

Jennifer Tabakin
Town Manager

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Great Barrington, MA 01230

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER SELECTBOARD'S MEETING AGENDA

MONDAY, AUGUST 27, 2018

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:

April 23, 2018 Regular Meeting
June 4, 2018 Regular Meeting
June 28, 2018 Regular Meeting

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

4. TOWN MANAGER'S REPORT:

A. Department Updates

B. Project Updates

- Update on Downtown Street Improvements

5. PUBLIC HEARINGS:

A. FY 2019 Tax Classification Hearing. (Discussion/Vote)

- a. Open Public Hearing
- b. Explanation of Project
- c. Speak in Favor/Opposition
- d. Motion to Close Public Hearing
- e. Motion re: Findings
- f. Motion re: Approval/Denial/Table

6. LICENSES OR PERMITS:

A. Jane Ralph/Construct Inc. for permission to hold Annual WALK to Prevent Homelessness on Sunday, September 23, 2018 at 1:00 pm starting at Ski Butternut and ending at 3:30 pm at Great Barrington Fairgrounds. (Discussion/Vote)

B. Robin Vickery/Great Barrington Fish and Game for Ten (10) One Day Beer and Wine Liquor Licenses for every Sunday from September 16 to November 18, 2018 from

11:00 am – 6:00 pm at 338 Long Pond Road. (Discussion/Vote)

C. Carrie Chen, Manager/Berkshire Pleasure, LLC d/b/a The Barrington for 2018 Innholders License at 281 Main Street. (Discussion/Vote)

D. Kamleshkumar Patel/1 Shree-3 LLC for 2018 Common Victualler License at 229 Stockbridge Road. (Discussion/Vote)

7. OLD BUSINESS:

A. Agricultural Commission – Presentation of Great Barrington Pollinator Action Plan.

B. SB – **Continuation** - Review of Selectboard’s Policies and Procedures.
(Discussion/Vote)

C. SB – **Continuation** of Selectboard’s Assignments. (Discussion/Vote)

D. SB – **Continuation** – Review and Approve the Mission of the Economic Development Committee. (Discussion/Vote)

8. NEW BUSINESS:

A. SB – Appointment of member to the Agricultural Commission. (Discussion/Vote)

B. SB – Appointment of member to the Tree Committee. (Discussion/Vote)

C. SB – Request Mass DOT to grant permission to Town to paint the Crosswalks on Main Street. (Discussion/Vote)

D. SB – To Seek Volunteers to Serve on a Task Force to Assess Options for Local Regulations pertaining to Airbnb Rentals. (Discussion/Vote)

E. SB – To Consider Revision of Local Policy regarding the number of Beer and Wine Package Store Liquor Licenses. (Discussion/Vote)

F. SB – To Form WEB DuBois Committee. (Discussion)

G. SB – To Assign Board members (Steve Bannon and Ed Abrahams) to Select a Consultant Firm to Assist with Town Manager Hiring Process. (Discussion/Vote)

H. Tom Doyle and Eric Steuernagle/Berkshire County Board of Realtors – Update SB on the upcoming Housing Summit.

9. CITIZEN SPEAK TIME:

10. SELECTBOARD’S TIME:

11. MEDIA TIME:

12. ADJOURNMENT:

13. CONVENE INTO EXECUTIVE SESSION and Not to Return to Open Session

Town Manager’s Conference Room

Executive Session, under MGL c.30A, §22(g)(1) to review the executive session minutes and under MGL c.30A, §21(a)(3) and (6), to discuss litigation strategy relating to pending litigation known as (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134 and (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket

No. 2018MISC000240 and to discuss the potential purchase, exchange, lease or value of real property relating to land known as 11 Roger Road, if the Chair declares that an open meeting may have a detrimental effect on the Town's litigating and/or negotiating position. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.

Chair's Declaration:

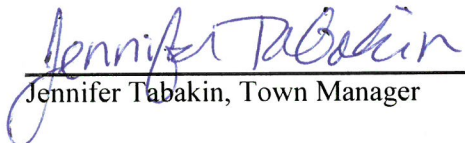
I declare, under MGL c.30A, §22(g)(1) and under G.L. c.30A, §21(a)(3) and (6), that the purpose of the executive session will be review executive session minutes and to discuss litigation strategy regarding pending litigation concerning 11 Roger Road known as: (1) Belanger v. Zoning Board of Appeals, Berkshire Superior Court, C.A. No. 1876CV00134 and (2) GJO, LLC v. Zoning Board of Appeals, et al., Land Court Docket No. 18MISC000240 and to discuss the potential purchase, exchange, lease of value of real property known as 11 Roger Road because discussion of the foregoing in open session could have a detrimental effect on the litigating and/or negotiating position of the Town with the Board to **Not to Return To Open Session** at the conclusion of the executive session.

Motion Convening the Executive Session:

I **move** that the Select Board go into executive session under MGL c.30A, §22(g)(1) and under M.G.L. c.30A, §21(a)(3)and (6) for the purposes and reasons declared by the Chair and with the Board and **Not to Return To Open Session** at the conclusion of the Executive Session.

Roll Call Vote:

NEXT SELECTBOARD'S REGULAR MEETING: Monday, September 17, 2018, 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.

LEGAL NOTICE
TOWN OF GREAT BARRINGTON, MA
FY 2019
TAX CLASSIFICATION HEARING

Notice is hereby given that the Great Barrington Selectboard and the Great Barrington Fire District Prudential Committee will hold a joint Tax Classification Hearing to determine their respective FY 2019 property tax rates. The hearing will be held Monday, August 27, 2018 at 7:15 PM in the Selectboard Meeting Room at Town Hall, 334 Main Street, Great Barrington. The hearing will be followed by a vote of the Selectboard and the Prudential Committee.

Stephen Bannon, Chair, Selectboard
Walter F. Atwood III, Chair, Prudential Committee

Please publish August 3, 2018



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

BOARD OF ASSESSORS

EXECUTIVE SUMMARY

TITLE: FY 2019 Tax Classification Hearing Held August 27, 2018

BACKGROUND: At the Tax Classification Hearing the Selectboard is required to vote to implement one or a combination of four classification options for distributing the tax levy among property owners. The options are: **1) Open Space Discount, 2) Residential Exemption, 3) Small Commercial Exemption or, 4) Single or Split Tax Rate.**

The Town currently has a single tax rate with no exemptions or discounts given to specific classes of property. A vote to grant discounts or exemptions to specific property classes will result in a higher tax rate for non-qualifying property owners as the tax burden is shifted away from the exempted recipients. A vote in favor of more than one option will result in different tax rates for different property classes. **Regardless of the classification option(s) chosen the amount of the overall tax levy will not change.**

Historically and as part of their annual budget policy, the Selectboard and Finance Committee has endorsed the single tax rate option providing no exemption or discount to a particular property class or group. Voting a residential factor of 1.00 affirms a single tax rate and the proportionate sharing of the tax levy between all classes of property. Voting a residential factor of less than 1.00 would split the tax rate, thereby shifting the tax burden away from the residential class and onto commercial, industrial and personal property owners. Two separate tax rates would be created, a lower tax rate for residential and open space and another, higher tax rate, for commercial, industrial and personal property owners. Land enrolled in Ch. 61, 61A or 61B would be subject to the higher tax rate as it will be classified as commercial for taxation purposes.

Exemption & Discount Options

Open Space Discount

Open Space is defined as land maintained in an open or natural condition and must contribute significantly to the benefit and enjoyment of the public. It does not include lands taxable under the provisions of MGL Chapter 61, 61A, or 61B, lands with a permanent conservation restriction or lands held for the production of income. The Open Space discount is up to 25% of the selected residential factor. By discounting a certain percentage of value attributable to Open Space the tax levy burden is shifted onto residential rate payers thereby increasing their tax rate. Presently, no lands are classified as Open Space because those that might benefit receive a greater discount by enrollment in Chapter Land options.

Recommendation: The Board of Assessors does not recommend adoption of the Open Space Discount

Residential Exemption

The *Residential Exemption* grants an exemption to property that is the principal residence or domicile of a taxpayer. Under M.G.L c.59, § 5C the exemption amount may not exceed 35% (\$117,218) of the average assessed value (\$334,911) of all residential class properties. Granting the exemption increases the residential tax rate as it shifts the tax burden, within the entire residential class, away from lower valued owner occupied dwellings to dwellings valued at greater than the breakeven, multi-family properties, apartment buildings, vacant land and non-domiciled property owners. Properties of domiciled taxpayers valued below the breakeven will pay fewer taxes while those valued higher will pay more. Currently, only thirteen of 351 Massachusetts communities grant Residential Exemptions. These communities typically have a large number of apartment buildings (Boston, Brookline, Cambridge, Somerville & Chelsea) or a disproportionately large number of second homes (Cape Cod & the Island communities).

