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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTBOARD'S MEETING AGENDA

MONDAY, OCTOBER 15, 2018

6:30 PM EXECUTIVE SESSION JOINT MEETING WITH THE ZBA

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

6:30 PM - OPEN MEETING

1. CALL TO ORDER:

6:30 pm Open Session

6:30 pm Conference Room

CONVENE INTO EXECUTIVE SESSION and Return to Open Session - Town Manager's Conference Room

A. Executive Session under MGL c.30A, §21(a)(3) and (6), to discuss litigation strategy relating to pending litigation known as (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket No. 2018MISC000240; and (3) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC000240 (KCL); and (4) Town of Great Barrington v. GJO LLC, So. Berkshire District Court Docket No. 1829C1000008, if the Chair declares that an open meeting may have a detrimental effect on the Town's litigating and/or negotiating position. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.

Roll Call Vote

Chair's Declaration:

I declare, under MG.L. c.30A, §21(a)(3) and (6), that the purpose of the executive session will be to discuss litigation strategy regarding pending litigation concerning 11 Roger Road known as: (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134; and (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket No. 18MISC000240; (3) GJO, LLC v. Ronald Majdalany et al, Land Court Docket No. 18MISC000240 (KCL); and (4) Town of Great Barrington v. GJO LLC, So. Berkshire District Court Docket No. 1829C1000008 because

discussions of the foregoing in open session could have a detrimental effect on the litigating and/or negotiating position of the Town and to **Return To Open Session** at the conclusion of the executive session.

Motion Convening the Executive Session:

I **move** that the Selectboard go into executive session under M.G.L. c.30A, §21(a)(3) and (6) for the purposes and reasons declared by the Chair and with the Board to **Return to Open Session** at the conclusion of the Executive Session.

Roll Call Vote:

OPEN SESSION:

7:00 PM - OPEN MEETING

1. CALL TO ORDER:

2. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

3. TOWN MANAGER'S REPORT:

A. Department Updates/DPW

- Transfer Station Presentation.

B. Project/Issues Updates

- Update on DEP's Enforcement of Housatonic Water Works Company.

- Update on Bids for Electrical Aggregation.

- Adding Fee for Electrical Management.

- Update on Water Bottle Ban.

4. PUBLIC HEARINGS:

A. Application of Berkshire Cooperative Association, Inc. d/b/a Berkshire Co-Op Market, Daniel Esko, Manager for a New Package Store Beer and Wine Liquor License at 42 Bridge Street, Great Barrington, MA. The premises consist of a supermarket area, four bathrooms, a café seating area and two means of entrance/exit. (Discussion/Vote)

a. Motion – **Continue Public Hearing to SB November 26, 2018**, meeting.

B. Special Permit Application of 26 Manville, LLC, PO Box 628, Great Barrington, for a Water Quality Protection Overlay District Special Permit, in accordance with Sections 9.2 and 10.4 of the Great Barrington Zoning Bylaw, in order to increase Impervious area of a lot by more than 15% or 2,500 square feet. Proposed impervious surfaces are in connection with a proposed development of 47 apartments in three new buildings, and associated parking, driveway and site work, at the site comprised of **21 Manville Street, 26 Manville Street, and 28 Manville Street**. (Discussion/Vote)

a. Open Public Hearing

b. Explanation of Project

c. Speak in Favor/Opposition

d. Motion to Close Public Hearing

e. Motion re: Findings

f. Motion re: Approval/Denial/Table

- C. Special Permit Application from Jeffrey Taylor on behalf of H&H Capital Enterprises LLC, to convert an existing three-family residence at **137 Bridge Street**, permitted by Special Permit #861-16, to a four-family residence, in accordance with Sections 3.1.4 A(3), 8.3 and 10.4 of the Great Barrington Zoning Bylaw. (Discussion/Vote)
 - a. Open Public Hearing
 - b. Explanation of Project
 - c. Speak in Favor/Opposition
 - d. Motion to Close Public Hearing
 - e. Motion re: Findings
 - f. Motion re: Approval/Denial/Table

- D. Special permit application from Benjamin Wohlfert, PO Box 1347, Canaan, CT, for work in a floodplain at **121 Bridge Street**, Great Barrington, in accordance with Sections 9.1 and 10.4 of the Great Barrington Zoning Bylaw. Proposed work is within the 100-year flood plain of the Housatonic River, and consists of demolition of the existing single family home and construction of a new single family home. (Discussion/Vote)
 - a. Open Public Hearing
 - b. Explanation of Project
 - c. Speak in Favor/Opposition
 - d. Motion to Close Public Hearing
 - e. Motion re: Findings
 - f. Motion re: Approval/Denial/Table

- E. Application of Fiddleheads Grille Inc. d/b/a Fiddleheads Grille, David Michael Pullaro, Manager for a new Common Victualler All Alcoholic Restaurant Liquor License at 999 Main Street, Great Barrington, MA 01230 to include seasonal seating on the deck up to 16 and in the outdoor gazebo up to 44. (Discussion/Vote)
 - a. Open Public Hearing
 - b. Explanation of Project
 - c. Speak in Favor/Opposition
 - d. Motion to Close Public Hearing
 - e. Motion re: Findings
 - f. Motion re: Approval/Denial/Table

5. LICENSES OR PERMITS:

- A. Robert F. Avery, Jr./Blessed Teresa of Calcutta –Diocese of Springfield for One Day Beer and Wine Liquor Licenses for Friday, November 2, 2018 from 5:00 pm – 11:00 pm at St. Peter Parish Center, East and Cottage Streets, Great Barrington. (Discussion/Vote)

6. OLD BUSINESS:

- A. SB - To Consider Revision of Local Policy regarding the number of Beer and Wine Package Store Liquor Licenses. (Discussion/Vote) **Continue to SB November 26, 2018** meeting.

7. NEW BUSINESS:

- A. SB and Board of Library Trustees – Joint Appointment of Two (2) Library Trustees. (Discussion) **(Roll Call Vote)**

- B. SB – Appointment of Planning Board Associate member. (Discussion/Vote)

- C. SB (Chair and Vice Chair) – Recommendation of Consultant for the Town Manager Search. (Discussion/Vote)

8. CITIZEN SPEAK TIME:

9. SELECTBOARD'S TIME:

10. MEDIA TIME:

11. ADJOURNMENT:

**NEXT SELECTBOARD'S MEETINGS: SPECIAL - Tuesday, October 23, 2018, 7:00 PM
REGULAR - Monday, October 29, 2018, 7:00 PM**


Jennifer Tabakin, Town Manager

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