

Selectboard Meeting
Monday, October 7, 2019
Town Hall, 334 Main Street
Great Barrington, Massachusetts

Present:

Selectboard

S. Bannon
E. Abrahams
B. Cooke
K. Burke
L. Davis

Town Manager

Mark Pruhenski

Asst. Town Manager

Chris Rembold

5:33 PM - OPEN MEETING

1. CALL TO ORDER: S. Bannon called the meeting to order at 5:33 PM

1. Recommendation from LMITF:

Brandee Nelson gave a presentation of the work of the committee for the health of Lake Mansfield, to increase the water quality, public safety, and stewardship of the area(s).

-2016 Recreation Area Plan

-One long term recommendation is stopping traffic on the road from the boat launch to 30 Lake Mansfield Road; approximately 1000 feet of roadway. This stretch of roadway is most damaged, is closest to water/ lake's edge, parts of asphalt crumbling into lake, between wetlands area, the use of winter sand and salt entering water, upsetting the ecological balance.

DPW Superintendent opinion, S. Van Deusen, is to pave the area to protect the lake from additional asphalt going into the water, though beyond that the lake's side needs to be built up. Both DPW and LMITF agree that lake health and bank stability is most important, and that the crumbling road is not ideal, new pavement is short term solution to the problem.

C. Rembold, Asst. Town Manager, stated that repaving road doesn't hinder any subsequent grant applications or approvals used for construction purposes. First, design grants have to be applied for and the work completed before any construction grants can be applied for; it could take approximately two years for the grant monies to come through.

Discussion ended.

~ L. Davis made motion to pave the Lake Mansfield Road, and then close the road, on or before November 2019, to all vehicular traffic (even emergency vehicles). B. Cooke 2nd Motion.

Vote: 3 no (S. Bannon, E. Abrahams, K. Burke) 2 yes (B. Cooke, L. Davis); Motion failed.

~Motion made by E. Abrahams that the decision of the previous meeting to pave the road and allow one lane traffic, K. Burke 2nd; vote: 3, yes (S. Bannon, K. Burke, E. Abrahams), 2 no (L. Davis, and B. Cooke).,

2. Approval of Minutes:

- September 16, 2019: approved 5-0
- September 23, 2019: approved with 3 changes 5-0
 - change guest name to " Good Man"
 - letter read, written by" Brandee" not "Randy".
 - Media: Eileen Mooney, " update Town website ".

3. Selectboard Announcements/ Statements:

~L. Davis, thanked Adam Hinds, for naming her to attend the upcoming seminar on October 22-23, 2019. EDC will meet October 3, 2019.

4. Town Manager's Report:

M. Pruhenski, stated that Real Estate Tax bills are about two weeks behind schedule. Both Sewer and Real Estate tax bill will be mailed out shortly.

- October 18, 2019 is the W. E. B DuBois, 50th Anniversary celebration, at his birth site. Parking and shuttles available from the Great Barrington Airport. Information on website.

5. Licenses or Permits:

- A. Jeffery Blaugard / Braise Worthy Catering, for permission to operate a food truck in front of Lee Bank at 279 Main Street and corner of Church Street, on October 16th, 2019, from 3:30 pm. – 7:00 pm. for private event.

Discussion: Vendor, would like approximately two parking spots for truck and 30 minutes for break down after the said event.

Vote: B. Cooke made motion to approve, K. Burke 2nd ; Vote: 4-0-1. E. Abrahams abstained.

- B. Pascual Francisco/ Donaji Mexican Restaurant for Temporary One Day Sunday Entertainment License for October 13, 2019 from 6:00 pm. – 8:00 pm. at 389 Stockbridge Road.

Vote: E. Abrahams made motion to approve, B. Cooke, 2nd, All in favor, (5-0).

6. Old Business:

- A. Selectboard to schedule date for next "Goal Setting" meeting.
Agreed on December 2, 2019, 6 pm. at Town Hall, Great Barrington.
All in favor (5-0).

7. New Business:

- A. Selectboard recommendation to Zoning Board of Appeals (ZBA) on Special Permit Application of Jenise and Mark Lucey, to alter nonconforming residential structure at 415 Monterey Road, Great Barrington.

Vote: E. Abrahams made a motion to send a favorable recommendation to the Zoning Board of Appeals, B. Cooke, 2nd, Vote all in favor (5-0).