Recommendation: The Board of Assessors does not recommend adoption of the Residential Exemption

Small Commercial Exemption

The *Small Commercial Exemption* may be applied to certain commercial properties whose assessment is less than \$1,000,000 and occupied by businesses certified by the Department of Employment & Training as having no more than an average of ten employees in the previous year. If adopted, up to 10% of the assessed value of an eligible property would be exempt. The property owner is the direct beneficiary of the tax savings and is not required to pass any savings onto the tenants. The total gross value of the Small Commercial Exemption is redistributed to the non-qualifying commercial property owners in the form of a higher tax rate.

Recommendation: The Board of Assessors does not recommend adoption of the Small Commercial Exemption

Single or Split Tax Rate

Adopting a *Single Tax Rate* requires the Selectboard to vote to maintain a residential factor of 1.00. A Single Tax Rate allows for all classes of property to pay only their share of the tax levy without shifting the tax burden to any particular property class. Voting to split the tax rate shifts the tax burden from the residential class to the commercial, industrial and personal property (CIP) classes and requires the Selectboard to vote for a residential factor of less than 1.00. The minimum residential factor for the Town as set by the Department of Revenue is .856539 which allows for a “CIP” shift of 1.50.

**Recommendation: The Board of Assessors recommends
adopting and maintaining a Single Tax Rate**

Notables for Fiscal Year 2019 Interim Revaluation:

Levy \$23,500,999

The total amount to be raised through taxation for FY’19 is \$23,500,999, an increase of \$1,926,507 or 8.9% over the FY’18 levy of \$21,574,492.

FY	Levy	% Change From Prior
2019	\$ 23,500,999	8.90%
2018	\$ 21,574,492	3.56%
2017	\$ 20,832,972	4.92%
2016	\$ 19,808,863	5.07%
2015	\$ 18,803,972	4.64%

Total Taxable Value \$1,494,974,463

Property Class	FY 2019	FY 2018	Difference	% Change
Residential	\$1,161,667,251	\$ 1,124,270,870	\$ 37,396,381	+ 3.3%
Commercial	\$ 259,837,987	\$ 250,975,136	\$ 8,862,851	+ 3.5%
Industrial	\$ 13,290,300	\$ 13,080,100	\$ 210,200	+ 1.6%
Personal Property	\$ 60,178,925	\$ 51,893,645	\$ 8,285,280	+ 16.0%
Total	\$1,494,974,463	\$ 1,440,219,751	\$ 54,754,712	+ 3.8%

Tax Rate \$15.72

The tax rate is calculated by dividing the tax levy (\$23,500,999) by the total value of all taxable property (\$1,494,974,463) x 1000. This yields a tax rate of \$15.72 per \$1,000 of valuation, an increase of ¢0.74 from last year's rate.

FY	Tax Rate	Change From Prior
2019	\$15.72	¢0.74
2018	\$14.98	¢0.38
2017	\$14.60	¢0.31
2016	\$14.29	¢0.57
2015	\$13.72	¢0.16

Excess Levy Capacity \$729,887

Excess levy capacity is the difference between the maximum allowable levy and the amount levied. It is also the amount of additional monies the Town is allowed to raise through taxation but chooses not to.

FY	Max Allowable Levy	Levy	Excess Levy Capacity
2019	\$24,230,886	\$23,500,999	\$ 729,887
2018	\$23,073,074	\$21,574,492	\$1,498,582
2017	\$22,460,695	\$20,832,972	\$1,627,723
2016	\$21,252,287	\$19,808,863	\$1,443,424
2015	\$20,492,559	\$18,803,248	\$1,689,311

New Growth \$36,207,737/\$542,392

New growth is value created through the construction of new homes, additions, substantial remodels or the creation of condos. Lot splits, subdivisions, new personal property assets and an increase in non-domiciled property ownership also contributes to new growth. The impact new growth has on expanding the levy limit is calculated by multiplying new growth value (\$36,207,737) by the prior year tax rate (\$14.98). For FY'19 this yields \$542,392 in tax levy growth or new tax dollars to the Town.

FY	New Growth	Res	Comm	Ind	PP	New \$\$
2019	\$ 36,207,737	\$ 18,293,500	\$ 7,991,300	\$352,300	\$ 9,570,637	\$ 542,392
2018	\$ 21,784,685	\$ 13,180,200	\$ 2,398,240	\$ 5,700	\$ 6,200,545	\$ 318,056
2017	\$ 37,368,285	\$ 23,105,900	\$ 1,873,700	\$481,500	\$11,907,185	\$ 566,933
2016	\$ 17,748,370	\$ 13,551,100	\$ 1,146,110	\$134,800	\$ 2,916,307	\$ 243,507
2015	\$ 18,500,361	\$ 11,240,581	\$ 5,993,340	\$314,200	\$ 952,240	\$ 250,865

Median & Average Single Family Home Values \$305,650 / \$391,055

Single family home value increases are the result of \$18.3M in new growth and the ongoing cyclical inspection program. Analysis of 2017 single family arms-length sales indicated support for an upward adjustment to residential values when compared to assessments.

FY	Median Value	Median Tax	Change From Prior Yr.	Average Value	Average Tax	Change From Prior Yr.
2019	\$305,650	\$4,805	\$296	\$391,055	\$6,147	\$409
2018	\$301,000	\$4,509	\$151	\$383,072	\$5,738	\$180
2017	\$298,500	\$4,358	\$124	\$380,703	\$5,558	\$168
2016	\$296,300	\$4,234	\$195	\$377,199	\$5,390	\$252
2015	\$294,400	\$4,039	\$185	\$374,518	\$5,138	\$268

Median & Average Commercial Values \$436,550 / \$768,239

Commercial assessed values increased over the prior year by \$8.9M or 3.5% with new growth as the core driver. The median assessed value increased \$25,100 from \$411,400 to \$436,550.

FY	Median Value	Median Tax	Change From Prior Yr.	Average Value	Average Tax	Change From Prior Yr.
2019	\$436,550	\$6,863	\$700	\$768,239	\$12,077	\$1,432
2018	\$411,400	\$6,163	\$ -76	\$710,615	\$10,645	\$ 264
2017	\$427,300	\$6,239	\$324	\$711,070	\$10,381	\$ 582
2016	\$413,900	\$5,915	\$253	\$685,777	\$ 9,800	\$ 435
2015	\$414,700	\$5,690	\$ 72	\$682,551	\$ 9,365	\$ 274

CPA Revenue \$528,833

FY'19 is the fifth year a 3% surcharge will be levied against 3,882 eligible real property parcels. Estimated CPA revenue is \$528,833. For residential property owners, the first \$100,000 of assessed value is exempt from the surcharge. Commercial property owners receive no exemption benefit. The median single family home valued at \$305,650 will pay a surcharge of \$97. The median commercial property valued at \$436,550 will pay \$206.

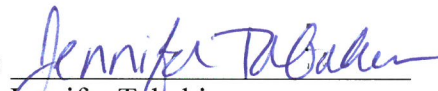
FISCAL IMPACT: Not applicable beyond the FY'19 property tax levy that be maintained at \$23,500,999.

NEXT STEPS/TIME FRAME: Vote the tax classification at the Classification Hearing held Monday August 27, 2018 which will allow the first half FY'19 tax bills to be mailed on or before October 1, 2018.

RECOMMENDATION: Adoption of a single tax rate of \$15.72 per \$1,000 of valuation for all classes of property for FY'19.

