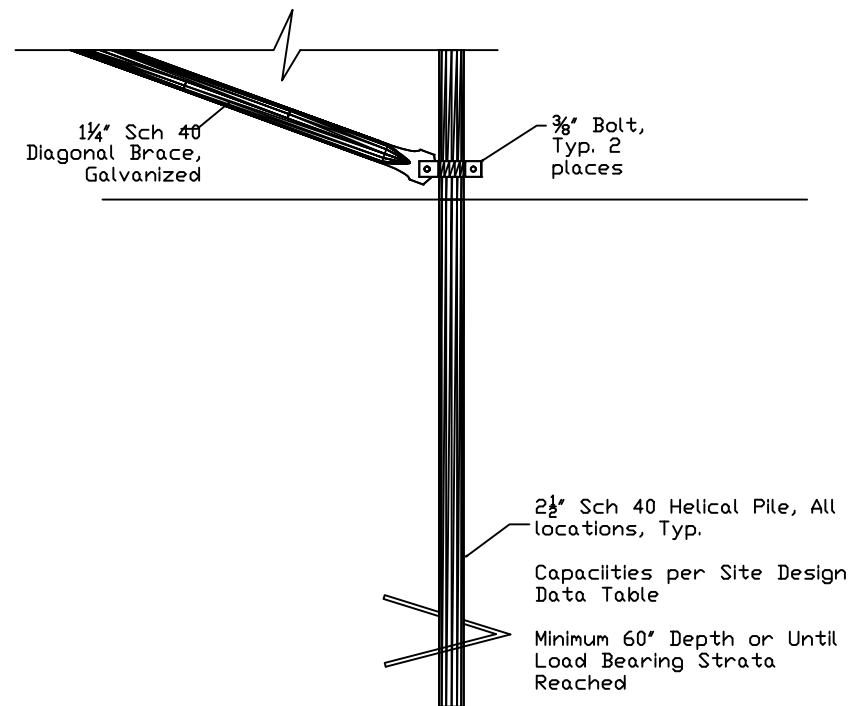


Refer to Dwg Sheet 1 for East-West Pile Spans and Front and Rear Leg Heights.
POST SPACING ELEVATION DETAIL
 NOT TO SCALE



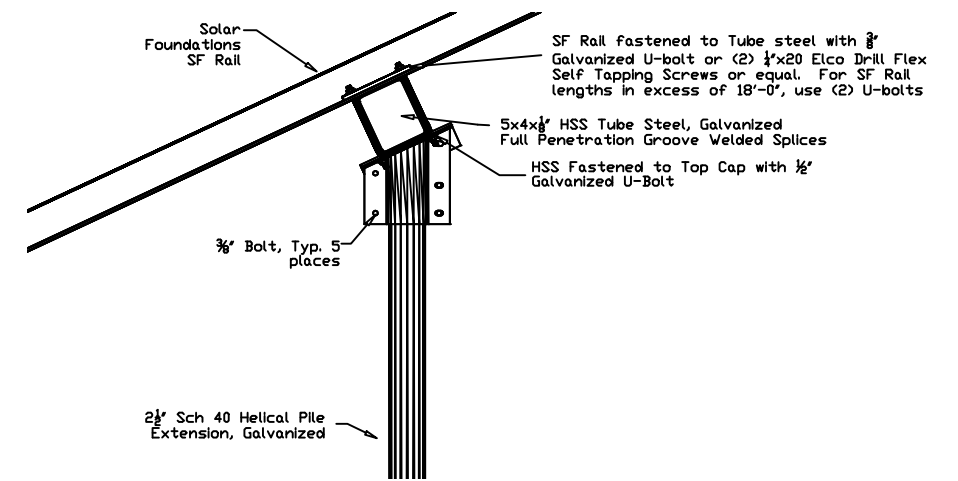
LOWER CAP DETAIL

NOT TO SCALE



HELICAL PILE DETAIL

NOT TO SCALE



UPPER CAP DETAIL

NOT TO SCALE

Sheet 2 of 4

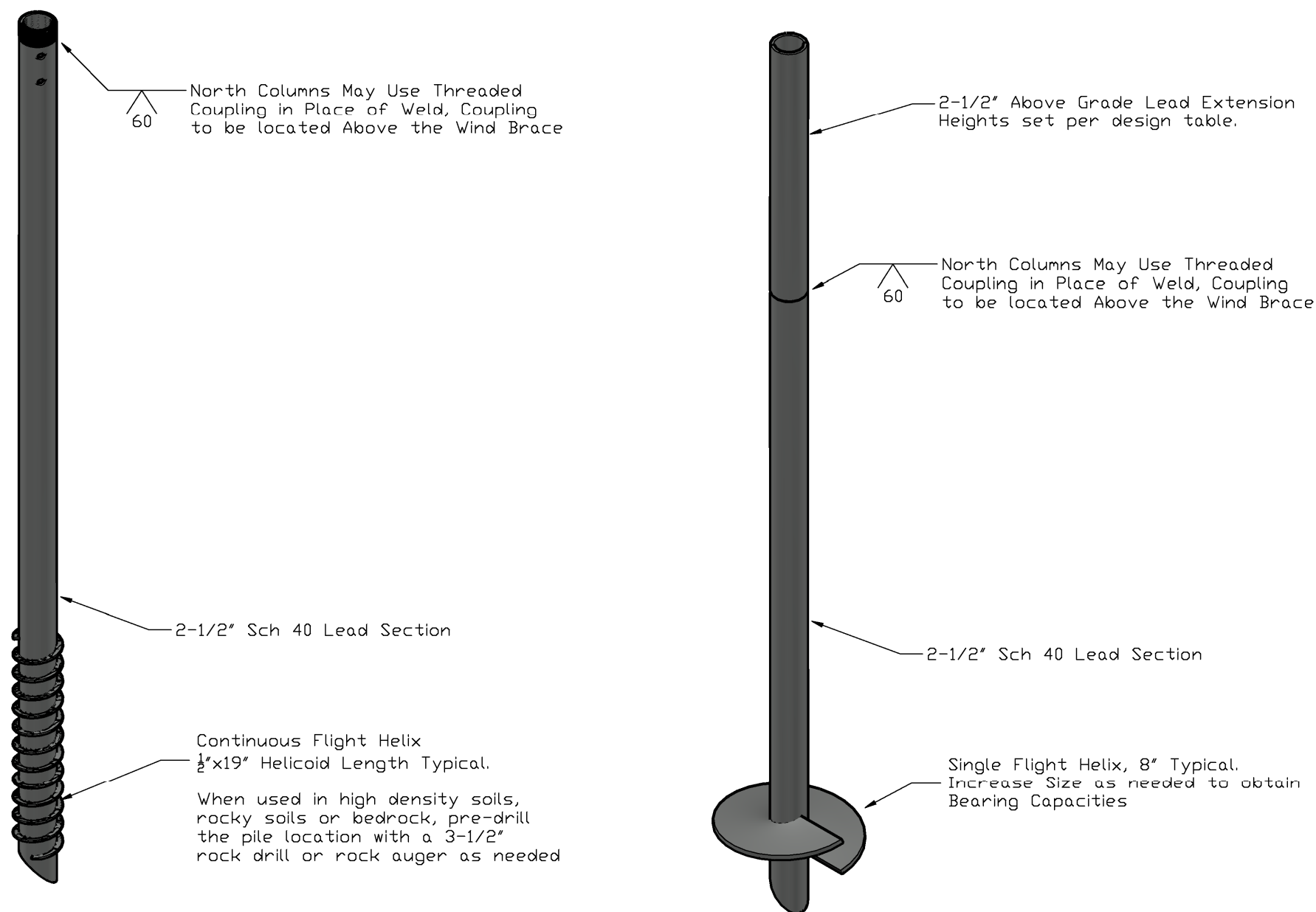
Date	Revision	Drawn By:	Review By:
12/28/2021	Original	MM	JD

Aries Power

Project:
 Stanton Home
 207 N. Plain Road
 Great Barrington, MA 01230

Solar Foundations USA

1142 River Road, New Castle, DE 19720 Ph: (855) 738-7200 Fax: (866) 644-5665



Helical Pile Detail NOT TO SCALE

Specification Requirements:

The following material specification requirements pertain to the fabrication of the Solar Foundations USA ground mount solar support structure as indicated on these drawings.

1. Solar Foundation aluminum rails shall conform to ASTM B221.
2. Structural steel tubing shall be ASTM A500 High Yield (60 ksi).
3. Steel pipe for piles shall conform to ASTM A500 Grade C.
4. Steel pile extensions shall be ASTM A53 Grade B.
5. Steel pipe for diagonal bracing shall be ASTM A53 Grade A.
6. Fabricated steel plate for column cap assemblies, bracing clamps, etc. shall be ASTM A36 or A1011.
7. Steel bolts for cap fasteners shall conform to SAE J429 Grade 5. All other bolts shall conform to SAE J429 Grade 5 or better.
8. Steel U-bolts shall conform to ASTM 1018.
9. USS flat steel washers shall conform to ASTM F844 and nuts for steel connections shall conform to ASTM A563 Grade A.
10. All field welding shall conform to AWS D1.1/D1.1M -Structural Welding Code requirements.
11. All steel shall be hot-dip galvanized per ASTM A123 or A153 after all fabrication has been completed.

Installation Requirements:

1. The minimum average installation torque required to obtain the required indicated capacities and the minimum installation depth shown on the plans shall be satisfied prior to termination of the installation. The installation torque shall be an average of the installation torques indicated during the last 1 foot of installation.
2. The torsional strength rating of the torque anchor shall not be exceeded during the installation. If the torsional strength limit of the anchor has been reached, but the anchor has not reached the target depth, perform the following:
 - 2.1. If the torsional strength limit is achieved prior to reaching the target depth, the installation may be acceptable if reviewed and approved by the engineer and/or owner.
 - 2.2. The installer may remove the torque anchor and install a new one with smaller diameter helical plate.
 - 2.3. If using a continuous flight pile, pre-drill the pile location with a 3-1/2" rock auger or 3-5/8" rock drill as needed.
3. If the target depth is achieved, but the torsional requirement has not been met the installer may do one of the following:
 - 3.1. Install the torque anchor deeper to obtain the required capacity
 - 3.2. Remove the torque anchor and install a new one with a larger diameter helical plate or one with multiple helical plates.
 - 3.3. Reduce the load capacity on the individual torque anchor by providing additional torque anchors at a reduced spacing.

Sheet 3 of 4

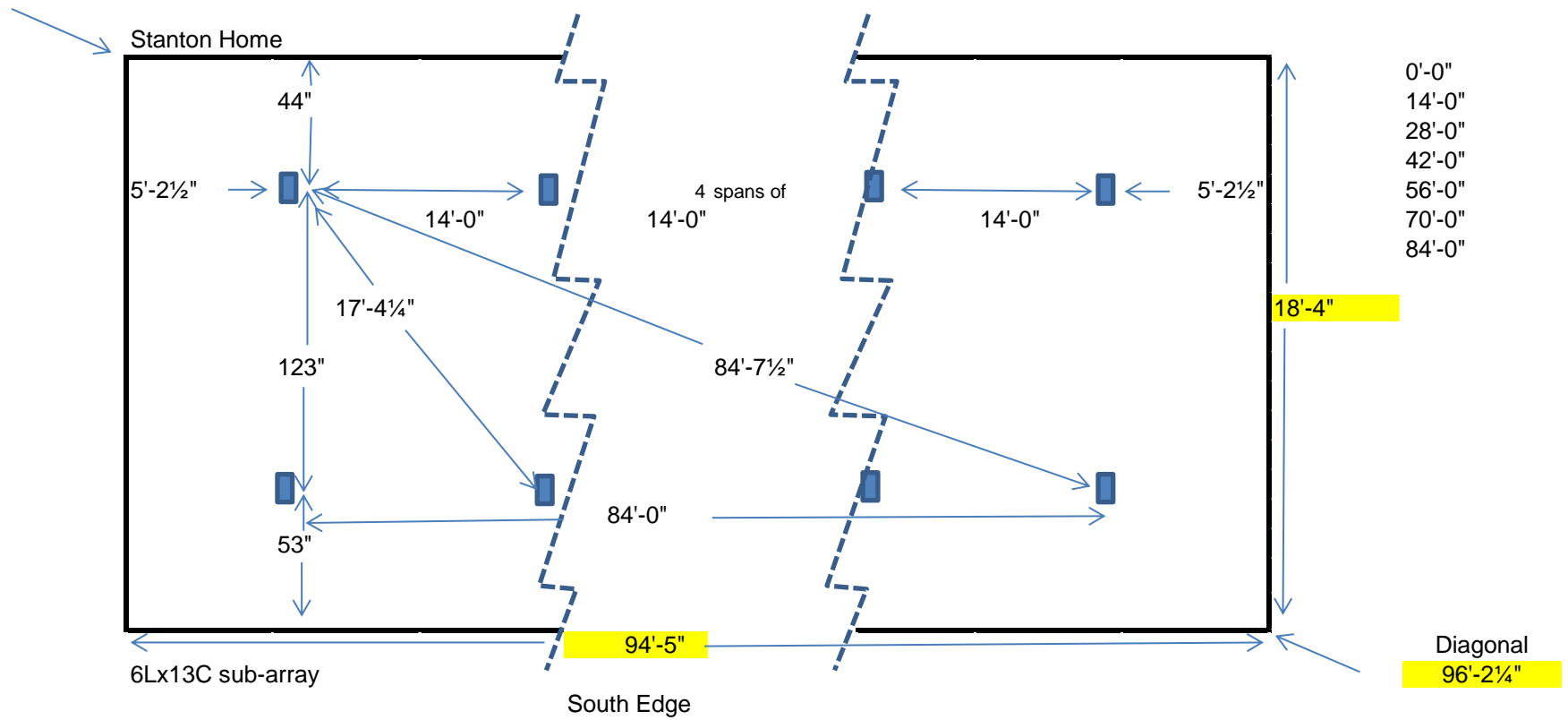
Date	Revision	Drawn By:	Review By:
12/28/2021	Original	MM	JD

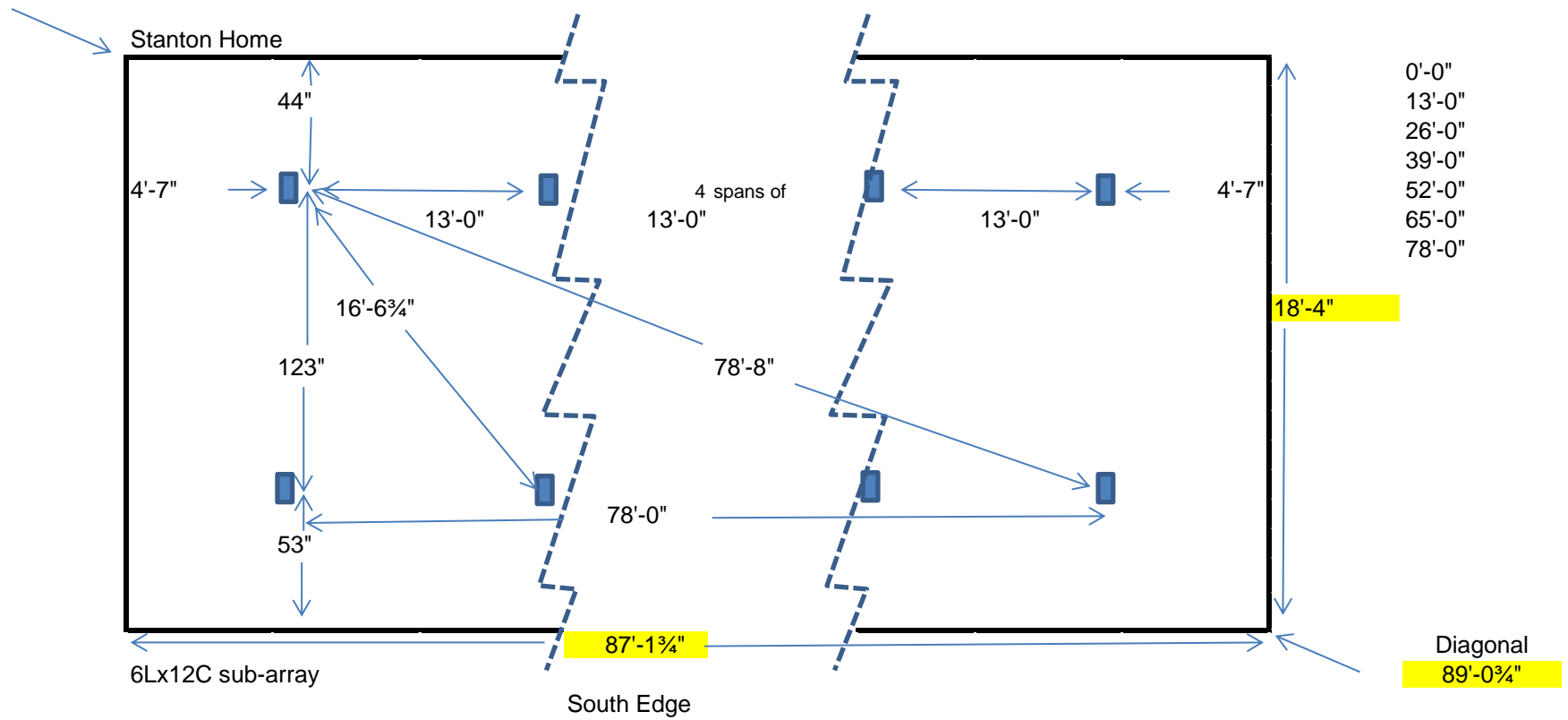
Aries Power

Project:
Stanton Home
207 N. Plain Road
Great Barrington, MA 01230

Solar Foundations USA

1142 River Road, New Castle, DE 19720 Ph: (855) 738-7200 Fax: (866) 644-5665





Agenda Item 4



**Town of Great Barrington
Planning Board**
**Application to the Planning Board for
Site Plan Review**
in accordance with Section 10.5 of the Zoning Bylaw

INSTRUCTIONS TO APPLICANTS

Read Section 10.5.1 of the Zoning Bylaw. If you believe any requirements should be waived, you must formally request waivers from the Board. This may be done in your cover letter.
Fill in all applicable information on this form.
Submit one (1) original and three (3) copies, along with your payment, site plan, and other required information to the Town Planner. At least one set of the site plans must be full sized. Collate the information so that all four packets are identical, except for the original signature.
Submit one (1) PDF of the entire packet including any and all plans and specifications.
The PDF must be clear and scalable.
Call the Town Planner at (413) 528-1619 ext. 7 if you have any questions.

FOR OFFICE USE ONLY

SPR number: 137-22
Paid? ☒
Filing Date: 1-14-22
Initial PB meeting date: 1-27-22
Decision due: 3-15-22
☒ Original and three copies received
☒ PDF received
☒ Original filed with Town Clerk

**** DEADLINE **** Applications including all copies and PDFs must be received by 4:00 PM one week before a Planning Board meeting in order to be considered at that meeting. Materials received after the deadline will be scheduled for a future meeting.

TIMELINE: In accordance with the Zoning Bylaw, the Planning Board must review and act upon the site plan within 60 days of receipt of the application, unless the time limits are extended after the applicant's written request.

A. SITE LOCATION

Site Address: 173 DIVISION STREET
113/034.01/0000/0005.F
Map: 113 Lot: 32 Deed Book: 1019 Deed page: 232
Zoning District: R-2 Zoning Overlay District(s) (if any): _____

B. APPLICANT AND PROPERTY OWNERApplicant's
Information

Name (please print) PATRICIA C. DENNIS HOGAN
Street Address 173 DIVISION ST.
City, State, Zip Code GT BARRINGTON, MA
Phone (area code first) 413 528-5367 Email Address: phgbma@gmail.com
Signature Patricia C. Hogan 7 dhst173@gmail.com

- ☒ Check here if Applicant and Property Owner are the same, and skip to step C., Description.
☐ Check here if Applicant is different than the Property Owner, and to verify that you have the Property Owner's permission to file this Application. Property Owner must sign this form indicating permission to file this Application.

Enter Property Owner's Information EXACTLY as it appears on the most recent tax bill.

Property
Owner's
Information

Name (please print) _____
Street Address _____
City, State, Zip Code _____
Phone (area code first) _____ Email Address: _____
Owner's Signature _____

C. DESCRIPTION Briefly describe your project, and indicate how it complies with the Master Plan and the Design Guidelines Workbook. If additional space is needed, please submit on additional sheet(s) as required.

Construction of a three-bedroom, 2-1/2, two story dwelling to be attached to existing garage. New structure is to provide housing for a family member. The need for a new septic tank and additional drainage has been addressed by the owners and site evaluation by the Board of Health, Scott McFarland and Al Thorpe.

