

Mark Pruhenski
Town Manager

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www.townofgb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER
Selectboard Regular Meeting via Zoom
Order of Agenda for Monday, June 21, 2021, at 6:00 PM
Site Visit: 5:00 PM 250 Long Pond Road

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89361006444?pwd=M1h2R2lCdUJweHRDRjlYMUFpM2lPd09>

Webinar ID: 893 6100 6444

Passcode: 663344

Dial-in, audio-only: (929) 205 6099

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Great Barrington Selectboard will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on town's website, at www.townofgb.org. For this meeting, members of the public who wish to listen to the meeting may do so by following the instructions at the top of the agenda. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

*****ALL VOTES ARE ROLL CALL*****

1. CALL TO ORDER SELECTBOARD REGUALR MEETING
2. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS
3. TOWN MANAGER'S REPORT
 - a. Housatonic Water Works
 - b. Welcome new Treasurer/Collector
 - c. Board/Committee Meetings Update
 - d. Public Works Projects Updates
4. PUBLIC HEARINGS
 - a. Continuation, Jeff Caminiti/20 Public House for change of manager
 - b. Special Permit application from Kenneth Alpart, 15 Daisy Place, Tenafly, NJ of 250 Long Pond Road, for a moderate income home occupation at 250 Long Pond Road, Great Barrington in order to host events on the property, per Sections 3.1.4 G(9), 3.3, and 10.4 of the Zoning Bylaw.
 - i. Open Public Hearing
 - ii. Explanation of Project
 - iii. Speak in Favor/Opposition
 - iv. Motion to Close or Continue Public Hearing

- v. Motion re: Findings
- vi. Motion re: Approval/Denial/Table

5. NEW BUSINESS

- a. Housatonic Improvement Committee Updates
- b. One Planning Board Alternate Appointment
- c. Two Lake Mansfield Task Force Appointments
 - i. One Citizen at Large
 - ii. One Selectboard Representative
- d. FY22 Annual Reappointments, as per list attached
- e. Appointment to the Berkshire Regional Transit Authority

6. CITIZEN SPEAK TIME

Citizen Speak Time is 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.

7. SELECTBOARD'S TIME

8. MEDIA TIME

9. ADJOURNMENT

NEXT SELECTBOARD MEETING

Goal Setting Meeting June 28, 2021

Regular Selectboard Meeting July 12, 2021

Regular Selectboard Meeting July 26, 2021

Regular Selectboard Meeting August 9, 2021



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 be brought up for discussion to the extent permitted by law.

**TOWN OF GREAT BARRINGTON
NOTICE OF PUBLIC HEARING**

The Selectboard will hold a public hearing on Monday, June 14, 2021 at 6:00 pm via Zoom to act on the application of Jeff Caminiti/Shackdown, Inc. for a Change of Manager from Ben Downing to Jeff Caminiti on the Common Victualler All Alcoholic Restaurant license at 20 Railroad Street, Great Barrington, MA 01230.

Stephen Bannon
Chair



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

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name SHACKDOWN INC.	Municipality GREAT BARRINGTON	ABCC License Number 00011-RS-0464
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2. APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name JEFFREY CAMINITI	Title VP/TREAS	Email CJDREAMINN@AOL.COM	Phone [REDACTED]
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3A. MANAGER INFORMATION

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

Proposed Manager Name **JEFFREY CAMINITI** Date of Birth **9/3/1948** SSN [REDACTED]

Residential Address [REDACTED]

Email [REDACTED]

Please indicate how many hours per week you intend to be on the licensed premises **40** Last-Approved License Manager **BENJAMIN D. DOWNING**

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? Yes No *Manager must be 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
11/1/74	ANDOVER		

3C. EMPLOYMENT INFORMATION

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

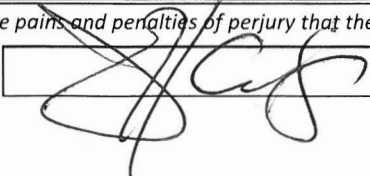
Start Date	End Date	Position	Employer	Supervisor Name
11/1/20	ACTIVE	OWNER/MANAGER	SHACKDOWN INC	NONE/SELF
11/4/92	CURRENT	INSURANCE AGENCY OWNER	ANGEL UNDERWRITERS INC	AGENT/OWNER

3D. 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 **5/5/2021**

TOWN OF GREAT BARRINGTON

PUBLIC HEARING

The Great Barrington Selectboard will hold a public hearing on Monday, June 21, 2021 at 6:00 pm, via Zoom remote video/teleconference, to act on the Special Permit application from Kenneth Alpart, 15 Daisy Place, Tenafly, NJ, of 250 Long Pond Road, Inc., for a moderate income home occupation at 250 Long Pond Road, Great Barrington, in order to host events on the property, per Sections 3.1.4 G(9), 3.3, and 10.4 of the Zoning Bylaw.

The Zoom link and meeting ID will be listed on the meeting agenda, which is posted to the calendar on the Town website at least 48 hours in advance. Interested parties may contact the Planning Department at crembold@townofgb.org for more information.

Steven Bannon, Chair

Please publish May 25 and June 1, 2021

Berkshire Eagle

STEPHEN BANNON
CHAIR

LEIGH S. DAVIS
EDWARD ABRAHAMAS
GARFIELD REED
ERIC GABRIEL



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TOWN OF GREAT BARRINGTON MASSACHUSETTS

SELECTBOARD

SPECIAL PERMIT # 921-21

NAME, ADDRESS, AND PROJECT: Special Permit application from Kenneth Alpart, 15 Daisy Place, Tenafly, NJ, of 250 Long Pond Road, Inc., for a moderate impact home occupation at 250 Long Pond Road, Great Barrington, in order to host events on the property, per Sections 3.1.4 G(9), 3.3, and 10.4 of the Zoning Bylaw.

REVIEW MEETINGS

These Boards and Commissions will hold meetings on the following dates to consider your application and make a recommendation to the ZBA (dates or times may be subject to change):

CONSERVATION COMMISSION * Wednesday, May 26, 2021, 6:30 PM, via Zoom

** Call the Conservation Agent in advance of the meeting to see if you should attend.*

BOARD OF HEALTH ** Thursday, June 3, 2021, 6:30 PM, via Zoom

*** Call the Health Agent in advance of the meeting to see if you should attend.*

PLANNING BOARD Thursday, June 10, 2021, 6:00 PM, via Zoom

Applicant must attend

SPECIAL PERMIT PUBLIC HEARING

The **PUBLIC HEARING** before the **SELECTBOARD** will be Monday, June 21, 2021, at 6:00 PM, via Zoom video/teleconference meeting. A Zoom link will be sent in advance of the hearing date.

Applicant must attend.

The boards may contact the applicant to arrange for site visits which are typically held the same day as the boards' meeting.

TOWN OF GREAT BARRINGTON
Application for a Special Permit
to the Board of Selectmen or Planning Board

FORM SP-1
REV. 12-2020
MAY 17 2021 AM 9:33

FOR OFFICE USE ONLY

Number Assigned 921-21 Date Received 5/14/21
Special Permit Granting Authority SB
Copy to Recommending Boards 5/18
Advertised 5/20 & 5/27
Public Hearing 6/28
Fee: \$300.00 Paid:

APPLICATION FOR SPECIAL
PERMIT UNDER TOWN ZONING
BYLAWS FOR TOWN OF
GREAT BARRINGTON,
MASSACHUSETTS

MAP 33 LOT 6 BOOK 2514 PAGE 108 ZONING DISTRICT(s) R-2

Site Address: 250 Long Pond Road , Great Barrington, MA 01230

Date of Application May , 2021

Applicant's name and complete mailing address Ken Alpart 15 Daisy Place Tenafly, NJ 07670

Applicant's phone number (917) 566-3541 Applicant's email address: Kapart11@gmail.com

Name and Address of Owner of land exactly as it appears on most recent tax bill:

250 Long Pond, Inc.

250 Long Pond Road Great Barrington, MA 01230

I (we) request a Special Permit for: moderate impact home occupation

Under Section(s) 3.3 and 10.4 of the Great Barrington Zoning Bylaws.

APPLICANTS MUST READ AND COMPLY WITH THE FOLLOWING:

One Signed Original application with each of the items below, as applicable, fourteen (14) exact copies of the entire package, and one electronic PDF, are to be submitted. Applications must include:

1. Completed application form, including signatures.
2. Brief written description of how the project is in harmony with the Great Barrington Master Plan. (Copies of the Master Plan are available for free download from the Town website. Hard copies can be read at the Clerk's office or the Town libraries.)
3. Site Plan, drawn to scale, applicable to the site and the proposed use of said site for which this special permit is requested.
4. Any other specifications necessary to further describe the site or proposed use for which a special permit is requested. At least one copy of any maps being submitted shall be no larger than 11" X 17". Plans should show all existing and proposed structures, property lines and dimensions, driveways, walkways and parking areas. All proposed landscaping, parking, loading, and similar improvements must be in compliance with the applicable sections of the Zoning Bylaw.
5. Certified list of abutters within 300 feet on the Assessors Maps to the subject property, including map and lot number. List must be obtained from the Assessors' Office.

- 6. Zoning Map designating the zoning district(s) and location for the area for which a special permit is requested, plus a USGS map enlarged and showing the site location within the Town.
- 7. Drainage Plan indicating the destination of all runoff from the property. In the event of substantial increase in impervious surfaces, the SPGA may require calculations or expert analysis of the plan.
- 8. Landscaping Plan drawn to scale and showing existing and proposed landscaping.
- 9. If applicant and owner are different, a letter signed by the owner of the property authorizing the applicant to apply for the special permit.

SPECIFICS:

- 1. All site plans and specifications must be signed and dated by the preparer.
- 2. **ALL OWNERS** of property must also sign the application.
- 3. A copy of special permit procedures is available upon request.
- 4. Fee for application is \$300.00 to cover the cost of the public hearing notices in the newspaper and notification to parties in interest.
- 5. Once all the necessary papers, maps, etc. are compiled into the required Original and Fourteen sets, call the Town Planner's office at 413-528-1619 ext. 7 to arrange an appointment to file your application. The application will be reviewed for completeness and a date for a public hearing before the Board of Selectmen or Planning Board will be scheduled. Meetings of recommending boards (e.g. Planning Board, Conservation Commission and Board of Health) will also be arranged at this time.



Signature of Applicant

Signature of Co-Applicant (e.g. Property Owner, if different)

PLEASE READ AND SIGN BELOW

ALL COSTS INCURRED BY THE TOWN FOR THE EMPLOYMENT OF EXPERTS OR CONSULTANTS REQUIRED BY ANY TOWN BOARD, AND APPROVED BY THE BOARD OF SELECTMEN, FOR THE PURPOSE OF ANALYZING OR EVALUATING ANY PROJECT THAT IS A SUBJECT OF A SPECIAL PERMIT APPLICATION SHALL BE ASSESSED TO THE APPLICANT AND SHALL CONSTITUTE PART OF THE APPLICATION FEE. A COPY OF THIS REGULATION SHALL BE PROVIDED TO THE APPLICANT IF REQUESTED.

I have read the above regulation and agree to be bound by it.

Signature  _____

Signature of Co-Applicant (e.g. Property Owner) _____

Date 02/02/2021 _____

Bruce Firger, Assessor
John Katz, Assessor

Carol Strommer
Administrative Assessor
E-mail: cstrommer@townofgb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

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Fax: (413) 528-1026

**TOWN OF GREAT BARRINGTON
MASSACHUSETTS
BOARD OF ASSESSORS**

February 11, 2021

ABUTTERS TO PROPERTY OF: 250 LONG POND INC.

