

Selectboard Regular Meeting via Zoom and in person at 334 Main Street Great Barrington MA
Monday, May 22, 2023

1. CALL TO ORDER SELECTBOARD REGULAR MEETING – Chairman Bannon opened the meeting at 6:00pm with Selectboard members: Steve Bannon, Leigh Davis, Ben Elliott, Eric Gabriel, Garfield Reed present. Also in attendance: Town Manager Mark Pruhenski.

2. APPROVAL OF MINUTES

a. March 1, 2023 Budget Meeting Minutes

L. Davis made a motion to approve the March 1, 2023 budget meeting minutes; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 3-0; L. Davis and B. Elliott abstained.

b. May 10, 2023

L. Davis made a motion to approve the minutes of May 10, 2023; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS

a. L. Davis stated there is a Housing Subcommittee meeting on May 30 at 5:30pm at which there will be a reorganization and continued discussion on housing initiatives.

4. TOWN MANAGER'S REPORT

a. Housatonic Water Works – M. Pruhenski stated there are no updates, but an executive session will be scheduled soon.

b. Memorial Day – M. Pruhenski stated local veteran's organizations will not be hosting a parade this year, but will hold ceremonies at Housatonic Cemetery at 10:00am and at Town Hall at 11:00am on May 29.

c. Building Commissioner and Library Director – M. Pruhenski stated Ed May is retiring on August 18 - expressed the Town's gratitude for his years of service and wished him well. M. Pruhenski also stated Library staff Samara Klein and Talya Leodari will be stepping down and expressed his best wishes to them. He stated both positions would be posted.

5. LICENSES AND PERMITS

a. Continued: Adrian Misacango of The Elm restaurant for an Annual Weekday Entertainment License at 20 Railroad Street, Great Barrington from Monday to Saturday 5:00 PM to 10:00 PM.

A. Misacango stated the restaurant is applying to offer live music one night a week and a comedy show for weekend brunch – he noted it would not be a club or late nights.

L. Davis made a motion to grant an Annual Weekday Entertainment License to Adrian Misacango of The Elm restaurant at 20 Railroad Street from Monday to Saturday 5:00 PM to 10:00 PM; E. Gabriel seconded. S. Bannon asked for any discussion – B. Elliott noted the application indicates multiple activities – A. Misacango replied there would not be any events beyond what was presented. All in favor: 5-0.

b. Continued: Adrian Misacango of The Elm restaurant requesting an Annual Sunday Entertainment License at 20 Railroad Street, Great Barrington from 9:00 AM to 11:59 PM.

L. Davis made a motion to grant an Annual Sunday Entertainment License to Adrian Misacango of The Elm restaurant at 20 Railroad Street from 9:00 AM to 11:59 PM; E. Gabriel seconded. S. Bannon asked for any discussion – it was clarified that all entertainment would be indoors. All in favor: 5-0.

c. Melanie Greenberg for a Driveway Permit application for 267 Long Pond Road.

Walter Cudnohufsky presented stating this is a request to move the curb cut further down the street with a 20-foot opening – he added he had met with Joe Aberdale who was in agreement with the plan. M. Pruhenski stated the application is for a 20-foot opening which is 4 feet more than allowable – and if the Selectboard approves the permit, it should acknowledge the waiver.

L. Davis made a motion to approve the driveway permit application at 267 Long Pond Road to Melanie Greenberg with the conditions as stated and to include a waiver of the maximum 16-foot width; E. Gabriel seconded. S. Bannon asked for any discussion – E. Gabriel asked if J. Aberdale approved the extension and expressed concerns about setting a precedent – M. Pruhenski replied any such request would come to the Selectboard for approval. S. Bannon acknowledged the concern and that J. Aberdale is not making a recommendation, but he noted there are no objections. W. Cudnohufsky stated the larger span is being requested to provide safer exiting from the driveway. All in favor: 5-0.

d. Juanita O'Rourke of the Cove for the Backstage Grille requesting to amend their 2023 annual Common Victualler license by adding outdoor seating for approximately 50 at the North West corner of the building at 109 Stockbridge Road;

J. O'Rourke stated this is to have picnic tables outside.

L. Davis made a motion to grant to Juanita O'Rourke for the Cove for the Backstage Grille to amend their 2023 annual Common Victualler license by adding outdoor seating for approximately 50 at the Northwest corner of the building at 109 Stockbridge Road; E. Gabriel seconded. S. Bannon asked for any discussion – it was clarified this is only for food outside and alcohol would not be served. All in favor: 5-0.

e. Emily Williams of Stylin Franks LLC for an annual Common Victualler license at 290 Main Street Great Barrington for a hot dog cart.