D. APPLICABILITY: Check the reason(s) for your Application (choose all that apply)

- ☐ 1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or multi-family structure.
- ☐ 2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or multi-family structure or use involving more than six spaces.
- ☐ 3. Grading or clearing of more than 10 % of a lot or 10,000 square feet, whichever is the lesser (except as provided in 10.5.1, of the Zoning Bylaw).
- ☒ 4. Other, as required by the Zoning Bylaw. (Please specify: Section(s) 8.2)

E. SPECIAL PERMITS AND OTHER REGULATIONS

1. Does your project require any Special Permits? Yes No ☒
- If yes, have you applied for and/or received those Special Permits? Yes No
2. You acknowledge that Planning Board Site Plan Approval does not imply approval of any Special Permits or compliance with other regulations, including, but not limited to, the Wetlands Protection Act or Scenic Mountains Act. Check here to acknowledge ☒.
3. Does your project require filing of a Notice of Intent (NOI)? Yes No ☒
- If yes, has NOI been filed and has an Order of Conditions been issued? Yes No

F. FEE

- ☒ Check here to confirm that your check of \$75 per application is enclosed. Make checks payable to Town of Great Barrington.

G. REQUIREMENTS

This application is accompanied by those items detailed in Section 10.5.3 of the Zoning Bylaw, including:

(Check items 1. and 2. at a minimum. Check item 3. if it is required by the Planning Board. Check item 4 if applicable to your project.)

- | | |
|--|---|
| <input checked="" type="checkbox"/> 1. Plot Plan of the entire tract, signed by a licensed surveyor or engineer, and including details noted in Section 10.5.3, item #1, of the Zoning Bylaw | <input type="checkbox"/> 3. Traffic impact assessment, if required, as noted in Section 10.5.3, item #3, of the Zoning Bylaw |
| <input checked="" type="checkbox"/> 2. Signatures, letters, and fees as noted in Section 10.5.3, item #2, of the Zoning Bylaw | <input checked="" type="checkbox"/> 4. If project involves construction, exterior alteration or expansion, or change of use, this application <u>must</u> also contain floor plans and elevations of the building |

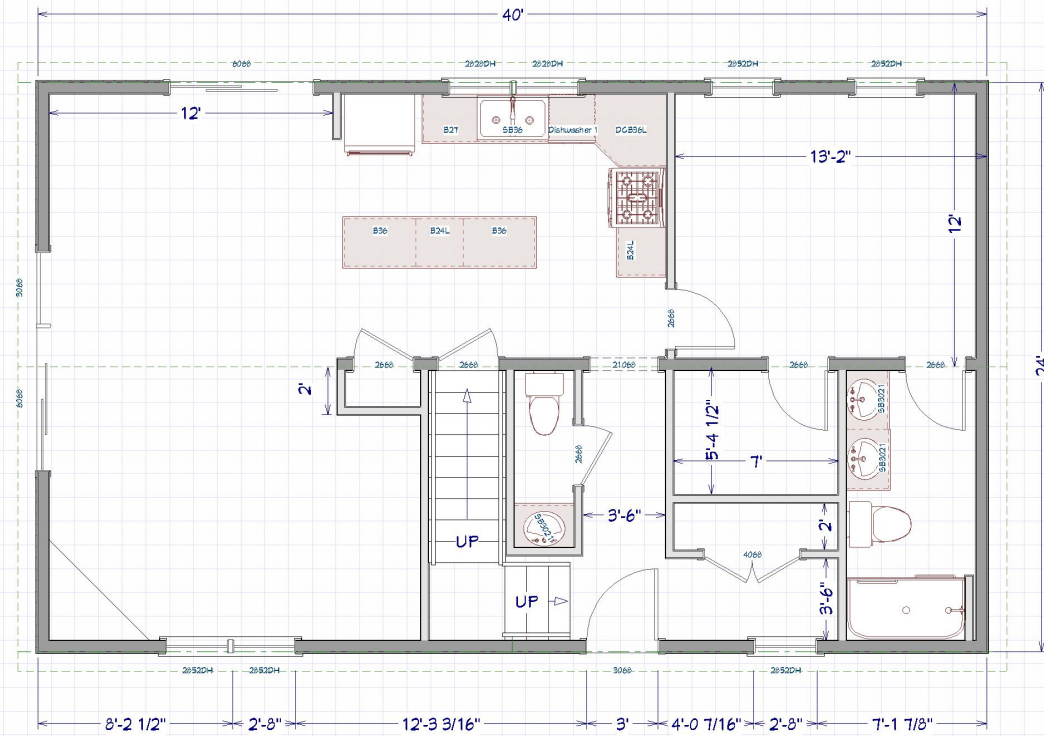
H. ABUTTER NOTIFICATION

Have you discussed your proposed plans with the neighbors of this site? Yes ☒ No

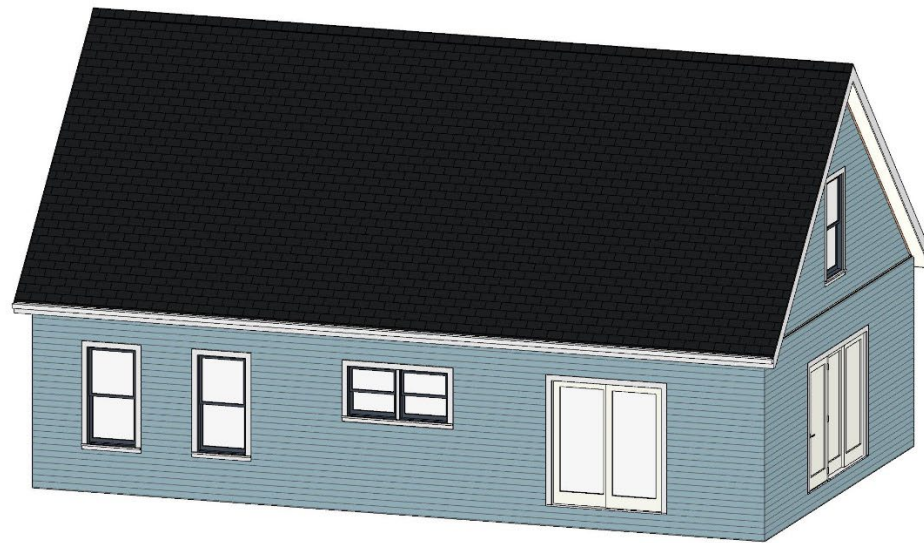
I. APPROVAL

APPLICANT SHOULD BE FAMILIAR WITH THE REQUIREMENTS OF SITE PLAN REVIEW PER SECTION 10.5 OF THE ZONING BYLAW AND SHOULD ENSURE THAT THE APPLICATION COMPLIES. FAILURE TO COMPLY MAY RESULT IN DENIAL.

APPLICANT SHOULD BE FAMILIAR WITH THE APPROVAL CRITERIA PER SECTION 10.5.3 OF THE ZONING BYLAW.



LIVING AREA
960 SQ FT



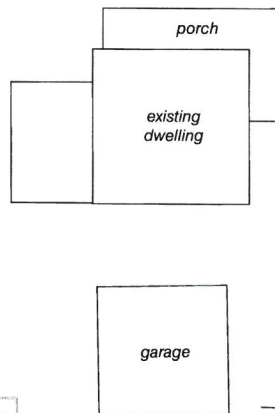
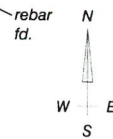
ESTIMATED SYSTEM CAPACITY *

	BED CONFIGURATION					GPD
	NO.	S.F./L.F.	LENGTH	LEACHING FACTOR		
EXISTING TRENCHES	4	x 5	x 60	x 0.53		636
PROPOSED TRENCH	1	x 5	x 60	x 0.53		159
TOTAL PRIMARY DESIGN FLOW (GPD):						795
EXCEEDS REQUIRED FLOW (GPD):						660

* OWNER PROPOSES NEW CONSTRUCTION ON SUBJECT PROPERTY, RESULTING IN AN INCREASE FROM FOUR (4) TO SIX (6) BEDROOMS. SYSTEM CAPACITY IS ESTIMATED BASED UPON A PERC RATE OF 20 MIN. INCH. AND EXISTING TRENCHES HAVING A WIDTH OF 3 FT. AND SIDEWALLS OF 1 FT. (5 SQ. FT. OF LEACHING AREA PER LIN. FT. OF TRENCH). SEE PLAN ENTITLED "SUBSURFACE SEWAGE DISPOSAL SYSTEM FOR: SUSAN & CARL PRATT" DATED OCTOBER 11, 1994. ESTIMATE OF SYSTEM CAPACITY IS NOT A GUARANTEE OF FUTURE PERFORMANCE.

TOTAL PRIMARY DESIGN FLOW (GPD):
EXCEEDS REQUIRED FLOW (GPD):

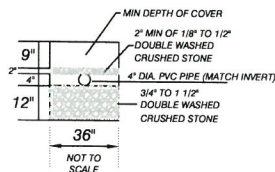
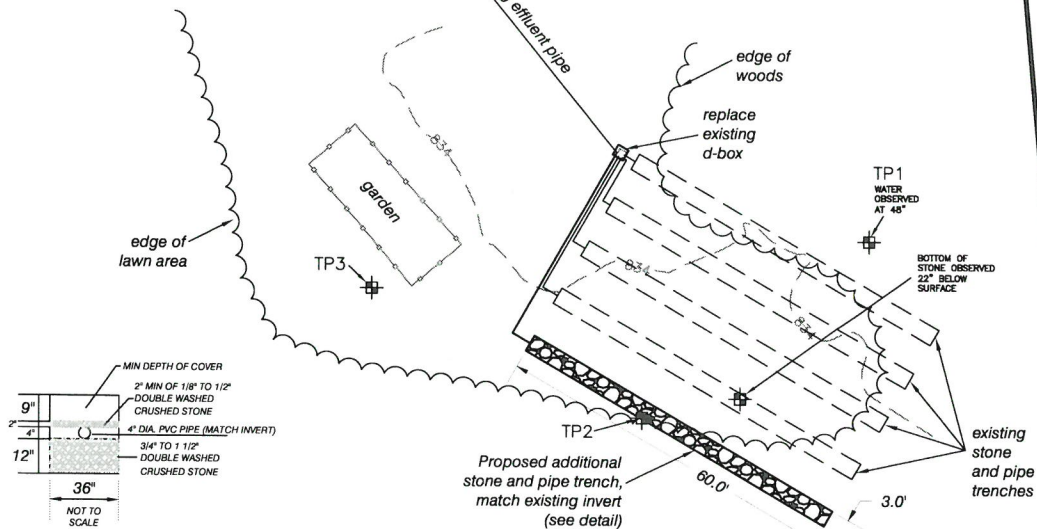
existing well



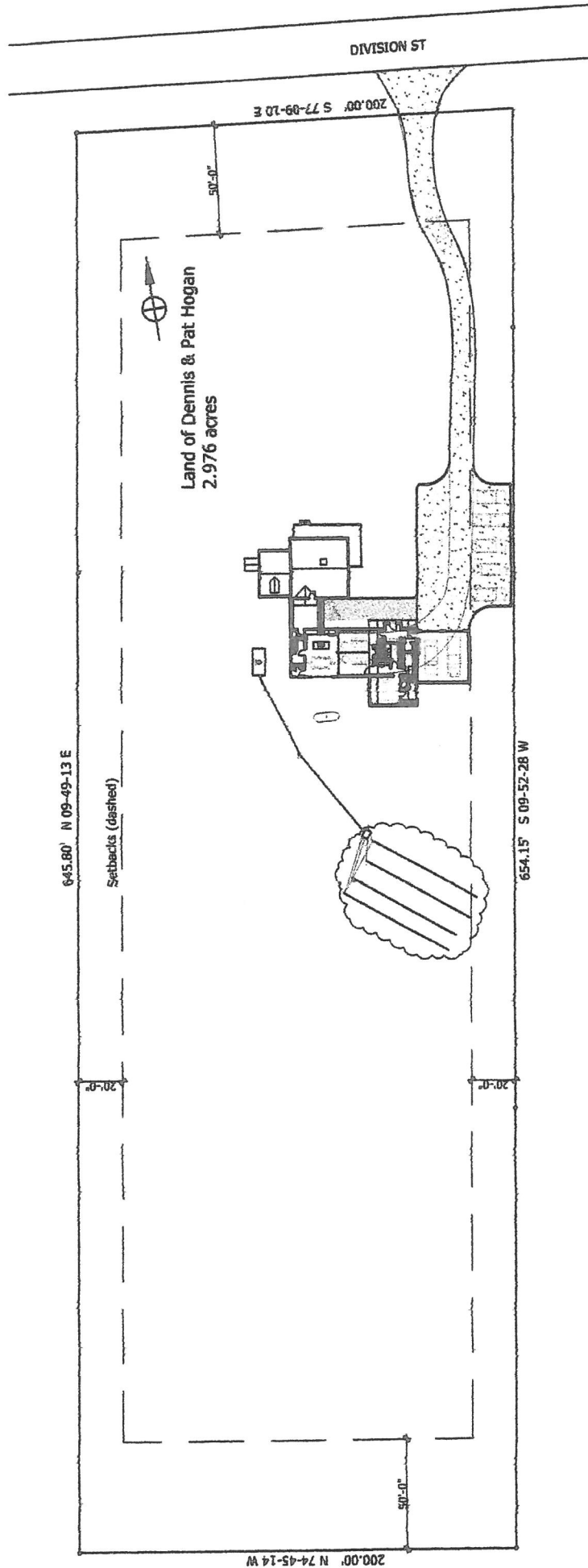
Approximate location of existing 1,000 gallon concrete septic tank. Replace with 2,000 gallon two-compartment septic tank (Richards ST-20N or equal)

approximate location of existing effluent pipe

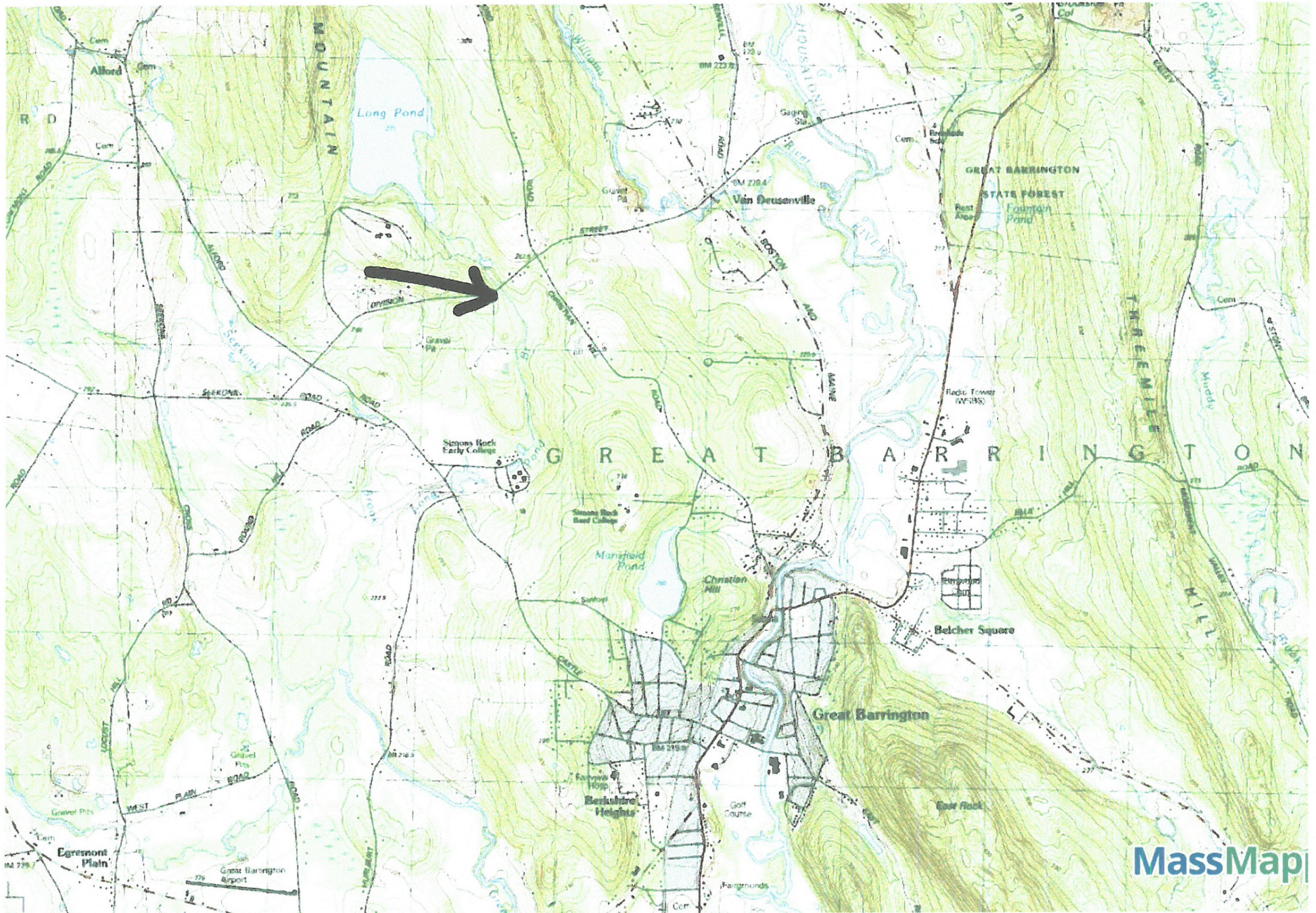
approximate property line (see map book 7, page 152)



SHEET 1 OF 1 SHEET(S)	Disposal Works Construction Permit Sketch	PROJECT: #2296	ACCORD ENGINEERING & SURVEYING, LLC 631 Main Street, Ste.102 Gt. Barrington, MA 01230 www.accord-engineering.com
	Dennis J. Hogan & Patricia R. Hogan	DATE: 06/15/21	
	173 Division Street	REV:	
	Great Barrington, Massachusetts	SURV: A.R. THORP	
	Not Valid without Authorized Signature	CAD: A.R. THORP	



173 Division Street USGS



Town of Great Barrington ZONING MAP

Revised: 10/15/2014
Map of Great Barrington, MA
Scale: 1" = 1,000'

RESIDENTIAL

- R-1-A One-Family Medium Density (10,000 sq ft.)
- R-1-B One-Family High Density (6,500 sq ft.)
- R-2 Average Residential (1 acre)
- R-3 General Residential (5,000 sq ft.)
- R-4 Large Acreage Residential (2 acre)

BUSINESS

- B Downtown Business
- B-1 Neighborhood Business
- B-2 General Business
- B-2-A Transitional Business
- B-2-X State Road Mixed Use
- B-3 Downtown Mixed-Use
- DBP Downtown Business Parking
- HVC Housatonic Village Center
- MXD Mixed Use Transitional

INDUSTRIAL

- I Light Industry
- I-2 Industrial / Multi-Family

OVERLAY DISTRICTS

- VCOD Village Center Overlay District (see Section 9.6)
- HMIROD Housatonic Mill Revitalization Overlay District (see Section 9.8)
- HVOD Housatonic Village Overlay District (see Section 9.10)
- WQPOD Water Quality Protection Overlay District (see Section 9.2)
- SGOD Smart Growth Overlay District (see Section 9.13)

See also:
Official Boundary Map
Water Quality Protection Overlay District Map
Water Quality Protection District Map



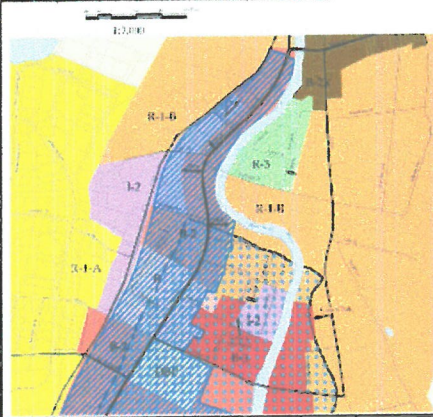
Refer to Zoning text for rules of interpretation on boundaries

Legend

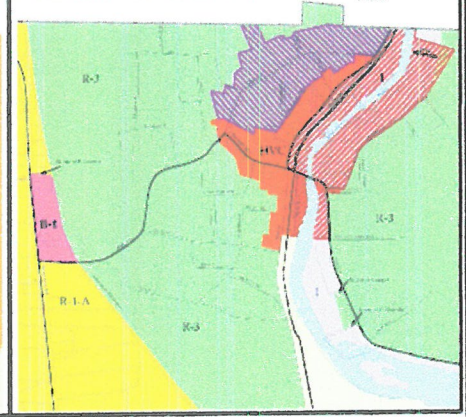
- Lakes/Ponds
- Perennial Streams
- Roadways

Zoning	B-2X	I	R-3	VCOD
B	B-3	I-2	R-4	WQPOD
B-1	DBP	R-1-A	HMIROD	Zone II
B-2	HVC	R-1-B	HVOD	Surface Water Zone A
B-2-A	MXD	R-2	SGOD	Surface Water Zone B

Great Barrington Village



Housatonic Village



Agenda Item 5



Housatonic Architectural Services, LLC

Diego Gutierrez, Architect

123 Front Street Housatonic MA 01236
413.854.8955 housyarch@outlook.com

January 20, 2022

On behalf of
OBCC, LLC
PO Box 2189
74 Downing Parkway
Pittsfield, MA 01202

Re: Site Plan Review for 82 Railroad Street

Dear Great Barrington Planning Board,

Housatonic Architects is pleased to provide this letter on behalf of our client, OBCC, LLC, ("OBCC") to accompany the attached Site Plan Review Application. The applicant proposes to redevelop the existing site at 82 Railroad Street as a retail marijuana dispensary requiring Planning Board Site Plan Review in accordance with Sections 7.18, 9.6 and 10.5 of Great Barrington's Zoning Bylaws. This application is presented to replace a prior approved SPR and Building Permit for this use and site that has expired. The previous owner, Green Railroad Group, Inc., has sold their ownership interest in the retail marijuana dispensary to OBCC.