250 Long Pond Road, Map 33 Lot 6, Book 2514 Page 108

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
33	3,4	Susan G. Segall, 263 Long Pond Rd., Gt. Barrington, MA 01230-1169
33	4A	Jan P. Wojcik & Ruby Chang, 1 Roger Rd., Gt. Barrington, MA 01230-1472
33	5	Deborah Dodge, 245 Long Pond Rd., Gt. Barrington, MA 01230-1169
33	5A	Great Barrington Land Conservancy Inc., PO Box 987, Gt. Barrington, MA 01230-0987
33	8,8B.2	Dylan McCormick & Greer Goodman, c/o Bonness Enterprises Inc., 3148 Dumbarton St. NW, Washington, DC 20007-3308
33	8A	Daniel A. Ross & Amy M. Adelson, 160 East 84 th St., New York, NY 10028-2008
33	8B.1	Louis B. & Bonnie R. Altshuler, 246 Long Pond Rd., Gt. Barrington, MA 01230-1166
33	12	Nancy Wise, 26 Grant St., Lexington, MA 02420-3705
33/3A,34/19A,19B,18A,18B		Andrew R. Humes, 267 Long Pond Rd., Gt. Barrington, MA 01230-1169
34	19C,18C	Terri Ann Norden, 350 Central Park West, New York, NY 10025-6547
34/20, 27/46,46E		Irene M. Tossavainen, PO Box 314, Housatonic, MA 01236-0314
27	49	Ethan A. & Sarah Ruth Flynn, 3034 5 St. SW, Calagary AB T2S 2C4
27	50F	Joel L. & Heidi R. Sisenwine, Trustees, 544 Grove St., Newton, MA 02462-1412
27	50D,50E	David Siok & Renata Segalla Siok, 11 Mountain Rd., Alford, MA 01230-8905
27	53	Peter J. & Johanna L. Brogan, Trustees, 269 North Plain Rd., Housatonic, MA 01236-9723
27	50G	Norma Pothul & Carol Dermody, 273 North Plain Rd., Housatonic, MA 01236-9723
27	50A,50I	Joshua Brown, 211 West 106 th St. #4C, New York, NY 10025-3686
27	50B,50C	Martin & Ruth Weinstein, 131 Perry St. #4A, New York, NY 10014-6210
27	48.5	David Lloyd Reichman & Stacia Gail Ostrow, PO Box 191, Housatonic, MA 01236-0191
27	48.4	Gordon E. & Bonnie M. McIntyre, 9 Crimson Lane, Housatonic, MA 01236-9718
27	48.3	Robert W. Seward Jr. & Patricia Seward, PO Box 529, Housatonic, MA 01236-0529
27	46D	Arthur S. & Louise M. Hillman, Trustees, PO Box 8, Gt. Barrington, MA 01230-0008
27	54A	Jeffrey R. & Tamara Stevens, Trustees, PO Box 574, Housatonic, MA 01236-0574
27	50H	Albert A. Rothman, Trustee, 19500 Turnberry Way, Adventura, FL 33180-2592
27	48C	Jane Hansford Bronson, 6 Mead St, New Canaan, CT 06840-5701
27	46G	Alice L. Yeh & Scott A. Silverman, 98 Hollywood Ave, Tuckahoe, NY 10707-2223

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

Sincerely,

Carol Strommer
Administrative Assessor

**KENNETH ALPART (250 LONG POND, INC.)
SPECIAL PERMIT APPLICATION – 250 LONG POND ROAD
BOARD OF SELECTMEN**

ABOUT THE PROJECT

PURPOSE OF APPLICATION

Applicant is seeking a Special Permit for a moderate impact home occupation pursuant to Section 3.3.3 of the Town of Great Barrington Zoning Bylaws with the intention of hosting up to 15 weddings, family reunions or similar celebrations a year.

The subject property is located in the Residential R-2 District. The property contains 113.728 acres. Approximately 108.728 acres are subject to a Conservation Restriction to Berkshire Natural Resources Council Inc. dated May 11, 2000 and recorded in the Southern Berkshire Registry of Deeds in Book 1224, Page 88. The events will take place within the 5.57 acres shown as "Building Envelop" and generally within the area marked "Tent Site on the Site Plan. This is the maximum area that a tent would cover. It is likely that the tent will be of a smaller size for the majority of the events. The main house is located on a ridgeline. There is natural screening between the house and the road. The closest neighbor is about 250 feet from the site.

Currently, the Applicant pays over \$80,000.00 annually in property tax. On top of this expense are insurance costs in excess of \$20,000 annually, as well as maintenance, upkeep and utility expenses. It is expected that the revenue generated from these functions will allow the Applicant to keep this unique property.

The application meets all the Special Permit Procedures required of Section 3.3.4 of the Zoning Bylaw.

3.3.4 (1): A site plan has been filed for review by the Planning Board.

3.3.4 (2): The home occupation will not involve the use or storage of heavy vehicles or heavy equipment or involve trucking or warehousing activities.

3.3.4 (3): There is no machinery used in the home occupation that is in excess of five horsepower.

3.3.4 (4): The Applicant acknowledges that the special permit, if granted, authorizes the home occupation for an initial period not exceeding one year. The Applicant further acknowledges that the special permit, if granted, pertains only to the specific use of the original applicant and does not transfer with the property.

The application meets all the Standards for Home Occupations pursuant to Section 3.3.5 of the Zoning Bylaw.

3.3.5 (1): The principal residence of the owner/operator of the home operation will be the dwelling unit in which the home occupation operates.

The weddings/events will occur outdoors under a tent. The Applicant requires all individuals renting the Premises to hire caterers who are licensed by the Great Barrington Board of Health and separate sanitation facilities. For events where more than 25 attendees are expected, the individuals are required to hire an event planner. There is no use of the kitchen facilities or bathroom facilities on the Premises for the events. Either the Applicant or the Applicant's caretaker or property manager will be present at all events to ensure compliance.

3.3.5 (2): Home occupations shall be conducted within the principal building and/or accessory building(s) and shall be clearly incidental and secondary to a dwelling. No outdoor display or storage of materials, goods or supplies or equipment shall be permitted.

As stated above, the weddings/events will occur outdoors under a tent. The event planner will arrange for the rental of the necessary tent and sanitation facilities. There will be no outdoor displays or storage of any materials, goods or supplies or equipment on the premises.

3.3.5 (3): The floor area for the home occupation shall not exceed 33% of the gross floor area of the dwelling unit and accessory building(s). In no case shall the space occupied by any home occupation(s) in an accessory building exceed 750 gross square feet on the same property.

This provision does not apply, as all events will occur outside.

3.3.5 (4): There shall be no ongoing retail trade, salesrooms, show windows or displays. All materials and supplies shall be stored within 33% of the gross floor area allowed for use as a home occupation.

This provision does not apply to Applicant's intended use.

3.3.5 (5): Sale of articles produced elsewhere than on the premises and brought to the premises for the purpose of sale is not permitted.

There will be no sales of articles on the premises.

3.3.5 (6): Home occupations shall conform to Section 6.4, Performance Standards, and the Town Code, Chapter 115, Noise Control.

The Applicant will abide by the Performance Standards articulated in Section 6.4 of the Zoning Bylaw and the Noise Control Standard in Chapter 115 of the Town Code. The Applicant does not allow the use of any fireworks on the Premises.

3.3.5 (7): Low impact home occupations may employ one person who is not residing on the premises on which such home occupation is allowed.

This provision is not applicable to the Application.

3.3.5 (8): An off-street parking area shall be provided in compliance with requirements of this Bylaw.

There are forty-six (46) off-street parking spaces shown on the Site Plan.

3.3.5 (9): Hours of Operation: In no case shall the home occupation be open to the public, including clients, visitors and deliveries, at time neither earlier than 8:00AM nor later than 8:00PM.

The intended home occupation will not be open to the public at any time. The property is only open to those individuals who are invited guests. The Applicant respectfully requests that amplified music be permitted up to 11:00PM during events.

3.3.5 (10): Home occupations shall comply with all local, state or federal regulations pertinent to the activity pursued, and the requirements of or permission granted by this Bylaw shall not be construed as an exemption from such regulations.

Applicant requires all renters of the Property to submit copies of contracts with all event planners, caterers and entertainment prior to any event occurring in order to ensure compliance with the requirements that adequate sanitation facilities have been rented, caterers are properly licensed by the Great Barrington Board of Health, that kitchen facilities will not be used and to ensure that the entertainment does not extend beyond 11:00PM.

FORM SP-1 REV. 11-2013 Requirement

Pursuant to the Great Barrington Form SP-1 application, the Applicant submits the following information:

Brief written description of how the project is in harmony with the Great Barrington Master Plan:

Response: The Master Plan addresses the co-existence of home business opportunities within residential neighborhoods. Goal LU 5 acknowledges that a resident's right to, and expectation of, quiet neighborhoods free from odor, glare, noise and other impacts of commercial activity can be maintained with proper

buffering and design standards which allow for the financial health of a business endeavor. The moderate impact home occupation requested in this application allows residential property values to remain stable, allows the Applicant to financially support his property and in no way discourages the concentration of business development in the core business areas of Great Barrington.



**Town of Great Barrington
Planning Board**

**Application to the Planning Board for
Site Plan Review
in accordance with Section 10.5 of the Zoning Bylaw**

INSTRUCTIONS TO APPLICANTS

Read Section 10.5.1 of the Zoning Bylaw. If you believe any requirements should be waived, you must formally request waivers from the Board. This may be done in your cover letter.
 Fill in all applicable information on this form.
 Submit one (1) original and three (3) copies, along with your payment, site plan, and other required information to the Town Planner. At least one set of the site plans must be full sized. Collate the information so that all four packets are identical, except for the original signature.
 Submit one (1) PDF of the entire packet including any and all plans and specifications.
 The PDF must be clear and scalable.
 Call the Town Planner at (413) 528-1619 ext. 7 if you have any questions.

FOR OFFICE USE ONLY

SPR number: _____
 Paid? _____
 Filing Date: _____
 Initial PB meeting date: _____
 Decision due: _____
 _____ Original and three copies received
 _____ PDF received
 _____ Original filed with Town Clerk

**** DEADLINE **** Applications including all copies and PDFs must be received by 4:00 PM one week before a Planning Board meeting in order to be considered at that meeting. Materials received after the deadline will be scheduled for a future meeting.

TIMELINE: In accordance with the Zoning Bylaw, the Planning Board must review and act upon the site plan within 60 days of receipt of the application, unless the time limits are extended after the applicant's written request.

A. SITE LOCATION

Site Address: 250 Long Pond Road
 Map: 33 Lot: 6 Deed Book: 2514 Deed page: 108
 Zoning District: R-2 Zoning Overlay District(s) (if any): _____

B. APPLICANT AND PROPERTY OWNER

Applicant's Information Name (please print) 250 Long Pond, Inc. Kenneth D. Alpart, President and Treasurer
 Street Address 15 Daisy Place
 City, State, Zip Code Tenafly, NJ 07670
 Phone (area code first) 917-586-3541 Email Address: Kalpart11@gmail.com
 Signature [Handwritten Signature]

- Check here if Applicant and Property Owner are the same, and skip to step C., Description.
- Check here if Applicant is different than the Property Owner, and to verify that you have the Property Owner's permission to file this Application. Property Owner must sign this form indicating permission to file this Application.

Enter Property Owner's information EXACTLY as it appears on the most recent tax bill.

Property Owner's Information Name (please print) _____
 Street Address _____
 City, State, Zip Code _____
 Phone (area code first) _____ Email Address: _____
 Owner's Signature _____

C. DESCRIPTION Briefly describe your project, and indicate how it complies with the Master Plan and the Design Guidelines Workbook. If additional space is needed, please submit on additional sheet(s) as required.

