

Jennifer Tabakin  
Town Manager

E-mail: [jtabakin@townofgb.org](mailto:jtabakin@townofgb.org)  
[www.townofgb.org](http://www.townofgb.org)



Town Hall, 334 Main Street  
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2  
Fax: (413) 528-2290

# TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

## SELECTBOARD'S MEETING AGENDA

MONDAY, APRIL 8, 2019

**7:00 PM** – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

### ORDER OF AGENDA

#### **7:00 PM** - OPEN MEETING

##### **1. CALL TO ORDER:**

##### **2. APPROVAL OF MINUTES:**

February 25, 2019 Regular Session.

##### **3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:**

A. General Comments by the Board.

##### **4. TOWN MANAGER'S REPORT:**

A. Department Updates

B. Project Updates

- Public Transportation Advisory Committee.

##### **5. LICENSES OR PERMITS:**

A. Emily Jones/Green Mind Events d/b/a Green Mind Events LLC for One Day Weekday Entertainment License for Saturday, April 20, 2019 from 12:00 pm - 8:00 pm at the Great Barrington Fairgrounds. (Discussion/Vote)

B. Andy Moro/American Legion Murphy Leary Post 298 for permission to hand out Poppies for donations in Great Barrington and in the Village of Housatonic during the month of May. (Discussion/Vote)

C. Andy Moro/American Legion Murphy Leary Post 298 for permission to hold a Poppy Boot Drive on Main Street between Gas House Lane and the entrance to JB Hull Oil Inc. on Saturday, May 18, 2019 (Rain date May 25) from 10:00 am – 2:00 pm. (Discussion/Vote)

D. Kelly Vickery/Berkshire International Film Festival (BIFF) for permission to hang 12 banners on 9 Poles on Main Street between Pleasant and Bridge Streets and 3 Poles on Railroad Street from April 24, 2019 to June 7, 2019. (Discussion/Vote)

- E. Holly Hamer/Great Barrington Tree Committee request to close Pleasant Street from the sidewalk entrance to the lower Library and up to Main Street to vehicles on April 26, 2019 from 2:30 pm – 6:30 pm for the Arbor Day Festival. (Discussion/Vote)
- F. Steven Leonard/Berkshire South Regional Community Center for permission to utilize the town roads for the 6<sup>th</sup> Annual 5K Run/Walk on May 4<sup>th</sup>, 2019 from 8:00 am – 12:00 pm starting on Seekonk Cross Road and continuing on Locust Hill Road, Pumpkin Hollow Road and Egremont Plain Road and ending at the airport. (Discussion/Vote)
- G. Jenise Lucey/Steven Leonard/Berkshire South Regional Community Center for One Day Beer and Wine Liquor License for May 4<sup>th</sup>, 2019 from 9:00 am – 1:00 pm at the Great Barrington Airport, 70 Egremont Plain Road. (Discussion/Vote)

**6. OLD BUSINESS:**

- A. SB - Review, Approval and Recommendations on the DRAFT 2019 Annual Town Meeting Warrant Articles. (Discussion/Vote)
- B. Ballot Question for 2019 Annual Town Election:

Shall the Town of Great Barrington be allowed to exempt from the provisions of Proposition Two and One-half, so called, the amounts required to pay for the bond issued in order to pay the cost of building improvements to the Housatonic School, the Transfer Station, the Housatonic Fire Station, the Police Station and Town Hall, and for the payment of all other costs incidental and related thereto. (Discussion/Vote)

**7. NEW BUSINESS:**

- A. SB – Recommendation to the Planning Board on the Special Permit Application of LSE Lepus, LLC for a commercial energy system at 671 Stockbridge Road. (Discussion/Vote)

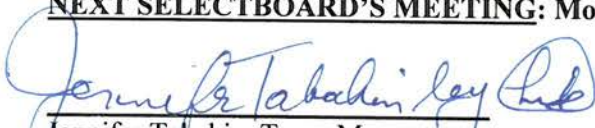
**8. CITIZEN SPEAK TIME:**

**9. SELECTBOARD'S TIME:**

**10. MEDIA TIME:**

**11. ADJOURNMENT:**

**NEXT SELECTBOARD'S MEETING: Monday, April 29, 2019, 7:00 P.M.**

  
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.*

## NOTICE

### TOWN OF GREAT BARRINGTON

#### PUBLIC TRANSPORTATION ADVISORY COMMITTEE

The Town Manager is creating a Public Transportation Advisory Committee, consisting of representatives from the Selectboard and the Planning Board, and up to three south county residents. Representatives from the Selectboards of other South County towns will be invited to attend and participate. This Advisory Committee will be tasked with regularly evaluating the needs and desires of South County residents regarding public transportation services through surveys and public input meetings, and to provide recommendations on how to maximize service frequency in areas with the most ridership potential, in addition to providing widespread coverage. The Committee should report to the Town Manager at least once a year. Please email [jtabakin@townofgb.org](mailto:jtabakin@townofgb.org) if you wish to participate.

February 19, 2019

Office the Town Manager:  
Jennifer Tabakin  
c/o Hellen Kuzemiko  
344 Main Street  
Great Barrington, Massachusetts 01230

Dear Office of the Town Manager:

I would like to serve on the Public Transportation Advisory Committee that is being formed by your office. I firmly believe that public transportation is an essential element for an efficient societal functioning. Many unrecognized adverse effects result from lack of public transportation, both economic and societal because people are not able to avail themselves of the economic and cultural opportunities at the time and places where they are available when they occur. This problem needs to be remedied. I would like to work on this on the new Public Transportation Advisory Committee now being formed.

Please also let me know whether there is any compensation available for serving on this committee. I feel that this is an important committee and will provide additional economic and societal benefits to the local area.

Sincerely,

*David Magadini*

**David Magadini**

P. O. Box 339  
Housatonic, MA  
01236

RECEIVED  
TOWN MANAGER

FEB 22 2019

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



## Amy Pulver

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**From:** Pat Konecky <pat.konecky@gmail.com>  
**Sent:** Sunday, March 3, 2019 5:08 PM  
**To:** Jennifer Tabakin

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hello,  
Tate Coleman suggested I contact you to express my interest in working with the GB Public Transportation Advisory Committee. I'm an Egremont resident and member of that town's Green Committee and would participate as a South County representative. I've met with Tate, discussed the proposal and read some of the recent press coverage about the goals of this group. It appears to be an exciting improvement for our public transportation which I'd look forward to supporting. Please let me know if you'd like any additional information about my interest or background.

Regards,

Pat Konecky  
917-797-1673

## Amy Pulver

---

**From:** John Kilner <renlikiii@yahoo.com>  
**Sent:** Tuesday, March 5, 2019 10:40 AM  
**To:** Jennifer Tabakin  
**Subject:** BRTA advisory committee

I would like to become a member of the committee as listed by Tate Coleman.

John Kilner  
909 Main St. Apt 3-D  
Gt.Barrington, Ma.  
413 429 1865

## Helen Kuziemko

---

**From:** Jennifer Tabakin  
**Sent:** Tuesday, March 5, 2019 5:31 PM  
**To:** Helen Kuziemko; Bill Cooke  
**Subject:** Fwd: S. County Transportation Committee

Pls add to the list.

Jennifer Tabakin

Begin forwarded message:

**From:** Ariadne Condon <[areadni3@gmail.com](mailto:areadni3@gmail.com)>  
**Date:** March 5, 2019 at 4:10:01 PM EST  
**To:** Jennifer Tabakin <[jtabakin@townofgb.org](mailto:jtabakin@townofgb.org)>  
**Subject:** S. County Transportation Committee

Dear Town Manager,

I would like to be considered for the newly forming Transportation Committee.

I have a longstanding interest in and concern about public transportation broadly, and more recently Berkshire County. Tate Coleman and I have had frequent discussions over the last several years, and 18 months ago I decided to give up owning a car and became a regular, instead of occasional passenger, on the BRTA.

I think about how we will, and from an environmental perspective *should*, be planning regionally, the challenges of routing and scheduling sparse rural population v. cities, what mix and type of vehicle - and cost of course.

I look forward to hearing from you.

Your Sincerely

**Ann Condon**  
5 Pine Street,F14  
Stockbridge, MA 01262

Saturday



**TOWN OF GREAT BARRINGTON**  
**Temporary Weekday Entertainment License Application**  
**\$25.00 per day**

The undersigned hereby applies for a license in accordance with the provisions of MA General Laws, Ch.140 Sec.183A amended, Ch.351, Sec.85 of Acts of 1981 and Ch.140 Sec.181.

Name: Emily Jones

Business/Organization: Green Mind Events

D/B/A (if applicable): Green Mind Events LLC

Address: 81 Mechanic St Shelburne Falls MA

Mailing Address: \_\_\_\_\_

Phone Number: 413 824 9289

Email: Soldbyemily413@gmail.com

TYPE: (Check all that apply) ☐ Concert ☐ Dance ☒ Exhibition ☐ Cabaret ☐ DJ

☒ Live band with up to 5 pieces, including singers ☐ Public Show

☐ Other (please explain) \_\_\_\_\_

INCLUDES: ☒ Live music ☐ Recorded music ☐ Dancing by entertainers/ performers

☒ Dancing by patrons ☒ Amplification system ☐ Theatrical exhibition

☐ Floorshow ☐ Play ☐ Moving picture show ☐ Light show ☐ Jukebox

☐ Other (please explain) \_\_\_\_\_

As part of the entertainment, will any person be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any person will be permitted to appear on the premises in any manner or attire as to expose to public view a portion of the breast below the top of the areola, or any simulation thereof? (M.G.L.Chp.140 Sec.183A)

\_\_\_ YES

☒ NO



ES  
Please circle: ~~INDOOR~~ or OUTDOOR Entertainment

Exact Location of Entertainment (include sketch): Great Barrington  
Fairgrounds

Date(s) of Entertainment\*: April 20<sup>th</sup> 2019  
\*Does not include SUNDAY

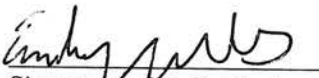
Start & End Times of Entertainment: 12pm - 8pm

**Does your event involve any of the following? (Check all that apply)**

☒ Food   ☒ Temporary Bathrooms   ☒ Tents   ☐ Stages   ☒ Temporary Signs  
☒ Electrical Permits   ☐ Building Permits   ☐ Police Traffic Details   ☐ Street Closures

**ALL entertainment licenses will be reviewed by the Design Review Team (DRT), which is comprised of several Town departments, for comments/concerns on this application.**

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

  
Signature of Individual or  
Corporate Officer

3/18/19  
Date

\_\_\_\_\_  
SS# or FID#

**TOWN USE ONLY:**

DRT Review with Conditions: Please see attached memo. Two  
Police Details will be required. (CR)

APPROVAL DATE: \_\_\_\_\_

LICENSE # \_\_\_\_\_

Subject: April 20, 2019 event at fairgrounds

The DRT reviewed the event proposed by Green Mind Events for April 20. We understand / require the following:

1. They expect 500 people max.
2. No alcohol is being served.
3. The track and grandstand will be off limits.
4. No tents will be near the wetland areas along Rte 7.
5. They will contact Buildings Dept. for sign permits and electrical permits. The proposed tents are the easy-up small tents, which will be spaced apart from each other.
6. Food permits must be coordinated with the Health Dept preferably 30 days in advance but not less than 2 weeks. The Health Dept notes that potable water is still an issue on the site.
7. The Police Department requires two police details. The sponsors must work with the Police to arrange these officers.

DRT staff has no other concerns

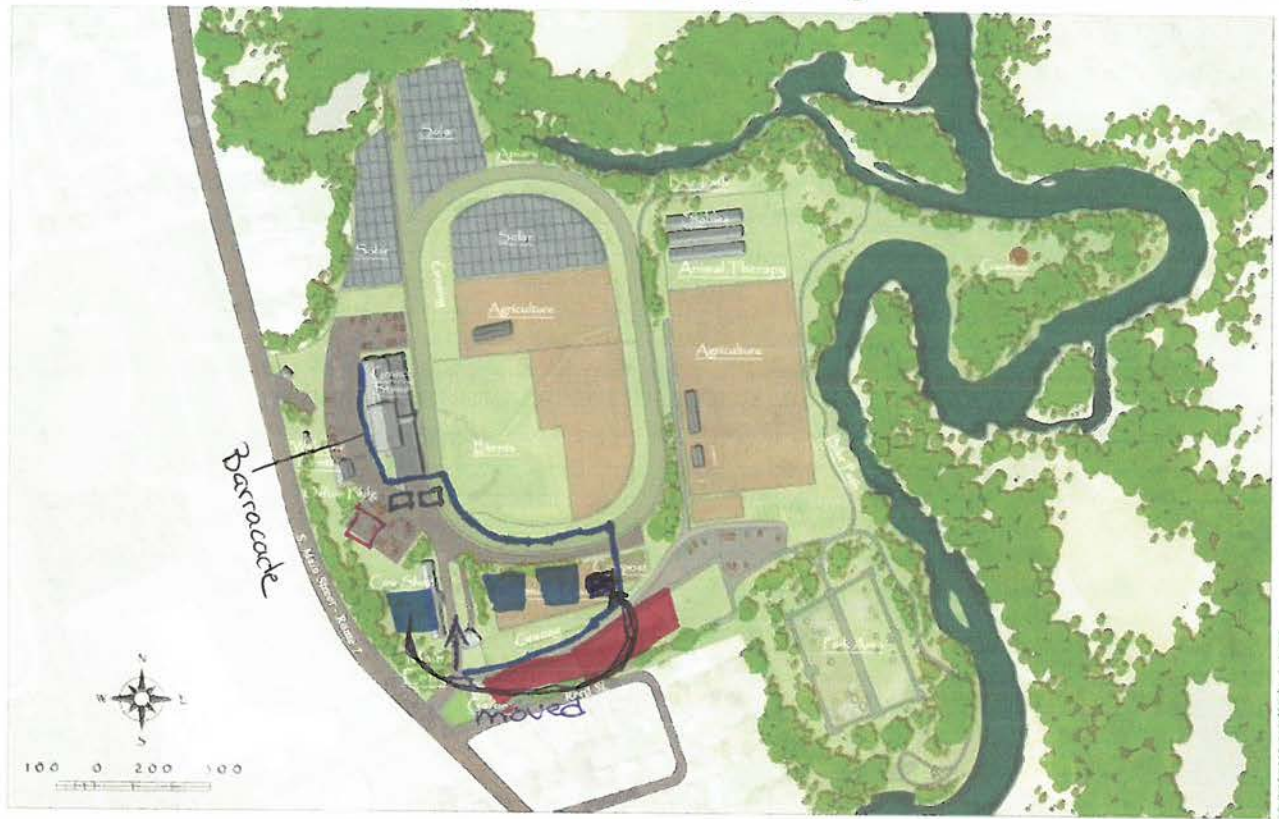


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**Christopher T. Rembold, AICP**

Town Planner  
Town of Great Barrington  
334 Main Street  
Great Barrington, MA 01230  
Ph: (413) 528-1619, x. 7  
[www.townofgb.org](http://www.townofgb.org)

# Vision Map for the Great Barrington Fairgrounds



Fair Ground Community Redevelopment Project (GBFG)

- parking
- tents
- stage
- Barracade
- food
- ↑ Entrance/Exit

8:00a- Arrive/set up

11:00- Vendors arrive/ set up

NOON- Gates open

12:30- Band sets up

12:45 First band set 1.5-2hrs

1:00- Face Paint /clothing swap opens

2:00- set ends

2:30- Second band/ Second set

3:00 I-Games and Giveaways

4:20-Set ends. Raffle drawing

4:30- Speaker

5:30- Demonstration or class

6:00- Third Band begins

6:00- Dinner Vendors arrive

6:30- massage and reiki/ tarot/ readings open

7:00 Vendors Clean up

8:00 Thanks for coming! Event Ends

Clean up

Come back Sunday Morning 10am to finish cleaning in the day time.

40 Vendors

Kyle/Adam  
Alice



Nick-

3 food vendors Lunch Box ft

2 speakers

Nick-

Massage , tarot , reiki , buffer

Emily-

Body painter Sylvia

Emily-

Live artist and or black light tent

Gabe/Jake-

Tent

Rental from Fairgrounds

Raffle swag Bags

Anticipated attendance 500

We will need to know where parking is done but we do have a parking crew.

We will need a tent or stage for performances and a we have Generator

Trash removal

Please provide company -

Porter potties -please provide company

Fri evening set up

RECEIVED  
TOWN MANAGER

MAR 28 2019

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA

American Legion  
Murphy – Leary Post 298  
Cone Avenue  
Housatonic, Ma

March 23, 2019

To: Select – Board and Town Manager

The Murphy – Leary Post 298 request permission to hand out Poppies for donations in Great Barrington and the Village of Housatonic during the month of May.