OBCC proposes to refurbish the existing structure and site to contain separate retail and office use spaces. The proposed improvements will require only minor improvements to the existing site and structure as depicted on the included proposed Site and Architectural Plans. The zoning table provided on the attached Site Plan indicates that the proposed improvements do not result in any known zoning non-conformity.

Some specifics about the proposal:

The change from the design previously approved includes an extension of the back section of the building along the back edge of the property, within the existing property and privacy fence.

Building Interior:

The current structure includes approximately 1000 sf of open area at street level with approximately 1000 sf of basement area. Presently the front door to the street level is facing Railroad Street, with a second door along the south side of the building. A previous addition to the street level building of approximately 375 sf was demolished by a prior owner.

OBCC proposes to replace and extend the demolished 375 sf area to 625 sf along the **East** side of the property. The main entry door to the facility would move to the south side, west-facing side of the building, with an exit only door facing Railroad Street. Access to the main door would be via an inviting path with pavers, and that area would be gated and locked closed during non-business hours.

The back 625 sf of the building will be used for building entry with security checkpoint, an employee break room, and additional merchandise (e.g., paraphernalia, non-consumable) and educational materials available for customer browsing. No marijuana products will be in this area.

The front 1000 sf will be used for both a retail dispensary and secure fulfillment room where orders are put together. Within the secure fulfillment room OBCC will include a dumbwaiter down to the Secure Product Vault in the basement to facilitate moving product from inventory to fulfillment at the start of



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each business day and as needed to replenish during business hours, and then return all product to the vault for non-business hours.

The basement will include a Secure Product Vault, employee restrooms, a manager's office, and building utilities. Access will be via a staircase from the street level

Building Exterior

The site as now designed will comply with all applicable Great Barrington ordinances related to external lighting, landscaping, and screening. Improvements to the exterior includes renovating the existing siding and all visible elements to produce an updated and attractive facility. Lighting and landscaping are proposed to comply with both Great Barrington guidelines and MA Cannabis Control Commission security requirements. Security measures, including lighting, are designed to minimize the impact and glare past the property lines to minimize / eliminate any nuisance to others, while providing clear sight lines for monitoring the property and reporting any observed risks to the property and contents. Emergency vehicle access and fire lanes are believed to be sufficient and are proposed to remain unchanged.

Exterior maintenance will be performed to maintain a clean, attractive, litter-free site. The stairs to the municipal parking lot that are between 82 Railroad Street and the Frame Shop next door are considered Frame Shop property. OBCC has spoken with Hillary at the Frame Shop and agreed to take care of clearing snow from the stairs as needed to maintain safe access.

Parking & Traffic

Because this property is in the VCOD (Village Center Overlay District), it is not required to provide on-site parking as per Section 9.6.11. However, there are a limited number of parking spots in front of the building, and we will be dedicating 1 for handicapped access. OBCC is working with a neighboring landlord (Elm Street) to secure parking spots for OBCC employees, leaving the spaces in front for customer use only.

As per the previous applicant, OBCC also requests a waiver of a traffic study for this location.

Signage

OBCC plans to have a modest sign in front of the building, supporting the New England charm of Great Barrington. No images of any kind depicting any cannabis-related plant or product will be included.

The attached files include:

- Drawing Set (14 sheets, tabloid size)
 - Z1.0 Zoning Maps
 - Z1.1 Zoning ByLaw Compliance Information
 - S1.0 Existing Site and Property Plan
 - S1.1 Locus Plan and Existing Street Level Views
 - A0.1 Existing Basement Plan
 - A0.2 Existing Street Level Plan
 - A1.0 Proposed Basement Plan
 - A1.1 Proposed Street Level Plan
 - A1.2 Proposed Landscape Plan
 - A1.3 Proposed Fencing Plan
 - A1.4 Proposed Lighting Plan



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- A2.0 Proposed Street and South Elevations
- A2.1 Proposed Rear Elevation
- A2.2 Proposed Side Elevation

On behalf of OBCC, we respectfully submit our application for Site Plan Review and approval for our 82 Railroad Street business. If you have any questions or concerns regarding this application, please feel free to contact our office at 413-854-8955

Sincerely,

Sincerely,

Diego Gutierrez, Architect



Town of Great Barrington Planning Board

Application to the Planning Board for Site Plan Review in accordance with Section 10.5 of the Zoning Bylaw

INSTRUCTIONS TO APPLICANTS

Read Section 10.5.1 of the Zoning Bylaw. If you believe any requirements should be waived, you must formally request waivers from the Board. This may be done in your cover letter.

Fill in all applicable information on this form.

Submit one (1) original and three (3) copies, along with your payment, site plan, and other required information to the Town Planner. At least one set of the site plans must be full sized. Collate the information so that all four packets are identical, except for the original signature.

Submit one (1) PDF of the entire packet including any and all plans and specifications.

The PDF must be clear and scalable.

Call the Town Planner at (413) 528-1619 ext. 7 if you have any questions.

FOR OFFICE USE ONLY

SPR number: _____

Paid? _____

Filing Date: _____

Initial PB meeting date: _____

Decision due: _____

_____ Original and three copies received

_____ PDF received

_____ Original filed with Town Clerk

**** DEADLINE **** Applications including all copies and PDFs must be received by 4:00 PM one week before a Planning Board meeting in order to be considered at that meeting. Materials received after the deadline will be scheduled for a future meeting.

TIMELINE: In accordance with the Zoning Bylaw, the Planning Board must review and act upon the site plan within 60 days of receipt of the application, unless the time limits are extended after the applicant's written request.

A. SITE LOCATION

Site Address: 82 Railroad Street

Map: 19 Lot: 63 Deed Book: 836 Deed page: 178

Zoning District: B - Downtown Business Zoning Overlay District(s) (if any): VCOD Village Center Overlay District

B. APPLICANT AND PROPERTY OWNER

Applicant's Information

Name (please print) Jeremy Bromberg

Street Address PO Box 2189 (74 Downing Parkway)

City, State, Zip Code Pittsfield, MA 01202

Phone (area code first) 617-549-6348 Email Address: jbromberg@bridgecitycollective.co

Signature _____

- ☐ Check here if Applicant and Property Owner are the same, and skip to step C., Description.
- ☒ Check here if Applicant is different than the Property Owner, and to verify that you have the Property Owner's permission to file this Application. Property Owner must sign this form indicating permission to file this Application.

Enter Property Owner's information EXACTLY as it appears on the most recent tax bill.

Property Owner's Information

Name (please print) OBCC, LLC

Street Address 74 Downing Parkway

City, State, Zip Code Pittsfield, MA, 01201

Phone (area code first) 937-631-9094 Email Address: jason@bridgecitycollective.com

Owner's Signature _____

C. DESCRIPTION Briefly describe your project, and indicate how it complies with the Master Plan and the Design Guidelines Workbook. If additional space is needed, please submit on additional sheet(s) as required.

- This project complies with Town Master Plan LU1" "To support downtown so that it continues to prosper as a regional hub of business, employment, entertainment, and civil life". Pg 20
- Proposed changes to the exterior will be a significant upgrade to the current condition of the building, helping to "dress up" and keep up with the nearby developments such as 42 Railroad.
- Given the nature of the business, all signage and lighting will be subtle and low key while also enhancing security.

D. APPLICABILITY: Check the reason(s) for your Application (choose all that apply)

- ☒ 1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or multi-family structure.
- ☐ 2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or multi-family structure or use involving more than six spaces.
- ☐ 3. Grading or clearing of more than 10 % of a lot or 10,000 square feet, whichever is the lesser (except as provided in 10.5.1, of the Zoning Bylaw).
- ☒ 4. Other, as required by the Zoning Bylaw. (Please specify: Section(s) 7.18 and 10.5)

E. SPECIAL PERMITS AND OTHER REGULATIONS

- 1. Does your project require any Special Permits? Yes No ☒
 - If yes, have you applied for and/or received those Special Permits? Yes No
- 2. You acknowledge that Planning Board Site Plan Approval does not imply approval of any Special Permits or compliance with other regulations, including, but not limited to, the Wetlands Protection Act or Scenic Mountains Act. Check here to acknowledge ☒.
- 3. Does your project require filing of a Notice of Intent (NOI)? Yes No ☒
 - If yes, has NOI been filed and has an Order of Conditions been issued? Yes No

F. FEE

- ☐ Check here to confirm that your check of \$75 per application is enclosed. Make checks payable to Town of Great Barrington.

G. REQUIREMENTS

This application is accompanied by those items detailed in Section 10.5.3 of the Zoning Bylaw, including:

(Check items 1. and 2. at a minimum. Check item 3. if it is required by the Planning Board. Check item 4 if applicable to your project.)

- ☒ 1. Plot Plan of the entire tract, signed by a licensed surveyor or engineer, and including details noted in Section 10.5.3, item #1, of the Zoning Bylaw
- ☐ 3. Traffic impact assessment, if required, as noted in Section 10.5.3, item #3, of the Zoning Bylaw
- ☒ 2. Signatures, letters, and fees as noted in Section 10.5.3, item #2, of the Zoning Bylaw
- ☒ 4. If project involves construction, exterior alteration or expansion, or change of use, this application must also contain floor plans and elevations of the building

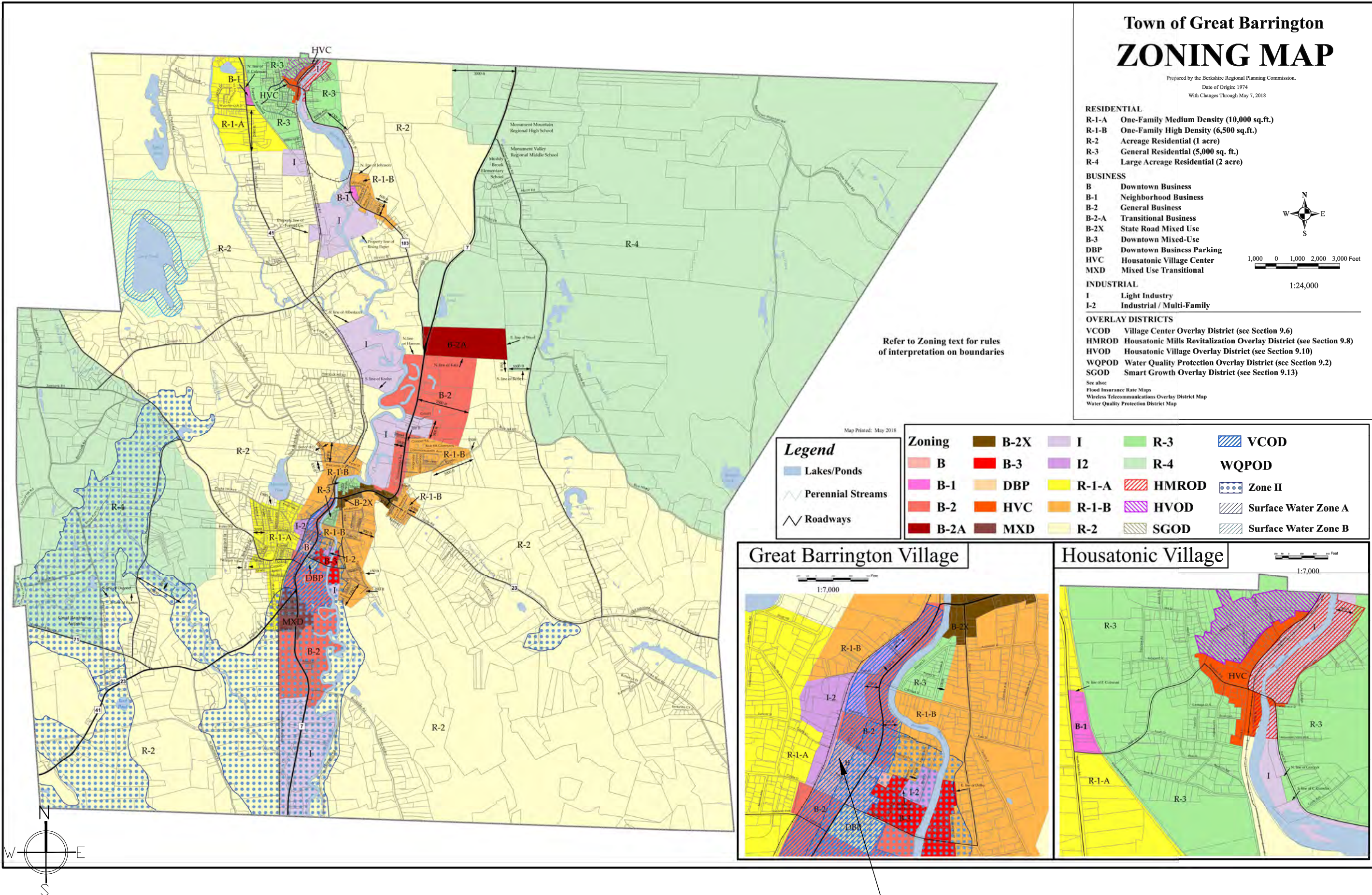
H. ABUTTER NOTIFICATION

Have you discussed your proposed plans with the neighbors of this site? Yes ☒ No

I. APPROVAL

APPLICANT SHOULD BE FAMILIAR WITH THE REQUIREMENTS OF SITE PLAN REVIEW PER SECTION 10.5 OF THE ZONING BYLAW AND SHOULD ENSURE THAT THE APPLICATION COMPLIES. FAILURE TO COMPLY MAY RESULT IN DENIAL.

APPLICANT SHOULD BE FAMILIAR WITH THE APPROVAL CRITERIA PER SECTION 10.5.3 OF THE ZONING BYLAW.



Town of Great Barrington
ZONING MAP

Prepared by the Berkshire Regional Planning Commission.
Date of Origin: 1974
With Changes Through May 7, 2018

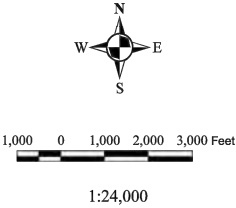
- RESIDENTIAL**
R-1-A One-Family Medium Density (10,000 sq.ft.)
R-1-B One-Family High Density (6,500 sq.ft.)
R-2 Acreage Residential (1 acre)
R-3 General Residential (5,000 sq. ft.)
R-4 Large Acreage Residential (2 acre)

- BUSINESS**
B Downtown Business
B-1 Neighborhood Business
B-2 General Business
B-2-A Transitional Business
B-2X State Road Mixed Use
B-3 Downtown Mixed-Use
DBP Downtown Business Parking
HVC Housatonic Village Center
MXD Mixed Use Transitional

- INDUSTRIAL**
I Light Industry
I-2 Industrial / Multi-Family

- OVERLAY DISTRICTS**
VCOD Village Center Overlay District (see Section 9.6)
HMROD Housatonic Mills Revitalization Overlay District (see Section 9.8)
HVOD Housatonic Village Overlay District (see Section 9.10)
WQPOD Water Quality Protection Overlay District (see Section 9.2)
SGOD Smart Growth Overlay District (see Section 9.13)

See also:
Flood Insurance Rate Map
Wireless Telecommunications Overlay District Map
Water Quality Protection District Map



Refer to Zoning text for rules
of interpretation on boundaries

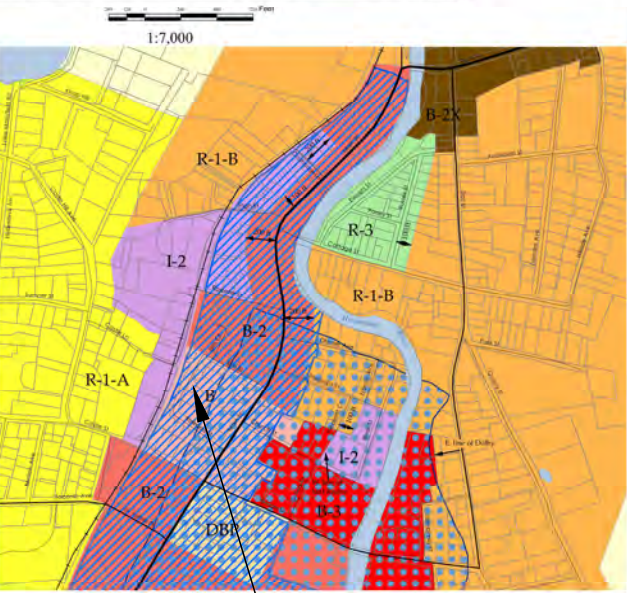
Map Printed: May 2018

Legend

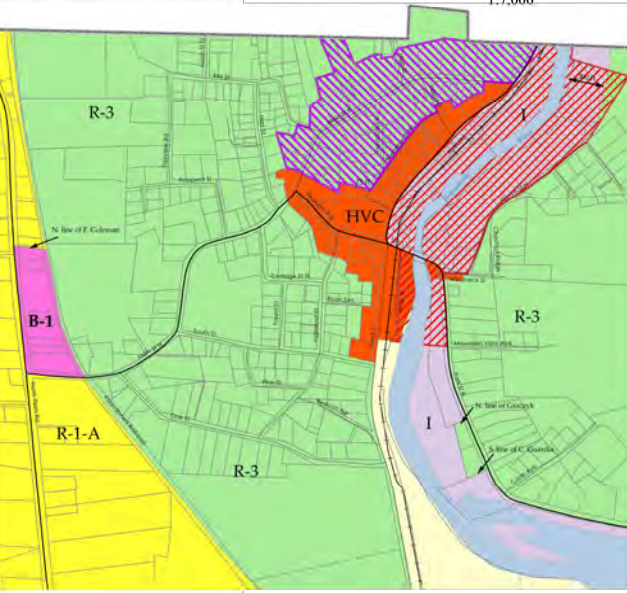
- Lakes/Ponds
- Perennial Streams
- Roadways

Zoning	B-2X	I	R-3	VCOD
B	B-3	I2	R-4	WQPOD
B-1	DBP	R-1-A	HMROD	Zone II
B-2	HVC	R-1-B	HVOD	Surface Water Zone A
B-2A	MXD	R-2	SGOD	Surface Water Zone B

Great Barrington Village



Housatonic Village



LOCATION OF 82 RAILROAD STREET
ZONING DISTRICT B- BUSINESS, VCOD - VILLAGE CENTER OVERLAY DISTRICT

Architect
Housatonic Architectural Services
PO Box 287 Housatonic MA 01236
Contractor

