

Jennifer Tabakin  
Town Manager

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# TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

## SELECTBOARD'S MEETING AGENDA

MONDAY, FEBRUARY 25, 2019

**6:00 PM** – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

### ORDER OF AGENDA

#### **6:00 PM** - OPEN MEETING

##### **1. CALL TO ORDER:**

##### **2. APPROVAL OF MINUTES:**

December 3, 2018 Regular Session.

##### **3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:**

A. General Comments by the Board.

##### **4. TOWN MANAGER'S REPORT:**

A. Department Updates

B. Project Updates.

##### **5. LICENSES OR PERMITS:**

A. Robert Avery/St. Peter's Church for One Day Beer and Wine Liquor License for March 16, 2019  
From 5:00 pm – 10:00 pm (St. Patrick's Day Dinner) at St. Peter's Youth Center, East and  
Russell Streets. (Discussion/Vote)

B. Lauren E. Pellegrino/Lauren & Band for One Day Beer and Wine Liquor License for March 30,  
2019 from 7:30 pm – 10:00 pm (Kerry & Grayson Memorial Fund) at Guthrie Center,  
2 VanDeusenville Road. (Discussion/Vote)

##### **6. OLD BUSINESS:**

A. **Continuation** - Housatonic Elementary School Discussion and Next Steps. (Discussion/Vote)

B. SB - Discussion of 2019 Annual Town Meeting Zoning Warrant Articles and Input to the  
Planning Board.

C. SB – Short Terms Rentals. (Discussion)

**7. NEW BUSINESS:**

- A. SB – Recommendation to the Zoning Board of Appeals (ZBA) on the Special Permit Application of Kathleen Sinico for property at 260 Stockbridge Road and 4 Cooper Road
  - To Modify a Variance granted by the Board in 1986; and
  - To Remove a Condition of the 1986 Variance (Discussion/Vote)
- B. SB – Arbor Day Proclamation for April 26, 2019. (Discussion/Vote)
- C. SB – Appointment of members to the Strategic Sustainability and Livability Committee. (Discussion/Vote)
- D. Lake Mansfield Improvement Task Force (LMITF) - Update.
- E. Tom Doyle and Eric Steuernagle/Berkshire County Board of Realtors – Update.

**8. CITIZEN SPEAK TIME:**

**9. SELECTBOARD'S TIME:**

**10. MEDIA TIME:**

**11. ADJOURNMENT:**

**12. CONVENE INTO EXECUTIVE SESSION and Not to Return to Open Session - Town Manager's Conference Room**

Executive Session, under MGL c.30A, §21(a)(3) (5) and (6), to discuss litigation strategy relating to pending litigation known as (1) Babcock v. Carlotto et al U.S.D.C. for Massachusetts No. 1:16-CV-10951; and (2) to investigate charges of criminal misconduct or to consider the filing of criminal complaints, if the Chair declares that an open meeting may have a detrimental effect on the Town's litigating and/or negotiating position. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.

**Chair's Declaration:**

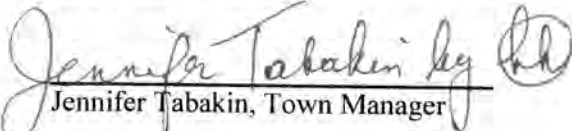
I declare, under MGL c.30A, §21(a)(3) (5) and (6), that the purpose of the executive session will be to discuss pending litigation because discussion of the foregoing in open session could have a detrimental effect on the litigating and/or negotiating position of the Town with the Board and **Not to Return To Open Session** at the conclusion of the Executive Session.

**Motion Convening the Executive Session:**

I **move** that the Selectboard go into executive session under MGL c.30A, §21(a)(3)(5) and (6) for the purposes and reasons declared by the Chair and with the Board **Not to Return To Open Session** at the conclusion of the Executive Session.

**Roll Call Vote:**

**NEXT SELECTBOARD'S MEETING: Monday, March 11, 2019, 7:00 P.M.**

  
Jennifer Tabakin, Town Manager

*Pursuant to MGL 7c. 30A sec. 20 (f), after notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body, or may transmit the meeting through any medium. At the beginning of the meeting, the chair shall inform other attendees of any such recordings. Any member of the public wishing to speak at the meeting must receive permission of the chair. The listings of agenda items are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

Fee: \$25.00 (per day)



**APPLICATION FOR ONE DAY LIQUOR LICENSE**

TO THE LICENSING AUTHORITY:

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

Applicant's Name: Robert Hurry

Organization Name: Saint Peters Church

Applicant's Address: 1 Pothul Drive Gt. Barrington MA

Telephone Number: 413-529-4903

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

Event: St. Patricks Day Dinner

Date: March 16, 2019 Start Time: 5:00 PM End Time: 10:00 PM

Event Address: St. Peter's Youth Center, Center, Russell & Catholic Youth Center / East Streets

Is the Event on Town property? YES  NO

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

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

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

Robert Hurry  
Signature of Applicant

2/6/2019  
Date

**FOR TOWN USE:**

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Postponed \_\_\_\_\_

Fee: \$25.00 (per day)



**APPLICATION FOR ONE DAY LIQUOR LICENSE**

TO THE LICENSING AUTHORITY:

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

Applicant's Name: Lauren E. Pellegrino

Organization Name: Lauren E Band - Memorial Fund <sup>Kerry + Grayson</sup>

Applicant's Address: 115 High St. Lee, MA 01238

Telephone Number: <sup>917-</sup> 640-1148 (C) Local: 413-274-6669

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

Event: Concert for Fund-raiser for Fund: <sup>Memorial</sup> 7 PM - 10 PM

Date: March 30, 19 Start Time: 7:30 PM End Time: 10:00 PM

Event Address: Guthrie Ctr. 2 Van Deusenville Rd. Gt. Barrington, MA 01230

Is the Event on Town property? YES  NO

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

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

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

Lauren E. Pellegrino  
Signature of Applicant

1/21/19  
Date

**FOR TOWN USE:**

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Postponed \_\_\_\_\_

RECEIVED  
TOWN MANAGER

JAN 22 2019

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



**Housatonic Elementary School  
Repurpose to an Incubator Collaborative Workspace  
For Local Technology and Businesses  
Feasibility Report**

January 22<sup>nd</sup>, 2019

Grayhouse Partners Inc.  
Bill Nappo  
1081 Main Street  
Housatonic, MA 01236  
413-429-6299  
[grayhousepartners@gmail.com](mailto:grayhousepartners@gmail.com)

**Cover**

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**Introduction**

Housatonic Elementary School (HESP) Repurpose Incubator, Collaborative Workspace,  
For Local Technology and Business 07.17.2018

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Feasibility Report (outline)

**2-Financing**

Funding Sources

Financing Schedule

**3- GHP Decision**

Letter of intent

**4-Appendices**

Updated Schedule



**Housatonic Elementary School  
Repurpose to an  
Incubator Collaborative Workspace  
For Local Technology and Businesses**

July 17, 2018

Grayhouse Partners Inc.  
Bill Nappo  
1081 Main Street  
Housatonic, MA 01236  
413-429-6299  
[grayhousepartners@gmail.com](mailto:grayhousepartners@gmail.com)

## **Repurpose the Housatonic Elementary School to an Incubator Collaborative Workspace For Technology and Businesses.**

Housatonic Elementary School built 1907

The School is a wonderful example of Arts & Crafts /Georgian Revival style of architecture. It is also a well-preserved example of a school designed by Cooper & Bailey, respected leaders in school design, whose work appears throughout New England.

**The 1st floor and 2<sup>nd</sup> floor has 6 existing spaces on each floor for Collaborative and private workspace.**

### **The 1<sup>st</sup> floor Main Hall**

As you enter the main hallway there is an open high ceiling space reception and common seating area. This common area will have comfortable and inviting seating and an open area workspace.

The west staircase between floors will be converted to a kiosk for coffee/drinks, food, snacks and meals. The east staircase between floors will be a multi-use office service center.

There are four corridors between spaces/hallways on each floor three of them will be used for displays and exhibits of local art created in the Berkshires

The fourth corridor will be used for an egress to the elevator and bathroom facilities on each floor /this will lead to a common entryway area.

The addition will be located on the north side of the building (rear).

It will be the rear entry for ADA accessibility and bathrooms on each floor a total of three floors and six bathrooms. This will tie into the fourth corridor of the building accessibility.

### **The 2<sup>nd</sup> floor Main Hall**

As you enter the second floor main hall there is a grand ceiling and skylight with an atrium feeling that is bright and airy. There will be a reception and seating area with a common area for business incubation. This common area will have comfortable seating for groups of two to eight people and a capacity of 32 business professionals.



**The 2<sup>nd</sup> top floor has 6 existing spaces for the buildings business Incubator space for Business and technology providing significant resources, expertise, and technology to foster local talent and businesses in order to stimulate economic development for companies to produce and develop the following:**

- Internet technology
- Digital Age technology
- Computer Graphics
- Special effects
- Production
- Professional Businesses
- Professional Services

The six spaces will be open space work centers with state of the art office amenities fiber optics /Internet /fax and private workspaces. They are open large workspaces with oversize windows and views of Monument Mountain on the east side of the building.

### **Community Minded Component**

**Lower level floor has 2 existing rooms to be converted for community use:**

- Satellite facility for Community Health Program (CHP)
- Reading/ writing program / Computer classes
- Community center / activities
- Daily Childcare
- Food pantry tied to local food to supplement the community

The Housatonic Center lower level will be used for a Community space for a cultural arts center dedicated to and making Housatonic and the community a better place for the residence by offering it much needed services and will become a vibrant part of the community. There will be an entry vestibule with ADA accessibility to the park that was formally the schoolyard transformed to a community park in front of the building.

