

Mark Pruhenski
Town Manager

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

Revised: 4. b. added, Special Permit Application from Southern Berkshire Chamber of Commerce

Selectboard Meeting via Zoom

Order of Agenda for Wednesday, March 30, 2022, at 6:00 PM

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84727797185?pwd=NDFRUjFITE12eDN3bE5LaTNBQ0RmZz09>

Webinar ID: 84727797185

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 June 16, 2021 Revised Order extending remote participation by all members in any meeting of a public body, 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 in the following manner: See 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.

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

1. CALL TO ORDER SELECTBOARD REGULAR MEETING
2. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS
3. TOWN MANAGER'S REPORT
 - a. Board Meetings--Resume in-person meetings w/remote option
4. PUBLIC HEARINGS
 - a. Vrushank Patel for I Shree-3 LLC, 229 Stockbridge Road for a Wine and Malt Package Store License.
 - b. Special Permit application from the Southern Berkshire Chamber of Commerce, c/o Betsy Andrus, Executive Director, for new construction in the Village Center Overlay District; work includes replacing the existing visitor booth at approximately 362 Main Street, Great Barrington, with a new larger building in the same location, and a parking waiver. Application is filed in accordance with Sections 9.2, 6.9, and 10.4 of the Zoning Bylaw.
 - i. Vote to open the public hearing
 - ii. Presentation from the applicant
 - iii. Questions from the Board
 - iv. Public comment and questions
 - v. Comments from other boards/commissions
 - vi. Discussion/deliberation by the Board
 - vii. Vote to continue or close the hearing
 - viii. Vote to continue/deny/grant the special permit

5. PREVIOUS BUSINESS

- a. Continued discussion on Residential Exemption (Vote)
- b. Continued discussion of the proposed Short Term Rental Bylaw

6. CITIZEN SPEAK TIME

- i. *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

April 4, 2022-Special Short Term Rental Input Session

April 11, 2022



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.



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

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION FOR A NEW LICENSE

ECRT CODE: RETA

Please make \$200.00 payment here:

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

For the following transactions (Check all that apply):

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

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
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 www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="Off-Premises-15"/>	<input type="text" value="§15 Package Store"/>	<input type="text" value="Wines and Malt Beverages"/>	<input type="text" value="Annual"/>

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

GAS STATION WITH CONVENIENCE STORE ,FREE STANDING BUILDING AT GROUND FLOOR WHICH SELLS LOTTERY,SODA,CHIPS,MILK,CANDY,CIGARETTES & TOBACCO,ICE CREAM ,GASOLINE &DIESAL,HBC PRODUCTS ETC

Is this license application pursuant to special legislation? Yes No Chapter Acts of

2. BUSINESS ENTITY INFORMATION

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

Entity Name FEIN

DBA Manager of Record

Street Address

Phone Email

Alternative Phone Website

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

FREE STANDING BUILDING AT 229 STOCKBRIDGE ROAD GREAT BARRINGTON MA 01230 FIRST FLOOR 1700 SQUARE FEET WITH GAS STATION WITH GROUND & ONLY FLOOR

Total Square Footage: <input type="text" value="1700"/>	Number of Entrances: <input type="text" value="1"/>	Seating Capacity: <input type="text" value="8"/>
Number of Floors: <input type="text" value="1"/>	Number of Exits: <input type="text" value="2"/>	Occupancy Number: <input type="text" value="35"/>

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name: Phone:

Title: Email:

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	<input type="text" value="LLC"/>	Date of Incorporation	<input type="text" value="06/03/2018"/>
State of Incorporation	<input type="text" value="Massachusetts"/>	Is the Corporation publicly traded?	<input type="radio"/> Yes <input checked="" type="radio"/> No

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

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

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

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="KAMLESHKUMAR PATEL"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="MEMBER"/>	<input type="text" value="60"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="ANKITKUMAR PATEL"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="MEMBER"/>	<input type="text" value="20"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="VRUSHANK PATEL"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="MEMBER/MANAGER"/>	<input type="text" value="20"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached? Yes No

CRIMINAL HISTORY

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

APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality
I SHREE-1 LLC	WINE & MALT	KAMLESHKUMAR PATEL	LANESBOROUGH MA
I SHREE-2 LLC	WINE & MALT	KAMLESHKUMAR PATEL	STOCKBRIDGE MA
V & D LLC	WINE & MALT	KAMLESHKUMAR PATEL	UXBRIDGE MA

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality
I SHREE -1 LLC	WINE & MALT	KAMLESHKUMAR PATEL	LANESBOROUGH MA
I SHREE-2 LLC	WINE & MALT	KAMLESHKUMAR PATEL	STOCKBRIDGE MA
V & D LLC	WINE & MALT	KAMLESHKUMAR PATEL	UXBRIDGE MA

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

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

7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name GLOBAL COMPANIES LLC

Landlord Phone 1-781-894-8800

Landlord Email BPCTEAM@GLOBALP.COM

Landlord Address 800 SOUTH STREET SUITE #500 P.O BOX 9161 WALTHAM ,MA 02454

Lease Beginning Date 09/12/2018

Rent per Month \$3,850.00

Lease Ending Date 09/11/2024

Rent per Year \$46,200.00

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes No

APPLICATION FOR A NEW LICENSE

8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	
B. Purchase Price for Business Assets	\$50,000.00
C. Other * (Please specify below)	\$43,000.00
D. Total Cost	\$ 93,000.00

*Other Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
KAMLESHKUMAR PATEL	\$40,000.00
SHRUTIBEN PATEL	\$51,000.00
KAMLESHKUMAR PATEL	\$10,000.00
Total:	\$ 101,000.00

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

KAMLESHKUMAR PATEL & SHRUTIBEN PATEL PROVIDE FUNDS FROM THEIR PERSONAL ACCOUNTS

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? Yes No

Please indicate what you are seeking to pledge (check all that apply) License Stock Inventory

To whom is the pledge being made?

STEPHEN BANNON
CHAIR

LEIGH S. DAVIS
EDWARD ABRAHAMAS
GARFIELD REED
ERIC GABRIEL



Town Hall, 334 Main Street
Great Barrington, MA 01230

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

SELECTBOARD

SPECIAL PERMIT # 926-22

NAME, ADDRESS, AND PROJECT: Special Permit application from the Southern Berkshire Chamber of Commerce, c/o Betsy Andrus, Executive Director, for new construction in the Village Center Overlay District in order to replace the existing visitor booth at approximately 362 Main Street, Great Barrington, with a new larger building in the same location and a parking waiver, filed in accordance with Sections 9.2, 6.9, 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):

BOARD OF HEALTH ** Thursday, March 3, 2022, 6:30 PM, via Zoom
*** Call the Health Agent in advance of the meeting to see if you should attend.*

DESIGN ADVISORY COMMITTEE Wednesday, March 9, 2022, 5:00 PM, via Zoom
*** Call the Building Inspector in advance of the meeting for details.*

CONSERVATION COMMISSION * Wednesday, March 23, 2022, 6:30 PM, via Zoom
** Call the Conservation Agent in advance of the meeting to see if you should attend.*

PLANNING BOARD Thursday, March 24, 2022, 6:00 PM, via Zoom
Applicant must attend

SPECIAL PERMIT PUBLIC HEARING

The **PUBLIC HEARING** before the **SELECTBOARD** will be Wednesday, March 30, 2022, at 6:00 PM, via Zoom video/teleconference meeting. A Zoom link will be sent in advance of the hearing date.
Applicant must attend.

TOWN OF GREAT BARRINGTON

PUBLIC HEARING

NOTICE TO ABUTTERS

The Great Barrington Selectboard will hold a public hearing on Wednesday, March 30, 2022 at 6:00 pm, via Zoom remote video/teleconference, to act on the Special Permit application from the Southern Berkshire Chamber of Commerce, c/o Betsy Andrus, Executive Director, for new construction in the Village Center Overlay District; work includes replacing the existing visitor booth at approximately 362 Main Street, Great Barrington, with a new larger building in the same location, and a parking waiver. Application is filed in accordance with Sections 9.2, 6.9, 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.

TOWN OF GREAT BARRINGTON

PUBLIC HEARING

The Great Barrington Selectboard will hold a public hearing on Wednesday, March 30, 2022 at 6:00 pm, via Zoom remote video/teleconference, to act on the Special Permit application from the Southern Berkshire Chamber of Commerce, c/o Betsy Andrus, Executive Director, for new construction in the Village Center Overlay District; work includes replacing the existing visitor booth at approximately 362 Main Street, Great Barrington, with a new larger building in the same location, and a parking waiver. Application is filed in accordance with Sections 9.2, 6.9, 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.

Stephen Bannon, Chair

Please publish March 8 and March 15, 2022

Berkshire Eagle



SOUTHERN BERKSHIRE CHAMBER OF COMMERCE

February 16, 2022

Great Barrington Selectboard
Town of Great Barrington
334 Main Street
Great Barrington, Ma 01230

RE: Visitors Center Demo and Rebuild

Dear Selectboard,

The Southern Berkshire Chamber of Commerce is submitting this application requesting approval to take down the existing Visitors Booth and reconstruct a true Visitors Center.

To serve the Southern Berkshires better, we feel it is time to create a more user-friendly structure. Putting all the SB Chamber does under one roof - information for visitors/ locals, business office and storage - will enable us to serve our community and visitors seven days a week.

Just a brief history on the existing structure: it was originally built in 1970 and upgraded in 1981. The structure is very basic, shed-like, and was laid out for a different format of doing business. The structure itself is suffering from many issues, the most serious of which is a rotted back sill which is allowing water to come into the booth during heavy rain. The size of the windows makes it hard to see in, deterring visitors and the existing public space allows for about 5' for the average visitor to stand in, not COVID friendly. Upgrading the public space to be ADA compliant and more spacious will allow for a more inclusive and safer interaction for all.

Thank you in advance for your consideration.