Client
Bridge City Collective

Project
Marijuana Retail
82 Railroad Street
Great Barrington MA 01230

SHEET NAME
Zoning Information

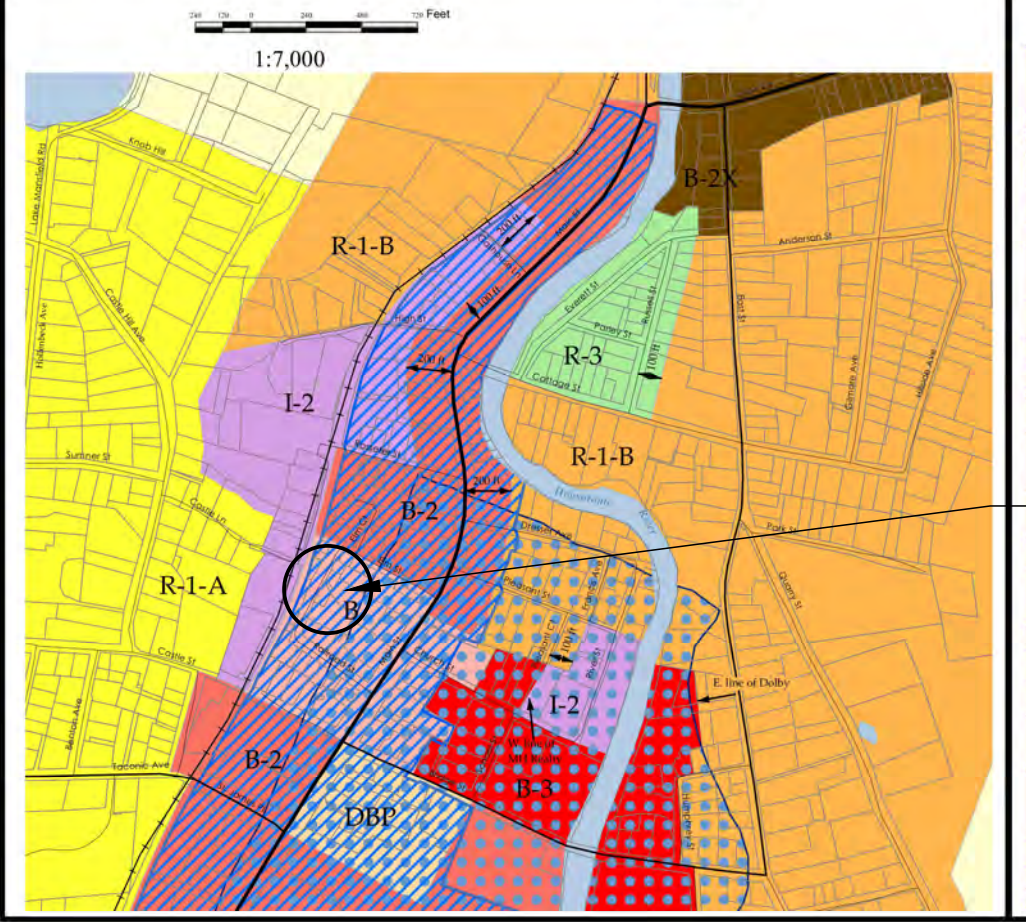
Site Plan Review
SET

REV
DATE
Jan. 201, 2022
SCALE

As Noted

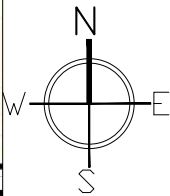
SHEET
Z1.0

Great Barrington Village



LOCATION OF 82 RAILROAD STREET

200 FT RADIUS COMPLIES WITH SECTION 7.18.4 LOCATION REQUIREMENTS



APPLICATION CONFORMS WITH THE FOLLOWING ZONING AND SITE PLAN REGULATIONS

ZONING DISTRICT
B - BUSINESS,
VCOD - VILLAGE CENTER OVERLAY DISTRICT

APPLICABLE ZONING SECTIONS
3.0 USE REGULATIONS:
PROPOSED USE ALLOWED AS OF RIGHT (B DISTRICT, VCOD, RETAIL - SECTION 3.0 TABLE OF PERMITTED USES, ITEM 13

7.18 MARIJUANA ESTABLISHMENTS AND MEDICAL MARIJUANA TREATMENT CENTERS

9.6 VILLAGE CENTER OVERLAY DISTRICT
9.6.1
1. FOSTERS MIX OF USES
2. ENCOURAGES PEDESTRIAN ACTIVITY
3. PRESERVES HISTORIC CHARACTER
4. ENCOURAGES ECONOMIC REVITALIZATION
5. PROMOTES MIXED-USE BUILDING

9.6.11 PARKING REQUIREMENTS. PARKING REQUIREMENTS IN SECTION 6.1 DO NOT APPLY IN THE VCOD, EXCEPT AS PROVIDED IN THIS SECTION.
1. FOR PERMITTED USES IN EXISTING BUILDINGS IN THE B DISTRICT, INCLUDING THOSE THAT ARE REMODELED BUT NOT SUBSTANTIALLY EXPANDED, THERE SHALL BE NO OFF-STREET PARKING REQUIRED. NOT APPLY
2. FOR PERMITTED USES IN EXISTING BUILDINGS IN THE OTHER UNDERLYING DISTRICTS THAT ARE NOT SUBSTANTIALLY EXPANDED AS DEFINED IN THIS SECTION, EXCEPT FOR ANY BUILDING GREATER THAN 10,000 SQUARE FEET, PARKING IS REQUIRED AS FOLLOWS: (A) THE SAME NUMBER OF EXISTING OFF-STREET PARKING SPACES MUST BE RETAINED; (B) ADDITIONAL OFF-STREET OR OFF-SITE PARKING IS NOT REQUIRED. NOT APPLY
3. FOR PERMITTED USES IN NEW BUILDINGS OR EXISTING BUILDINGS THAT ARE SUBSTANTIALLY EXPANDED AS DEFINED IN THIS SECTION OR ANY BUILDING GREATER THAN 10,000 SQUARE FEET... NOT APPLY

10.5. SITE PLAN REVIEW
10.5.5 APPROVAL CRITERIA
ITEMS 1-8 :
1. MINIMIZE THE VOLUME OF CUT AND FILL, THE NUMBER OF REMOVED TREES 6" CALIPER OR LARGER, THE LENGTH OF REMOVED STONE WALLS, THE AREA OF WETLAND VEGETATION DISPLACED, THE EXTENT OF STORMWATER FLOW INCREASE FROM THE SITE, SOIL EROSION, AND THREAT OF AIR AND WATER POLLUTION.
MOSTLY NOT APPLICABLE OR MINIMUM IMPACT. LANDSCAPE IMPROVEMENS ARE PROPOSED.
2. MAXIMIZE ACCESSIBILITY AND PEDESTRIAN AND VEHICULAR SAFETY, BOTH ON THE SITE AND ACCESSING AND EXITING THE SITE. (AMENDED 5-1-17 ATM, ART. 17) SITE FULLY ACCESSIBLE. PARKING LINES TO BE PROVIDED INCLUDING HC
3. MINIMIZE OBSTRUCTION OF SCENIC VIEWS FROM PUBLICLY ACCESSIBLE LOCATIONS. HELPED BY REMOVAL OF EXTERIOR COOLER AND NEW FENCING CLOSER TO BUILDING
4. MINIMIZE VISUAL INTRUSION BY CONTROLLING THE VISIBILITY OF PARKING, STORAGE, OR OTHER OUTDOOR SERVICE AREAS VIEWED FROM PUBLIC WAYS OR PREMISES RESIDENTIALLY USED OR ZONED. NOT APPLICABLE
5. MINIMIZE GLARE FROM HEADLIGHTS, MINIMIZE LIGHT GLARE INTO THE NIGHT SKY, AND MINIMIZE OVERSPILL INTO ADJACENT PROPERTIES. DARK SKY COMPLAINT FIXTURES PROPOSED
6. MINIMIZE UNREASONABLE DEPARTURE FROM THE CHARACTER, MATERIALS, AND SCALE OF BUILDINGS IN THE VICINITY, AS VIEWED FROM PUBLIC WAYS AND PLACES. MATERIALS PROPOSED DO NOT DEPART FROM CHARACTER OR SCALE OF CONTEXT
7. MINIMIZE CONTAMINATION OF GROUNDWATER FROM ON-SITE WASTE-WATER DISPOSAL SYSTEMS OR OPERATIONS ON THE PREMISES INVOLVING THE USE, STORAGE, HANDLING, OR CONTAINMENT OF HAZARDOUS SUBSTANCES.. NOT APPLICABLE
8. ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS ZONING BYLAW, INCLUDING PARKING AND LANDSCAPING. WILL COMPLY

Town of Great Barrington Zoning Bylaw

Permitted Use		ZONING DISTRICT ¹															ADDITIONAL APPLICABLE REGULATIONS
		R1A	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B2X	B3	MXD	I	I2	
C. Office, retail and consumer service establishments																	
(1)	Banks and other financial institutions	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(2)	Fast-food eating establishments	N	N	N	N	N	SB	SB	N	SB	N	SB	N	SB	N	N	See also 7.7, 7.9
(3)	Fuel storage and sales, excluding motor vehicle fuel stations	N	N	N	N	N	SB	N	N	SB	N	N	N	SB	SB	SB	
(4)	Garages, public	N	N	N	N	N	SB	SB	N	SB	N	SB	SB	SB	SB	SB	See also 9.7
(5)	Garden centers, including associated landscaping services	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	
(6)	General service establishment	N	N	N	N	N	SB	Y	N	Y	N	Y	SB	Y	Y	Y	
(7)	Greenhouses, commercial, on less than 5 acres, provided that no heating plant for a greenhouse shall be within 50 feet from any side or rear lot line	N	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(8)	Hotels	N	N	N	N	N	SB	SB	N	SB	SB	SB	SB	SB	SB	SB	See also 7.10
(9)	Institutional administrative offices or planned professional office developments or research centers, provided that in R2 & R4 Districts such uses are subject to special requirements	N	N	SB	N	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	See also 7.13
(10)	Kennel	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	See also 7.17
(11)	Large-scale commercial development	N	N	N	N	N	Y	SB	SB	SB	N	N	SB	N	SB	SB	See also 7.9, 7.12, 9.6
(12)	Lumberyards	N	N	N	N	N	SB	N	N	SB	N	N	SB	SB	SB	SB	
(13)	Marijuana Establishment, Retail and Medical Marijuana Treatment Center	N	N	N	N	N	Y	Y	N	Y	N	Y	Y	N	Y	N	See also 7.18.

SECTION 3.0 USE REGULATIONS

9

7.18 MARIJUANA ESTABLISHMENTS AND MEDICAL MARIJUANA TREATMENT CENTERS

7.18.1 Purposes. To provide for the placement of Marijuana Establishments and Medical Marijuana Treatment Centers in recognition of and accordance with G.L. c.94I, Medical Use Of Marijuana, and G.L. c.94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, in suitable locations in Great Barrington, in order to minimize potential adverse impacts of such facilities.

7.18.2 Definitions. Terms are defined in Section 11 and in the applicable governing statutes and regulations, including said chapters 94I and 94G of the General Laws and the regulations of the Cannabis Control Commission.

7.18.3 Site Plan Review Required. All proposed Marijuana Establishments and Medical Marijuana Treatment Centers shall be subject to Planning Board Site Plan Review as set forth in Section 10.5.

7.18.4 Locational Requirements. Marijuana Establishments may be located in accordance with Section 3.1.4, Table of Use Regulations, except as follows:
1.No Marijuana Establishment or Medical Marijuana Treatment Center may be located closer than 200 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.
2. The distance in paragraph 1 is to be measured in a straight line from the nearest point of the property line of the proposed Marijuana Establishment or Medical Marijuana Treatment Center and the nearest point of the property line of the protected uses stated above in paragraph 1.
3. The Selectboard may, by special permit pursuant to Section 10.4, authorize a deviation from this distance requirement if it finds the Marijuana Establishment or Medical Marijuana Treatment Center will not be detrimental to a protected use.
4. Other types of marijuana establishments licensed by the Massachusetts Cannabis Control Commission may be permitted in accordance with the appropriate use category in the Table of Use Regulations.

7.18.5 Physical Requirements. In addition to pertinent requirements of implementing regulations of the Massachusetts Cannabis Control Commission, Marijuana Establishments and Medical Marijuana Treatment Centers shall comply with the following:
1.All aspects of a Marijuana Establishment or Medical Marijuana Treatment Center relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, marijuana accessories, related supplies, or educational materials shall take place at a fixed location within a fully enclosed building or fenced area dedicated to the cultivation of marijuana and shall not be visible from the exterior of the business.
2. No unprotected storage of marijuana, related supplies, or educational materials is permitted.

3. Marijuana not grown inside a securable structure shall be enclosed within a six (6) foot fence, and inasmuch as possible the plants shall be screened from view, at grade, from a public way or from a protected use.
4. No outdoor cultivation of marijuana shall be allowed within fifty (50) feet of any property line.

7.18.6 Use Regulations. In addition to pertinent requirements of implementing regulations of the Massachusetts Cannabis Control Commission, Marijuana Establishments and Medical Marijuana Treatment Centers shall comply with the following:
1. Uses under this Section may only consist of the uses and activities permitted by their definition as limited by state law.
2. No marijuana shall be smoked, eaten or otherwise consumed or ingested on the premises, unless specifically authorized by the Town pursuant to G.L. 94G.
3. Retail sales of marijuana products and opening of the premises to the public shall not occur earlier than 8:00 AM or later than 11:00 PM.
4. Additional regulations may be imposed as Site Plan Review or Special Permit conditions.

7.18.7 Submittal Requirements. Above and beyond the standard application for Site Plan Review, an application under this section shall include the following:
1. Copies of all required Marijuana Establishment or Medical Marijuana Treatment Center licenses or registrations issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the facility;
2. Evidence that the applicant has site control and the right to use the site for a facility in the form of a deed, valid lease, or purchase and sale agreement, and a signed statement from the property owner;
3. In addition to what is normally required in a site plan pursuant to Section 10.5, submittal shall also include details showing all signage, exterior proposed security measures for the premises, including cameras, lighting, fencing, gates and alarms, etc. ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity

7.18.8 Discontinuance of Use
1. Any Marijuana Establishment or Medical Marijuana Treatment Center permitted under this section shall be required to remove all material, plants, equipment and other paraphernalia in compliance with implementing regulations of the Cannabis Control Commission prior to expiration of its operating license or permit issued by the Commonwealth of Massachusetts or immediately following revocation or voiding of such license or permit.

Architect
Housatonic Architectural Services
PO Box 287 Housatonic MA 01236
Contractor

Client
Bridge City Collective

Project
Marijuana Retail
82 Railroad Street
Great Barrington MA 01230

SHEET NAME
Zoning Bylaws
Compliance Information

Site Plan Review
SET

REV

DATE
Jan. 29, 2022

SCALE
As Noted

SHEET
Z1.1

US DEEDS BK- 414 PG- 164
BK- 452 PG- 125

RECEIVED
REGISTRY OF DEEDS
GREAT BRITAIN MA.
Dec 27 4 00 PM '92
\$25.00
Skorput
Plat File G-97
Irene M. Skorput
FOR REGISTRY USE ONLY Register

----- UTILITY LINES
 --- FENCE
 ○ UTILITY POLE
 ■ MONUMENT FOUND
 ⊗ DRILL HOLE TO BE SET
 ○ IRON PIPE TO BE SET
 ● IRON PIPE FOUND
 △ POINT COMPUTED

[illegible]

1 Property Plan as filed in Registry of Deeds
SCALE: 1" = 30'-0"

<p>Architect Housatonic Architectural Services PO Box 287 Housatonic MA 01236</p>	<p>Contractor</p>
---	--------------------------

Client
Bridge City Collective

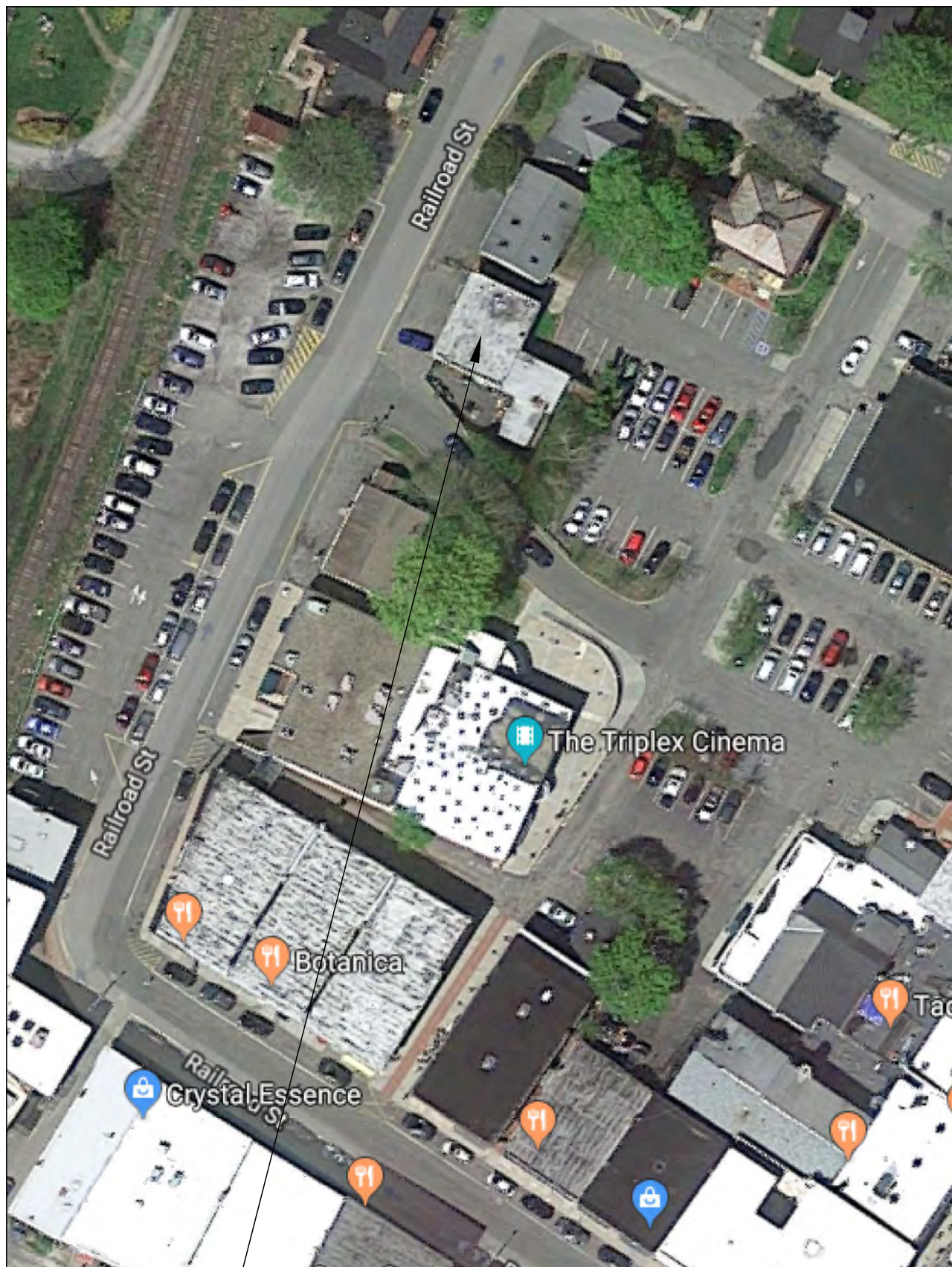
Project
Marijuana Retail
82 Railroad Street
Great Barrington MA 01230

SHEET NAME
Property Plan

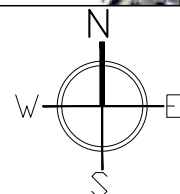
Site Plan Review
SET

REV
DATE Jan. 20, 2022
SCALE N.T.S.

