

Mark Pruhenski  
Town Manager

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## TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

### SELECTBOARD AND FINANCE COMMITTEE JOINT MEETING and SELECTBOARD REGULAR MEETING IMMEDIATELY FOLLOWING

#### AGENDA

MONDAY, JANUARY 27, 2020, 6:00 PM

TOWN HALL, 334 MAIN STREET

#### ORDER OF AGENDA

#### **6:00 PM – OPEN MEETING**

1. **CALL TO ORDER** – Selectboard and Finance Committee:
2. **Continuation** of Tax Classification Policy and Exemptions. (Discussion/Vote)
3. Finalize FY 2021 Budget Policy. (Discussion/ Vote)
4. Citizen Speak.
5. Adjournment - Finance Committee.

#### **SB – REGULAR MEETING**

1. **SB/BOARD OF SEWER COMMISSIONERS:** Sewer Abatements  
(January 1, 2019 – June 30, 2019) (Discussion/Vote)
2. **APPROVAL OF MINUTES:**  
January 13, 2020 SB Regular Meeting.  
January 16, 2020 SB & Pl Bd Joint Meeting.
3. **SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:**  
A. General Comments by the Board.
4. **TOWN MANAGER'S REPORT:**  
A. Department Updates  
- Council on Aging Director  
  
B. Project Updates

**5. PUBLIC HEARINGS:**

- A. Application from Cellarbration, Inc., d/b/a Grape Finds, Joseph P. Smegal, Manager for a transfer of All Alcoholic Package Store Liquor License to Table & Vine, Inc., Steven Gigliotti, Manager at 700 Main Street, Suite 2, Great Barrington, MA 01230. (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. Robin Vickery/Great Barrington Fish and Game for One Day Beer and Wine Liquor License for February 2, 2020 from 2:00 am 10:00 pm at 338 Long Pond Road. (Discussion/Vote)
- B. Robin Vickery/Great Barrington Fish and Game for One Day Beer and Wine Liquor License for February 8, 2020 (rain date February 15, 2020) from 11:00 am – 7:00 pm at 338 Long Pond Road. (Discussion/Vote)
- C. Robin Vickery/Great Barrington Fish and Game for Eight (8) One Day Beer and Wine Liquor Licenses for every Sunday from February 16 – April 5, 2020 from 11:00 am – 7:00 pm at 338 Long Pond Road. (Discussion/Vote)

**7. NEW BUSINESS:**

- A. SB – Appointment of two (2) members to serve on the Commission on Disability. (Discussion/Vote)
- B. Historic District Commission and Historical Commission – Updates.
- C. SB – Continuation - Right of First Refusal Waiver of Ch 61A land of Abigail Haupt, LLC, approximately 36 acres on Hurlburt and Alford Roads (Assessor's Map 31, Parcel 12A). (Discussion/Vote)

**8. OLD BUSINESS:**

- A. SB – Proposed Marijuana Article(s) from Public Forum. (Discussion/Vote)
- B. SB – Housatonic School Re-Development Options for Moving Forward. (Discussion/Vote)

**9. CITIZEN SPEAK TIME:**

*Citizen Speak Time is simply an opportunity for the Selectboard to listen to residents. Topics of particular concern or importance may be placed on a future agenda for discussion. This time is reserved for town residents only unless otherwise permitted by the chair and speakers are limited to 3 minutes each.*

**10. SELECTBOARD'S TIME:**

**11. MEDIA TIME:**

**12. ADJOURNMENT:**

**NEXT SELECTBOARD MEETINGS: SB & Fin Com Joint Budget Meetings - January 28, 2020, 6:00 pm and February 4, 2020, 6:00 pm, Town Hall; SB Regular Meeting - February 10, 2020, 7:00 pm, Town Hall**



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Mark Pruhenski, 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.*

## Year 1 Estimated Cost to Implement the Residential Exemption

**Personnel:**

Additional 19 hour/week employee for one year @ \$20/hr. **\$19,760**  
Job responsibilities to include assisting in processing of potentially 2,300 applications from property owners seeking the Residential Exemption. All applicants must prove residency in order to qualify and to qualify they must apply.

**Overlay Account:** Additional allowance for abatements & exemptions resulting from owners of high dollar valued homes who will challenge their assessment as a result of shifting the tax burden & higher tax bills.

**\$31,400**

**Legal:** Legal counsel to assist in possible complex, high dollar value ATB cases elevated to formal procedure

**\$10,000**

**Consulting:** Retention of professional appraisal services as rebuttal witnesses for ATB cases of homes valued at \$1M or greater

**\$5,000**

**Outreach, Education & PR:** Collateral materials, printing & postage

**\$2,500**

**Miscellaneous:** Document storage, inspection mileage, office supplies, etc.

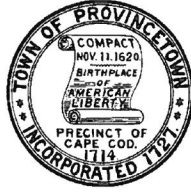
**\$1,500**

**Total estimated cost to implement:**

**\$70,160**

## **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% (\$139,564) of the average assessed value (\$398,754) 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).



## Residential Exemption-FAQ'S

1. **What is a Residential Exemption?** A Residential Exemption is based on the year-round residency of the taxpayer, rather than one's age or financial situation. **OR:** The year-round rental of a unit to a full time Provincetown resident.
2. **Who is eligible for FY 2020?** A taxpayer who owns and occupies residential property as their legal residence (domicile) as of January 1, 2019 may apply for this exemption.  
A domicile is owned and occupied by the applicant on a year-round basis. If the property is co-owned, both owners must qualify. **OR:** a non-domiciled taxpayer who owns residential property as of January 1, 2019 who rents on a year-round basis to a full time Provincetown resident.
3. **How is the exemption amount determined?** Once the Select Board has adopted the exemption and voted the percentage (25 percent for FY 2020), the assessor determines the amount of value to be exempted from those qualifying parcels by calculating the following:
  - The total assessed value for all residential properties, including vacant parcels.
  - The total number of residential parcels.
  - Divide the Total residential valuation by the total number of residential parcels.
  - Multiply the exemption percentage by the average value.
  - The tax dollar value of the exemption is the Exemption amount \* tax rate

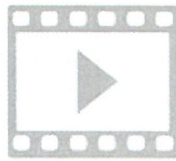
Total Residential Value	# of Parcels	Ave Assessed Res Value	% Adopted	Exemption amount	As Tax Dollars
\$2,893,096,704	4,195	\$689,654	0.25	\$172,413	\$1,141.38

4. **What does the Residential Exemption percentage mean?** The exemption percentage is the percentage of the Average Assessed residential value that will be used as the exemption amount. The percentage used can be from 1-35%. The actual percentage used is determined annually by the Select Board at the annual Tax Classification hearing.
5. **Is the exemption automatic, or is there an application process?** The exemption must be applied for with proper documentation provided (please review applications and cover sheet for details.) The application with cover sheet can be downloaded from the Assessor's web site or picked up at the Assessor's office.
6. **Do I need to reapply for the Exemption annually?** - The traditional Residential Exemption does not need to be refilled unless the property is sold or the ownership changes (the adding of an owner or placing the property into a Trust for example). The Expanded Residential Exemption does need to be applied for annually.
7. **When can I apply for the Exemption?** Applications received between Oct.1st, 2019 and April 1, 2020 will be processed as a standard exemption. Applications can be filled up to 90 days from the date of mailing of the fall tax bill or by April 1, 2020, whichever is later.
8. **Does the Residential Exemption generate additional tax dollars for the Town?** No, the adoption of a Residential exemption is revenue neutral. The tax levy of the residential class is the same whether the exemption is adopted or not.