E. Williams stated this is the same request as last year to be situated in the alley in the 290 block on Main Street.

L. Davis made a motion to grant an annual Common Victualler license to Emily Williams of Stylin Franks LLC at 290 Main Street for a hot dog cart; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

f. Shivadas Guthrie for the Guthrie Center, 2 Vandeusenville Road requesting 17-one day Beer and Wine Licenses from 6PM to 11:55PM on the following days; May 27; June 3; June 10; July 1; July 8; July 15; July 22; July 29; August 5; August 12; August 19; August 26; September 2; September 9; September 16; September 23; September 30.

S. Guthrie stated this is for the summer concert series which would feature local and national performers - and is requesting to serve beer and wine.

L. Davis made a motion to grant 17-one day Beer and Wine Licenses from 6PM to 11:55PM for the dates as stated to Shivadas Guthrie for the Guthrie Center, 2 Vandeusenville Road; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

g. Karen Beckwith of Great Barrington Fish & Game, 338 Long Pond Road for a one-day beer and wine license for their Father's Day Lobster Shoot on June 18, from noon to 6PM.

K. Beckwith stated this is the same event held every Father's Day.

L. Davis made a motion to grant a one-day beer and wine license for the Father's Day Lobster Shoot on June 18, from noon to 6PM to Karen Beckwith of Great Barrington Fish & Game, 338 Long Pond Road; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

h. Great Barrington Land Conservancy for Permission to use Town Roads for their annual Run for the Hills Event on Sunday October 1, 2023.

Jane Angelini stated this is the 13th annual 5K/10K run starting at the Kilpatrick Center, ending at Seekonk Road and returning to Kilpatrick Center for an awards ceremony.

L. Davis made a motion to grant Great Barrington Land Conservancy Permission to use Town Roads for its annual Run for the Hills Event on Sunday October 1, 2023; E. Gabriel seconded. S. Bannon asked for any

discussion – it was confirmed that there is a path/police directing participants back to Kilpatrick and water stations and medical care are available. All in favor: 5-0.

S. Bannon stated there are 20 attendees and 6 panelists at the meeting.

6. NEW BUSINESS

- a. SB vote to appoint new Tree Committee Member

L. Davis made a motion to appoint Brooke Davida to the Tree Committee; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

- b. Special Permit: Review and recommendation to the Zoning Board of Appeals on the Special Permit application from Berkhill 777 LLC, c/o Susan Shoval, to expand an existing nonconforming residential use on the second floor of 777 Main Street, Great Barrington, in accordance with Sections 5.2 and 10.4 of the zoning bylaw.

Peter Puciloski, Esq., Lazan Glover & Puciloski, presented stating the second floor apartments were installed without a building or occupancy permits and granting this Special Permit is the first step in rectifying the situation - and then working with the building inspector to understand what upgrades are needed. He noted there are currently four occupants and rents are low.

L. Davis made a motion to make a recommendation to the Zoning Board of Appeals on the Special Permit application from Berkhill 777 LLC, c/o Susan Shoval, to expand an existing nonconforming residential use on the second floor of 777 Main Street, Great Barrington, in accordance with Sections 5.2 and 10.4 of the zoning bylaw; E. Gabriel seconded. S. Bannon asked for any discussion – there was none. All in favor: 5-0.

7. CITIZEN SPEAK TIME

- a. Eileen Mooney asked when the Selectboard meets in executive session on Housatonic Water Works is there correspondence with HWW as a result of the session – S. Bannon replied that has happened in the past, but no response has been received from HWW.
- b. Claudia Shapiro, 78 Egremont Plain Road, inquired about the Berkshire Aviation Special Permit decision and the copy she received. She had additional concerns about Airport operations and potential expansion and referred to changes in the Zoning Bylaws. She also raised concerns about the Rest of River settlement and clean up - and noted harassment from others in the community.

8. SELECTBOARD'S TIME

- a. E. Gabriel stated Party in the Park would be held on June 10, 11:00am-3:00pm in the park in Housatonic.

9. MEDIA TIME – No media asked to speak.

10. ADJOURNMENT - Chairman Bannon adjourned the meeting by unanimous consent at 6:35pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk