

Jennifer Tabakin
Town Manager

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTBOARD'S SPECIAL MEETING AGENDA

MONDAY, JULY 16, 2018

6:00 PM – EXECUTIVE SESSION

REGULAR SESSION IMMEDIATELY FOLLOWING

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

6:00 PM - OPEN MEETING

1. CALL TO ORDER:

6:00 PM Open Session

6:00 PM Conference Room

Executive Session, 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 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 G.L. c.30A, §21(a)(3) and (6), that the purpose of the executive session will be 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 negotiating position of the Town and other public agencies, with the Board 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 G.L. c.30A, §21(a)(3)and (6) for the purposes and reasons declared by the Chair and with the Board to **Return To Open Session** at the conclusion of the Executive Session.

Roll Call Vote:

- RETURN TO OPEN MEETING

2. APPROVAL OF MINUTES:

May 2, 2018 SB and Fin Com Joint Meeting

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

4. TOWN MANAGER'S REPORT:

A. Department Updates.

B. Project Updates

- Airbnb Legislation
- Gas Tax

5. LICENSES OR PERMITS:

A. Lauren Smith/Fairview Hospital for permission to use the Town Hall parking lot for Fairview Hospital Gala on Saturday, September 22, 2018 starting at 11:00 am.
(Discussion/Vote)

6. NEW BUSINESS:

A. SB – Review and Discuss SB's Warrant Articles for the August 6, 2018 Special Town Meeting

- To Appropriate Additional CPA Funds for Town Hall Roof/Chimneys.
(Discussion/Vote)
- To Appropriate Additional Funds to finish the Transfer Station Garage.
(Discussion/Vote)
- Warrant Article(s) pertaining to 11 Roger Road. (Discussion/Vote)
- Citizen Petitions for Special Town Meeting. (Discussion/Vote)

B. SB – Review of Selectboard's Policies and Procedures. (Discussion/Vote)

C. SB – Economic Development Committee Formation. (Discussion)

D. SB – Letters of Support for Mass Development "Collaborative Workspace Program" for
- Greyhouse Partners Inc. for the Housatonic School, 207 Pleasant Street, Housatonic
- Studio for Integrated Craft for 430 Park Street, Housatonic
- Berkshire Community College for 343 Main Street, GB

E. SB – Applications for Retail Marijuana. (Discussion/Vote)

- Highminded LLC
- Commonwealth Cultivation Inc.

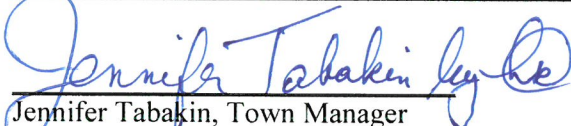
7. CITIZEN SPEAK TIME:

8. SELECTBOARD'S TIME:

9. MEDIA TIME:

10. ADJOURNMENT:

NEXT SELECTBOARD'S REGULAR MEETING: Monday, July 23, 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.

Agenda Item 5A.

From: Smith Lauren [mailto:lsmith@bhs1.org]
Sent: Wednesday, July 11, 2018 11:54 AM
To: Jennifer Tabakin
Cc: amy rudnick
Subject: Request for use of town parking lot



July 11, 2018

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

Good afternoon Jennifer,

On behalf of the Fairview Hospital Gala, which is scheduled on Saturday, September 22 on the Bandstand Green, I would like to ask the Town's permission to use the Town Hall Parking lot for parking for our event patrons. We would request the authorization to cordon off the Town Hall Parking lot starting at 11 a.m. on Saturday, September 22 to ensure the spots are clear and aid in deliveries in preparation for the event. This request is similar to our request in previous years and it seems to have worked out quite well. As in previous years, we will also be retaining a police officer to assist with traffic the night of the event. Please let me know if the Town has any questions and/or concerns. We will be eager to work with you to make sure this is handled smoothly. My phone is (413) 854-9611.

Thank you for your consideration.

Lauren Smith
Director, Community Relations and Development
Fairview Hospital

**GREAT BARRINGTON
COMMUNITY PRESERVATION COMMITTEE**

APPLICATION FOR CPA FUNDING - Step 1

Date Received (for office use only)

7/12/18

Applicant Name Town of Great Barrington

Project Name Town Hall Roof

Project Address 334 Main Street

Contact Person Sean Van Deusen Title: DPW Superintendent

Phone No. 528-0867 Email svandeusen@townofgb.org

Brief Project Description (attach up to 1 additional page if necessary)

Under an FY18 CPA historic preservation grant (\$150,000), work has begun on the replacement of the Town Hall roof. That work includes roof replacement, repair and painting of the cornices, and repointing of the four chimneys.