- B. Selectboard recommendation to the Zoning Board of Appeals (ZBA) on the Appeal of the Building Inspector's Cease and Desist Order filed by Duncan Stafford, 200 Maple Avenue, Great Barrington.

Discussion: Since 2005, the applicant has parked work vehicles there, no complaints by neighbors.

Vote: E. Abrahams made motion to send a favorable recommend to Zoning Board of Appeals, with a condition that Stafford Tree Services, run by Duncan Stafford, can use

200 Maple Avenue, for 2 years, from approval, to park no more than the current number of vehicles, and if the business is sold, the condition does not transfer to the new owner(s). B. Cooke, 2nd, Vote All in favor (5 – 0).

- C. Selectboard recommendation to the Zoning Board of Appeals (ZBA) on Special Permit Application of Robert W. Brownson, 495 Home Road, Sheffield, to extend a pre-existing nonconforming use, to allow a solid waste hauler operation at 57 Van Deusenville Road, Great Barrington.

~ Discussion: moved there about 5 years ago, when the Bailey's owned property, they since have sold to the new owners. He just needs place for 7 trucks, to continue to work.

~Vote: E. Abrahams made motion to to give positive recommendation to the Zoning Board of Appeals, that Robert Brownson can park his current seven vehicles, no increase, and if the business is sold, this is not transferable to the new owner(s).

B. Cooke 2nd Motion. Vote All in favor (5 -0)

8. Public Hearings:

- A. Special Permit application from 79 Bridge Street Realty, LLC, to modify Special Permits 848 - 15, A, B, C, D, and E, to reflect proposed modifications to the proposed hotel project at 79 Bridge Street. This application is filed per Sections 3.1.4 C (8), 6.1, 7.10, 9.1, 9.2, 9.4, and 10.4, of the Great Barrington Zoning Bylaw.

a. Open Public Hearing:

Motion is to Open; E. Abrahams, B. Cooke, 2nd, roll call: L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen.

- b. Explanation of the project: Attorney Kathleen McCormick spoke on behalf of the 79 Bridge Street Realty, LLC, to update the Hotel project. It will now be an 88 room hotel, no restaurant, no bar, conference room from 4000 square feet to 1200 square feet. The gym part of old school will be removed, annex part of school removed, roof line remain the same, the porch will be modified to smaller proportions, there are 101 parking spots (88 required), no change in water, sewer, emergency or fire systems, asbestos and lead removed, worked with the Historic Commission to keep the history of the school building.

Would like to modify the loading docks from 3 to 0. Not needed without restaurant, doesn't change or impact plans.

~ Jim Scalise, spoke, repeated the narrower porch, a landscape buffer on side of building to rain water collection, more parking spots, electric and compact sized car parking. He said they had gone to Board of Health , Planning Board and the ZBA.

c. Speak in Favor/ Opposition:

•Holly Hamer, Seekonk Cross Roads, Great Barrington; brought up concern of the replacement windows, for back of the building. She wanted to express that keeping with the original style and type of materials are important for authenticity of historical integrity. Has seen times where intentions not enforced.

•K. Burke, asked about what the easement for the building was

Kathleen McCormick said that it was a public building, there was accessible areas for sewer, water, to repair; now privately owned, had to make certain that the public services could have access.

- d. Motion to Close Public Hearing: E. Abrahams made motion to close hearing, B. Cooke, 2nd the Motion. Roll call; L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor (5 – 0).