ON LINE

## Residential Exemption

### PROVINCETOWN RESIDENTIAL EXEMPTION OVERVIEW



#### Residential Exemption Narrated Video

In the Town of Provincetown there are two ways in which property may qualify for a Residential Exemption. This exemption is based on the residency status of the taxpayer or, as newly adopted, the residency status of a year-round renter. Residential taxpayers who are domiciled in a community or non-domiciled taxpayers who rent on a year-round basis to qualified renters, receive a reduction to the assessed value of their property and a corresponding reduction in their real estate tax. The exemption amount is based on the average assessed residential value times a percentage voted by the Select Board at the annual Classification hearing not to exceed 35%. The adoption of a Residential Exemption is revenue neutral for the Town. The Provincetown Select Board has adopted the exemption and, for FY' 2020, voted the percentage at 25%. The exemption amount for Fiscal Year (FY) 20 is \$172,414.

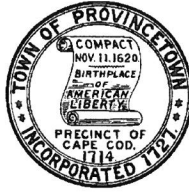
Here is an example of how the exemption works:

#### **Property A with residential exemption**

- Assessed value of \$500,000
- Residential exemption of (\$172,414)
- Taxable Valuation of \$327,586

#### **Property A no residential exemption**

- Assessed value of \$500,000
- Residential exemption of (\$0)
- Taxable Valuation of \$500,000



9. **Why is the Residential tax rate now higher than the commercial rate?** There is a loss of value based on the exemption, which must be offset by a higher Residential tax rate. The total tax dollars (tax levy) generated from the residential class must remain the same per Mass. Dept. of Revenue.
10. **If I receive other exemptions, can I still receive the Residential Exemption?** Yes, provided that the taxable valuation of such property is not reduced below 10 percent of its full and fair cash value.
11. **How does the Residential Exemption affect my tax bill if I am a Seasonal Resident? – See Example Below:**

PERMANENT RESIDENT		SEASONAL RESIDENT	
<b>Property A with residential exemption</b>		<b>Property A no residential exemption</b>	
Assessed value of	\$500,000	Assessed value of	\$500,000
Residential exemption of	(\$172,414)	Residential exemption of	(\$0)
Taxable Valuation of	\$327,586	Taxable Valuation of	\$500,000
Tax rate per thousand of	___\$6.62	Tax rate per thousand of	___\$6.62
<b>Property Tax =</b>	<b>\$2,168.62</b>	<b>Property Tax =</b>	<b>\$3,310.00</b>



FISCAL YEAR 2020

EXPANDED RESIDENTIAL EXEMPTION

THE COMMONWEALTH OF MASSACHUSETTS

PROVINCETOWN

All information on this form must be completed in full and required documentation must be attached in order the application to be considered complete. Under statute, the application for residential exemption must be filed no later than April 1, 2020 or 3 months after the date the actual tax bill is issued, whichever is later.

The undersigned being aggrieved by the failure to receive a residential exemption on real estate situated at

\_\_\_\_\_ for fiscal year 2020 hereby applies for such an exemption.
Number Street

STATEMENT OF FACTS

- 1) Name(s) of record owner/taxpayers(s)
2) Name of Resident/Renter(s)
3) Date Property Acquired
4) Was the parcel owned by you and was a year round rental agreement in place as of January 1, 2019? YES NO

NOTE: If no, then you do not qualify for the exemption.

- 3. 5) Please provide the required verification documentation: a current Rental Certificate, a signed (landlord and tenant) year-round lease beginning on or before January 1, 2019 and a copy of the first page of your renters 2018 Federal 1040 and State income tax Form 1 filings listing the above parcel as the mailing address. Inclusion of the tax forms is for residency verification only. All financial information can and should be redacted. OR: a current Rental Certificate, a signed (landlord and tenant) year-round lease beginning on or before January 1, 2019 and a copy of your tenant's Driver's License listing the rental property address. Additionally your tenant must have two of the following: a year round parking permit; be registered to vote in Provincetown; be on the Town Census or provide a copy of a December 2018 Utility bill in the tenant's name for the rental address.

If the tax return shows a PO Box, please provide a copy of both sides of current driver's license along with the above verification information.

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY!

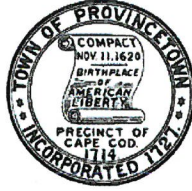
- You must file your Expanded Residential Exemption application each year as we need to verify the lease and rental certificate information each year.
Failure to do so will result in loss of the exemption.

Signing this form under the penalties of perjury has the legal effect of swearing under oath to the truthfulness of the information contained herein. All items on this form must be completed as indicated. In addition to other sanctions provided by law, intentional misrepresentation of facts in this application may result in disqualification of this exemption and the subsequent issuance of an omitted bill for the exempted value involved for the current fiscal year. Verification of the truthfulness of the information contained herein may include visitation of the rental property and include an interview with the renters.

9) Signature of Applicant:

10) Mailing Address):

Email Address: Phone Number:



## Provincetown Residential Exemption – Application and Requirements

As part of the Fiscal Year 2020 Tax Rate setting process, the Provincetown Select Board voted to adopt a Residential Exemption as they did last year.. This exemption will adjust the taxes of qualified, domiciled residents of Provincetown. The exemption is revenue neutral; no additional revenue is raised by this action.

To receive this exemption for FY 2020, your domicile must be Provincetown as of **January 1, 2019**. Domicile is a legally defined term, while you can have multiple residences, you can only have one domicile. Your domicile is normally your principal residence, the residence in which the taxpayer lives; that is, the owner’s fixed place of habitation, permanent home or legal residence. If the property is owned jointly, both owners must qualify for the exemption, meaning both must claim Provincetown as their domicile.

Because you have a mailing address of Provincetown, you have received this letter along with an application for the exemption. **This exemption is not automatic and you must complete the application in order to receive the Residential Exemption. Please complete the enclosed application and supply the required verification, so that you can receive the exemption.**

If qualified under the exemption, a property's taxable value, **before** the tax rate is applied, will be lowered by a fixed amount. This year, the amount is \$172,413. Here is an example of how the exemption works:

Property A with residential exemption		Property A no residential exemption	
Assessed value of	\$500,000	Assessed value of	\$500,000
Residential exemption of	(\$172,413)	Residential exemption of	(\$0)
Taxable Valuation of	\$327,587	Taxable Valuation of	\$500,000
Tax rate per thousand of	\$6.62	Tax rate per thousand of	\$6.62
<b>Property Tax =</b>	<b>\$2,168.63</b>	<b>Property Tax =</b>	<b>\$3,310.00</b>

In addition to a completed, signed application form you must include a copy of the first page of your **2018 Federal and State income tax filings. Please understand there can be no exceptions, except as otherwise provided below to ensure everyone is treated fairly and equally.** Any financial information included can and should be blacked out. All that is required is that the tax form shows the real estate address from which the tax returns were mailed. If you use a post office box as your primary mailing address, you must submit the tax return page showing the PO Box, along with two additional pieces of supporting documentation – a copy of both sides of your driver’s license and a December 2018 utility bill showing Provincetown as the mailing address. If no tax return was filed for 2018, the Board of Assessors will need a written explanation as to why and will require three additional pieces of supporting documentation as determined by the Board of Assessors. Properties in a Trust must provide a copy of recorded Trust or Trustee’s certificate and Schedule of Beneficiaries.