SHEET	N.T.S.
S1.0	



82 Railroad Street



2 West Elevation View
N.T.S



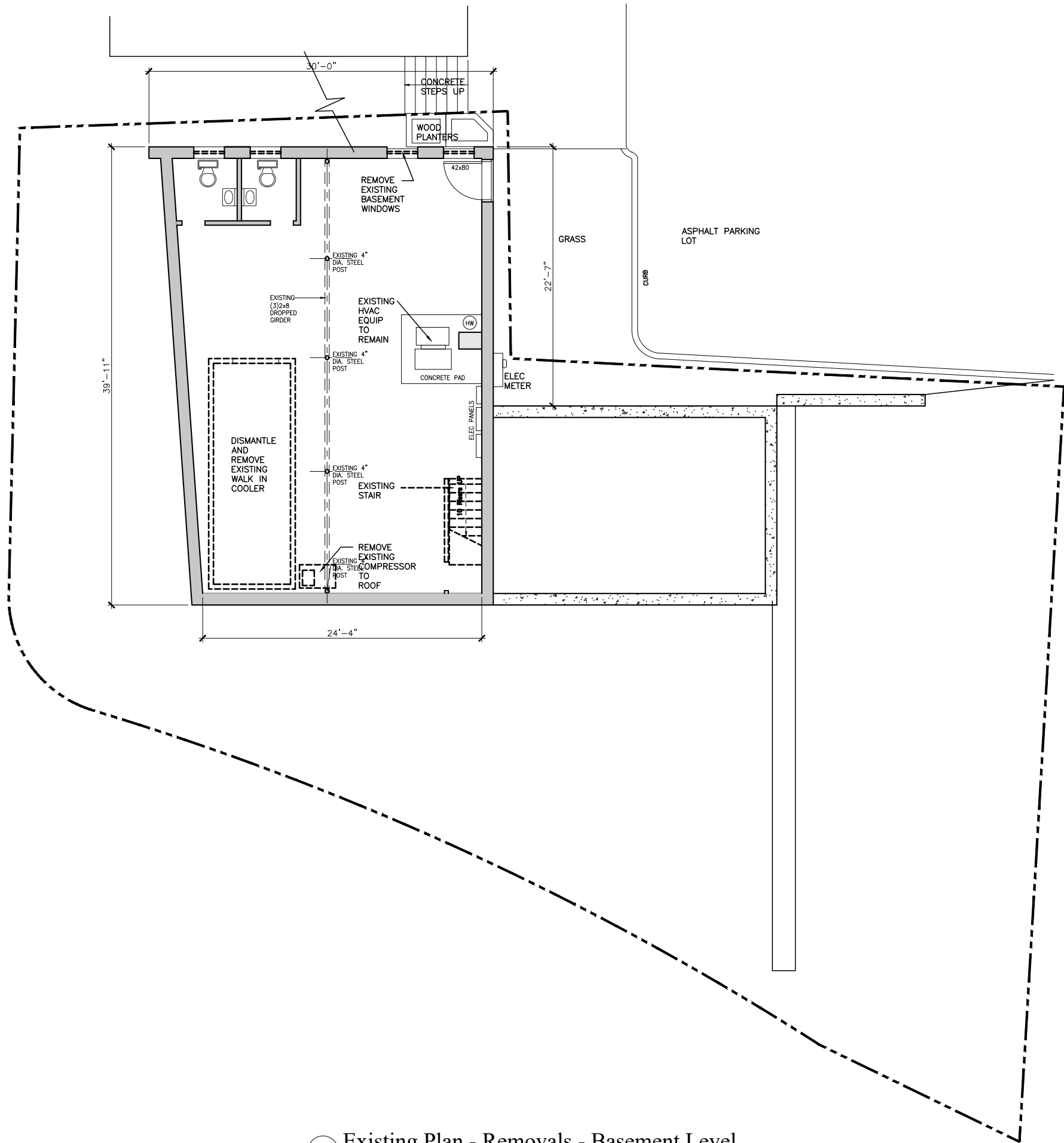
3 South West View
N.T.S



REAR WING —
DEMOLISHED
UNDER PERMIT
C-20-0041
7.6.2020

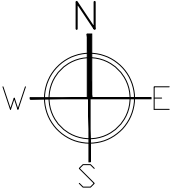
4 North East View

SHEET NAME Locus Plan and Existing Elevations	Project Marijuana Retail 82 Railroad Street Great Barrington MA 01230	Client Bridge City Collective	Architect Housatonic Architectural Services PO Box 287 Housatonic MA 01236
			Contractor
Site Plan Review SET			
REV			
DATE Jan. 20, 2022			
SCALE N.T.S.			
SHEET S1.1			



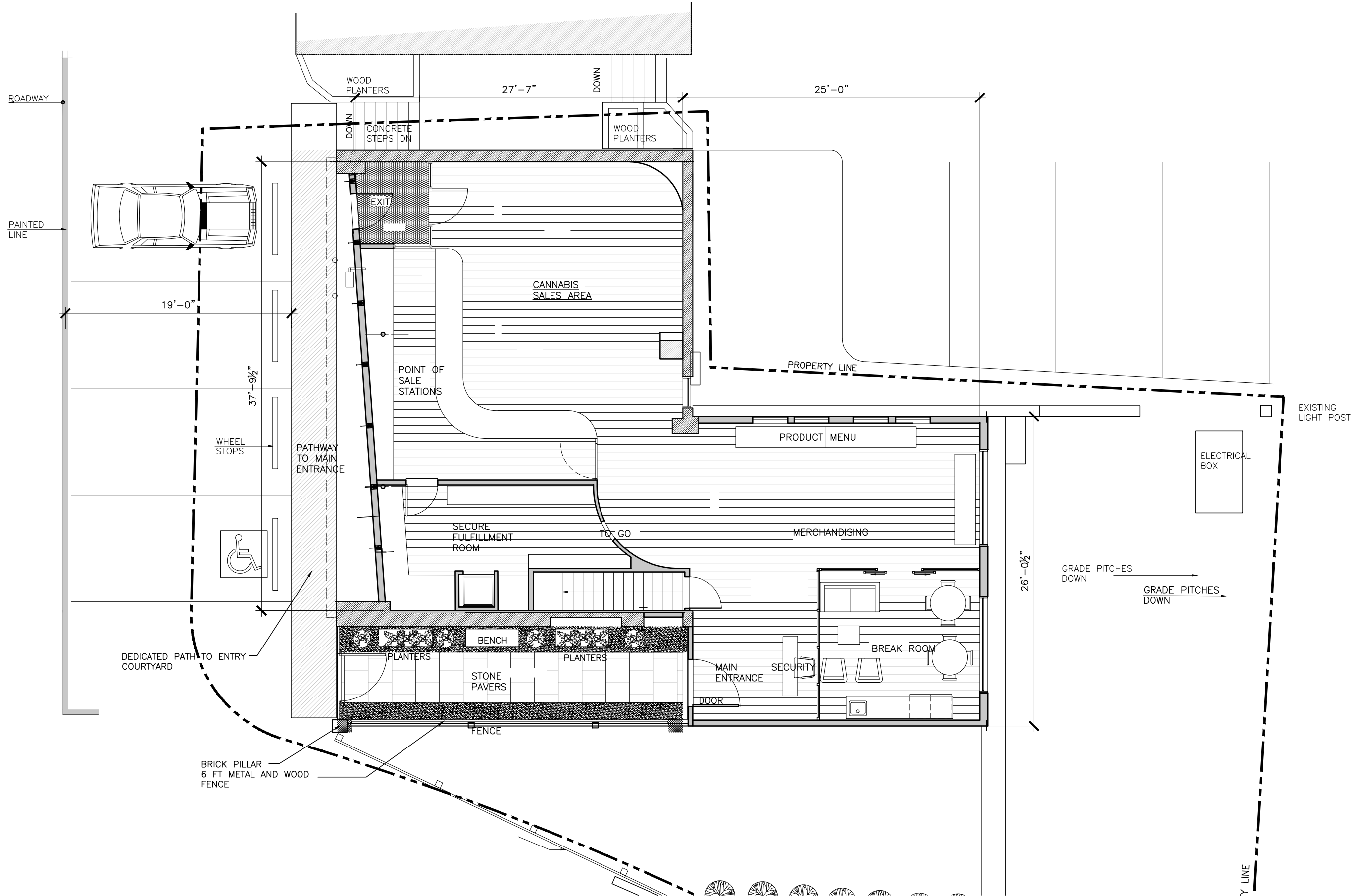
1 Existing Plan - Removals - Basement Level
1"=10'-0"

Architect	Housatonic Architectural Services	
	PO Box 287 Housatonic MA 01236	
Contractor		
Client		
Bridge City Collective		
Project		
Marijuana Retail		
82 Railroad Street		
Great Barrington MA 01230		
SHEET NAME		
Existing Conditions and		
Removals		
Basement Plan		
Site Plan Review		
SET		
REV		
DATE		
Jan. 20, 2022		
SCALE		
N.T.S.		
SHEET		
A0.1		

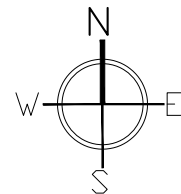


1 Proposed Plan - Basement Level
1/8"=1'-0"

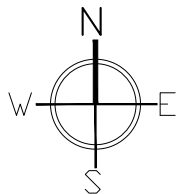
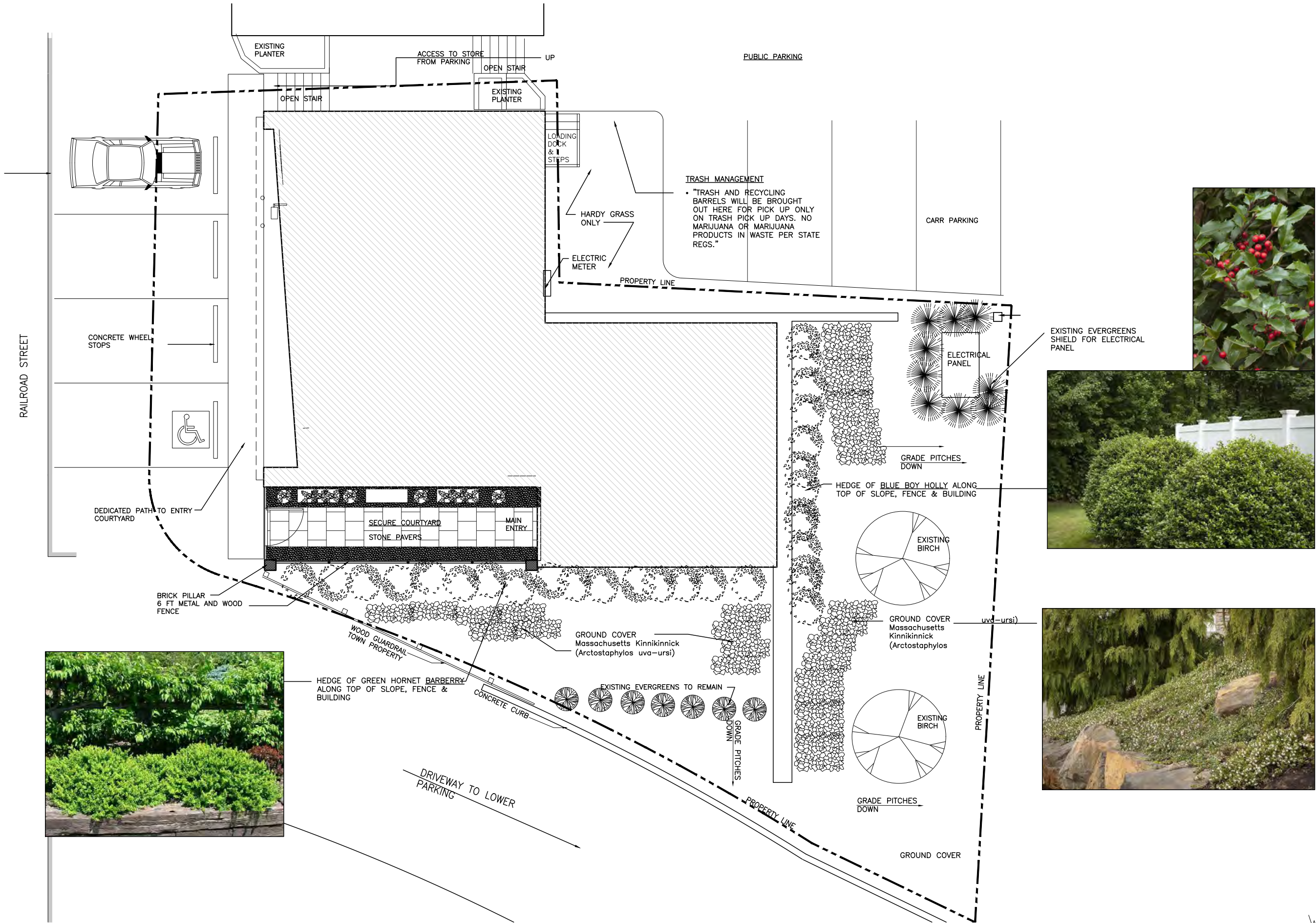
SHEET NAME Proposed Basement Plan	Project Marijuana Retail 82 Railroad Street Great Barrington MA 01230	Client Bridge City Collective	Architect Housatonic Architectural Services PO Box 287 Housatonic MA 01236
			Contractor
Site Plan Review SET			
REV			
DATE Jan. 20, 2022			
SCALE N.T.S.			
SHEET A1.0			



1 Proposed Plan - Street Level
1/8" = 1'-0"



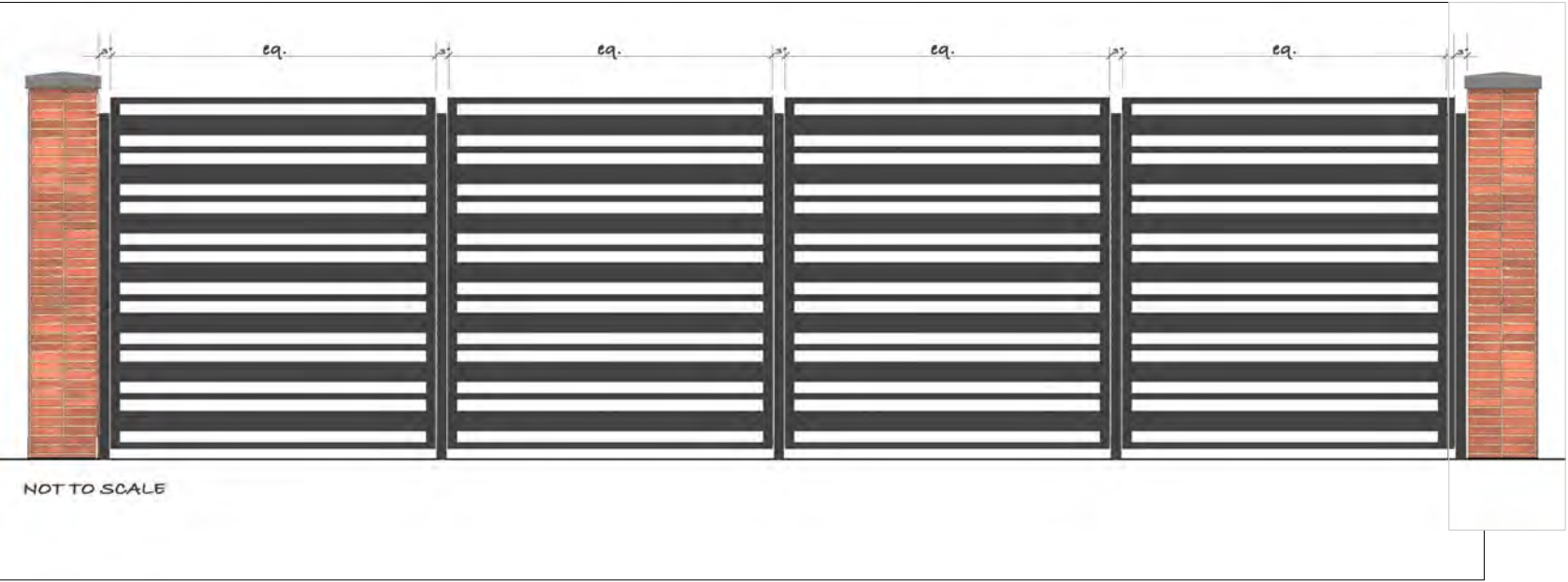
Architect Housatonic Architectural Services PO Box 287 Housatonic MA 01236	Client Bridge City Collective	Project Marijuana Retail 82 Railroad Street Great Barrington MA 01230	SHEET NAME Proposed Street Level Plan	Site Plan Review SET	_____ _____ _____ _____ _____ _____ REV	DATE Jan. 20, 2022	SCALE N.T.S.	SHEET A1.1



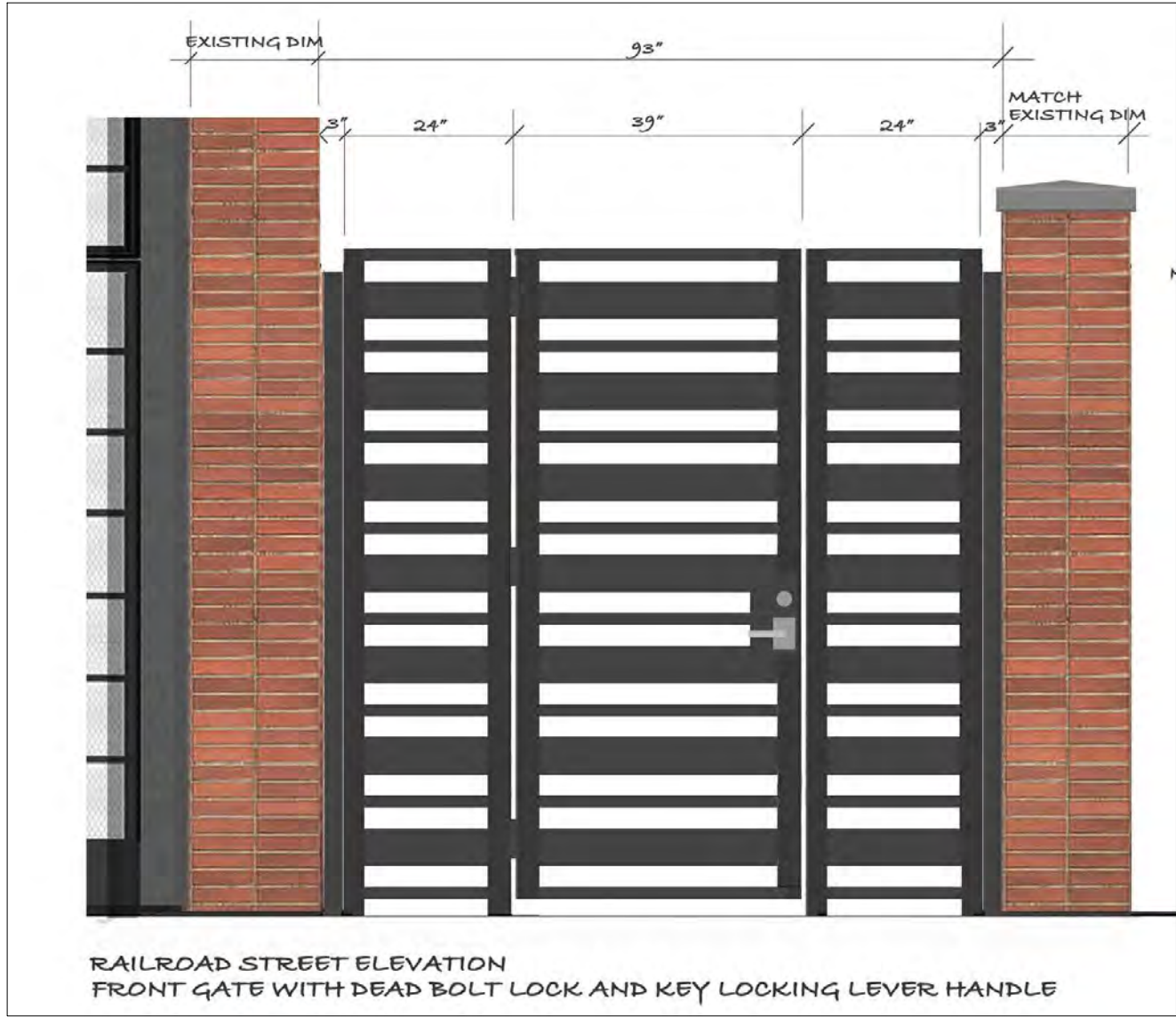
1 Proposed Landscape Plan
1"=10'-0"

Architect Housatonic Architectural Services PO Box 287 Housatonic MA 01236	Client Bridge City Collective	Project Marijuana Retail 82 Railroad Street Great Barrington MA 01230	SHEET NAME Landscape Plan	Site Plan Review SET	_____

Contractor					REV
					DATE Jan. 20, 2022
					SCALE
					N.T.S.
					SHEET
					A1.2



1 Driveway Facing Fence Elevation



2 Street Facing Fence & Gate Elevation

Architect	Housatonic Architectural Services	
	PO Box 287 Housatonic MA 01236	
Contractor		
Client		Bridge City Collective
Project		Marijuana Retail 82 Railroad Street Great Barrington MA 01230
SHEET NAME		Proposed Fence Elevations
Site Plan Review		SET
REV		
DATE		Jan. 20, 2022
SCALE		N.T.S.
SHEET		A1.3

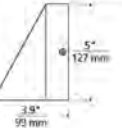
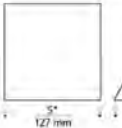







TECH LIGHTING
700WSPIT
CHARCOAL

Pitch Single Outdoor Wall

DESCRIPTION

An architectural profile reminiscent of beautifully classic roof lines delivers significant light output in the Pitch modern LED wall sconce by Tech Lighting which is suitable for both indoor and outdoor applications. The Pitch® is die-cast metal body, available in three size configurations (single, double, or triple), houses powerful LED light sources that create visual appeal as light cascades from one angular tier to the next. For added design options, the Pitch can be mounted either as a down light or as an up light. The durable, marine grade powder coat finish is available in either Charcoal, Bronze, Black, or Silver.





black


bronze

charcoal

silver

ORDERING INFORMATION

700WSPIT	SHAPE OR SIZE	FINISH	LAMP
S	SINGLE	B BLACK Z BRONZE H CHARCOAL I SILVER	-LED027 -LED027-277 -LED036 LED 40 CW 3000K 120V -LED036-277 LED 40 CW 3000K 277V



TECH LIGHTING®

7400 Lindar Avenue
Sicklet, Wood 90077

T 847.410.4400
F 847.410.4500

Tech Lighting, L.L.C.

700WSPIT

FIXTURE TYPE:

JOB NAME:

NOTES:


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H4 MULTISENSOR CAMERA LINE

9 MP 12 MP 15 MP 20 MP 24 MP 32 MP


Provides exceptional scene coverage and high image detail with 3 or 4 individually configurable camera sensors that can be positioned to monitor virtually any area. Delivers broad scene coverage with high image detail up to 32 MP total resolution and uses H.265 compression technology to significantly reduce bandwidth and storage requirements. With self-learning video analytics on board, the H4 Multisensor camera can detect and differentiate people and vehicles from regular motion, and notify operators of potentially critical events that may need further investigation. Featuring wide dynamic range, Avigilon LightCatcher™ technology and the option to add content adaptive IR to outdoor models, the H4 Multisensor camera can provide exceptional image quality in challenging lighting conditions.