Applicant is seeking a moderate impact home occupation special permit from the Selectboard pursuant to Section 3.3.3. The intention is to host up to 15 events (weddings, family reunions and similar celebrations) a year. All the events will occur outdoors. The project complies with the Master Plan as it allows residential property values in the neighborhood to remain stable, allows the Applicant to financially support his property and in no way discourages the concentration of business development in the core business areas of Great Barrington. (See Goal LU 5)

D. APPLICABILITY: Check the reason(s) for your Application (choose all that apply)

1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or multi-family structure.
2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or multi-family structure or use involving more than six spaces.
3. Grading or clearing of more than 10% of a lot or 10,000 square feet, whichever is the lesser (except as provided in 10.5.1, of the Zoning Bylaw).
4. Other, as required by the Zoning Bylaw. (Please specify: Section(s) 3.3.4(1))

E. SPECIAL PERMITS AND OTHER REGULATIONS

1. Does your project require any Special Permits? Yes No
- If yes, have you applied for and/or received those Special Permits? Yes No
2. You acknowledge that Planning Board Site Plan Approval does not imply approval of any Special Permits or compliance with other regulations, including, but not limited to, the Wetlands Protection Act or Scenic Mountains Act. Check here to acknowledge .
3. Does your project require filing of a Notice of Intent (NOI)? Yes No
- If yes, has NOI been filed and has an Order of Conditions been issued? Yes No

F. FEE

- Check here to confirm that your check of \$75 per application is enclosed. Make checks payable to Town of Great Barrington.

G. REQUIREMENTS

This application is accompanied by those items detailed in Section 10.5.3 of the Zoning Bylaw, including:

(Check items 1. and 2. at a minimum. Check item 3. if it is required by the Planning Board. Check item 4 if applicable to your project.)

1. Plot Plan of the entire tract, signed by a licensed surveyor or engineer, and including details noted in Section 10.5.3, item #1, of the Zoning Bylaw
2. Signatures, letters, and fees as noted in Section 10.5.3, item #2, of the Zoning Bylaw
3. Traffic impact assessment, if required, as noted in Section 10.5.3, item #3, of the Zoning Bylaw
4. If project involves construction, exterior alteration or expansion, or change of use, this application must also contain floor plans and elevations of the building

H. ABUTTER NOTIFICATION

Have you discussed your proposed plans with the neighbors of this site? Yes No

I. APPROVAL

APPLICANT SHOULD BE FAMILIAR WITH THE REQUIREMENTS OF SITE PLAN REVIEW PER SECTION 10.5 OF THE ZONING BYLAW AND SHOULD ENSURE THAT THE APPLICATION COMPLIES. FAILURE TO COMPLY MAY RESULT IN DENIAL.

APPLICANT SHOULD BE FAMILIAR WITH THE APPROVAL CRITERIA PER SECTION 10.5.3 OF THE ZONING BYLAW.

THIS PARCEL IS SUBJECT TO AND WITH THE BENEFIT OF ALL RIGHTS, RESTRICTIONS, CONDITIONS, EASEMENTS, LEASES, ENCUMBRANCES AND APPURTENANCES OF RECORD.

UNLESS OTHERWISE NOTED HEREON, THIS SURVEY PLAN SHALL NOT BE CONSTRUED AS DEPICTING THE PRESENCE, ABSENCE, OR LIMITS OF ANY OR ALL REGULATED WETLANDS OR FLOODPLAINS. ANY SURFACE WATER FEATURES SHOWN, SUCH AS STREAMS OR PONDS, ARE NOT REPRESENTED AS INDICATING LIMITS OF WETLAND RESOURCE AREAS.

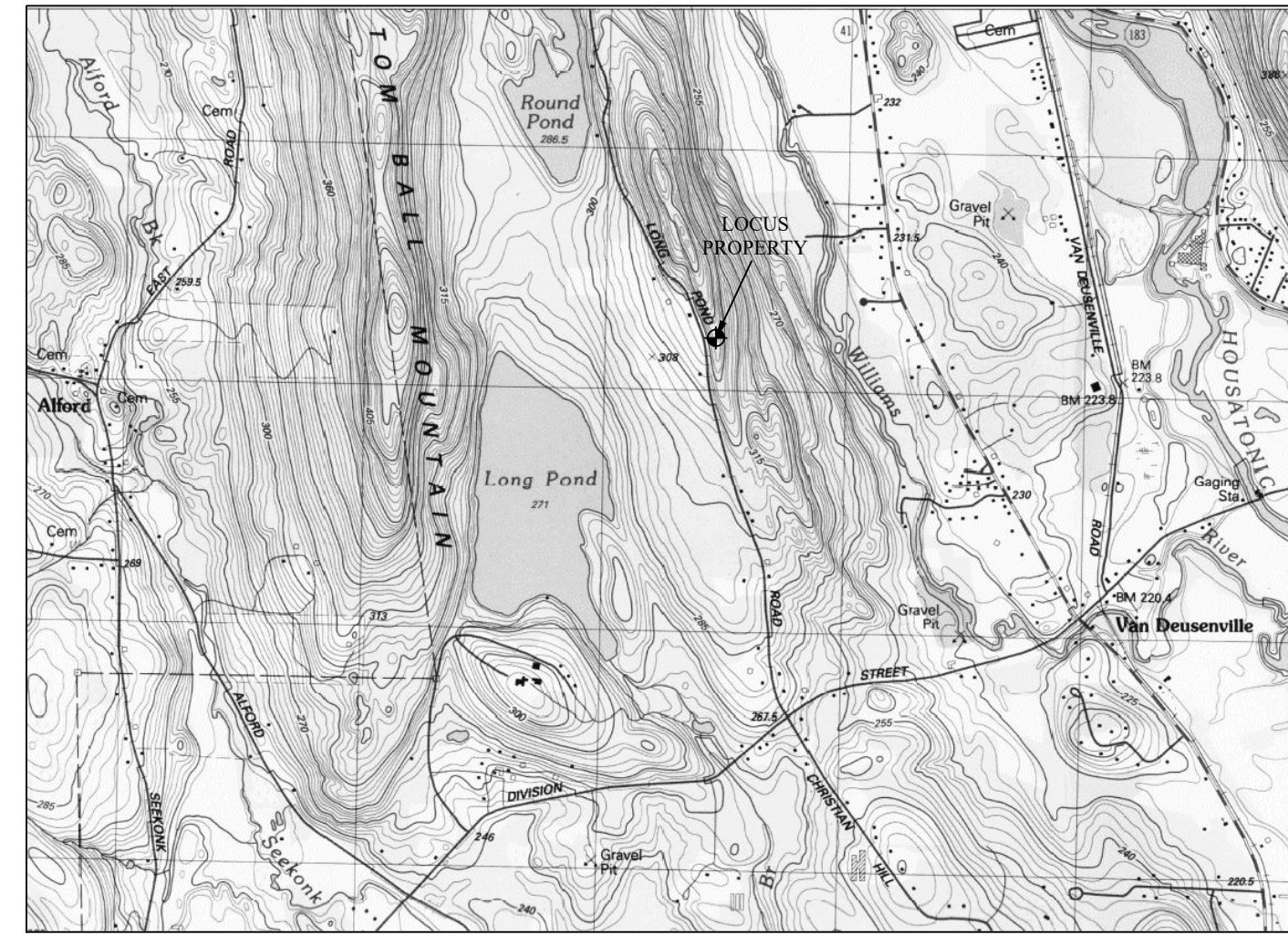
RECORD OWNER: 250 LONG POND, INC.
 LOCUS DEED: BK - 2514 PG - 108
 (SEE PLAN IN PLAT FILE L - 119)
 (SEE PLAN IN PLAT FILE N - 82)
 PROPERTY ADDRESS: 250 LONG POND ROAD

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ATTORNEY'S ABSTRACT OF TITLE AND/OR TITLE REPORT AND IS SUBJECT TO ANY STATEMENT OF FACTS SUCH AS ABSTRACT OR REPORT WOULD HAVE REVEALED. THIS PROPERTY WAS SURVEYED BY THE POSSESSION LINES FOUND AT THE TIME THE SURVEY WAS MADE.

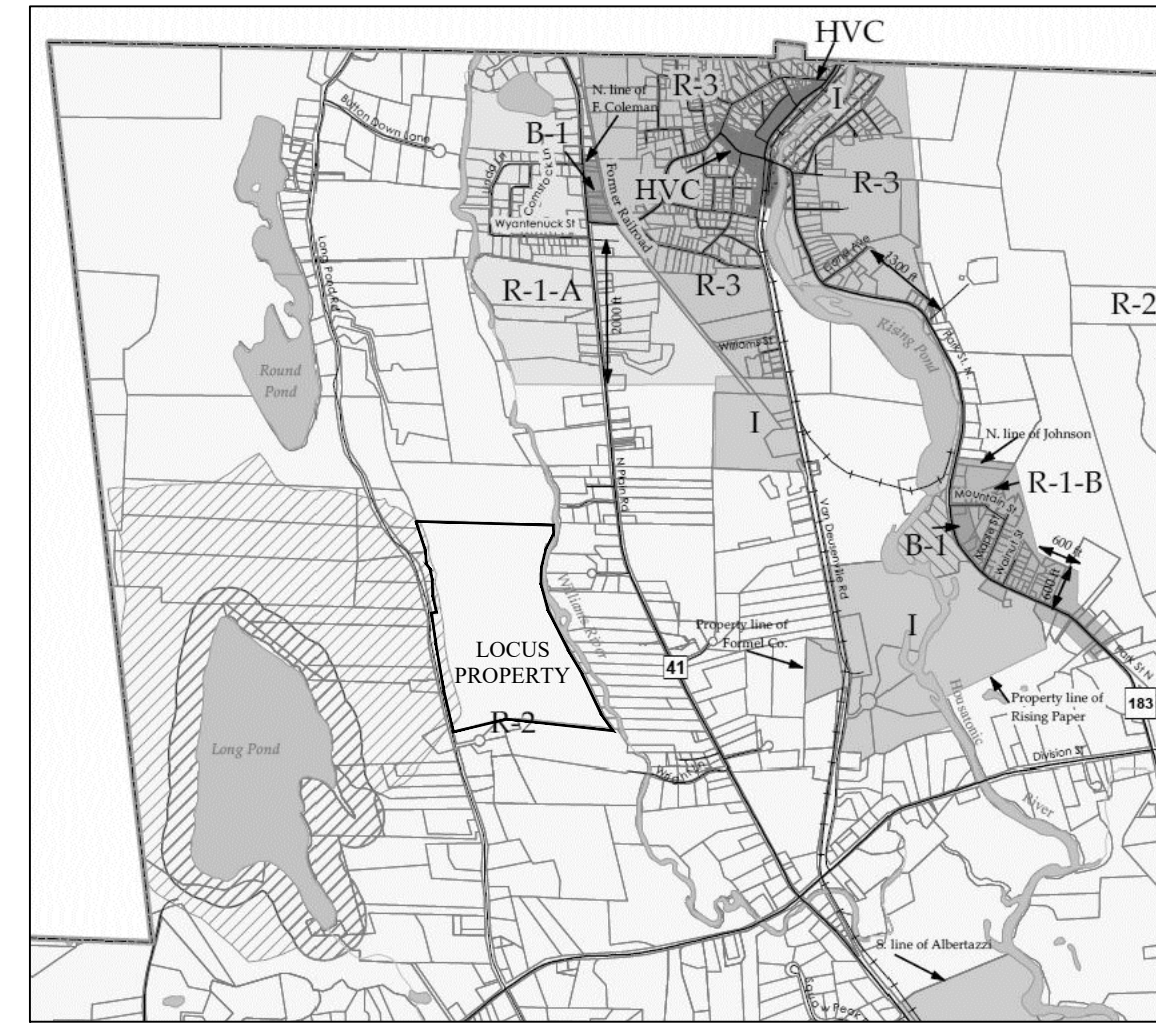
EXISTING DRAINAGE PATTERNS ARE NOT TO BE ALTERED AND TO FOLLOW EXISTING CONTOURS

ELEVATION DATUM AND CONTOURS ARE FROM A TOPOGRAPHICAL SITE PLAN PREPARED BY THIS OFFICE AND ARE RELATIVE TO THIS SITE ONLY

UNITED STATES GEOLOGICAL SURVEY MAP
(NOT TO SCALE)