**Qualified residents will be notified and will see the exemption applied to the fall 2019 tax bill only if they return the application complete with required back-up to the Assessor’s office either by mail, E mail, or hand delivery, by August 29, 2019.**

Qualifying applications received **after** that date will be handled as a standard exemption with the 1<sup>st</sup> half bill (October 2019) tax amount required up front and any adjustment due will be applied to the 2<sup>nd</sup> half tax bill.

If you have any questions, please call the Assessors' office at 508-487-7017 or email sfahle@provincetown-ma.gov.

FISCAL YEAR 2020
RESIDENTIAL EXEMPTION

THE COMMONWEALTH OF MASSACHUSETTS
PROVINCETOWN

All information on this form must be completed in full and required documentation must be attached in order the application to be considered complete. Under statute, the application for residential exemption must be filed no later than April 1, 2020 or 3 months after the date the actual tax bill is issued, whichever is later. HOWEVER, FOR THE EXEMPTION TO BE APPLIED TO THE Fall 2019 TAX BILL, THE COMPLETED APPLICATION ALONG WITH ANY REQUIRED BACKUP MUST BE RECEIVED BY AUGUST 29, 2019.

The undersigned being aggrieved by the failure to receive a residential exemption on real estate situated at

\_\_\_\_\_ for fiscal year 2020 hereby applies for such an exemption.
Number Street

STATEMENT OF FACTS

- 1) Name(s) of record owner(s)
2) Name of Applicant(s)
3) Date Property Acquired
4) Was parcel owned and occupied by you as your principal residence as of January 1, 2019? YES NO

NOTE: If no, then you do not qualify for the exemption.

5) Attach a copy of the front page of your 2018 Federal and State Income Tax Return showing the above parcel address.

- If return shows a PO Box, attach a copy of tax returns & a copy of both sides of current driver's license and a copy of either a December 2018 utility bill or 2018 water bill showing owner's name with Provincetown address.
• If you weren't required to file a tax return in 2018, submit a short written explanation why and include any pertinent documentation such a SSI return, a copy of both sides of a current driver's license, a copy of a December 2018 utility bill and a 2018 water bill showing owner's name with Provincetown address.
• Properties in a Trust must provide a copy of recorded Trust or Trustee's certificate stating you are a Trustee and have a beneficial interest in the Trust and / or include a Schedule of Beneficiaries.

6) List the location and type of any other residential real estate owned by you:

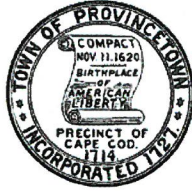
7) Have you received or applied for any other residential exemption and/or homestead exemption in any other state, city or town in this fiscal year (7/1/19 to 6/30/20)? NO YES If yes, what city/state?

Signing this form under the penalties of perjury has the legal effect of swearing under oath to the truthfulness of the information contained herein. All items on this form must be completed as indicated. In addition to other sanctions provided by law, intentional misrepresentation of facts in this application may result in cancellation of this exemption and the subsequent issuance of an omitted bill for the exempted value involved for the current fiscal year.

9) Signature of Applicant:

10) Mailing Address (if different than property location):

Email Address: Phone Number:



## Expanded Provincetown Residential Exemption – Requirements and Application

### Exemption for taxpayers renting year-round to Provincetown Residents

In February 2018, the Provincetown Residential Exemption was expanded to include: “a residential parcel occupied by a resident of the Town of Provincetown, other than the taxpayer, occupied on a year-round basis and used as his or her principal residence for income tax purposes.” This exemption will adjust the taxes of owners who rent on a year -round basis to residents of Provincetown who use the rental as their principal residence for income tax purposes.

The Select Board must vote to adopt a Residential Exemption as part of the Tax Rate setting process. Acceptance by the Select Board enables both versions of the Exemption. The exemption is revenue neutral; no additional revenue is raised by this action.

To qualify under the expanded version of the exemption for FY 2020, the applicant must provide either

1. a current Rental Certificate, a signed (landlord and tenant) year-round lease beginning on or before **January 1, 2019 and** a copy of the first page of your renters **2018 Federal 1040 and State income tax Form 1 filings listing Provincetown as the mailing address.** Inclusion of the tax forms is for residency verification only. All financial information can and should be redacted. **OR:**
2. a current Rental Certificate, a signed (landlord and tenant) year-round lease beginning or before **January 1, 2019 and** a copy of your tenant’s Driver’s License listing the rental property address. Additionally your tenant must satisfy **two** of the following: a year round parking permit; be registered to vote in Provincetown; be on the Town Census or provide a copy of a December 2018 Utility bill in the tenant’s name for the rental address.

As with a traditional Residential Exemption, if you qualify under the Expanded Residential Exemption, a property's taxable value will be lowered by a fixed amount, **before** the tax rate is applied. For FY 2020, the amount was \$172,413. Here is an example of how the exemption works:

Property A with residential exemption		Property A no residential exemption	
Assessed value of	\$500,000	Assessed value of	\$500,000
Residential exemption of	<u>(\$172,413)</u>	Residential exemption of	<u>(\$0)</u>
Taxable Valuation of	\$327,587	Taxable Valuation of	\$500,000
Tax rate per thousand of	<u>\$6.62</u>	Tax rate per thousand of	<u>\$6.62</u>
<b>Property Tax =</b>	<b>\$2,168.63</b>	<b>Property Tax =</b>	<b>\$3,310.00</b>

In addition to a completed, signed application form you must include the required supporting documentation as listed above. **Please understand there can be no exceptions, except as otherwise provided below to ensure everyone is treated fairly and equally.** If you use your tenant’s tax returns as supporting documentation and they use a post office box as their primary mailing address, you must submit the tax return page showing the PO Box, along with a copy of both sides of their driver’s license. **This exemption is not automatic; you must complete the application in order to receive the expanded Residential Exemption. Please complete the enclosed application and supply the required verification in order to receive the exemption.**

The fall 2019 tax bill should be paid as assessed. Qualifying applications will be handled as a standard exemption. Qualifying applications will have their adjustment applied to the Spring 2020 Tax Bill.

If you have any questions, please call the Assessors' office at 508-487-7017 or email [sfahle@provincetown-ma.gov](mailto:sfahle@provincetown-ma.gov).



TOWN OF GREAT BARRINGTON  
MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

DATE: January 6, 2020

TO: Mark Pruhenski, Town Manager

FROM: Sean VanDeusen, DPW Superintendent *SV*

SUBJECT: Sewer Abatements – for the Period 01/01/2019 through 6/30/2019

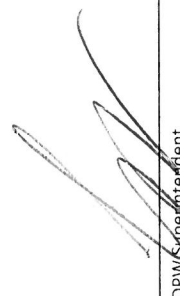
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Bill Ingram, WWTP Superintendent, and I met to discuss the requests of those persons applying for an abatement of their sewer bill. After careful consideration of the information submitted and field data gathered during site visits, we herewith make the following recommendations relative to those applications on the attached list.

The following temporary and permanent sewer abatement applications were received and approved for the reason stated on the application. The total sewer abatement amount for this period is \$12,276.