However, contractors discovered that the chimneys are in worse shape than previously thought, and two of the four chimneys need to be completely rebuilt, not just repointed. Therefore this off-cycle CPA request is for funding sufficient to cover this extra expense. If the CPC makes a positive recommendation, then voters at the August 6, 2018 Special Town Meeting could vote on the request.

Amount of CPA funding you are seeking: \$ 20,000

When do you request the CPA funding be received by your project? Immediately after STM vote

Property Owner (if different from applicant)

Owner's Name same as applicant

Owner's Address _____

Phone No. _____ Email: _____

If Owner is different from applicant, you must include a letter signed by the Owner giving permission to apply for funds for the specified project on the Owner's property.

In the following chart, mark the box(es) that best apply to your project.

Boxes with an X through them are not CPA eligible activities.

	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
Activities (refer to Glossary for definitions)	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, wetland, river, stream, lake and pond frontage, land to protect scenic vistas, land for wildlife or nature preserve, and land for recreation use.	Building, structure, vessel, real property, document or artifact listed on the state register of historic places or determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the city or town.	Land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. Does not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.	Housing for low and moderate income individuals and families, including low or moderate income seniors. Moderate income is less than 100%, and low income is less than 80%, of US HUD Area Wide Median Income.
ACQUISITION Obtain property interest by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. Only includes eminent domain taking as provided by G.L. c. 44B				
CREATION To bring into being or cause to exist. <i>Seideman v. City of Newton</i> , 452 Mass. 472 (2008)		X		
PRESERVATION Protect personal or real property from injury, harm or destruction				
SUPPORT Provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to entity that owns, operates or manages such housing, for the purpose of making housing affordable	X	X	X	
REHABILITATION AND/OR RESTORATION Make capital improvements, or extraordinary repairs to make assets functional for intended use, including improvements to comply with federal, state or local building or access codes or federal standards for rehabilitation of historic properties	Only applies if property was acquired or created with CPA funds	✓		Only applies if housing was acquired or created with CPA funds

Chart adapted from "Recent Developments in Municipal Law", Massachusetts Department of Revenue, October 2012.

End of Step 1 application

GREAT BARRINGTON COMMUNITY PRESERVATION COMMITTEE

APPLICATION FOR CPA FUNDING - Step 2

Date Received (for office use only)

7/12/18

All applicants invited to submit Step 2 must include a copy of their Step 1 application.

All applicants must answer questions 1-11, and question 19. For question 12-18, only answer questions are applicable to your CPA priorities. For example, if your project has to do with Historical Preservation but does not have to do with Housing then you may skip questions 12, 13 and 14, but you must answer all questions under the subheading "Historical Preservation Projects."

You may attach additional sheets as necessary to answer the numbered questions, up to a maximum of 8 additional pages of narrative. These additional pages must be formatted with a minimum 11 point font, 1 inch margins. If your project combines two or more CPA priorities, such as Community Housing AND Open Space, then you must answer ALL questions under both of those 2 subheadings and you may include up to 10 additional pages of narrative. (Please note Open Space and Recreation is considered one CPA priority.)

Please number each attached Page 1 of 8, Page 2 of 8, etc. Please number each answer so that it corresponds with the number of the question you are answering.

Address Town Hall, 334 Main Street, Great Barrington, MA 01230Map 19 Lot 91Deed Book / Page 119 / 438

1.) Existing use or deed restrictions, permanent easements, historic designations, special permits, etc. if any:

The existing use is as offices and meeting space for the Town and for the Southern Berkshire Registry of Deeds. It is under subject to the jurisdiction of the HDC.

2.) Project Budget (list all sources and uses, including grants, fundraising, etc.)

Source Name	Amount	% of total	Used for	Committed?
CPA grant FY 16 (previous award)	20,000	7	Roof project design and bid	Yes
CPA grant FY 18 (previous award)	150,000	52	Roof project construction	Yes
Town capital budget FY 18	100,000	34	Roof project construction	Yes
CPA FY 19 (current request)	20,000	7	Roof project - chimneys	Pending CPC and STM
	TOTAL: \$290,000			
Total budget:				

Attach additional budget sheets or project budget if necessary. Budget pages do not count towards the 8 page limit. Be sure to include project management, oversight, engineering, and administrative costs that may be incurred. Describe all funding that has been sought and/or is available for this project.