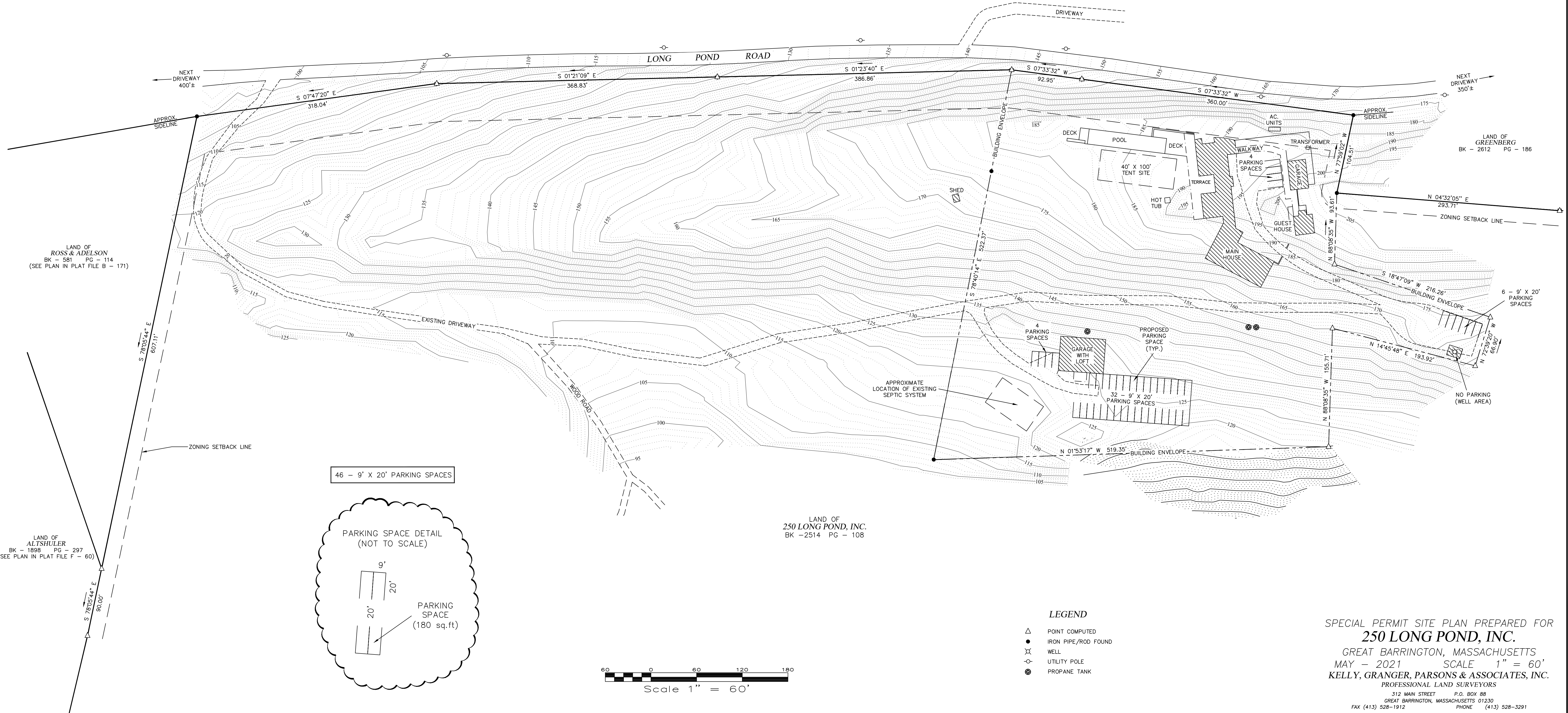
TOWN OF GREAT BARRINGTON ZONING MAP
(NOT TO SCALE)



ZONING REQUIREMENTS

ZONING DISTRICT: R-2
 MIN. LOT AREA: 3,560 SQ.FT
 WIDTH: 150'
 FRONT YARD SETBACK: 50'
 SIDE YARD SETBACK: 20'
 REAR YARD SETBACK: 30'
 MAX. LOT COVERAGE BY BUILDINGS: 20%
 MAX BUILDING HEIGHT: 35'

MERIDIAN FROM PLAT FILE L - 119



SPECIAL PERMIT SITE PLAN PREPARED FOR
250 LONG POND, INC.
 GREAT BARRINGTON, MASSACHUSETTS
 MAY - 2021 SCALE 1" = 60'
KELLY, GRANGER, PARSONS & ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS
 312 MAIN STREET P.O. BOX 88
 GREAT BARRINGTON, MASSACHUSETTS 01230
 FAX (413) 528-1912 PHONE (413) 528-3291
 C:\Carlon Projects\GREAT BARRINGTON\LONG POND ROAD\ALPART121.dwg\MRD

Notices, advertisements, and letters of recommendation from other boards

New England Newspapers, Inc.

The Berkshire Eagle • The Bennington Banner • The Brattleboro Reformer • The Manchester Journal
 75 South Church St., Pittsfield, MA 01201 • (413) 447-7311 • (800) 245-0254

Advertising Invoice

TOWN OF GREAT BARRINGTON
 TOWN HALL
 334 MAIN STREET
 GREAT BARRINGTON, MA 01230

Cust#:112587
 Ad#:56870
 Phone#:413-528-1619
 Date:05/20/2021

Salesperson: ROBERTA BRASSARD Classification: Public Notices BE Ad Size: 1.0 x 32.00

Advertisement Information:

Description	Start	Stop	Ins.	Cost/Day	Total
Berkshire Eagle	05/25/2021	05/25/2021	1	131.60	131.60

Payment Information:

Date: 05/20/2021 Order#: 56870 Type: BILLED ACCOUNT

Total Amount: 131.60
 Tax: 0.00
 Amount Due: 131.60

Thank you for your business!.

Ad Copy

**TOWN OF GREAT BARRINGTON
 PUBLIC HEARING**

The Great Barrington Selectboard will hold a public hearing on **Monday, June 21, 2021 at 6:00 pm**, via **Zoom remote video/teleconference**, to act on the Special Permit application from Kenneth Alpart, 15 Daisy Place, Tenafly, NJ, of 250 Long Pond Road, Inc., for a moderate income home occupation at 250 Long Pond Road, Great Barrington, in order to host events on the property, per Sections 3.1.4 G(9), 3.3, and 10.4 of the Zoning Bylaw.

The Zoom link and meeting ID will be listed on the meeting agenda, which is posted to the calendar on the Town website at least 48 hours in advance. Interested parties may contact the Planning Department at crembold@townofgb.org for more information.

Steven Bannon, Chair

AD# 56870,
 05/25/2021, 06/01/2021

5/25/21

New England Newspapers, Inc.

The Berkshire Eagle • The Bennington Banner • The Brattleboro Reformer • The Manchester Journal
 75 South Church St., Pittsfield, MA 01201 • (413) 447-7311 • (800) 245-0254

Advertising Invoice

TOWN OF GREAT BARRINGTON
 TOWN HALL
 334 MAIN STREET
 GREAT BARRINGTON, MA 01230

Cust#: 112587
 Ad#: 56871
 Phone#: 413-528-1619
 Date: 05/20/2021

Salesperson: ROBERTA BRASSARD Classification: Public Notices BE Ad Size: 1.0 x 32.00

Advertisement Information:

Description	Start	Stop	Ins.	Cost/Day	Total
Berkshire Eagle	06/01/2021	06/01/2021	1	131.60	131.60

Payment Information:

Date: 05/20/2021 Order#: 56871 Type: BILLED ACCOUNT

Total Amount: 131.60
 Tax: 0.00
 Amount Due: 131.60

Thank you for your business!.

Ad Copy

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Steven Bannon, Chair
 AD# 56870, 56871
 05/25/2021, 06/01/2021

6/1/21

Sent 5/20/21

TOWN OF GREAT BARRINGTON

PUBLIC HEARING

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The Zoom link and meeting ID will be listed on the meeting agenda, which is posted to the calendar on the Town website at least 48 hours in advance. Interested parties may contact the Planning Department at crembold@townofgb.org for more information.

Steven Bannon, Chair

Please publish May 25 and June 1, 2021

Berkshire Eagle

sent 6/1/21

TOWN OF GREAT BARRINGTON

PUBLIC HEARING

NOTICE TO ABUTTERS

THIS IS A CORRECTED NOTICE

The notice that was previously mailed to abutters mistakenly identified the proposal as a “moderate income” home occupation. In fact this is a proposal for a “moderate impact” home occupation. This notice corrects that error. All other information including the date and time of the public hearing remain as previously noticed.

The Great Barrington Selectboard will hold a public hearing on Monday, June 21, 2021 at 6:00 pm, via Zoom remote video/teleconference, to act on the Special Permit application from Kenneth Alpart, 15 Daisy Place, Tenafly, NJ, of 250 Long Pond Road, Inc., for a moderate impact home occupation at 250 Long Pond Road, Great Barrington, in order to host events on the property, per Sections 3.1.4 G(9), 3.3, and 10.4 of the Zoning Bylaw.

The Zoom link and meeting ID will be listed on the meeting agenda, which is posted to the calendar on the Town website at least 48 hours in advance. Interested parties may contact the Planning Department by phone or via email to crembold@townofgb.org for more information.

Shepley Evans
Conservation Agent

E-mail: conservation@townofgb.org
www.townofgb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 ext. 122
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

CONSERVATION COMMISSION

May 19, 2021

The Selectboard
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230

Re: SPECIAL PERMIT # 921-21, Application of Kenneth Alpart
for a moderate income home occupation at 250 Long Pond Road
in order to host events on the property.

Having reviewed Mr. Alpart's application, various Town maps, and the Mass Geographic Information System, and having reviewed the Conservation Restriction on the subject property held by Berkshire Natural Resources Council, it has been determined that the Conservation Commission has no jurisdictional interest or issue with the owner hosting events within the 5.57 acres of the property shown on the Site Plan as "Building Envelope".

Respectfully,

A handwritten signature in blue ink, appearing to read "S. Evans", is written over a horizontal line.

Shepley W. Evans
Conservation Agent

CC: Chris Rembold
Kate VanOlst
Andrew Didio

Michael Lanoue, Chair
Peter Stanton, Vice Chair
Ruby Chang, M.D.
www.townofgb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

Phone: 413-528-0680
rjurczyk@townofgb.org

TOWN OF GREAT BARRINGTON MASSACHUSETTS

BOARD OF HEALTH

June 4, 2021

Special Permit #921-21:

Application from Kenneth Alpart, 15 Daisy Place, Tenafly, NJ, of 250 Long Pond Road, Inc., for a moderate income home occupation at 250 Long Pond Road, Great Barrington, in order to host events on the property. Application per Sections 3.1.4 G(9), 3.3, and 10.4 of the Zoning Bylaw.
Recommendation to the Selectboard.

Dear Selectboard

On June 3, 2021 the Board of Health met to discuss #921-21 Special Permit Application. If the special permit is granted to the applicants, the Board of Health would like to see the following included as conditions of the special permit:

1. For all events: guests and staff should use temporary/ portable toilets so not to overload the private septic system.
2. The private well shall not serve greater than 25 people per day for more than 60 days within one calendar year. Otherwise, the private water supply should become registered as a Public Water Supply with the MA Dept. of Environmental Protection.
3. Caterers must obtain Seasonal or Temporary Food Permits with the Great Barrington Health Dept. Inspections must be scheduled with the Health Department for each event.
4. The kitchen on site is not currently permitted nor inspected by the BOH therefore, no food prep shall be conducted for public consumption in the home kitchen. If the owner/ operator chooses to license the home kitchen as a commercial kitchen, they shall work directly with the Health Department to ensure compliance with the MA Food Code.
5. All garbage and food waste shall be properly disposed of and secured so that rubbish does not become a nuisance or food source for wildlife, insects, and rodents.