Sewer Abatements - 01/01/2019 through 6/30/2019

Applicant	Service Address	City St Zip	Current Billing	Abatement	Reason Provided
Nick Anderson	23 High Street	West Stockbridge, MA 01266	\$ 253.00	\$ 126.50	House has been vacant for years, water is disconnected
Dorothy Capasse	228 East Street	Great Barrington, MA 01230	\$ 253.00	\$ 126.50	Water is shut off
Emmanuel and Pauline Dongala	255 State Road	Great Barrington, MA 01230	\$ 506.00	\$ 253.00	Apartment is vacant.
John Fitzgerald	114 Cottage Street	Great Barrington, MA 01230	\$ 253.00	\$ 126.50	House is vacant, water is shut off
George Guerrero	127 - 129 Castle Hill Avenue	Great Barrington, MA 01230	\$ 1,012.00	\$ 253.00	Units 129 1&2 vacant - under renovation
Kathleen Haughian	207 Cottage Street	Housatonic MA 01236	\$ 253.00	\$ 126.50	House is unoccupied, water is off
Robert Holcomb	34-36 Cottage Street	Great Barrington, MA 01230	\$ 506.00	\$ 253.00	There are two units, only one is occupied
Jeanne Holcomb	226 Prospect Street	Housatonic, MA 01236	\$ 506.00	\$ 253.00	Apartment is vacant
Patrick Hollenbeck	1075 Main Street	Housatonic, MA 01236	\$ 506.00	\$ 253.00	2nd unit vacant
Patrick Hollenbeck	226 Pleasant Street	Housatonic MA 01236	\$ 506.00	\$ 253.00	Retail space is vacant
Michael Kernan	12 Mahaiwe Street	Great Barrington MA 01230	\$ 506.00	\$ 253.00	2nd floor apartment is vacant
James Kimball	26 Rosseter Street	Great Barrington, MA 01230	\$ 253.00	\$ 126.50	Water shut off December 5, 2018 House is torn down
Charles Lord	7 High Street	West Stockbridge, MA 01266	\$ 506.00	\$ 253.00	Apartment is vacant
Margaret Minges	31 Dresser Avenue	Great Barrington, MA 01230	\$ 1,012.00	\$ 506.00	Unit 1 has been completely gutted. There is no plumbing
James & Gail Morrison	7 Forrest Street	Housatonic MA 01236	\$ 253.00	\$ 126.50	House was a total loss on May 6th, 2019. Has since been torn down
Shirley Snyder	945 Main Street	Great Barrington MA 01230	\$ 253.00	\$ 126.50	Building is only used for storage, no one works or lives there, water is off
Alton Stalker	39 Humphrey Street	Great Barrington MA 01230	\$ 506.00	\$ 253.00	Vacant Apartment
Lynn Stonebridge & Julian Koemer	23 Giddings Street	Great Barrington, MA 01230	\$ 253.00	\$ 126.50	House is only occupied May to October
Town of Great Barrington	207 Pleasant Street	Housatonic MA 01236	\$ 253.00	\$ 126.50	Water is turned off
				\$ 12,276.25	

DPW Superintendent  Date 1/6/2020

Town Manager \_\_\_\_\_ Date \_\_\_\_\_

TOWN OF GREAT BARRINGTON

NOTICE OF PUBLIC HEARING

The Selectboard will hold a public hearing on Monday, January 27, 2020 at 7:00 P.M. at the Town Hall, 334 Main Street, Great Barrington, MA to act on the application of Cellarbration, Inc., d/b/a Grape Finds, Joseph P. Smegal, Manager for a transfer of All Alcoholic Package Store Liquor License to Table & Vine, Inc. Steven Gigliotti, Manager at 700 Main Street, Suite 2, Great Barrington, MA 01230.

Stephen Bannon  
Chair

**Please publish January 17, 2020 and January 24, 2020**



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

**APPLICATION FOR A TRANSFER OF LICENSE**

Municipality

**1. TRANSACTION INFORMATION**

- Transfer of License
- Alteration of Premises
- Change of Location
- Management/Operating Agreement
- Pledge of Inventory
- Pledge of License
- Pledge of Stock
- Other
- Change of Class
- Change of Category
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Table & Vine, Inc. (a wholly-owned subsidiary of Big Y Foods, Inc.) is hereby seeking to purchase a \$15 All Alcoholic Beverages Liquor License from Cellarbration Inc., which currently is located inside the Big Y World Class Market at 700 Main Street, Ste 2, Great Barrington MA. Table & Vine, Inc. will continue to operate from that location.

**2. LICENSE CLASSIFICATION INFORMATION**

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="Off-Premises-15"/>	<input type="text" value="\$15 Package Store"/>	<input type="text" value="All Alcoholic Beverages"/>	<input type="text" value="Annual"/>

**3. BUSINESS ENTITY INFORMATION**

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number  FEIN

Entity Name

DBA  Manager of Record

Street Address

Phone  Email

Add'l Phone  Website

**4. DESCRIPTION OF PREMISES**

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

The premises in Great Barrington MA is a single-story building with a total building square footage of 67,547 square feet. There are preparation areas throughout the store for Deli, Meat, Bakery, Seafood, Produce and Food Service. There are two (2) public entrance and exit locations located across the front of the building.

Total Sq. Footage	<input type="text" value="67,547"/>	Seating Capacity	<input type="text" value="n/a"/>	Occupancy Number	<input type="text" value="n/a"/>
Number of Entrances	<input type="text" value="2"/>	Number of Exits	<input type="text" value="2"/>	Number of Floors	<input type="text" value="1"/>



**APPLICATION FOR A TRANSFER OF LICENSE**

**5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST**

Transferor Entity Name  By what means is the license being transferred?

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
<input type="text" value="Gene Faul a/k/a Eugene E. Faul"/>	<input type="text" value="President/Stockholder"/>	<input type="text" value="100"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:  
**On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;  
**Off Premises (Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal  Residential Address  SSN  DOB

Title and or Position  Percentage of Ownership  Director/ LLC Manager  Yes  No US Citizen  Yes  No MA Resident  Yes  No

Name of Principal  Residential Address  SSN  DOB

Title and or Position  Percentage of Ownership  Director/ LLC Manager  Yes  No US Citizen  Yes  No MA Resident  Yes  No

Name of Principal  Residential Address  SSN  DOB

Title and or Position  Percentage of Ownership  Director/ LLC Manager  Yes  No US Citizen  Yes  No MA Resident  Yes  No

Name of Principal  Residential Address  SSN  DOB

Title and or Position  Percentage of Ownership  Director/ LLC Manager  Yes  No US Citizen  Yes  No MA Resident  Yes  No

**APPLICATION FOR A TRANSFER OF LICENSE**

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)**

Name of Principal <b>William T. Mahoney</b>	Residential Address 577 Bay Road, Duxbury, MA 02332	SSN [Redacted]	DOB 3/30/1960
Title and or Position Senior Vice President & CFP	Percentage of Ownership [Redacted]	Director/ LLC Manager <input type="radio"/> Yes <input checked="" type="radio"/> No	US Citizen <input checked="" type="radio"/> Yes <input type="radio"/> No
MA Resident <input checked="" type="radio"/> Yes <input type="radio"/> No			
Name of Principal	Residential Address	SSN	DOB
[Redacted]	[Redacted]	[Redacted]	[Redacted]
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
[Redacted]	[Redacted]	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident <input type="radio"/> Yes <input type="radio"/> No			
Name of Principal	Residential Address	SSN	DOB
[Redacted]	[Redacted]	[Redacted]	[Redacted]
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
[Redacted]	[Redacted]	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
MA Resident <input type="radio"/> Yes <input type="radio"/> No			