Betsy Andrus
Executive Director

SBCC 40 Railroad Street, Suite 2, Great Barrington, Ma. 01230
413-528-4284, betsy@southernberkshirechamber.com

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

FORM SP-1
REV. 12-2020

FOR OFFICE USE ONLY

Number Assigned _____ Date Received _____
Special Permit Granting Authority _____
Copy to Recommending Boards _____
Advertised _____ & _____
Public Hearing _____
Fee: \$300.00 Paid: _____

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

MAP 19 LOT 93D BOOK -- PAGE -- ZONING DISTRICT(S) B2, VCOD

Site Address: approximately 362 Main Street, Great Barrington, MA 01230

Date of Application Feb 16, 2022

Applicant's name and complete mailing address Southern Berkshire Chamber of Commerce, c/o

Betsy Andrus, Executive Director, 40 Railroad Street, Great Barrington, MA 01230

Applicant's phone number 413-528-4284 Applicant's email address: betsy@southernberkshirechamber.com

Name and Address of Owner of land exactly as it appears on most recent tax bill:
Town of Great Barrington, 334 Main Street, Great Barrington, MA 01230

I (we) request a Special Permit for: Replacement of the existing visitor booth in the same location in the right-of-way with a new building for the Chamber's office and for tourist information, and a parking waiver.

Under Section(s) 6.9 (parking), 9.6 (VCOD) and 10.4 of the Great Barrington Zoning Bylaws.

APPLICANTS MUST READ AND COMPLY WITH THE FOLLOWING:

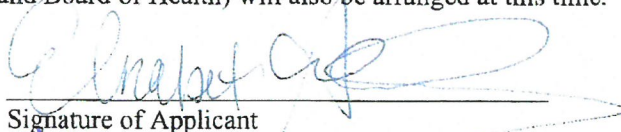
One Signed Original application with each of the items below, as applicable, fourteen (14) exact copies of the entire package, and one electronic PDF, are to be submitted. Applications must include:

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.

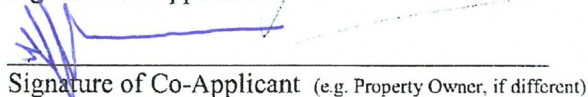
- 6. Zoning Map designating the zoning district(s) and location for the area for which a special permit is requested, plus a USGS map enlarged and showing the site location within the Town.
- 7. Drainage Plan indicating the destination of all runoff from the property. In the event of substantial increase 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

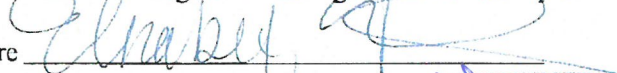


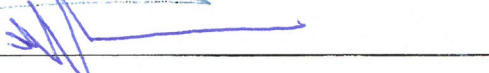
 Signature of Co-Applicant (e.g. Property Owner, if different)

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 2.16.22



SOUTHERN BERKSHIRE
CHAMBER OF COMMERCE

RE: In Harmony with the Great Barrington Master Plan

SBCC Mission: To promote business prosperity and a healthy, inclusive community by providing information, services, and advocacy for its members.

Our mission statement is a great example of our alignment with the Great Barrington Master Plan. Key categories are including Open Space and Recreation, Economic Development, Agricultural, and Historical and Cultural Resources.

According to the Community Master Plan, this project supports, in general, Goal LU 2: Support Downtown so that it continues to prosper as a regional hub of business, entertainment, and civic life.

In terms of strategy outlined in the Master Plan, the Visitor's Center will support:

OSR 2.2, by serving as a site to distribute information and increase awareness of open space and recreation resources.

OSR 5.1, by promoting local and regional trails to tourists.

ED 2.3, by serving as part of a quality streetscape environment, with informative and artistically relevant exterior elements.

AG 3.2 by strengthening the "Agri-tourism" sector of our hospitality industry, through SBCC's promotion of Berkshire Grown, Berkshire Agricultural Ventures, Great Barrington Farmers Market and other agricultural businesses and non-profits, and by bringing awareness to the locally produced ingredients at dining establishments and local stores.

And HC 2.7 by marketing local artistic and cultural assets to a regional and national audience.

Southern Berkshire Chamber of Commerce
P.O. Box 810
Great Barrington, Ma

Take down and rebuild the Visitors Booth, located at 362 Main Street, Great Barrington, MA. (Map 19, Lot 93D, Zoning District B2 VCOD), which is a part of the village Center Overlay District. Expand the footprint 10' by 12' and add a second floor for Southern Berkshire Chamber Business Office.

6.1 OFF-STREET PARKING AND LOADING

6.1.1 Applicability. No new building designated or intended to be used for any of the uses referred to below shall be constructed in any district unless accessory parking spaces are provided and maintained on the premises in the amount specified below and in accordance with the other requirements of this Section.

We believe the Southern Berkshire Chamber Visitors Booth would be considered a Professional Building in the Principal Use chart. This is not a new building/ development, we are replacing an existing building, but we are requesting to enlarge the footprint and overall size of what exists. Most of the use will remain the same with visitors and locals using on-street parking or short-term (5 minute) parking in front of the booth, utilizing the bus pull-in. Due to the quick influx of visitors, this has worked without issue for 51 years and we are confident that it will continue. This building is and has been, set in the "grassy area" in the right-of-way, which is controlled by the Town of Great Barrington, our ability to add parking is not available. We request deviation from 6.1.1 to provide onsite parking.

6.1.2 Table of Parking Requirements. The following requirements shall apply; provided however that in Zoning District B, there shall be no off-street parking required for permitted uses in existing buildings which are remodeled but not substantially expanded, as defined in Section 9.5.2:

When completed the SB Chamber will have approximately 600 sq. ft. of net usable floor area. In accordance with the chart provided, the town is requesting two parking spaces. Due to the lack of land, we have made an agreement with McCormick, Murtagh & Marcus to utilize two of their spaces. We request deviation from 6.1.2.

6.1.3 Location. Any parking area of more than five spaces providing off-street parking under the provisions of this Bylaw for any nonresidential use in a residence district shall not be located in the required front yard and shall be at least 10 feet from any side or rear lot line. If a nonresidential use in a residence district is located on a corner lot, no parking area of more than five spaces shall be located within the designated front yard nor closer to the street line than twice the required setback for residences within that district in side and rear yards. In the B2 zone, no parking spaces provided for new or replacement structures shall be located between the structure and the front lot line.

This selection, 6.1.3 does not apply to our application.

6.1.4 Size of Parking Space. The net area of each parking space, exclusive of access and maneuvering area, shall not be less than 180 square feet and the width of each parking berth shall not be less than nine feet, and shall be delineated on site. Up to 20 percent of the required parking spaces may be

designed as compact car spaces. Any compact car spaces must be clearly designated as such on the site plan, and appropriate markings and signage must be installed on-site. Handicap parking spaces must meet Commonwealth of Massachusetts and American Disabilities Act requirements.

6.1.4 does not apply to our application because of our arrangement to use a preexisting parking lot owned by another local business.

6.1.5 Interpretation of Fractional Space. When the application of a unit of measurement for parking spaces to a particular use or structure results in a fractional space, any fraction under 1/2 shall be disregarded, and fractions of 1/2 or over shall be counted as one parking space.

6.1.5 does not apply to our application because of our arrangement to use a preexisting parking lot owned by another local business.

6.1.6 Table of Loading Requirements. No new building designed or intended to be used for any of the uses referred to below shall be constructed in any district unless accessory loading space is provided in accordance with the following requirements:

Utilizing the chart provide the Visitors Booth is nonapplicable and would not qualify for any loading requirements.

6.1.7 Size of Loading Berth. The area of each loading berth shall be not less than 200 square feet, and it shall have a minimum clear height, including access to it from a street, of 14 feet

Utilizing the chart provide the Visitors Booth is nonapplicable and would not qualify for any loading requirements.

6.1.8 Joint Facilities. Accessory parking spaces or loading spaces for commercial and manufacturing uses may be provided in facilities designed to serve jointly two or more buildings or uses, provided that the number of berths in such joint facilities shall not be less than the total required under the provisions of this Section.

This selection, 6.1.8 does not apply to our application

6.1.9 Special Permit. The Planning Board may, by special permit pursuant to Section 10.4, authorize a deviation from any parking or loading requirement set forth in this Section 6.1. In instances where an application is pending before a different Special Permit Granting Authority, that body may, in accord with a finding by the Planning Board, authorize the deviation from the requirements of Section 6.1.

Because of the pre-existing nature of this building of over 51 years, the fact that the Southern Berkshire Chamber does not own the land and has found additional parking offsite, *we request deviation from 6.1.*

9.6 VILLAGE CENTER OVERLAY DISTRICT (VCOD)

9.6.1 Purpose. The purpose of the Village Center Housing Overlay District (VCOD) section is to 1. Foster a mix of uses; 2. Encourage greater pedestrian activity as a part of these activities; 3. Encourage preservation of historic buildings; 4. Encourage economic revitalization; and 5. Promote mixed-use buildings.

The Southern Berkshire Chambers mission is to, *"To promote business prosperity and a healthy, inclusive community by providing information, services and advocacy for its members."* Our mission guides us in our day-to-day activities to foster an inclusive community, encourage through any means possible local and visitor activity, honor our history and historic buildings/memorabilia, and encourage and assist inclusive economic growth. We work with local businesses, realtors, lenders, local, state & federal organizations to make growth happen. The Chambers purposes are identical to the Towns.

9.6.2 Location. The VCOD boundaries shall be as follows: In the Great Barrington village center, the VCOD shall include Main Street from the Brown Bridge on the north to the intersection of Main Street and Maple Avenue on the south, starting at the origin of Main Street at the intersection of State Road and continuing south to Maple Avenue. Specifically, the VCOD shall include the land of underlying zoning districts and the land shown on the 2009 Great Barrington Assessors' Maps, as follows:

The Southern Berkshire Visitors Booth is Map 19, Lot 93D, Zoning District B2, VCOD, at 362 Main Street, Great Barrington, MA.

9.6.3 Applicability. Within the VCOD, all proposed changes to the exterior of structures, new construction, replacement of an existing structure and any substantial structural change to an existing structure shall require review by the Design Advisory Committee and a special permit pursuant to Section 10.4. A substantial structural change is defined, for the purpose of this section, as one which involves: changing the height of a structure; increasing the size of the footprint of a structure by more than 25% or 1,000 square feet, whichever is smaller; or increasing the square footage of any above ground floor by more than 25% or 1,000 square feet, whichever is smaller.