The American Legion adopted the Memorial Poppy in September 1920 in remembrance with the great lost of life during The Great War of 1914 – 1918. Money raised during the collection supports the welfare of local veterans.

I look foreword to answering any concerns you may have.

Sincerely:

Andy Moro  
Commander  
Post 298  
413-528-4591



**American Legion  
Murphy – Leary Post 298  
Cone Avenue  
Housatonic, Ma**

RECEIVED  
TOWN MANAGER

MAR 28 2019

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA

March 23, 2019

To the: Select-Board and Town Manager

The Murphy – Leary Post 298 request permission to hold a Poppy Boot Drive on Main Street, Great Barrington. The boot drive will take place in the road between Gas House Lane and the entrance to JB Hull Oil Inc. Date requested Saturday May 18<sup>th</sup>. Rain date May 25<sup>th</sup>.

hours 10 am – 2 pm.

The American Legion adopted the Memorial Poppy in September 1920 in remembrance with the great lost of life during The Great War of 1914 – 1918. Money raised during the collection supports the welfare of local veterans.

I look foreword to attending your meeting to address any concerns you may have.

Sincerely:

Andy Moro

Commander

Post 298

413-770-3002





TOWN OF GREAT BARRINGTON  
MASSACHUSETTS

MEMORANDUM

TO: BOS  
FROM: Edwin May C B O  
DATE: 4/2/19  
COPY: file  
SUBJECT: Main St Banner – BIFF's annual light pole display

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I find the event banner application to be substantially complete as per the following checklist of requirements for Banners c.146-6 (1);

App. Complete	OK
Attachment eng.	OK
Insurance Bond	OK
Size	OK
Length of time	OK
Number of banners	12
Permit from BOS	Pending
Zoning district	OK.





Town of Great Barrington  
334 Main Street  
Great Barrington,  
Great Barrington, MA 01230  
Phone: 413-528-1619  
Fax: 413-528-2290

## APPLICATION TO SIGN PERMIT

Please fill out completely all applicable areas - Please use link

Sign Permit Number		Date Issued	
Date			
Estimated Cost (\$)	950		
Date:	3/27/2019		
Property Address:	334 MAIN ST		
Owner's Name:	TOWN OF GREAT BARRINGTON		
Owner's Address:	334 MAIN ST RM 208 GT BARRINGTON MA 01230-1832		
Map	019.0	Block	0000 Lot 0091.0 Zoning District: B
Location of Sign(s) of Property:	See attached diagram of locations		
# of Signs on Property:	12	Will Sign(s) be Illuminated? <input type="radio"/> Yes <input checked="" type="radio"/> NO	
Type of Sign:	<input checked="" type="checkbox"/> Temporary Sign <input type="checkbox"/> Wall <input type="checkbox"/> Ground <input type="checkbox"/> Free Standing <input type="checkbox"/> Other :		
How many days?	45	Dates the sign will be used : From 4/26/2019 To 6/07/2019	
Lower Edge will be	13	Feet	Feet/Inches Above Public Way
Upper Edge will be	16	Feet	Feet/Inches Above Public Way
Face Area	7.5	Square Feet	
Face of Building or Pole is		Feet	Feet/Inches Back From Street Line
Sign will extend	30"	Feet Above Grade	
Materials used to construct sign:	Frame	Cast aluminum bracket, fiberglass rod and stainless steel straps	Face 13oz matte scrim
Foundation Materials:		Size	
Electrician Required:	<input type="radio"/> Yes <input checked="" type="radio"/> No		
Brief Description Of Proposed Work:	12 signs 30 x 36 in compliance with National Grid regulations will be installed on their poles by GVH sign who has always installed the banners along Main and Railroad		
Contractor Information			
<input type="checkbox"/> I am the Contractor.			
Name	Greg Van Houten	License #	Type Expiration Date :
Business Name	GVH Studio Inc	License #	Policy #ADV529544011 Type Expiration Date :
Telephone No.	802 - 379 - 1135	Alt. Tel. No.	
Address	40 Pageant Street		
City	Bennington	State	Vermont Zip 05201
Email:	greg@gvhstudio.com		
The undersigned assumes responsibility for compliance with the state building code and all other applicable codes.			
Owner/ Licensee:	Kelley Vickery		
If there are any changes made in the installation of this application after inspection is made this permit becomes null and void.			
Submit Scaled Plan of Sign(s) and Plot Plan with Permit Application.			
Note: Roof Signs are Prohibited			
WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152 B 25C(6))			
Workers Compensation Insurance affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of the permit.			
Signed Affidavit Attached	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	



barry engineers and constructors, inc.

176 churchill street, pittsfield, massachusetts 01201

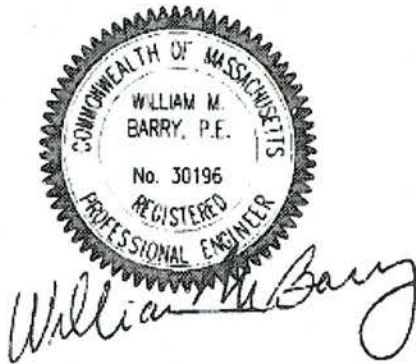
413-443-6591

March 19, 2019

Ed May  
Great Barrington Building Inspector  
Town Hall  
Main Street  
Great Barrington, MA 01230

Dear Ed:

I have reviewed the information for the Wind Saver Bracket for the support of the proposed 30"x36" flags to be installed for an approximate 45 day period this spring for the Berkshire International Film Festival. Based on my review, it is my opinion that the attachments are sufficient to support the flags and resist the required wind loads. The brackets and flags should be installed per the manufacturer's recommendations. Should you have further questions or need additional information, please contact me.



William M. Barry

# GVH Studio, Inc.

Fine Display Graphics

40 Pageant St. Bennington, VT 05201 • 802-379-1135 greg@gvhstudio.com

March 13, 2019

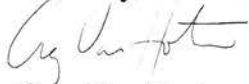
Kelley Vickery  
Berkshire International Film Festival  
Great Barrington, MA

Dear Kelley,

In response to your structural questions regarding pole banners, we have banners that hang in Lee that were done for Jacobs Pillow using our brackets. Williamstown uses our banners and hardware as well. I can provide a pdf of the bracket instructions so they can review the process. The fiberglass rods bend in the wind to allow the pressure to slide off of the banner. The banners are double thick 13 oz reinforced scrim vinyl. The pole pockets are double stitched with nylon thread. All of these components are fabricated with the specific end use in mind. With the wind release of the flexing rods, banners have withstood 100 mph winds in tests.

If you have any further questions, please feel free to contact me. Many thanks.

Sincerely,



Greg Van Houten  
President



## CERTIFICATE OF LIABILITY INSURANCE

## BINTE-1

OP ID: KB

DATE (MM/DD/YYYY)

04/03/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> <b>LV Toole - Lee</b> <b>195 Main Street</b> <b>Lee, MA 01238</b> <b>John E. Toole CWCA, CIC, LIA</b>	<b>413-243-0089</b> <b>CONTACT NAME: John E. Toole CWCA, CIC, LIA</b> <b>PHONE (A/C, No, Ext): 413-243-0089</b> <b>FAX (A/C, No): 413-243-4221</b> <b>E-MAIL ADDRESS:</b>														
	<table border="1"> <thead> <tr> <th data-bbox="795 388 1362 394">INSURER(S) AFFORDING COVERAGE</th> <th data-bbox="1362 388 1494 394">NAIC #</th> </tr> </thead> <tbody> <tr> <td data-bbox="795 394 1362 399">INSURER A : <b>West American Insurance</b></td> <td data-bbox="1362 394 1494 399"><b>44393</b></td> </tr> <tr> <td data-bbox="795 399 1362 405">INSURER B : <b>Ohio Casualty Insurance Co.</b></td> <td data-bbox="1362 399 1494 405"><b>24074</b></td> </tr> <tr> <td data-bbox="795 405 1362 411">INSURER C :</td> <td data-bbox="1362 405 1494 411"></td> </tr> <tr> <td data-bbox="795 411 1362 417">INSURER D :</td> <td data-bbox="1362 411 1494 417"></td> </tr> <tr> <td data-bbox="795 417 1362 424">INSURER E :</td> <td data-bbox="1362 417 1494 424"></td> </tr> <tr> <td data-bbox="795 424 1362 430">INSURER F :</td> <td data-bbox="1362 424 1494 430"></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : <b>West American Insurance</b>	<b>44393</b>	INSURER B : <b>Ohio Casualty Insurance Co.</b>	<b>24074</b>	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															
<b>INSURED</b> <b>Berkshire Int'l Film Festival</b> <b>Kelley Vickery</b> <b>PO Box 237</b> <b>Great Barrington, MA 01230</b>															

## COVERAGES

**CERTIFICATE NUMBER:**

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE		ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY	<input checked="" type="checkbox"/>		#BLW58503529	05/03/2019	05/03/2020	EACH OCCURRENCE	\$ 1,000,000
		CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
								MED EXP (Any one person)	\$ 15,000
								PERSONAL & ADV INJURY	\$ 1,000,000
								GENERAL AGGREGATE	\$ 2,000,000
								PRODUCTS - COMP/OP AGG	\$ 2,000,000
									\$
									\$
		AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
		ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per person)	\$
		HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident)	\$
								PROPERTY DAMAGE (Per accident)	\$
									\$
									\$
									\$
									\$
B	<input checked="" type="checkbox"/>	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			#USO58503529	05/03/2019	05/03/2020	EACH OCCURRENCE	\$ 1,000,000
		EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE	\$ 1,000,000
		DED <input checked="" type="checkbox"/> RETENTION \$ 10000							\$
B	<input checked="" type="checkbox"/>	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input checked="" type="checkbox"/>		#XWO58503529	05/03/2019	05/03/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)							
		If yes, describe under DESCRIPTION OF OPERATIONS below							

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The below certificate holder is listed as a additional insured per written contract.

**CERTIFICATE HOLDER**

## CANCELLATION

<p>Town of Great Barrington 334 Main St Great Barrington, MA 01230</p>	<p><b>CANCELLATION</b></p> <p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p>
	<p>AUTHORIZED REPRESENTATIVE</p> <p><i>Kim Baker</i></p>



2019 BIFF BANNER LOCATIONS #12 BIFF BANNERS

#1- RITE AID

#2- SALISBURY BANK

#4- POST OFFICE

#5- MASON LIBRARY

#8- BERKSHIRE BANK

#11- FIRST CONGREGATIONAL CHURCH

#12- RUBINER'S

#15- LANCE VERMUELEN

#18- TP SADDLEBLANKET

#19- CAIN & HIBBARD

#22- SAMANTHA GALE

#23- CO-OP BANK

March 13, 2019

***RE: Holiday Lighting and Banner Inquiry***

Dear Lauren,

In the spirit of community service and within safety parameters, Massachusetts Electric Company allows certain types of decorative Fixtures to be installed on its poles along public ways subject to the enclosed guidelines.

In order for us to evaluate your attachment request, please provide the following information for the designated area:

- ☐ Name of organization and contact **Berkshire International Film Festival, Kelley Vickery**
- ☐ Complete description of Fixture to be attached **30" x 36" Nylon Flags**
- ☐ Specific Attachment location **9 Poles on Main Street between Pleasant and Bridge Street and 3 Poles on Railroad Street**
- ☐ Electrical Service requirements, if any **None**
- ☐ Dates that Banners and/or lighting will be in place **Week Of April 22nd, 2019**
- ☐ Method for attachments and removal of banners and/or lighting **GVH Sign Co will install and take down signs attached to metal brackets**

Upon evaluation of this information, Massachusetts Electric Company will determine the attachments' compliance with our guidelines, and confirm the ability to proceed upon execution of the referenced guidelines.

Please do not hesitate to contact me at 413-664-5813 if you have any questions or need additional information.

Sincerely,

Joanne DeRose  
National Grid  
60 Brown Street  
North Adams, MA 01247  
[joanne.deroserose@us.ngrid.com](mailto:joanne.deroserose@us.ngrid.com)

March 11, 2019

Kelley Vickery

Berkshire International Film Festival

40 Railroad Street, Suite 5-7 Great Barrington, MA 01230

## **Re: Use of poles for hanging decorative banners**

anners

Dear Kelley Vickery:

Massachusetts Electric Company ("Mass. Electric") understands that you wish to install certain types of decorative banners, flags, or single pole fixtures on our poles along public ways. Mass. Electric will allow the BERKSHIRE INTERNATIONAL FILM FESTIVAL ("Customer") to install Nylon Banners ("Fixtures") on our poles at Railroad and Main Streets in Great Barrington ("Municipality") for the period of April 24, 2019 to June 7, 2019 in accordance with the following requirements:

- 1) Prior to installing any Fixtures, Customer must obtain Verizon's approval for installation on any poles that Mass. Electric jointly owns with Verizon and must provide Mass. Electric with written documentation that Municipality approves the installation.
- 2) Customer shall be responsible for the proper installation, maintenance, and future removal of the Fixtures.
- 3) Fixtures may be attached individually on a single pole along the side of the road (not across a roadway) as long as the vertical clearance from the Fixtures to the ground is a minimum of 13 feet over pedestrian walkways, and 16 feet over streets, driveways, loading docks, and anywhere else that there is motorized traffic. Fixtures must be installed below the lowest telephone cables on the pole. Note that this requirement may make the height of the Fixtures less than the minimum required in places, and bar installation at those places unless the size of the fixture is decreased. Fixtures may not be installed between two wooden or aluminum poles along or across a roadway.
- 4) The maximum size of any Fixtures is 30" x 36", with a maximum weight not to exceed 5 pounds. Customer shall not use any Fixtures that require electric service or batteries to operate.
- 5) Customer shall use band clamps to install the Fixtures and may not drill into the

poles.

6) Customer or its contractor shall install the Fixtures at the Customer's expense.

7) Mass. Electric reserves the right to remove the Fixtures at any time Mass. Electric deems it necessary for the maintenance or operation of its poles. If Mass. Electric determines, in its sole discretion, that a pole is damaged for any reason and must be replaced, Mass. Electric will remove the pole and may dispose of any Fixtures on that pole. In all instances, Mass. Electric shall have no responsibility to replace the Fixtures or reimburse Customer for them.

Banneragreel.doc

8) Customer agrees to remove any Fixtures at Mass. Electric's request if, in Mass. Electric's opinion, the Fixtures begin to deteriorate or are deemed offensive or a safety hazard to any residents or public officials.

9) Customer warrants that it is an association, institution, non-profit organization, or other entity operating for the public good, and not a commercial entity. Customer agrees not to install any commercial advertising on the Fixtures. Customer may, however, put up to two sponsor logos in the lower corner of the Fixture, if they take up less than 1/10 of the Fixtures' area.

10) The Customer will provide an insurance certificate naming Mass. Electric as an additional insured in the amount of \$2 million.

11) Mass. Electric shall not be liable to the Customer, its officers, employees, agents or contractors under any legal or equitable theory for any claims for direct, indirect, consequential, or other damages of any nature including, but not limited to, damages for personal injury, property damage, or lost profits connected with the installation of the Fixtures.

12) Customer agrees to indemnify and save harmless Mass. Electric, its affiliates, and their employees or agents or any of them from and against any and all liabilities, damages, loss, costs, expenses (including any and all attorneys' fees and expenses of), causes of action, suits, claims, demands or judgments of any nature whatsoever arising from or related to the installation of Fixtures including, without

limiting the generality of the foregoing, claims for or resulting from (i) injury to, or the death of, persons or damage to property; or (ii) violation of this agreement or of any applicable federal, state or municipal laws, regulations, codes and ordinances.

If you agree with the terms of this letter, please sign below and return this letter to me.  
Thank you very much.

Very truly yours,

~~MPCVP~~

Acknowledged and agreed:



**Kelley Vickery**

Name: Kelley Vickery

Title: Artistic Director

Organization: Berkshire International Film Festival

*Alita M. Jayone*  
DIRECTOR, COMMUNITY AND  
CUSTOMER  
MANAGEMENT  
NATIONAL GRID



# BERKSHIRE INTERMEDIATE FILM FESTIVAL

[BIFFMA.ORG](http://BIFFMA.ORG)

**MAY 30-JUNE 2**

*S B Agenda. April 8, 2018*

**Helen Kuziemko**

---

**From:** Holly Hamer <hhamer3143@yahoo.com>  
**Sent:** Tuesday, March 19, 2019 6:47 PM  
**To:** Helen Kuziemko  
**Cc:** Chris Rembold  
**Subject:** Pleasant Street closing

Hello Helen,

The Gt. Barrington Tree Co. would like to request that Pleasant Street, from the sidewalk entrance to the lower Library, up to Main Street, be closed to vehicles on April 26th from about 2:30-6:30 for the Great Barrington Arbor Day Festival.