Additional pages attached?  Yes  No

**CRIMINAL HISTORY**

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.  Yes  No

**MANAGEMENT AGREEMENT**

Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement.  Yes  No

**6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Big Y Foods, Inc.	§15 Package Store	Table & Vine, Inc.	Northampton, MA
Big Y Foods, Inc.	§15 Package Store	Table & Vine, Inc.	Holden, MA
Big Y Foods, Inc.	§15 Package Store	Table & Vine, Inc.	Franklin, MA

**6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Big Y Foods, Inc.	§15 Package Store	Table & Vine, Inc.	Southwick, MA

**12. MANAGER APPLICATION**

**A. MANAGER INFORMATION**

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name STEVEN A GIGLIOTTI Date of Birth 12-9-67 SSN                     

Residential Address 811 OUTLOOK AVE, CHESHIRE, MA 01225

Email STRDIR22@BIGY.COM Phone                     

Please indicate how many hours per week you intend to be on the licensed premises 50

**B. CITIZENSHIP/BACKGROUND INFORMATION**

Are you a U.S. Citizen?  Yes  No \*Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?  Yes  No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

**C. EMPLOYMENT INFORMATION**

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

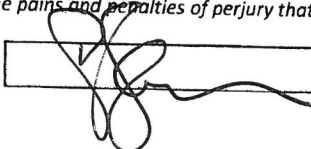
Start Date	End Date	Position	Employer	Supervisor Name
<u>1-21-85</u>	<u>CURRENT</u>	<u>STORE DIRECTOR</u>	<u>BIGY FOODS</u>	<u>SEAN NIMMONS</u>

**D. PRIOR DISCIPLINARY ACTION**

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action?  Yes  No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature  Date 12/4/2019

**APPLICANT'S STATEMENT**

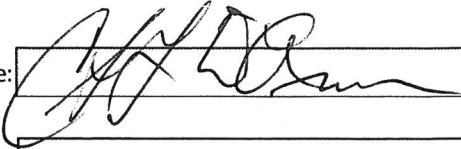
I, Charles L. D'Amour the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

of Table & Vine, Inc.  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:   
Title: President, CEO, Treasurer, Director

Date: 12/4/2019

**CORPORATE VOTE**

The Board of Directors or LLC Managers of   
Entity Name

duly voted to apply to the Licensing Authority of  and the  
City/Town  
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on   
Date of Meeting

For the following transactions (Check all that apply):

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/  
Directors/LLC Managers
- Change of Ownership Interest  
(LLC Members/LLP Partners,  
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA


"VOTED: To authorize   
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint   
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

  
Corporate Officer / LLC Manager Signature

For Corporations ONLY

A true copy attest,

  
Corporation Clerk's Signature

Written Consent Vote of the Board of Directors  
of  
Table & Vine, Inc.

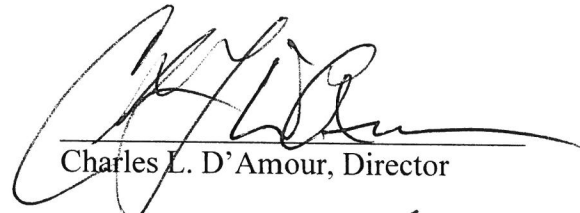
The undersigned, being all of the Directors of Table & Vine, Inc. acting without a meeting pursuant to Section 8.21 of Chapter 156D of the Mass. General Laws, hereby take the following action and adopt the following votes as of the date first set forth above:

RESOLVED: To apply to the Town of Great Barrington for a Retail Package Store All Alcoholic Beverages License, transferred from Cellarbration Inc, to be exercised on the premises, at 700 Main Street, Suite 2, Great Barrington, Massachusetts 01230.

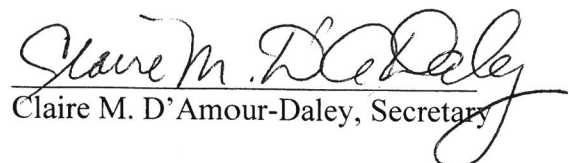
RESOLVED: To authorize Michael S. Gold, Vice President to sign the application for the license in the name of Table & Vine, Inc. and to execute in its behalf any necessary papers, and to do all things required relative to the granting of the license.

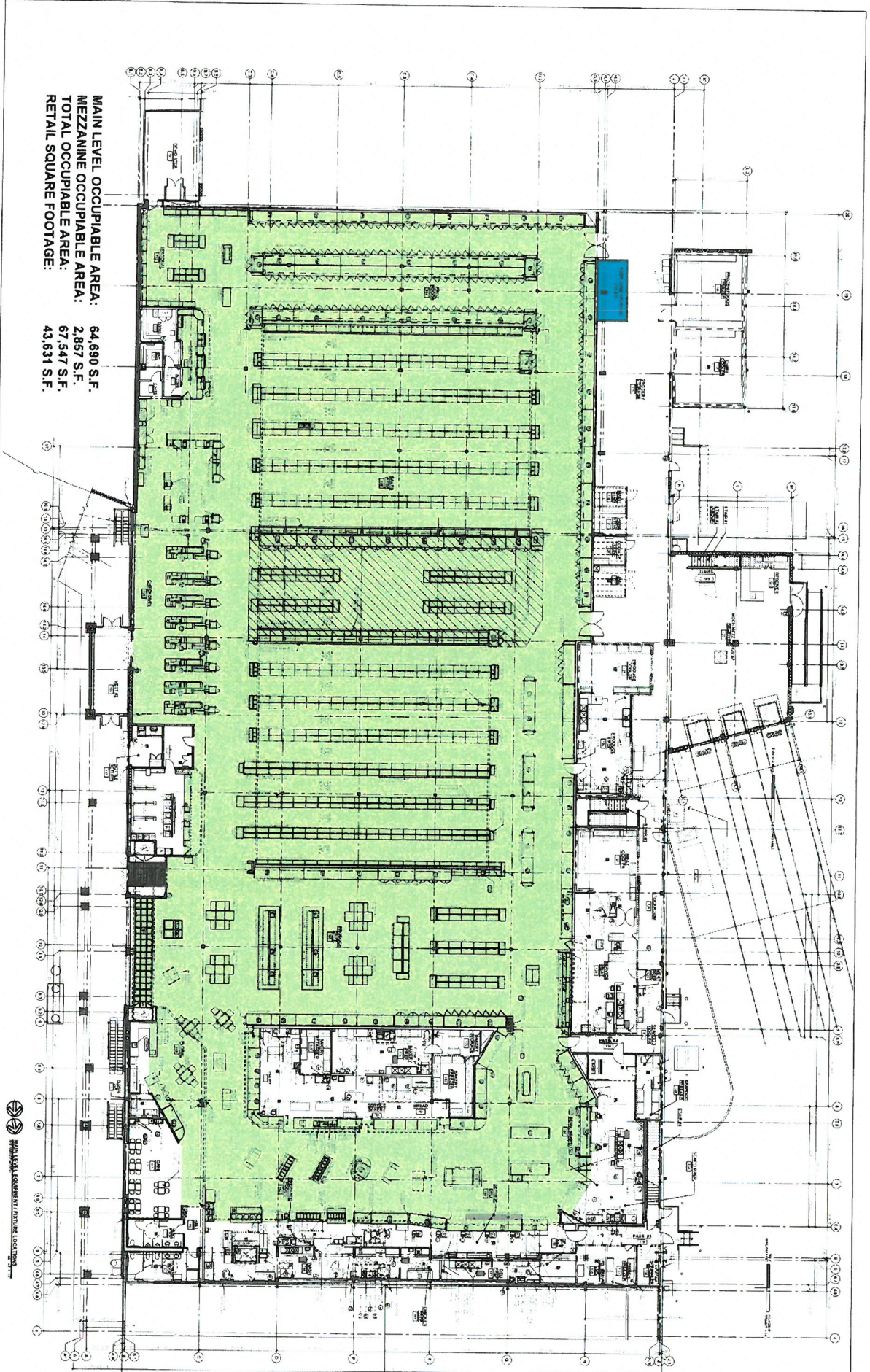
RESOLVED: To appoint Steven Gigliotti of Cheshire, Massachusetts as its manager or principal representative, with as full authority and control of the premises described in the license of the Corporation and of the conduct of all business therein relative to alcoholic beverages as the licensee itself could in any way have and exercise if it were a natural person resident in the Commonwealth of Massachusetts and that a copy of this vote duly certified by the Secretary of the Corporation and delivered to said manager or principal representative shall constitute the written authority required by Sec. 26, Chap. 138, G.L.