As a reminder, in accordance with Section 135-6 of the Town Code, it is unlawful to sell non- sparkling, unflavored drinking water in single- use plastic water bottles of one liter or less.

Sincerely,

Rebecca Jurczyk
GB BOH Agent



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

PLANNING BOARD

June 8, 2021

Selectboard
Town Hall
334 Main Street
Great Barrington, MA 01230

Re: Special Permit: #921-21
250 Long Pond Road

Dear Members of the Selectboard:

At its meeting of June 3, 2021, the Planning Board voted to send a positive recommendation on the special permit application for home occupation at 250 Long Pond Road. The Board suggests the following recommendations:

- A submittal be provided stating the days of the week the events will take place as well as the hours
- Provide in writing the garbage removal arrangements
- Provide in writing how noise will be controlled
- Shuttles will be used for events of 75 people or more
- A copy of the contact for the required portable sanitation facilities for all events to be provided to the Selectboard
- Base line noise levels to be provided to the Town for comparison
- Sunday not be allowed as a day when an event can go until 11:00 P.M.

Thank you for your consideration of this recommendation.

Sincerely,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary

Cc: Chris Rembold, Assistant Town Manager/Director of Planning and Community Development

Letters from abutters received as of 6-11-21 12 noon

Chris Rembold

From: Susan Segall <susansegall@mac.com>
Sent: Monday, May 24, 2021 9:49 AM
To: Chris Rembold
Cc: Adina Astor; Kevin Bolan; Ruby Chang; Melanie.s.greenberg@gmail.com
Subject: Fwd: greeting from 250 Long Pond

****CAUTION:****

****This is an external email, be vigilant****

*****Do not click links or open attachments unless you recognize the sender (and their email address) and know the content is safe*****

Hi, Chris,

Thanks for sending me Ken Alpart's application for a special permit. I have shared it with the 4 families I've been in touch with to date.

The application and Notice of Public Hearing included some surprises, so I have attached a recent email from Ken Alpart to the 4 abutters for your review. Examples: when Ken spoke to me in person, he said he would only be asking to rent out the property six (6) times per year. His email leaves that open, but in the application he is asking for fifteen (15) rentals. He also claims in the application that he resides at 250 Long Pond Road. That is not true. Though he may use the property he owns in Tenafly, NJ for tax purposes, he actually resides in Brooklyn, NY where two of his older children go to school. And his wife actually resides elsewhere in NJ where her two sons from a previous marriage go to school. As the neighbor directly across the street, I estimate that Mr. Alpart (with or without others in his family) visits 250 Long Pond one weekend a month during the Winter months and maybe twice a month during the summer. In the 5 years that I've lived here, he's rented the property out at least once a month from late Spring to early Fall.

I don't believe any of the addressees on Mr. Alpart's email responded to him. And I can tell you that there is zero support for his application from the owners of the Chang/Wojcik, Astor/Bolan, Greenberg and Segall properties – all of whom will attend the Zoom Public Hearing on June 21. I will contact all of the other abutters on the list you provided. Hopefully they will also attend or indicate their support or lack of support for the application to you directly.

Please update your abutters list to reflect the sale of Andrew Humes' properties? Melanie Greenberg purchased Long Pond Farm. Adina Astor and Kevin Bolan purchased the 14 acre parcel between Melanie Greenberg's farm and my property at 263 Long Pond Road. Perhaps other abutting properties have also changed hands over the past few years?

Thank you for your help!

Best,

Susan Segall
914.924.0208

Begin forwarded message:

From: Ken Alpart <ken@250longpond.com>

Subject: greeting from 250 Long Pond

Date: May 15, 2021 at 8:18:08 AM EDT

To: susansegall@mac.com, kmccbolan@gail.co, rbyrbchang@gmail.com

Hello neighbors

I would like to introduce, or reintroduce myself, and hope take some of the mystery out of 250 LongPond. Over the last 9 years I have been renting out 250 Long Pond to cover our exorbitant expenses (the various taxes and insurance alone are insurmountable). I have been in communication with some neighbors as well as the town about what I can and can't do in terms of renting out my home.

Please be assured that my wife Meital and I are committed to being kind and thoughtful neighbors first and foremost. We love where we live and appreciate the peace and beauty that we know is equally important to you.

We now understand that we need to get a Special Permit to rent our property out for events. We are hoping that the revenue generated from these events will allow us to keep our beautiful property that we love so much. Some years it has been so tough that we have been on the brink of foreclosure which is why we have had the house on the market so much. Ideally, our goal and intent is to keep the property.

In doing so, we would greatly appreciate our neighbors support in attaining the special permit. As such, and I have spoken personally to some of you already about this, it is our plan to focus our rental efforts on individuals that we are confident will share our good neighbor first philosophy. In addition we will have strict rules in place as well as actionable measures to enforce guidelines and rules

Including:

Strict no outdoor music after 11:00 pm

Immediate compliance if any neighbor makes a "turn the music down request" (The phone number of the event coordinator and my number will be shared with all neighbors before every event, as well as an email describing the event plans)

Garbage will be in sealed bear proof containers and placed outside **only** within 24 hours of pickup, and in almost all instances will be up at the house anyway where the garbage company will drive up to pick it up.

We want to listen to you all and welcome any other thoughts or concerns that you would like to make sure are addressed. . We know you live or moved here to get away from noise and fully intend to be positive contributors to your experience living here.

We would be happy to chat with you directly about our plans and your concerns. . We hope to plan a meet and greet as soon as Covid rules allow it to make sense.

We have both been vaccinated btw

Hope to meet those of you we have not and see those who we know already as well soon. We are around this weekend and will be up often the next few months.

As an aside we own over 100 acres of forest and have a wonderful network of hiking trails down to the Williams River that if anyone wants to go for a hike please just reach out and be happy to walk and talk or show you around the incredible nature. We really do love it here.

Feel free to reach out anytime. Happy to chat and love to meet too

Peace

Ken and Meital
917-566-3541

June 2, 2021

To Great Barrington Planning and Select Board:

I am writing to you as a private citizen and resident on Long Pond Road. I am against allowing 250 Long Pond Road to have any event permits.

- 1) Large events for personal gain, ie: make money at the cost of sanctity of neighborhood is never a good idea.
- 2) Lack of support for residents who pay property tax to the town and LIVE on the property full time is short sighted with long term implications.
- 3) Events meant for many people on personal property entail use of resources such as water, sewage and parking all of which each property are not designed to meet with possible town consequences.
- 4) Noise control is hard to manage and cannot be guaranteed. By the time complaint is made the neighbors have already exceeded their ability to contain their angst. Use of additional policing for such will take away the duties of our law officers on more serious duties. In other words, complaints are usually too late an option.

I believe the Town of Great Barrington to provide protection for the sanctity of the neighborhood. People move into this town not because of its party atmosphere but for the natural environment and solitude. Not having these thoughts as main frame of government will lead to shortsightedness and long term example of greed.

I encourage you to not lead our town down this path of allowing those with resources to destroy the greatness and justice of this place we all call home.

Best Regards,

Ruby Chang MD FAAP

Call Adina Astor & Kevin Bolan
21 Park Street
Dedham, MA 02026

June 2, 2021

BY EMAIL ONLY

Town of Great Barrington Selectboard

Stephen Bannon, Chair
Leigh S. Davis, Vice Chair
Edward Abrahams, Member
Eric Gabriel, Member
Garfield Reed, Member

Christopher Rembold, AICP

Assistant Town Manager
Director of Planning and Community
Development
Town of Great Barrington
344 Main Street
Great Barrington, MA 01230
crembold@townofgb.org

Town of Great Barrington Planning Board

Brandee Nelson, Chair
Malcolm Fick, Vice-Chair
Jonathan Hankin, Clerk
Jeremy Higa, Member
Pedro Rafael Panchano, Member

Dear Mr. Rembold and Members of the Planning Board and Selectboard:

We write to submit this letter to oppose the February 2, 2021, application by 250 Long Pond, Inc. (through its apparent beneficial owner Kenneth Alpart) for a special permit. We are also prepared to submit to the Selectboard a notarized, sworn affidavit averring to all of the facts stated herein.

We own the property at 265 Long Pond Road, where we intend to build a home in which we will live for a substantial portion of each year. Our current plan (subject to various Town approvals) is to have our Great Barrington home ready for occupation by Thanksgiving 2022. We anticipate occupying the home for as much of the summer months as we can, and for as many weekends, vacations, and other days as possible throughout the entire year.

The Selectboard should deny 250 Long Pond, Inc.'s application for the reasons we elaborate below. In short, 250 Long Pond, Inc.'s application seeks authorization to operate a late-night, outdoor-only event and entertainment venue in the middle of an R2 residential neighborhood during most of the year's warm-weather weekends. 250 Long Pond, Inc. currently lacks any authority to conduct such commercial business without special permitting,¹ yet (as shown below) 250 Long Pond, Inc. has actually conducted such business, for years, without authorization. In addition, such activity contradicts the Town's Master Plan and its Core Initiatives. The Master Plan promotes development not in R2 residential neighborhoods such as Long Pond Road but "into village centers."² In addition, the Plan promotes the Town's Character and "[p]rotect[ing] the special places and features," including "natural resources . . . and open space[]" that contribute

¹ See generally Zoning Bylaws of the Town of Great Barrington, Massachusetts (hereafter "Bylaws") § 3.1.4(G)(9).

² Town of Great Barrington, Massachusetts, Community Master Plan vol. 1, page 4 (Oct. 10, 2013).

to Great Barrington's distinctive character"³—which motivated us to buy land and build a home at 265 Long Pond Road. Having a neighbor who would operate a late-night, outdoor event and entertainment venue fewer than 100 yards from our property would violate this Core Initiative and our right to quiet enjoyment in this exclusively residential neighborhood.

The Planning Board, the Selectboard, and the Town should reject 250 Long Pond, Inc.'s proposals for two overarching reasons.

First, the proposal is facially deficient. The proposed use of this residential property—a warm-weather, outdoor event space—in an exclusively residential district vastly exceeds the moderate-impact business uses that the Town Bylaws permit under its definition of “moderate impact home occupations.” Mr. Alpart does not appear to reside at this address, and the proposed use is not incidental or subordinate to his home occupation. It would be an entirely separate business that would alter the character of the neighborhood solely for his individual financial interests.

Second, the application lacks any relevant information on which the Selectboard could reasonably rely to grant the application. To authorize the special permit, the Selectboard must make a “written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site.”⁴ “[E]ach” of the non-exhaustive criteria that the Select must consider as part of its written determination include:

1. Social, economic, or community needs which are served by the proposal;
2. Traffic flow and safety, including parking and loading;
3. Adequacy of utilities and other public services;
4. Neighborhood character and social structures;
5. Impacts on the natural environment; and
6. Potential fiscal impact, including impact on town services, tax base, and employment.

250 Long Pond, Inc.'s application is utterly silent on criteria 1 and 3-5, is fatally incomplete on criterion 2, and provides only irrelevant information on criterion 6. As shown below, the application sets forth zero beneficial impacts, and our objections demonstrate that the proposal's adverse effects overwhelmingly compel the application's denial. We reserve the right to supplement our opposition should Mr. Alpart attempt to modify his deficient application.

Section 1 of our submission summarizes some practical concerns arising from Mr. Alpart's lack of transparency, lack of communication, and lack of neighborly good faith in submitting 250 Long Pond, Inc.'s application. We ask the Planning Board and the Selectboard to consider carefully these issues, since they underscore the unlikelihood that any of us abutting 250 Long Pond will be able to informally resolve disputes around 250 Long Pond, Inc.'s compliance with a special permit (if it were allowed) without having to repeatedly enlist the assistance of various Town personnel (which cuts against Mr. Alpart's insufficient showing on criterion 6).

Section 2 of our submission then identifies the fatal deficiencies of 250 Long Pond, Inc.'s application concerning the criteria that the Selectboard must consider in determining whether to grant or deny 250 Long Pond, Inc.'s application under Bylaws Section 10.4.2.