## **Feasibility Report for Housatonic Elementary School Project - 1/22/2019**

### **GHP**

#### **1- usage of the school**

- Innovation space
- Incubator space
- New business and technology
- Impact Entrepreneur
- nonprofit organizations On lower level

#### **2-Potential Tenants**

- incubator business
- Impact Entrepreneur (LLZ)
- Education training
  
- CHP (Community Health Program)
- Berkshire Community Action (BCA)

#### **3-Sources of financing**

- See attached

#### **4- GHP decision or Not to enter into a formal development agreement for the School**

- GHP will enter into a formal development agreement for the school.
- Extend the MOU
- 6 months to (June 22<sup>nd</sup>2019)
- Structure of the lease agreement -40 years
- Option to purchase at a negotiated determined price 100k
- Option to terminate lease with 180 -day notice at GHP Inc. discretion
- insurance/ utilities/

### **Town**

#### **1 continue to identify public sector Grant Financing**

#### **2- review feasibility report**

#### **1-Project Status**

**Grayhouse Partners INC**  
**Housatonic Elementary School Project (HESP)**

October 15, 2018

	Source	Date Due	Comments	Amount
1	Town of Great Barrington CPA Funding Updated Funding:	10/1 - 11/5 - 6/19 - 10/19 11/13/2018	APP -1 approved  Increased App Amount due to Prevailing Wage	371,131.00  650,000.00
2	Mass Development	Grant – 6/1/18 Funding- 6/19-9/19	Applied	25,000.00
3	Berkshire Regional Planning Commission BRPC	Grant /Brownfield Awarded	For update phase II report HBM -Survey	24,900.00
4	Angel Investor	10/19	pending /initial private investors	10,000.00
5	EMPPF- Emergency MASS. Municipal Preservation Fund	Ongoing	Mass Municipal Preservation Fund (EMMPF) SEC Galvin's Office copy to MHC (Need Rep Smitty Pignatelli) along with town support *Support /from Selectboard	75,000.00 plus
6	Mass Development	Ongoing	Rich Griffin JR. Frank Canning Brendon Braxton	3-5 Million
7	CEDAC-Community Economic Development Corp	Ongoing	Theresa Jordan, Early Childhood Education	Minimum 25,000 and up
8	USDA- Rural Development Rural Business -Cooperative Services	December 2018	Fiber Optics / Green energy/ Energy Efficiency of Exterior Envelope	3-8 Million  Up to 500K-Grants Available

**Grayhouse Partners INC**  
**Housatonic Elementary School Project (HESP)**

October 15, 2018

9	Mass Cultural Council		Contact- Anita Walker	
10	Fitzpatrick Foundation			
11	Bank of America		Private Financing Available	
12	Lee Bank		Private Financing Available	
13	Berkshire Bank		Private Financing Available	
14	Greylock Bank		Private Financing Available	
15	U.S. Small Business Administration		Private Financing Available	
16	Berkshire Taconic Foundation		Foundation Grants Available for Various Categories	

**2- Financing /Funding Sources**

Notes:

**2- Financing /Funding Sources**

## **Financing / Grants time line for GHP Inc. January-July 2019**

**January 23<sup>rd</sup>** - MHC application review / Grant

**February 5<sup>th</sup>**- MHC Emergency fund grant / Roof repair - rolling grant deadline

**February 15<sup>th</sup>** - USDA application review (Fiber / Co-working space)

**March** - MHC application due -3/22

**March 15/ April 1st** - USDA application due -4/01

**April / May** - Mass Development  
incubator application for Co-working space build out

**May** - town meeting for CPA  
Approval / 300 for exterior work -5/06

**May**- Mass Development application  
Collaborative workspace/Co-working space -5/15

**June** – Mass Development- application due date  
Collaborative workspace/Co-working space -6/18

**July**— Mass Development (Awards)  
Collaborative workspace/Co-working space Program -7/22

## **2- Funding /Financing Schedule**

**GRAYHOUSE PARTNERS INC.**  
PO BOX 334 HOUSATONIC, MA. 01236 413.429.6299

**Letter of Intent**  
**Housatonic Elementary School Project**

January 19,2019

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

Re: Letter of Intent in Acquiring & Developing the Housatonic Elementary School

Dear Jennifer Tabakin:

Grayhouse Partners Inc. intends to develop and operate a business in the Housatonic Elementary School (also known as the Housatonic Grammar School). This Letter of Intent is to investigate the feasibility of acquiring 207 N Pleasant Street Housatonic, MA 01236 for the purpose of renovating and repurposing the building for the following:

**1- usage of the school**

- Innovation space
- Incubator space
- New business and technology
- Impact Entrepreneur
- nonprofit organizations on lower level

**2-Potential Tenants**

- incubator business
- Impact Entrepreneur (LLZ)
- Education training
  
- CHP (Community Health Program)
- Berkshire Community Action (BCA)

A Lease Agreement for forty (40) years with the option to terminate in one hundred and eighty (180) days at the discretion of Grayhouse Partners Inc. and or purchase for a total purchase price of one hundred-thousand dollars (\$100,000).

(description of the nature of the business proposed)

Grayhouse Partners Inc. would require initial space of between 7,000 square foot (SF) and 14,000 SF and for future expansion space of up to full capacity 21,000 SF; approximately 14,000 SF of the initial space would be needed for offices. The ideal configuration of our building would be for Innovation, Incubator & New business and Technology work space along with office space and common areas. We would require a minimum vertical clearance of 576 SF (vertical lift) and ADA bathroom facilities on each floor. We would require parking for employees, as well as space for tenants and visitors.

Other special requirements would include:

- Optical fiber

- Utilities

- Parking

- Phase I /Phase II /lead and Asbestos removal

- Use of Housie dome and Grounds

- Grayhouse Partners Inc. will oversee and manage all construction and renovations for a market rate fee.

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We further understand that this letter of Intent, does not in any way constitute an obligation or commitment on the part of either Grayhouse Partners Inc. or the Town of Great Barrington; if accepting such an offer subject to Town and State requisite approvals.

If Grayhouse Partners Inc. later determines that it would be feasible to lease this property, Grayhouse Partners Inc. understands that the next step in the acquisition process would be to finalize a lease agreement and submit a signed "Lease & Sales Agreement" in a form consistent with the town's standard agreement, and a "Preliminary Site Plan" be submitted for review and approval at a meeting of the Town of Great Barrington.

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William Nappo  
President  
Grayhouse Partners Inc





## TOWN OF GREAT BARRINGTON MASSACHUSETTS

### PLANNING BOARD

January 30, 2019

Stephen Bannon, Chairman  
Great Barrington Selectboard

Re: Proposed Zoning Amendments for the May 2019 Annual Town Meeting

Dear Steve:

The Planning Board has drafted a number zoning amendments for this coming Annual Town Meeting. We ask the Selectboard, at its upcoming February 11 meeting, to refer the attached proposed amendments to the Planning Board for a public hearing. The Planning Board has scheduled its public hearing to begin on Thursday March 7 at 6:00 PM.

As you know, per MGL Ch. 40, s.5 the procedure for proposed zoning amendments (whether they are proposed by the Planning Board, citizens, or any other party) is that they be transmitted to the Selectboard. Upon receipt, the Selectboard must refer them to the Planning Board for a public hearing. At the hearing, the Planning Board will consider input on each draft amendment and vote whether or not to recommend the amendment to Town Meeting.

The Planning Board's proposed draft amendments can be summarized as follows:

1. Several "cleanups" of the existing text, including clarification of the process for altering nonconforming uses in the Water Quality Protection District and the clarification of which uses are allowed in the downtown "B" district.
2. Amendments intended to allow for increased housing development opportunities including:
  - a. Changes to rear setback, lot coverage, and parking restrictions in order to allow for more two-family and multi-family development opportunities. This includes increasing the density allowance for the B-3 zone.
  - b. Changes to accessory dwelling unit restrictions in order to allow for more accessory unit opportunities, and to allow "tiny homes" to qualify as accessory units.
  - c. Assigning the special permit granting authority for residential uses to the Planning Board.
3. Amending the Design Advisory Committee bylaw to minimize permitting hoops where existing review requirements already apply.
4. Amending the marijuana regulations so that manufacturing/processing can be considered as an accessory use with cultivation.
5. A rezoning for the Stockbridge Road commercial corridor, to allow for wider variety of possible uses, to revise parking and landscaping requirements, and to re-map the zoning district boundaries of the area.

Thank you.

For the Planning Board,



Brandee K. Nelson, Chair

cc: Jennifer Tabakin, Town Manager  
Marie Ryan, Town Clerk  
Chris Rembold, Town Planner  
Edwin May, Building Inspector

Attachment

Proposed deletions are ~~struck through~~  
Proposed insertions are underlined

**ARTICLE \_\_\_\_: *Water Quality Protection Overlay District***

Amend Section 9.2 as follows:

**9.2.2 Overlay District.** The WQPOD is an overlay district superimposed on the other zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Uses in the underlying zoning districts that fall within the WQPOD must additionally comply with the requirements of this district. Uses prohibited in the underlying zoning districts shall not be permitted in the WQPOD. In the case of a conflict between two provisions of this section, the more restrictive shall apply; provided, however, subsection 9.2.11 shall be considered more restrictive and imposing higher standards than subsection 9.2.12.

**9.2.12 Uses and Activities Requiring a Special Permit.** The following uses and activities (except those specifically addressed in subsection 9.2.11) are permitted only upon the issuance of a special permit by the Board of Selectmen (SPGA) under such conditions as it may require:

**ARTICLE \_\_\_\_: *Downtown B District***

Amend the column for the B zone in Section 3.1.4 Table of Use Regulations as follows:

- Change A(3) Dwelling, multifamily 3 to 8 units: change from SB to Y
- Change A(5) live/work: change from N to Y
- Change A(7) mixed-uses: change from SB to Y
- Change C(5) Garden centers: change from Y to SB
- Change C(6) General Service: change from SB to Y
- Change C(7) Greenhouses: change from Y to SB
- Change F(2) Gravel, loam, sand and stone removal: change from SB to N

**ARTICLE \_\_\_\_\_: Dimensional Requirements and Density Controls**

Amend Section 4.1.2, Schedule of Dimensional Requirements, to delete the column “Minimum rear yard (ft.)” and rename the existing column “Minimum side yard (ft.)” to “Minimum side and rear yard (ft.)”, so that in all districts, the minimum rear yard becomes the same dimension as the minimum side yard, as shown in the table below.

RENAME  
 COLUMN  
 AS  
 FOLLOWS:      DELETE  
 THE REAR  
 YARD  
 COLUMN:

District	Minimum lot area (sq. ft.)	Width (ft.)	Minimum front yard <sup>1</sup> (ft.)	Minimum side yard and rear yard (ft.)	Minimum rear yard (ft.)	Maximum lot coverage by buildings (percent)	Stories <sup>2,6</sup>	Height (ft.) <sup>2,4</sup>
R1A	10,000	100	25	20 <sup>3</sup>	<del>30</del>	20	2 ½	35
R1B	6,500	60	25	10	<del>30</del>	25	2 ½	35
R2	43,560 <sup>7</sup>	150	50	20 <sup>3</sup>	<del>30</del>	20	2 ½	35
R3	5,000	50	25	10	<del>30</del>	25	2 ½	35
R4	87,120	200	50	20	<del>30</del>	10	2 ½	35
B <sup>8</sup>	5,000	50	0 <sup>9</sup>	0 <sup>10</sup>	<del>0<sup>10</sup></del>	75	3	40
HVC <sup>12</sup>	5,000	50	5	5	<del>10</del>	75	2 ½	35
B1	Dwellings 5,000	50	25	10	<del>30</del>	25	2 ½	35
	Other permitted uses: 5,000	50	25	10	<del>10</del>	75	3	40
B2	Dwellings 43,560 <sup>7</sup>	150	50	20	<del>30</del>	25 <sup>4</sup> 40 <sup>5</sup>	2 ½	35
	Other permitted uses 5,000	50	25	10	<del>10</del>	75	3	40
B2A	Dwellings 43,560	150	50	20	<del>30</del>	20	2 ½	35
	Other permitted uses 20,000	150	40	20	<del>30</del>	25	2 ½	35
B2X	5,000	50	0 <sup>9</sup>	0	<del>0</del>	75	3	40
B3	Existing buildings 5,000	50	0	0	<del>10</del>	75	4 <sup>11</sup>	40 <sup>11</sup>
	New structures 5,000	50	10	10	<del>10</del>	75	4 <sup>11</sup>	40 <sup>11</sup>
MXD <sup>13</sup>	5,000	50	15	10	<del>10</del>	75	3 ½	40
I	Dwellings 43,560 <sup>7</sup>	150	50	20	<del>30</del>	25	2 ½	35
	Other permitted uses 5,000	50	50	10	<del>10</del>	75	3	40
I2	Dwellings 43,560 <sup>7</sup>	150	50	20	<del>30</del>	25	2 ½	35
	Other permitted uses 5,000	50	50	10	<del>10</del>	75	3	40
	Multifamily dwellings 10,500	50	25	10	<del>30</del>	50	2 ½	35

**ARTICLE \_\_\_\_: Net Buildable Area**

Amend Section 11.0, Definitions, to add the following new definition:

**NET BUILDABLE AREA:** the area of a lot minus the front, rear, and side yards required in the zoning district.

Amend Section 4.1.2, Schedule of Dimensional Requirements, by adding a new footnote, #15, to the column entitled "Maximum lot coverage by buildings."