FEATURES




SELF-LEARNING VIDEO ANALYTICS

Exceptional efficiency when monitoring and reviewing video with excellent coverage from a single camera.




LIGHTCATCHER™ TECHNOLOGY

Offers excellent image detail in low-light settings.




ONVIF® COMPLIANT

Native ONVIF® Profile S and Profile T compliance allows easy integration with existing ONVIF infrastructures.




H.265 & HDSM SMARTCODEC™ TECHNOLOGY

Combines compression technologies to maximize bandwidth and storage.



CONTENT ADAPTIVE IR



Adjusts IR beam width and illumination settings based on scene conditions to help maximize image quality.



WIDE DYNAMIC RANGE

Captures details in scenes with both very bright and very dark areas.

ONVIF is a trademark of Onvif, Inc.



1 Exterior Light Fixture

2 Security Camara

SHEET NAME
Lighting and Security

Site Plan Review
SET

REV

DATE
Jan. 20, 2022

SCALE

N.T.S.

SHEET

A1.4

Architect
Housatonic Architectural Services
PO Box 287 Housatonic MA 01236

Contractor

Client
Bridge City Collective

Project
Marijuana Retail
82 Railroad Street
Great Barrington MA 01230



SOFFIT BAND
PAINTED ALIUMINIUM

ALIUMINIUM FRAMED TEMPERED
AND FROSTED GLASS FIXED
WINDOW UNITS WITH SIMULATED
DIVIDED LIGHTS

BRICK PILASTER AND WOOD AND
METAL SECURE GATE

EXIT ONLY
ALUMINIUM FRAMED
TEMPERED AND FROSTED
GLASS FIXED DOOR UNIT
WITH SIMULATED DIVIDED
LIGHTS

'HARDIPLANK' VERTICAL
PANELING, SMOOTH'
COLOR TBD

BRUSHED STEEL
LETTERING SIGN,

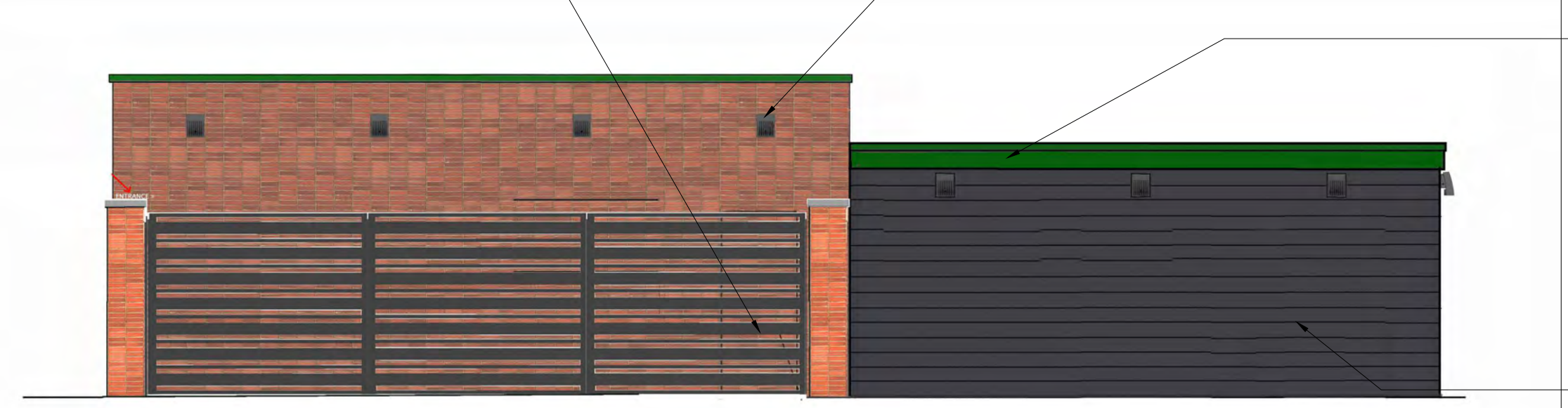
1 West Elevation - Railroad St
n.t.s.

METAL AND WOOD FENCE WITH BRICK PILASTERS

LIGHT FIXTURES

SOFFIT BAND
PAINTED ALIUMINIUM

HARDIPLANK 8" HORIZONTAL
SIDING, SMOOTH "EVENING BLUE"



2 South Elevation
n.t.s.

SHEET NAME
Proposed Elevations

Site Plan Review
SET

REV
DATE
Jan. 20, 2022

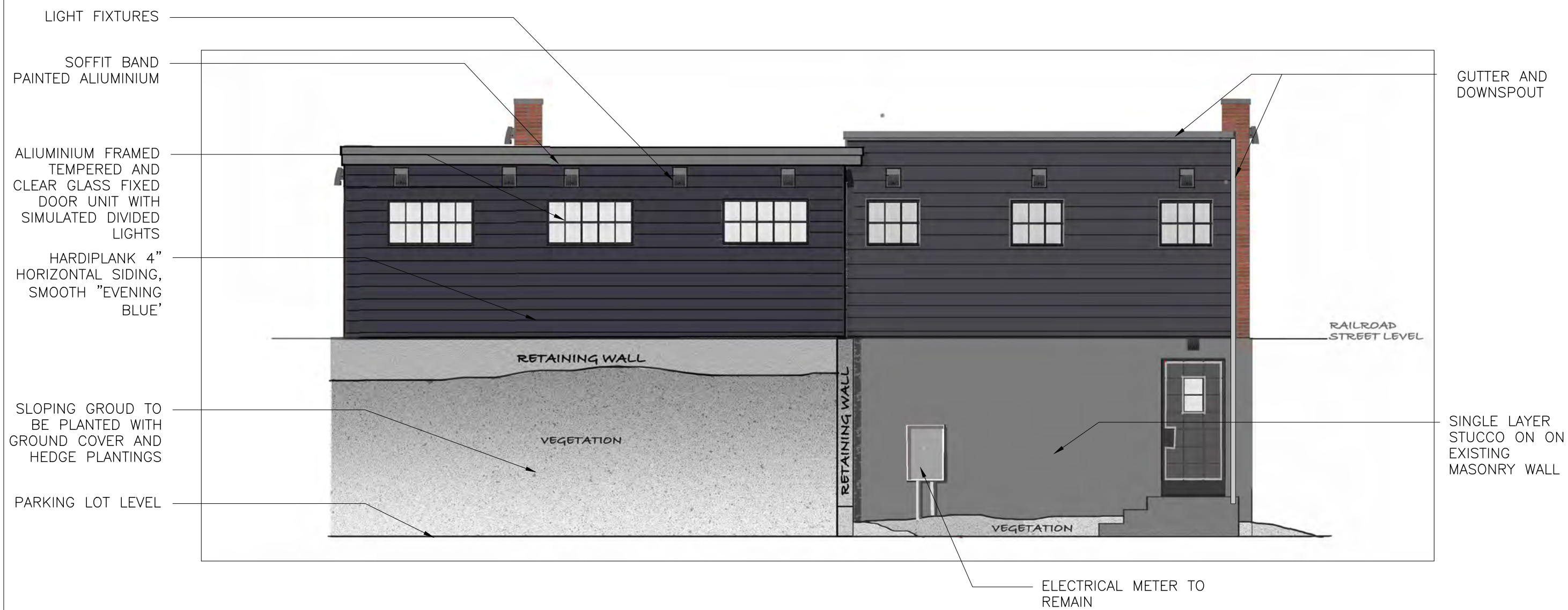
SCALE
N.T.S.

SHEET
A2.0

Project
Marijuana Retail
82 Railroad Street
Great Barrington MA 01230

Client
Bridge City Collective

Architect
Housatonic Architectural Services
PO Box 287 Housatonic MA 01236
Contractor



1 East Facing (Parking Area) Elevation
n.t.s.

Architect	Housatonic Architectural Services PO Box 287 Housatonic MA 01236	
	Contractor	
Client	Bridge City Collective	
Project	Marijuana Retail 82 Railroad Street Great Barrington MA 01230	
SHEET NAME	Proposed Elevations	
Site Plan Review SET		

REV		
DATE Jan. 20, 2022		
SCALE N.T.S.		
SHEET	A2.2	

Agenda Item 6

Chris Rembold

From: Chris Rembold
Sent: Monday, January 24, 2022 6:32 PM
To: Brandee K. Nelson ; Jeremy Higa; Jonathan Hankin; Kim Shaw; Malcolm Fick; Pedro Rafael Pachano
Cc: 'Ken Walto'
Subject: Stockbridge Road (PB materials for Thursday, part 1)
Attachments: Stockbridge Rd Study Parcels Development Scenarios.pdf; PB Thursday - zoning

Planning Board,

I'm sending this in advance for Thursday night's meeting. The rest of the meeting materials (the site plan applications and other zoning items) will follow on Tuesday.

Attached here are several mockups showing possible development scenarios for several sites on lower Stockbridge Road using the zoning as we previously discussed. Ken Walto of BRPC staff utilized Excel to develop these mockups. They show both Mixed-Use and pure Housing scenarios for each site (except for 232, which really seemed too small for mixed use). These subject parcels are ones we either discussed on October 28, 2021, or that I identified as possible sites. What they show is a snapshot of the amount of development that can be possible at these sites if you move this zoning forward.

Please bear in mind these scenarios are ILLUSTRATIVE ONLY and NOT intended to show any specific development plan. Nor do they necessarily represent anything you as a Board would approve or not approve.

See also my email to you all dated 10/25/2021 for the draft zoning language for the B2X incentive zone, and the [minutes from the October 28 meeting](#) to refresh your memory on this subject.

Chris



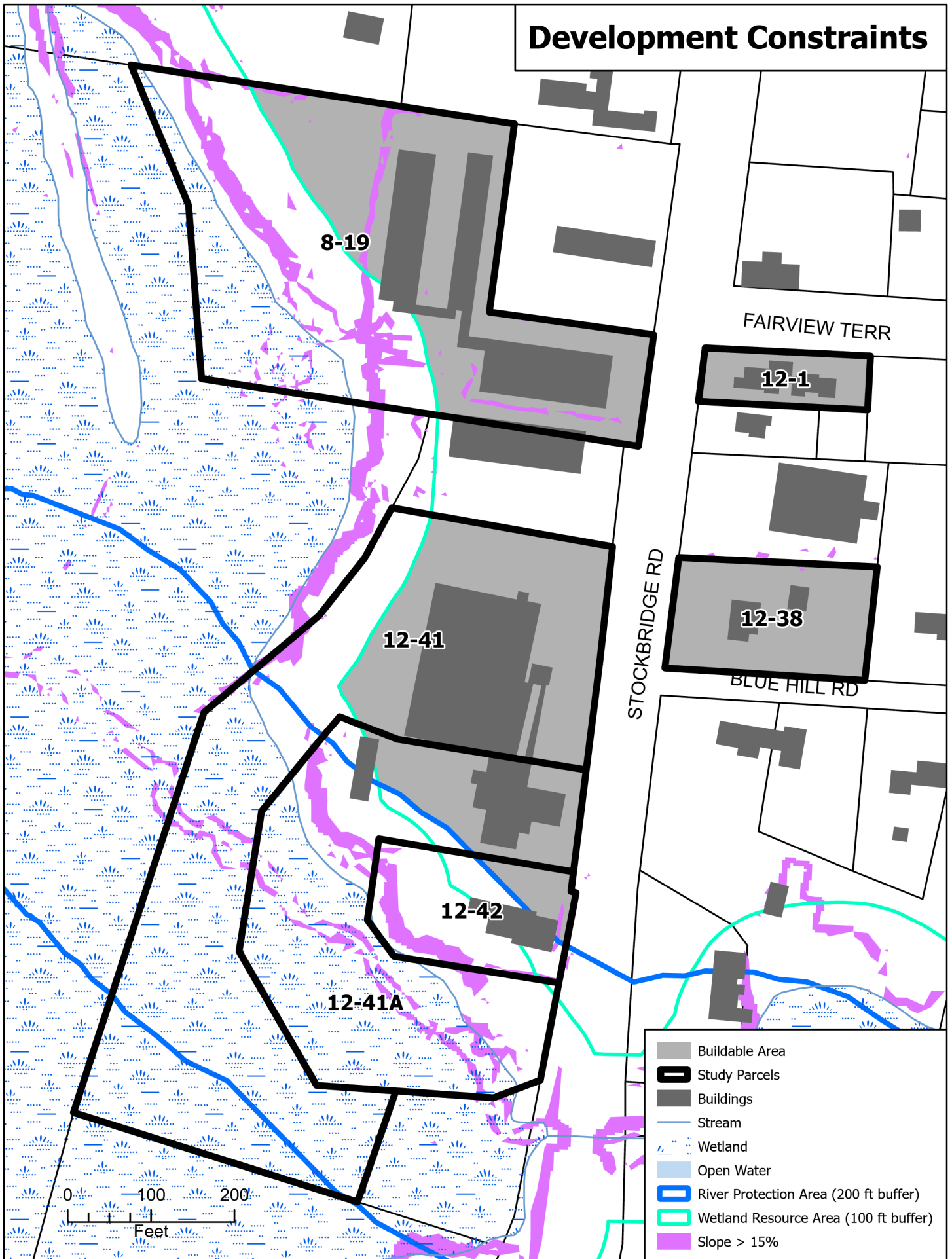
Christopher Rembold, AICP

Assistant Town Manager
Director of Planning and
Community Development
413-528-1619, x. 2401
crembold@townofgb.org

Town of Great Barrington
334 Main Street
Great Barrington MA 01230

The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

Development Constraints



Stockbridge Road parcel studies 2021-2022

<u>Street No.</u>	<u>Notes</u>	<u>Parcel ID</u>	<u>Total Acreage</u>	<u>Developable Acreage</u>
105	Shiro	12-42	0.73	0.13
107	Antiques	12-41A	2.65	0.60
109	Cove Lanes	12-41	4.49	1.64
226	residence	12-38	0.74	0.74
227	Napa + storage	8-19	3.76	1.95
232	Wond. Things	12-1	0.30	0.30

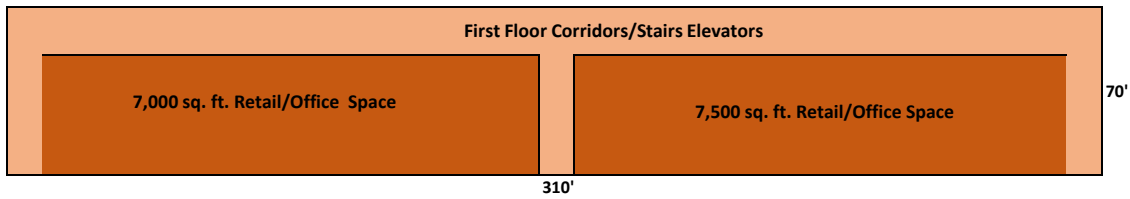
105-107-109 Stockbridge Rd

Property Tax Parcels



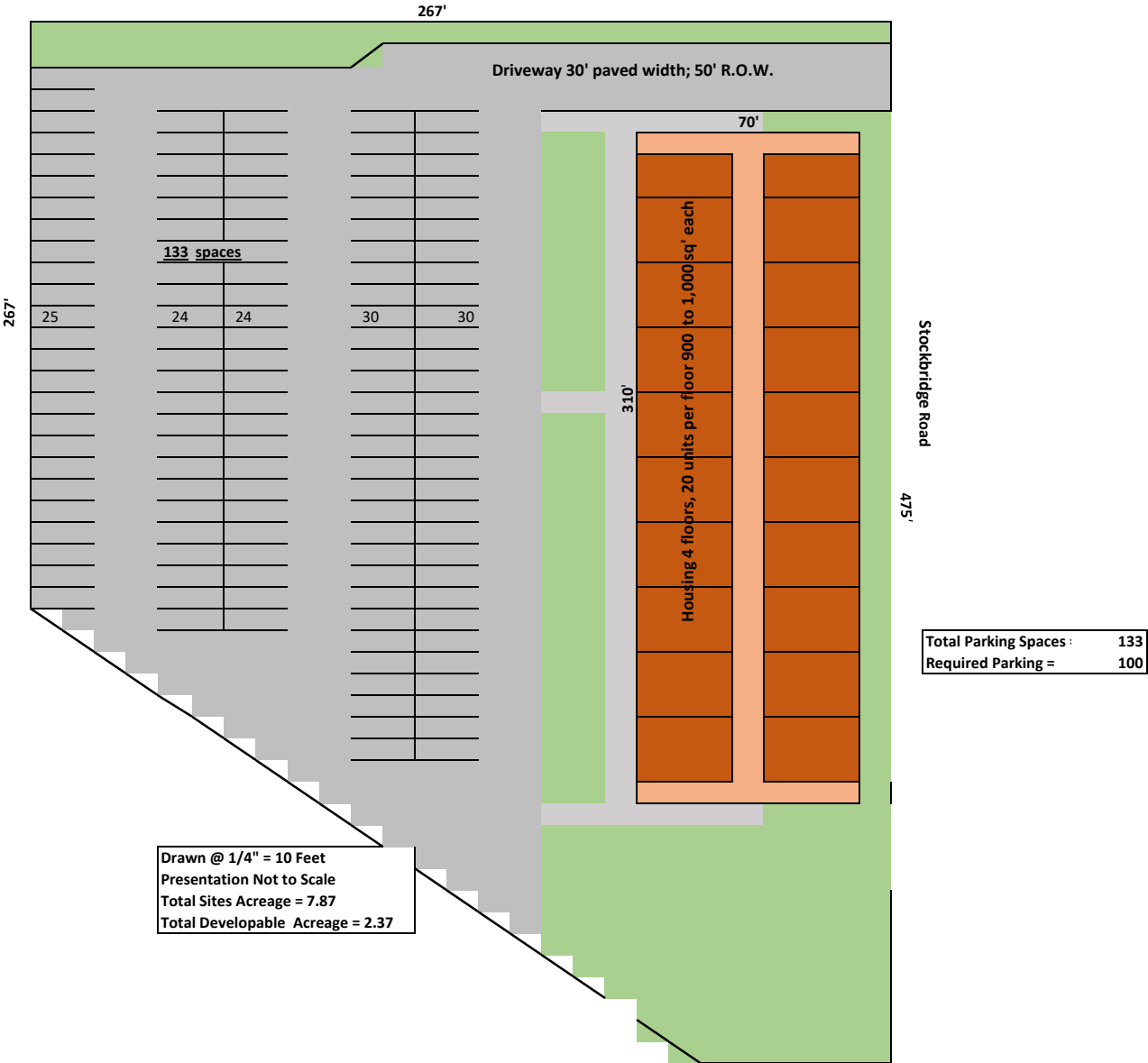
105, 107, 109 Stockbridge Road, Mixed Use

Five Floors under proposed Amendment at 9.14.4.3; First Floor Office/Retail



105, 107, 109 Stockbridge Road, Five Floors, 100 Units Housing. 10 affordable units

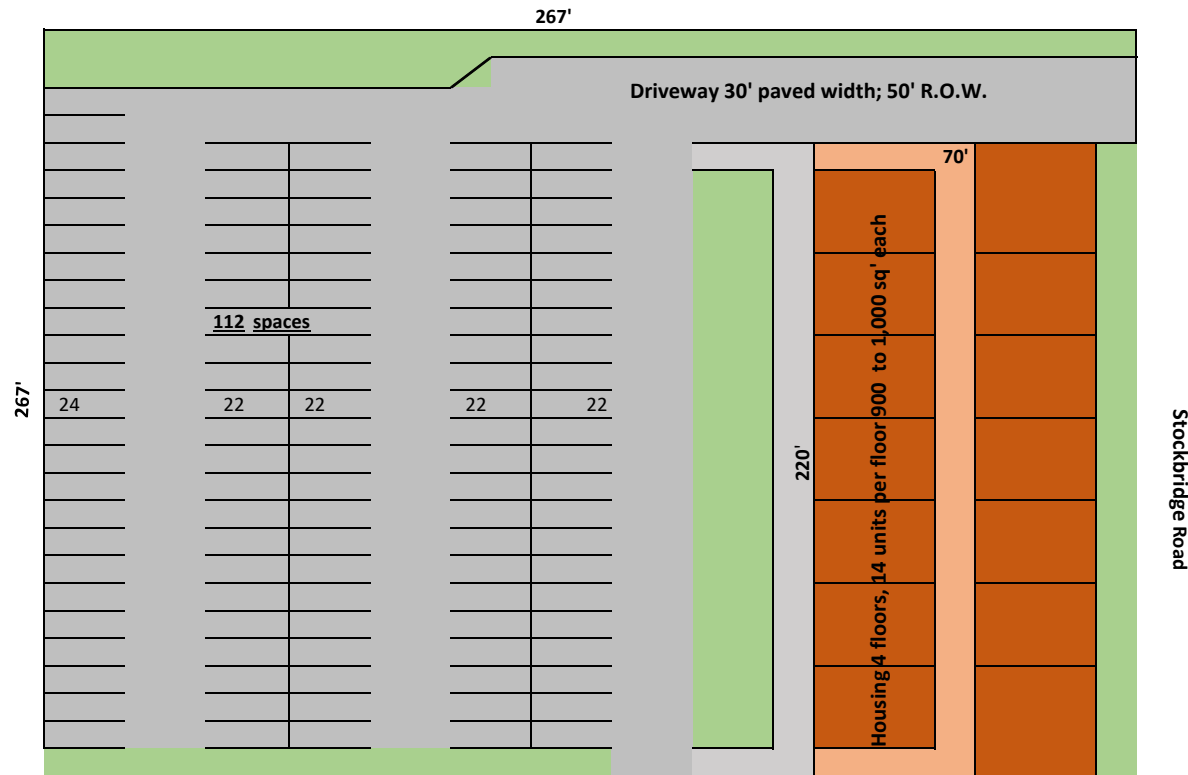
Five Floors under proposed Amendment at 9.14.4.3



109 Stockbridge Road, Mixed Use

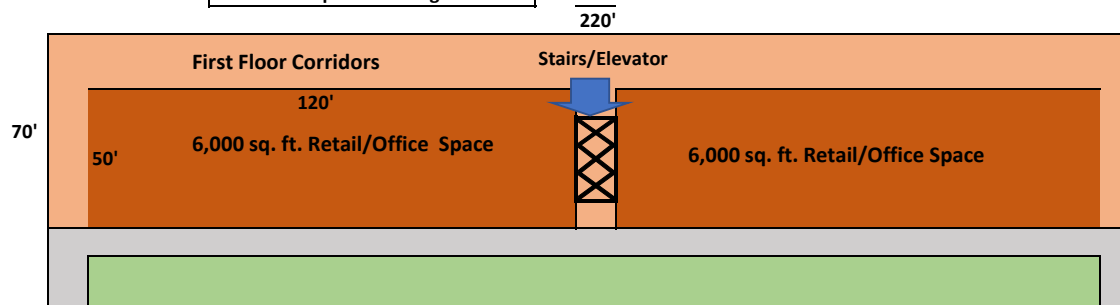
Five Floors under proposed Amendment at 9.14.4.3; First Floor Office/Retail; 12,000 sq. ft.