Because young children will be encouraged to draw on the sidewalks on Pleasant Street, because we are renting a bounce house and because we are billing the Arbor Day Fest as a block party, having that section of street closed for four hours would make the events and programs safer and would allow attention to be drawn to the Library.

Would you explain the process, please? The Library Trustees and Director have given their approvals. And we have spoken to nearby neighbors. What's next?

Thank you very much for your help.

Holly Hamer  
413-717-0661

From: Chris Rembold  
Sent: Monday, April 01, 2019 10:49 AM  
To: Holly Hamer  
Cc: Ed Abrahams  
Subject: Pleasant Street

Hi Holly, there's nothing else you need to do for this except show up to the SB agenda for Monday night April 8 and give a summary of your plans. The staff reviewed your request (your email of 3/19 to Helen) and we had only a couple comments:

- (1) that the street be appropriately blocked with cones or barricades so cars do not mistakenly turn into a crowd of people;
- (2) any food vendors have appropriate permits with the Health Dept.

If you've got those things addressed, then the Selectboard should be ok to move forward with your request.

Finally, please be aware that the local Building Dept. does not issue permits for or inspect Bounce Houses, but we recommend that the library use a licensed supplier (they should be able to supply you their DPL/OSPI amusement license).

Chris

---

Christopher T. Rembold, AICP  
Town Planner  
Town of Great Barrington  
334 Main Street  
Great Barrington, MA 01230  
Ph: (413) 528-1619, x. 7  
[www.townofgb.org](http://www.townofgb.org)

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Date February 27, 2019

Selectboard  
Town of Great Barrington  
334 Main Street  
Great Barrington, MA 01230

*DRT reviewed and has no  
issues. (CP)*

Dear Selectboard,

I am writing to request permission for Berkshire South Regional Community Center to utilize the Walter J. Koladza Airport (Great Barrington Airport), and sections of the roads listed below, for our 6th Annual 5K Run/Walk on May 4th, 2019. This event is rain or shine.

Our goal is to have the Airport be the central point for the race, both for registration in the morning and also utilize it as the start and finishing points for the race. Set-up would begin at 8:00 a.m., registration beginning at 9:00 a.m., and the race set to begin at 10:00 a.m. Our plan is to complete the entire event and remove all items by 12:00 p.m.

The running route will begin on the Great Barrington Airport runway, turn left on Seekonk Cross Road, a left on Locust Hill Road, continue on Pumpkin Hollow Road, a left on Egremont Plain Road and finish taking a left into the airport. Included is a map of our intended route. Previous year's 5K had roughly 75 in attendance and we will be prepared to have 125 participants this year. Plenty of volunteers and staff will be on hand throughout the route, plus additional signs beside the road will inform oncoming vehicles of the race in progress.

Thank you for taking time to consider our proposal. It is my understanding that this will go under review and we will be called to attend the next scheduled Selectboard's Meeting. Please let us know if there is anything additional I can provide.

Sincerely,

Steven Leonard  
Director of Wellness and Recreation  
Berkshire South Regional Community Center

Cc Jenise Lucey  
Executive Director  
Berkshire South Regional Community Center



RECEIVED  
TOWN MANAGER  
Fee: \$25.00 (per day)  
APR 3 2019

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA

### APPLICATION FOR ONE DAY LIQUOR LICENSE

TO THE LICENSING AUTHORITY:

The undersigned hereby applies for a License in accordance with the provisions relating thereto:

Applicant's Name: JENISE LUCEY / STEVEN LEONARD  
Organization Name: Berkshire South Regional Community Center  
Applicant's Address: 15 Crissey Rd. Great Barrington, MA 01230  
Telephone Number: (413) 528-2810

Type of License: ONE DAY BEER & WINE ONE DAY ALL ALCOHOLIC  
(Circle one)

Event: Berkshire South 7th Annual 5K Run/Walk Fundraiser

Date: May 4th, 2019 Start Time: 9am End Time: 1pm

Event Address: Great Barrington Airport: 70 Edgemount Plain Rd.

Is the Event on Town property? YES NO Great Barrington, MA 01230

#### PLEASE ATTACH THE FOLLOWING TO YOUR APPLICATION:

- ☒ 1. TIPS or ServSafe Alcohol certification for anyone serving alcohol.
- ☒ 2. Certificate of Insurance showing proof of Liquor Liability coverage.  
(If the event is on Town property, the certificate must name the Town of Great Barrington as additional insured.)
- ☒ 3. If the event is not on applicant's property, a letter of permission from the owner is required.

Liability: The below individual agrees to take responsibility for the above-noted event and further agrees to indemnify, save harmless, and defend the Town of Great Barrington, its officers, employees and agents, from and against any and all liabilities, claims, penalties, forfeitures, suits, and the costs and expenses incident thereto, which may occur in connection with this event.

Jenise Lucy  
Signature of Applicant

4/2/19  
Date

FOR TOWN USE:

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Postponed \_\_\_\_\_





April 2, 2019

To Whom It May Concern:

Berkshire South Regional Community Center will be holding their annual 5K at the Great Barrington Airport on Saturday, May 4<sup>th</sup>. They have our permission to allow Barrington Brewery to offer beer samples at the finish line.

Please do not hesitate to contact me if anything further is required from the airport.

Respectfully,

Terri Andersen  
Office & Business Manager

TOWN OF GREAT BARRINGTON  
2019 ANNUAL TOWN MEETING  
MAY 6, 2019

INDEX OF WARRANT ARTICLES

1. Authorize Revolving Fund Limits
2. Elected Officials' Salaries
3. MassDOT Chapter 90 Funds
4. FY20 Operating Budget
5. FY20 Wastewater Treatment Plant Budget
6. FY20 Regional School Assessment
7. Borrowing Authorization for Capital Items
8. Borrowing Authorization for Housatonic School
9. Authorize use of Free Cash to reduce the Tax Levy
10. Establish Capital Stabilization Fund
11. Authorize Appropriation into Capital Stabilization Fund
12. Community Preservation Fund Reserves/Appropriations.
13. Community Preservation Projects.
14. To Authorize the Selectboard to transfer the custody of property at 40 Grove Street to the GB Housing Trust Fund, for the purpose of issuing a request for proposals.
15. To require that owners of properties that offer Short Term Rentals register their property with the Town Clerk's office at Town Hall.
16. To limit the number of Retail Marijuana Establishments to four (4). Two (2) of which need to be majority owned by Berkshire County Residents of at least two (2) years or meet the Commonwealth Cannabis Control Commission's requirements to qualify as a business of Economic Empowerment.
17. To Authorize the Selectboard to Enter into a Tax Agreement at 671 Stockbridge Road.
18. To Authorize the Selectboard to Enter into Tax Increment Financing Agreement and Tax Increment Financing Plan with Community Development Corporation of South Berkshires.
19. To Authorize Selectboard to enter into an agreement to purchase street lights owned by National Grid.
20. To Authorize Selectboard to Enter into a Ten (10) Year Contract for Recycling Processing Services.
21. ZONING: Amendments to Clarify and Update the Bylaw.
22. ZONING: Amendments to Create Additional Housing Opportunities.
23. ZONING: Amendments to the B2 Zone and to the Zoning Map on Stockbridge Road.
24. To amend the Great Barrington sign by law to allow by special permit the free standing electronic sign for messaging at performance venues, with the following specifications (sure they want to add specifications.)
25. To Amend Great Barrington Bylaw to include the word "calender" next to the word days for purposes of clarity in the by law that establishes the acceptance period for the Citizen Petitions from 30 days to 30 calendar days.
26. To Rename the Berkshire Hills Regional School District Middle School from Monument Valley Regional Middle School to the W.E.B. DuBois Regional Middle School. (by petition)
27. To Modify the Town Code Chapter 41, Article 1 subsection 41-7. (by petition)
28. To Modify the Town Code Chapter 135, Article II Subsections 135-6 through 135-9 called the water bottle ban. (by petition)

**ARTICLE 1:**

To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2020, beginning on July 1, 2019, for the revolving funds as established in the Town's by-laws for certain departments, boards, committees, commissions, agencies or officers in accordance with M.G.L. Chapter 44, Section 53E ½ as follows, or take any other action relative thereto.

<b>Revolving Fund</b>	<b>Department, Board, Committee, Agency or Officer</b>	<b>FY2020 Spending Limit</b>
Plumbing Inspections	Building Department	\$15,000
Wiring Inspections	Building Department	\$50,000
Gas Inspections	Building Department	\$12,000
Cemetery	Public Works Department	\$ 5,000
Town Code Printing	Town Treasurer	\$xxx
Parks and Recreation	Town Treasurer	\$xxx
Recycling/Green Product Sales	Town Treasurer	\$xxx
Fire Inspections	Town Treasurer	\$xxx

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 2:**

To see if the Town will vote to fix the salaries of all elected officials for the period of July 1, 2019 to June 30, 2020 as indicated below:

Elected Officials Salaries:

Selectboard: \$12,500 (\$2,500 per Selectboard member)

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 3:**

To see if the Town will vote to accept any and all funds being provided by the Commonwealth of Massachusetts Division of Transportation (MassDOT), under the provisions of Chapter 90 of the Massachusetts General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges, or to take any other action relative thereto.

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 4:**

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money necessary for the operation of the several departments in the Town for the ensuing year for the purposes outlined below, or to take any other action relative thereto.

**General Government**

Town Manager/Selectboard	\$ 363,977
Finance Committee/Reserve Fund	100,300
Town Accountant	144,300
Technology	208,628
Assessors	156,710
Treasurer/Collector	215,941
Town Clerk/Elections	128,588
Conservation Commission	35,460
Historic District Commission	2,500
Various Boards/Commission	15,470
Planning Board	5,250
Zoning Board of Appeals	1,350
Office of Planning/Community Development	106,490

**Public Safety**

Police Department	1,689,761
Fire Department	587,470
Communications/Emergency Management	27,027
Building Inspector	167,167
Animal Control	12,520

**Department of Public Works**

2,290,428

**Public Health**

Board of Health	121,120
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**Community Services**

Council on Aging	155,995
Veterans' Affairs	138,100
Human Services	35,000

**Cultural/Recreation**

Libraries	563,710
Parks/Recreation	98,750

**Miscellaneous**

Insurance	1,696,750
Debt Service	1,661,150
Retirement	856,960
Celebrations/Seasonal/Events/Band Programs	<u>14,000</u>

**Total General Fund Budget****\$ 11,600,872****Recommended by the Finance Committee and Selectboard****ARTICLE 5:**

To see if the Town will vote to appropriate from the receipts of the Wastewater Treatment Plant such sums of money necessary for the operation of the Sewer Division for the ensuing year for the purposes outlined below, or to take any other action relative thereto.

**Wastewater Treatment Plant**

Salaries	\$ 472,655
Expenses	648,268
Insurance/Benefits	286,610
Miscellaneous/Transfers	158,000
Debt Service	<u>644,066</u>

**Total Wastewater Treatment Plant Budget** **\$2,209,599**

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 6:**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Sixteen Million, One Hundred Thirty-Three Thousand, and Twenty-Seven Dollars (\$16,133,027) for the operating assessment, and Five Hundred Ninety-Seven Thousand, One Hundred and Thirty-Four Dollars (\$597,134) for the capital assessment, for a total assessment of Sixteen Million, Seven Hundred Thirty Thousand, One Hundred and Sixty-One Dollars (\$16,730,161) of the Berkshire Hills Regional School District, or take any other action relative thereto.

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 7:**

To see if the Town will vote to appropriate \$7,982,000 or any other sum of money, in the following approximate amounts and for the following purposes:

Street/Road/Sidewalk Improvements	\$6,840,000
Building Improvements	400,000
Police Cruisers (2)	125,000
Highway Dump Truck w/Plow & Sander (3)	410,000
Fire Turnout Gear	70,000
Police Portable Radios (6)	45,000
Telecommunication Upgrades	50,000
Parks and Open Space Improvements	<u>42,000</u>
<b>Total</b>	<b>\$7,982,000</b>

and for the payment of all other costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transferred from available funds, borrowing or otherwise: or to take any other action relative thereto.

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 8:**

To see if the Town will vote to appropriate \$650,000 for capital improvements to the Housatonic School, including the costs of a new roof, windows and masonry work, and for the payment of all other costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transferred from available funds, borrowing or otherwise; or to take any other action relative thereto.

**Recommended by the Finance Committee and Selectboard**



**ARTICLE 9:**

To see if the Town will vote to authorize the use of Free Cash to reduce the tax levy for Fiscal Year 2020, or to take any other action relative thereto.

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 10: (requires 2/3 majority vote)**

To see if the Town will vote to create a Capital Stabilization Fund for the purpose of funding any capital-related project or piece of equipment or debt service payment related thereto, as authorized by Chapter 40, Section 5B of the General Laws, or to take any other action relative thereto.

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 11:**

To see if the Town will vote to raise and appropriate a sum of money into the Capital Stabilization Fund, or take any other action relative thereto.

**Recommended by the Finance Committee and Selectboard**

**ARTICLE 12:**

To see if the Town will vote to appropriate or reserve for future appropriation, from the community preservation fund, the following amounts recommended by the Community Preservation Committee for FY20, with each item considered a separate appropriation; or to take any other action relative thereto.

**Reserves:**

From FY20 revenues for historic resources reserve	\$ 50,000
From FY20 revenues for community housing reserve	\$ 50,000
From FY20 revenues for open space reserve	\$ 50,000

**Appropriations:**

From FY20 revenues for administrative expenses	\$ 20,000
Balance of FY20 revenues for FY20 budgeted reserve	\$ 330,000

**Recommended by the Community Preservation Committee**

**ARTICLE 13:**

To see if the Town will vote to appropriate from the Community Preservation Fund for FY20 the following amounts recommended by the Community Preservation Committee with each item to be considered a separate appropriation, or to take any other action relative thereto.

		Source of Appropriation	
Project	Total Appropriation	FY20 Revenues	Reserved Fund Balance
AFFORDABLE HOUSING			
1 Housing Trust Fund - downpayment program	\$100,000	\$100,000	
2 CDC to create new housing at 910 Main	<u>\$200,000</u>	\$200,000	
Subtotal	\$300,000		

	HISTORIC RESOURCES			
3	Historic District Commission for historic research for Taconic West Historic district	\$27,000	\$27,000	
4	Ramsdell Library building study	\$30,000	\$30,000	
5	Preservation of Housatonic School	\$300,000		\$300,000
6	Accessibility renovations at Mahaiwe Theater	<u>\$34,500</u>	\$34,500	
	Subtotal	\$391,500		
	OPEN SPACE & RECREATION			
7	McAllister wildlife refuge project	\$31,300	\$31,300	
8	Permanent Agricultural Preservation Restriction 180-190 North Plain Rd	<u>\$92,000</u>	\$48,950	\$43,050
	Subtotal	\$123,300		
	<b>TOTAL</b>	<b>\$814,800</b>	\$471,750	\$343,050

**Recommended by the Community Preservation Committee**

**ARTICLE 14:**

To see if the Town will vote to authorize the Selectboard to transfer property at 40 Grove Street as shown on Assessors' Map 20 as Parcel 100 to the Great Barrington Municipal Housing Trust Fund for the purpose of creating permanent affordable housing for low or moderate income households, or to take any other action relative thereto.

**ARTICLE 15: SHORT TERM RENTALS**

To see if the Town will vote to amend the Code of Great Barrington by adding a new chapter entitled "Short Term Rentals," as follows, pursuant to Section 14 of Chapter 64G of the General Laws, as amended by Chapter 337 of the Acts 2018, to provide for the registration of short-term rental units, with the chapter number to be assigned by the Town Clerk, or to take any other action relative thereto:

Section 1. The purpose of this bylaw is to promote the public health, safety and welfare of both the general public and the occupants of short-term rental housing units in the Town of Great Barrington. Any capitalized terms used in the bylaw shall have the same meaning as set forth in Chapter 64G of the General Laws.

Section 2. An Operator within the Town shall register with the Town Clerk, in accordance with and subject to the requirements of this bylaw. The registration information shall include: the location address, the name, address, phone number(s) and email address of the Operator and any Operator's agent(s), a notarized affidavit certifying the location and legal address of the Operator's primary legal residence, proof of insurance, whether the short term rental use of the premises is the primary or a secondary use of the property (i.e., full-time rental property or owner occupied property). The fee for registration shall be \$100 per year.