Amend Section 4.1.3, Notes to Schedule of Dimensional Requirements, by adding the footnote text as follows:

15. Maximum Lot Coverage shall not apply to parcels where the application would reduce the Net Buildable Area to less than 2,000 square feet in the R3 District or less than 3,000 square feet in the R1A and R1B Districts. In these cases, Net Buildable Area only shall apply.

**ARTICLE \_\_\_\_: Special Permit Grant Authority for Residential Uses**

Amend Section 3.1.4, Table of Use Regulations, subsection A, Residential uses, by changing all instances of "SB" to "PB," thereby making the Planning Board the special permit granting authority in these cases.

**ARTICLE \_\_\_\_: Two-Family Housing**

Amend Section 8.1, Two-Family Residential Use of Single Lot, in order to revise the parking requirement in subsection 8.1.3.4 from 2 spaces per unit to 1.5 spaces per unit, and to delete item subsection 8.1.3.6.

4. ~~Two~~ One and one-half (1.5) off-street parking spaces shall be provided for each dwelling unit, located in such a manner that permeable surfaces, including lawns and/or garden areas but exclusive of all structures, driveways, walkways and parking spaces, shall be no less than 15% of the total area of the property. Deviation from this requirement may be permitted in accordance with Section 6.1.9.

6. ~~New construction of any two family residential structure or structures shall conform to all dimensional requirements of Section 4.0. A second dwelling unit in a new separate structure shall only be allowed when the lot is at least twice the minimum lot area specified in Section 4.0. The Planning Board may, by special permit pursuant to Section 10.4, authorize a deviation from this requirement.~~

**ARTICLE \_\_\_\_: Multi-Family Housing**

Amend Section 8.3.1 as follows:

**8.3.1 General.** ~~The Board of Selectmen may grant a special permit in accordance with Section 10.4 for multifamily dwellings, including condominiums, in the zoning districts specified for such uses in the Table of Use Regulations. Before granting such a special permit, the Board of Selectmen shall also conduct a site inspection of the property. Multifamily uses may be permitted by-right, or by special permit in accordance with Section 10.4, as set forth in the Table of Use~~

Regulations. All multi-family uses shall require Site Plan Approval in accordance with Section 10.5.

Amend Section 8.3.3, as follows and renumber subsections accordingly::

1. ~~In a multifamily development, more than one principal building may be permitted on a lot, provided that such lot meets the minimum lot width requirements for the respective zoning district as set forth in Section 4.0, and further provided that there shall be at least 3,500~~ 2,500 square feet of lot area for each dwelling unit ~~in a development of three units or four units, regardless of the number of principal buildings on the lot, and 5,000 square feet of lot area for each dwelling unit in a development of five or more units. The Planning Board may, by Special Permit, allow the lot area per unit to be less than 2,500 square feet per unit.~~
2. Permeable open space on the lot, including lawn and/or garden area but exclusive of structures, driveways, walkways and parking spaces, shall be no less than ~~50%~~ 15% of the total area of the property.
3. ~~No portion of any enclosing wall of any building and no portion of any other permissible structure shall be nearer than 25 feet to any street line, 10 feet to any side lot line and 30 feet to the rear lot line.~~
4. ~~Two~~ One and one-half (1.5) off-street parking spaces shall be provided for each dwelling unit. No space shall be considered available for parking if such space reduces the effective width of a driveway providing access to more than one dwelling unit to less than ~~16~~ 12 feet. In the event that the required parking spaces cannot be provided on the property, ~~the applicant shall, before the special permit is issued, present proof of a duly recorded permanent easement or deed providing such off-street parking space on other property, and the special permit shall be conditioned upon such permanent easement or deed~~ deviation from this requirement may be permitted in accordance with Section 6.1.9.
5. ~~Within the development, vehicular and pedestrian circulation shall provide for safe and convenient use to the satisfaction of the Planning Board.~~
6. ~~Front yards and all open areas shall be suitably landscaped and maintained with grass, trees, flowers, shrubs and/or walks. Such landscaping shall be specified in detail on the site plan and shall be made a condition of the special permit.~~
7. ~~The proposed development shall be located with respect to major thoroughfares and uses outside the development as not to create traffic hazards or congestion. Before issuance of a special permit by the Board of Selectmen, the Chief of Police and the Highway Superintendent shall give their written approval of said location.~~
8. ~~Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of each building, shall not be located on any building wall facing a street.~~
9. ~~Drainage controls as deemed necessary shall be specifically described as an added condition of the special permit.~~

Delete subsection 8.3.4, and renumber subsequent subsections accordingly.

~~8.3.4 Procedures.~~ When filing an application with the Board of Selectmen, the applicant shall submit at least six copies of a site plan showing, in addition to all characteristics specified in Section 10.5, the general plan and elevations of the buildings, as well as provisions for proposed parking spaces, interior roadways, walkways, drainage and recreational facilities.

- ~~1.~~ Such site plan, subject to such amendment thereof as may be required by the Planning Board under the provisions of this Bylaw shall be made a part of the building permit.
- ~~2.~~ The Board of Selectmen shall notify the Inspector of Buildings of its approval of a special permit.

Amend subsection 8.3.6 as follows:

**8.3.6 Exemptions in Downtown B District, B2X, HVC, MXD District, and General Business B2 District.** The requirements of Section 8.3.3 shall not apply to any multifamily dwelling in a single existing building within the Downtown Business B District, B2X, or MXD District. Requirements 1. and 2. of section 8.3.3 shall not apply to any multifamily dwelling within the General Business B2 District. Requirements 1-4 of section 8.3.3 shall not apply to any multifamily development in the MXD District.

**ARTICLE \_\_\_\_\_: Accessory Structures and Accessory Dwelling Units**

Amend Section 3.2.2, items 3 and 4, as follows:

- ~~3.~~ An accessory building not exceeding 15 feet in height may be located within the required rear or side yard of the principal building, but shall not be located in the front yard or nearer to any street line than the minimum setback in the zoning district in which it is located. No accessory building shall be within 10 feet of any side or rear lot line. ~~An accessory building exceeding 15 feet in height shall conform to all minimum setback requirements for the zoning district.~~
- ~~4.~~ An accessory building in a Residence District shall not exceed 25 feet in height above the ground level, and it shall not be located nearer than 10 feet to the principal building or occupy more than 10% of the total lot area. ~~For definition of "height of a building," see Section 11.0.~~

Amend portions of Section 8.2.3 as follows and renumber subsections accordingly:

- ~~1.~~ Only one A maximum of two ADUs may be established per lot.
- ~~2.~~ The ADU may not be in separate ownership from that of any other dwelling unit on the lot.
- ~~3.~~ The An ADU may not in any case be larger than ~~650~~ 900 gross square feet. If a dwelling unit greater than ~~650~~ 900 gross square feet is created within a single-family home, the residence will be considered a two-family dwelling and will be subject to the requirements of Section 8.1 of this Bylaw.
- ~~8.~~ Where practicable, any new entrance necessitated by the ADU must be located on the rear or side of the building.

9. Fire escapes and outside stairways leading to a second or higher story ~~shall be located on the rear or side of the building, and, where practicable, shall not be located on any building wall facing a street~~ and shall comply with Section 4.2.3.

Amend Section 11, definition of Accessory Dwelling Unit, as follows:

**ACCESSORY DWELLING UNIT:** a subordinate dwelling unit on the same lot as a primary single family or two-family residential use, whether in an accessory building or within the same building as the primary dwelling, with provisions for independent cooking, living, sanitation and sleeping.

**ARTICLE \_\_\_\_ : Tiny Houses as Accessory Dwelling Units**

Amend Section 11, Definitions, to add the following new definition:

**Movable Tiny House (MTH):** A structure intended for the separate, independent living quarters of one household for year-round residence that meets all of the following: (a) Is licensed and registered with the Massachusetts Registry of Motor Vehicles; (b) Meets the American National Standards Institute (ANSI) 119.5 requirements, and certified by a qualified third party inspector for ANSI compliance; (c) Cannot move under its own power; (d) Has not less than 150 and no more than 400 square feet of habitable living space, excluding lofts; (e) Is designed and built using conventional residential building materials for windows, roofing and exterior siding.

And amend Section 11, definition of Accessory Dwelling Unit, as follows:

**ACCESSORY DWELLING UNIT:** a subordinate dwelling unit on the same lot as a primary single family or two-family residential use, whether in an accessory building or within the same building as the primary dwelling, with provisions for independent cooking, living, sanitation and sleeping. A Movable Tiny House (MTH) connected to electricity, water, and sewer or septic that has its chassis, wheels and hitch concealed shall be considered an accessory dwelling unit.

**ARTICLE \_\_\_\_ : Downtown Mixed-Use B3 District**

Amend portions of Section 9.4 as follows:

**9.4.5 Dimensional Requirements.** Dimensional requirements in the Downtown Mixed-Use B3 District shall be as set forth in Section 4.0. The dimensional requirements reflect the proximity to downtown.

1. The maximum number of dwelling units permitted by right shall be based on a minimum area of ~~5,000~~ 2,500 square feet of land per dwelling unit, except that one two-family dwelling may be permitted on a lot of at least ~~5,000~~ 2,500 square feet. The minimum area of land required per dwelling unit may be reduced through incentives described in this section and granted by special permit.