PREPARED & PRESENTED BY: 
Christopher J. Lamarre, MAA
Principal Assessor

Date: AUGUST 24, 2018

REVIEWED AND APPROVED: 
Jennifer Tabakin
Town Manager

Date: 8/24/18

Great Barrington FY 2019 What If ... Scenario Worksheet

CLASS	VALUE	% of TOTAL	R & O %
Residential	\$1,161,667,251	77.7048	77.7048
Open Space	\$0	0.0000	77.7048
Commercial	\$259,837,987	17.3808	
Industrial	\$13,290,300	0.8890	CIP %
Personal Prop	\$60,178,925	4.0254	22.2952
Total	\$1,494,974,463	100.0000%	

CLASSIFICATION OPTIONS

- 0 Residential Exempt
- 0 Small Commercial Exemption

LEVY

\$23,500,999 Estimated Levy
\$15.72 Single Tax Rate

CIP Shift	Share Percentages					Levy Amounts					Estimated Tax Rates & Median Bills						
	Res Factor	Res	Com	Ind	PP	Total	Res	Com	Ind	PP	Total	Res	Com	Ind	PP	Med. SFH Bill*	Med. Com Bill**
1.00	1.0000	77.7048	17.3808	0.8890	4.0254	100	\$18,261,404	\$4,084,662	\$208,924	\$946,009	\$23,500,999	\$15.72	\$15.72	\$15.72	\$15.72	\$4,805	\$6,863
1.05	0.9857	76.5900	18.2498	0.9335	4.2267	100	\$17,999,425	\$4,288,895	\$219,370	\$993,310	\$23,500,999	\$15.49	\$16.51	\$16.51	\$16.51	\$4,735	\$7,207
1.10	0.9713	75.4753	19.1189	0.9779	4.4279	100	\$17,737,445	\$4,493,128	\$229,816	\$1,040,610	\$23,501,000	\$15.27	\$17.29	\$17.29	\$17.29	\$4,667	\$7,548
1.15	0.9570	74.3605	19.9879	1.0224	4.6292	100	\$17,475,466	\$4,697,361	\$240,262	\$1,087,911	\$23,501,000	\$15.04	\$18.08	\$18.08	\$18.08	\$4,597	\$7,893
1.20	0.9426	73.2458	20.8570	1.0668	4.8305	100	\$17,213,487	\$4,901,594	\$250,709	\$1,135,211	\$23,501,000	\$14.82	\$18.86	\$18.86	\$18.86	\$4,530	\$8,233
1.25	0.9283	72.1310	21.7260	1.1113	5.0318	100	\$16,951,507	\$5,105,827	\$261,155	\$1,182,512	\$23,501,001	\$14.59	\$19.65	\$19.65	\$19.65	\$4,459	\$8,578
1.30	0.9139	71.0162	22.5950	1.1557	5.2330	100	\$16,689,528	\$5,310,060	\$271,601	\$1,229,812	\$23,501,001	\$14.37	\$20.44	\$20.44	\$20.44	\$4,392	\$8,923
1.35	0.8996	69.9015	23.4641	1.2002	5.4343	100	\$16,427,548	\$5,514,293	\$282,047	\$1,277,112	\$23,501,001	\$14.14	\$21.22	\$21.22	\$21.22	\$4,322	\$9,264
1.40	0.8852	68.7867	24.3331	1.2446	5.6356	100	\$16,165,569	\$5,718,526	\$292,493	\$1,324,413	\$23,501,002	\$13.92	\$22.01	\$22.01	\$22.01	\$4,255	\$9,608
1.45	0.8709	67.6720	25.2022	1.2891	5.8368	100	\$15,903,590	\$5,922,759	\$302,940	\$1,371,713	\$23,501,002	\$13.69	\$22.79	\$22.79	\$22.79	\$4,184	\$9,949
1.50	0.8565	66.5572	26.0712	1.3335	6.0381	100	\$15,641,610	\$6,126,992	\$313,386	\$1,419,014	\$23,501,002	\$13.46	\$23.58	\$23.58	\$23.58	\$4,114	\$10,294

* = Based on a Median Single Family Home Value of \$305,650

** = Based on a Median Commercial Value of \$436,550

Tax Rate - Levy - Valuation Comparison

Town	Levy	Taxable Value	Residential Rate	Commercial Rate	Single or Split Tax Rate
Great Barrington*	\$23,500,999	\$1,494,974,463	\$15.72	\$15.72	Single
Adams	\$16,521,067	\$506,841,307	\$22.21	\$25.52	Split
Amherst	\$50,712,795	\$2,898,902,300	\$21.14	\$21.14	Single
Dalton	\$11,848,477	\$595,101,816	\$19.91	\$19.91	Single
Deerfield	\$10,876,986	\$681,942,662	\$15.95	\$15.95	Single
Lanesborough	\$8,383,059	\$391,731,718	\$21.40	\$21.40	Single
Lee	\$13,538,543	\$925,395,969	\$14.63	\$14.63	Single
Lenox	\$15,248,743	\$1,200,292,500	\$12.14	\$14.98	Split
North Adams	\$16,904,531	\$725,442,800	\$18.38	\$39.85	Split
Northampton	\$57,747,167	\$3,388,918,235	\$17.04	\$17.04	Single
Pittsfield	\$85,421,615	\$3,478,372,726	\$20.01	\$39.98	Split
Stockbridge	\$8,619,281	\$883,123,028	\$9.76	\$9.76	Single
Sheffield	\$8,794,298	\$591,879,041	\$14.74	\$14.74	Single
Washington	\$1,204,504	\$81,220,762	\$14.83	\$14.83	Single
West Stockbridge	\$4,590,289	\$378,424,523	\$12.13	\$12.13	Single
Westfield	\$71,485,050	\$3,203,402,306	\$19.36	\$36.82	Split
Williamstown	\$17,530,519	\$971,219,874	\$17.94	\$17.94	Single

* GB FY'19 Proposed. All other data taken from FY'18



41 MAHAIWE STREET
GREAT BARRINGTON, MA 01230

PH 413-528-1985 | FX 413-528-0192

August 21 2018

Great Barrington Selectboard
Town Hall
Great Barrington, MA 01230

*DRT has reviewed
and has no issues. @R
8/22/18*

Dear Selectboard,

Elizabeth Rosenberg
Chair of the Board
Peter Cherneff
Vice President
Keith Solomon
Treasurer
Janet Zimmerman
Secretary

I am writing to request permission to hold our Annual WALK to Prevent Homelessness on Sunday, September 23, at 1 pm.

ROUTE:

The WALK will start at Ski Butternut and end at the Great Barrington Fairgrounds. Walkers will proceed down Route 23, walking in breakdown lane facing traffic to Belcher Square, Route 7 intersection. There will be cross guards at the Sunoco gas station to assist WALKERS crossing the IN/OUT driveway. The WALKERS will proceed south on Route 7, walking on the sidewalk, taking a left onto East Street, where there will be another cross guard assisting safe passage across and onto East Street. The WALKERS will proceed down East St, on sidewalk to the intersections of East and Bridge Streets. There will be a Check Point located in the parking lot of the St. Peter's Parish Center.

WALKERS will proceed down Cottage Street, taking a left onto Main Street, using the sidewalks, all the way to the Fairgrounds. There will be a crossing guard at the Main and Bridge Street intersection to assist WALKERS crossing Bridge Street. When the sidewalk ends near the Fairgrounds, cones will be placed in the breakdown lane to keep WALKERS safely off the highway.

PARKING:

Most will park at the start point at Ski Butternut. WALKERS will be shuttled from the Endpoint at the Fairgrounds back to their cars at Ski Butternut. Those who park at the endpoint will use the Fairgrounds parking field.

COMFORT AND SAFETY:

WALK Marshals will accompany the WALKERS along the routes. An ambulance will be on call for emergencies.

We have confirmed the route and safety issues with the Chief of Police and the Fire Chief and the Mass Highway Department.

2 portapotties will be placed at the Fairgrounds for the WALKER'S use during the endpoint celebration. One will be ADA accessible.

Jane Ralph





41 MAHAWE STREET
GREAT BARRINGTON, MA 01230

PH 413-528-1985 | FX 413-528-0192

August 21, 2018

Chief Charles Burger
Great Barrington Fire Department
Great Barrington, MA 01230

OFFICERS

- Elizabeth Rosenberg
Chair of the Board
- Peter Cherneff
Vice President
- Keith Solomon
Treasurer
- Janet Zimmerman
Secretary

Dear Chief Burger,

This is to ask your approval of this year's WALK to Prevent Homelessness route through Great Barrington on Sunday, September 23 at 1 PM.

This year's WALK will begin at Ski Butternut in Great Barrington at 1:00 pm. The WALK will end at the Great Barrington Fairgrounds in Great Barrington at 3:30pm. We expect that participants will begin to gather at Ski Butternut at 12 noon for pre-registration. Their cars will be left at Ski Butternut for the duration of the WALK. Vans will transport them from the Endpoint at the Fairgrounds back to their cars at Ski Butternut at the end of the WALK.

BOARD MEMBERS

- Michael Aiper
- Nick Arienti
- Stacey Billups
- Robert Bogomolny
- Tony Chornowski
- Jane Glaser
- Evan Hardecastle
- Nell Hirsch
- John James
- Marcia Lawrence Soltes
- Mark Rosengren
- Deborah Ryan
- Anne Schaefer
- Elaine Silberstein

At Approximately 1:00 pm the WALK will begin. WALKERS, accompanied by WALK Marshalls, will proceed along Route 23, walking in the breakdown lane, facing traffic to Belcher Square, Route 7 intersection. There will be Cross Guards at the Sunoco gas station to assist WALKERS crossing the IN/OUT driveway. The WALKERS will proceed south on Route 7 taking a left onto East Street, where there will be another Cross Guard assisting safe passage across and onto East Street. The WALKERS will proceed down East Street, using the sidewalk, taking a right onto Cottage Street to Main Street.