³ Master Plan, page 4.

⁴ Bylaws § 10.4.2.

1. Because 250 Long Pond, Inc.'s application is incomplete, lacks credibility and any reasonable diligence, and is vague, the Selectboard should deny the application.

Even aside from the six factors that Bylaws Section 10.4.2 enumerates to guide the Selectboard's decision-making, there are at least four additional factors that weigh against 250 Long Pond, Inc.'s application. We highlight these factors first because they suggest a fatal lack of credibility, transparency, and spirit of neighborly collaboration in 250 Long Pond, Inc.'s application that should concern the Town as much as Mr. Alpart's neighbors.

First, Mr. Alpart concedes that he is not a full-time resident of the property,⁵ which Town Code expressly requires for any home occupation and any special permitting thereof.⁶ Even if the Town were not to require 250 Long Pond Road to be Mr. Alpart's "principal residence" to consider 250 Long Pond, Inc.'s application, he still expressly intends to delegate the responsibility of interacting with his neighbors to a caretaker.

Yet 250 Long Pond, Inc.'s application fails to identify how to reach that caretaker or who they even might be. Without a full-time resident-owner at the property, the caretaker would be the only local, accessible, and practical person to guarantee compliance with any of the representations made in the application if the Selectboard were to grant the application. It is discouraging that Mr. Alpart's neighbors must chase him for this information and lack any reliable resource who might:

- Notify neighbors of 250 Long Pond Road about *what* commercial activities the property would host and *when*;
- Answer reasonable questions that neighbors of 250 Long Pond Road might have about such events (concerning, *e.g.*, logistics for deliveries, information about the size and duration of events); and
- Ensure that all entities involved—(a) 250 Long Pond, Inc. itself, (b) individuals or entities that would rent the property, and (c) vendors, in turn, with whom renters would contract—would comply to the letter with all applicable laws, Town Code, Town Bylaws, and the many representations in 250 Long Pond, Inc.'s application.

The omission seems consistent with Mr. Alpart's cavalier attitude concerning his residential neighbors and compliance with Town Code and Bylaws, which preclude *any* commercial activities at 250 Long Pond.⁷ Yet it is clear that 250 Long Pond, Inc. has violated this prohibition for several years.

⁵ We understand that we might be able clarify Mr. Alpart's true whereabouts by contacting him by the email address listed on the application. But the listing of his "mailing address" as 15 Daisy Place[,] Tenafly, NJ 07670 only invites suspicion about the credibility and reliability of 250 Long Pond, Inc.'s application as a whole. We have not been able to easily verify a connection between Mr. Alpart and that Tenafly mailing address through public sources. Tenafly is located in Bergen County, NJ, whose County Clerk's Office lists "deeds and mortgages" on a publicly accessible website (<http://168.229.187.15/landrecords/>). Throughout all of Bergen County, there is no recorded deed or mortgage for anyone named Ken Alpart.

⁶ Town of Great Barrington, Massachusetts Code § 3.3.5(1).

⁷ Bylaws § 3.1.4(G)(9).

“250 Long Pond” has a commercial website—longpond250.com—registered since 2016.⁸ This site promotes wedding planning and event hosting at the property. Other secondary websites also promote the same events at the property, link to longpond250.com, and feature testimonials about events that have occurred at 250 Long Pond (and at night) for years.⁹ The commercial website longpond250.com includes a link to “Rates,” and subsidiary pages for Booking, General Info, and Pricing. The Instagram account “250longpond” features dozens of pictures of commercial events occurring in the evening. YouTube features at least one “staged wedding” at the site, extending into the night¹⁰ and depicting the “amplified music”¹¹ that the application seeks permission to allow until 11 pm (which we oppose unconditionally). The preceding evidence shows that Mr. Alpart has repeatedly violated the Town’s prohibition on commercial activities in an exclusively residential neighborhood. Given this compelling evidence of Mr. Alpart’s past violations, we do not trust that Mr. Alpart would comply with the terms of a special permit. He has not complied with the law for years; why would he start now?

Second, Mr. Alpart’s lack of diligence in communicating with the neighbors of 250 Long Pond, Inc. weighs heavily against the application’s approval and sets a bad precedent concerning Mr. Alpart’s level of engagement with his neighbors. Mr. Alpart has failed to communicate directly with us about his application. We have never met him. We lack any email from him. While we understand he may have relied on the Town to identify abutters to 250 Long Pond Road, a cursory look at Zillow would have identified the August 2020 purchases of 265 and 267 Long Pond Road from Andrew Humes as well as the well-known local agents (Lance Vermeulen Real Estate, Inc.) who handled the sales (and who could have put Mr. Alpart in touch with us). Clear, considerate, conscientious, and transparent communication about large neighborhood social events is a courtesy most neighbors observe even when hosting only a large gathering of family and friends. But such communication is an absolute necessity if the objective (which, again, we absolutely oppose) were to run a commercial venue for frequent, late-night, outdoor events and entertainment directly across the street from neighbors’ homes.

Third, 250 Long Pond, Inc.’s application seeks permission to host “weddings, family reunions or similar celebrations.”¹² We are very concerned about what “similar celebrations” means. Some “celebrations” that Mr. Alpart may be contemplating, but has not disclosed in 250 Long Pond, Inc.’s application, surely would exceed the often lower-key family affairs that he implies he 250 Long Pond Road would host. This is not speculation: The commercial website longpond250.com markets the property for “meeting[s]” and “business retreats.”¹³ Such events would go far beyond commonplace gatherings of family and friends at 250 Long Pond. Given the lack of clarity about the scope and nature of the specific types of events that 250 Long Pond, Inc. intends to host, we fear that the risk is high that multiple disputes would develop about whether certain events were within the scope of the special permit or not.

Fourth, the ambiguity about the events 250 Long Pond, Inc. wishes to host is of even greater concern given that the focus of those events is within 100 yards of our property at 265 Long Pond Road. The application states that (if permitted) events would occur only “within the 5.57

⁸ See <https://lookup.icann.org/lookup>.

⁹ See, e.g., <https://www.theknot.com/marketplace/long-pond-mountain-house-great-barrington-ma-1038299>; <https://www.weddingwire.com/biz/long-pond-mountain-house-great-barrington/98bb5df8f61accf2.html>.

¹⁰ <https://www.youtube.com/watch?v=O2OATRuLxDg> (at 1 minute, 24 seconds into the 1-minute, 43-second clip).

¹¹ *Id.* (at 1 minute, 27 seconds into the same video).

¹² 250 Long Pond, Inc. Application, page 1.

¹³ See longpond250.com/about/the-home (last visited May 29, 2021).

acres shown as the 'Building Envelop.'"¹⁴ The application further suggests that "all events will occur outside" and within the "Tent Site" that is parallel to and immediately east of the property's pool and just south of the main house's terrace.¹⁵ The interactive map available from the Town's Planning Department website suggests that this Tent Site lies to the east of both of the residential structures at 263 Long Pond Road by fewer than 100 yards. The application itself concedes this critical point by stating the "closest neighbor is about 250 feet from the site."¹⁶ 250 Long Pond, Inc.'s Building Envelop runs parallel on his property along Long Pond Road to the east of the residential properties at 263, 265, and 267 Long Pond Road. The proximity of late-night, outdoor events and entertainment hosted only during the area's warm-weather months in a rural, residential neighborhood would unreasonably interfere with the quiet enjoyment that motivated us to purchase and build a home at 265 Long Pond Road.

As we elaborate in the next section, we directly observed how far sound carries from 250 Long Pond Road to our property as well as neighboring properties during a visit in fall 2020. This fact, and the absence of any benefits proffered by Mr. Alpart that are relevant to the Selectboard's determination under Bylaws Section 10.4.2, should lead to the denial of the 250 Long Pond, Inc. application.

2. Because the application does not satisfy Bylaws Section 10.4.2, the Selectboard should deny the application.

A. The proposal fails to serve any social, economic, or community needs.

250 Long Pond, Inc.'s application fails to contend, much less offer any evidence to support, how the proposal serves *any* "social, economic, or community needs."¹⁷ The sole, expressly stated need is the individual financial interest of 250 Long Pond, Inc.'s apparent beneficial owner, Mr. Alpart, who states in the application that he pays substantial taxes and that: "[T]he revenue generated from these functions will allow the Applicant to keep this unique property."¹⁸

The Town could not possibly have any greater or lesser interest in any particular individual owning 250 Long Pond Road, and so Mr. Alpart's interest in seeking an additional source of funding for his tax burden cannot support the application. The taxes owed by 250 Long Pond, Inc. must be paid, regardless of who owns the property or what they do there—and thus also fail to provide any support to criterion 6 (the proposal's potential effect on the Town tax base). The insurance that the application represents that the owner of 250 Long Pond, Inc. pays¹⁹ similarly promotes only Mr. Alpart's individual financial interest—protection from potential property losses. Individual financial interests are, in fact, the antithesis of evidence of a "social, economic, or community need[]," and Mr. Alpart's application is necessarily deficient on this element. This deficiency alone compels denial of the application.

The application also fails to consider that there are already multiple businesses within and near the Town that provide venues for the very services that 250 Long Pond, Inc.'s application seeks special authorization to host—*e.g.*, Blantyre, Chesterwood, Crissey Farm, Gedney Farm, the Kemble and Red Lion Inns, Wheatleigh, etc. Notably, none of these alternative venues is in the center of an exclusively residential district, as is the case here.

¹⁴ 250 Long Pond, Inc. Application, page 1.

¹⁵ 250 Long Pond, Inc. Application, page 1, 2.

¹⁶ 250 Long Pond, Inc. Application, page 1.

¹⁷ Bylaws § 10.4.2(1).

¹⁸ 250 Long Pond, Inc. Application, page 1.

¹⁹ 250 Long Pond, Inc. Application, page 1.

B. The application fails to adequately address traffic flow and safety, including parking and loading.

By merely stating that the site plan shows 46 “off-street parking spaces,”²⁰ 250 Long Pond, Inc.’s application does not sufficiently address traffic flow and safety that Bylaws Section 10.4.2(2) requires. This threadbare representation about parking spots tries to obscure four fatal deficiencies with 250 Long Pond, Inc.’s application on this criterion alone.

First, the site plan, dated May 2021, identifies only 14 current parking spots:

- Four to the south of the “garage with loft.” We note, however, that none of these four spots appears on an aerial video of the property posted on YouTube in late December 2019, apparently by an agent of Mr. Alpart’s then attempting (and perhaps still attempting) to sell the property.²¹
- Six in the northern most notch of the Building Envelop; and
- Four to the north of the main house.

The additional 32 spots necessary to establish the application’s promised 46 are merely “proposed.” The application lacks any evidence (aside from the site plan itself) of *who* will prepare those parking spots or by *when*.

Second, even if 250 Long Pond, Inc. already had 46 parking spots, the application fails to account for parking, loading, and traffic flow corresponding to renters, their guests, as well as “event planners, caterers and entertainment.”²² There is simply no information in the application to assess whether 46 parking spots is sufficient for the types of events Mr. Alpart intends to host at the property.

What makes this silence worse is the absence of any representation about what occupancy limits (if any) that Mr. Alpart intends to impose on events at the property. This omission is particularly glaring when the sole reason for the application—the size of Mr. Alpart’s tax bill and insurance costs—suggests that, to earn enough to cover these expenses, he will need to rent this property for very large events, particularly if he were to comply with his self-imposed limit of 15 outdoor events annually. Such large events are almost certainly to need more than the 46 parking spots proposed in the site plan.