Four Floors Housing; 14 units/floor, 56 Units, 6 Affordable



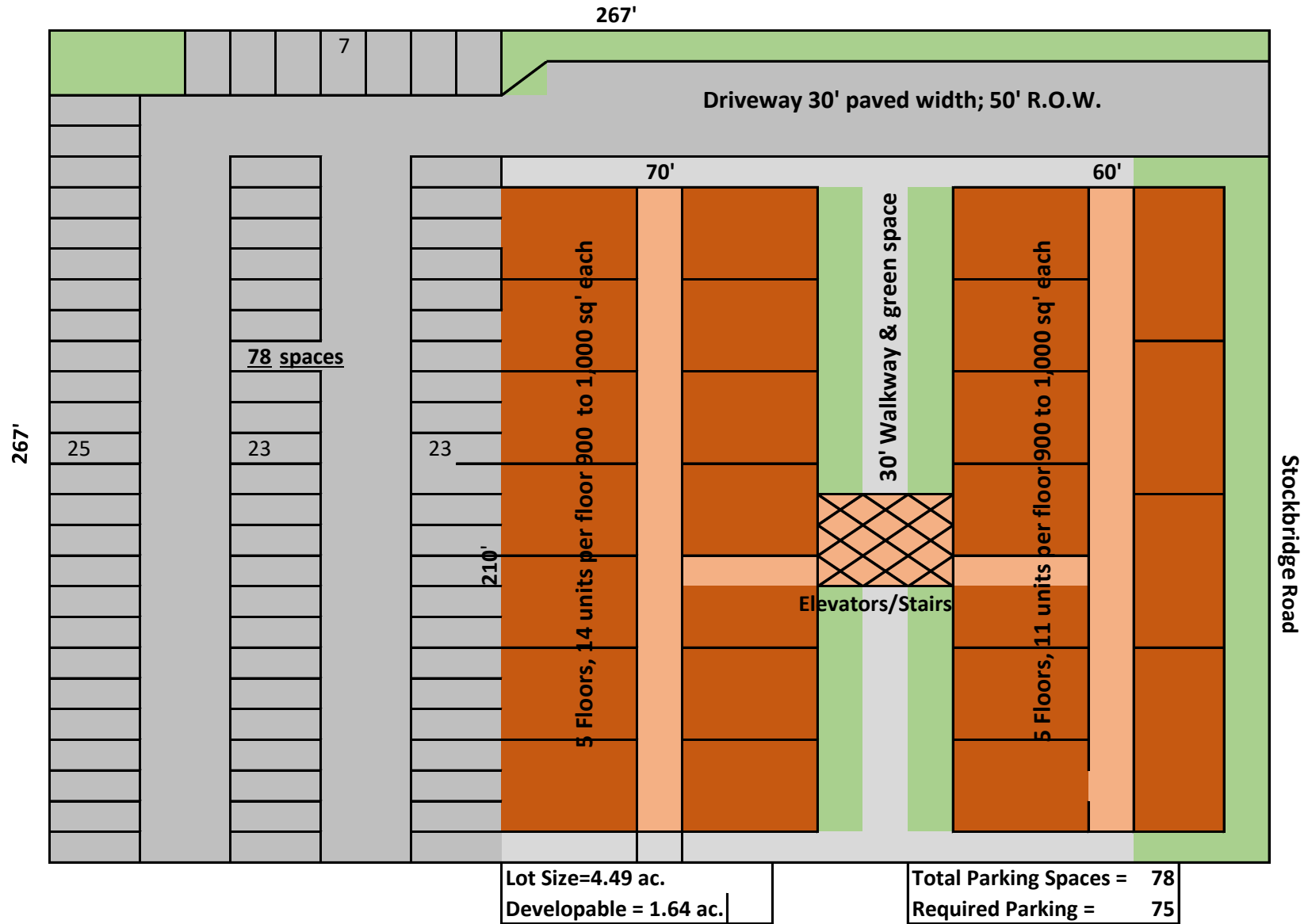
Drawn @ 1/4" = 10 Feet
 Presentation Not to Scale
 Total Site Acreage = 4.49
 Total Developable Acreage = 1.64

Total Parking Spaces : 112
 Required Parking = 80



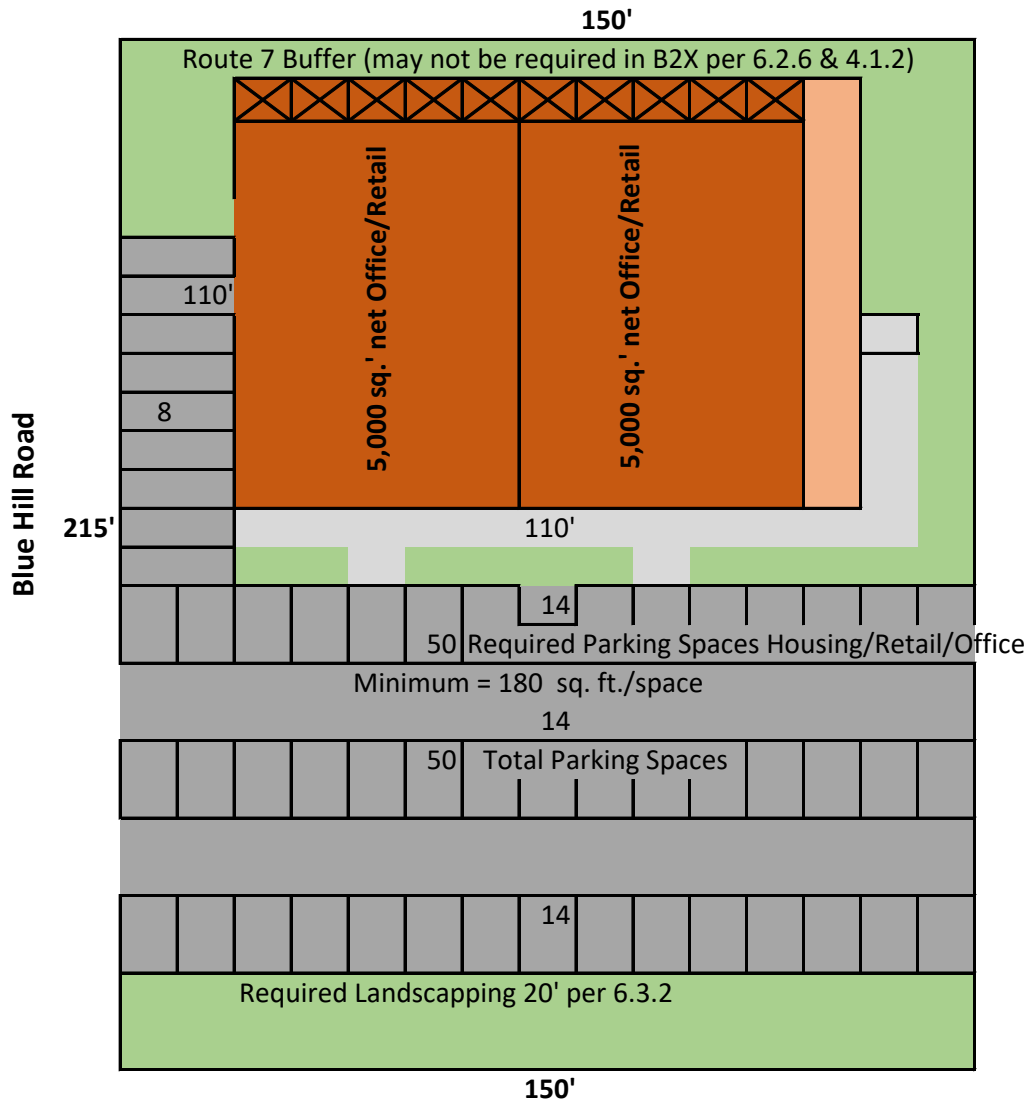
109 Stockbridge Road, Housing

Two Buildings Five floors each; 75 Total Units, 8 Affordable Units

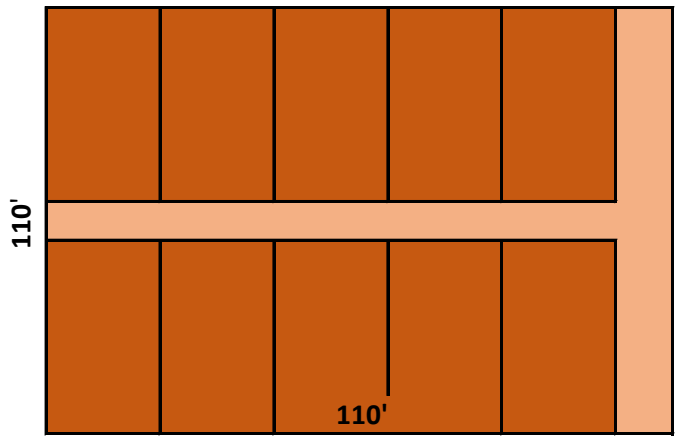


Property Tax Parcels

226 Stockbridge Road, Mixed Use

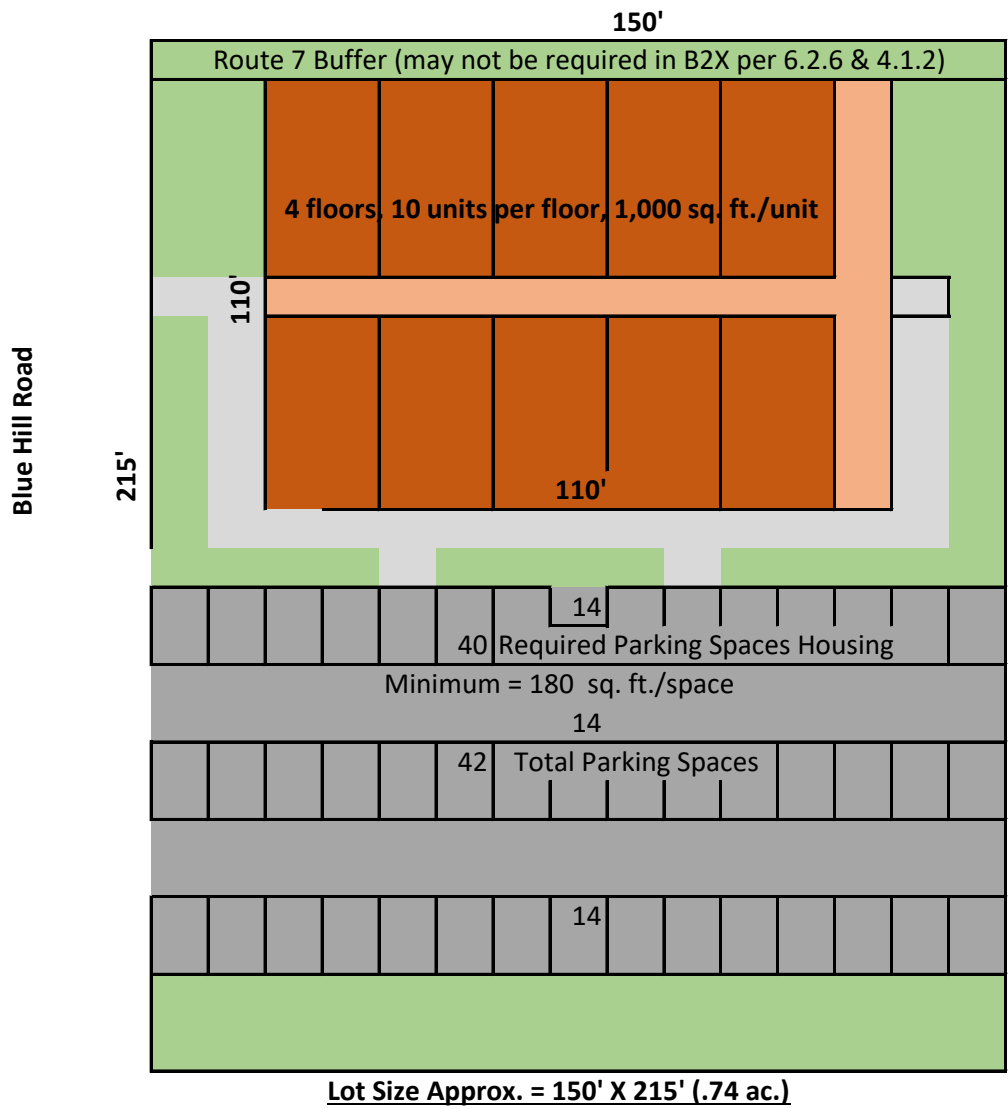


Lot Size Approx. = 150' X 215' (.74 ac.)



Housing 3 floors, 10 units per floor, 1,000 sq. ft./unit
3 affordable units

226 Stockbridge Road 40 Units of housing; 4 affordable units

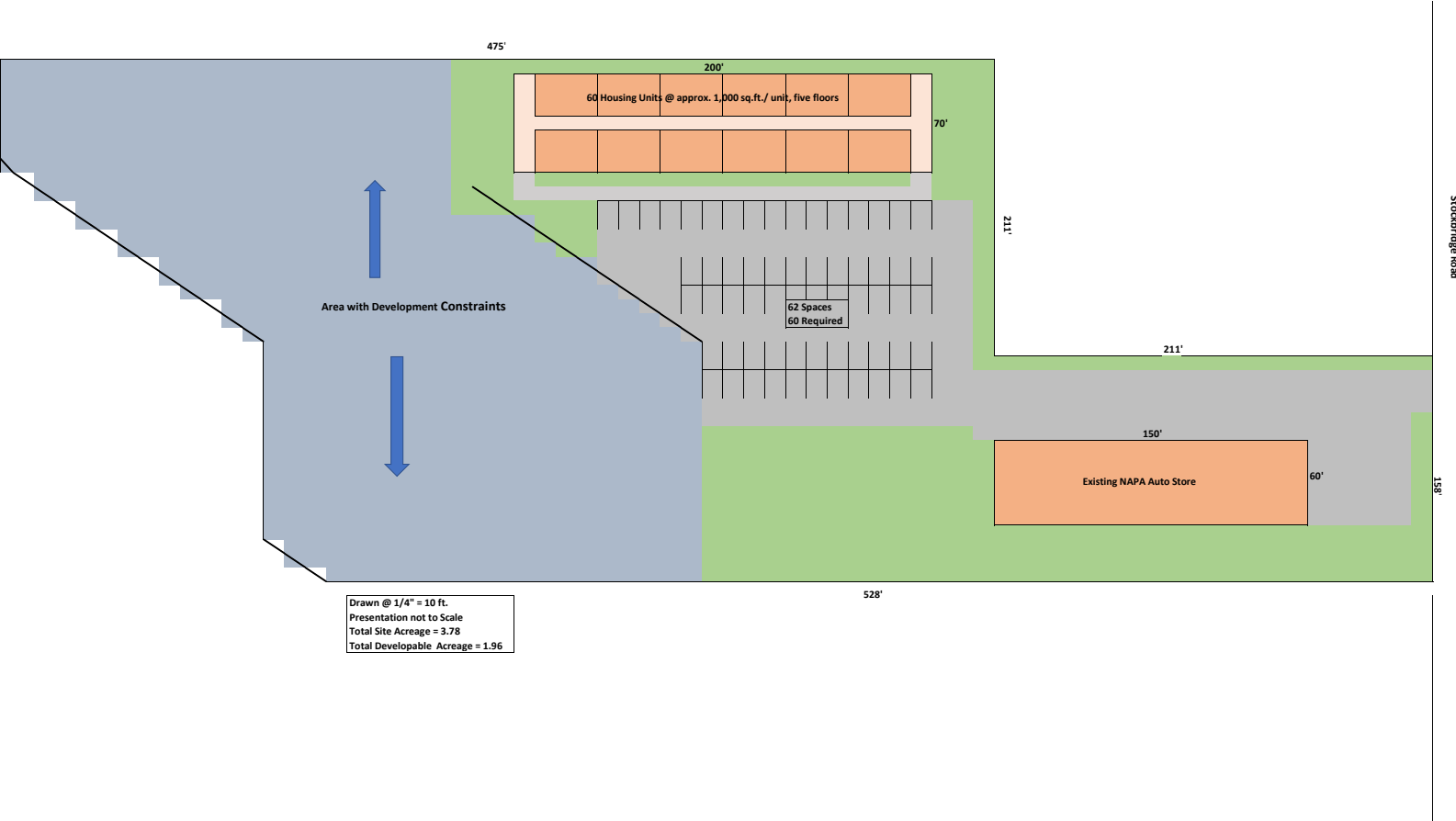


227 Stockbridge Rd

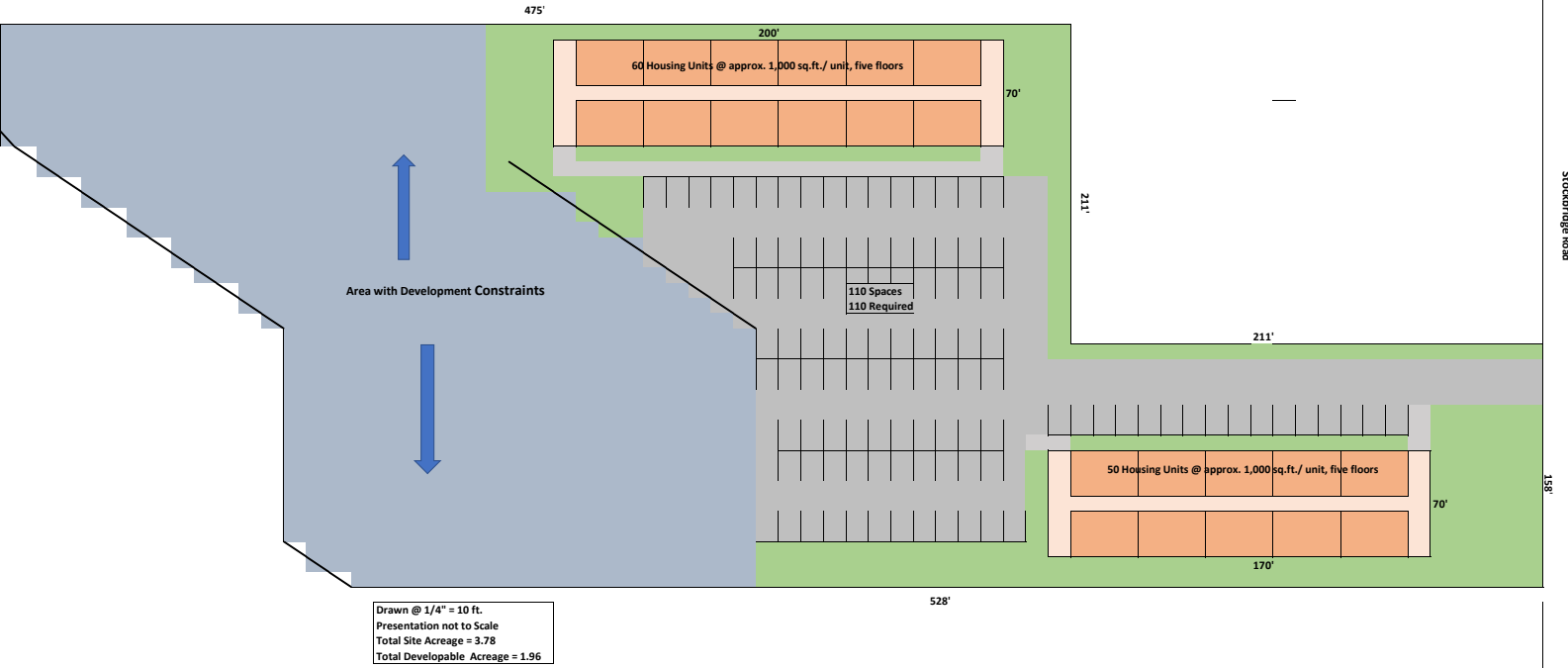
Property Tax Parcels



227 Stockbridge Road, Mixed Use Development
Sixty Units of Housing, Six Affordable Units, Existing Commercial Building to Remain