WALKERS will proceed south on Main St, using the sidewalks all the way to the Fairgrounds, there will be a Crossing Guard at the Main and Bridge Street intersection, assisting WALKERS through the intersection. When the sidewalk ends near the Fairgrounds, cones will be placed in the breakdown lane to keep WALKERS safely off the highway.

Jane Ralph
Executive Director

If it all possible, it would be nice to have a flashing sign slowing cars down just south of the entrance to the Fairgrounds on that day.

Thank you for your support of our WALK again this year.

Sincerely,

Jane Ralph, Executive Director

Signed: 

Police Chief, Great Barrington Police Dept.

Date





41 MAHAIWE STREET
GREAT BARRINGTON, MA 01230

PH 413-528-1985 | FX 413-528-0192

August 21, 2018

Chief Walsh
Great Barrington Police Department
Great Barrington, MA 01230

OFFICERS

Elizabeth Rosenberg
Chair of the Board

Dear Chief Walsh,

Peter Cherneff
Vice President

This is to ask your approval of this year's WALK to Prevent Homelessness route through Great Barrington on Sunday, **September 23** at 1 PM.

Keith Solomon
Treasurer

This year's WALK will begin at Ski Butternut in Great Barrington at 1:00 pm. The WALK will end at the Great Barrington Fairgrounds in Great Barrington at 3:30pm. We expect that participants will begin to gather at Ski Butternut at 12 noon for pre-registration. Their cars will be left at Ski Butternut for the duration of the WALK. Vans will transport them from the Endpoint at the Fairgrounds back to their cars at Ski Butternut at the end of the WALK.

Janet Zimmerman
Secretary

BOARD MEMBERS

Michael Aiper
Nick Arfenti

At Approximately 1:00 pm the WALK will begin. WALKERS, accompanied by WALK Marshalls, will proceed along Route 23, walking in the breakdown lane, facing traffic to Belcher Square, Route 7 intersection. There will be Cross Guards at the Sunoco gas station to assist WALKERS crossing the IN/OUT driveway. The WALKERS will proceed south on Route 7 taking a left onto East Street, where there will be another Cross Guard assisting safe passage across and onto East Street. The WALKERS will proceed down East Street, using the sidewalk, taking a right onto Cottage Street to Main Street.

Statev Billups

Robert Bogomolny
Tony Chelnowski

Jane Closer
Evan Hardcastle

Neil Hirsch
John James

Marcia Lawrence Soites
Mark Rosengren

Deborah Ryan
Anne Schiesel

Elaine Silberstein

WALKERS will proceed south on Main St, using the sidewalks all the way to the Fairgrounds, there will be a Crossing Guard at the Main and Bridge Street intersection, assisting WALKERS through the intersection. When the sidewalk ends near the Fairgrounds, cones will be placed in the breakdown lane to keep WALKERS safely off the highway.

Jane Ralph
Executive Director

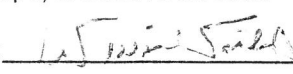
If it all possible, it would be nice to have a flashing sign slowing cars down just south of the entrance to the Fairgrounds on that day.

Thank you for your support of our WALK again this year.

Sincerely,

Jane Ralph, Executive Director

Signed:

 8-21-18

Police Chief, Great Barrington Police Dept.

Date



RECEIVED
TOWN MANAGER

AUG 16 2018

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



Fee: \$25.00 (per day)

para A
10 =
\$25.00

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: Robin Vickery

Organization Name: Gt. BARRington fish + game

Applicant's Address: 338 Long Pond Rd Housatonic

Telephone Number: 274-6291

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

Event: Annual Turkey Shoots

Date: Sept 16 - Nov 18 Start Time: 11 am End Time: 6 pm

Event Address: 338 Long Pond Rd Housatonic

Is the Event on Town property? YES NO

*every
sunday
T(10)*

PLEASE ATTACH THE FOLLOWING TO YOUR APPLICATION:

- OK* 1. TIPS or ServSafe Alcohol certification for anyone serving alcohol.
- OK* 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.)
- NA* 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.

Robin M. Vickery
Signature of Applicant

8/7/18
Date

FOR TOWN USE:

Approved _____ Denied _____ Postponed _____

AUG 21 2018

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
APPLICATION FOR INNHOLDERS LICENSE

2018

FEE: \$50.00

paid \$50.00
@ 33322 R

DATE: 8/20/18

LICENSE NUMBER: _____

TO THE LICENSING AUTHORITY:

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

OWNER(S) NAME: Berkshire Pleasure, LLC, c/o Carrie Chen, Manager

NAME OF BUSINESS: Berkshire Pleasure, LLC

D/B/A (if applicable): The Barrington

BUSINESS MAILING ADDRESS: 969 Center Hill Road, Copake NY 12516

BUSINESS TELEPHONE: 206-972-4819 HOME TELEPHONE: 206-972-4819

LOCATION WHERE LICENSE IS TO BE USED: _____

281 Main Street, Great Barrington, Massachusetts MA 01230

DAYS OF OPERATION: Monday - Sunday

HOURS OF OPERATION: 24 Hours/Day

DESCRIPTION OF PREMISES: Level 3 of 281 Main Street which consists of 7 Tourist Home Suites

NUMBER OF ROOMS: 7 tourist home suites

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 Name

By: Carrie Chen, Manager
Corporate Officer (if applicable) Berkshire Pleasure LLC

SS# _____ or FID# 33322 R

2018
**COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
APPLICATION FOR COMMON VICTUALLER LICENSE**

RECEIVED
TOWN MANAGER

AUG 20 2018

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

FEE: \$25.00 (Payable to the Town of Great Barrington) DATE: 08/01/2018
paid OK #103A

NOTICE:

As provided by MGL Chapter 140, the sale of food for immediate consumption on the premises of the vendor has an intimate relation to the public health, and such activity cannot be conducted without the proper license and permit.

TO THE LICENSING AUTHORITY:

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

OWNER(S) NAME: KAMLESHKUMAR PATEL

NAME OF BUSINESS: I SHREE-3 LLC

D/B/A (if applicable): _____

BUSINESS MAILING ADDRESS: 229 STOCKBRIDGE ROAD GREAT BARRINGTON MA- 01230

BUSINESS TELEPHONE: 781-894-8800 HOME TELEPHONE: 401-244-5821

LOCATION WHERE LICENSE IS TO BE USED: 229 STOCKBRIDGE ROAD GREAT BARRINGTON MA- 01230

DAYS OF OPERATION: 7 DAYS A WEEK

HOURS OF OPERATION: 5:00 AM TO 11:00 PM

DESCRIPTION OF PREMISES: C-STORE WITH GAS STATIONS

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.

K.m. Patel
Signature of Individual or Corporate Name

By: KAMLESHKUMAR PATEL
Corporate Officer (if applicable)

SS# _____ or FID# _____

Selectboard

Policies and Procedures

I. Selectboard Mission Statement / Values

Statement from Annual Report: The Town's executive authority is held by a five-member elected Selectboard. The Board set goals, establishes policy and formulates long-range plans for the Town. The Board exercises general supervision over all matters affecting the town's interest and welfare.

Sample Mission / DRAFT / FOR CONSIDERATION: *The mission of the Town of Great Barrington Selectboard is to ensure the safety, education and well-being of the community, to be a leader in the delivery of efficient and effective quality services that respond to community needs; to promote the continuous improvement of staff skills and performance; to encourage an environment of trust; to respect cultural and economic diversity and to preserve the historic character of the community. (Please review other sample mission statements and consider alternatives.)*

Sample Statements on Duty / Values / DRAFT for Consideration

- *Care: to ensure prudent use of all assets, including facility, people and good will.*
- *Loyalty: to advance town activities and public service to meet our mission, recognize and disclose conflicts of interest, make decisions that are in the best interest of the town as a whole, work collaboratively to reach objectives and encourage public participation.*
- *Law: to obey applicable laws and regulations; hold fair hearings; adhere to town by laws and stated mission.*

II. Selectboard Roles and Responsibilities / Organization of the Selectboard

Officers of the Board:

- Chair: Presides at all meetings of the Board. Communications and ceremonial officer of the Town. Prepare and approve the agenda, with the Town Manager. Leads meetings as per Roberts rule of order.
- Vice-Chair: The Vice-Chairman performs the functions of the Chairman in his absence. Should the Chairman resign, the Vice-Chairman automatically succeeds him/her.
- Liaison with Town Boards and Committees – assigned to one or more of the Town Boards and/or Committees, to attend meetings and activities when considered appropriate and maintain current information to be passed on to the Select Board upon request or as per regular agenda item.
- Liaison with Town Departments – assigned one or more of the Town departments to serve as a policy liaison, to maintain overall information on the department status and operations and objectives, to assist Town Manager with resolution of issues and to advise the Town Manager on overall policy and strategy. Provide expertise to Selectboard on department area to guide general oversight.
- Liaison with Outside Groups – assigned to serve as liaison or member of outside committees, to represent the Selectboard and exchange information.