Dated: 12/4/2019

  
Charles L. D'Amour, Director

  
Michael P. D'Amour, Director

  
Claire M. D'Amour-Daley, Secretary



**MAIN LEVEL OCCUPIABLE AREA:** 64,690 S.F.  
**MEZZANINE OCCUPIABLE AREA:** 2,857 S.F.  
**TOTAL OCCUPIABLE AREA:** 67,547 S.F.  
**RETAIL SQUARE FOOTAGE:** 43,631 S.F.

ARCHITECTURAL FLOOR PLAN

**WORLD CLASS**  
 ARCHITECTURAL FLOOR PLAN  
 PROJECT NO. 1000000000  
 DATE: 10/10/2010  
 LOCATION: UNIVERSITY PARK  
 SHEET NO. 22 F-1

Bruce Firger, Assessor  
John Katz, Assessor

Shaun McHugh, Principal Assessor  
E-mail: [smchugh@townofgb.org](mailto:smchugh@townofgb.org)

Carol Strommer  
Administrative Assessor  
E-mail: [cstrommer@townofgb.org](mailto:cstrommer@townofgb.org)



Town Hall, 334 Main Street  
Great Barrington, MA 01230

Telephone: (413) 528-2220 x 5  
Fax: (413) 528-1026

## TOWN OF GREAT BARRINGTON MASSACHUSETTS

### ASSESSORS' OFFICE

December 31, 2019

IMMEDIATE ABUTTERS TO PROPERTY OF: BIG Y FOODS INC.

700 Main Street,  
Map 24 Lots 13 & 13A, Book 554 Pg. 231

#### MAP LOT ABUTTER

24	11,12	Emprimo Limited Liability Co., 400 Hewins St., Sheffield, MA 01257-9544
24	14,15	Guidos Realty Inc., 1020 South St., Pittsfield, MA 01201-8225
24	8	Town of Great Barrington, 334 Main St. Room 208, Gt. Barrington, MA 01230-1832
30	48	James A. Modolo Post Home Inc., PO Box 537, Gt. Barrington, MA 01230-0537 Massachusetts Department of Transportation, 10 Park Plaza, Boston, MA 02116

There are no schools, hospitals or churches located within 500 feet of the subject property.

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

Sincerely,

  
Shaun McHugh  
Principal Assessor

1/17/20  
Mailed by Cert. Mail  
Ret. Rec. Reg.





Fee: \$25.00 (per day)

*paid 6614  
OK#*

**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: ~~Joe Deat~~ Robin Vickery

Organization Name: El. Barrington Fish + Game

Applicant's Address: 338 Long Pond Rd

Telephone Number: 274-6291

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

Event: Private Party

Date: FEB 2, 2020 Start Time: 2 pm End Time: 10 pm

Event Address: 338 Long Pond Rd

Is the Event on Town property? YES NO

**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.)
- MA* 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

1-2-20  
Date

**FOR TOWN USE:**

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Postponed \_\_\_\_\_



Fee: \$25.00 (per day)

paid OK# 6614

**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: Robt M Vickery

Organization Name: St. Barrington Fish + Game

Applicant's Address: 338 Long Pond Rd

Telephone Number: 274-6291

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

Event: Annual Ice Fishing Derby

Date: 2-8-2020 Start Time: 7 11am End Time: 7pm

\* Raindate 2-15-20  
Event Address: 338 Long Pond Rd

Is the Event on Town property? YES  **NO**

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

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

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

Robt M Vickery  
Signature of Applicant

1-2-2020  
Date

**FOR TOWN USE:**

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Postponed \_\_\_\_\_



Fee: \$25.00 (per day)  $\times 8 = \$200$   
paid  
OK # 6614

**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: Robert Vickery

Organization Name: Gr. Barrington Fish + Game

Applicant's Address: 338 Long Pond Rd

Telephone Number: 274-6291

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

Event: Annual Ham Shoots

Every Sunday

Date: FEB 16<sup>th</sup> - April 5<sup>th</sup> (8) Start Time: 11am End Time: 7pm

Event Address: 338 Long Pond Rd

Is the Event on Town property? YES NO

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

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

OK  
OK  
N/A

**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.

Robert M Vickery  
Signature of Applicant

1-2-2020  
Date

**FOR TOWN USE:**

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Postponed \_\_\_\_\_

8 weeks

## EXECUTIVE SUMMARY

**TITLE:** Appointment(s) to Commission on Disability

**BACKGROUND:** On August 26, 2019, the Selectboard voted to establish a Commission on Disability consisting of five (5) members, in response to a May 2017 Annual Town Meeting vote. Three (3) shall be persons with disabilities, one (1) of which may be an immediate family member of someone with a disability, one (1) either be an elected or appointed town official, and one (1) member at-large.

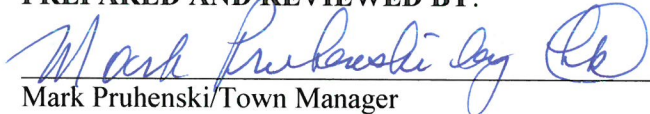
The Board also voted to approve bylaws for the Commission on Disability at that same meeting to guide the Commission in organizing and carrying out its mission.

To date, the Selectboard appointed three members, and is looking to appoint two more, a person with disabilities and a member at large. Trevor Cobb and Denise Flynn have applied.

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** The Town Manager recommends the Selectboard consider appointing the two individuals who have applied: Trevor Cobb and Denise Flynn for one-year term each.

**PREPARED AND REVIEWED BY:**

  
\_\_\_\_\_  
Mark Pruhenski/Town Manager

**DATE:**

1/17/2020

*NOTICE*

**TOWN OF GREAT BARRINGTON**

The Selectboard seeks 2 additional individuals to serve on the newly formed Commission on Disability. One member shall be a person with disabilities and one a member at-large. The purpose of the Commission is to coordinate or carry out programs in coordination with programs of the Massachusetts Office on Disability in order to bring about full and equal participation in all aspects of life in the Town of Great Barrington for people with disabilities. Please send letters of interest to Mark Pruhenski, 334 Main Street, Great Barrington, MA 01230 or email [hkuziemko@townofgb.org](mailto:hkuziemko@townofgb.org).