In order to register Operators must demonstrate that any properties or premises controlled, occupied, operated, managed or used as accommodations subject to the excise under said Chapter 64G are not subject to any outstanding building, electrical, plumbing, mechanical, fire, health, housing or zoning code enforcement, including any notices of violation, notices to cure, orders of abatement, cease and desist orders or correction notices.

Properties or premises controlled, occupied, operated, managed or used by Operators as an accommodation subject to the excise under said Chapter 64G shall be subject to a health and safety inspections as a condition of registration; provided, however, that the cost of any inspection conducted

under this section shall be charged to and solely paid by the Operator; and provided further, that after any initial health and safety inspection, the Town may determine the frequency of any subsequent inspections.

Section 3. Violation of this bylaw shall be subject to a civil penalty of \$100.

In addition, after a hearing, the Selectboard may suspend or terminate the Operator's right to operate an accommodation for violation of this bylaw. If the Town suspends or terminates an Operator's right to operate an accommodation it shall notify the Commissioner of Revenue of the suspension or termination.

Section 4. The Selectboard may adopt regulations for administration and enforcement of this bylaw. All fees and penalties in such regulations shall be determined by the Selectboard after a public hearing.

#### **ARTICLE 16:**

To see if the Town will vote to amend the Code of Great Barrington by adding a new chapter entitled "Retail Marijuana Establishments," as follows, with the chapter number to be assigned by the Town Clerk, or to take any other action relative thereto:

The number of Retail Marijuana Establishments permitted in Great Barrington shall be limited to four (4), two (2) of which shall be majority owned by Berkshire County residents of at least two (2) years or meet the Commonwealth of Massachusetts Cannabis Control Commission's requirements for qualification as a business of Economic Empowerment.

#### **ARTICLE 17:**

To see if the Town will vote to authorize the Selectboard to enter into a Tax Agreement pursuant to MGL Chapter 59, section 38H(b), and Chapter 164, section 1, and /or any other enabling authority with LSE Lepus LLC for personal property taxes associated with the approximately 3.0 megawatts DC ("MW") solar photovoltaic facility to be located on property at 671 Stockbridge Road and described in a deed recorded with the Southern Berkshire Registry of Deeds in Book 2513, Page 223 for a term of up to twenty (20) years, on such terms and conditions as the Selectboard deems to be in the best interest of the Town, and to take any and all actions as may be necessary or convenient to accomplish the purpose of this article, or to take any other action relative thereto.

#### **ARTICLE 18:**

To see if the Town will vote to authorize the Selectboard to enter into a Tax Increment Financing Agreement and Tax Increment Financing Plan with Community Development Corporation of South Berkshire or its Nominee, pursuant to the provisions of MGL Chapter 40, Section 59, in connection with the development of the property located at 100 Bridge Street, Great Barrington; and to authorize the Selectboard to negotiate the final terms of and execute the TIF Agreement, and any documents relating thereto, and to take such other actions as are necessary or appropriate to implement the TIF Agreement and the TIF Plan pursuant to the provisions of MGL Ch. 40, § 59 or any other enabling authority, including submission of all necessary or required applications and documents to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts, or to take any other action relative thereto.

#### **ARTICLE 19: -**

To see if the Town will vote to authorize the Selectboard to enter into an agreement to purchase street lights within the Town owned by National Grid or other applicable utility company, including decorative lights and



any related appurtenances, and to take all such actions as are necessary or appropriate to accomplish such purchase; and to appropriate a sum of money for such purpose, or to take any other action relative thereto.

#### **ARTICLE 20:**

To see if the Town will vote to authorize the Selectboard to enter into a ten (10) year contract, commencing on July 1, 2020, with the qualified vendor selected by the Massachusetts Department of Environmental Protection through a competitive bid process, for recycling processing services for the Town, subject to the Selectboard's determination that the contract is in the best interests of the Town and subject to Town Meeting approval in the Spring of 2020 for funding for these services, or to take any other action relative thereto.

#### **ARTICLE 21:**

To see if the Town will vote to amend section 9.5, section 3.1.4, section 11, section 3.2.2, section 8.2.3, and section 8.4 of the Zoning Bylaw as set forth below, or to take any other action relative thereto.

*Purpose of the Amendments:* The Planning Board proposes the following amendments to clarify and update certain portions of the zoning bylaw. The amendments will: (1) reduce the number of members on the Design Advisory Committee from seven to five, in order to have a full committee and therefore a quorum, and, to set a limit on the amount of time the committee has to comment on a proposal; (2) update the use table for the downtown business district to reflect the purpose of the district and to not allow uses incompatible with the district; (3-5) update the definitions and regulations for accessory dwelling units which would include moveable tiny houses; and (6) update the mixed use regulations to regulate both the amount of housing units permitted and the amount of nonresidential space required.

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

##### *1. Amend portions of Section 9.5 as follows:*

**9.5.6 Design Advisory Committee.** A Design Advisory Committee is hereby established to review applications for all actions that are subject to the provisions of this section and to work cooperatively with owners of land, buildings and businesses. The Design Advisory Committee shall make recommendations to the appropriate decision making body and/or the applicant concerning compliance of the proposed action to the design review standards in this section. The Design Advisory Committee shall consist of ~~seven~~ five voting members, constituted as follows:

1. Building Inspector (ex officio, nonvoting member).
2. Planning Board member, selected by the Planning Board.
3. Historic District Commission member, selected by the Historic District Commission.
4. Architect, appointed by the ~~Board of Selectmen~~ Selectboard.
5. Design Professional, appointed by the ~~Board of Selectmen~~ Selectboard.
6. ~~Three~~ One members from the general public, appointed by the ~~Board of Selectmen~~ Selectboard.

### 9.5.7 Design Advisory Committee; Procedures.

3. Process. The Building Inspector shall transmit copies of the application to the Design Advisory Committee. The Committee shall review the application, meet with the applicant and provide its recommendations, in writing, to the applicant and the Building Inspector within 30 days. If the Committee does not issue written recommendations within 30 days from the date the application was submitted, the Building Inspector shall assume approval of the application by the Design Advisory Committee. If the application for design review is associated with an application for a variance or a special permit, the Building Inspector shall immediately transmit the Design Advisory Board's recommendation to the ~~Planning Board or the~~ Zoning Board of Appeals or Special Permit Granting Authority, whichever is relevant.

2. Amend Section 3.1.4, Table of Use Regulations, specifically the column of the table for the B zone (Downtown Business), as follows:

Change A(3) Dwelling, multifamily 3 to 8 units: change from SB to Y  
Change A(5) Live/work: change from N to Y  
Change A(7) Mixed-uses: change from SB to Y  
Change C(5) Garden centers: change from Y to SB  
Change C(6) General Service: change from SB to Y  
Change C(7) Greenhouses: change from Y to SB  
Change F(2) Gravel, loam, sand and stone removal: change from SB to N

3. Amend Section 11, definitions, as follows:

**ACCESSORY DWELLING UNIT:** a subordinate dwelling unit on the same lot as a primary single family or two-family residential use, whether in an accessory building or within the same building as the primary dwelling, with provisions for independent cooking, living, sanitation and sleeping. A Movable Tiny House (MTH) connected to electricity, water, and sewer or septic that has its chassis, wheels and hitch concealed shall be considered an accessory dwelling unit.

**MOVABLE TINY HOUSE (MTH):** A structure intended for the separate, independent living quarters of one household for year-round residence that meets all of the following: (a) Is licensed and registered with the Massachusetts Registry of Motor Vehicles; (b) Meets the American National Standards Institute (ANSI) 119.5 requirements, and certified by a qualified third party inspector for ANSI compliance; (c) Cannot move under its own power; (d) Has not less than 150 and no more than 400 square feet of habitable living space, excluding lofts; (e) Is designed and built using conventional residential building materials for windows, roofing and exterior siding.

4. Amend Section 3.2.2, items 3 and 4, regarding accessory uses, as follows:

3. An accessory building ~~not exceeding 15 feet in height may be located within the required rear or side yard of the principal building, but~~ shall not be located in the front yard or nearer to any street line than the minimum setback in the zoning district in which it is located. No accessory building shall be within 10 feet of any side or rear lot line. ~~An accessory building exceeding 15 feet in height shall conform to all minimum setback requirements for the zoning district.~~

4. An accessory building in a Residence District shall not exceed 25 feet in height ~~above the ground level, and it shall not be located nearer than 10 feet to the principal building or occupy more than 10% of the total lot area. For definition of "height of a building," see Section 11.0.~~



5. Amend portions of Section 8.2.3, accessory dwelling units, as follows, and renumber subsections accordingly:

1. Only one ADU may be established per lot.
2. ~~The ADU may not be in separate ownership from that of any other dwelling unit on the lot.~~
3. ~~The~~ An ADU may not in any case be larger than ~~650~~ 900 gross square feet. If a dwelling unit greater than ~~650~~ 900 gross square feet 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.
8. ~~Where practicable, any new entrance necessitated by the ADU must be located on the rear or side of the building.~~
9. Fire escapes and outside stairways leading to a second or higher story ~~shall be located on the rear or side of the building, and, where practicable, shall not be located on any building wall facing a street and shall comply with Section 4.2.3.~~

6. Amend portions of Section 8.4, mixed use development, as follows:

**8.4.1 General.** ~~For mixed uses in the B, B2, I, and I2 zones, all of the following requirements shall apply. For mixed uses in the B3 zone, see Section 9.4. For mixed uses in the HVC and HVOB zones, see Sections 9.9 and 9.10 respectively. For mixed uses in MXD zones, see Section 9.11. The requirements of this section shall apply to mixed use development. Where zoning districts have requirements that conflict with this section, the requirements of the applicable zoning district shall prevail.~~

**8.4.2 Requirements.**

1. When residential use is combined with other nonresidential permitted uses, the controlling dimensional requirements shall be the less restrictive. For the multifamily component of a mixed use development there shall be at least 2,500 square feet of lot area per dwelling unit. The Selectboard may, by special permit, reduce the lot area per unit requirement.
2. A portion of the street level floor space shall be reserved for nonresidential use. Inside the Village Center Overlay District, this portion shall be a minimum of 75%. Inside the Village Center Overlay District, a minimum of 75% of street-level floor space shall be reserved for nonresidential use. Outside the Village Center Overlay District, a minimum of 25% of street-level floor space shall be reserved for nonresidential use. The Selectboard may, by special permit, reduce the nonresidential space requirement.

**ARTICLE 22:**

To see if the Town will vote to amend section 9.4, section 8.1, section 8.3, section 11, and section 4.1.3 of the Zoning Bylaw as set forth below, or to take any other action relative thereto.

*Purpose of the Amendments:* The Planning Board proposes the following amendments in order to allow for a diversity of housing types and additional housing opportunities. The amendments will: (1) reduce, in

the Downtown Mixed-Use B-3 District, the lot area required per dwelling unit and the parking requirements to foster project feasibility and further the purposes of the district; (2) for two-family uses, reduce the minimum amount of parking required, and reduce the amount of land area required for a new two-family dwelling; (3) for multifamily uses, reduce the lot area required per dwelling unit, reduce the parking requirements, reduce the permeable surface requirement, and delete superfluous requirements and review criteria that are already stated elsewhere in the bylaw; and, (4) for R3, R1AB, and R1A districts, amend the dimensional requirements because the existing maximum lot coverage regulation penalizes small but conforming lots in these zones by keeping building area artificially small; this change will allow small lots to build to their setback lines, rather than be limited by lot coverage percentage.

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

*1. Amend portions of Section 9.4 as follows:*

**9.4.5 Dimensional Requirements.** Dimensional requirements in the Downtown Mixed-Use B3 District shall be as set forth in Section 4.0. The dimensional requirements reflect the proximity to downtown.

1. The maximum number of dwelling units permitted by right shall be based on a minimum area of ~~5,000~~ 2,500 square feet of land per dwelling unit, except that one two-family dwelling may be permitted on a lot of at least 5,000 square feet. The minimum area of land required per dwelling unit may be reduced through incentives described in this section and granted by special permit.

**9.4.7 Parking.** Parking requirements for residential dwelling units shall be ~~two~~ one parking spaces ~~space~~ for each of the first five units and 1 1/2 spaces for each additional unit; parking requirements for related uses shall be calculated in accordance with Section 6.1. Parking requirements for business (nonresidential) uses shall be calculated in accordance with the minimum requirements in Section 6.1.2 the Table of Required Minimum Parking. Parking areas shall be safely and conveniently accessible from the buildings they serve. No parking space shall reduce the effective width of a driveway providing access to more than one dwelling unit to less than 12 feet. In the event the parking spaces cannot be provided on the property, deviation from this requirement may be permitted in accordance with Section 6.1.9. ~~Parking requirements shall be met by any combination of the following:~~

1. ~~Off-street parking on site;~~
2. ~~Provision of new on-street parking with permission of the Town. Parallel parking spaces shall not be less than eight feet by 23 feet.~~

**9.4.9 Special Permit.** Uses indicated in the Table of Use Regulations, and any development or redevelopment in excess of 20,000 square feet of gross floor area, regardless of use, shall require a special permit. A special permit shall be required for any project seeking to use the density or open space incentives defined in this section. ~~The Board of Selectmen (SPGA)~~ Selectboard may grant a special permit in accordance with the provisions of Section 10.4.

*2. Amend Section 8.1, Two-Family Residential Use of Single Lot, in order to revise the parking requirement in subsection 8.1.3.4 from 2 spaces per unit to 1.5 spaces per unit, and to delete item subsection 8.1.3.6.*

4. ~~Two~~ One and one-half (1.5) off-street parking spaces shall be provided for each dwelling unit, located in such a manner that permeable surfaces, including lawns and/or garden areas but exclusive of all structures, driveways, walkways and parking spaces, shall be no less than 15% of

the total area of the property. Deviation from this requirement may be permitted in accordance with Section 6.1.9.

~~6. New construction of any two-family residential structure or structures shall conform to all dimensional requirements of Section 4.0. A second dwelling unit in a new separate structure shall only be allowed when the lot is at least twice the minimum lot area specified in Section 4.0. The Planning Board may, by special permit pursuant to Section 10.4, authorize a deviation from this requirement.~~

3. *Amend portions of Section 8.3 as follows:*

**8.3.1 General.** ~~The Board of Selectmen may grant a special permit in accordance with Section 10.4 for multifamily dwellings, including condominiums, in the zoning districts specified for such uses in the Table of Use Regulations. Before granting such a special permit, the Board of Selectmen shall also conduct a site inspection of the property. Multifamily uses may be permitted by-right or by special permit as set forth in the Table of Use Regulations. All multi-family uses shall require site plan approval in accordance with Section 10.5.~~

**8.3.3 Requirements.**

1. In a multifamily development, more than one principal building may be permitted on a lot, ~~provided that such lot meets the minimum lot width requirements for the respective zoning district as set forth in Section 4.0, and further provided that there shall be at least 3,500~~ 2,500 square feet of lot area for each dwelling unit ~~in a development of three units or four units, regardless of the number of principal buildings on the lot, and 5,000 square feet of lot area for each dwelling unit in a development of five or more units. The Special Permit Granting Authority (SPGA) may, may by special permit, allow the lot area per unit to be less than 2,500 square feet per unit.~~

2. Permeable open space on the lot, including lawn and/or garden area but exclusive of structures, driveways, walkways and parking spaces, shall be no less than ~~50%~~ 15% of the total area of the property.

3. ~~No portion of any enclosing wall of any building and no portion of any other permissible structure shall be nearer than 25 feet to any street line, 10 feet to any side lot line and 30 feet to the rear lot line.~~

4. ~~Two~~ One and one-half (1.5) off-street parking spaces shall be provided for each dwelling unit. No space shall be considered available for parking if such space reduces the effective width of a driveway providing access to more than one dwelling unit to less than ~~46~~ 12 feet. In the event that the required parking spaces cannot be provided on the property, ~~the applicant shall, before the special permit is issued, present proof of a duly recorded permanent easement or deed providing such off-street parking space on other property, and the special permit shall be conditioned upon such permanent easement or deed.~~ deviation from this requirement may be permitted in accordance with Section 6.1.9.

5. ~~Within the development, vehicular and pedestrian circulation shall provide for safe and convenient use to the satisfaction of the Planning Board.~~



6. Front yards and all open areas shall be suitably landscaped and maintained with grass, trees, flowers, shrubs and/or walks. Such landscaping shall be specified in detail on the site plan and shall be made a condition of the special permit.

7. The proposed development shall be located with respect to major thoroughfares and uses outside the development as not to create traffic hazards or congestion. Before issuance of a special permit by the Board of Selectmen, the Chief of Police and the Highway Superintendent shall give their written approval of said location.

8. Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of each building, shall not be located on any building wall facing a street.