- e. Motion re: Findings
 - f. Motion re: Approval/Denial/Table: E. Abrahams made motion to approve the changes proposed in Special Permits 848 – 15, A, B, C, D, E, to proposed hotel project at 79 Bridge Street, B. Cooke, 2nd Motion. Roll call; L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen, All in favor, (5 – 0).
- B. Special Permit application from Green Houses Partners, LLC, 70 Rowe Road, Great Barrington, to install in-ground swimming pool at 27 Humphrey Street, Great Barrington, in accordance with Sections 3.1.4 G (12) and 10.4 of Great Barrington Zoning Bylaw.
- a. Open Public Hearing: E. Abrahams made motion to open hearing, B. Cooke, 2nd. Roll call, L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor, (5 – 0).
 - b. Explanation of project: Bobby Houston, 30 Railroad Street, Great Barrington, has gone to Planning Board and Board of Health.
 - c. Speak in Favor/ Opposition
 - d. Motion to Close the Public Hearing : Motion made by E. Abrahams, B. Cooke 2nd Motion. Roll call, L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen, All in Favor, (5-0).
 - e. Motion re: Findings
 - f. Motion re: Approval/ Denial/ Table: Motion to Approve the installation of in-ground swimming pool at 27 Humphrey Street, made by E. Abrahams, 2nd by B. Cooke; Roll call, L. Davis, K. Burke, N. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor (5 – 0).
- C. To consider removing three public shade trees at 344 Main Street on Town owned property, shown on Assessor's Map 19, Lot 91, in Great Barrington. The trees scheduled for removal are a 10 inch in diameter Norway Maple, a 15 inch in diameter Weeping Cherry, and a multi stem Locust.
- a. Open Public Hearing: E. Abrahams made motion, B. Cooke made 2nd, Roll call, L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen, All in Favor, (5 – 0).
 - b. Explanation of Project: S. Van Duesen, Department of Public Works, described the three trees for planned removal and their location on public grounds. Four new trees would be planted around perimeter of the area, to provide the shade the other trees provided.
 - c. Speak in Favor/ Opposition: Holly Hamer, Seekonk Cross Roads, Great Barrington, spoke to the Locust tree. She said that while she would like to keep the tree, she understood why it is coming down and she is glad that 4 new trees will be planted. Micheal Piretti, Seekonk Cross Roads, Tree Committee member, spoke that Oak trees would grow fairly rapidly, to provide shade. Ilana Siegal, Great Barrington, wants the Giggles Park, more accessible for children.
 - d. Motion to Close Public Hearing: E. Abrahams made motion to close Public Hearing, B. Cooke, 2nd Motion. Roll Call; L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor, (5 – 0).
 - e. Motion re: Findings
 - f. Motion re: Approval/ Denial/Table: E. Abrahams made motion to remove the three trees, as described, and plant four new trees, by Tree Committee, B. Cooke, 2nd the Motion; Roll Call, L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor (5 – 0).
- D. Application of Mooncloud LLC dba Mooncloud, William John Paul, Manager for new Common Victualler Restaurant All Alcoholic Liquor License with seasonal outdoor patio

seating at 47 Railroad Street, Unit 1A, Great Barrington.

- a. Open Public Hearing: E. Abrahams made motion to open Public Hearing, B. Cooke, 2nd; Roll Call, L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor, (5 – 0).
 - b. Explanation of the Project: William John Paul and Kathleen McCormick, Esq. spoke on the 900 square foot space, includes a bathroom, 22 seats inside, 12 outdoor seats (seasonal) on the patio in front, and small plates of seasonal foods served. William John Paul will be the Manager of the restaurant.
 - c. Speak in Favor/ Opposition; no comments
 - d. Motion to Close Public Hearing: E. Abrahams made motion to Close Public Hearing, B. Cooke, made 2nd Motion; Roll Call; L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor, (5 – 0).
 - e. Motion re: Findings
 - f. Motion re: Approval/Denial/Table: E. Abrahams made motion to Approve the Common Victualler All Alcoholic Restaurant Liquor License and for W. J. Paul to be named as the Manager, B. Cooke, 2nd Motion; Roll Call; L. Davis, K. Burke, B. Cooke, E. Abrahams, and S. Bannon, Chairmen; All in Favor, (5 – 0).
9. Citizens Speak: Cory Sparks, accompanied by his attorney, who read a letter pertaining to his client's resignation as Head Groundskeeper for Town of Great Barrington in 2018. The letter outlines Mr. Sparks employment and the incident(s) leading up to his resignation. It detailed the feelings he had surrounding the conflict and his experience after leaving the Town's position.
- Citizen - would like to see more garbage receptacles by the Fire Department.
 - Citizen from Crimson Lane, Great Barrington, wants to know why Town closed all the bridges? Feels that the bridges are not in " bad" shape.
10. Selectboard Time: no comments
11. Media Time: no comments
12. Adjournment: E. Abrahams made motion to adjourn the meeting, B. Cooke, 2nd Motion; All in Favor; (5 – 0). Meeting ended at 8 pm.

Respectfully submitted



J. M. Minacci