3.) Timing of Funds: Describe when CPA funds and other funding sources are to be received.

Funds are requested immediately. Sufficient funds are in the CPA reserves that if Special Town Meeting approves this request, funding could be made available immediately.

4.) Proposed Use or Deed Restrictions after Project Completion (in accordance with CPA rules):

None. The property is already in the Historic District and subject to the rules and regulations of MGL Ch 40C and Local bylaw Ch. 113.

5.) Describe the project team, including project management personnel, design professionals, contractors, and other applicable consultants, their relevant experience, so forth. Attach additional pages/resumes as needed.

The selected general contractor is Capeway Roofing. The project is overseen by the DPW Superintendent. Capeway has a 30 year history and a specialty in public buildings. It has experience with all types of roof materials and systems.

Additional Information: These pages do not count towards the 8 page limit. Attach additional information as appropriate, for example:

- Project timeline;
- Plans or drawings stamped and signed by an Engineer or Architect as appropriate;
- Photographs;
- Map showing project location in town;
- Ownership letters or site control verification;
- Budgets;
- Feasibility studies;
- Existing conditions reports or needs assessments;
- Letters of support;
- Resumes and experience of key personnel;
- For Historic Preservation projects, if the project is not state register-listed, the applicant must provide a letter from the Historical Commission which details the significance of the project to Great Barrington's history, culture, architecture or archeology.

Funding Considerations

6.) Consistency: Describe how the proposed project is consistent with the Community Preservation Plan and with the Great Barrington Master Plan.

Funding this project with CPA would preserve a Town building that would otherwise require raising taxes to pay for it. It provides public benefits in that preservation of the roof will preserve the building's government and public functions, as well as its appearance and historic fabric of the downtown. It meets the very first Historic priority of the CPA plan which is "preserve, rehabilitate, and restore Town owned buildings."

The roof of a historic building is one of the most important elements in its preservation. The failure of a roof invariably leads to interior damage and the ultimate destruction of a building. The building has a significant amount of original fabric in place, including the roof decking, the wooden cornice, the chimneys and the ornamental trusses which support the roof.

7.) Town Projects: Is the proposed project for a town-owned asset?

Yes No

If yes, please describe funding options. For example, what portion of the project budget is CPA funding? If CPA funds are not received, what are the alternative funding options, if any?

If the work is not done, the chimneys will collapse leading to further roof problems. No other funding is available at this time. We tried and were unsuccessful in application for MHC preservation project grant funds. Using CPA funds for the project and this additional work would mean that (1) we could use existing CPA reserves and therefore, (2) the funding could be available immediately. Also, (3) that more tax dollars would not have to be raised, and (4) about 30% of the Town's CPA revenue is actually a contribution from the state CPA fund.

8.) Public Benefits: Describe the public benefits of the project. _____

This would preserve important portions of a historic building with funds the Town already has raised. The building is open to the public and is one of the most prominent in the downtown Historic District.

9.) Leverage: Will the CPA funds be used to leverage or supplement other funding for this project? Please explain other sources and whether they have been committed.

All other sources are also public funds and are committed. A previous attempt to secure MHC grant funds for the roof project was not successful.

10.) Community Input and Support: Describe any community input and/or organization support that you have for your proposed project. Include support letters as applicable (they will not be counted towards the 4-page limit).

11.) Permits: Describe permits that may be required, the status of those permits or applications, and/or when the applications will be submitted and permits received. _____
none, the permits have already been issued.

Affordable Housing Projects

12.) Affordable Housing Projects: Clearly describe how the project meets the Affordable Housing goals of the Community Preservation Plan.

13.) Affordability Level(s):
_____% of area median income no. of units _____
_____% of area median income no. of units _____
_____% of area median income no. of units _____

14.) Other Information: Describe any other relevant information about the project and the site. For example: Is the site zoned for the proposed use and if not what is the plan for zoning approvals; does the project reuse a building or previously-developed site? Is the site or could the site be contaminated and if so what is the plan for remediation?

Historic Preservation Projects

Applicants should note: all CPA-funded historic preservation projects must comply with the US Secretary of the Interior's standards for the treatment of historic properties.

15.) Historic Preservation Projects: Clearly describe how the project meets the Historic Preservation goals of the Community Preservation Plan.

Funding this project with CPA would preserve a Town building that would otherwise require raising taxes to pay for it. It provides public benefits in that preservation of the roof will preserve the building's government and public functions, as well as its appearance and historic fabric of the downtown. It meets the very first Historic priority of the CPA plan which is "preserve, rehabilitate, and restore Town owned buildings."