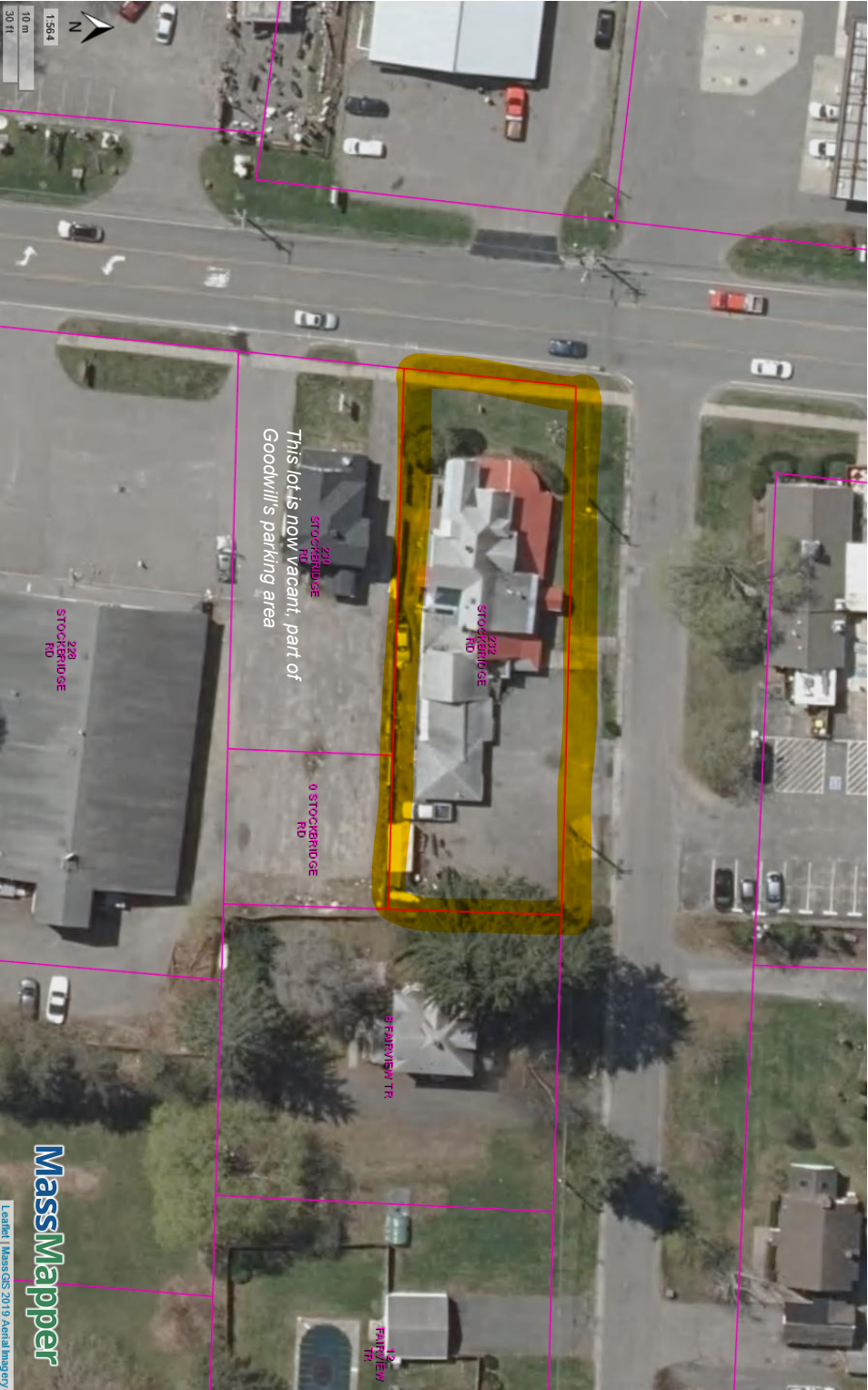


227 Stockbridge Road, Housing Development
110 Units of Housing, 11 Affordable Units
Five Floors per proposed amendment at 9.14.4 (3)

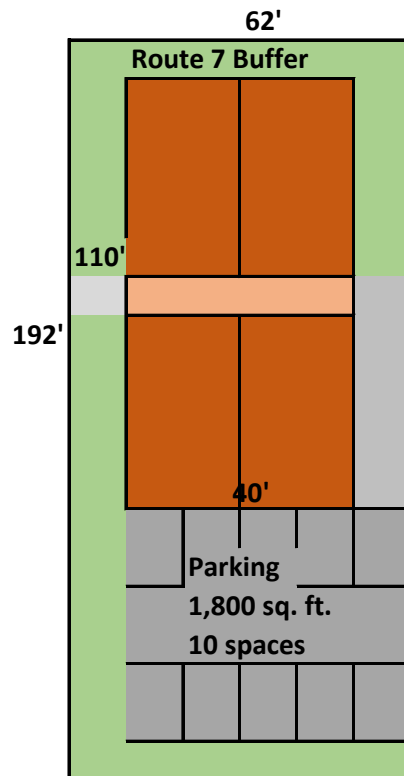


232 Stockbridge Rd

Property Tax Parcels



232 Stockbridge Road



Fairview Terrace

10 Units; 1 Affordable Unit
approx. 1,000 sq. ft. ea.
3 stories
First Floor 4 units
Second Floor 4 units
Third Floor 2 units

Article ____: Floodplain Overlay District

Purpose of the Amendments: These amendments are proposed in order to ensure the Town's local zoning regulations reflect at least the minimum requirements of the National Flood Insurance Program (NFIP) so that the community can continue to participate in the program.

To see if the Town will vote to amend Section 9.1, Floodplain Overlay District, and Section 11.0, Definitions, of the Zoning Bylaw, as set forth in this article.

Proposed deletions of existing text are ~~struck through~~
Proposed insertions are underlined

Amend Section 9.1 as follows:

9.1.1 Purpose. The Flood Plain Overlay District (FPOD) has been established to provide that lands in the town subject to seasonal or periodic flooding shall not be used for residential or other purposes in such a manner as to endanger the health or safety of the occupants thereof, or of the public, and to assure the continuation of the natural flow pattern of the watercourses within the town in order to provide adequate and safe floodwater storage capacity to protect persons and property against the hazards of flood inundation. It is further intended to protect, preserve and maintain the water table and water recharge areas within the town so as to preserve present and potential water supplies for the public health and safety of the residents of the town.

9.1.2 Definitions. Pertinent definitions of flood zones delineated in Great Barrington (e.g., Zone A, Zone A1-30, etc.) may be found in the US Code of Federal Regulations, Title 44, Part 64.3. Additional terms applicable to the FPOD are found in Section 11 of this Bylaw and US Code of Federal Regulations, Title 44, Part 59.

9.1.23 Location. The general boundaries of the FPOD are shown on the Great Barrington Flood Insurance Rate Map (FIRM), dated July 19, 1982, as Zones A and A-1-30 to indicate the one-hundred-year floodplain. The exact boundaries of the district are defined by the flood profiles contained in the Flood Insurance Study, dated July 19, 1982. The floodway boundaries are delineated on the Great Barrington Flood Boundary and Floodway Maps (FBFM), dated July 19, 1982, and further defined by the floodway data tables contained in the Flood Insurance Study. These two maps, as well as the accompanying study, are incorporated in this Bylaw by reference and are on file with the Town Clerk, Planning Board, Inspector of Buildings and Board of Health.

In A Zones, in the absence of FEMA Base Flood Elevation data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

The two above-referenced maps and related study cover specifically the Housatonic River, Green River, Williams River and Alford Brook and related wetlands. There are other inland wetlands that are covered and are shown generally on a map prepared by Robert G. Brown & Associates, Inc.,

and entitled "Delineation and Description of the Green, Williams and Housatonic River Flood Plain and the Inland Wetlands in the Town of Great Barrington, Massachusetts," dated 1974. In cases of conflict between the Robert G. Brown and Associates, Inc., and FIRM and FBFM maps, the latter two maps shall govern.

~~**9.1.3 Zone A.** Within Zone A, where the one hundred year flood elevation is not provided on the FIRM, the developer/applicant shall obtain all existing flood elevation data, and they shall be reviewed by the Planning Board. If the data are sufficiently detailed and accurate, they shall be relied upon to require compliance with this Bylaw and the State Building Code. These two referenced maps and related study cover specifically the Housatonic River, Green River, Williams River and Alford Brook and related wetlands. There are other inland wetlands that are covered and are shown generally on a map prepared by Robert G. Brown & Associates, Inc., and entitled "Delineation and Description of the Green, Williams and Housatonic River Flood Plain and the Inland Wetlands in the Town of Great Barrington, Massachusetts," dated 1974. In cases of conflict between the Robert G. Brown and Associates, Inc., and FIRM and FBFM maps, the latter two maps shall govern. The base (one hundred year) flood elevations at any given point between any two successive control points (cross sections) as shown on the floodplain maps have been determined using topographic maps at a scale of 1:4,800, with a contour interval of five feet, this forming the flood boundary shown for the entire length of the Housatonic River, Green River, Williams River and Alford Brook on the series of Flood Boundary and Floodway Maps.~~

9.1.4 Floodways. All encroachments, including fill, new construction, substantial improvements to existing structures and other developments in the floodway are prohibited unless certification by a professional engineer registered and licensed in the Commonwealth of Massachusetts is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.

In A Zones along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

9.1.45 Special Permit Required. Any person desiring to establish any permitted use in a FPOD involving or requiring the erection of new structures and/or alteration or moving of existing structures or dumping, filling, transfer, relocation or excavation of earth materials or storage of materials or equipment, or parking of recreational vehicles, shall submit an application for a special permit to the Special Permit Granting Authority (SPGA) ~~Selectboard~~ in accordance with the provisions of Section 10.4. The Selectboard shall be the SPGA for floodplain special permits.

Such special permit application shall describe in detail the proposed use of the property and the work to be performed and shall be accompanied by plans as specified therein. In addition to the information required thereby, such plans shall also include boundaries and dimensions of the lot, existing and proposed drainage easements, all existing and proposed fill, existing and proposed sewage disposal facilities, means of access and mean sea-level elevation, with contour separation of two feet or less, of the existing and proposed land surface, cellar floor and first floor. All plans shall be prepared and certified by a professional engineer registered and licensed in the Commonwealth of Massachusetts.

The special permit application shall include a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the FPOD. The applicant must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired prior to issuance of any permit by the Building Inspector.

9.1.5 Submittals. ~~The SPGA shall ensure that the applicant provides sufficient information to determine:~~

- ~~1. That the floor level of areas to be occupied by human beings as living or working space shall be at a safe elevation;~~
- ~~2. That furnaces and utilities are protected from the effects of flooding and that the structure will withstand the effects of flooding in accordance with the State Building Code;~~
- ~~3. That the proposed construction, use or change of grade will not obstruct or divert the flood flow, reduce natural water storage or increase stormwater runoff so that water levels on other land are substantially raised or danger from flooding increased;~~
- ~~4. That safe vehicular and pedestrian movement to, over and from the premises is provided in the event of flooding; and~~
- ~~5. That the proposed methods of drainage and sewage disposal are approved by the Board of Health and will not cause pollution or otherwise endanger health in the event of flooding.~~

9.1.6 Decision. The SPGA may issue a special permit in compliance with all applicable provisions of this Bylaw, for establishment or alteration of a permitted use in a FPOD, provided that the Selectboard determines the following. Such findings shall be in addition to the findings required by Section 10.4.

1. The use would otherwise be permitted if such land were not, by operation of this section, in the FPOD;
2. The use of such land for the proposed purpose will not interfere with the general purpose for which such FPODs have been established;
3. That the floor level of areas to be occupied by human beings as living or working space shall be at an elevation in accordance with the State Building Code;
4. That furnaces and utilities are protected from the effects of flooding and that the structure will withstand the effects of flooding in accordance with the State Building Code;
5. That the proposed construction, use or change of grade will not obstruct or divert the flood flow, reduce natural water storage or increase stormwater runoff so that water levels on other land are substantially raised or danger from flooding increased;
6. That safe vehicular and pedestrian movement to, over and from the premises is provided in the event of flooding; and
7. That the proposed methods of drainage and sewage disposal are approved by the Board of Health and will not cause pollution or otherwise endanger health in the event of flooding.

8. If Zones AO and AH exist on the applicable FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

9.1.7 Conditions. Special permits issued under this section may be subject to such conditions as the Selectboard deems necessary in the interests of the public health, safety and welfare. The burden of proving that the proposed use will not endanger the health and safety of the occupants or the public shall rest upon the applicant, who shall provide such engineering, ecological and hydrological data as may be required by the SPGA or any state or federal agency.

~~**9.1.8 Encroachment.** All encroachments, including fill, new construction, substantial improvements to existing structures and other developments in the floodway are prohibited unless certification by a professional engineer registered and licensed in the Commonwealth of Massachusetts is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one hundred year flood. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.~~

9.1.8. Subdivisions. All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that: (1) Such proposals minimize flood damage; (2) Public utilities and facilities are located & constructed so as to minimize flood damage; and (3) Adequate drainage is provided. When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

~~**9.1.9 Effect.** Granting of a special permit under this section by the SPGA does not in any way indicate compliance with the provisions of the Wetlands Protection Act, G.L. c. 131, s. 40, which provides, among other things, that no person shall remove, fill, dredge or alter any swamp, creek, river, stream, pond or lake or any land subject to flooding, except with a written permit from the Conservation Commission.~~

9.1.9. Recreational Vehicles. If otherwise permitted in accordance with this Zoning Bylaw, in A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

9.1.10 Community Floodplain Administrator. The Town of Great Barrington hereby designates the Building Inspector to be the official floodplain administrator for the Town.

9.1.11 Variances from Building Code Floodplain standards. Should a proponent be granted a Building Code Variance by the Commonwealth, the proponent shall notify the Building Inspector in writing, and the Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood

level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

9.1.12. Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP). The Zoning Board of Appeals may issue a variance from these floodplain bylaws in accordance with the requirements set out by State law, and may only be granted if:

- 1) Good and sufficient cause and exceptional non-financial hardship exist;
- 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
- 3) the variance is the minimum action necessary to afford relief.

9.1.13 Limitations. The floodplain management regulations found in this section shall take precedence over any less restrictive conflicting local laws, ordinances or codes. The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection. Granting of a special permit under this section by the Selectboard does not in any way indicate compliance with the provisions of the Wetlands Protection Act, G.L. c. 131, s. 40, which provides, among other things, that no person shall remove, fill, dredge or alter any swamp, creek, river, stream, pond or lake or any land subject to flooding, except with a written permit from the Conservation Commission.

9.1.14 Watercourse alterations and New data. In a riverine situation, the Building Inspector shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, 8th floor
Boston, MA 02114
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.)

Notification shall be submitted to:
FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:
Massachusetts NFIP State Coordinator
MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA 02114

Amend Section 11.0 by adding the following definitions under a new entry FLOODPLAIN OVERLAY DISTRICT:

FLOODPLAIN OVERLAY DISTRICT: The following definitions shall apply in the FPOD. Reference is also made to 44 CFR §59.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD HAZARD BOUNDARY MAP (FHBM.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E.

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted

by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement.

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30.

START OF CONSTRUCTION. The date of issuance of a permit for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR.

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation.

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3 is presumed to be in violation until such time as that documentation is provided.

ARTICLE ____: Accessory Dwelling Units (ADU)

Purpose of the Amendments: This amendment will ensure the zoning bylaw requirement regarding ADU size utilizes a measurement consistent with other portions of the zoning bylaw; instead of measuring by gross square footage, the ADU will be measured by net usable square feet. This will also serve to clarify and distinguish an ADU's living area from what might be other areas, of an accessory building, such as utility or garage areas.

To see if the Town will vote to amend Section 8.2.3, item 2, as follows:

Proposed deletions of existing text are struck through
Proposed insertions are underlined

Amend 8.2.3, item 2, as follows:

2. An ADU may not in any case be larger than 900 ~~gross-square feet~~ of net usable floor area. If a dwelling unit greater than 900 ~~gross-square feet~~ of net usable floor area is created within a single-family home, the residence will be considered a two-family dwelling and will be subject to the requirements of Section 8.1 of this Bylaw.

ARTICLE _____: Lodging Houses and Tourist Homes for Transient Guests

Purpose of the Amendments: This amendment will ensure the zoning bylaw references to these uses are consistent and defined. The two terms mean the same thing, but the existing title of section 7.16 and the existing definitions are not clear on this point.

To see if the Town will vote to amend the Zoning Bylaw as follows:

Proposed deletions of existing text are struck through

Proposed insertions are underlined

Amend the title of Section 7.16 as follows:

7.16 LODGING HOUSES OR TOURIST HOMES FOR TRANSIENT GUESTS

And, amend Section 11.0, Definitions, by adding a new definition for Lodging Houses, as follows:

LODGING HOUSE: See Tourist Home.

Article ____: Special Permit and Site Plan Review Moratoriums

Purpose of the Amendments: Rental housing is urgently needed and is foundational to the Town's economy and livability. As demonstrated by the 2020 Housing Needs Study there is a zero percent vacancy rate in existing rental housing. Where multifamily housing might be developed, an uncertain and long approval process and the possibility of frivolous appeals can dramatically increase the cost and risk of developing much needed housing. These amendments are intended to reduce the approval timeline and the development risk, and therefore cost, of building rental apartments for low- and moderate-income households.

To see if the Town will vote to insert new Section 10.7 into the Zoning Bylaw, as follows:

Proposed deletions of existing text are ~~struck through~~
Proposed insertions are underlined

10.7 SPECIAL PERMIT AND SITE PLAN REVIEW MORATORIUMS

10.7.1 Notwithstanding any other requirement of this Zoning Bylaw, neither a Special Permit nor a Site Plan Review shall be required for the development or redevelopment of multifamily rental apartments containing three or more units, subject to the following limitations and requirements.

10.7.2 Only the following shall benefit from this Special Permit and Site Plan Review exemption:

1. Uses delineated in Section 3.1.4, A(3) – (10) of the Table of Use Regulations.
2. Projects developed in accordance with Sections 8.4 (Mixed Use Development), 8.5 (Planned Unit Residential Development), 8.7 (Open Space Residential Development), 8.8 (Assisted Living Residence), 8.9 (Publicly Financed Nonprofit Age Restricted Housing), 8.10 (Conversion to Multifamily Use), 9.4 (Downtown Mixed Use B-3 District), and 9.11 (Mixed Use Transitional Zone).

10.7.3 Projects subject to Special Permits or Plan Approvals under the following sections shall still be subject to those requirements:

1. Section 5.0 (Nonconforming Uses and Structures), 9.1 (Floodplain Overlay District), 9.2 (Water Quality Protection Overlay District), and 9.13 (Smart Growth Overlay District).

10.7.4 All residential units in projects developed in accordance with this Section shall be rental units, and shall be affordable to households earning not more than 120 percent of Area Median Income for a minimum of thirty years. Affordability shall be determined as set forth in Section 9.13.6.3, b. of this bylaw.

10.7.5 Prior to the issuance of a Building Permit, the projects shall record on the deed an affordability restriction in a form acceptable to the Town and generally conforming to the requirements of Section 9.13.6.5. The affordability restriction shall grant the Town a transferrable right of first refusal to purchase the Project if the project is sold within the period of the restriction.

10.7.6 This Section shall expire on May 4, 2027 unless it is renewed by a Town Meeting before that date.