The current structure is 12' x 30' with a small indent on the north side. We would like to square the space off, add on a 10' x 12' exterior storage area (Holiday Stroll items) and a second floor. We would like to overhang the second floor by 4' in the back of the building, making the 2nd floor 16'x 40'. Still having extra room before the 15' set-back on the CVS side, which begins at the west side of the town sidewalk. We would also like to change the way you enter the structure to the south side to avoid further issues with weather and noise from the road. We would like to add overhangs to each doorway and the front of the building to assist with weather, keeping brochures/flyers/maps dry and to help anyone waiting for the bus. The building height would be 24'.

9.6.4 Special Permit. The special permit granting authority (SPGA) for the VCOD shall be the Selectboard (except for special permits for extension or alteration of nonconforming structures or uses, which remains the purview of the Zoning Board of Appeals as set forth in 5.0).

The Southern Berkshire Chamber is requesting a Special Permit for this project. The current structure is forty years old and is struggling with many structural issues including the back wall sill has rotted away and is allowing water to come into the building. On top of that when we look at the layout

of the building from a COVID safety stand point, we realize the space is not being utilized correctly and is not laid out safely for staff or people using the booth. The structure itself, resembling a shed, sometimes gets overlooked or mistaken for something else. Due to the structure of the building, which is very basic, it is hot in the summer and cold in the winter so in the past we have limited the employment to Thursday – Mondays. Our business offices being in a separate building does not lend itself to full time assistance of locals or visitors. By rebuilding the structure and adding on a second floor we can fix any issues we are currently experiencing, create a layout to assist with safety requirements, make the building more in keeping with the traditional New England feel but at the same time making the Visitors Booth portion more visible and accessible, and have in-person assistance seven days a week.

9.6.5 Criteria. In addition to the findings required in Section 10.4, the SPGA must also find that the proposed use meets the following criteria, to the extent practicable: 1. Improves village vitality and walkability 2. Promotes mixed-use; 3. Promotes economic revitalization

As we have stated, the booth structure as it stands is basic in design and gets over looked often. A larger structure, laid out for more visibility and safer use would add to the village vitality. The plan is for a traditional New England style, in keeping with the feel of Great Barrington. Welcoming and presentable at a gateway location.

The booth itself is located at the far south side of Village Over Lay District but is a short 5-6 block walk for the far north side of the downtown, making it extremely walkable for anyone in town looking for information about the town or our area.

Over the past 5+ years and still currently, there has been and is millions of dollars being spent to revitalize that corner of the downtown. Saint James Place, 342 Main Street, McCormick Murtagh & Marcus building, Searles Castle and more have invested millions with more projects in the works, the Visitors Booth is one of the only structures that has not been revamped in 4 decades. To keep our town thriving we must look the part. Maintaining and expanding the look of our structures is essential to promoting a positive look, showing other prospective businesses and residence, this is a good place to invest your time and money.

9.6.6 Procedures. Upon the filing of an application for a special permit under this section, the Building Inspector shall notify the applicant that design review is required and transmit a copy of the special permit application to the Design Advisory Committee, which shall promptly schedule a meeting with the applicant. No special permit shall be issued by the SPGA until the Design Advisory Committee has reviewed the proposed change and submitted a report to the SPGA, except that if a report is not received by the SPGA within 30 days from the date the application was submitted, the SPGA shall assume approval of the application by the Design Advisory Committee.

The Southern Berkshire Chamber looks forward to the Building Inspectors notification and direction and is happy to meet with the Design Advisory Board as laid out in 9.6.5.

9.6.7 Uses Permitted by Right. The following uses are permitted by right in the VCOD, whether or not permitted in the underlying District: 1. Retail stores and/or wholesale sales and service with total aggregate gross floor area less than 10,000 square feet; 2. Mixed use; 3. Live/work units.

The Visitors Booth will be a Mixed-Use building with a Visitors Center and storage on the bottom and an office upstairs.

9.6.8 Uses by Special Permit. The following uses may be allowed by Special Permit: 1. Retail stores and/or wholesale sales and service with total aggregate gross floor area of 10,000 or more square feet, but less than 20,000 square feet; 2. Large scale commercial development of 20,000 or more square feet, but less than 50,000 square feet may be allowed only in buildings existing as of the date of adoption of this Section; 3. Garages, public.

This selection, 9.6.9 does not apply to our application.

9.6.9 Uses Not Permitted. All uses permitted in the underlying District as shown in Section 3.1.4 are permitted in the VCOD, except as otherwise prohibited in this Section. The following uses are not permitted: 1. Motor vehicle fuel stations; 2. Fuel storage and sales; 3. Gravel, loam, sand and stone removal; 4. Municipal sanitary landfill. 5. Retail establishments with drive-thru facilities. 6. Food establishments with drive-thru facilities; 7. Motor vehicle repair shop, and similar businesses.

This selection, 9.6.9 does not apply to our application.

9.6.10 Exceptions; Dimensional Requirements. Dimensional requirements in the VCOD are as follows: 1. Structures that have solely residential uses shall be the same as in the underlying District as shown in Section 4.0. 2. Structures, regardless of use, on the west side of Main Street south of Castle Street shall be the same as in the underlying District as shown in Section 4.0 3. For all other uses the requirements shall be shown as in Section 4.0 as non-residential principal uses.

SECTION 4.0 DIMENSIONAL REQUIREMENTS 4.1 GENERAL

B2	5,000	50	25	10	10	75	3	40
	Dwellings							

9.6.11 Parking Requirements. Parking requirements in Section 6.1 do not apply in the VCOD, except as provided in this section. 1. For permitted uses in existing buildings in the B District, including those that are remodeled but not substantially expanded, there shall be no off-street parking required. 2. For permitted uses in existing buildings in the other underlying Districts that are not substantially expanded as defined in this Section, except for any building greater than 10,000 square feet, parking is required as follows: (a) the same number of existing off street parking spaces must be retained; (b) additional off-street or off-site parking is not required. 3. For permitted uses in new buildings or existing buildings that are substantially expanded as defined in this Section or any building greater than 10,000 square feet, parking is required as follows: (a) the parking requirements for residential uses in 6.1.2 do not apply; (b) the parking requirements for business or industrial uses in 6.1.2 through 6.1.6 shall be calculated as follows: the sum of the required parking for each use multiplied by 0.5 with the product rounded down to the nearest whole number, plus handicapped parking as may be required by law or building code (Example: 3 spaces required for retail, 4 spaces required for offices: $(3 + 4) \times 0.5 = 3.5$, so 3 spaces, + 1 handicapped space, = 4 spaces are required); (c) existing parking may be counted as meeting the parking requirements above; and (d) some or all parking requirements may be waived if the SPGA grants a special permit pursuant to section 6.1.9.

The Southern Berkshire Chamber request deviation from these parking requirements and request a special permit in pursuant to section 6.1.9.

9.6.12 Design Review. Applications for Special Permit under this section are subject to 9.5.8, Design Review Standards, with the following additional provisions: 1. General Principles. Town of Great Barrington Zoning Bylaw SECTION 9.0 SPECIAL DISTRICTS 99 a. Encourage improvements of 1900's buildings and new buildings to be of complementary height and style for mixed use (commercial, retail and residential). b. Encourage off-street parking to be located to minimize visual impact from the street and utilize access from side streets when practicable. c. Encourage reinforcement of the street wall through zero front-yard setbacks when practicable.

This selection, 9.6.12 does not apply to our application.

10.4 SPECIAL PERMITS

10.4.1 Special Permit Granting Authority. Unless specifically designated otherwise, the Selectboard shall act as the Special Permit Granting Authority.

The Southern Berkshire Chamber understands that the Selectboard will act as the Granting Authority and we are requesting this special permit.

10.4.2 Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its 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. In addition to any specific factors that may be set forth in this Bylaw, the determination shall include consideration of each of the following: 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.

A safe building, open 7 days a week to serve the community and visitors alike can only benefit the community's needs.

The traffic and parking patterns should remain the same as they have for 50 years and should not have any adverse effects to the community.

Utilities and public services should remain the same and therefore have no impact.

To improve the building, which is a building located in one of the busiest gateways to our town. Making it more visible, safer, more welcoming, must add to the character of the neighborhood.

The structure is now and will be in the right-of-way, this land was recently redone by the Main Street Reconstruction Project. This project updated sidewalks and landscape which will remain as is.

Due to the location of this project, there should be no impact fiscally to any existing business. The closest business being CVS which is set back and separated by their own parking lot. There should never be any obstruction to their business.

10.4.3 Procedures. An application for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority. 1. The SPGA shall, within five business days (Saturdays, Sundays and legal holidays excluded) after acceptance of a special permit application, transmit copies of the application, along with all accompanying plans and maps, to the Board of Health, the Planning Board, the Selectmen and the Conservation Commission and to any other town departments, at the discretion of the SPGA. It shall be the responsibility of the applicant to provide sufficient copies for such transmittal. 2. The SPGA or its designated representative shall mark on the face of each copy the date of such transmittal and the boards and departments to which it was transmitted. The application shall be deemed received by all such boards and departments two business days after such transmittal (Saturdays, Sundays and legal holidays excluded). Any board or department to which such an application is transmitted for review shall make in writing such recommendations as it deems appropriate; provided, however, that failure to make recommendations within 35 calendar days of receipt by the board or department shall be deemed lack of opposition to the application. 3. Any town board or department may recommend and the SPGA may impose such additional requirements and restrictions for any use under 3.1.4, Table of Use Regulations, or for any other special permit required by this Bylaw, as in the judgment of the reviewing Town of Great Barrington Zoning Bylaw SECTION 10.0 ADMINISTRATION AND PROCEDURES 131 boards and departments are necessary for the protection of public health, safety and welfare, the environment, and neighboring uses. 4. It is recommended that projects requiring a special permit appear before the Design Advisory Committee prior to meeting with the SPGA.