16.) Other Information: Describe any other relevant information about the project and the site. For example: is the site zoned for the proposed use and if not what is the plan for zoning approvals; does the project reuse a building or previously-developed site; is the site or could the site be contaminated and if so what is the plan for remediation.

Great Barrington Town Hall is on the State Register of Historic Places and is a designated property in the local downtown Great Barrington Historic District (see Inventory form, GBR.127 and GBR.A, and Local Historic District map dated 1989, included with this application).

Open Space and Recreation Projects

17.) Open Space and Recreation: Clearly describe how the project meets the Open Space and Recreation goals of the Community Preservation Plan.

18.) Other Information: Describe any other relevant information about the project and the site. For example: Is the site zoned for the proposed use and if not what is the plan for zoning approvals? Does the project reuse a building or previously-developed site? Is the site or could the site be contaminated and if so what is the plan for remediation.

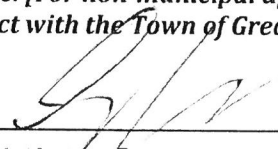
Certification

19.) This application was prepared, reviewed, submitted by:

Name: Sean Van Deusen

Ph: 528-0867 Email svandeusen@townofgb.org

I hereby certify that all of the above and included information is true and correct to the best of my knowledge. [For non-municipal applicants only: I further declare my willingness to enter into a Contract with the Town of Great Barrington to govern the use and expenditure of CPA funds.]

Signature: 

Date: 7/12/2018

AGREEMENT

THIS AGREEMENT made this ____ day of October Two thousand Seventeen, between Capeway Roofing with a usual place of business at 664 Sanford Rd, Westport MA 02790 hereinafter called the CONTRACTOR, and the Town of Great Barrington, acting by and through its Town Manager, with a usual place of business at 334 Main Street, Great Barrington, MA 01230, hereinafter called the OWNER.

The CONTRACTOR and the OWNER, for the consideration hereinafter named, agree as follows:

1. Scope of Work

The Contractor shall furnish all labor, materials, equipment and insurance to perform all work required for the project known as **Town Hall Reroofing and Cornice Repair**, in strict accordance with the Contract Documents and any related Specifications. The said Documents and Specifications are incorporated herein by reference and are made a part of this Agreement.

2. Contract Price

The Owner shall pay the Contractor for the performance of this Agreement, subject to additions and deductions provided herein, in current funds, at the following rates for completed work:
Two Hundred Thirty Seven Thousand Dollars (\$237,000.00)

3. Commencement and Completion of Work

It is agreed that time is of the essence of this Agreement. The work is to be accomplished within 60 calendar days of a notice to proceed. Liquidated damages in the amount of \$ 500 per day will be assessed if the work has not been completed in accordance with the provisions of the contract within the time specified (as extended by any authorized extension of time granted in accordance with the contract provisions).

A. Definition of Term:

The Term "Substantial completion" shall mean the date certified by the Owner when construction is sufficiently complete, in accordance with the Contract Documents, so the Owner may occupy the project, or designated portion(s) thereof, for the use for which it is intended.

B. Time as Essential Condition:

It is understood and agreed that the commencement of and substantial completion of the work are essential conditions of this Agreement. It is further agreed that time is of the essence for each and every portion of the Contract Documents wherein a definite and certain length of time is fixed for the performance of any act whatsoever; and where under the Contract Documents any additional time is allowed for the completion of any work, the new time fixed by such extension shall be of the essence of this Agreement. It is understood and agreed that the times for the completion of the work are reasonable, taking into consideration the average climatic range and usual industrial conditions

Capeway Roofing Systems, Inc.
Date: 7/2/2018

Town Of Great Barrington
Town Hall Roof
Chimney Rebuild

Clarkreen Architects, Inc.
Attention: Steve McAlister

Additional pricing to rebuild the remaining 2 chimneys

Qty.	Unit	Line Items Cost Proposal	Unit Cost	Total Cost
		<i>Materials</i>		
1 ea		Per attached PCO#2 Quote from Masonry Subcontractor	\$ 15,933.00	\$ - \$ 15,933.00 \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ 15,933.00
		<i>Labor</i>		
4 hrs		Capeway supervision	\$125.00	\$ 500.00 \$ - \$ - \$ - \$ - \$ - \$ 500.00
		<i>Total Labor</i>		\$ 500.00
5%		<i>Total Labor, Materials and Equipment</i>		\$ 16,433.00
		OH/P		\$ 821.65
		Total Additional Cost		\$ 17,254.65
1.50%		Bond Cost		\$ 258.82
		Total Change Order Request/Location		\$ 17,513.47

Agenda Item - 6A

May 7, 2018 Annual Town Meeting

ARTICLE 24: (by petition)

To see if the Great Barrington Annual Town Meeting of 2018 will approve the following proposed article as written, amended or take any other action thereto in accord with the rules of town meeting procedure:

We the Town Meeting of 2018 hereby consider the following political activity and political activism are an essential and necessary element of the democratic process.