9. Drainage controls as deemed necessary shall be specifically described as an added condition of the special permit.

**8.3.4 Procedures.** When filing an application with the Board of Selectmen, a special permit application, if required, the applicant shall submit to the SPGA at least six copies of a site plan showing, in addition to all characteristics specified in Section 10.5, the general plan and elevations of the buildings, as well as provisions for proposed parking spaces, interior roadways, walkways, drainage and recreational facilities.

1. Such site plan, subject to such amendment thereof as may be required by the Planning Board under the provisions of this Bylaw shall be made a part of the building permit.
2. The Board of Selectmen-SPGA shall notify the Inspector of Buildings of its approval of a special permit.

**8.3.6 Exemptions in Downtown B District, B2X, HVC, MXD District, and General Business B2 District.** The requirements of Section 8.3.3 shall not apply to any multifamily dwelling in a single existing building within the Downtown Business B District, B2X, HVC, or MXD District. Requirements 1. and 2. of section 8.3.3 shall not apply to any multifamily dwelling within the General Business B2 District. Requirements 1-4 of section 8.3.3 shall not apply to any multifamily development in the MXD District.

4. Amend Section 11.0 Definitions, by adding the following new definition and adding footnote #15 to the R1A, R1B, and R3 rows in the column entitled "Maximum lot coverage by buildings," and adding the footnote text to Section 4.1.3, Notes to Dimensional Requirements, as follows:

**BUILDABLE AREA:** the area of a lot minus the front, rear, and side yards required in the zoning district.

4.1.3 Notes to Schedule of Dimensional Requirements.

15. Maximum Lot Coverage shall only apply to parcels where the remaining Buildable Area, if applied, would be more than 2,000 square feet in the R3 District or more than 3,000 square feet in the R1A and R1B Districts.

## **ARTICLE 23:**

To see if the Town will vote to amend section 3.1.4, section 4.1, section 6.1.3, and section 6.2 of the Zoning Bylaw as set forth below, and amend the Zoning Map as set forth in the proposed map below, or to take any other action relative thereto.

*Purpose of the Amendments:* The Planning Board proposes these amendments in accordance with the goals of the Master Plan to ensure that zoning regulations for areas with existing infrastructure can accommodate the evolving economy and changing housing demands. These amendments will add more use flexibility and land use options for the B-2 zones, bring residential properties into conformance, maintain commercial viability while attending to quality of life of adjacent residential areas, change the zoning map on Stockbridge Road, and reduce the number of lots that are split by zoning district lines.

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

Proposed insertions are underlined

1. Amend the column for the B2 zone in Section 3.1.4 Table of Use Regulations in order to:

Permit A(3) multifamily uses up to eight units by right

Permit A(5) live/work

Permit A(7) mixed-uses by right

Permit F(3) light manufacturing by SB special permit

2. Amend the rows for B2 in Section 4.1, Schedule of Dimensional Requirements as follows, and delete existing footnotes 4 and 5 to the dimensional table, and renumber the subsequent footnotes:

District	Minimum lot area (sq. ft.)	Width (ft.)	Minimum front yard (ft.)	Minimum side yard (ft.)	Minimum rear yard (ft.)	Maximum lot coverage by buildings (percent)	Stories	Height (ft.)
B2	Dwellings 43,560 <sup>-7</sup>	150	50	20	30	25 <sup>-4</sup> 40 <sup>-5</sup>	2-1/2	35
	Other permitted uses 5,000	50	25	10	10	75	3	40

3. Amend Section 6.1.3, location of parking spaces, as follows:

**6.1.3 Location.** Any parking area of more than five spaces providing off-street parking under the provisions of this Bylaw for any nonresidential use in a residence district shall not be located in the required front yard and shall be at least 10 feet from any side or rear lot line. If a nonresidential use in a residence district is located on a corner lot, no parking area of more than five spaces shall be located within the designated front yard nor closer to the street line than twice the required setback for residences within that district in side and rear yards. In the B2 zone, no parking spaces provided for new or replacement structures shall be located between the structure and the front lot line.

4. Amend portions of Section 6.2 as follows:

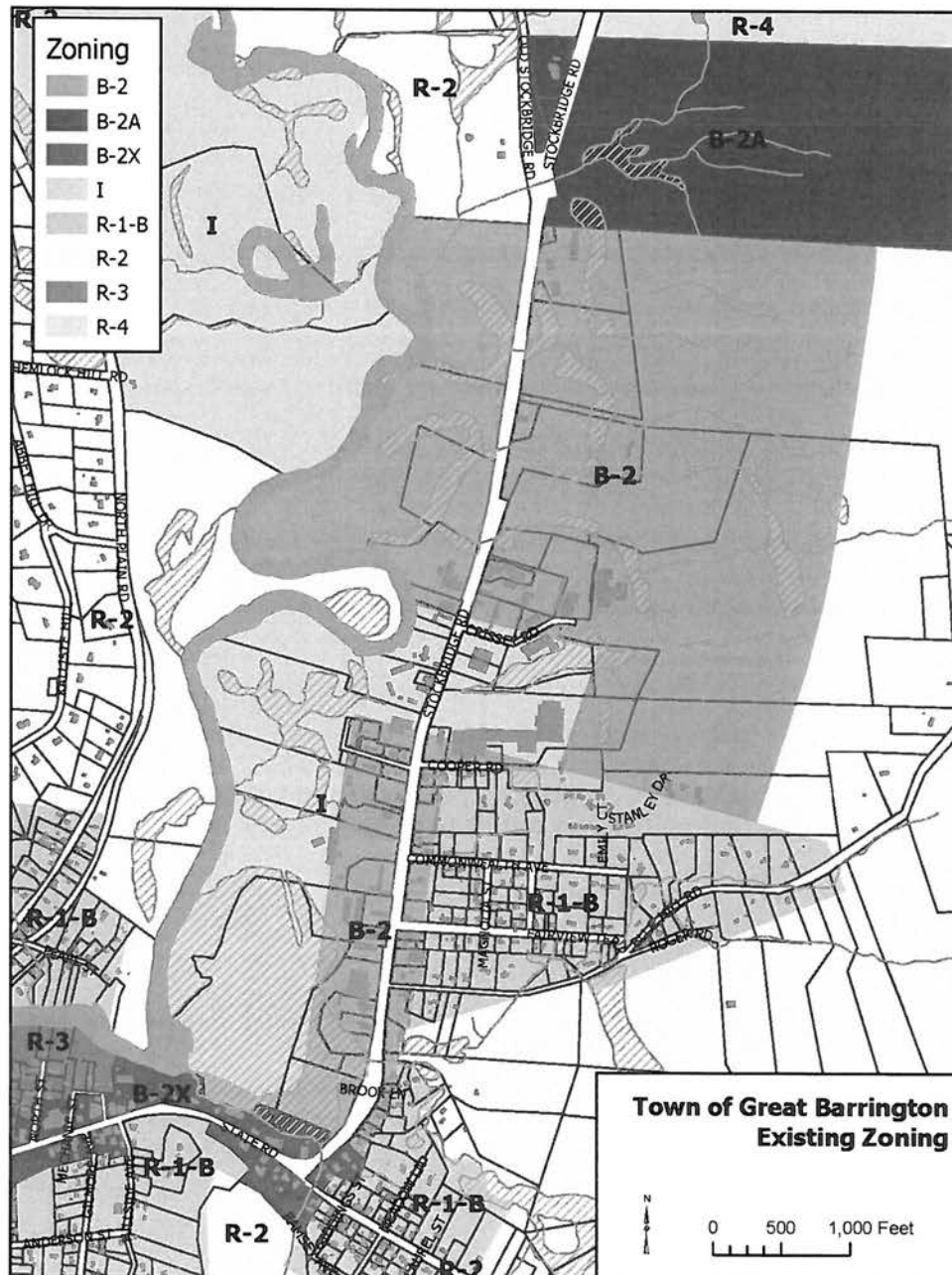
**6.2.1 Applicability.** These requirements shall apply to applications for site plan approval for land on both sides of Route 7 north (Stockbridge Road) from Belcher Square to the Stockbridge Town line and on Route 7 south (South Main Street) from Taconic Avenue to the Sheffield Town line. These requirements shall be in addition to those of Section 6.3.



**6.2.7 Required Trees.** At least one deciduous tree shall be planted within the lot's front setback for every 50 feet of frontage on a lot on which a new building is erected or when any activity or use requires Site Plan Review as set forth in Section 10.5.1. The tree or trees shall be planted between the roadway and the building line that is closest to the roadway, provided that this does not interfere with utilities.

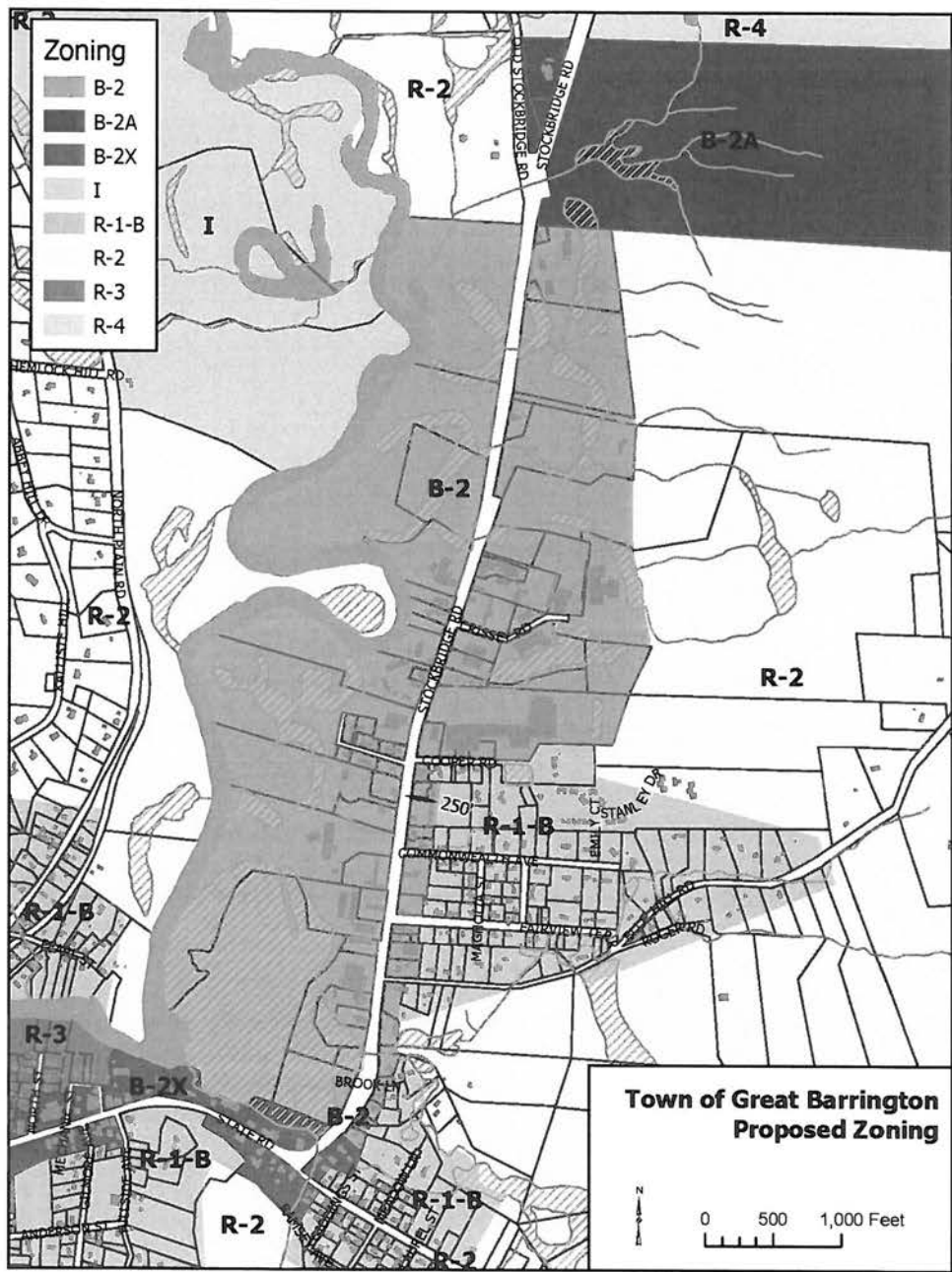
5. Amend the zoning map from existing to proposed, as shown in the following figures:

**EXISTING**



***PROPOSED***

DRAFT



To see if the Town will vote to amend the Sign Bylaw, Chapter 146, Section 2 of the Code of Great Barrington by deleting the definition for Electronic Message Sign or Center and inserting a new definition for “Electronic Sign,” and by adding the words shown as underlined to the definition for “Marquee,” as follows, or to take any other action relative thereto:

#### ELECTRONIC MESSAGE SIGN OR CENTER

~~An electrically activated sign whose variable message capability can be electronically programmed. The copy can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices, or it may be from an external light source designed to reflect off the changeable component display. These signs are prohibited in all districts.~~

#### ELECTRONIC SIGN

**A sign that electronically displays graphics or messages through a marquee, that changes its message or copy at intervals of not less than 30 seconds by programmable, digital or mechanical processes or by remote control. These signs are prohibited in all residential districts.**

#### MARQUEE

A multisided structure or architectural projection supported by attachment to a building on one or more sides, whether hung, cantilevered or supported by columns. The surface(s) and/or soffit of a marquee may be illuminated by means of internal or external sources of light. Marquees and marquee signs are allowed only by special permit from the Planning Board. **A freestanding sign performing the typical functions of a marquee—notifying the public of current and/or upcoming events for a performance venue—may be located on the grounds of the venue, by special permit from the Planning Board.**

#### ARTICLE 25:

To see if the Town will vote to amend Chapter 41 of the Code of Great Barrington, Town Meetings, Article II, Citizen Petitions § 41-15, Acceptance period, by inserting the word “calendar” after 30, so that the section reads as follows: “The acceptance period for citizen petitions will be no less than **30 calendar** days.”, or to take any other action relative thereto.

#### ARTICLE 26: (by petition)

To see if the town supports renaming the Berkshire Hills Regional School District Middle School from Monument Valley Regional Middle School to the W.E.B. Du Bois Regional Middle School.

#### ARTICLE 27: (by petition)

We the undersigned voters of Great Barrington hereby request that the following Article be added to the Warrant for the Annual Town Meeting of 2019:

That Town Code Chapter 41, Article I subsection 41-7 be modified to read:

- a.) No person, unless a registered voter of the Town, may address a Town Meeting without special permission of the Moderator.
- b.) The motion of “calling for the questions”, “calling the question”, “close debate”, “calling for a vote”, “vote now”, or other similar forms shall not be permitted until every registered voter of the Town in attendance, has had an opportunity to speak on the issue at hand.

**ARTICLE 28:** (by petition)

We the undersigned voters of Great Barrington hereby request that the following Article be added to the Warrant for the Annual Town Meeting of 2019:

That Town Code Chapter 135, Article II subsections 135-6 through 135-9 shall be repealed effective immediately upon an affirmative vote resulting in passage of this request. And, that the associated non-criminal disposition fine as specified in Chapter 1, General Provision, § 1-5.1 shall be removed. Chapter 135, Article II subsections 135-6 through 135-9 are commonly called the “water bottle ban” as were adopted on May 7, 2018 as ATM Article 22.



Pe. Bd. SP # 889-19

### NOTICE OF PUBLIC HEARING

The Great Barrington Planning Board will hold a public hearing on Thursday, April 25, 2019, at 7:00 PM, at Town Hall, 334 Main Street, Great Barrington, to act on the special permit application from LSE Lepus, LLC, for a commercial scale solar energy system in an R-4 zone, at 671 Stockbridge Road, in accordance with Sections 9.12 and 10.4 of the Great Barrington Zoning Bylaw

Brandee Nelson, Chair

Please Publish Friday, March 22, 2019 and Friday, March 29, 2019

Berkshire Record

**TOWN OF GREAT BARRINGTON**

**Application for a Special Permit  
to the Board of Selectmen or Planning Board**

FORM SP-2  
Long Form  
REV. 11-2013

**FOR OFFICE USE ONLY**

Number Assigned 889-19 Date Received \_\_\_\_\_  
Special Permit Granting Authority \_\_\_\_\_  
Copy to Recommending Boards \_\_\_\_\_  
Advertised \_\_\_\_\_ & \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Fee: \$150.00 Paid: \_\_\_\_\_

APPLICATION FOR SPECIAL  
PERMIT UNDER TOWN ZONING  
BYLAWS FOR TOWN OF  
GREAT BARRINGTON,  
MASSACHUSETTS

**IDENTITY OF PROPERTY:** MAP 35 LOT 9 BOOK 02513 PAGE 223

Address of property: 671 Stockbridge Road, Great Barrington, MA

Zoning District(s): R4  
including any  
overlay districts

**I. GENERAL INFORMATION**

A. Type of Special Permit Requested: Solar Energy System

Under Section(s) 9.12 and 10.4 of the Great  
Barrington Zoning Bylaws.