3.1.4 Table of Use Regulations. The Table of Use Regulations shall be as follows:

Permitted Use	ZONING DISTRICT ¹															ADDITIONAL APPLICABLE REGULATIONS	
	RIA	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B2X	B3	MXD	I	I2		
C. Office, retail and consumer service establishments																	
(1) Banks and other financial institutions	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(2) Fast-food eating establishments	N	N	N	N	N	SB	SB	N	SB	N	SB	N	SB	N	N		See also 7.7 , 7.9
(3) Fuel storage and sales, excluding motor vehicle fuel stations	N	N	N	N	N	SB	N	N	SB	N	N	N	SB	SB	SB		
(4) Garages, public	N	N	N	N	N	SB	SB	N	SB	N	SB	SB	SB	SB	SB	SB	See also 9.7
(5) Garden centers, including associated landscaping services	N	N	N	N	N	SB	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	
(6) General service establishment	N	N	N	N	N	Y	Y	N	Y	N	Y	SB	Y	Y	Y		
(7) Greenhouses, commercial, on less than 5 acres, provided that no heating plant for a greenhouse shall be within 50 feet from any side or rear lot line	N	N	Y	N	Y	SB	Y	Y	Y	Y	Y	Y	Y	Y	Y		
(8) Hotels	N	N	N	N	N	SB	SB	N	SB	SB	SB	SB	SB	SB	SB	SB	See also 7.10
(9) Institutional administrative offices or planned professional office developments or research centers, provided that in R2 & R4 Districts such uses are subject to special requirements	N	N	SB	N	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB		See also 7.13
(10) Kennel	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	See also 7.17
(11) Large-scale commercial development	N	N	N	N	N	Y	SB	SB	SB	N	N	N	N	SB	SB		See also 7.9 , 7.12 , 9.6
(12) Lumberyards	N	N	N	N	N	SB	N	N	SB	N	N	N	SB	SB	SB		
(13) Marijuana Establishment, Retail and Medical Marijuana Treatment Center	N	N	N	N	N	Y	Y	N	Y	N	Y	Y	N	Y	N		See also 7.18 .

The Southern Berkshire Chamber looks forward to working with the Special Permit Granting Authority and any other board or department it is required to. We will schedule a meeting with the Design Advisory Committee prior to meeting with the SPGA.

10.4.4 Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the Special Permit Granting Authority may deem necessary to serve the purposes of this Bylaw. Such conditions, safeguards or limitations may include, but are not limited to, the following: 1. Front, side and rear yards greater than the minimum required by this Bylaw. 2. Screening buffers or planted strips and/or fences or walls as specified by the SPGA. 3. Design and installation of lighting to minimize glare into the night sky and spill into adjacent properties. 4. Limitations on the size, number of occupants, method and/ or time of operation, time duration of the permit and/or extent of facilities. 5. Requirements as to number and/or location of driveways and/or other traffic features, off-street parking and/or loading and/or other specific features beyond the minimums required by this Bylaw. Any conditions, safeguards or limitations shall be imposed in writing and shall be made a part of the special and building permit.

The Southern Berkshire Chamber is happy to conditions, safeguards, or limitations set forth by the Granting Authority.

10.4.5 Plans. Unless otherwise provided the rule or regulation of the Special Permit Granting Authority, an applicant for a special permit shall submit a plan in substantial conformance with the requirements of Section 10.5.3, herein.

10.5.3 Submittal Requirements. When specific requirements are not provided elsewhere in this Bylaw, the following general submittal requirements apply unless waived by the Planning Board

1. Plot plan of the entire tract, signed by a licensed surveyor or engineer, drawn to a scale adequate to represent all features of the property, clearly portraying the following:

- a. Lot layout and dimensions.
- b. Access Road locations and widths and all intersections and driveways located within 200 feet of any portion of the tract.
- c. Open space locations and dimensions.
- d. Location of major site features, such as existing stone walls, fences, large trees, and rock outcroppings.
- e. All existing and proposed structures on the property.
- f. All existing and proposed driveways, walkways, and parking areas.
- g. All bordering streets and/or highways.
- h. Contours of elevation at intervals of no more than two feet.
- i. All existing and proposed wells and septic systems.
- j. Existing and proposed drainage patterns and stormwater drainage calculations.

k. All proposed stormwater management devices including but not limited to inlets, pipes, swales, and infiltration, retention, and detention devices.

l. Existing and proposed landscaping; limits of clearing; erosion and sediment control to be used during construction.

m. Existing and proposed lighting, including heights, fixtures, and types of lighting.

n. Other physical and topographical features of the property including but not limited to streams, ponds, floodplains, and wetlands.

o. An arrow indicating magnetic North.

p. Two locus maps showing the location of the property. One shall be an enlarged section of a United States Geological Survey Map, and the other shall be a copy of the current Great Barrington Zoning Map, each indicating the location of the property by arrow or other suitable mark.

The Southern Berkshire Chamber plans to submit all items that pertain to this project.

10.4.6 Regulations. The Special Permit Granting Authority may adopt rules and regulations for the administration of this section.

10.4.7 Fees. The Special Permit Granting Authority may adopt reasonable administrative fees and technical review fees for applications for special permits, which shall be filed in the office of the Town Clerk.

10.4.8 Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within 24 months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

Bruce Firger, Assessor
John Katz, Assessor
Ross A. Vivori, MAA, Principal Assessor
E-mail: rvivori@townofgb.org

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x 3
Fax: (413) 528-1026

TOWN OF GREAT BARRINGTON MASSACHUSETTS BOARD OF ASSESSORS

September 14, 2021

ABUTTERS TO PROPERTY OF: SOUTHERN BERKSHIRE CHAMBER OF COMMERCE

362 Main Street, Map 19 Lot 96D

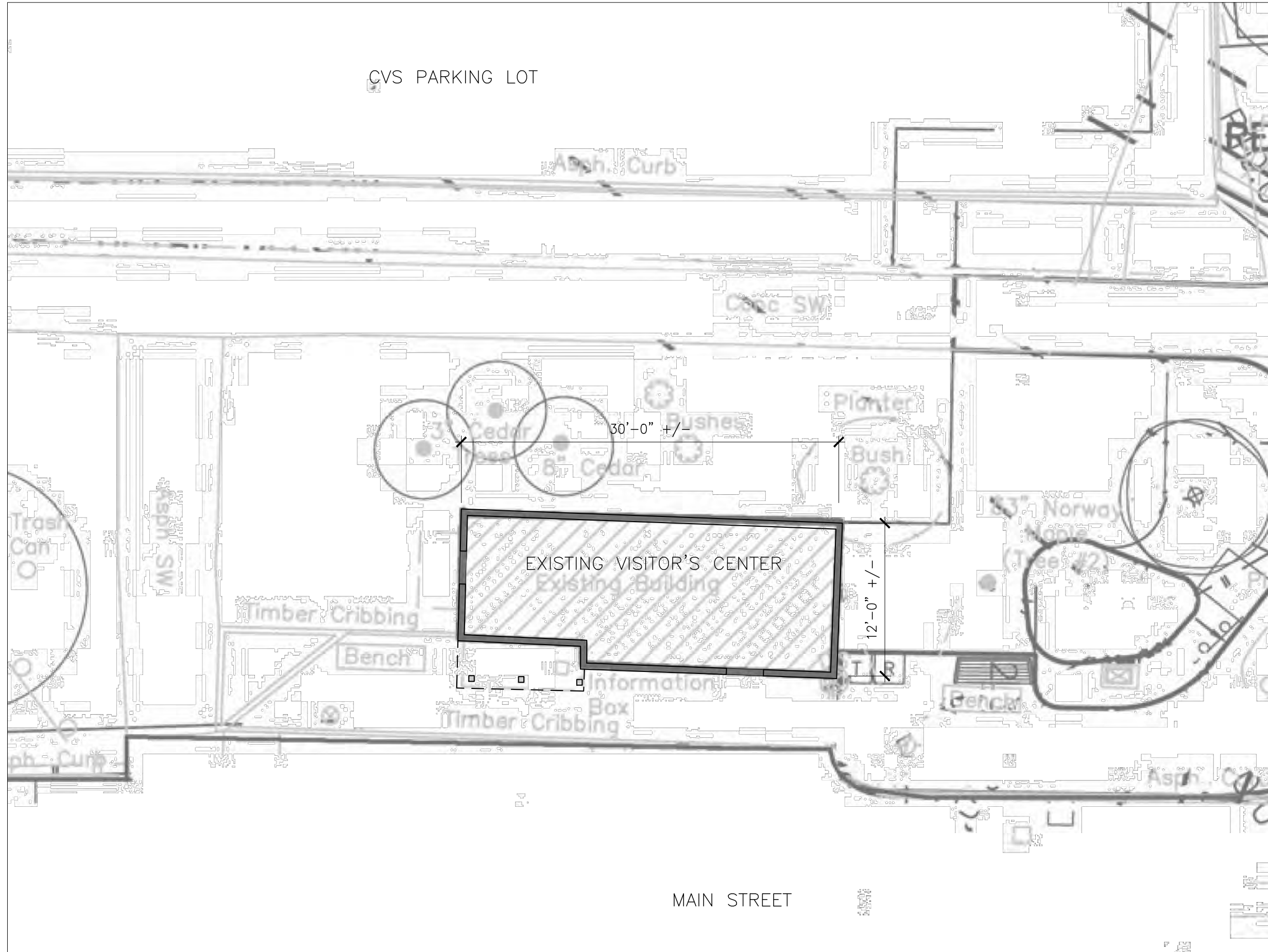
<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
19	93	Smit & Neel LLC, 372 Main St., Gt. Barrington, MA 01230-1804
19	93A	Massachusetts CVS Pharmacy LLC, CVS/Health #8970-01, One CVS Drive MC 2320 Woonsocket, RI 02895-6146
19	93B	Thanatopsis LLC, 390 Main St. #2, Gt. Barrington, MA 01230-1805
19	96,96A	Jack D. & Anne L. Wilson, 81 Taconic Ave., Gt. Barrington, MA 01230-1709
19	152,152A	Hunt Slonem, 14 53 rd St. Bldg. B 6 th Floor, Brooklyn, NY 11232-2008
19	149	Isadore Goodman Inc., c/o Michael Greenwald, 29 Wendell Ave., Pittsfield, MA 01201-6326
19	92B,92	St. James Place, Sally Harris, 49 Locust Hill Rd., Gt. Barrington, MA 01230-1553
19	92A	342 Main Street LLC, 342 Main St., Gt. Barrington, MA 01230-1814
19	147,148,149A	Berkshire Community College Foundation Inc. c/o Craig Smith, 1350 West St., Pittsfield, MA 01201-5720
19	91	Town of Great Barrington, 334 Main St. Room 208, Gt. Barrington, MA 01230-1832