Therefore be it resolved at this day and time present that discrimination based on political activity is a threat to democracy.

The term political activity here means political organizing, the promotion of issues, signing petitions, supporting candidates for election, voting for candidates for election, as well as, expressing your own opinion via

any form of communication including attendance at public meetings and verbal communication by speaking your own opinion on public issues at public hearings held by local boards for public comment and also state agencies seeking public comments on various issues which may include newly proposed regulations.

The term discrimination here means any activity or action considered discriminatory under existing civil rights laws, including lack of access to housing and lack of access to employment, and refusal of public accommodations.


ARTICLE 25: (by petition)

To see if the Annual Town Meeting of 2018 will approve the following principle and article:

Homeless persons are entitled to equal civil rights with other groups designated as protected classes to prevent discrimination against them under existing laws and regulations, of the Commonwealth of Massachusetts and the United States of America.

The Annual Town Meeting of 2018 in Great Barrington therefore affirms this principle and establishes homeless persons and homelessness as a protected class in Great Barrington and recommends to the State Legislature and to the Congress of the United States of America that they also likewise adopt this principle and policy and enact it as law.

ARTICLE 26: (by petition)

 That the Great Barrington Bylaws be amended to add the following: The acceptance period for Citizen Petitions will be no less than thirty (30) days.

ARTICLE 27: (by petition)

To see if the Town will vote to approve the following:

WHEREAS:

Revised 10/24/16

Selectboard

Policies and Procedures

I. Meeting Schedule

Regular Meeting(s)

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.

Workshop Meeting(s)

Selectboard's workshop meetings shall be held as informational sessions on various topics. The focus of these meetings is for members of the Board to discuss issues in-depth with fellow Board members.

Public comment(s) at workshops will be at the conclusion of discussion by the Selectboard, prior to a vote being taken and limited to 5 minutes per person.

All meetings of the Selectboard shall be duly posted in compliance with MGL Open Meeting Law requirements.

A. Notice of Meetings

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.

B. Meeting Procedures

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.

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.

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.

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.

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.

Anyone addressing the Board during the meeting shall proceed to the lectern after being recognized by the Chair. Before speaking, they shall state their name and address. There shall be a time limit of 5 minutes per speaker unless extended by the Chair.

II. 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, 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.

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.

III. Preparing the Agenda

The responsibility for preparing the agenda for the Selectboard meetings shall be the Chair of the Board 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.

Any items requested by members of the Board shall be placed on the agenda, however, the 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.

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.

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.

IV. Public Hearing Procedures

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.

A. 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.

B. The Selectboard has the authority to subpoena a person or relevant information.

C. 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

V. 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.

VI. Approval of Licenses

1. The applicant is strongly urged to appear at the Selectboard's 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.
2. 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.

VII. Board and Committee Speak Procedures

1. 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.

VIII. Citizen Speak Procedures

1. All citizens shall have the right to speak for a period not to exceed five (5) minutes after being recognized by the Chair unless a longer period of time is granted by the Chair.
2. Citizens who choose to speak during Citizen Speak time shall have the opportunity to address the Selectboard once during each meeting.
3. The speaker shall not engage in personal attacks against citizens or public officials and shall remain courteous and respectful at all times.
4. 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.
5. 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.

IX. 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 48 hours). Communication sent to the Town Hall shall be considered public documents. When communication is addressed to the ENTIRE Selectboard, the Clerk of the Selectboard within 2 business days contact 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:

- (1) If the matter can be routinely handled by staff, the Town Manager shall so inform the individual and Selectboard.
- (2) 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. 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 to be the official policy of the Selectboard or Town of Great Barrington.

X. Executive Sessions

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. All Executive Sessions shall conform to the requirements of the open meeting law.

XI. Personnel Information

Information provided to the Board on confidential personnel matters will not be shared with the public.