- Selectboard Subcommittees: - formed by the Chair or Board members to address specific issues, strategies or projects.

III. Selectboard Roles:

Leadership, governance and oversight responsibilities: promote the town, serve as advisor to town manager, oversight of town operations, management and strategic plan, set outcomes, evaluate impacts, measure performance, review agenda.

A. Legal responsibilities:

1. chief executive branch of town government
2. coordinates with other town elected committees, "government by committee"
3. appointments on boards, committees, assignments
4. local licensing authority
5. local permitting authority
6. special permit granting authority
7. set policy and propose bylaws for town meeting warrant
8. oversee of budget preparation
9. call for town meeting and approve all warrant articles for agenda
10. sets fees
11. create general rules and regulations for town operations
12. appoint town counsel and approve legal strategy
13. sign warrants to pay all town bills (rely on dept heads to monitor day to day spending and make recommendations)
14. serve as road commissioners
15. serve as sewer commissions
16. appoint town manager
17. communications to public on issues and respond to citizen concerns

B. Annual Tasks (Start of list / more to add)

1. annual board organization: establish roles and responsibilities.
2. Selectboard appointments to boards and committees
3. Tax classification hearing – August
4. annual financial policy and budget plan
5. issue annual report
6. set policy and strategic direction
7. coordinate the activities of other boards
8. resolve problems that have not been settled at lower levels.
9. participate in the budget process
10. provide leadership in the development of the capital improvement program
11. identify town projects for CPA funding
12. set risk management policy
13. monitor financial performance of the town
14. sign payment of warrants / invoices
15. review budget policy which includes hold tax classification hearing and establish free cash policy

16. establish stabilization fund policy
17. review monthly and quarterly financial reporting
18. participate in audit process

IV. Meeting Schedule

- A. **Regular Meetings:** Regular meetings of the Selectboard shall be the second and fourth Mondays of the month. The Board shall not meet on days designated as legal holidays. When a meeting date is to be rescheduled because of a legal holiday, the Board shall agree on a date to reschedule.
**Public comment(s) is addressed in Section VIII. Citizen Speak Procedures.
- B. **Notice of Meetings:** All meetings of the Selectboard shall be duly posted in compliance with MGL Open Meeting Law requirements. The Town Manager on behalf of the Chair is responsible for providing the Agenda to the Town Clerk in accordance with the Open Meeting Law for posting on the Town's website, notice board inside and outside of the Town Hall, and notifying the media.
- C. **Meeting Procedures:**
 1. Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure. Robert's Rules of Order is used as a guide in matters requiring clarification of definition. Motions to reconsider must be made no later than the next regularly scheduled business meeting following the meeting at which the original vote was taken.
 2. A quorum shall consist of three members of the Board. At times when only three members are present, for a vote to be considered a majority, all three members must vote similarly. Approvals of Special Permits shall require a majority vote of four (4) members of the Board.
 3. Any rules or procedures as to functioning of the Board may be amended, repealed or otherwise acted upon by a majority vote, at a duly posted meeting of the Selectboard, provided a quorum of members is in attendance.
 4. Although the press and the public have the right to be present at any open meeting, they have no right to participate except during public hearings, citizen speak, or media time unless and until they are recognized by the Chair. All public inquiries shall be addressed to the Chair. The Chair is encouraged, but not required, to take public comment when appropriate.
 5. Meeting participants shall conduct themselves in a professional manner. No demonstrations or signs will be allowed in the meeting room. Individual shall refrain from verbal outbursts. Cell phones and pagers shall be turned off prior to the meeting.
 6. Anyone addressing the Board during the meeting, including citizen speak time, shall proceed to the lectern after being recognized by the Chair, and adhere to the Citizen Speak Procedure. Before speaking, they shall state their name and address. There shall be a time limit of 3 minute per speaker unless extended by the Chair.

V. The Officers of the Board

- A. **The Chair:** The Chair is chosen by fellow Selectboard members to serve a term of one year. The responsibilities of the Chair include: preparation of the agenda for all Selectboard meetings with the Town Manager, calling meetings of the Board, coordinate an annual evaluation of the Town Manager, presiding over all meetings and public hearings, recognizing others to speak during each meeting and encouraging complete discussion of all relevant issues before the Board. Being Chair does not mean the Chair forfeits the right to vote on any matter or the right to express himself as a Board member. The Chair of the Board shall sign all documents as required by law.
- B. **Vice-Chair/Clerk:** The Vice-Chair/Clerk is responsible for serving as Chair in the Chair's absence. The Clerk of the Board shall sign all documents as required by law.

- C. Designated Alternative: If the Vice Chair/ Chair are unable to perform their duties, the senior member of the board present at the time shall be designated to perform said duty.

VI. Preparing the Agenda

- A. The responsibility for preparing the agenda for the Selectboard meetings shall be the Chair, Vice Chair, and the Town Manager. Finalized agendas along with supporting background information shall normally be available no later than the close of business on the Friday of the week prior to the next scheduled meeting. The deadline for having requested items on the agenda is 12:00 P.M. the Wednesday of the week prior to the next scheduled meeting. All information relevant to the agenda topic shall also be provided by this time. All information shall be provided to the office of the Town Manager to be included in the agenda packets.
- B. Any items requested by members of the Board shall be placed on the agenda, however, the Chair, Vice Chair, and Town Manager will use discretion and may need to defer a topic to the next available meeting. Agenda items will be deferred to the next meeting if supporting documentation is received after the 12:00 PM deadline.
- C. Agenda items should include background information with the agenda packets so that Board members can review and prepare for discussion prior to the meeting. This procedure does not limit an individual member of the Selectboard from raising a concern about an issue under "Selectboard Time". However, no formal action shall be taken by the Board until a future meeting.
- D. Before raising issues publicly at a meeting, Board members should first advise the Town Manager prior to the meeting of issues, concerns, or complaints so that an appropriate response or update can be provided.

VII. Public Hearing Procedures

- A. State law and various Town bylaws require the Selectboard to hold public hearings on certain issues before any action can be taken. The Board will schedule the dates for the hearings.
- B. The Chair will open the hearing by identifying the purpose of the hearing and the rules to be followed during the hearing. The Chair will ask for a motion to open the public hearing to be voted on by members of the Board.
- C. The Selectboard has the authority to subpoena a person or relevant information.
- D. The basic format of the hearing will be:
 1. Chair shall open the public hearing
 2. Explanation of project
 3. Speak in Favor/Opposition- Note if there are any letters submitted and if they were in favor or opposition)
 4. Motion to close public hearing
 5. Motion re: findings of fact-
 6. Motion re: approval/denial/table

VIII. Approval of Licenses

- A. The applicant is strongly urged to appear at the Selectboard meeting when the license will be discussed. If no representative is present, the Board reserves its right to postpone the issue to the next business meeting of the Board or disapprove the application.
- B. If a license application is filed between Selectboard meetings, and the license, if not obtained before the next Selectboard meeting, would cause the applicant irreparable harm, the Chair will have authority to call a special Selectboard meeting. As stated above in the Meeting Procedures

section, a quorum will consist of at least three members.

IX. Board and Committee Speak Procedures

- A. All boards and committees have the right to request agenda time to address the Board members on matters related to the board or committee. Prior to the meeting, the chair of the board or committee shall provide background material on the matter(s) to be discussed along with the results of any board or committee voting on the matter(s) being presented. All members of the board or committee shall be informed by its chair of said board or committee of the matter(s) that will be presented to the Selectboard and shall be the responsibility of the chair. When a board or committee addresses the Selectboard, the chair of said board or committee should be in attendance. If the chair cannot attend, the chair shall include with the background material a statement as to who will be speaking on behalf of the board or committee.

X. Citizen Speak Procedures

- A. All citizens shall have the right to speak for a period not to exceed five (3) minutes after being recognized by the Chair unless a longer period of time is granted by the Chair.
- B. Citizens who choose to speak during Citizen Speak time shall have the opportunity to address the Selectboard once during each meeting.
- C. The speaker shall not engage in personal attacks against citizens or public officials and shall remain courteous and respectful at all times.
- D. Citizens shall speak for themselves and not speak on behalf of others who are not present unless specific permission is granted by the Chair. Generalized accusations and innuendoes will not be permitted.
- E. The Chair may rule the citizen out of order and the citizen will lose the right to speak, if the speaker fails to remain courteous and respectful.
- F. The Chair may respond to a citizen and put item on a future agenda, but is unable to problem solve or enter debate during Citizen Speak.