B. Name of applicant: LSE Lepus, LLC

C. Address & telephone no. of applicant: 6 Ridgebury Road, Avon, CT 06001; (860) 881-0777

D. If applicant is not owner, state interest or status of applicant in land. Attach copy of any option or  
purchase agreement. Applicant will be purchasing the land from Chris Williams, LLC

E. Name of owner exactly as it appears on most recent tax bill: Chris Williams, LLC (new owner)

F. Address of owner: Chris Williams, LLC, 134 Great Barrington Road, West Stockbridge, MA 01266

G. Telephone number of owner: (413 ) 329-7107

H. Is the proposed development served by :  
Public Water System ( ) Yes ( x ) No  
Public Sewer System ( ) Yes ( x ) No

J. Is an environmental study or document required for this project under state or federal laws?  
( ) Yes ( x ) No If yes, specify type of study and agency requiring it. \_\_\_\_\_

K. Attach a brief description of proposed use of property, including the existing use of the property,  
and how the project is in harmony with the Great Barrington Master Plan. (Copies of the Master

A detailed project description is attached to this application. Goal EN#3 of the Great Barrington Master Plan directly  
addresses this project and encourages large-scale commercial solar systems in appropriate areas of  
20 acres or more.

Plan are available for free download from the Town website. Hard copies can be read at the Clerk's office or the Town libraries.)

- L. Attach a list of abutters, owners of land directly opposite on any public or private street or way and owners of land within 300 feet of the property line, including bordering towns. The list must be prepared and certified by the Great Barrington Board of Assessors office.
- M. Include information as applicable in Sections II, III, IV, V, VI and VII.
- N. One original and fourteen (14) exact copies of all required documentation must be submitted.

## II. PLAN OF PROPERTY

- A. A site plan for the proposed development, drawn to a scale of 1"=40', each page of which shall be titled, dated, numbered and signed by the preparer. If the preparer is an engineer, architect, surveyor or other professional registered in Massachusetts, *each page shall bear his or her professional seal*. This plan shall clearly show the following:
  - 1. Owner and applicant
  - 2. Engineer or Architect
  - 3. Date
  - 4. Scale and north arrow
  - 5. Zoning district (s)
  - 6. Names of adjacent streets
  - 7. All existing lot lines and dimensions
  - 8. Lot size
  - 9. Locations and dimensions of all existing and proposed structures, including additions thereto
  - 10. Number of dwelling units existing and proposed
  - 11. Location and number of parking spaces, with each space numbered
  - 12. Location of driveways and or access roads with directional arrows as needed
  - 13. Location of all streams, ponds, wetlands, steep slopes, and other significant topographic features of this property
  - 14. Provisions for drainage, watercourses, easements and systems
  - 15. Existing and proposed uses of structures
  - 16. Screening and or buffer provisions, as well as all other landscaping proposed
  - 17. Site photos as needed to illustrate the existing and proposed conditions
  - 18. Locus map (locating site within the neighborhood and town)
  - 19. Proposed open space or park area(s) if any
  - 20. Such other data as the Planning Board may require
- B. Other requirements (if and as requested by the Planning Board, Conservation Commission, Board of Selectmen, Board of Health or Building Inspector):
  - 1. General characteristics of land under a separate plan at a scale of 1"=100' showing the general characteristics of all lands within 200 feet of the site including structures, parking areas, driveways, pedestrian ways, natural features and existing land uses. Land uses shall be designated by shading the plan with colored pencil and using standard land use colors.
  - 2. Architectural drawings, prepared by a Registered Architect, at a scale sufficient to show the details of the proposed building (s) and signs but not less than 1/8"=1".
  - 3. A separate plan, prepared by a Registered Engineer or Architect, drawn to a scale of 1"=500' which shall clearly show:
    - a. the project site
    - b. location of public and private wells within 1/2 mile of any lot lines
    - c. Contour lines at 2-foot intervals

- d. Location of wells on the site or within 400 feet of lot lines
- e. Location of wetland area
- 4. Common ownership land/adjacent lots usage.
  - a. A copy of those portions of the Assessors' map(s) showing all contiguous land held in common ownership with the land affected by the special permit, or all contiguous land held in common ownership by the applicant
  - b. Land use of adjacent lots

### III. PUBLIC WATER – WASTE DISPOSAL

- A. Availability of public water
  - 1. Estimate demand.
  - 2. Submit documentation of available water pressure.
- B. Availability of public sewer
  - 1. Estimate daily flow of public sewer.
  - 2. Describe disposal facilities and submit evidence of all necessary state and local approvals.
  - 3. Submit evidence of all required approvals by the Massachusetts Department of Environmental Protection of any proposed wastewater treatment system requiring such approval and of any industrial waste treatment or disposal system

### IV. ENVIRONMENTAL REPORTS

- A. Submit copies of any environmental reports or documents prepared for the project required by State or Federal law or regulations.
- B. Submit copies of all environmental reports required by the Conservation Commission, Planning Board, Board of Health or any other local board or official.
- C. Description of open space or park(s) if any
  - 1. Letter to the Town of Great Barrington offering open land to the Town, *or*
  - 2. Document showing terms of permanent covenant of open space.
- D. Hazardous Materials
  - 1. A complete list of all materials, pesticides, fuels and toxic or hazardous materials to be used or stored on the premises. Generic names should be supplied as listed in the Massachusetts Department of Protection's Hazardous Waste Regulations (310 CMR 30.000) and, where applicable, the Industry and EPA Hazardous Waste Number should be supplied. The list should be accompanied by a description of measures proposed to protect from vandalism, corrosion, leakage and for control of spills.
  - 2. A description of possible toxic or hazardous wastes to be generated indicating storage and disposal method.

### V. PLANNED PHASING

Planned phasing, if project is to be constructed in more than one phase. For multi-family dwellings, cluster residential development and single family attached dwellings, the design of roadways, access roads, sidewalks, common drives, and utilities shall generally conform to the standards set forth in the Rules and Regulations Governing Subdivision of Land in the Town of Great Barrington; regardless of whether the development is a subdivision within the legal definition.

### VI. IMPERVIOUS SURFACES

Description of the extent of impervious surfaces, of provisions for collecting surface runoff and of provisions for on-site recharge and removal of contaminants.



## VII. GROUNDWATER

Except for those uses applying for a special permit solely for excavating or drilling, a Groundwater Quality Certification, prepared by a Massachusetts Registered Professional Engineer, experienced in hazardous waste disposal, groundwater evaluation or hydrogeology may be required. Said Groundwater Quality Certification shall state that: "as a result of the project, the groundwater quality at the boundary of the premises, resulting from on-site waste disposal, other on-site operations, natural recharge and background water quality,

- a. will not fall below the standards established by the DEP in "Drinking Water Standards in Massachusetts", or
- b. Where existing groundwater quality is already below those standards, will not be further degraded."

Date: \_\_\_\_\_

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Co-owner Signature

\_\_\_\_\_  
Applicant's Signature

### SPECIFICS:

1. All site plans and specifications must be signed and dated by the preparer.
2. **ALL OWNERS** of property must sign the application
3. A copy of the special permit procedures is available upon request.
4. Fee for application is \$300.00 to cover the cost of the public hearing notices and notification to parties in interest. If the cost exceeds \$300.00, the applicant shall pay the balance due upon notification from the Granting Authority.
5. Once all the necessary papers, maps, etc. as indicated above are correlated into seventeen sets, **call the Town Planner's office at 413-528-1619 ext. 7 to arrange an appointment to file your application.** The application will be reviewed for completeness and a date for a public hearing before the Board of Selectmen will be scheduled. Meetings before the recommending Boards such as the Planning Board, Conservation Commission and Board of Health will also be arranged at this time.

### PLEASE READ AND SIGN BELOW

ALL COSTS INCURRED BY THE TOWN FOR THE EMPLOYMENT OF EXPERTS OR CONSULTANTS REQUIRED BY ANY TOWN BOARD FOR THE PURPOSE OF ANALYZING OR EVALUATING ANY PROJECT THAT IS A SUBJECT OF A SPECIAL PERMIT APPLICATION SHALL BE ASSESSED TO THE APPLICANT AND SHALL CONSTITUTE PART OF THE APPLICATION FEE. A COPY OF THIS REGULATION SHALL BE PROVIDED TO EACH APPLICANT WHO SHALL SUBMIT WITH HIS APPLICATION A SIGNED STATEMENT THAT HE HAS READ THIS REGULATION AND AGREES TO BE BOUND BY IT.

I have read the above regulation and agree to be bound by it.

Applicant's Signature \_\_\_\_\_

Date \_\_\_\_\_

*[Handwritten Signature]*  
3/11/2019

## VII. GROUNDWATER

Except for those uses applying for a special permit solely for excavating or drilling, a Groundwater Quality Certification, prepared by a Massachusetts Registered Professional Engineer, experienced in hazardous waste disposal, groundwater evaluation or hydrogeology may be required. Said Groundwater Quality Certification shall state that: "as a result of the project, the groundwater quality at the boundary of the premises, resulting from on-site waste disposal, other on-site operations, natural recharge and background water quality.

- a. will not fall below the standards established by the DEP in "Drinking Water Standards in Massachusetts", or
- b. Where existing groundwater quality is already below those standards, will not be further degraded."

Date: \_\_\_\_\_

Chris Williams, Manager  
Owner Signature

\_\_\_\_\_  
Co-owner Signature

\_\_\_\_\_  
Applicant's Signature

### SPECIFICS:

1. All site plans and specifications must be signed and dated by the preparer.
2. **ALL OWNERS** of property must sign the application
3. A copy of the special permit procedures is available upon request.
4. Fee for application is \$300.00 to cover the cost of the public hearing notices and notification to parties in interest. If the cost exceeds \$300.00, the applicant shall pay the balance due upon notification from the Granting Authority.
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I have read the above regulation and agree to be bound by it.

Applicant's Signature \_\_\_\_\_

Date \_\_\_\_\_

# Monument Mountain Solar

671 Stockbridge Road (Route 7)  
Great Barrington, Massachusetts



ZONING LOCUS MAP  
Figure 1



USGS LOCUS MAP  
Figure 2



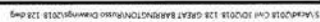
*Applicant*  
**LSE Lepus, LLC**  
6 Ridgebury Road  
Avon, CT 06001

*Owner*  
**Chris Williams, LLC**  
134 Gt. Barrington Road  
West Stockbridge, MA 01266  
*Prepared By*



DRAWING INDEX	
SHEET TITLE	SHEET NO. LATEST REVISION
QUIL	1 of 5 3-07-19
COVER SHEET	2 of 5 3-07-19
PROPOSED SITE PLAN	3 of 5 3-07-19
SITE PLAN (40 SCALE)	4 of 5 3-07-19
SITE PLAN (40 SCALE)	5 of 5 3-07-19
DETAILS	

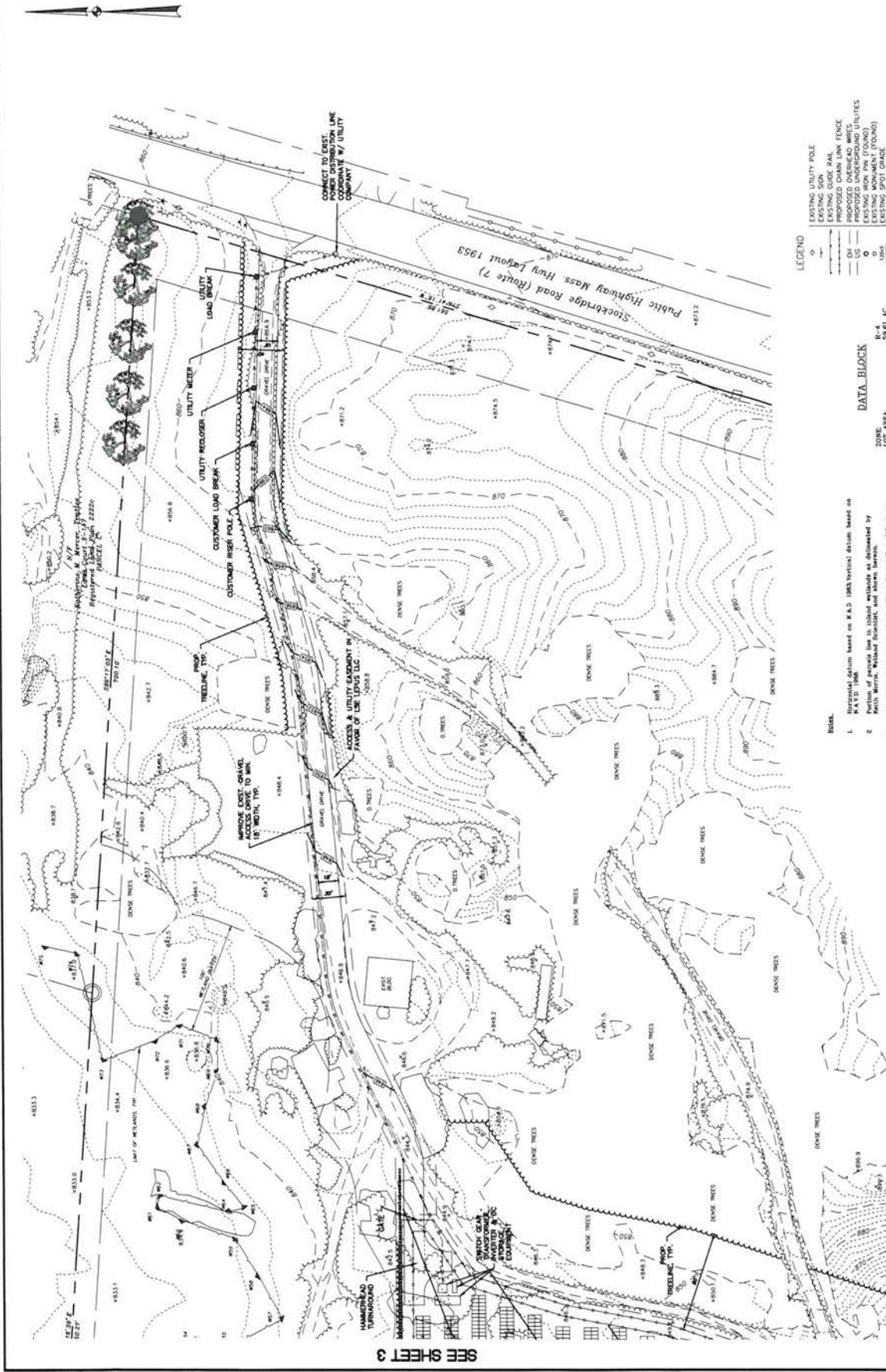












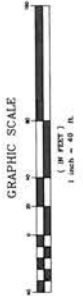
**LEGEND**

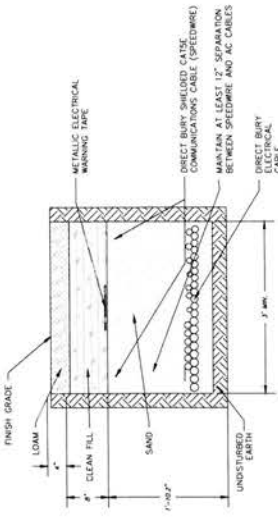
EXISTING UTILITY POLE	EXISTING SIGN	EXISTING OVERHEAD WIRE	PROPOSED OVERHEAD WIRE	PROPOSED UNDERGROUND UTILITIES	EXISTING SPOT GRADE	EXISTING CONTOUR	EXISTING TIE LINE	PROPERTY LINE	LIMIT OF WETLANDS
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**DATA BLOCK**

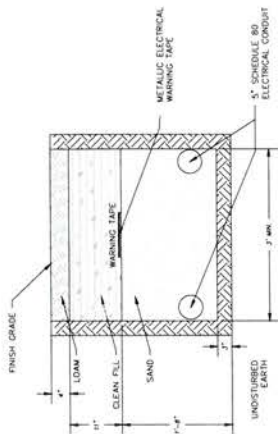
ZONE	R-4
LOT AREA	59.81 AC
MIN. FRONT YARD	30'
MIN. REAR YARD	30'
MAX. COVERAGE	35 FT
MAX. HEIGHT	35 FT

- NOTES**
- Horizontal datum based on NAD 1983 vertical datum based on NAD 1983.
  - Boundary of proposed site is shown within a boundary of 100 feet of proposed site utility and storm sewer.
  - Parcel does not lie in a Special Flood Hazard Zone (SFZ) of Flood Risk Community Panel Number 200004000000 and is not in a Flood Risk Community Panel Number 200004000000.
  - All underground utility locations on the site are approximate and may not be complete. Anyone using this information for construction will be done on this site prior to utility mark out. \*No Scale call out.