XII. 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.

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



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Baker-Polito Administration, MassDevelopment Announce Over \$2 Million for Collaborative Workspaces

July 2, 2018

FOR IMMEDIATE RELEASE

Contact:

Kelsey Abbruzzese, MassDevelopment, 617-330-2086 & 617-448-9077
(cell)

kabbruzzese@massdevelopment.com

The Baker-Polito Administration and MassDevelopment are pleased to announce \$2,155,000 in funding for the third round of **Collaborative Workspace Program** grants, a MassDevelopment program that accelerates business formation, job creation, and entrepreneurial activity in communities by supporting infrastructure that fuels locally-based innovation. Eligible organizations may apply for either seed grants to plan and study the feasibility of new collaborative workspaces, or fit-out grants to develop and expand existing workspaces.

Through its first two rounds of grants, the Collaborative Workspace Program provided \$3 million in funding to more than 50 organizations for the planning, development, and build-out of different types of collaborative workspaces. This new round includes \$1.5 million from the Commonwealth's capital budget and \$655,000 from the Barr Foundation, the second installment of a three-year \$1,965,000 grant to the program to expand support for arts-related collaborative workspaces in the Commonwealth.

"Through our 2016 Economic Development Legislation, our administration implemented the Collaborative Workspace Program to enable investments in community-based innovation infrastructure to provide entrepreneurs across Massachusetts with the resources to turn ideas into businesses," said Housing and Economic Development Secretary Jay Ash. "Throughout the Commonwealth, participating communities are making progress in creating welcoming and productive spaces. We look forward to investing further in our state-wide innovation ecosystem."

"Funding awarded through the Collaborative Workspace Program has helped advance community-based innovation and entrepreneurship in cities and towns across the Commonwealth," said MassDevelopment President and CEO Lauren Liss. "Thanks to continued support from the



Baker-Polito Administration and the Barr Foundation, MassDevelopment is thrilled to kick off a third round of grants that will provide even more organizations with the resources they need to create or enhance collaborative workspaces in their community.”

MassDevelopment’s continued partnership with the Barr Foundation broadens the reach of the Collaborative Workspace Program to include the creative sector, a critical source of innovation and positive community change.

“Collaborative workspaces are hubs of creativity for entrepreneurs, artists, and other creatives to find new tools, collaborators, and resources. The ideas, projects, and enterprises that emerge have enormous potential to foster greater vibrancy, innovation, and economic activity in neighborhoods, and keep Massachusetts at the forefront of innovation,” said San San Wong, Arts & Creativity Program Director at the Barr Foundation.

Proposals are due in electronic format via email at cowork@massdevelopment.com by 5 p.m. on Friday, July 20, 2018. Funding decisions are expected to be announced at the end of September.

MassDevelopment, the state’s finance and development agency, works with businesses, nonprofits, financial institutions, and communities to stimulate economic growth across the Commonwealth. During FY2017, MassDevelopment financed or managed 377 projects generating investment of more than \$4.3 billion in the Massachusetts economy. These projects are projected to create about 9,488 jobs and build or rehabilitate 1,863 residential units.

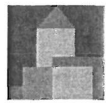
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Collaborative Workspace Program



The goal of the Collaborative Workspace Program is to accelerate the pace of new business formation, job creation, and entrepreneurial activity in communities, by supporting infrastructure that fuels community-based innovation. Eligible collaborative workspace applicants may apply for either Seed Grants for predevelopment and feasibility work, or Fit-out Grants for building improvements and equipment purchases.

We are excited to announce the opening of our third competitive funding round on June 11, 2018. Proposals are due in electronic format via email at cowork@massdevelopment.com no later than 5:00 PM on Friday, July 20, 2018. Funding decisions are expected to be announced at the end of September.

- [Sign up to receive the RFP](#)
- [Addendum #1: Questions and Answers - June 29, 2018](#)

SIGN UP FOR PROGRAM NEWS AND UPDATES

For more information, contact:

cowork@massdevelopment.com

News Links

Baker-Polito Administration Awards
Nearly \$385,000 for Collaborative
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- November 1, 2017

Baker-Polito Administration Awards
\$1.2 Million for Collaborative
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Baker-Polito Administration Awards
\$343,000 for Collaborative
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- October 24, 2017

**Baker-Polito Administration
Announces Nearly \$2.1 Million for
Collaborative Workspaces - May 16,
2017**

**Baker-Polito Administration
Announces Inaugural Round of
Collaborative Workspace Program
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Host Community Agreement Application

1. Name and contact info of license holder

1. Highminded LLC
Alexander Farnsworth
Manager
af@alexanderfarnsworth.com
801.419.7327
370 Main Road, Monterey, MA 01245

2. Name and contact info of applicant representative if different (person filling out this form)

Attorney for Applicant:
Kathleen M. McCormick
390 Main Street, Suite 2
Great Barrington MA 01230

3. Name and contact info of person responsible for day-to-day operation (Store Manager, etc.)

Brayden Farnsworth
Operations Director
braydenfarnsworth@gmail.com
801.419.7358
214 Bluff Street #C, Oregon City Oregon 97045

*Brayden will be relocating prior to opening.