**9.4.7 Parking.** Parking requirements for residential dwelling units shall be ~~two~~ one parking spaces ~~space~~ for each of the first five units and 1 1/2 spaces for each additional unit; parking requirements for related uses shall be calculated in accordance with Section 6.1. Parking requirements for business (nonresidential) uses shall be calculated in accordance with the



~~minimum requirements in Section 6.1.2 the Table of Required Minimum Parking. Parking areas shall be safely and conveniently accessible from the buildings they serve. No parking space shall reduce the effective width of a driveway providing access to more than one dwelling unit to less than 12 feet. In the event the parking spaces cannot be provided on the property, deviation from this requirement may be permitted in accordance with Section 6.1.9 if the applicant provides satisfactory guarantee, in the form of deed, permanent easement, or similar document, that parking is provided off-site. Parking requirements shall be met by any combination of the following:~~

- ~~1. Off street parking on site;~~
- ~~2. Provision of new on street parking with permission of the Town. Parallel parking spaces shall not be less than eight feet by 23 feet.~~

**9.4.9 Special Permit.** Uses indicated in the Table of Use Regulations, and any development or redevelopment in excess of 20,000 square feet of gross floor area, regardless of use, shall require a special permit. A special permit shall be required for any project seeking to use the density or open space incentives defined in this section. ~~The Board of Selectmen (SPGA)~~ Special Permit Granting Authority (SPGA) may grant a special permit in accordance with the provisions of Section 10.4.

**ARTICLE \_\_\_\_: Mixed-Use Development**

Amend portions of Section 8.4 as follows:

**8.4 MIXED USE DEVELOPMENT**

**8.4.1 General.** ~~For mixed uses in the B, B2, I, and I2 zones, all of the following requirements shall apply. For mixed uses in the B3 zone, see Section 9.4. For mixed uses in the HVC and HVOD zones, see Sections 9.9 and 9.10 respectively. For mixed uses in MXD zones, see Section 9.11. The requirements of this section shall apply to mixed use development. Where specific zoning districts have requirements that conflict with the requirements of this section, the requirements of the specific zone shall prevail.~~

**8.4.2 Requirements.**

~~2. A portion of the street level floor space shall be reserved for nonresidential use. Inside the Village Center Overlay District, this portion shall be a minimum of 75%. Inside the Village Center Overlay District, a minimum of 75% of street-level floor space shall be reserved for nonresidential use. Outside the Village Center Overlay District, a minimum of 25% of street-level floor space shall be reserved for nonresidential use. The Special Permit Granting Authority (SPGA) may, by special permit, reduce the nonresidential space requirement.~~

**ARTICLE \_\_\_\_: Marijuana Establishments**

Amend Section 7.18.4 to add item 5, as follows:

5. In R2 and R4 zones, cultivation may only be considered on parcels 5 acres or larger. A Marijuana Manufacturing establishment may be permitted by special permit as an accessory use to a cultivation facility in any zone.

**ARTICLE \_\_\_\_\_: Design Advisory Committee**

Amend portions of Section 9.5 to clarify when DAC review is required, the DAC membership, and a provision for constructive approval if DAC fails to act.

**9.5.2 Applicability.** Except as set forth in this section, Aall proposed changes to the exterior of structures within the district shall require a meeting with the Design Advisory Committee. Any substantial structural change shall require a special permit from the Selectboard. A substantial structure change is defined as one which involves: changing the height of a structure or increasing the size of a structure's footprint or square footage of any aboveground floor by more than 25% or 1,000 square feet, whichever is smaller. Signs proposed in accordance with the Sign Bylaw shall not be subject to review by the Design Advisory Committee. Changes to structures subject to review by the Historic District Commission shall not require review by the Design Advisory Committee.

**9.5.5 Design Review.** The purpose of design review is to preserve, enhance and raise awareness of the town's cultural, economic and historical resources by providing for a review of all changes in the appearance of structure and sites which may affect these resources. The review procedures are intended to: enhance the social and economic viability of the town by preserving property values and promoting the attractiveness of the town as a place to live, visit and shop; encourage the conservation of buildings and groups of buildings that have aesthetic or historic significance; prevent alterations that are incompatible with the existing environment or that are of inferior quality or appearance; encourage flexibility and variety in future development. Except as set forth in this section, Aall new structures, alterations or additions to existing structures which affect the exterior architectural appearance of a building shall be subject to review by the Design Advisory Committee, provided that the action occurs on land which is located in the Downtown Business B District.

**9.5.6 Design Advisory Committee.** A Design Advisory Committee is hereby established to review applications for all actions that are subject to the provisions of this section and to work cooperatively with owners of land, buildings and businesses. The Design Advisory Committee shall make recommendations to the appropriate decision making body and/or the applicant concerning compliance of the proposed action to the design review standards in this section. The Design Advisory Committee shall consist of ~~seven~~ five voting members, constituted as follows:

1. Building Inspector (ex officio, nonvoting member).
2. Planning Board member, selected by the Planning Board.
3. Historic District Commission member, selected by the Historic District Commission.
4. Architect, appointed by the ~~Board of Selectmen~~ Selectboard.
5. Design Professional, appointed by the ~~Board of Selectmen~~ Selectboard.*[amended 5/6/2013 ATM]*
6. ~~Three~~ One members from the general public, appointed by the ~~Board of Selectmen~~ Selectboard.

The terms of all appointed members shall be five years. The Historic District Commission member and the Planning Board member shall serve for one-year terms.

The selecting or appointing boards or commissions may select or appoint an Alternate Member who may serve and act in the place of the Member selected or appointed by that board or commission in the event of the absence of that Member. In the event of an absence, the Chair may elevate an Alternate Member(s) in order to form a quorum and to vote on matters pending before the Committee, provided that the composition of the Committee is not altered.

**9.5.7 Design Advisory Committee; Procedures.**

3. Process. The Building Inspector shall transmit copies of the application to the Design Advisory Committee. The Committee shall review the application, meet with the applicant and provide its recommendations, in writing, to the applicant and the Building Inspector within 30 days. If the Committee does not issue written recommendations within 30 days from the date the application was submitted, the Building Inspector shall assume approval of the application by the Design Advisory Committee. If the application for design review is associated with an application for a variance or a special permit, the Building Inspector shall immediately transmit the Design Advisory Board's recommendation to the Planning Board or the Zoning Board of Appeals, whichever is relevant.

**ARTICLE \_\_\_\_: Stockbridge Road Corridor and B-2 zone regulations**

Amend the column for the B2 zone in Section 3.1.4 Table of Use Regulations in order to:

- Permit A(3) multifamily uses up to eight units by right
- Permit A(5) live/work
- Permit A(7) mixed-uses by right
- Permit F(3) light manufacturing by SB special permit

Amend the rows for B2 in Section 4.1, Schedule of Dimensional Requirements as follows, and delete existing footnotes 4 and 5 to the dimensional table, and renumber the subsequent footnotes:

District	Minimum lot area (sq. ft.)	Width (ft.)	Minimum front yard (ft.)	Minimum side yard (ft.)	Minimum rear yard (ft.)	Maximum lot coverage by buildings (percent)	Stories	Height (ft.)
B2	Dwellings 43,560 <sup>7</sup>	150	50	20	30	25 <sup>4</sup> 40 <sup>5</sup>	2-1/2	35
	Other permitted uses 5,000	50	25	10	10	75	3 3 1/2	40

Amend Section 6.1.3, location of parking spaces, as follows:

**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.

Amend Section 6.2.1 as follows:

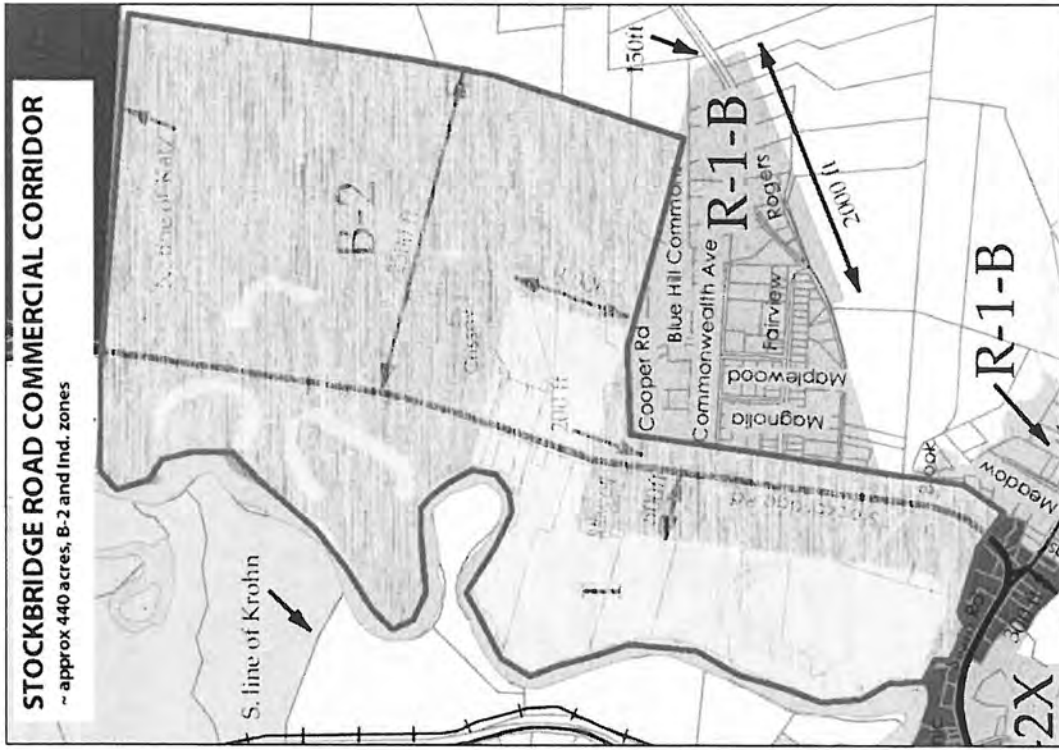
**6.2.1 Applicability.** These requirements shall apply to applications for site plan approval for land on both sides of Route 7 north (Stockbridge Road) from Belcher Square to the Stockbridge Town line and on Route 7 south (South Main Street) from Taconic Avenue to the Sheffield Town line. These requirements shall be in addition to those of Section 6.3.