XI. Selectboard Response on Received Communication

The Selectboard welcomes communication through whatever vehicle is chosen by its constituents, i.e. email, written letters, phone calls, personal contact. It is the intent to handle inquiries on a timely basis (within 24 hours) when possible. Communication sent to the Town Hall shall be considered public documents. When communication is addressed to the ENTIRE Selectboard, the Vice Chair/Clerk of the Selectboard will within 1 business day confirm receipt of inquiry to the individual and inform (CC) the rest of the Board when a response has been sent, and the Chair and Town Manager shall review the matter as follows:

- A. **Routine Matters:** If the matter can be routinely handled by staff, the Town Manager shall, within 1 business day from Vice Chairs email, will contact individual adequate information including staff or proceeding information to help with said matter. For Routine matters appropriate staff should always be included in communication from Town Manager.
- B. **Non-Routine Matters:** Should the matter be a non-routine administrative matter, the Chair shall arrange that the matter be presented at the earliest convenient time as a regular agenda item of the Selectboard or schedule a meeting between the Chair and appropriate staff. The Chair shall notify the individual when the item will be on the Selectboard agenda. The Selectboard shall discuss the matter publicly and may refer the matter to the Town Manager and/or an appropriate

board/commission/committee for further investigation. Should the matter be acted upon by the Selectboard, the Town Manager shall so inform the individual. Should the matter be referred, a report from the referral entity shall be submitted at a regular meeting of the Selectboard as soon as possible.

This procedure is not intended in anyway to inhibit an individual Selectboard member from discussing any matter with his/her constituents. Individual members of the Selectboard may establish independent mechanisms for responding to inquiries including, but not limited to, forwarding the matter to the Town Manager for investigation and may forward to the Selectboard Chair also. However, those actions are the sole responsibility of the individual Selectboard member and should not be construed or conveyed to be the official policy of the Selectboard or Town of Great Barrington. Routine matters should always be sent to appropriate staff and include (CC) the Chair and Town Manager.

Flow of inquiries:

XII. Executive Sessions

All Executive Sessions shall conform to the requirements of the open meeting law. There will be no outside discussion of the content of matters addressed in Executive Session, unless and until the Selectboard determines it appropriate to discuss an item in a public session. Recording secretary may be asked to attend. There shall be no audio recording of executive sessions.

XIII. Confidential & Personnel Information

Information provided to the Board on confidential personnel matters will not be shared with the public and to the extent permitted by law.

XIV. Protocol for Implementing Zoning Bylaw for Housatonic Mills Revitalization Overlay District (HMROD)

When the HMROD is utilized, the following set of procedures shall be adhered to for implementation of any of the components of section 9.8. This is to ensure a smooth open process enabling all boards/commissions either elected or appointed and the public to have the proper ability to participate.

- When an individual/developer wishes to invoke the HMROD process, the initial step shall involve a meeting of the Development Review Team (DRT), which will examine the scope of the proposal. Within 30 days after the initial submittal to the DRT, a joint meeting of the Selectboard and Planning Board shall be scheduled where the two boards will review the DRT initial report and hear a presentation from the developer. All other boards/commissions of the Town of Great Barrington shall be notified of the joint meeting. Should both the Selectboard and Planning Board find merit in the concept proposal submitted, additional review meetings shall commence with the DRT, Planning Board and the developer to enable the developer to formally submit a special permit application. Upon receipt of the formal special permit application, the required public hearing shall be held within 65 days from date of submittal.
- The developer shall identify at the earliest possible stage any potential infrastructure inclusive, but not limited to, roadway or utility modifications desired, tax increment financing, property acquisition, and/or long term maintenance obligations to be borne by the Town of Great Barrington. These related matters will require concurrence of the Selectboard at the earliest

opportunity and prior to the granting of any special permit by the Planning Board. A timeframe for development improvements inclusive of any improvements required by the Town of Great Barrington shall be subject to approval of the Selectboard and incorporated as necessary in the order of conditions in the issuance of a special permit.

- Minutes and agendas from all meetings involving potential developers utilizing the HMROD shall be distributed to the Selectboard and/or Planning Board.
- In the Planning Board deliberations with developers utilizing the HMROD, the Planning Board shall take into account the fiscal impact for the Town of Great Barrington inclusive of tax base revenues, infrastructure capability recognizing that various financial arrangements shall require Selectboard approval.
- This protocol for HMROD shall remain in full force and effect until modified by majority vote of both the Planning Board and Selectboard. This protocol shall be incorporated into the rules and regulations of the Planning Board, rules and regulations of the Selectboard and the permitting and development guidebook.

XV. Special Permit Regulations

A. Authority and Jurisdiction

These rules and regulations are established and promulgated by the Great Barrington Selectboard pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9 as amended; Chapter 593 of the Acts of 1989, and Section 10.4 of the Great Barrington Zoning Bylaw, and are intended to augment and complement said statutes and the Great Barrington Code.

B. Effective Date

These rules and regulations shall take effect upon a majority vote of the Selectboard after a public hearing in a newspaper of general circulation in Great Barrington, said advertisement to be published not less than seven (7) days before the public hearing. They shall apply with the force of law to all special permit applications filed on or after the date of said vote.

C. Applications

1. Applications for special permits shall be filed with the Town Clerk on either Form SP-1 (short form) or SP-2 (long form) according to the primary use as determined by the Town's Inspector of Buildings. At least one complete copy, including all maps, plans and other documentation, shall be on sheets no larger than 11 inches x 14 inches.

The long form (SP-2) shall be used for any special permit application under the following subsections of Section 3.1.4 of the Great Barrington Zoning Bylaw.

Subsection	A (4)	Assisted living residence
	A (8)	Open space residential development
	A (9)	Planned unit residential development (PURD)
	A (10)	Publicly financed nonprofit age restricted housing
Subsection	B (1)	Camping facilities

- B (5) Commercial amusements
 - B (8) Educational use, nonexempt
 - B (9) Golf or country clubs
 - B (10) Hospitals, sanitariums, nursing homes, convalescent homes or philanthropic institutions
 - B (13) Riding stables
 - B (14) Ski tows
 - B (15) Summer camps
- Subsection
- C (2) Fast food eating establishments
 - C (3) Fuels storage and sales, excluding motor vehicle fuel stations
 - C (4) Garages, public
 - C (8) Hotels
 - C (9) Institutional administrative offices or planned professional office developments or research centers
 - C (10) Large scale commercial development
 - C (11) Lumberyards
 - C (12) Motels or overnight cabins
 - C (13) Motor vehicle fuel stations
- Subsection
- E (1) Aviation fields, public or private
 - E (3) Freight terminals, truck or rail
 - E (6) Personal wireless tower or structure
- Subsection
- F (2) Gravel, loam, sand and stone removal for commercial purposes
 - F (3) Light Manufacturing
 - F (4) Sawmills and Manufacturing of Forest Products (Special provisions)

All other special permit applications may be filed on Form SP-1 (short form) unless the Inspector of Buildings or the Special Permit Granting Authority (SPGA) by majority vote requires the filing of Form SP-2 (long form). Applications may be submitted to the Inspector of Buildings or a representative of the SPGA for review before filing with the Town Clerk.

2. Elevation contours on plans submitted with any application filed under subsection F (2) of Section 3.1.4 shall be at intervals of no more than two (2) feet. Elevation contours on plans submitted with all other special permit applications may be at intervals of ten (10) feet, unless the SPGA shall require otherwise.

3. All plans submitted with special permit applications shall be drawn to scale and signed, sealed and dated by an engineer registered in Massachusetts. Specific scales on drawings and plans shall be as follows:

Site plan, parking plan, landscaping plan and drainage plan: one (1) inch shall equal forty (40) feet.

Separate plan showing general characteristics of land: one (1) inch shall equal a maximum of one hundred (100) feet.

Separate scaled drawing of the fully constructed building or change to the existing building shall be submitted. Any photos that are submitted shall be legible if reproduced.

4. Every application for a special permit shall be accompanied by a drainage plan demonstrating that all drainage is either accommodated on the property or directed to a drainage system approved by the

SPGA. If post-development flows off the property will differ in any way from pre-development flows, the drainage system shall be designed by a civil engineer registered in Massachusetts and shall be reviewed and approved by the town's consulting engineer at the applicant's expense as provided by Section D of these Rules and Regulations.