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

Sincerely,

Ross Vivori, MAA

Principal Assessor



Onwer
Southern Berkshire County
Chamber of Commerce

Project
Visitor's Center
362 Main Street
Great Barrington, MA

SHEET NAME
Existing Enlarged Site and Building
Plan

REV
DATE

SCALE
1/8" = 1'-0"

SHEET
A0.1



① Existing South and West Elevations



② Existing East Elevation



③ Existing East and North Elevations



④ Existing North Elevation



⑤ Existing North and West Elevations

Owner
Southern Berkshire County
Chamber of Commerce

Project
Visitor's Center
362 Main Street
Great Barrington, MA

SHEET NAME
Existing Exterior Views

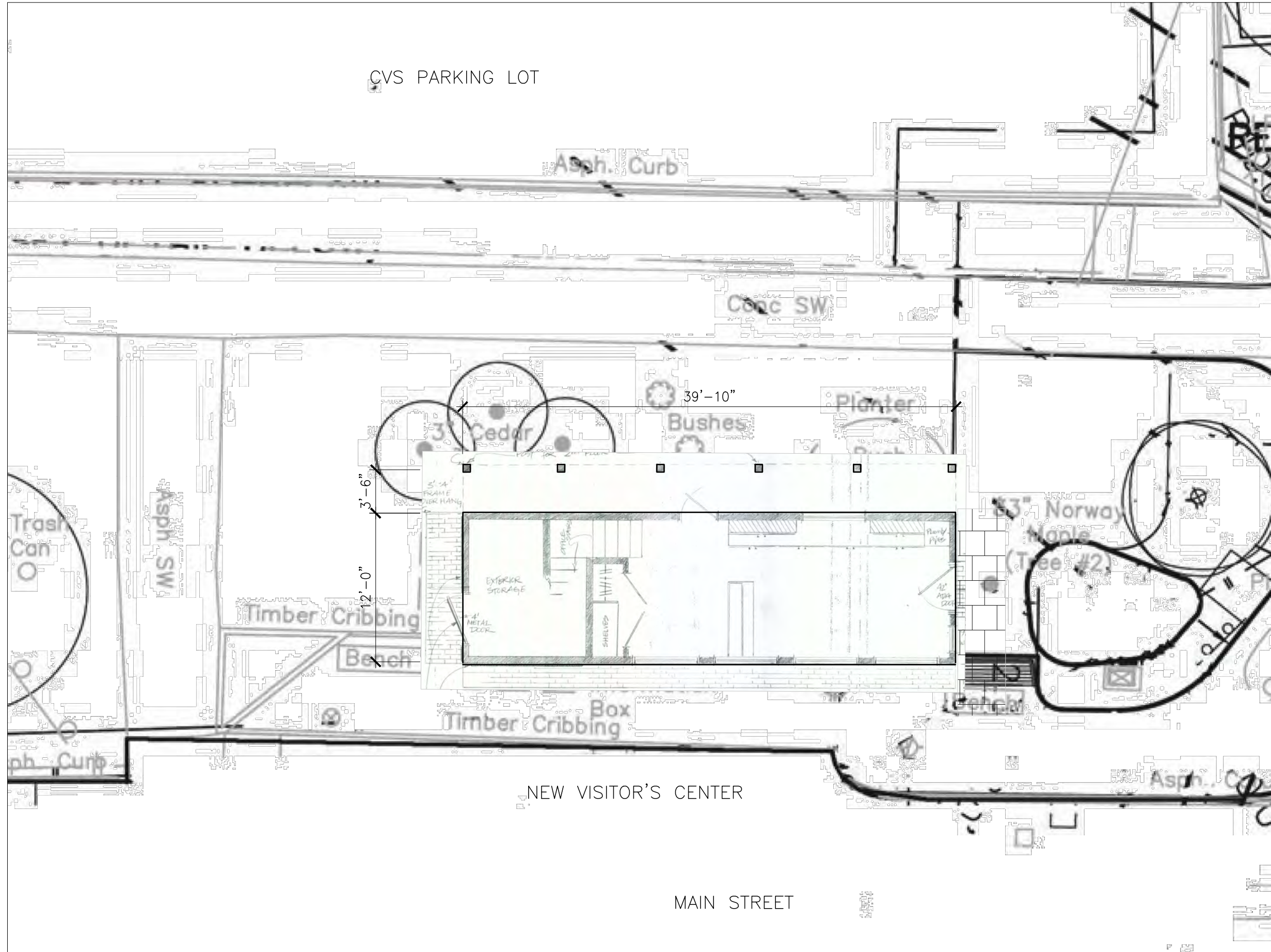
REV

DATE

SCALE

SHEET

A0.2



CVS PARKING LOT

Asph. Curb

Coc SW

39'-10"

3 Cedar

Bushes

Planter

33" Norway Maple (Tree #2)

Asph SW

Timber Cribbing

Bench

EXTERIOR STORAGE

4' METAL DOOR

SHELVES

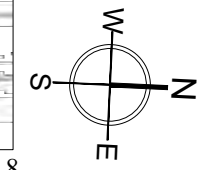
Timber Cribbing

Box

NEW VISITOR'S CENTER

MAIN STREET

0 1 2 4 8



Onwer
Southern Berkshire County
Chamber of Commerce

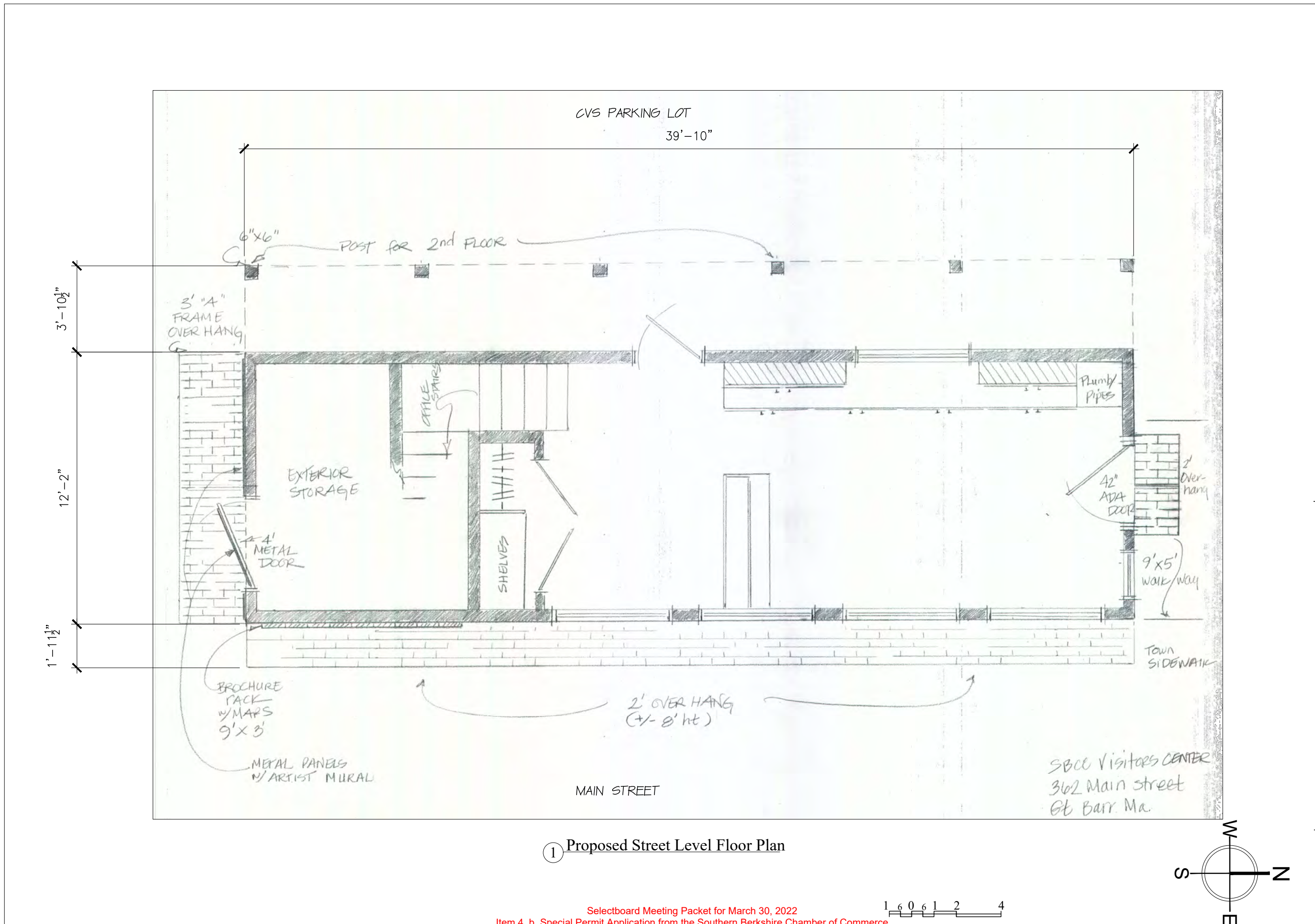
Project
Visitor's Center
362 Main Street
Great Barrington, MA

SHEET NAME
Proposed Enlarged Site Plan

REV
DATE

SCALE
1/8" = 1'-0"