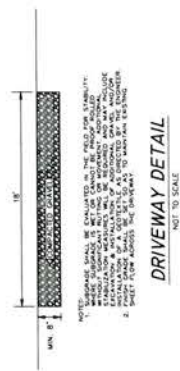




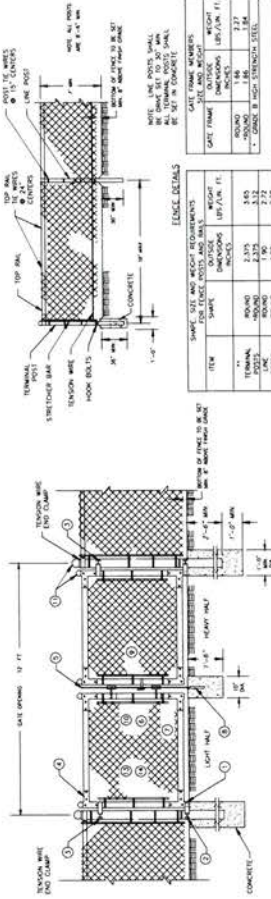
**INVERTER POWER & COMMS  
CABLE TRENCH DETAIL (INV/C)**  
NOT TO SCALE



**MEDIUM VOLTAGE CABLE  
TRENCH DETAIL (MV)**  
NOT TO SCALE



**DRIVEWAY DETAIL**  
NOT TO SCALE

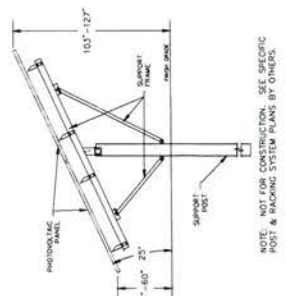


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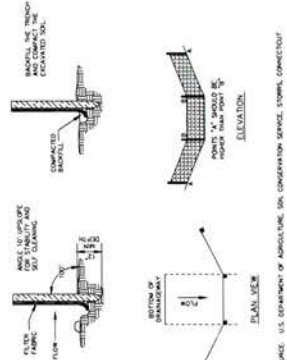
ITEM NO.	DESCRIPTION	QUANTITY
1	STRAIGHT FENCE	2
2	STRAIGHT FENCE	2
3	STRAIGHT FENCE	2
4	STRAIGHT FENCE	2
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6	STRAIGHT FENCE	2
7	STRAIGHT FENCE	2
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14	STRAIGHT FENCE	2

**LEGEND**

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13	STRAIGHT FENCE	2
14	STRAIGHT FENCE	2



**TYPICAL RACKING ELEVATION**  
NOT TO SCALE



**GEOTEXTILE SILT FENCE**  
NOT TO SCALE

- CONSTRUCTION NOTES**
1. MATERIALS AND DIMENSIONS NOT SHOWN ON THIS DRAWING SHALL BE AS SHOWN ON THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION.
  2. ALL POSTS SHALL BE INSTALLED VERTICALLY, UNLESS NOTED OTHERWISE.
  3. THE FENCING SHALL BE #9 GAGE FENCE FABRIC, STANDARD 2-MOD CORN LIME DIAMOND WEAVE.

- LEGEND**
- | ITEM NO. | DESCRIPTION    | QUANTITY |
|----------|----------------|----------|
| 1        | STRAIGHT FENCE | 2        |
| 2        | STRAIGHT FENCE | 2        |
| 3        | STRAIGHT FENCE | 2        |
| 4        | STRAIGHT FENCE | 2        |
| 5        | STRAIGHT FENCE | 2        |
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| 9        | STRAIGHT FENCE | 2        |
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12	STRAIGHT FENCE	2
13	STRAIGHT FENCE	2
14	STRAIGHT FENCE	2

















Christine J. Lamarre, MAA  
Principal Assessor

Bruce Fager, Board Member  
John K... Board Member  
Carol Strommer, Administrative Assessor



Town Hall, 334 Main Street  
Great Barrington, MA 01230

Telephone: (413) 528-2220 x 5  
Fax: (413) 528-2290  
E-mail: [clamarre@townofgb.org](mailto:clamarre@townofgb.org)

## TOWN OF GREAT BARRINGTON MASSACHUSETTS

### ASSESSORS' OFFICE

March 1, 2019

ABUTTERS TO PROPERTY OF: CHRIS WILLIAMS LLC

671 Stockbridge Road, Map 35 Lot 9 & 20A, Book 2513 page 223

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
35	7	James M. Mercer, Trustee, Katherine Mercer Realty Trust, 80 Maple Ave. Suite 1, Gt. Barrington, MA 01230-1953
35	7A,2	Commonwealth of Massachusetts, Department of Fisheries & Wildlife, 251 Causeway St. Suite 400, Boston, MA 02114-2152
35	9A,20	Trustees of Reservation, 200 High St. #4A, Boston, MA 02110-3036
39	19,4	Berkshire Hills Regional School District, PO Box 617, Stockbridge, MA 01262-0617
39	3	Angel Rodriguez & Amparo Zapata Rodriguez, 674 Stockbridge Rd., Gt. Barrington, MA 01230-1270
39	3A	Orit Kadosh & Joshua Nunberg, 71 Tomkins Ave. #2, Pleasantville, NY 10570-3141
39	3B	Dawn Zucco, 676 Stockbridge Rd., Gt. Barrington, MA 01230-1270
35	21	Town of Great Barrington, 334 Main St.. Room 208, Gt. Barrington, MA 01230-1832

The above list of abutters to the subject property is correct according to the latest records of this office.

Sincerely,

Carol Strommer  
Administrative Assessor

### Monument Mountain Solar Project Overview and Description

The Monument Mountain Solar Project (aka the "Project") is to be located at 671 Stockbridge Road, Great Barrington, MA. The proposed Project would occupy approximately 7.6 acres of land (the "Site") and consist of around 2,800 kilowatts (DC) of solar modules.

The Site, currently vacant, is partially an active gravel pit. The Project itself will consist of a collection of approximately 6500 solar photovoltaic (PV) modules (each approximately 3 feet by 6 feet in dimension) that are grouped into arrays tilted and facing south. These stationary arrays are strung together forming a series of rows oriented east to west. Electricity collection and distribution lines (underground) link the solar modules to a collection house with inverter and transformer equipment which in turn will transmit the electricity to the existing distribution lines along Stockbridge Road. In the Site itself, lines will be placed in conduit and buried in trenches along the perimeter of the Project pursuant to the electrical code. No other utilities are need on the Site.

The principal components of the Project are solar modules. The solar modules will be mounted on a racking system manufactured domestically, most likely screwed or pushed into the ground. It is anticipated that the modules will be no more than 12 feet at the highest. The racking system will not move (i.e. it is fixed and not tracking). The AC power produced by the modules will be converted into DC power by the inverter. The power will then be "transformed" by the transformer to the appropriate voltage for the existing distribution lines.

It is anticipated that the Project will provide only positive benefits to the town, the state and the global environment. It is estimated to generate enough clean, instantaneously renewable, and emission-free energy to power hundreds of homes. The modules from which this clean electricity is produced produce no emissions, make no noise, do not move, and use no water. Further it is estimated that the proposed Project will displace approximately hundreds of thousands of pounds of CO2 annually.

The Project will also provide net revenue in the form of significant property taxes to the Town of Great Barrington. The Project will use no sewer, water, and not burden the roads or schools. Local contractors and maintenance personnel will also be used to the extent feasible. In short, economically, the Project will have a significant, net positive fiscal impact on the Town.

### Potential Operational Impacts of the Project (Development Impact Statement)

Operation of the Project is passive and the operational impacts of the farm on the environment, nearby residences, roads, etc. is expected to be de minimis. Below please find a summary of traffic impacts, proposed fencing, lighting, signage, utilities, noise, transformer oils, and soil impacts.

Once under construction, besides periodic maintenance, equipment replacement and monitoring of Project output via a web-based monitoring system, the modules and other primary components do not require direct handling. Except during the approximately 2-3 month construction period (weather dependent) there should be minimal impact to the traffic flow or safety of Stockbridge Road. As indicated above, given the simplicity of the operations of the Project, there is little maintenance required or traffic associated. It is anticipated that beyond bi-monthly lawn care, if necessary, and bi-annual cleaning of the modules, little or no maintenance should be required. Any maintenance or construction vehicles will be parked onsite and no permanent parking areas are contemplated currently. Attached is a proposed Operations and Maintenance Plan.



## LSE Lepus, LLC

The entire operation (solar modules, collection houses and access lanes) will be fenced in order to provide for safety and security, in accordance with applicable requirements. The fence currently proposed is a 6-foot chain link fence with 6 inches between the ground and the bottom of the fence. Access to the Project will be limited to LSE Lepus personnel or contractors, maintenance personnel, and Town emergency personnel. Coded or keyed lock boxes will be placed at each entry point/gate to the site. Local emergency personnel (police and fire) will have the codes as will LSE Lepus' local contractors or points of contact. A 24-hour emergency number to reach LSE Lepus will be placed on signage at the gates, if required by the Town.

Subject to the Fire Department's approval, the only on-site lighting LSE Lepus may have onsite could be at the collection house and the gate entrances, and this will be in conformance with all provisions of the Zoning Bylaw. These would be for use by the Fire Department and for when any nighttime access is needed. The light switches would be in locked boxes, accessible only by emergency personnel and LSE Lepus employees or contractors. The lights themselves would be as low-to-the-ground as necessary and angled towards the ground.

LSE Lepus will also coordinate its "safety" signage in accordance with the approval of the Great Barrington Fire Department and in conformance with the Zoning Bylaw. LSE Lepus recommends that the signs along the fence should be at least 14 inches long by 10 inches high with the words, for instance, "Danger High Voltage - Keep Out" in three horizontal lines of white letters against a background field of red and black. The signs should be no more than 40 feet apart. There will be a sign at the principal entry gate identifying the owner of the Project and an emergency contact number. With respect to mandatory signs, National Grid states that the following signs be placed at the site: [a] permanent plaque or directory shall be installed at the utility revenue meter and at the Point of Common Coupling (PCC) with a warning about the generator(s) installed. If the PCC is at a pad mounted transformer, the plaque must be on the right door of the transformer. If the external utility disconnect switch is not adjacent to the utility revenue meter, a permanent plaque shall be provided at the utility revenue meter and the PCC locating the switch. If the external utility disconnect switch is not adjacent to PCC, a permanent plaque shall be provided at the PCC locating the switch. All plaques as described in NEC 705.10, 705.12 (7), 690.56, 692.4 and 705.70 shall be installed when applicable.

Beyond minor electrical demand for operation of the inverters and transformers, it is not anticipated that any utilities or public services will be needed. The primary utility connection for the solar power will be the facilities' interconnection with the distribution lines along Stockbridge Road. The inverters will also be connected to telephone lines so their production can be monitored by National Grid and LSE Lepus remotely. The Project contains no works for the collection, transmission, treatment and disposal of sewage. There will be no discharge of contaminants into the air or into the ground or water. There will be no systems, facilities and equipment for receiving, handling, storing and processing any waste or waste-water. No sewage, waste or air contaminants will be generated at all as a result of the solar power generation process. There are no water withdrawals associated with the operation of the Project as planned.

Further, there are no anticipated negative noise impacts from the Project. Both the inverter and the transformer emit less noise than the NEMA TR1 Standard (74 dBA) and given their distance from the nearest residence and the fact that they only operate during day-time hours, it is not anticipated that there be any negative noise impacts from the Project. The solar modules do not move – they are fixed in place on the racking system – and make no noise.

## LSE Lepus, LLC

There should also be limited direct impact on the land and soils from the proposed Project. The land is partly a gravel pit and the panels will only occupy approximately 8 acres of the 60-plus acre site. The modules are mounted above grade, allowing for grass to be propagated below and between the array tables. The proposed fixed panel solar arrays are installed on elevated racks that provide adequate height above the ground to promote vegetative growth and allow for infiltration underneath. Thus, water that flows off of the arrays will essentially have the full surrounding area for sheet flow, infiltration, evaporation, etc. As a result, the areas containing the solar arrays are not considered impervious. Further discussion is provided in the attached Drainage Memorandum.

Further, with respect to potential glare from the solar panels and the Project, the Project should not be readily visible to any surrounding abutters (see the attached Site Plan). Regardless, solar panels are designed to absorb sunlight rather than to reflect it, with typically 2% of incident light being reflected. Reflections from solar panels are smaller than direct sunlight or, for instance, solar reflections from water.

Glare effects due to reflection from solar panels generally (not taking into account the surrounding forest) are expected to be minimal and comparable to glass facades. Solar panels generally appear darker than glass in nearly all conditions. Typical soiling of the solar panel surface will further reduce the observed light reflection, and this also has an effect on the efficiency of the panel. Direct solar reflections will not occur when the sun is obscured by clouds.

Finally, the reflection of a glass surface is highly dependent on the angle of incidence and surface conditions. It is understood that as the angle of incidence increases, the amount of reflected light also increases. Given that the panels should be angled at around 25 degrees, they would not produce any direct reflection of the sun at ground level.

It is not believed that the panels within the Project will cause any glare concerns. In summary, the visual impacts on abutters should be minimal.

Finally, prior to commercial operation, LSE Lepus or an affiliate shall provide financial assurance in an amount as determined by a third-party engineer to sufficiently cover the costs to remove and decommission the Project.



# Memo

To: Christopher Rembold, Town Planner  
From: Timothy Coon, P.E.  
Date: 3/04/19  
Re: Drainage  
Monument Mountain Solar Project, 671 Stockbridge Road

LSE Lepus, LLC is proposing the construction of a solar photovoltaic facility on approximately 7.6 acres at 671 Stockbridge Road in Great Barrington, Massachusetts. The site is the current location of an active gravel pit. The project will include tree clearing, re-grading of the previously disturbed gravel pit area, layout and placement of foundation systems, racking, and solar PV panels, installation of utility pads and associated electrical equipment, installation of electrical conduit, conduit supports, electrical poles, and overhead wire, and security fencing.

The project site includes approximately 7.6 acres of the larger 59.6 acre parcel owned by the Chris Williams, LLC at 671 Stockbridge Road in Great Barrington. The parcel is zoned residential R-4. The overall site is abutted by undeveloped land to the north, west and southwest; the Town transfer station to the south and Stockbridge Road to the east. The project site is proposed in the northwest corner of the overall parcel, approximately 800 feet west of Stockbridge Road. The site will be accessed via an existing gravel access drive off of Stockbridge Road.

Wetlands on the overall parcel have been delineated by Keith Morris, Wetland Scientist, and mapped by J.R. Russo & Associates LLC. A large wetland associated with Agawam Lake was identified on the parcel to the north of the subject site and the southern limits of this wetland extend onto the subject parcel. However, the proposed project has been designed to avoid encroachment into the 100-foot wetland buffer. The topography at the project site generally slopes east before turning north toward the wetland.

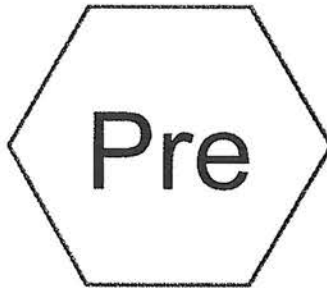
The proposed development will result in the construction of approximately 6.7 acres of solar panels within the 7.6 acre project site. The natural drainage patterns, which consist of sheet flow to the east and then north, will be preserved. The proposed fixed panel solar arrays are installed on elevated racks that provide adequate height above the ground to promote vegetative growth and allow for infiltration underneath. All of the area beneath the solar arrays is pervious with the exception of the small concrete foundation to support the rack system. Thus, water that flows off of the arrays will essentially have the full surrounding area for sheet flow, infiltration, evaporation, etc. As a result, the areas containing the solar arrays are considered pervious, vegetated groundcover.

The entirety of the project site has been previously disturbed by prior gravel removal operations. The current condition of the subject site includes approximately 3.1 acres of un-vegetated, exposed soils and 4.5 acres of woods with 50%-75% ground cover (fair condition). Upon completion of the project, the entire area will become vegetated and maintained as meadow.