Amend Section 6.2.7, required trees, as follows:

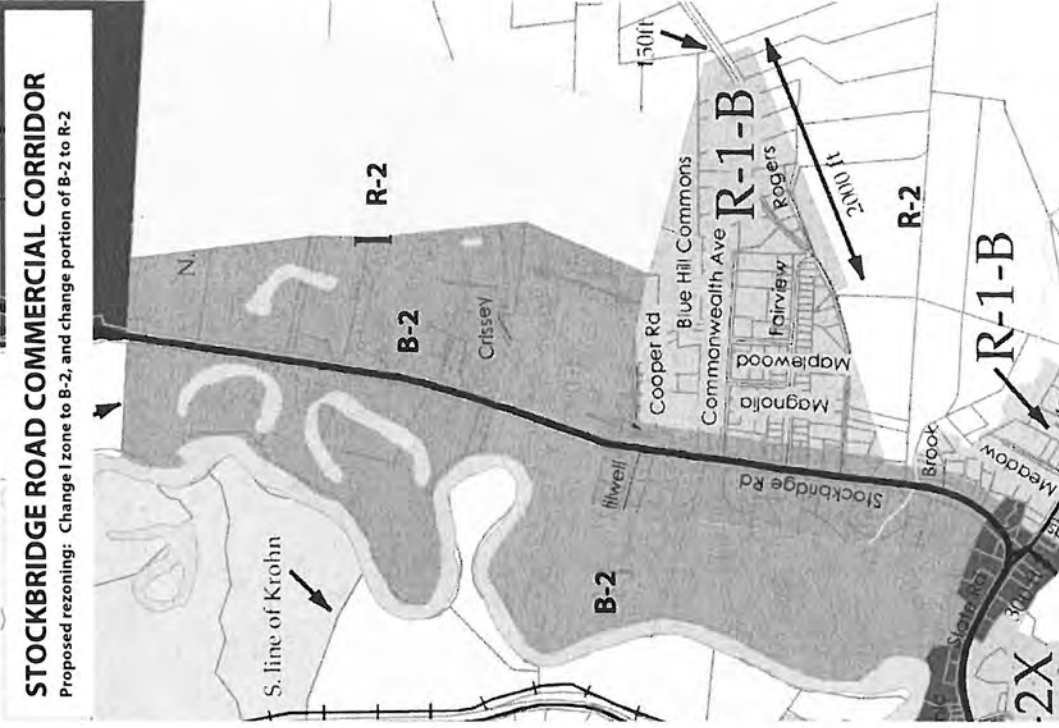
**6.2.7 Required Trees.** At least one deciduous tree shall be planted within the lot's front setback for every 50 feet of frontage on a lot on which a new building is erected or when any activity or use requires Site Plan Review as set forth in Section 10.5.1. The tree or trees shall be planted between the roadway and the building line that is closest to the roadway, provided that this does not interfere with utilities.

Amend the zoning map from existing to proposed, as shown in the following figures:

**EXISTING**



**PROPOSED**



## **Regulation of Short Term Rentals in Great Barrington**

Enact a new local law to regulate short term rentals in Great Barrington

### Policy Objectives:

1. Protect neighborhoods from undue commercial activity
2. Minimize public safety risks for guests and visitors, and minimize possible nuisances for abutters
3. To sustain the supply and affordability of residential housing available and affordable to those who live and work in the region
4. Ensure any regulation of short-term rentals and home-sharing does not negatively affect property values (and property tax revenue)
5. Ensure that short-term rentals and home-sharers are taxed in the same way as traditional lodging providers to ensure a level playing field and maintain local service jobs
6. Maximize the availability of affordable housing options by ensuring that no long-term rental properties are converted into short-term rentals
7. Give residents the option to occasionally utilize their properties to generate extra income from short-term rentals and home-sharing as long as all of the above mentioned policy objectives are met

### Possible Town Meeting Actions:

No need to adopt local room tax of 6%. GB already did that, in 2010. The only difference now is DOR will collect it for every type of short term rental that rents more than 14 days per calendar year.

1. Adopt new local law (see below)
2. Adopt local option community impact fees up to an additional 3% (choose just the first, or both)
  - a. Accept MGL Chapter 64G section 3D(a) (this imposes 3% on “professionally managed” STRs)
  - b. Accept MGL Chapter 64G section 3D(b) (this imposes the 3% also on STRs in 2- or 3-family dwellings)
3. Appropriate \_\_\_% of the 3% revenue to affordable housing trust fund. If any community impact fees are adopted, then per state law, at least 35% of that revenue must go towards affordable housing or infrastructure. It is conceivable that upon adoption the Town could vote to appropriate 100% of that revenue into affordable housing (perhaps the appropriation has to be a separate article, or even something that is voted every year)

### Proposed New Local Law:

#### **Chapter \_###\_, Regulation of Short Term Rentals**

1. Purpose and Intent. *Same as the policy objectives drafted above*
  - a. Protect neighborhoods from undue commercial activity;
  - b. Minimize public safety risks for guests and visitors, and minimize possible nuisances for abutters;
  - c. To sustain the supply and affordability of residential housing available and affordable to those who live and work in the region;
  - d. Ensure any regulation of short-term rentals and home-sharing does not negatively affect property values (and property tax revenue);

- e. Ensure that short-term rentals and home-sharers are taxed in the same way as traditional lodging providers to ensure a level playing field and maintain local service jobs;
  - f. Maximize the availability of affordable housing options by ensuring that no long-term rental properties are converted into short-term rentals; and,
  - g. Give residents the option to occasionally utilize their properties to generate extra income from short-term rentals and home-sharing as long as all of the above mentioned policy objectives are met.
2. Definitions. *List some key terms from the state law, using the state's definitions, and some applicable local definitions, such as:*

“Accessory use,” as defined in the Great Barrington Zoning Bylaw, shall mean a use customarily incidental and subordinate to the principal use and located on the same lot, or an abutting lot in common ownership, therewith.

“Operator,”

“Operator’s agent,”

“Professionally-managed unit,”

“Short-term rental,”

*or, just incorporate the state law definitions by reference.*

3. Registration. All short term rentals must register with the Commonwealth, in accordance with MGL Chapter 62C section 67 and Chapter 64G section 6. A copy of said registration shall be provided to the Great Barrington Town Clerk and shall be prominently displayed in a conspicuous place in the short term rental unit.

All short term rentals must also register annually with the Great Barrington Town Clerk. The registration must include: the location address; the name, address, phone number(s) and email address of the Operator and any Operator’s agent(s); a notarized affidavit certifying the location and legal address of the Operator’s primary legal residence; a copy of the registration with the Commonwealth, and documentation from the Department of Revenue as to the number of rental nights per year the property is used as a short term rental.

The local registration shall be available only to those Operators whose short term rental location is the same as their primary legal residence, and only to those Operators who evidence of liability insurance of not less than \$1,000,000 in accordance with MGL Chapter 175 section 4F.

Annual renewal of the registration shall be granted upon the request of the Operator provided the terms of this chapter are met.

4. Maximum Rental Nights per Year: Short-term rental uses shall be restricted to a maximum number of annual rental nights per calendar year, as set forth below.

Accessory Use, Owner Occupied Residence. For short term rentals provided by an owner-occupant of a residence who, as an accessory use to that residence, rents some rooms but not the entire residence, there shall be no maximum number of rental nights per year.

Use of Entire Residence. The short term rental of an entire dwelling where the owner is not present, or of an entire accessory dwelling unit and the owner is present in a unit on site, shall be limited to a maximum of 90 rental nights per year

5. Administrative Fees. The Selectboard may vote to establish and impose reasonable fees in connection with the registration of short term rentals and administration of this law.

DRAFT





Town of Great Barrington
Massachusetts

SB 2/25 ZBA-1 Rev. July 2013

Application to the
Zoning Board of Appeals

INSTRUCTIONS

You may download this form and fill it in on your computer. Fill out all applicable information. Save and print the form, and sign it where required. When you are ready with your form and all supporting plans and materials, call the Town Planner to set up a time to file the application. You will need to submit the original and 14 full copies of the entire package. It may not be submitted electronically, but submissions made by mail are acceptable. Incomplete applications and those not accompanied by the required fee or copies may be rejected. The Town Planner can be reached at (413) 528-1619, x.7 (Note, for Comprehensive Permit applications, please call the Town Planner.)

FOR OFFICE USE ONLY

Filing Date:
Received and checked for completeness by:
Number Assigned: 888-19
Date filed with the Town Clerk
FOR ZBA USE:
Advertising dates: &
Public hearing date:

TIMELINE: The Zoning Board of Appeals (ZBA) will set a public hearing date that is at least 45 days but no more than 65 days from the date of your filing. The hearing date will be posted at Town Hall and in accordance with the Open Meetings Law, and notice of the hearing will be sent to the Applicant and/or Applicant's agent and abutting property owners by mail, and advertised for two consecutive weeks in the local newspaper.

A. WHAT ARE YOU SEEKING?

Check all that apply. If you are unsure, please consult with the Town Planner, Building Inspector, or ZBA Secretary (413-528-4953)

- VARIANCE (exempts a property from some Zoning requirements)
SPECIAL PERMIT (for changes to nonconforming uses, structures)
APPEAL (to overturn a decision of Building Inspector or a Board)

B. SITE / PROPERTY INFORMATION

Address of Subject Property 260 Stockbridge Road
4 Cooper Road
Assessor's Map No. 9 Lot No. 16 & 16A
Registry of Deeds Book No: 2078 Page: 203
Zoning District(s) B2 General Bus.
R1B High Density Res.
Overlay Districts (if any)

C. APPLICANT AND OWNER INFORMATION

Name (please print) Kathleen A. Sinico Phone (area code first) 413-528-2510
Street Address 260 Stockbridge Road
City, State, Zip Code Great Barrington, MA 01230
If Applicant is a corporation, provide name of contact person:
Email Address Signature Kathleen Sinico

- Check here if Applicant and Property Owner are the same, and skip to the next section.
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. Note that the Property Owner must sign below to indicate permission to file this Application.

Enter Property Owner's information EXACTLY as it appears on the most recent tax bill.
Name (please print) Phone (area code first)
Street Address
City, State, Zip Code
Email Address Signature

**D. VARIANCES** If you are requesting a variance, please answer all of the following. Attach additional sheets if necessary.

- 1) From which Section(s) of the Zoning Bylaw do you request a variance?
- 2) What will the requested variance(s) enable you to do?
- 3) If the variance(s) is not granted, what hardship will that cause you?
- 4) What special circumstances relating to soil condition, shape or topography of land or structures, affect your property but not other properties in the same zone?
- 5) Explain why your special circumstances are not a result of your own actions.
- 6) If the variance(s) is not granted, what rights will you be deprived of that other properties in the same zone enjoy?
- 7) Explain why a variance will not give you any special privileges that other properties in the same zoning district don't have.

**E. SPECIAL PERMITS** If you are requesting a special permit, please answer all of the following. Attach additional sheets if necessary.

- 1) A special permit is being requested in order to (please describe project):   
1. Remove the condition on a variance granted by the ZBA in 1986 (Variance #85-8); copy attached. 2. Approve the property division line on a plan endorsed by the Planning Board on 1/10/19 and 3. Make a finding that the division line referenced in #2 above is not detrimental to the neighborhood.
- 2) This application is made under the following Sections of the Zoning Bylaw (check all that apply)  Section 5.2  Section 5.3  Section 5.5  Section 5.6  Section 5.7  Section 10.4
- 3) Reason(s) that this property is not in conformance with the Zoning Bylaw   
Both the store located on 260 Stockbridge Road and the residence located on 4 Cooper Road are located within the front yard setback.
- 4) Are there any previous Special Permits or Variances for this property?  No  Yes  
If yes, provide date(s), and name of issuing Board 1986 - Zoning Board of Appeals (copy of decision attached to this application).