SHEET
A1.0



① Proposed Street Level Floor Plan

Owner
Southern Berkshire County
Chamber of Commerce

Project
Visitor's Center
362 Main Street
Great Barrington, MA

SHEET NAME
Proposed Building
Ground Floor Plan

REV

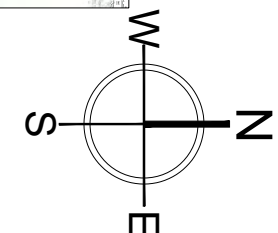
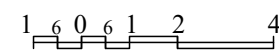
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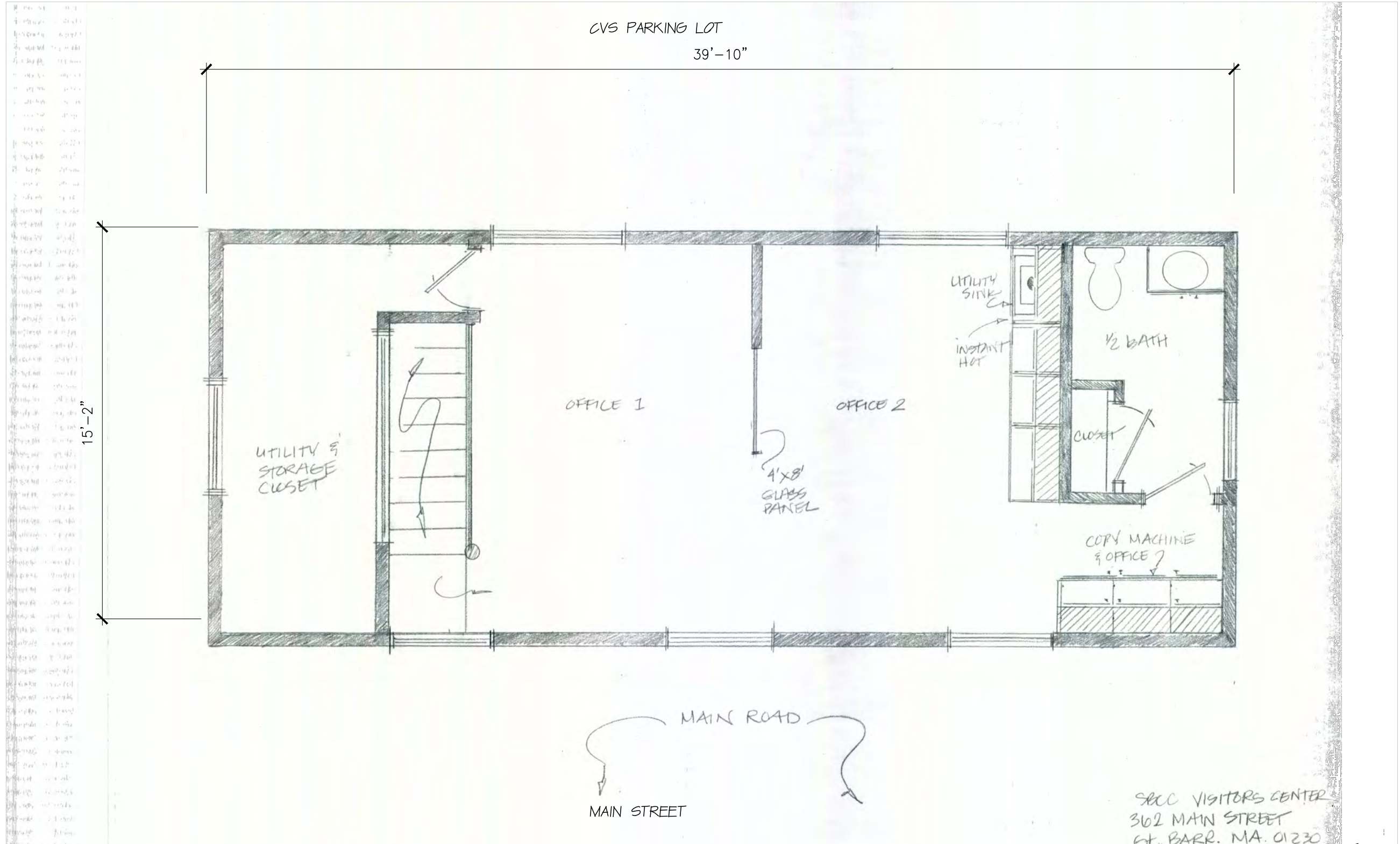
SCALE

1/4" = 1'-0"

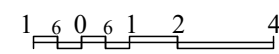
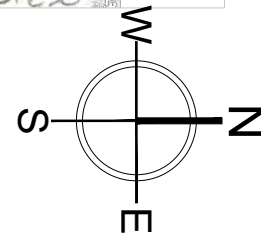
SHEET

A1.1





① Proposed 2nd Floor Plan



Onwer
Southern Berkshire County
Chamber of Commerce

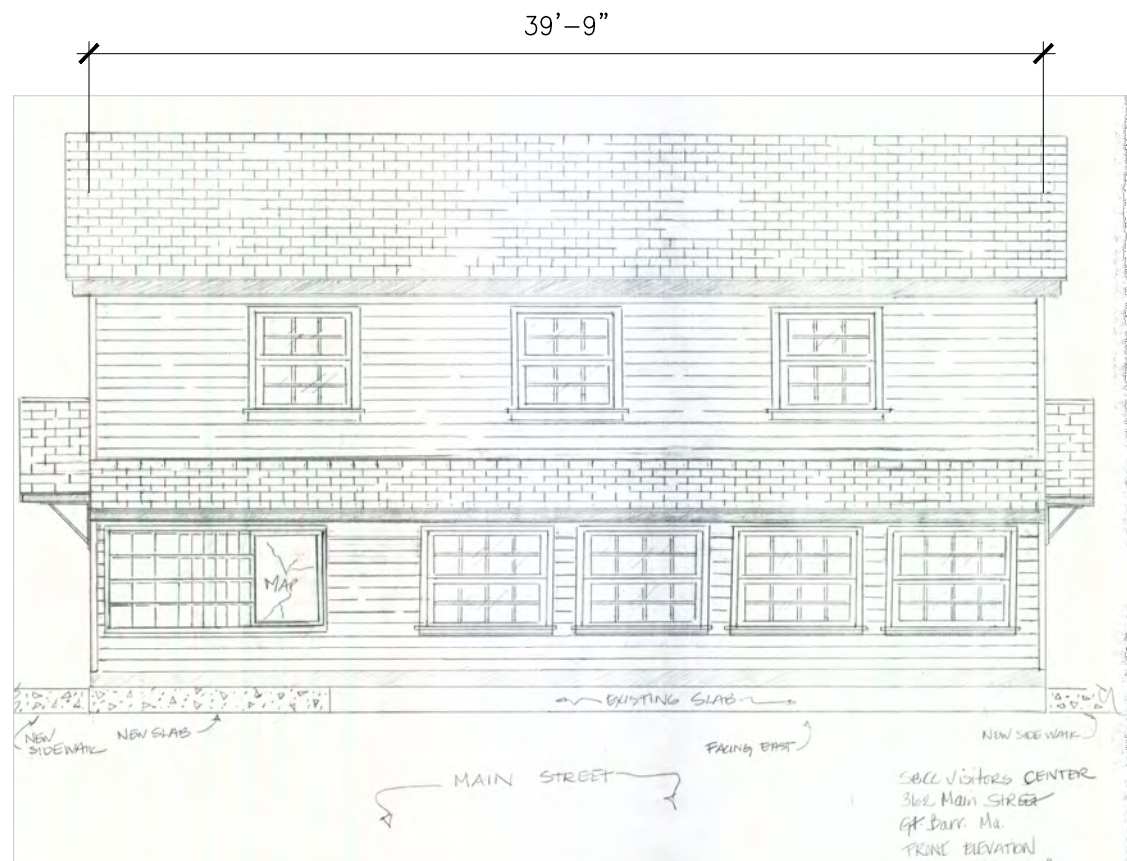
Project
Visitor's Center
362 Main Street
Great Barrington, MA

SHEET NAME
Proposed Building
Second Floor Plan

REV
DATE

SCALE
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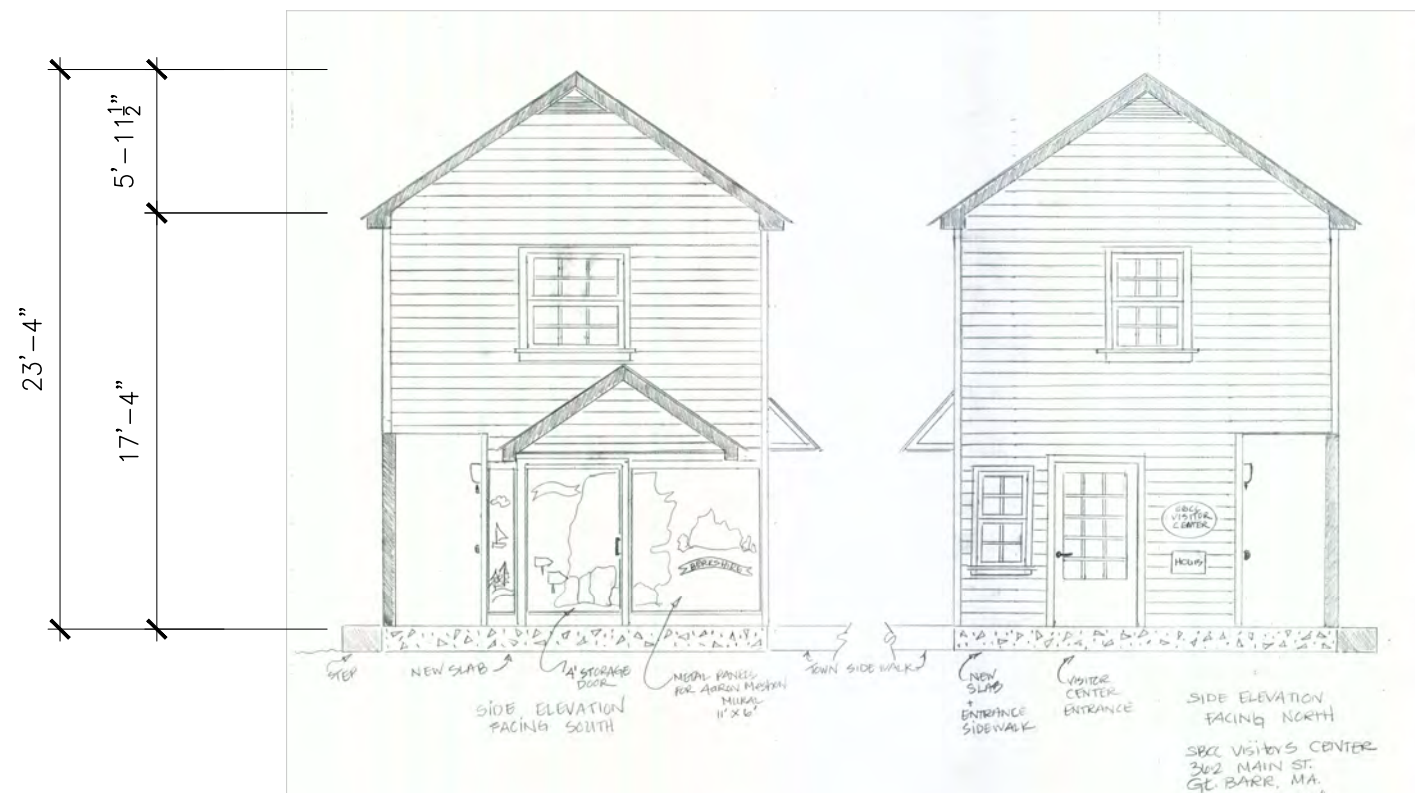
SHEET
A1.2