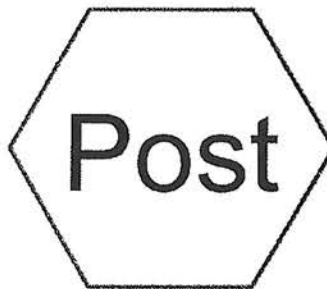
Using the pre- and post development site characteristics, the peak rate of runoff from the project site was calculated for the 2, 10 and 100-year, 24 hour design storm using Applied Microcomputer System's HydroCAD™ Stormwater Modeling System. This computer software employs the SCS Technical Release 55 and 20 (TR-55 & TR-20) methodology. HydroCAD data sheets are attached, and results are summarized in the Table below. As shown in the table, with the establishment of a vegetative cover, the proposed condition will result in a lower coefficient of runoff and reduction in the overall discharge from the site. As a result, one can conclude that the proposed development will not have a negative impact on downstream properties.

Table 1 – Summary of Peak Rates of Runoff (CFS)

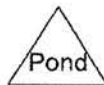
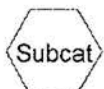
Design Storm	2-year	10-year	100-year
Pre-Development	0.33	2.64	9.37
Post Development	0.00	0.00	0.15



Pre-Development Area



Post Development Area



Routing Diagram for 2018-128 Monument Mountain  
Prepared by Microsoft, Printed 3/7/2019  
HydroCAD® 10.00-24 s/n 02386 © 2018 HydroCAD Software Solutions LLC



**2018-128 Monument Mountain**

Prepared by Microsoft

HydroCAD® 10.00-24 s/n 02386 © 2018 HydroCAD Software Solutions LLC

Type III 24-hr 2-year Rainfall=3.10"

Printed 3/7/2019

Page 2

**Summary for Subcatchment Post: Post Development Area**

Runoff = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Depth= 0.00"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-72.00 hrs, dt= 0.05 hrs  
Type III 24-hr 2-year Rainfall=3.10"

Area (ac)	CN	Description
7.600	30	Meadow, non-grazed, HSG A
7.600		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
16.4	150	0.0330	0.15		<b>Sheet Flow,</b> Grass: Dense n= 0.240 P2= 3.10"
10.6	890	0.0400	1.40		<b>Shallow Concentrated Flow,</b> Short Grass Pasture Kv= 7.0 fps
27.0	1,040	Total			

**Summary for Subcatchment Pre: Pre-Development Area**

Runoff = 0.33 cfs @ 12.59 hrs, Volume= 0.109 af, Depth= 0.17"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-72.00 hrs, dt= 0.05 hrs  
Type III 24-hr 2-year Rainfall=3.10"

Area (ac)	CN	Description
3.100	77	Fallow, bare soil, HSG A
4.500	36	Woods, Fair, HSG A
7.600	53	Weighted Average
7.600		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
7.5	150	0.0100	0.33		<b>Sheet Flow,</b> Fallow n= 0.050 P2= 3.10"
4.7	480	0.0290	1.70		<b>Shallow Concentrated Flow,</b> Nearly Bare & Untilled Kv= 10.0 fps
5.9	430	0.0600	1.22		<b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps
18.1	1,060	Total			

**2018-128 Monument Mountain**

Type III 24-hr 10-year Rainfall=4.50"

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**Summary for Subcatchment Post: Post Development Area**

Runoff = 0.00 cfs @ 1.00 hrs, Volume= 0.000 af, Depth= 0.00"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-72.00 hrs, dt= 0.05 hrs  
Type III 24-hr 10-year Rainfall=4.50"

Area (ac)	CN	Description
7.600	30	Meadow, non-grazed, HSG A
7.600		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
16.4	150	0.0330	0.15		<b>Sheet Flow,</b> Grass: Dense n= 0.240 P2= 3.10"
10.6	890	0.0400	1.40		<b>Shallow Concentrated Flow,</b> Short Grass Pasture Kv= 7.0 fps
27.0	1,040	Total			

**Summary for Subcatchment Pre: Pre-Development Area**

Runoff = 2.64 cfs @ 12.36 hrs, Volume= 0.406 af, Depth= 0.64"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-72.00 hrs, dt= 0.05 hrs  
Type III 24-hr 10-year Rainfall=4.50"

Area (ac)	CN	Description
3.100	77	Fallow, bare soil, HSG A
4.500	36	Woods, Fair, HSG A
7.600	53	Weighted Average
7.600		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
7.5	150	0.0100	0.33		<b>Sheet Flow,</b> Fallow n= 0.050 P2= 3.10"
4.7	480	0.0290	1.70		<b>Shallow Concentrated Flow,</b> Nearly Bare & Untilled Kv= 10.0 fps
5.9	430	0.0600	1.22		<b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps
18.1	1,060	Total			

**2018-128 Monument Mountain**

Type III 24-hr 100-year Rainfall=6.60"

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**Summary for Subcatchment Post: Post Development Area**

Runoff = 0.15 cfs @ 15.14 hrs, Volume= 0.094 af, Depth= 0.15"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-72.00 hrs, dt= 0.05 hrs  
Type III 24-hr 100-year Rainfall=6.60"

Area (ac)	CN	Description
7.600	30	Meadow, non-grazed, HSG A
7.600		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
16.4	150	0.0330	0.15		<b>Sheet Flow,</b> Grass: Dense n= 0.240 P2= 3.10"
10.6	890	0.0400	1.40		<b>Shallow Concentrated Flow,</b> Short Grass Pasture Kv= 7.0 fps
27.0	1,040	Total			

**Summary for Subcatchment Pre: Pre-Development Area**

Runoff = 9.37 cfs @ 12.29 hrs, Volume= 1.077 af, Depth= 1.70"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-72.00 hrs, dt= 0.05 hrs  
Type III 24-hr 100-year Rainfall=6.60"

Area (ac)	CN	Description
3.100	77	Fallow, bare soil, HSG A
4.500	36	Woods, Fair, HSG A
7.600	53	Weighted Average
7.600		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
7.5	150	0.0100	0.33		<b>Sheet Flow,</b> Fallow n= 0.050 P2= 3.10"
4.7	480	0.0290	1.70		<b>Shallow Concentrated Flow,</b> Nearly Bare & Untilled Kv= 10.0 fps
5.9	430	0.0600	1.22		<b>Shallow Concentrated Flow,</b> Woodland Kv= 5.0 fps
18.1	1,060	Total			

## **LSE Lepus, LLC**

### **Decommissioning Plan Summary**

The decommissioning plan summary (the plan) describes generally how LSE Lepus, LLC proposes to restore the solar farm (the "Project") location to a clean and safe condition. This includes retiring the elements of the Project, restoring the land and managing the excess materials and waste. This plan describes the plans for decommissioning the Project and contains the following information

1. Procedures for dismantling or demolishing the facility
2. Activities related to the restoration of any land and water negatively affected by the facility
3. Procedures for managing excess materials and waste

Components of the Project have an estimated useful lifetime in excess of twenty years. When the Project ceases commercial operation, it will be dismantled, any lands and water negatively affected by the Project will be restored, and the site will be left in a safe and clean condition. It is difficult to predict precise demolition activities, procedures and technologies that may become available over time. Assumptions have been made, therefore, and some task descriptions generalized to allow for a degree of flexibility and innovation regarding dismantling/ demolition means and methods.

Following the Project's proposed life span, the Project area will be allowed to naturalize on its own.

#### **1. Procedures for Dismantling the Solar Farm**

Decommissioning will consist primarily of dismantling and removing facilities, wiring and equipment as well as land restoration, if necessary. This section also briefly addresses procedures for the unlikely event that the project is abandoned during construction.

##### **a. Decommissioning After Ceasing Operation**

The likely decommissioning tasks are follows:

- i. The facility is disconnected from the grid according to the utility and state requirements and in accordance with the utility procedures and policies.
- ii. Individual PV modules or panels are disconnected and removed from the site, and shipped, to the extent possible, to recycling facilities for recycling, or for disposal.
- iii. All above-grade PV module array support posts and structures shall be removed and recycled or disposed of off-site
- iv. Electrical cables and equipment owned by Park Avenue Solar Solutions shall be removed and recycled, reused or disposed of offsite. This includes all above-ground electrical structures and wiring, inverters, combiners, low voltage switch gear and transformers and the interconnection substation equipment, if applicable.



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- v. The collection houses (inverters and transformers) and their foundations (if necessary) shall be removed and recycled, re-used or disposed of off-site.
  - vi. The safety and security fencing shall be removed and recycled, re-used or disposed of off-site.
  - vii. Road connections and internal lanes (and their sub-base materials) used for the project, drainage structures, etc. may be removed, depending on the wishes of the landowner.
  - viii. The site could be converted to other uses in accordance with applicable land use regulations and the landowner's wishes.
- b. Decommissioning During Construction. It is unlikely that the facility will have to be dismantled during construction. Should this occur, similar procedures as outlined above and throughout the rest of this report (regarding decommissioning after ceasing operations) would be followed.

### **2. Restoration of Lands/Water Negatively affected by the Solar Farm**

Following decommissioning the site will be restored, to the extent possible, to pre-Project conditions in accordance with local land use laws or regulations and pursuant to the landowner's desires. During decommissioning it is unlikely that there will be any loss of harm to surrounding trees outside of the cleared area. To minimize any potential disruption or direct or indirect loss to surrounding trees and vegetation, small machinery will be utilized to remove the fencing. Further, as long as proper sediment control strategies are implemented, it is not anticipated that decommissioning will have negative effects on any wetlands.

### **3. Procedures for Managing Excess Materials and Waster During Decommissioning**

As indicated above, the Project will consist of numerous materials that are potentially recyclable, including glass, semiconductor material, steel, and wiring. After operations have ceased and the Project is no longer generating power, the component parts after having been dismantled will ideally be recycled or re-used following decommissioning. Beyond the project components, it is not anticipated there will be additional materials or waste as part of decommissioning.

### **4. Miscellaneous**

- a. LSE Lepus will provide written notice to the Town Manager, the Fire Department, and the utility, among others, that it is commencing with decommissioning. Given the relative lack of risk involved in dismantling the Project, it is not anticipated that emergency situations (fire, spills of operating fluids, etc.) will take place. Nevertheless, LSE Lepus may prepare a detailed emergency response and communications plan prior to decommissioning in coordination with local and municipal authorities prior to the start of any decommissioning activity. Such plan could detail communication

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procedures including a list of relevant emergency contact numbers for LSE Lepus and local fire, police and medical agencies, directions to the nearest hospital, and evacuation procedures for each type of emergency. During decommissioning, among other things, signage will be posted listing emergency contact numbers for LSE Lepus along with the agencies referenced above. Prior to the commencement of decommissioning, a fire response plan may be implemented. This will include the notification of appropriate emergency personnel, including the Town Fire Department, to be contacted if a fire occurs at the site. Similarly, a spill response plan may also be formulated prior to decommissioning. Spills of operating fluids (gasoline, diesel fuel, lubricants) are possible from construction equipment and vehicles.

- b. All work will be further carried out in consultation with the Department of Environmental Protection.

## **LSE Lepus, LLC**

### **EMERGENCY MANAGEMENT PLAN**

This Emergency Response and Communications Plan (Plan) outlines the general procedures followed for all emergency situations and incidents that could occur as a result of the operation and decommissioning phases due to natural causes, equipment failure or by human error at the proposed solar photovoltaic project. ("Project"). Shortly after commercial operation, LSE Lepus an affiliate or assign ("LSE Lepus") will meet with the local emergency service personnel (fire, police, and EMS) to review and discuss the operation and decommissioning processes, including unique equipment, the overall process, as well as schedule/phasing. Any hazardous materials that may be present during each phase will be discussed. Ongoing communication between town officials and police, fire, and emergency services officials, will help assure adequate levels of protection. Based on relevant experience and professional judgment, LSE Lepus believes that the following types of hazards (most of which are incidental due to infrequent maintenance/construction activities) have the potential to occur at the Project site:

- Fire
- Worker accidents, including falls and electrocution
- Medical conditions/emergencies
- Lightning strikes
- Excavation cave-ins
- Spills of Hazardous Materials, including:
  - Gasoline
  - Diesel
  - Hydraulic oil
  - Lubricating oil and grease
  - Cleaning solvents

LSE Lepus is committed to protecting the community, personal property, and the environment in adherence to all applicable local, state and federal emergency response laws and regulations.

#### **Emergency Contact Information**

LSE Lepus personnel, including a specified Emergency Response Coordinator, will be available to the Project and may be utilized to assist during emergency situations and/or provide first aid as needed. For all emergency services including hospital, fire etc. call 911. During operation of the facility, a phone number where a LSE Lepus representative can be reached 24 hours a day will be established and provided to local emergency personnel along with the location of the nearest hospital.

#### **Internal Alerting**

The following procedures will be prescribed for internal reporting of emergencies:

- Once notified by local emergency service personnel, the Emergency Response Coordinator will notify any on-site personnel, including any visitors, of the nature of the emergency via telephone.
- The Emergency Response Coordinator will specify the location for the first responders, if they are not already present onsite. A designated employee or contractor will meet the emergency response personnel at the access road of the emergency.
- The Emergency Response Coordinator will notify local emergency personnel, if not already present, of the emergency using the contact information to be provided.

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- The Emergency Response Coordinator will identify any need for security measures at the Project area during the emergency and will designate one person to implement.
- When any person, identifies an emergency situation, or the potential for an emergency situation, and reports it to the Emergency Response Coordinator or his/her designee, the Emergency Response Coordinator will then activate the Plan.

### **External Alerting**

The following procedures will be prescribed to for external reporting of emergencies:

- If immediate emergency response assistance is required, the Emergency Response Coordinator or his designee will call 9-1-1.
- A member of management or the Emergency Response Coordinator or his/her designee are the only persons authorized to speak on LSE Lepus' behalf to outside agencies (police, fire department, medical services etc.) during an emergency situation.
- In the event of a spill of a hazardous material in excess of reportable limits, the spill must be reported to the Department of Environmental Protection or relevant federal authority

### **Emergency Response Procedures**

Medical Emergency or Personnel Injury:

- Provide First Aid to all injured employees or contractors regardless of severity.
- First Aid kits will be maintained in the office trailers onsite. First Aid kits are to be inspected and restocked as needed following usage.
- Call 911 if the injury is serious and needs immediate medical treatment.
- For local emergency response assistance, a designated employee or contractor will meet the emergency responders at the access road of the tower site and direct them to the location of the emergency/injured employee.
- The designated employee or contractor should have a hand held orange safety flag to use to get the attention of the responding emergency services.
- Regular inspection of fire extinguishers, if required by the local fire department, at all facility locations where they are installed.

### **Fire**

If a fire exists at a Project facility, personnel or contractors will be instructed to:

1. Shutdown the facility.
2. Restrict the area.
3. Request assistance from fire fighting personnel, if needed, in controlling the fire.
4. If local emergency response personnel are required, have an employee go to the access road of incident site, to meet emergency personnel and direct them to the fire.
5. Employee should have a hand held orange safety flag to use to get the attention of the responding emergency services.

### **Chemical Spill/Release**

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Cautionary labeling will be provided for any hazardous chemicals and the associated Material Safety Data Sheets (MSDSs) will be provided accordingly.

1. The MSDSs for all hazardous materials on the Project area are to be provided to local fire departments and emergency service providers upon request
2. Small spills should be cleaned up immediately by using absorbent materials such as hay, sand, socks or pads.
3. If the spill is of such magnitude that it cannot be contained, the Emergency Response Coordinator will contact the appropriate authority for assistance.
4. Personnel and contractors will be instructed to report all spills, regardless of severity, to the Emergency Response Coordinator.

### **Site Restoration/Remediation**

If any accident or incident at the Project area necessitates site restoration or remediation, the restoration/remediation will be conducted according to applicable federal, state and local requirements.

### **Incident Report**

After every accident or incident, the Emergency Response Coordinator or designee will conduct a post incident evaluation to determine the following:

1. Suitability of the organization's structure, equipment, communication plans/system, adequacy of training, alarm systems, security, spill containment and recovery procedures, monitoring, etc.
2. If any of the above are found to be inadequate, then the Emergency Response Coordinator will make necessary changes.

### **Safety Training**

On-site training for local emergency personnel may be given, at their request, by the Emergency Response Coordinator or their designees regarding the content, requirements, and appropriate actions to comply with the provisions of the Plan.

The training will occur:

1. At the Project area
2. When there are changes to the plan;
3. At the request of local emergency personnel;
4. When Emergency Response Coordinator determines.

### **Recording of Responders Complaints**

1. Any and all complaints from responders will be kept in both a log book and an electronic log.
2. Names, address, telephone numbers, the date and time of all responders issuing a complaint will be logged.
3. The nature of the responder's complaint will be logged.
4. Assurance will be provided to all responders that complaint has been mitigated and will not reoccur.