5. Every application for a special permit shall be accompanied by a parking plan showing the specific locations of an adequate number of off street parking and loading places to comply with the provisions of Section 6.1 of the Great Barrington Zoning Bylaw and any additional requirements of the SPGA. Each parking space on the plan shall be numbered. Designated loading areas, employee parking and handicapped parking shall be labeled as such.

6. If requested by the Planning Board, an application for special permit shall be accompanied by a landscaping plan satisfactory to that Board, and the Planning Board shall certify in writing to the SPGA its approval of the plan before the SPGA acts on the application. Shall a continuance of the hearing be necessary to complete and certify such plan, it may be granted by the SPGA upon request of the Planning Board.

7. In the event of a continuance of the special permit hearing or decision beyond the statutory time limit set forth by MGL Ch. 40A, Sec. 9 is required for the purpose of completing any plan to the satisfaction of the SPGA, the Planning Board or any other Town Board or official, the applicant and the SPGA may agree in writing to such continuance.

Failure of the applicant to agree to such continuance shall be prima facie evidence that the applicant is not in compliance with all provisions and requirements of Section 10.4 the Great Barrington Zoning Bylaw and these Regulations, and shall be grounds for rejection of the special permit application.

D. Schedule of Fees

1. The minimum filing fee for a special permit shall be \$150. No special permit application shall be accepted without payment in full of the required filing fee. Notwithstanding the foregoing, the SPGA shall be empowered to waive all or part of any fee for applications submitted by municipal or charitable organizations.

2. All reasonable costs approved by the majority vote of the SPGA as necessary for the employment of experts or consultants by any board, agency or official of the Town for the purpose of analyzing or evaluating any project that is the subject of a special permit application shall be assessed to the applicant and shall constitute part of the filing fee. Such costs shall be determined to the satisfaction of the SPGA on the basis of estimates from professionals such as civil engineers, traffic engineers, hydrologists, botanists, and the like, as well as the experience of Town boards, departments, agencies and officials derived from similar projects.

Upon determination by the SPGA of the monies required for evaluation or analysis, the SPGA shall notify the applicant in writing, by first-class mail, postage prepaid, of the consultant or the consultants chosen to evaluate the project and the fees required for such evaluation. The SPGA shall notify all other parties in interest by first-class mail, postage-prepaid, of the nature of the evaluation and the choice of consultant.

All required fees shall be paid by the applicant to the Town within ten (10) business days of receipt of such notification. Payment shall be by check certified by a bank doing business in Massachusetts or issued by such a bank. For the purpose of this section, receipt of notification shall be construed to be two (2) business days after the date of written notification to the applicant, or the postmark thereon, if such postmark is a later date.

In the event additional evaluation of the project is requested by any board, agency or official of the Town after the initial deposit of funds, and if such additional evaluation is approved by a majority vote of the SPGA, the SPGA shall determine the additional monies required and shall require those amounts to be paid to the Town.

The SPGA shall notify the applicant in writing, by first-class mail, postage prepaid, of the consultant or consultants chosen and the fees required for such additional evaluation. The SPGA shall notify all other parties in interest by first-class mail, postage prepaid of the nature of the additional evaluation and the choice of consultant.

Such additional fees shall be paid with ten (10) business days of receipt of notification by the application. Payment shall be by a check certified by a bank doing business in Massachusetts or issued by such a bank. For the purpose of this section, receipt of notification shall be construed to be two (2) business days after the date of written notification to the applicant or the postmark thereon, if such postmark is a later date.

3. All fees paid under the provisions of Section D (2) shall be deposited in a special account established by the Town Treasurer in the Town Treasury and shall be kept separate and apart from other monies. The special account, including accrued interest, if any, shall be expended at the direction of the SPGA without further appropriation; provided, however, that such funds shall be expended only in connection with carrying out the responsibilities of such SPGA under law.

Any excess amount in the account attributable to a specific project, including any accrued interest at the completion of said project shall be repaid to the applicant or to the applicant's successor in interest, and a final report of said account shall be made available to the applicant or to the applicant's successor in interest. For the purposes of this regulation, a project shall be deemed complete upon issuance of a final Certificate of Occupancy by the Inspector of Buildings, or if no Certificate of Occupancy is required, by written certification by the Inspector of Buildings that the project has been completed to his satisfaction.

The Town Accountant shall submit annually to the Selectboard a report of such special account for their review. Said report shall be published in the annual town report, and the Town Accountant shall submit a copy of same annually to the director of the bureau of accounts.

4. Failure or refusal to pay any fee assessed to the applicant by the SPGA acting under the provisions of this regulation shall be grounds for summary denial of the special permit application.

E. Administrative Appeal

In the event any party in interest in a special permit proceeding is dissatisfied with any consultant selected by any board, agency or official of the Town to analyze or evaluate any project that is the subject of said permit application, that person may file with the Selectboard a written appeal of the selection.

Any such appeal shall be accompanied by a filing fee of fifty dollars (\$50) and shall be filed within ten (10) business days of the appellant's receipt of notification of the selection of the consultant. For the purpose of this section, receipt of notification shall be construed to be two (2) business days after the date of written notification or the postmark thereon if said postmark is a later date.

Any appeal filed under this section shall be administrative in nature and shall be limited in its grounds to claims that the consultant selected has a conflict of interest or does not possess minimum qualifications consisting of an educational degree in or related to the field at issue, or three or more years of practice in

the field at issue or a related field.

The required time limits for action by the SPGA on the special permit application that is the subject of any such appeal shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Selectboard within the one month following the filing of the appeal, the selection of the consultant shall stand.

Such an administrative appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for in this section.

F. Severability

The invalidity of any section or provision of these rules and regulations shall not invalidate any other section or provision thereof, nor shall it invalidate any special permit previously issued, not proceeding previously conducted thereunder.

G. Filing of Record of Proceedings and Order of Conditions

The Town Manager shall cause to be filed the Order of Conditions and the Record of Proceedings on any Special Permit with the Town Clerk within 30 days following the Selectboard's vote approving or denying the Special Permit, but in no case later than 90 days following the close of the public hearing.

Revised 9/5/95
Revised 8/25/05
Revised 2/12/07
Revised 7/23/07
Revised 1/24/11
Revised 4/25/11
Revised 9/12/11
Revised 10/11/11
Revised 3/26/12
Revised 10/24/16

DRAFT

Nancy Cooley

84 Alford Road, Great Barrington, MA 01230 | (850) 554-5602 | ncooley@gmail.com

August 22, 2018

Town Manager Jennifer Tabakin
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230

Dear Ms. Tabakin,

I am applying to serve on the Great Barrington Agricultural Commission for the term expiring in 2021. I attended the recent August 21 meeting of the Commission and received their recommendation to join.

My education includes a minor in Sustainability Studies from the University of Florida, for which I took classes in agricultural ethics, conservation of resources, facets of sustainability, permaculture, and human uses of plants. Additionally, I took a vegetable garden class, during which I learned basic gardening principles, the different vegetable families, and had hands-on experience planning, planting, and maintaining my own garden plot.

Outside of the classroom, I have assisted my family with beekeeping for many years, participating in hive-building, frame extraction, pest treatments, and honey processing. I have also attended workshops on starting hives, hive maintenance, and pest control for varroa mites, hive beetles, and wax moths.

Another interest of mine is the study and control of invasive species. There are numerous invasive plants that affect the farms and gardens in Great Barrington, and I believe the Agricultural Commission can find creative ways to address this issue.

I hope that by joining the Agricultural Commission I can help address the challenges facing our local farmers and contribute to the wellbeing of the Great Barrington community.

Thank you for considering my application.

All the best,
Nancy



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

AGRICULTURAL COMMISSION

August 23, 2018

Steve Bannon, Chair
Town of Great Barrington Selectboard
Town Hall, 334 Main Street
Great Barrington, MA01230

Re: Appointment to Agricultural Commission

Dear Mr. Bannon,

At our August 21, 2018 meeting, the Agricultural Commission voted unanimously to recommend the appointment of the following town resident to fill a current vacancy on the Commission:

- Ms. Nancy Coeey (84 Alford Rd.) for the term expiring 2021.

Nancy Coeey attended the Agricultural Commission meeting this week and already has expressed interest in helping with our projects. She wants to support local agriculture as a vital part of our community. The following brief highlights summarize her relevant experience:

- Beekeeping: Nancy worked for many years in various capacities on her family's beekeeping enterprise and has completed training courses in this field.
- Education: Nancy graduated from the University of Florida with a minor in Sustainability Studies, including courses concerning farming and gardening.
- Vegetable gardening: She has studied, and has practical hands-on experience with, small scale growing.
- Professional experience: As a librarian, Nancy is skilled in research, organization and dissemination of educational materials.