Such high-attendance events also would need significant supplementary services. Given the limitations that Mr. Alpart proposes in 250 Long Pond, Inc.’s application, we expect that vendors at 250 Long Pond Road would need to haul in significantly more equipment to serve guests. Even as Mr. Alpart expects that “home occupation” for his late-night, outdoor event and entertainment venue would “not exceed 33% of the gross floor area of the dwelling unit and accessory building(s),” the property’s kitchens are not (as far as we can tell) industrial sized. Even if his kitchens were part of the dwelling units’ usable space, it still seems likely that caterers would need to supply their own substantial, portable equipment to refrigerate, prepare, serve food and alcohol—and then clean up. Still other vendors would need to truck in (and out) tents, tables, chairs, dance floors, decorations, lighting, and other amenities. And then the application expressly admits that still other service providers must supply “sanitation facilities,”

²⁰ 250 Long Pond, Inc. Application, page 3.

²¹ See https://www.youtube.com/watch?v=voj4_2K1lz4 (at 7 seconds into the 2-minute, 29-second video)).

²² 250 Long Pond, Inc. Application, page 3.

since Mr. Alpart apparently will not allow visitors attending these large events to use his property's restrooms.²³

We have planned events at our Dedham home far more modest than what Mr. Alpart intends to host at 250 Long Pond Road. We have had neighbors and friends host far more modest events than what Mr. Alpart intends to host at 250 Long Pond Road. And so we know that the potential for neighborhood disruption is high—not just on the day of the event, but in the days preceding and following such events, with deliveries coming and going, trucks noisily idling and emitting exhaust for long periods of time, and all sorts of vehicles incessantly beeping as they back up, disrupting the peace of a rural, residential neighborhood.

Third, the application promises further disruption with the utterly meaningless promise that “home occupation”—including by “clients, visitors and deliveries”—would stop at 8 pm.²⁴ The promise is meaningless because the application already promises that “all events will occur outside.”²⁵ Indeed, if guests could *enter* the property's dwelling units, they would dramatically reduce the noise and disruption that all-outdoor events will otherwise and inevitably cause. Mr. Alpart's application compounds this insuperable problem by expressly asking for the special permit to authorize “amplified music” up to 11 pm.

The amplified-music request is itself wholly objectionable. But it also speaks to still another, insuperable problem: If the late-night, outdoor entertainment were not to stop until 11 pm, our rural, residential neighborhood would not resume its otherwise natural, peaceful rhythms until the very early hours of the next morning. It is thus even more damning that, given this facts, 250 Long Pond, Inc.'s application fails to address:

- Any deadline for visitors to leave the property.
- How visitors would exit the property in an orderly, safe, quiet fashion.
- The sequencing and logistics of vendors' separate clean-up and departure from the property.

Finally, we have been informed that unauthorized events that 250 Long Pond, Inc. has hosted in the past have featured many guests who have hunted up and down the Road to find the appropriate driveway entrance to 250 Long Pond. In many cases, visitors have mistakenly used neighbors' drives searching for the event location. In some cases, visitors have parked their cars on neighbors' property. 250 Long Pond, Inc.'s application is oblivious to this concern. The frequency of these disruptions would only increase if the Selectboard were to approve the application. The application's failure to address these issues also compels its denial.

C. The application, if granted, would fundamentally alter the neighborhood's character and social structures, and undermine the Master Plan's Core Initiative to protect the Character of rural residential neighborhoods.

The Selectboard also should deny the application because, if granted, it would improperly convert an entirely rural, residential neighborhood along our stretch of Long Pond Road into one that would host large, late-night, outdoor events and entertainment during the majority of

²³ 250 Long Pond, Inc. Application, page 2.

²⁴ 250 Long Pond, Inc. Application, page 3.

²⁵ 250 Long Pond, Inc. Application, page 2.

weekends during the warm-weather months.²⁶ The application states that “[t]he weddings/events will occur outdoors under a tent”²⁷ and later adds that “all events will occur outside.”²⁸ The only necessary implication of those representations is that, were the special permit granted, the 15 events the applicant hopes to hold would occur only in those months warm enough for an outdoor tent—from May through October. During this calendar year, that period comprises 27 weekends. At full rental capacity, 250 Long Pond, Inc. would be hosting events on more than half of all weekends during this period.

Thus, the proposal on its face fails to satisfy the Zoning Bylaws’ definition of “home occupation, moderate impact,” which limits businesses uses only until 8 pm (not 11 pm) and to only those:

- For which “noise, lighting, odor, traffic, or other impacts are minor”;
- Where those impacts do “not alter the neighborhood character”; and
- Where the business activities are “similar to” the at-home work conducted by the following occupations:

“physician, surgeon, dentist, resident tradesperson (including, but not limited to, artisan, carpenter, electrician, plumber, janitor, sheet metal worker, upholsterer, small engine repair person, landscaper), family child care home (including large), yoga and personal wellness studios, and similar professions.”²⁹

None of the activities of the preceding occupations is remotely comparable to the late-night, outdoor events and entertainment enterprise for which 250 Long Pond, Inc. hopes to receive a special permit. While it may be customary to entertain at one’s home from time to time, there is no residence that we are aware of along Long Pond Road that intends to transform itself from a primary home or secondary vacation home into a routine, commercial party venue on the scale of 250 Long Pond, Inc. Indeed, the proposal to add 32 parking spots that do not yet exist signals the scope of the commercial venture for which 250 Long Pond, Inc., seeks belated approval.

Furthermore the noise impact will not be minor, beyond the traffic issues we have already highlighted. The events themselves will be a noise nuisance. In fall 2020, we visited our property on a Saturday morning. We could clearly hear an event occurring at 250 Long Pond Road from our property (even when we were walking hundreds of feet west of Long Pond Road and parallel to 250 Long Pond Road). We could still hear the event as we hiked through the Pfeiffer Arboretum. We ask the Selectboard to note this carefully, since our direct observations render meaningless the application’s statements about the main house’s location “on a ridge line” and the presence of “natural screening between the house and the road.” Those features failed to limit the sound emanating from 250 Long Pond Road in any meaningful way. These observations conclusively establish that extending the hours for entertainment at the property would be utterly improper.

Finally, the Selectboard should wholly reject the unsubstantiated and self-serving statement that 250 Long Pond, Inc.’s proposal is in harmony with the Town’s Master Plan.³⁰

²⁶ See Bylaws § 10.4.2(4).

²⁷ 250 Long Pond, Inc. Application, page 1.

²⁸ 250 Long Pond, Inc. Application, page 2.

²⁹ Bylaws § 11 (defining “HOME OCCUPATION: MODERATE IMPACT”).

³⁰ 250 Long Pond, Inc. Application, page 3.

250 Long Pond, Inc.'s statement on this subject merely repeats the irrelevant individual financial interest that motivates the application. The further, similarly self-serving statement that the proposal would "allow[] residential property values to remain stable" is unsubstantiated and absurd.³¹ Our impression, after years of monitoring land and residential home sales in Great Barrington, is that local residential property values have increased. We are concerned that the transformation of the neighborhood we hope to live in soon into a summer weekend party site would only *decrease* our property's value. It surely would diminish our and our neighbors' quiet enjoyment of our rural, residential properties.

The application's concluding statement that the proposal "in no way discourages the concentration of business development in the core business areas of Great Barrington" is laughable. The statement would be just as true if Mr. Alpart were proposing to host the circus on his property. The problem in this case is not whether the application would divert business from the Town's commercial center or (as far as we can tell) threaten commercial competition among Berkshire merchants who rent event spaces. The problem is an absentee owner running a high-volume, disruptive business in an exclusively rural, residential neighborhood, which conflicts with the Town's Master Plan.

* * * * *

Given the absence of any benefit to our neighborhood offered by the proposal, the several objections we have identified herein, and the obliviousness of the application in acknowledge much less attempting to mitigate any of these adverse effects, the Selectboard should summarily deny the application.

Respectfully submitted,

/s/ Adina Astor & Kevin Bolan

cc: Ken Alpart
Ruby Chang
Melanie Greenberg
Susan Segall

³¹ 250 Long Pond, Inc. Application, page 4.

Chris Rembold

From: Susan G Segall <susansegall@mac.com>
Sent: Wednesday, June 2, 2021 6:55 PM
To: Chris Rembold
Cc: Ruby Chang; Adina Astor; Kevin Bolan; melanie greenberg
Subject: Opposition to the Application for Special Permit made by 250 Long Pond, Inc.

****CAUTION:****

****This is an external email, be vigilant** ***Do not click links or open attachments unless you recognize the sender (and their email address) and know the content is safe*****

Hi, Chris,

Please submit this letter to the Town Manager, the Planning Board and the Selectboard in advance of their meetings on June 3 and June 21 respectively.

Thank you!

Susan

Dear Mr. Rembold, Members of the Planning Board and Members of the Selectboard,

I am in receipt of copies of the letters submitted to you by Adina Astor & Kevin Bolan, Dr. Ruby Chang and Dr. Jan Wojcik in opposition to the Application for Special Permit made by Kenneth Alpart, non-resident owner of the property and operator of the business at 250 Long Pond Road. My opposition is aligned with theirs.

I purchased the property at 263 Long Pond Road in September 2015. As a full-time resident since Spring 2016, I have experienced – first-hand – the commercial use of the property at 250 Long Pond. Had I known that there would be extremely loud events across the street from me at least once a month from Spring to Fall, I would not have bought property in this neighborhood. The professional audio equipment brought in for these large events is so loud that it shakes the windows on my house and makes it impossible to have a conversation or hear the television in my own family room on the back side of my house. The most egregious event was in August 2019. I called Mr. Alpart twice that night about the noise. He was in Brooklyn – not at 250 Long Pond. I also called the police twice about the noise before the renters finally lowered the volume. There was a brief period of quiet around 10:00pm. Then the renters started launching fireworks above my 1742 house with cedar roof and siding – during a drought. The fireworks display went on for at least half an hour. I called Mr. Alpart a 3rd time. And I called the police a 3rd time, but don't know whether they arrived at the property in time to see the fireworks. However, I have sent a video file of the fireworks to Mr. Rembold, who can forward or show it to you. Mr. Bolan mentioned Mr. Alpart's cavalier attitude so I have to add that event rentals went on throughout 2020 despite Covid-19 restrictions.

Please deny Mr. Alpart's Application for Special Permit. And further – please enforce the rights of the residents in the neighborhood so we can enjoy our homes and property.

Thank you.

Susan Garner Segall
263 Long Pond Road

Chris Rembold

From: Ken Alpart <kalpart11@gmail.com>
Sent: Wednesday, June 2, 2021 9:45 PM
To: Kevin Bolan
Cc: Chris Rembold; jonathan.hankin@wheelerandtaylor.com; kiresources@yahoo.com; pedro.pachano@gmail.com; malcolm.fick@gmail.com; bksnelson28@gmail.com; Ken Alpart; Ruby Chang; Susan G Segall; melanie.greenberg; Adina Astor
Subject: Re: Opposition to 250 Long Pond Road, Inc. Special Permit Application

****CAUTION:****

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Hi Kevin,

I appreciate the well thought out letter you wrote and I do appreciate your concerns and I am not paying lip service to them by any means. I am up in Great Barrington this week and most of next week too. I will be on my property all day tomorrow. If anyone would like me to come say hello or stop by let me know. I would like to plan a "meet and greet" soon as well. I am certainly not looking for a battle with my neighbors and I fully intend to be neighborly and respectful regardless of the outcome here. I really do think your fears are just that but I do absolutely respect and understand your concern and I am aware of noise and other issues in the past that if they were to occur again in the future (Hopefully measures we put in place will prevent issues) must be immediately dealt with.. We are also only seeking a 1 year at a time permit so if we dont live up to our promises we surely will and should be denied extensions. I apologize for not having everyone's contact info but I did get your info from Susan so I thought I did send you an email a few weeks ago. In any case I am looking forward to meeting you and being friendly and courteous neighbors whether we get the permit or whether it is denied.

Best

Ken

On Wed, Jun 2, 2021 at 12:42 PM Kevin Bolan <kmccbolan@gmail.com> wrote:

Dear Mr. Rembold and Members of the Planning Board and Selectboard:

We submit the attached letter opposing the special permit application of 250 Long Pond Road, Inc.