4. Employment history of store manager, past 5 years

Customer Service and Product Specialist
Cannabis Nation, Inc.
Feb 2018 - current
Portland, OR

Co-Founder and Operations Manager
Bird Bid, LLC.
January 2017 - February 2018
Portland, OR

Purchasing Manager
Sterling ATM, Inc.
July 2016 - June 2017
Salt Lake City, UT

Buyer
Curtiss-Wright Defense Solutions/Parvis LLC.
July 2013 - July 2016
Salt Lake City, UT

highminded

July 2, 2018

Physical Therapist Assistant
Cutting Edge Physical Therapy
June 2009 - July 2013
Salt Lake City, UT

5. List of all executives, managers or persons/entities having authority over the management, policies, security operations or cultivation operations of the establishment.

Alexander Farnsworth, Manager
Brayden Farnsworth, Operations Director

6. Has anyone on the list of participants (principals, investors, employees) ever held an alcohol license? Ever been cited for an ABCC violation

No

7. Name and address of owners, investors, and other sources of capital resources available to the applicant for the purpose of establishing or operating the Marijuana Establishment.

Alexander Farnsworth, Majority Owner
3 Pierrepont Place 2A, Brooklyn NY 11201

Adam Lippes, Minority Owner
3 Pierrepont Place 2A, Brooklyn NY 11201

LippcoCapital, Minority Owner/Investor
50 Fountain Plaza #1700, Buffalo, NY 14202

8. DBA and business structure

No DBA as of now
Highminded LLC is Massachusetts limited liability company.

9. Address of marijuana establishment and description of parts of the address to be used.

(Floor number, square footage, doors to be used by customers/staff)

198 Main Street, Ground Floor Unit 4, Great Barrington, MA

This is the unit furthest away from Main Street and faces the Prairie Whale restaurant.

Approximately 1,254 square feet of ground floor space

There is one door for customers/staff to use.

10. Description/drawing of view from the street, view from abutters

(See Exhibit A for images.)

11. How many other facilities do principals have/are applying for and where?

None

12. Parking plan

The Landlord's development is adding 45 parking stalls that will be available to our customers.

13. Prevention of diversions

As required in the CCC regulations, we will require ID verification before any customer is allowed to enter the retail space and again will verify IDs at checkout, both processes will be captured on security cameras.

highminded

July 2, 2018

In addition to the CCC requirements, we will also provide in-store materials directed at parents and caregivers on how to keep marijuana out of underage hands.

14. Intended training and qualifications for staff

In addition to the required CCC trainings, we will also hold monthly compliance and educational trainings, in addition to immediate trainings on any new products or procedures.