Stephen Bannon  
Chair

## Helen Kuziemko

---

**From:** treysonracin <treysonracin@yahoo.com>  
**Sent:** Monday, January 20, 2020 11:50 AM  
**To:** Helen Kuziemko  
**Subject:** Disability Commission

Mark,

I just read the article about the formation of a disability commission. I would be more than happy to help serve in any way needed. As I'm sure you are aware, I was paralyzed last February out in California. Being a Great Barrington business owner for over ten years, and being born and raised here in south county, I feel as if I would be a great asset to this board. I have many resources and ideas, first hand experiences, along with a huge following. Working together, I see the potential for great changes and adaptations in this small community. Please let me know, what you would like from me, and also if you would like to meet in person at anytime. Thanks for the consideration.

Trevor Cobb

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

## Helen Kuziemko

---

**From:** Denise Flynn <deeflynn@verizon.net>  
**Sent:** Wednesday, January 15, 2020 8:15 PM  
**To:** Helen Kuziemko  
**Subject:** Disability Commission

Hello, Helen,

I wish to be considered as a member of our town's Disability Commission. I feel that I could be an asset to this group as I have been the mother of a disabled person for 15 years. We have experienced the ups and downs of accessibility so I would be able to relay some very personal suggestions and observations to benefit individuals and families. I'd like to be a voice for the disabled.

Thank you,

~~Denise Flynn~~

53 Grove Street

Great Barrington, MA

Sent from my iPad

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Continued from  
SB Jan 13/20  
meeting.

**EXECUTIVE SUMMARY**

**TITLE:** Right of First Refusal on Chapter 61A Land

**BACKGROUND:** On November 7, 2019 the Town received notice that 36 acres of an approximately 79-acre tract of land between Hurlburt Road and Alford Road, currently enrolled in Chapter 61A, is being sold and removed from the Chapter 61A program. Per the requirements of the Chapter 61A program, the Town has a right of first refusal on this portion of the land.

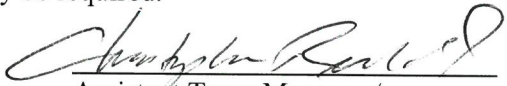
The notice and accompanying exhibits are attached here.


The Town may, within 120 days of the notice, assign its right to a land conservation organization, may meet the purchase price, or may waive its right of first refusal.

This is a rather unique transaction in that much of the land (more than half of the 36 acres) will remain under a permanent Conservation Restriction. Approximately 11 acres of the 36 is not in the CR. The CR was executed in 2000. It conserves this and other lands in the vicinity, and it is held by the Berkshire Natural Resources Council. The CR allows for a 5-acre house parcel somewhere in the CR area.

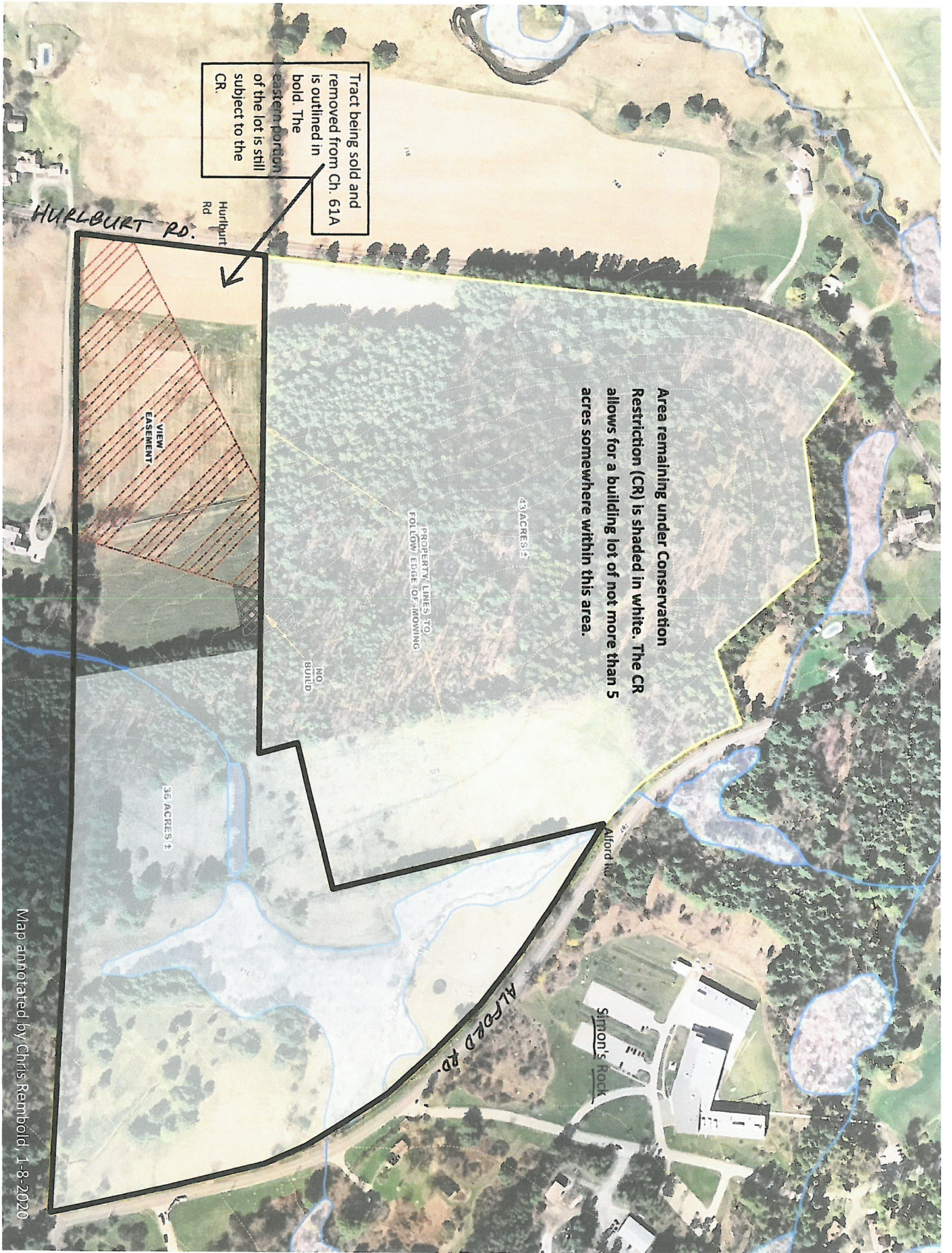
The Planning Board recommends that the Town not exercise or assign its right of first refusal. The Conservation Agent also notes that since there is a CR still remaining on much of the property, the Town need not exercise or assign its right of first refusal on this parcel.

**RECOMMENDATION:** The Selectboard vote to not exercise its right of first refusal and execute any releases which may be required.

**WRITTEN BY:**  **DATE:** 1/9/20  
Assistant Town Manager /  
Director of Planning and Community Development

**APPROVED BY:**  **DATE:** 1-9-2020  
Town Manager





Tract being sold and removed from Ch. 61A is outlined in bold. The eastern portion of the lot is still subject to the CR.

Area remaining under Conservation Restriction (CR) is shaded in white. The CR allows for a building lot of not more than 5 acres somewhere within this area.

HURLBURT RD.

Hurlburt Rd

PROPERTY LINES TO FOLLOW EDGE OF MOWING

43 ACRES ±

56 ACRES ±

NO. BUILD

Alford Rd

ALFORD RD.