**F. APPEALS** If you are seeking an appeal, please answer all of the following. Attach additional sheets if necessary.

- 1) This application is to appeal the decision of  Building Inspector  Planning Board  Board of Selectmen
- 2) Date of decision
- 3) Nature of the decision
- 4) Applicable Section(s) of the Zoning Bylaw
- 5) Describe your interpretation of the nature of the decision and the remedy you seek. Attach additional sheets if needed.

## G. REQUIREMENTS FOR ALL APPLICATIONS

By checking the items below, applicant acknowledges that each application is accompanied by each of the items listed below.

- Plot Plan of the entire property or tract. The Board may require the plan to be signed by a licensed surveyor or engineer, particularly if the matter involves dimensional issues. The plan should include those items listed in Section 10.5.3 of the Zoning Bylaw, including two locus maps--one USGS survey map and one current zoning map-- illustrating property location.
- A current list of all abutters within 300 feet of the property, including address of owner, map and lot number. The list must be obtained from the Assessor's office and certified by the Assessor's office. Call 413-528-1619, x. 5.
- At least one copy of the application and plans / specifications shall be no larger than 11 x 17 inches.

## H. APPLICATION FEE

Application fees are calculated at \$150 per request. (For example, if one box in A. is checked, the fee is \$150. For two boxes, the fee is \$300.)

- Check here to confirm that your check in the appropriate amount is enclosed. Make checks payable to Town of Great Barrington.

## I. TECHNICAL REVIEW FEES

- The Zoning Board of Appeals may hire independent consultants whose services shall be paid for by the applicant(s) under the terms of the Rules and Regulations of the Zoning Board of Appeals, and in accordance with Chapter 44, Section 53G of the Massachusetts General Laws. Check here to acknowledge and be bound by these regulations. Failure to acknowledge shall cause this application to be rejected as incomplete. Please also sign here: Joan M. Drew, attorney for Kathleen Dennis

## J. ADDITIONAL INFORMATION

**Recommending Boards:** All applications to the Zoning Board of Appeals are referred to the Planning Board, Conservation Commission, Board of Health, and Board of Selectmen for comments and recommendations. Applicants should be prepared to attend those meetings in order to brief those boards of their project and answer any questions.

**Site Visits:** The ZBA and recommending Boards may contact the Applicant to request a site visit. Applicants agree to facilitate access to the site at a mutually convenient date and time.

**Timeline/ Procedures:** The ZBA conducts its business in accordance with Massachusetts General Laws. Accordingly, the ZBA will hold its Public Hearing not later than 65 days after the filing of the application. A decision for a variance or appeal will be rendered not later than 100 days from the filing date. A decision for a special permit will be made not later than 90 days after the close of the Public Hearing. The decision will be filed with the Town Clerk within 20 days of the date of the decision. The appeal period lasts for 20 days after the filing with the Town Clerk. On the 21st day, if no appeals are filed, or once all appeals are resolved, the applicant shall have the decision certified by the Town Clerk. The Applicant is responsible for then filing the decision with the Registry of Deeds, at which time the decision becomes effective.

**Guidance and Counsel:** In preparing this application and when presenting the case to the ZBA, applicants are advised to be fully familiar with, or seek counsel from a qualified person who is familiar with, the Zoning Bylaw and other rules, regulations, and laws as may be appropriate. If you wish to discuss the completeness of this application, or have any questions about this application, please contact the ZBA's Secretary, Bernard Drew, at 413-528-4953, or the Town Planner at 413-528-1619, x. 7. However, we will not discuss the merits or strategy of your case.

**Applicant's Signature:** "I have read and I understand all of the information on this application."

Kathleen G. Dennis (signed) 2/11/19 (date)

Print Form

### Need Help? Just call us.

Town Planner: (413) 528-1619, x.7

Building Inspector / Zoning Enforcement Officer:  
(413) 528-3206

ZBA Secretary: (413) 528-4953

For bylaws, regulations, maps, and other useful information, visit us online at [www.townofgb.org](http://www.townofgb.org)

**KATHLEEN A. SINICO  
SPECIAL PERMIT APPLICATION  
260 STOCKBRIDGE ROAD and 4 COOPER ROAD  
ZONING BOARD OF APPEALS**

**ABOUT THE PROJECT**

**PURPOSE OF APPLICATION**

Kathleen Sinico is seeking a Special Permit to remove the condition that was imposed on a Variance granted in 1986. She further wishes the Zoning Board of Appeals to approve a property division line on a plan of land entitled "Plan of Land Surveyed for Kathleen A. Sinico, Great Barrington, Massachusetts, January – 2019, Scale 1" = 30'" ("the 2019 Plan"), and to find that said property division line is not substantially more detrimental to the neighborhood.

Mrs. Sinico's property is located at 260 Stockbridge Road and 4 Cooper Road in Great Barrington. The property at 260 Stockbridge Road is the location of Catherine's Chocolates Shop and is located in the B-2 zone. The property at 4 Cooper Road is Mrs. Sinico's residence and is located partly in the B-2 zone and partly in the R-1-B zone. The home structure on 4 Cooper Road is situated entirely within the B-2 zone.

In 1986, Mrs. Sinico, her husband and her parents received a variance from the Zoning Board of Appeals to construct an addition to the candy shop (Variance 85-8). The variance was granted with the condition "that no future division of the property take place except in full compliance with zoning bylaws in effect at the time of said division." A copy of the Record of Proceedings, deliberation and portion of the site plan ("1986 site plan") filed with the 1986 application is enclosed for your reference.

The narrative of the Zoning Board's meeting indicates the Board was concerned with the fact that the proposed addition was to be constructed within fourteen (14) feet of an existing building. This area of concern is highlighted on the attached 1986 site plan.

Mrs. Sinico has a buyer for the candy shop. Kelly, Granger, Parsons and Associates, Inc. prepared the 2019 Plan dividing the property into two parcels. The 2019 Plan was signed by the Planning Board on January 10, 2019.

With the sole exception that the structures on 260 Stockbridge Road and 4 Cooper Road are located within the front yard setbacks, the 2019 Plan creates two lots that are conforming with all aspects of the current Zoning Bylaw.

Both lots meet the required lot size and lot width requirements for the B-2 zone under the current Bylaw. The lot located on 4 Cooper Road also meets the minimum lot size and lot width for the R-1-B zone. The buildings located on both lots meet the side and rear setback requirements for the B-2 zone. The building on 4 Cooper Road also meets the side and rear setback requirements for the R-1-B zone. The original candy store on Stockbridge Road was built in or about 1960/1961. The residence on 4 Cooper Road was built prior to 1970. Both structures pre-date the subdivision control law, and are considered prior non-conforming structures. Both structures were also prior non-conforming structures at the time the 1986 Variance was granted.

There is a notation on the 2019 Plan that states "Existing Garage (To Be Removed)." This is the same area of concern as in the 1986 Variance decision.

Mrs. Sinico has received a demolition permit from the Town of Great Barrington for the removal of the building in question. See copy of said demolition permit attached to the Application. The building is to be removed by Joe Wilkinson & Son on February 10, 2019.

As stated above, it appears that the Zoning Board's concern in 1986 was solely limited to the fact that the addition was to be constructed within fourteen (14) feet of an existing building. As the building of concern is now being removed, the condition imposed by the Board in 1986 is no longer warranted. Therefore, Mrs. Sinico is requesting that the Board issue a finding that states that the sole condition imposed in the 1986 Variance decision is no longer warranted, and that the removal of said condition would pose no detriment to the neighborhood. Further, Mrs. Sinico is requesting that the ZBA approve the property division line on the 2019 Plan.

In support of this request, the Board can find that the 2019 plan meets all of the zoning criteria of the current Zoning Bylaw, recognizing that the structure existing on 260 Stockbridge Road has always been, and continues to be a prior nonconforming structure in that the structure does not meet the current front yard setback, and did not meet the front yard setback in 1986. The same condition exists for the structure on 4 Cooper Road. The Cooper Road structure has always been and continues to be a nonconforming structure in that the structure does not meet the current front yard setback and did not meet the front yard setback in 1986.

By removing the condition on the 1986 Variance decision, the ZBA's decision is not altered in that the variance granted does not cause substantial detriment to the public good and does not nullify or substantially derogate from the intent or purpose of the Zoning Bylaw or the town's Master Plan. In

particular, the Master Plan aims to promote “talented and motivated entrepreneurs and unique, locally-owned businesses.” The Master Plan also identifies affordable housing as a key need in Great Barrington. The creation of the two lots meets the town’s objectives of promoting locally owned businesses and retaining housing.

In addition, the subject property is located within the commercial corridor of the town. It is an ideal location to preserve and promote business, as well as to maintain established housing. The property division reflects the type of development that the Master Plan encourages and endorses.

## Board of Appeals

The Great Barrington Board of Appeals held a public hearing Thursday, January 30, 1986 beginning at 7:30 a.m. The following members were present: Chairman John W.P. Mooney, Terry Koldys, Paul Porter, Locke Larkin and Ruthana Donahue. Also present were Associate Member Bernia Krainis, Eileen Mooney, Catharina Keresztes, Joseph and Kathleen Sinico and Attorney Jerome Scully. Mr. Mooney appointed Mr. Krainis to-sitas a regular member until Ms. Donahue arrived at 7:33 p.m.

The hearing was held because of a petition for variance from Michael F. and Catherine Keresztes, Cooper Rd. The Keresztes are seeking a variance from the dimensional requirements of Section 71 of the Bylaws, to construct an addition to their candy shop at the corner of Cooper and Stockbridge Roads. The required legal notice was posted in the Great Barrington Town Hall January 13, 1986 and published in the Berkshire Eagle January 15 and January 23. The hearing notice was read aloud. Mr. Mooney noted the legal notice had been sent to all abutters and to various Town Boards. A letter from the Conservation Commission was read aloud stating the property did not come under its jurisdiction. A letter from the Planning Board was read aloud stating there was no recommendation because a motion failed to get a majority vote.

Attorney Jerome Scully and Mr. and Mrs. Sinico represented the Keresztes. Plans of the proposed addition were presented. Mr. Scully noted there would be only fourteen (14) feet of space between an existing building and the proposed addition. He noted the existing buildings were built in 1947 and 1960/61 as far away from each other as possible and because of the topography there is no other place to construct an addition. Mr. Scully noted the proposed addition will be a candy factory and there is a certain production line that must be followed in making candy.

Mr. Scully noted other proposals were considered but were financially and efficiently unacceptable. He presented a written report with four (4) different proposals. Each proposal contained square footage, costs and the efficiency of each plan. The Hird Design and Construction Company presented the report and felt the plans submitted for the variance were the most efficient and financially acceptable. Mr. Scully noted this is a unique situation because it is manufacturing with a residence on one parcel of land.