① Proposed Main Street (East) Elevation



② Proposed CVS (West) Elevation



③ Proposed South-Facing Elevation

④ Proposed North-Facing Elevation

Onwer
Southern Berkshire County
Chamber of Commerce

Project
Visitor's Center
362 Main Street
Great Barrington, MA

SHEET NAME
Proposed Exterior Elevations

REV

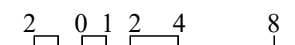
DATE

SCALE

1/8" = 1'-0"

SHEET

A2.1





SOUTHERN BERKSHIRE CHAMBER OF COMMERCE

March 21, 2022

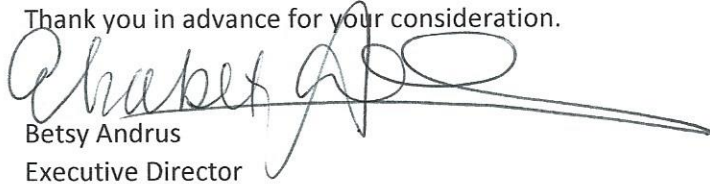
Great Barrington Selectboard
Town of Great Barrington
334 Main Street
Great Barrington, Ma 01230

RE: Visitors Center Demo and Rebuild

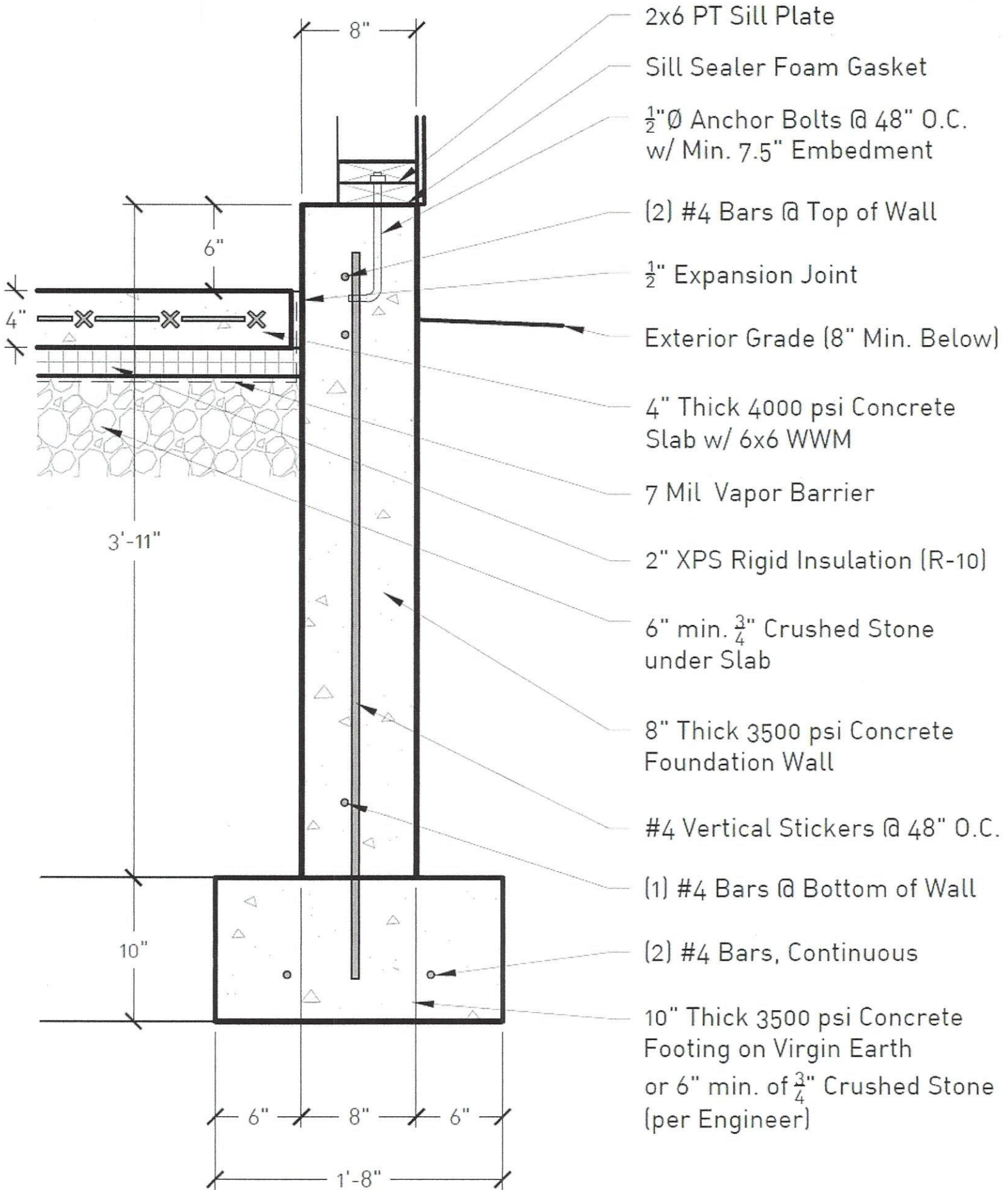
Dear Selectboard,

Upon further review of our proposed project and the existing slab, we find it will be necessary to do a Frost Wall Foundation under the entire new structure for adequate support of the second floor. We would like to revise our request slightly to include this foundation and to consider the current structures proximity to the east side sidewalk. If the structure is left at this location the town side walk would be destroyed in the process of digging the trenches for the new foundation. Because of this we would ask to move the entire structure west 5 feet and if granted, to then move the entrance door back to the front of the building, swapping the door for one of the windows. This would allow us space to dig the trench necessary and create a more welcoming entrance to the new Visitors Center, while still leaving us over 10' in the back of the building, to be in compliance with the B2 rear setbacks.

Thank you in advance for your consideration.


Betsy Andrus
Executive Director

SBCC 40 Railroad Street, Suite 2, Great Barrington, Ma. 01230
413-528-4284, betsy@southernberkshirechamber.com



View of west side



Orange flags indicate outer edge (drip line) of new structure

View of south end



View of west side from south



View of west side



View of west side



View of south end



View of north end



Great Barrington Residential Exemption Study

METODOLOGY:

The data for the study was derived from the Assessors Fiscal Year 2022 parcel valuation. The valuations have received approval from the Massachusetts Department of Revenue. Based on this data the predicted Option 1 tax rate is \$14.86 per one thousand dollars of valuation.

Residential parcels were analyzed to estimate eligibility for an owner occupied home and predict amounts of benefit or cost to those parcels. Eligibility was determined as follows:

Establish count, value and average of all residential parcels.

Count = 3,456 - Value = \$1,349,084,781 – Average value = \$390,360

Remove parcels without a residential dwelling (vacant land), vacation homes, corporate ownership, and tax billing address outside of Great Barrington to establish predicted eligibility for exemption.

Count = 3,456 – Ineligible = 1,445 (42%) – Eligible – 2,011 (58%)

Apply the value exemption for each parcel based on the percent of average value (\$390,360) using an exemption percent of 10%, 24%, and 35% of that average. (No value can be reduced by more than 90%)

The results are broken out in 3 groups they are Qualified and pay less tax, Qualified and pay more tax, and Not Qualified and pay more tax. Further we break down each class on a percentile based on value and show the new residential tax rate required. The results are as follows:

There are 1,801 Qualified parcels that will receive a reduction in taxation. Lower value homes receive the greatest benefit.

Average Qualified Benefit By Percentile Fiscal Year 2022					
Max Value	#Parcels	% Benefit	10% @ \$15.78	24% @ \$17.27	35% @ \$18.64
\$211,600	182	15.11%	\$458	\$1,182	\$1,762
\$237,440	179	13.16%	\$408	\$1,072	\$1,690
\$261,500	181	12.63%	\$387	\$1,017	\$1,604
\$282,380	179	11.96%	\$366	\$963	\$1,520
\$308,700	180	11.24%	\$344	\$906	\$1,430
\$340,220	181	10.37%	\$318	\$836	\$1,320
\$385,540	179	9.23%	\$283	\$744	\$1,175
\$442,000	180	7.77%	\$238	\$627	\$991
\$517,560	180	5.91%	\$181	\$477	\$756
\$673,732	180	2.63%	\$81	\$213	\$338
TOTAL BENEFIT ALL			\$551,349	\$1,448,220	\$2,269,331
AVERAGE BENEFIT ALL			\$306	\$804	\$1,260

There are 209 parcels that receive a reduction in value but because of the new calculated tax rate will pay more taxes. These parcels fund approximately 12% of the benefit.

Average Qualified Costs By Percentile Fiscal Year 2022					
Max Value	#Parcels	% Cost	10% @ \$15.78	24% @ \$17.27	35% @ \$18.64
\$699,790	21	0.06%	\$14	\$35	\$55
\$727,300	21	0.15%	\$39	\$97	\$154
\$762,160	21	0.25%	\$65	\$167	\$265
\$794,640	21	0.36%	\$94	\$242	\$378
\$842,200	21	0.49%	\$130	\$335	\$525
\$898,060	21	0.67%	\$178	\$461	\$725
\$988,660	21	0.95%	\$250	\$650	\$1,019
\$1,106,700	21	1.32%	\$349	\$909	\$1,417
\$1,336,960	21	1.83%	\$482	\$1,257	\$1,963
\$6,988,500	20	5.82%	\$1,321	\$3,455	\$5,410
TOTAL COST ALL			\$65,836	\$171,550	\$267,188
AVERAGE COST ALL			\$315	\$821	\$1,278

There are 1.445 parcels that are vacant land, vacation homes, have corporate ownership, or do not reside in Great Barrington. These parcels fund approximately 88% of the program benefit.