Simon's Rock

WAIVER OF RIGHT OF FIRST REFUSAL

We, the undersigned, being a majority of the members of the Selectboard of the Town of Great Barrington, Massachusetts, having been notified of a purchase agreement for the proposed conveyance of certain land of Abigail Haupt, LLC, presently taxed under MGL c.61A (see lien recorded in Book 2091, Page 315) being Assessors Map 31, Parcel 12A (consisting of approximately 11.15 acres) and portions of Map 31 Parcels 12 and 13 (consisting of approximately 25 acres) for a total of approximately 36 acres, said land being adjacent to Hurlburt and Alford Roads in Great Barrington, hereby waive any rights which the town may have to purchase said land pursuant to MGL c. 61A, upon the same terms contained in the purchase agreement.

\_\_\_\_\_  
Stephen C. Bannon, Chair

\_\_\_\_\_  
Leigh Davis

\_\_\_\_\_  
Edward Abrahams

\_\_\_\_\_  
William Cooke

\_\_\_\_\_  
Kate Burke

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, ss. \_\_\_\_\_, 2020

Then personally appeared before me the above-named members of the Selectboard and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the persons whose names are signed above and acknowledged to me that they each signed it voluntarily as Selectboard members for the Town of Great Barrington, for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Hurlburt and Alford Roads, Great Barrington

SB 1/27/20

Item # 8 A

Add new item 5 to Section 7.18.4 of the Zoning Bylaw as underlined below:

**7.18.4 Locational Requirements.** Marijuana Establishments may be located in accordance with Section 3.1.4, Table of Use Regulations, except as follows:

1. No Marijuana Establishment or Medical Marijuana Treatment Center may be located closer than 200 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.
2. The distance in paragraph 1 is to be measured in a straight line from the nearest point of the property line of the proposed Marijuana Establishment or Medical Marijuana Treatment Center and the nearest point of the property line of the protected uses stated above in paragraph 1.
3. The Selectboard may, by special permit pursuant to Section 10.4, authorize a deviation from this distance requirement if it finds the Marijuana Establishment or Medical Marijuana Treatment Center will not be detrimental to a protected use.
4. Other types of marijuana establishments licensed by the Massachusetts Cannabis Control Commission may be permitted in accordance with the appropriate use category in the Table of Use Regulations.
5. Not more than seven (7) Retail Marijuana Establishments shall be permitted in the Town of Great Barrington.

## EXECUTIVE SUMMARY

**TITLE:** Housatonic School Re-Development- Options for Moving Forward

**BACKGROUND:** The Selectboard held a public information session at the Housatonic Community Center in September 2019 seeking ideas from Village residents, and following that, invited the Economic Development Committee (EDC) to provide input. The EDC reported back to the Selectboard in November 2019, recommending that the Town retain ownership and seek to develop it with uses such as childcare, community services, and collaborative workspace/business incubator spaces. The EDC also suggested that the Town commit resources to lead the redevelopment effort, rather than turn it over to the private sector.

Many residents and the EDC see the potential of the School as a vibrant center for the Village, fulfilling social and economic needs. There are a number of options on how to achieve this, and differing opinions on how much effort, time, and money should be devoted at this time. The Selectboard has asked staff to review and report back to the board with a summary of options based on feedback collected at the public forum and the EDC presentation.

At this time we believe the following options exist:

1. Issue a revised RFP in hopes of attracting another private sector developer. The RFP should incorporate appropriate controls over the reuse timeline, clearly outline the resources, if any, the Town is willing to commit, and could be scored to include additional points for incorporating key recommendations from the EDC. The School could be either sold or leased to the successful developer. The RFP could also encourage more creative thinking, such as transferring the library collections from Ramsdell to the rehabilitated School, partnerships and improvements to the Community Center, etc., in order to create a vibrant center of Village life.
2. Town undertake the process as a public sector venture. The Town would commit staff resources and public funds to the redevelopment effort, retain ownership of the building, and seek interested tenants as suggested by the EDC. This option also has the potential for creative thinking noted in #1 above.
3. Town retains ownership of the parcel, but razes the structure and expands the park/looks to create addition green space/gazebo, etc. for the Village.

Some of the pros and cons of each of the above options are as follows:


- Option #1-**     **Pros-** private developer invests and manages, potential tax revenue, fewer staff hours, less direct cost to the taxpayer. Private sector could bring broader experience, creative uses, and more funding sources to the table while still creating a vibrant village center building.  
                  **Cons-** town could lose direct control of property and the process.
- Option #2-**     **Pros-** town retains ownership and control, creates village center, consolidation of town buildings and resources.  
                  **Cons-**extended timeline, loss of tax revenue, significant capital expenditure (expected \$4-5M project plus ongoing operational expenses).
- Option #3-**     **Pros-** village gains green space and potential gathering/performance space, town retains ownership of parcel, less costly long-term  
                  **Cons-** town loses historic structure

**FISCAL IMPACT:** Each of the above options will have very different financial impacts and it is difficult to fully research each. At this time costs include: insuring and maintaining the property, staff hours, and legal counsel. Any of the above options will also incur remediation costs.

**RECOMMENDATION:** Staff recommends continued conversation with key stakeholders, including the Housatonic Improvement Committee, exploring more firm cost estimates before making any decisions on moving forward.

**PREPARED, REVIEWED and APPROVED BY:**

**DATE:**



01/23/2020

Mark Pruhenski/Town Manager and Chris Rembold/Asst. Town Manager/Director of Planning

**TITLE:** Recommendation by Economic Development Committee for Housatonic School Reuse

**BACKGROUND:** In July 2019, the Great Barrington Selectboard requested that the Economic Development Committee review potential reuse scenarios for the former Housatonic School and make a formal recommendation to the board. Over the course of the following three months, the EDC carried out a thorough due diligence process which included three EDC meetings, a site visit, attendance at a neighborhood meeting, and meetings with local residents, businesses, real estate developers, and town officials.

**KEY OBSERVATIONS:**

- The project is challenging for private developers on many levels, including:
  - Financial - High equity requirements, bank financing dependent on pre-leasing and site control, remediation funding tied to municipal grants, economic viability concerns.
  - Physical - The building is wedged in between two public spaces with environmental, ADA, code-compliance, parking, and infrastructure issues.
- Public Input:
  - The majority of Housatonic residents don't want the building razed.
  - Housatonic residents and stakeholders want to be engaged in the process.
  - The building should be used to help solve the needs of the community.
  - Many view this as an opportunity to kick-start growth and vibrancy in Housatonic.

**RECOMMENDATION:**

- The Town retains ownership of the building with no RFP issued.
- The Town allocates the appropriate resources to the project and seeks relevant grants.
- The Town submits a program for the building, a preliminary operating and development budget, and a preliminary building and site plan within eighteen months from funds appropriated at Annual or Special Town Meeting.
- Proposed building uses may include childcare (with direct access to the park), community services, and collaborative workspace/business incubator spaces.

**CONCLUDING STATEMENT:** We feel that this project will rejuvenate the economic well-being of Housatonic by encouraging new visitors and businesses to the village, while also providing much-needed services to the Town. This will also show that the Town listens to the citizens of Housatonic and cares about the future of all residents.

**PREPARED AND REVIEWED BY:**

Steve Picheny<sup>2D</sup> Leigh Davis  
Steve Picheny/Chair and Leigh Davis/Vice-Chair, EDC

10/31/19  
DATE