Mrs. Sinico presented plans to show how the machines will be set up to be the most efficient. She noted it is very important to have everything set up on one floor as it would be difficult to transport hot candy up and down stairs all day. She noted the company uses twelve (12) tons of chocolate a year. Mrs. Sinico noted the second floor will be used for dry storage, boxes. Mr. Mooney questioned if the candy for all three (3) stores was made at this location and how the parking will be affected. Mrs. Sinico noted all candy is made fresh at this location and that some parking will be gained as she is losing her lawn for the building. Mr. Sinico noted the building will not be any closer to Cooper Road than it is now. Mr. Mooney questioned how the addition will blend in with the present building. Mrs. Sinico explained the cooking area and one machine will be moved to the addition making room for the packaging of the candy. It was noted it will be an assembly line. Mrs. Sinico said if they were to construct a second floor it would be inefficient as candy would be made in the kitchen, brought upstairs for finishing, down for packing and back up for mailing. Mr. Krainis suggested an endless belt. Mrs. Sinico said it would be very costly in addition to the original construction costs.

Mr. Scully noted due to particular circumstances and existing structures to enforce the bylaws would create substantial financial hardship. He felt to grant the variance will not derogate the intent of the zoning bylaw and will not create a public safety hazard.

Mr. Mooney questioned if an 'L' shaped addition had been considered. Mr. Scully said it had not because of the costs and the inefficiency, the area would be too small. Mr. Koldys questioned if employees will be added. Mrs. Ginico said not at this time. She noted there are 12 employees now with 2 additional ones at Holidays. Mr. Mooney asked if a conditional variance is acceptable with the condition the property id not to be divided. Mr. Scully said it was acceptable. There were no abutters or occupants present.

Mrs. Mooney questioned how long the addition will be good for and what will happen when more space is needed. Mrs. Ginico noted it is hard to judge that the last one lasted 5+ years and she thought this one would last at least 10 years. Mrs. Keresztes noted if another addition is ever needed the house will be torn down to allow for expansion. It was noted the house is in a business zone

Mr. Mooney closed the public hearing at 7:55p.m.

Members agreed there is a hardship involved and that an addition is necessary. A motion was made by Mr. Koldys and seconded by Mr. Porter that a financial hardship does exist due to the uniqueness of the topography of the property. All were in favor.

Mr. Mooney felt a conditional variance should be granted. If the Board allows the addition within fourteen (14) of another building a precedent is being set. Mr. Mooney felt if the buildings are ever sold a buyer may feel since a variance was granted from the bylaw, the buildings now comply with the bylaws and attempt to divide them and sell them individually. He felt it needed to be clarified. Mr. Porter did not agree and felt the condition was not needed. He felt each case is judged individually even if a precedent is set. The applicants noted they were comfortable with the condition and the reasons for it. Mr. Scully suggested the condition should read, the land is not to be divided with the existing structures as they are now.

A motion was made by Mr. Porter and seconded by Ms. Donahue that a conditional variance be granted with the condition that no future division of the property shall take place other than within conformance of the Zoning Bylaws of the Town of Great Barrington. Ms. Donahue, Mr. Larkin, Mr. Porter, Mr. Koldys and Mr. Mooney voted in favor of the motion

Mr. Mooney noted there are 14 days to do the paperwork and a twenty (20) day appeal period beginning when the minutes are filed with the Town Clerk.

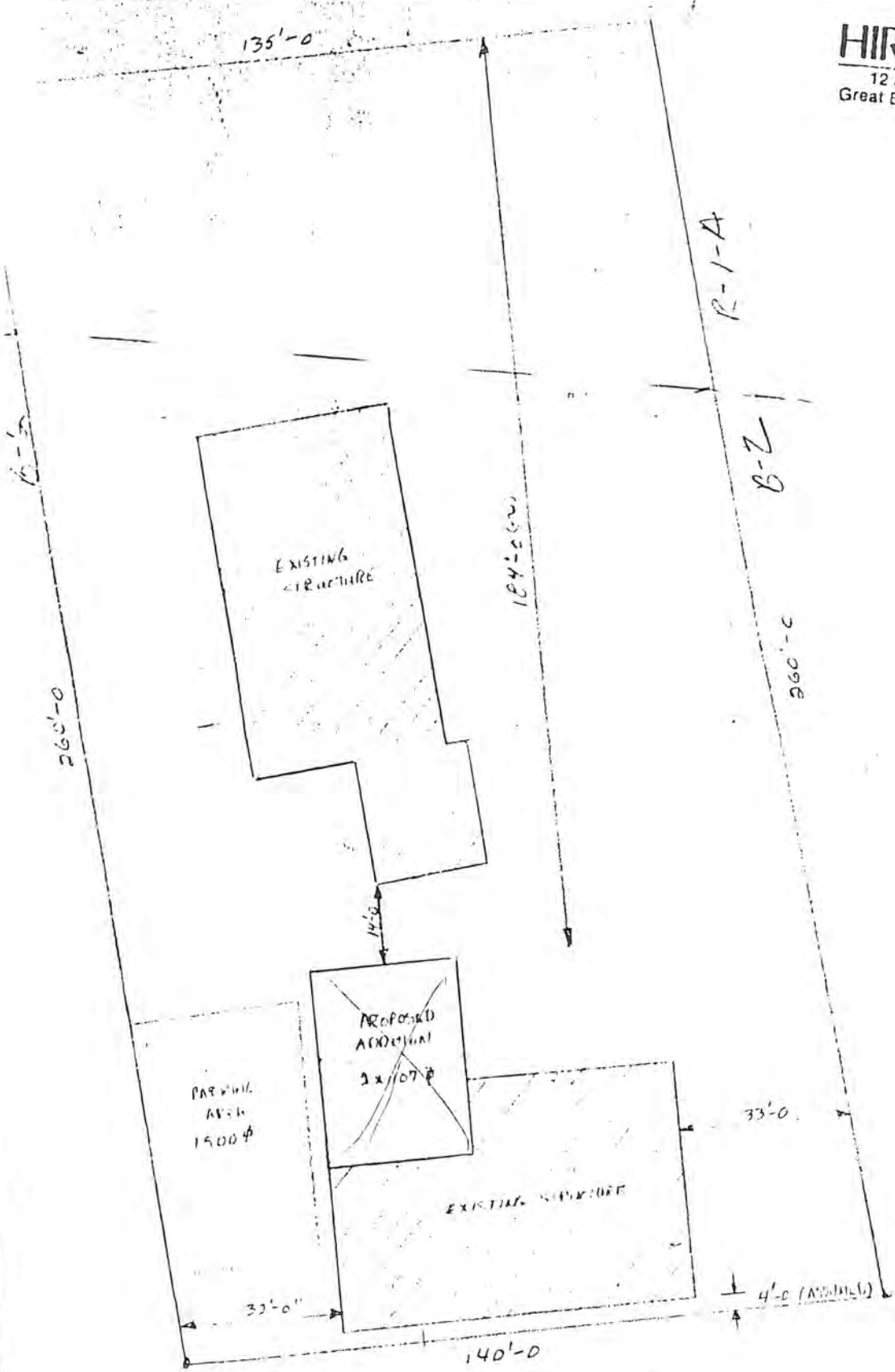
There being no further business, the hearing adjourned at 8:13 p.m.

Respectfully submitted,

Mary Ellen Siok



**HIRD** DESIGN AND CONSTRUCTION  
12 Squaw Peak Road  
Great Barrington, MA 01230



SCALE  
1" = 20'

TOWN OF Great Barrington PETITION NO. 85-8  
MASSACHUSETTS DATE FILED 12/27/85

ZONING BOARD OF APPEALS  
RECORD OF PROCEEDINGS

RECEIVED  
TOWN OFFICES  
GREAT BARRINGTON MA.  
FEB 13 4 18 PM '86

(Copies of this Record of Proceedings with all attachments must be filed withing 14 days in the Office of the Town Clerk.)

I, Ruthana M. Donahue Clerk of the Zoning Board of Appeals under the Zoning By-Law of the Town of Gt. Barrington hereby certify that the following is a detailed record of all its proceedings relative to the  petition  application  appeal of Michael F. & Catherin eresztes of Cooper Road, Gt. Barrington for a  variance  special permit under Section 71.00 of the Zoning By-Law.

The Applicant desires to: Construct an addition to an existing candy shop and factory

The premises affected are located at Cooper Road & Route 7, being in Zoning District, in which the above mentioned use  requires a special permit  is not permissible under the terms of said By-Law.

1. On 12/27/86 a petition ~~application~~ ~~appeal~~  
(Date) of which a true copy marked "A" accompanies this certificate and is made a part of this record, was presented to the Zoning Board of Appeals, accompanied by the filing fee of 50 dollars and in the case of an appeal the Refusal of the Building Inspector or Selectmen to issue a permit, a true copy of which refusal, marked "B", accompanies this certificate and is made a part of this record.

2. Thereupon, an advertisement, a true copy of which, marked "C", accompanies this certificate and is made a part of this record, was published in the Berkshire Eagle a newspaper published in Pittsfield on 1/15/86 and on 1/25/86.  
(Date) (Date)

3. Notices of the hearing a copy of which, marked "D", accompanies this certificate and is made a part of this record, were mailed postpaid to the petitioner, abutters and owners of land within 300 feet of the property line, being the same persons named in the assessors certificate which was a part of the petition heretofore referred to and marked "A", and to the Board of Selectmen, Building Inspector, Planning Board, and, the planning boards of every abutting municipality.

4. On Jan. 30, 1986, a hearing was held at the Gt. Barrington Town Hall at which opportunity was given to all those interested to be heard in favor or opposition to said petition, application or appeal at which hearing

the petitioners made the following points:

1. A topographical hardship exists because the buildings on the property are as far apart as possible.
2. A financial hardship exists because any addition conforming with the zoning bylaws would be prohibitively expensive.
3. A hardship exists because any configuration of the addition that would conform with zoning bylaws would not meet the assembly-line requirements of the cany factory.

Members present: John W.P. Mooney, Terry E. Koldys, Ruthana M. Donahue, Paul Porter, Locke Larkin

5. Following the hearing the Board made the following specific findings regarding the land in question and the proposed use

1. Configuration of the buildings constitutes a topographical hardship unique to the site.
2. Expansion of the business in a business zone does not derogate from the intent of the bylaws.
3. There is no way to conform to the zoning bylaws without creating a hardship for the petitioners.
4. The hardship is not of their own making.
5. Allowing expansion of the business in a business zone is not a detriment to the public good.

NOTE: Restatement of mandatory provisions and requirements are not to be taken as findings.

6. The Board voted at its meeting on Jan. 30, 1986,  
as detailed below, to

DENY the  petition  application  appeal  
based on findings as recorded under item 5 herein

GRANT the  petition  application  appeal,  
subject to the following conditions, safeguards and  
limitations on time or use, if any.

That no future division of the property take place except in full  
compliance with zoning bylaws in effect at the time of said  
division.