We will monitor the Town website for any public meetings concerning this issue, and would also appreciate receiving notice of any change(s) to the posted meetings schedule.

Sincerely,
Adina Astor & Kevin Bolan

Chris Rembold

From: Jonathan Hankin <jbhankin@gmail.com>
Sent: Friday, June 4, 2021 5:27 PM
To: Mark Pruhenski; Steve Bannon; Leigh Davis; Garfield Reed; Eric Gabriel; Chris Rembold; Ed Abrahams; Edwin May
Subject: Alpart special permit application for 250 Long Pond Rd.

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I recused myself from last night's Planning Board discussion of this application.

The PB sent a positive recommendation despite the clear failure of the applicant to meet the standards for a home occupation section 3.3.5.1:

"The principal residence of the owner/operator of every home occupation shall be the dwelling unit on the premises in which the home occupation operates."

As you can see from the application, this property is not Mr. Alpart's principal residence; he is a second home owner—not a legal resident. The Selectboard's obligation in considering the special permit is to make sure it conforms to our zoning requirements, which this clearly does not. The permit should certainly be denied for this reason and, as you will hear, the adverse impact Mr. Alpart's past unlicensed activities have had on the neighbors.

--

Jonathan Hankin

Broker / Retired California Architect

jbhankin@gmail.com

Pedro Rafael Pachano RA NCARB CPHC

7 June 2021

Steve Bannon
Selectboard Chair
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230

Reference: 250 Long Pond Road: Special Permit Recommendation

Mr. Bannon,

I am writing in reference to a recommendation issued 3 June, by the Planning Board concerning a special permit to operate an event space in a residence at 250 Long Pond Road. I voted on that date to send a positive recommendation on the application.

During our deliberations, it was determined that operating an events space in a residence is defined as a Home Occupation. To that end, a question was raised about item 3.3.5(1) in the Zoning By Law which states:

The principal residence of the owner/operator of every home occupation shall be the dwelling unit on the premises in which the home occupation operates.

There was some discussion regarding the interpretation of this item. In retrospect, I believe the intent of this item is that the owner of whatever Home Occupation is being operated in the dwelling unit in which the activity is occurring actually resides in the home as his/her primary residence. There should be no question about the difference between "primary" and "principal." They are the same.

This being the case, I believe that my vote to send a positive recommendation for this Special Permit was erroneous. Since 250 Long Pond Road is not the primary residence of the applicant, the application fails the standards written into the By Law. It is important that Zoning By Laws are enforced to the letter, and as voted by Town Meeting, since they reflect the desires of the citizenry.

Please entertain my reconsideration during your deliberations.

Respectfully,

Pedro R. Pachano
Planning Board

Bcc: Leigh Davis, Ed Abrahams, Eric Gabriel, Garfield Reed

From: [Tate Coleman](#)
To: [Amy Pulver](#); [Morales, Carmen](#)
Cc: [Mark Pruhenski](#)
Subject: Planning Board - Associate Member
Date: Friday, June 11, 2021 9:43:11 AM

Hi Amy and Carmen,

I am interested in the position of Planning Board Associate Member. Please accept this as my letter of interest.

Let me know if you have any questions or need more information.

Thank you,
Tate



Tate C. Coleman

Chairman

Regional Transportation Advisory
Committee (RTAC)

573-824-2393

tcoleman@townofgb.org

Town of Great Barrington
334 Main Street
Great Barrington MA 01230



The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

EXECUTIVE SUMMARY

TITLE: Two appointments to the Lake Mansfield Improvement Task Force

BACKGROUND: The Task Force was formed by the Selectboard in 2006 continues to plan and coordinate improvements in the Lake Mansfield Recreation Area. There are seven members, four of which are appointed by the Selectboard. These four are:

- a. Selectboard (vacant) – *was Bill Cooke*
- b. Citizen at Large (vacant) – *see letter of interest, attached*
- c. Citizen at Large (Christine Ward)
- d. Lake Mansfield Alliance (Dale Abrams)

Other current members are:

- e. Conservation Commission: Andy Didio, appointed by the Commission
- f. Planning Board: Brandee Nelson, appointed by the Planning Board
- g. Parks and Recreation Commission, *vacant*, appointed by the Commission

RECOMMENDATION: The Selectboard vote to appoint a Selectboard member to the task force for a term of one year, to end June 30, 2022, and vote to appoint Cindy Schoenfeld as a citizen at large member on the task force for a term of three years, to end June 30, 2024.

WRITTEN BY:



DATE: 6/16/21

Assistant Town Manager /
Director of Planning and Community Development

APPROVED BY:

Town Manager

DATE: _____

Chris Rembold

From: Cindy Schoenfeld <crschoenfeld@gmail.com>
Sent: Wednesday, June 9, 2021 11:50 AM
To: Chris Rembold
Subject: Lake Mansfield Improvement Task Force

****CAUTION:****

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Dear Chris-

I enjoyed speaking with you yesterday about the Lake Mansfield Improvement Planning, and would be very interested in becoming a member of the Lake Mansfield Improvement Task Force.

My husband and I have owned our home at 5 Lake Mansfield Lane, overlooking Lake Mansfield since 2005, so this will be our 17th summer enjoying the lake! We go to the lake every day weather permitting, and my husband is one of the swimmers you see with the orange floatie!

A little background may be helpful. I am a graduate of Harvard College, and Harvard Business School, and was employed by Haemonetics in Braintree, MA and then managed my husband's medical practice in New Haven, CT. Mark is a cardiac electrophysiologist at Yale-New Haven Hospital, but still maintains his Massachusetts medical license from when he trained at Mass General Hospital in Boston!

Our main home is in Woodbridge, CT, which is only an hour 20 minutes away, so we are frequently at our GB home, four seasons a year. Our 3 daughters, 2 sons-in-law and 3 grandchildren visit often and their favorite activity is visiting the lake and playing on the playground! Thus, we are fully invested in the improvements you have been so diligently working on. In addition, we own the land abutting the lake, so would like to be involved in the planning that may affect this property.

Mark and I are extremely impressed with the plans of the Task Force to date, and the time and effort it took to achieve these. I would be available to attend meetings, and would love to be part of the future plans and implementation of improvements to Lake Mansfield as a member of the Lake Mansfield Improvement Task Force.

I look forward to hearing back from you.

Regards,

Cindy Schoenfeld

Revised 3/27/2017

Lake Mansfield Improvement Task Force

Charge of Duties

The Town of Great Barrington is forming a Task Force for the purpose of developing and implementing a comprehensive Lake Mansfield Improvement Plan. Specifically, the Task Force will address a wide range of concerns including, but not limited to, public safety, use and accessibility, water quality (runoff, buffer zone erosion, invasive weeds), lake improvements, protection of the watershed and stewardship.

The process will include identifying and prioritizing goals and objectives needed to develop and implement an improvement plan. The Task Force will obtain community input and use the resources available from the State Department of Environmental Protection, State Representatives, the Nature Conservancy, Trustees of the Reservation, Lakes and Ponds Association of Western Massachusetts, Berkshire Natural Resources Council and other applicable agencies. In addition, prior studies and recommendations will be considered and evaluated.

The Task Force shall be comprised of a representative from the Selectboard, Conservation Commission, Parks and Recreation Commission, Planning Board, Lake Mansfield Alliance and two (2) citizens at large. The represented Boards and Commissions shall appoint their representatives on an annual basis, and may appoint alternate members if needed to ensure representation. The citizens at large shall be appointed by the Selectboard for a term not to exceed three years, and alternates may be appointed at the discretion of the Selectboard. The Town Manager shall be an ex-officio member and may designate staff as appropriate to assist the Task Force.

The Plan and implementation schedule along with proposed funding sources will be presented to the Selectboard for approval.

FY'22 REAPPOINTMENTS

First Name	Last Name	Board Name	Term End Date	Response	Appointing Authority
Requested to be Reappointed					
FRED	CLARK	Affordable Housing Trust Fund	30-Jun-21	YES	SB
WILLIAM	COOKE	Affordable Housing Trust Fund	30-Jun-21	YES	SB
GARFIELD	REED	Affordable Housing Trust Fund	30-Jun-21	YES	SB
ELLEN	SMITH	BOARD OF REGISTRARS	30-Jun-21	YES	SB
JEANNE	BACHETTI	COMMISSION ON DISABILITY	30-Jun-21	YES	SB
G. PATRICK	HOLLENBECK	COMMISSION ON DISABILITY	30-Jun-21	YES	SB
KATE	VAN OLST	CONSERVATION COMMISSION	30-Jun-21	YES	SB
PATRICK	BARRETT	CULTURAL COUNCIL	30-Jun-21	YES	SB
TATE	COLEMAN	CULTURAL COUNCIL	30-Jun-21	YES	SB
ELLEN	SHANAHAN	CULTURAL COUNCIL	30-Jun-21	YES	SB
KURT	BARBIERI	FENCE VIEWER	30-Jun-21	YES	SB
BERNARD	DREW	FENCE VIEWER	30-Jun-21	YES	SB
DONALD	HOWE	HISTORIC DISTRICT COMMISSION	30-Jun-21	YES	SB
MARILYN	BISIEWICZ	HISTORICAL COMMISSION	30-Jun-21	YES	SB
MALCOLM	FICK	HISTORICAL COMMISSION	30-Jun-21	YES	SB
GARY	LEVEILLE	HISTORICAL COMMISSION	30-Jun-21	YES	SB
MICHAEL	PERETTI	TREE COMMITTEE	30-Jun-21	YES	SB
JOHN	KATZ	Affordable Housing Trust Fund	30-Jun-21	YES	SB
Requested Not to be Reappointed					
PEDRO RAFAEL	PACHANO	DESIGN ADVISORY COMMITTEE	30-Jun-21	NO	SB
JULIE	FAGAN	HISTORIC DISTRICT COMMISSION	30-Jun-21	NO	SB
GARFIELD	REED	PLANNING BOARD ASSOCIATE MEM	30-Jun-21	NO	SB

EXECUTIVE SUMMARY

TITLE: Appointment of Chair or Designee to the Berkshire Regional Transit Authority Advisory Board.

BACKGROUND: Every year the Berkshire Regional Transit Authority asks its member communities to appoint either the Selectboard Chair, Mayor, or Designee to their Advisory Board. Bill Cooke had been appointed in the past and most recently Tate Coleman has been serving in this role. Tate Coleman would like to be reappointed.

FISCAL IMPACT: Not applicable; members serve without compensation.

RECOMMENDATION: Appoint Tate Coleman to the Berkshire Transit Authority's Advisory Board for a one year term.

PREPARED AND REVIEWED BY:

A handwritten signature in blue ink that reads "Amy Pulver". The signature is written in a cursive style and is positioned above a horizontal line.

Amy Pulver, Office Administrator

May 24, 2021

Select Board Chair
Town of Great Barrington
334 Main Street
Great Barrington MA 01230

Please:

- *Complete Fully**
- *Print Neatly**
- *Return Promptly**

Dear Select Board Chair:

According to MGL Ch. 161B, a Regional Transit Authority's (RTA's) Advisory Board is comprised of the chief elected official of each member community, or your designee.

Please advise who will represent the Town of Great Barrington on the Berkshire Regional Transit Authority (BRTA) Advisory Board. You may do so by simply annotating the space provided at the bottom of this letter and returning either this original or a copy of the annotated letter to the BRTA. Your response by June 15, 2021 will be appreciated so that we may prepare for our annual audit of the BRTA.

Sincerely,

Robert Malnati

Robert Malnati
Administrator

Representation from the Town of Great Barrington on the BRTA Advisory Board.

July 1, 2021
June 30, 2022

If chief elected official is not serving

Select Board Chair or Mayor

Designee

First Name

Tate

Last Name

Coleman

Email

taoleman@townofgb.org

Mailing Address

142 Taconic Avenue

City

Great Barrington

State

Massachusetts

Zip

01230

Telephone

573-824-2393

Facsimile

Executed by: _____

Name

Title

Date