We appreciate the Select board's taking into consideration our recommended appointment of Nancy Coeey to the Great Barrington Agricultural Commission.

On behalf of the Agricultural Commission,
Vivian

Vivian Orłowski, Chair

From: Holly Hamer <hhamer3143@yahoo.com>

Date: August 21, 2018 at 11:59:56 AM EDT

To: Jennifer Tabakin <jtabakin@townofgb.org>, "lbozzuto@roadrunner.com" <lbozzuto@roadrunner.com>, Stephen Bannon <sbannon@townofgb.org>, Ed Abrahams <ed_abrahams@prodigy.net>, "Dan Bailly (danielbbailly@gmail.com)" <danielbbailly@gmail.com>, Kate Burke <kateburke.528@gmail.com>, Bill Cooke <billcooke.gb@gmail.com>

Subject: Tree Committee Apointment

Dear Jennifer and Selectboard:

I seeking appointment to the Great Barrington Tree Committee to fill a newly vacant spot.

I have lived and worked in Gt. Barrington for 45 years, served on the Library Board of Trustees and seen many iterations of downtown treescapes.

As a Friend of the GB Libraries, I am currently working with Lisa Bozutto on a tree identification program at the libraries including tree markers for the downtown trees planted during the Main Steet reconstruction project.

Thank you for your consideration,

Holly Hamer
[413-717-0661](tel:413-717-0661)

8/20/2018

RECEIVED
TOWN MANAGER
AUG 20 2018
BOARD OF SELECTMEN
GREAT BARRINGTON, MA

Dear Jennifer Tabakin,

In response to the most recent resignation for the Tree Committee, I would like to recommend that Holly Hamer be appointed as a new member. Holly is a dedicated, enthusiastic volunteer who would be a welcome addition to the committee.

Thank you for your consideration of this matter,



Lisa Bozzuto

Tree Committee Chairperson

Cc: Steven Bannon

Nov. 17/03 BOS meeting

to do accurately. Mr. Stephenson stated that he has been very impressed with the changes that CTSB has made in the last year. Mr. Balfanz stated that CTSB is encouraging any public input involving programming.

B. Route 71 Speed Limit Study Request. Mr. Stephenson read a memo from Mr. LaClair involving a request to lower the speed limit on a portion of Route 71 near Seekonk Road. Mr. LaClair is recommending that the Board vote to request Mass Highway to perform a speed study to pursue extending the 35 mph speed limit west to Seekonk Road. Mr. and Mrs. Noveck, residents on Route 71, were present to also request that the 35 mph speed limit be extended as well as to request that the lane markings be changed to a double stripe from Route 23 west to Seekonk Road.

MOTION: Mrs. Keefner to request that the state do the speed study.

SECOND: Mr. Moro.

VOTE: 5-0

Both the Chief of Police and Don Chester feel that the change in lane markings does not need to occur that the markings are appropriate for the road. Mrs. Beckwith feels that speed enforcement would solve a lot of problems.

C. Package Store Liquor License Policy. Mr. Stephenson read a memo from Mr. LaClair regarding review of Package Store Liquor License Policy. Mrs. Beckwith thinks that there have been enough Package Store Liquor Licenses issued and that she would like to see a formalization of the previous policy. Mrs. Keefner and Mr. Moro think the way it is now is fine. Mr. Stephenson stated that formal action probably should be taken. The consensus of the Board was to not expand the policy to allow additional Package Store Liquor Licenses.

MOTION: Mrs. Beckwith to adopt this as a formal policy.

SECOND: Mrs. Keefner.

VOTE: 5-0

MOTION: Mrs. Keefner to allow the Board and Mr. LaClair to look into what the legislature can do for the Town.

SECOND: Mr. Moro.

VOTE: 5-0

D. BOS – Meeting Dates for December. Board of Selectmen Meetings were scheduled for December 1, and 15, 2003 and January 5, and 20, 2004.

SELECTMEN'S TIME:

Mr. Moro was wondering what the status on the underpass on North Plain Road was regarding trucks and signage. Mr. LaClair stated that he spoke with Don Chester about measuring it and that he will follow up on the situation.

MEDIA/CITIZEN DISCUSSION WITH SELECTMEN:

Mr. Goranson stated that the Planning Board has designated certain bylaws that need to be updated including the cell phone bylaw, a bylaw involving adult entertainment, self storage units, among others. Each member is working on a different bylaw and if anyone

Burke E. LaClair
Town Manager



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619

Fax: (413) 528-2290

E-mail: gbtownmg@bcn.net

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Board of Selectmen
FROM: Burke LaClair, Town Manager *BL*
DATE: November 14, 2003
RE: Review of Package Store Liquor License Policy

I would suggest that the Board reviews its policy in regard to issuance of package store liquor licenses. I have attached information regarding the state quota on both "beer and wine" and "all-alcoholic" licenses, as well as the history of Town Meeting and special legislative approval for additional licenses being previously approved in excess of the normal quota based on a Towns population.

The Board has taken the position that because there are a total of eight current licensees (only one of which is "beer and wine") and the quota based on population for package store licenses is a total of seven, that there will be no more applications accepted.

The Board may consider accepting applications for "beer and wine" package store licenses, or it can pursue a formalization of the previous policy and pursue special legislation to reduce the total number of licenses. Please advise if you need additional information.

DATE 11/13/03
SCREEN: C39

*** COMMONWEALTH OF MASSACHUSETTS ***
ALCOHOLIC BEVERAGE CONTROL COMMISSION
*** QUOTA INQUIRY SCREEN ***

P1
TIME 11:51:16

CITY NAME: GREAT BARRINGTON

CURRENT: 7527
PRIOR: 7725
SEASONAL: 999
CITY NUMBER: 0464
QUOTA TYPE:

	SECTION 12				WINE + MALT			
	ANN	SEA	CON	SPL	ANN	SEA	CON	SPL
ISSUED:	029	001	000	000	008	000	000	000
CLUBS	000	001	000	000	000	000	000	000
G.O.P.	000	000	000	000	000	000	000	000
INN/HOTEL	000	000	000	000	000	000	000	000
REST	029	000	000	000	000	000	000	000
TAVERN	000	000	000	000	008	000	000	000
VCLUB	002	000	000	000	000	000	000	000
ALLOWED:	000	000			000	000	000	000

	SECTION 15			
	ANN	SEA	CON	SPL
ISSUED:	007	000	000	000
ALLOWED:	002	000	000	000

TYPE IN THE CITY NAME AND PRESS ENTER
 PF1=> ADD PF2=> UPDATE PF3=> INQUIRE PF4=> BROWSE PF5=> DELETE
 PF6=> QUOTA PA1=> MAIN MENU PA2=> CITY OPTION MENU

Proposed W.E.B. Du Bois Legacy Committee

Mission: To preserve and promote Great Barrington native W.E.B. Du Bois's legacy as a scholar and activist for freedom, civil rights, progressive education, economic justice, and racial equality.

The committee will do this through town-sponsored events and programs.

Possible examples include:

- Du Bois Day celebration
- annual Du Bois Festival (from MLK Day through Du Bois's birthday on Feb. 23)
- banner installation
- classes, seminars and guest speakers
- collaborating with UMass and local educational institutions and arts, historical and community organizations
- keeping a rotating year-long display of Du Bois artifacts at the Mason Library

Motion: To create the Great Barrington W.E.B. Du Bois Legacy Committee, a seven-member committee of residents of Berkshire County, appointed by and reporting to the Selectboard, for the purpose of preserving and promoting the name, written words and ideas of W.E.B Du Bois, and to direct the Town Manager to advertise for members of the committee.

Helen Kuziemko

From: Tom Doyle <scarnaghtom@gmail.com>
Sent: Monday, August 20, 2018 3:45 PM
To: Jennifer Tabakin; sbannon@townofb.org; Sandra J. Carroll
Cc: Helen Kuziemko; Eric Steuernagle
Subject: Request to briefly update BOS

Jennifer, Steve (cc Helen, Eric, Sandy): Eric Steuernagle and I have been appointed by the Berkshire County Board of Realtors as Town Monitors assigned to Great Barrington. In this role, Eric and I wish to briefly introduce ourselves in this role to the BOS and, through the Town of Great Barrington, alert the community of a Housing Summit on **September 20, 2018**.

If you could please allow us a brief slot on your agenda for your next meeting, it would be most appreciated.

Best regards,
Tom

Tom Doyle
Broker Associate
Licensed in: CT, MA, NY
Berkshire MLS Treasurer/Secretary 2016 & 2017
eMail: scarnaghtom@gmail.com
cell: 646-438-1329

LANCE VERMEULEN RE, INC
283 Main St.
Great Barrington, MA 01230
Office - (413) 528-6011

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