Average Non-Qualified Costs By Percentile Fiscal Year 2022					
Max Value	#Parcels	% Cost	10% @ \$15.78	24% @ \$17.27	35% @ \$18.64
\$13,940	145	0.13%	\$5	\$13	\$20
\$64,200	144	0.79%	\$30	\$80	\$125
\$111,960	145	2.24%	\$86	\$224	\$351
\$176,864	144	3.39%	\$130	\$342	\$536
\$238,600	145	4.91%	\$188	\$492	\$771
\$313,680	144	6.60%	\$254	\$665	\$1,043
\$399,000	145	8.49%	\$324	\$850	\$1,333
\$551,280	144	11.30%	\$435	\$1,138	\$1,786
\$781,080	144	15.73%	\$605	\$1,585	\$2,486
\$6,049,500	145	34.53%	\$1,289	\$3,377	\$5,297
TOTAL COST ALL			\$485,513	\$1,276,670	\$2,002,142
AVERAGE COST ALL			\$336	\$884	\$1,386

Considerations:

Nearly 60% of residential dwelling in Great Barrington are owner occupied. The cost of the program is supported by the remaining 40%. Also, 56% of the benefit received will be paid by only 9% or 309 parcel owners.

Vacation homes are already taxed at the current rate of \$14.86 and pay \$147,000 in personal property tax. The residential exemption program would result in a double taxation.

There are 594 vacant parcels in Great Barrington with a total value of \$50,497,000. These parcels receive little or no services provided by the Town. Also, 318 of these parcels are owned by residents of the Town so in effect they would be paying much of any benefit received back to them self.

Vacant parcels in excess of 5 acres can apply for an assessment under the Commonwealths Chapter Land program. There are currently 2,500 acres of vacant residential land in this group that pay \$1,500,000 in property taxes. Any residential parcel that moves to Chapter would be taxed at a much reduced value as commercial property. Such an outcome could result in adding \$66.36 to the average residential tax bill.

There are currently 344 parcels in Town that have multi-unit or apartment dwellings. Many of these would fund the residential exemption program. It is highly likely that increased taxes on these properties would result in higher rents charged by owners to these tenants who are also residents of the Town.

EXECUTIVE SUMMARY

TITLE: Short-Term Rental bylaw

BACKGROUND: As discussed at the March 7 Selectboard meeting on this topic, the Assistant Town Manager and Town Manager met with the Chair and Vice Chair on March 23, in order to discuss several areas of the short term rental bylaw on which the board that as a whole could not resolve during the March 7 meeting.

At previous meetings the board had agreed to a set of three purposes, and also had voted to not treat primary residents and second homeowners differently. But agreement could not be reached about several key items including the number of licenses, how many days an STR could be offered, and what types of ownership would be eligible.

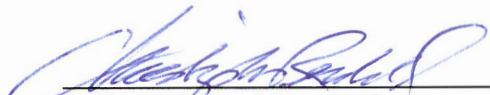
Staff has revised the bylaw based on meeting with the Chair and Vice Chair. Attached is the proposed draft. This may represent a final draft to which at least a majority of the board members can agree, and can vote to issue for a public review period and/or comment session. After that, the board could vote whether or not to amend the draft and place the proposal on the warrant for the Annual Town Meeting.

Key revisions made for this draft are summarized below:

<u>Revisions / items to highlight in this draft:</u>	<u>Accomplishes</u>
1 An STR can be in a primary unit or a secondary unit	Purpose 1
2 Unlimited days if Owner is on premises	Purpose 1
3 150 day limit if Owner is not on premises	Purpose 3 and 1
4 An Owner may have only one STR, (unless they have already had multiples as of 1/1/22)	Purpose 3 and 1
5 No corporations, LLCs are ok, but the LLC details must be disclosed at registration	Purpose 3
Other items that unchanged	
6 Registration required	Purpose 2
7 Certain requirements during operation	Purpose 2
8 Inspections	Purpose 2

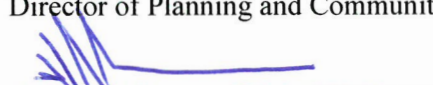
RECOMMENDATION: The Selectboard vote to issue the attached draft for a public review period and comment session, with a goal to vote on a final version on April 11.

WRITTEN BY:


Assistant Town Manager /
Director of Planning and Community Development

DATE: 3/25/22

APPROVED BY:


Town Manager

DATE: 3/25/22

DRAFT Bylaw for Short Term Rentals, for 3/30/22 SB meeting

SHORT-TERM RENTAL OF RESIDENTIAL PROPERTIES

Purpose and Intent.

Pursuant to the authority of G.L. c.64G, the Town establishes these regulations to balance private, neighborhood, and municipal interests. These regulations are intended to:

1. Enable residents to earn extra money from their properties to better afford to live here, maintain their properties, and contribute to the community.
2. Minimize public safety and health risks.
3. Deter commercial interests from buying housing to use primarily as short-term rental businesses.

Definitions.

For this Chapter, the following terms shall have the definitions indicated.

Owner. Any person whom alone, or severally with others, has legal or equitable title or beneficial interest in any dwelling unit; a mortgagee in possession; or agent, trustee or person appointed by the courts. An Owner can be a single person, a marital unit, a group of people, LLC or a Trust. The Owner may also be referred to as the Operator, or the Host.

Short-Term Rental. The rental of a whole or a portion of a residential or secondary dwelling unit, in exchange for payment, as residential accommodations for not more than thirty consecutive days, excluding a Hotel, Motel, or Lodging House or Tourist Home for Transient Guests as defined and permitted under the Zoning Bylaw.

Regulations.

No dwelling unit or part thereof may be offered as a Short-Term Rental within the Town of Great Barrington unless it is registered annually with the Town through an application process approved by the Selectboard and in accordance with this Chapter, and registered with the Commonwealth of Massachusetts Department of Revenue in accordance with applicable laws.

An Owner may register to operate only one dwelling unit as a Short-Term Rental, unless an Owner had multiple Short-Term Rentals registered with the Commonwealth of Massachusetts in accordance with G.L. c. 64G as of January 1, 2022 and which can be documented as being used as Short-Term Rentals at any time between January 1, 2022 and January 1, 2023. Failure of an Owner to renew any such preexisting Short-Term Rental shall result in loss of that preexisting status. If a person owns two properties, or owns one and is listed as a manager or agent for a second that is owed by an LLC, for example, that person must choose one or the other to be registered as a Short-Term Rental. No person shall have more than one legal or equitable title or beneficial interest in any dwelling unit used for a Short-Term Rental except as provided for above. An Owner may hire a property management company to list and manage Short-Term Rentals, but the registration must be in the Owner's name.

Up to two bedrooms in a dwelling unit or an entire secondary unit on the same parcel may be registered and rented as a Short-Term Rental by right. The registered Short-Term Rental may be rented for an unlimited number of days per year, provided that the Owner is residing in one of the dwelling units on premises at the time of the rental. In cases where the Owner is not residing on premises at the time of the rental, no unit or portion thereof may be rented more than 150 days per year.

Short-Term Rentals are prohibited in dwelling units owned by a corporation. Short-Term Rentals are permitted in dwelling units owned by an LLC or Trust only when every shareholder, partner, or member of the legal entity is a natural person, as established by documentation provided by the applicant at the time of registration.

Short-Term rentals are prohibited in dwelling units designated as affordable or otherwise income-restricted, which are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law.

An Owner shall not register or offer a rental unit subject to a long term lease as a Short-Term Rental, nor shall a tenant offer his/her/their rental unit as a Short-Term Rental.

Requirements for Short-Term Rental Operations:

1. An Owner shall post in any Short-Term Rental unit the following information in a conspicuous place:
 - a. the Owner's certificate of registration with the Town;
 - b. Short-Term Rental street address;
 - c. Contact information for the Operator and whom to call in an emergency;
 - d. Instructions for recycling and waste disposal;
 - e. Notice that dogs must be leashed when outdoors if not in a securely fenced enclosure;
 - f. Notice that no excessive noise shall occur after 8:00 PM or earlier than 8:00 AM.
2. Each unit shall contain functional smoke detectors, carbon monoxide alarms, and a properly maintained and charged multi-purpose fire extinguisher.
3. A Short-Term Rental is not allowed on any property with outstanding violations of Building, Fire, Health codes, and/or Town Bylaws.
4. Events that include amplified music or tents which would customarily require a license or permit are prohibited.
5. Signs on the property advertising the Short-Term Rental are prohibited.

Inspection.

Short-Term Rentals may be subject to inspection by the Great Barrington Health Department, Fire Department, and/or the Building Inspector. Short-Term Rental Owners are required to provide access for the purpose of conducting safety inspections when necessary. Failure to provide access to an inspector upon request and after proper notice will invalidate the license to operate a Short-Term Rental until an inspection by the appropriate authority has been conducted, and all violations have been addressed to the satisfaction of the Department and/or the Town. Failure to comply with orders to correct deficiencies may result in fines or refusal to allow license renewal.

Owners can appeal a written violation within 21 days of notice in accordance with M. G. L. Ch. 40 § 21D.

In the event that there are three or more violations within a twelve-month period, Short-Term Rental Registrations may be revoked and permanently denied by a vote of the Selectboard.

Penalties.

If any Owner violates any provision of this bylaw, the Owner may be subject to a civil penalty in accordance with M. G. L. Ch. 40 § 21D, with the following:

\$100 1st Offense
\$200 2nd Offense
\$300 3rd Offense and each subsequent offense

Each day that a violation exists constitutes a separate offense.

Selectboard Authority. The Selectboard shall have the authority to create a registration application form, set registration fees, and adopt rules, regulations, policies or procedures to implement the provisions of this Chapter. The registration process shall require an Owner to include the address of the unit to be registered, to list the names of all organization members if owned by a legal entity, and to provide verifiable documentation of the owners or members of that legal entity.

Severability. If any provision in this section shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

Effective Date. The provisions of this Bylaw “Short-Term Rental of Residential Properties” shall take effect on January 1, 2023.