15. Date of Community Impact Meeting

Monday, July 9th 2018 at 4PM

16. Date you would like to appear before the Selectboard?

Monday, July 9th 2018

highminded

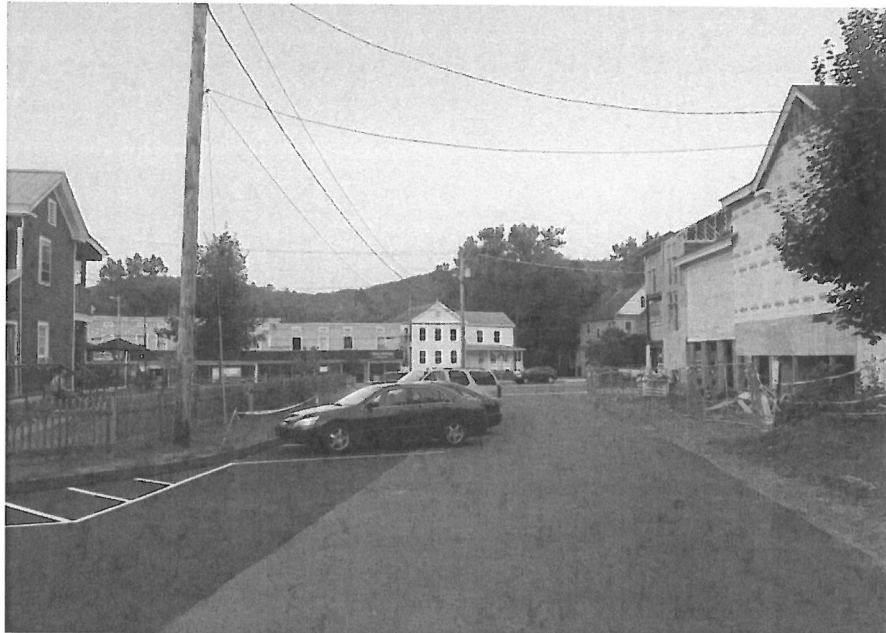
July 2, 2018

EXHIBIT A

View from storefront facing the Prairie Whale



Facing Main Street. Prairie Whale on the left, Proposed Location on the right



DRAFT: Host Community Agreement Application. As of 7/2/18

Timeline of events:

- Schedule and attend initial meeting with town staff to go over the process and, receive Application, HCA Template, and Marijuana Bylaw.
- Fill out and return application with supporting materials.
- Check with Designated Staff to ensure all material is correct, schedule Selectboard meeting date, and submit check for legal escrow.
- Hold community meeting. (Arrange date and time with Designated Staff)
- If the Marijuana Establishment requires a Special Permit, apply for Special Permit and proceed through the public hearing process. After the appeal waiting period, or the resolution of appeals, proceed to the next step.
- Selectboard hearing and approval/amendment of Host Agreement.
- Apply to State.
- Schedule and complete town reviews of site plan, security plan, etc. with correct boards.
- Keep Selectboard informed of progress. (When license is granted, opening date, etc.)

Application: **Items in bold are documents that should be attached to this application**

1. Contact Information: Name and contact info of:
license holder **Commonwealth Cultivation Inc**

applicant representative (if different from license holder)

Brian Vincent 860-798-7995

store manager (person responsible for day-to-day operation) **Include resume/employment history of store manager, past 5 years**

Sasha Bacca see Attached resume

2. Business information:
 - a. List of all executives, managers or persons/entities having authority over the management, policies, security operations or cultivation/manufacturing operations of the establishment.

Brian Vincent
Andy Vincent
George Whaling
Paul Aronofsky
Chris Bock
Steven Silverstian

- b. Name and address of owners, investors, and other sources of capital resources available to the applicant for the purpose of establishing or operating the Marijuana Establishment.

George Whaling 10 Amy CT Pittsfield MA 1201
Paul Aronofsky 35 park Ave 8C New York NY 10016
Steven Silverstein 240 East 86th St. 19A New York
NY 10028

- c. Include DBA

TBD - will comply with state guidelines

3. Location:

- a. Address of marijuana establishment and description of parts of the address to be used. (Floor number, square footage, doors to be used by customers/staff).
Please include letter from landowner giving permission or copy of purchase agreement (if under contract).

82 Railroad St Great Barrington MA 01230
2 Floors, 2832 sqft, 1 Door (side entrance)

- b. Will you be updating/changing the exterior of the building? Please include description/drawing of view from the street, view from abutters.

Security Cameras & New Door.

- c. Does property include parking? If not, what is your parking plan?

yes 5 spots.

4. Has anyone on the list of participants (principals, investors, employees) ever held an alcohol license? Have any participants ever been cited for an ABCC violation? if yes, please explain

NO

5. How many other facilities do principals have/are applying for and where?

1 cultivation facility in Pittsfield
74 Downing Industrial
Pittsfield MA 01201

6. Date of Community Impact Meeting, (Please coordinate with Selectboard and list it on the Town calendar.)

7/7/18

7. Date you would like to appear before the Selectboard?

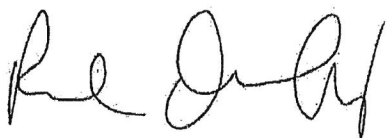
July 16th 2018

To Whom It May Concern,

Highland Capital Realty Corp., or assigns agrees to rent 82 Railroad St Great Barrington Ma 01230 to Commonwealth Cultivation Inc to be used as a retail recreation marijuana establishment. This agreement will be contingent on all local and state Licenses and permits.

Highland Capital Realty Corp

Paul Aronosky

A handwritten signature in black ink, appearing to read "Paul Aronosky".

Commonwealth Cultivation

A handwritten signature in black ink, appearing to read "Brian Vincent".

Brian Vincent