VOTE:

Mr. Mooney	Aye
Mr. Koldys	Aye
Ms. Donahue	Aye
Mr. Porter	Aye
Mr. Larkin	Aye

NOTE: Show the vote of each member upon each question or,  
if absent or failing to vote, indicate such fact,  
and set forth clearly the reason or reasons for its  
decision and of its other official actions.

Members present: John W.P. Mooney, Terry E. Koldys, Ruthana M. Donahue,  
Paul Porter, Locke Larkin

Signature Ruthana M. Donahue  
Clerk

THESE PARCELS ARE SUBJECT TO AND WITH THE BENEFIT OF ALL RIGHTS, RESTRICTIONS, CONDITIONS, EASEMENTS, LIENS, ENCUMBRANCES AND IMPROVEMENTS OF RECORD. UNLESS OTHERWISE NOTED HEREON, THIS SURVEY PLAN SHALL NOT BE CONSIDERED AS EXPRESSING THE PRESENCE, ABSENCE OR LOCATION OF ANY UTILITIES, INCLUDING BUT NOT LIMITED TO AIR SERVICE WATER UTILITIES SHOWN, SUCH AS STRUCKS OR TOWNS, WHICH ARE NOT REPRESENTED AS INDICATING LIMITS OF WETLAND OR OTHER REGULATED AREAS.

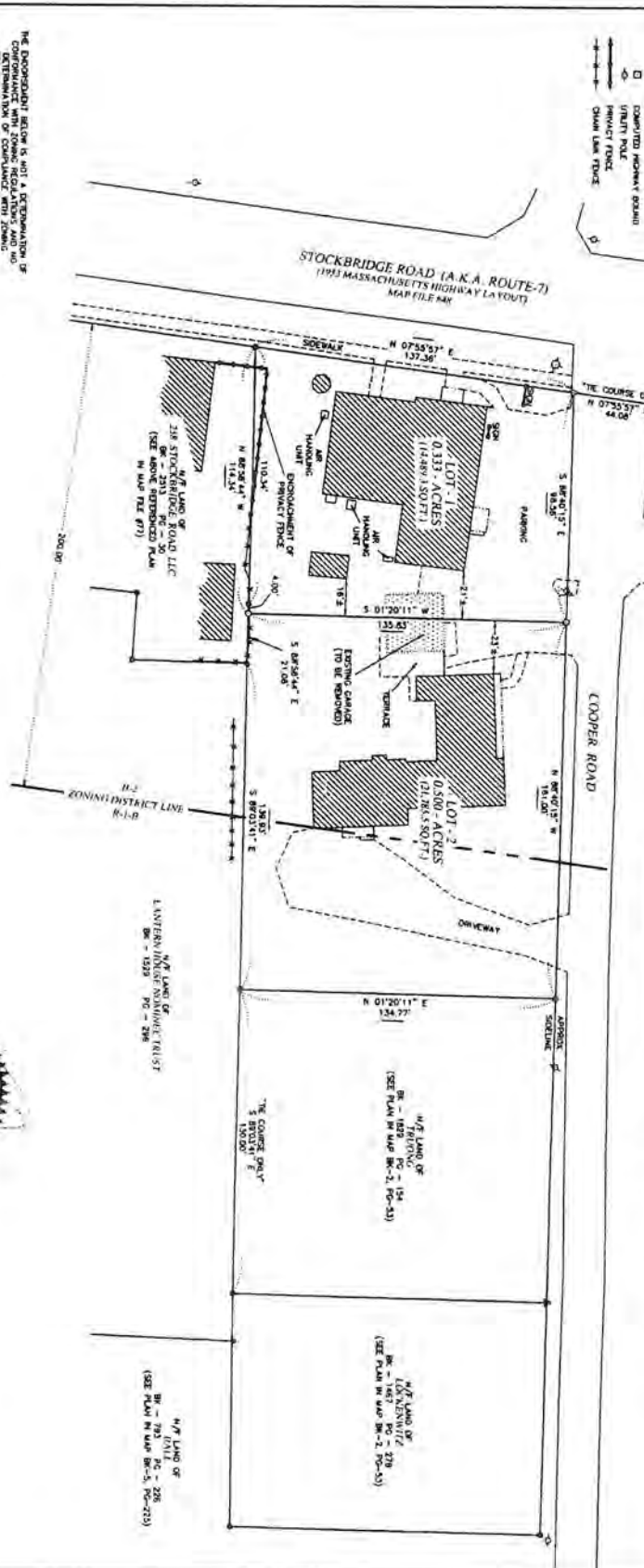
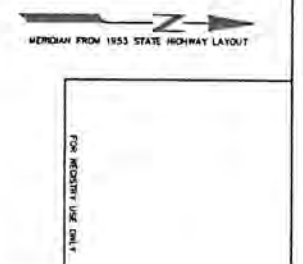
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ATTORNEY'S ASSISTANCE. THE TITLE AND/OR THE REPORT AND IS SUBJECT TO ANY DISCREPANCY OR ERROR IN THE SURVEY. THE PROFESSIONAL LAND SURVEYOR HAS REVIEWED THE SURVEY AND HAS FOUND IT TO BE CORRECT AND ACCURATE. APPROVED AS SHOWN TO A VALID SURVEY. TOWNS OF COOK, N. H. AND GERRARD, N. H. TOWN OF COOK, N. H. AND GERRARD, N. H. MASS. DATED SEPT. 26, 1998 AND RECORDED IN MAP FILE #77.

LEGEND  
 ▲ IRREGULAR  
 △ POINT COORDINATE  
 ● IRON PIERCE/POUND  
 ○ IRON NAIL TO BE SET  
 □ COMPLETED PROPERTY CORNER  
 ○ PROPERTY CORNER  
 ○ PROPERTY CORNER  
 --- CHAIN LINK FENCE

**ZONING DISTRICT: B-2**  
 RESIDENTIAL USE  
 MIN. LOT SIZE: 5,000 SQ.FT.  
 MIN. LOT WIDTH: 50'  
 SIDE SETBACK: 10'  
 REAR SETBACK: 10'  
 FRONT SETBACK: 25'

**ZONING DISTRICT: B-2**  
 RESIDENTIAL USE  
 (WITH TOWN WATER & SEWER)  
 MIN. LOT SIZE: 1/2 ACRE (21,780 SQ.FT.)  
 MIN. LOT WIDTH: 150'  
 SIDE SETBACK: 20'  
 REAR SETBACK: 30'  
 FRONT SETBACK: 50'

**ZONING DISTRICT: R1B**  
 RESIDENTIAL USE  
 MIN. LOT SIZE: 8,500 SQ.FT.  
 MIN. LOT WIDTH: 60'  
 SIDE SETBACK: 10'  
 REAR SETBACK: 30'  
 FRONT SETBACK: 25'



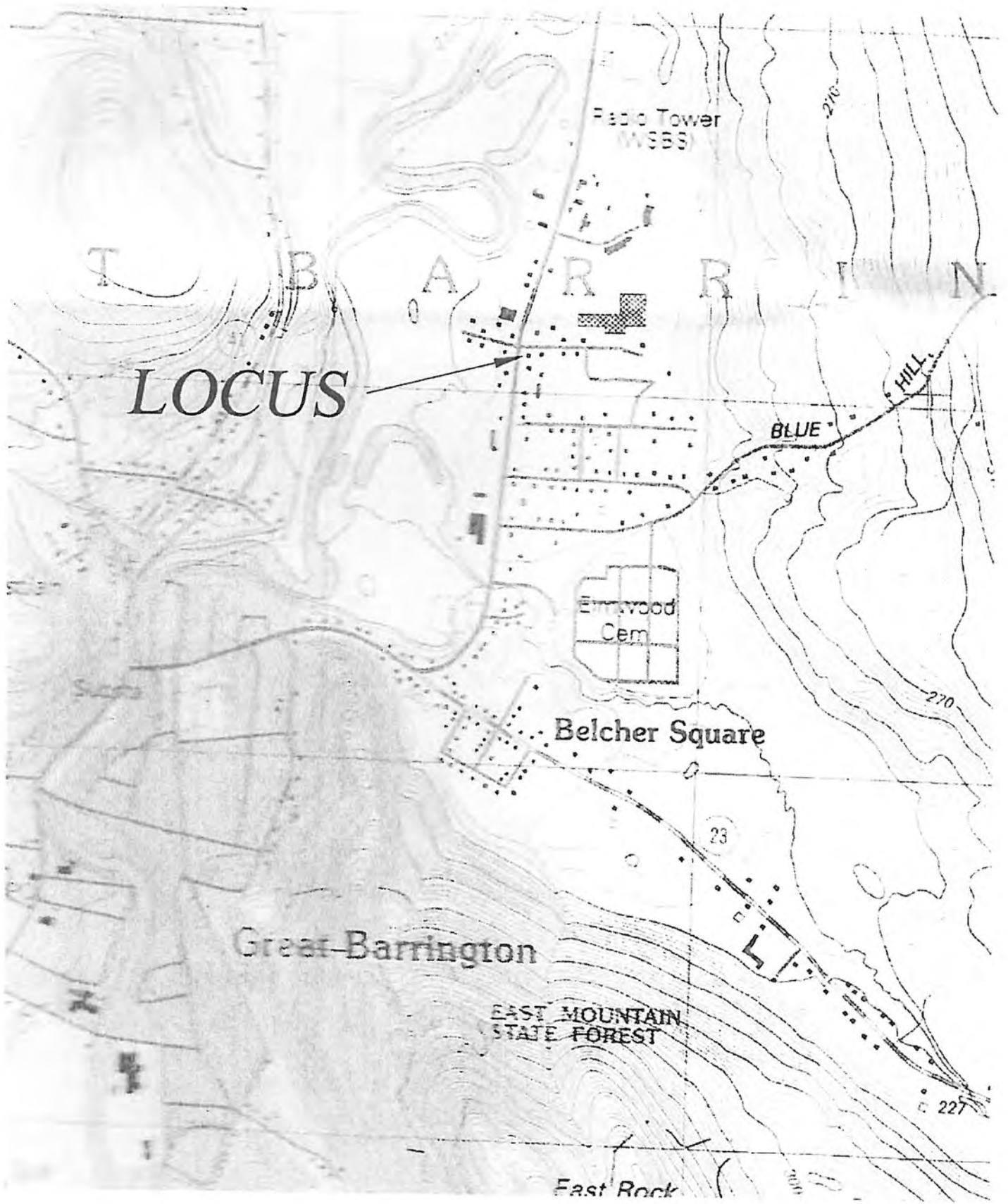
THE INFORMATION BELOW IS NOT A DETERMINATION OF THE ACCURACY OF THE SURVEY. THE DETERMINATION OF COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE ON INTENTED APPROVAL, NOT REQUIRED UNDER THE SUBDIVISION CONTROL LAW.  
 GREAT BARRINGTON PLANNING BOARD  
 CHAIRMAN

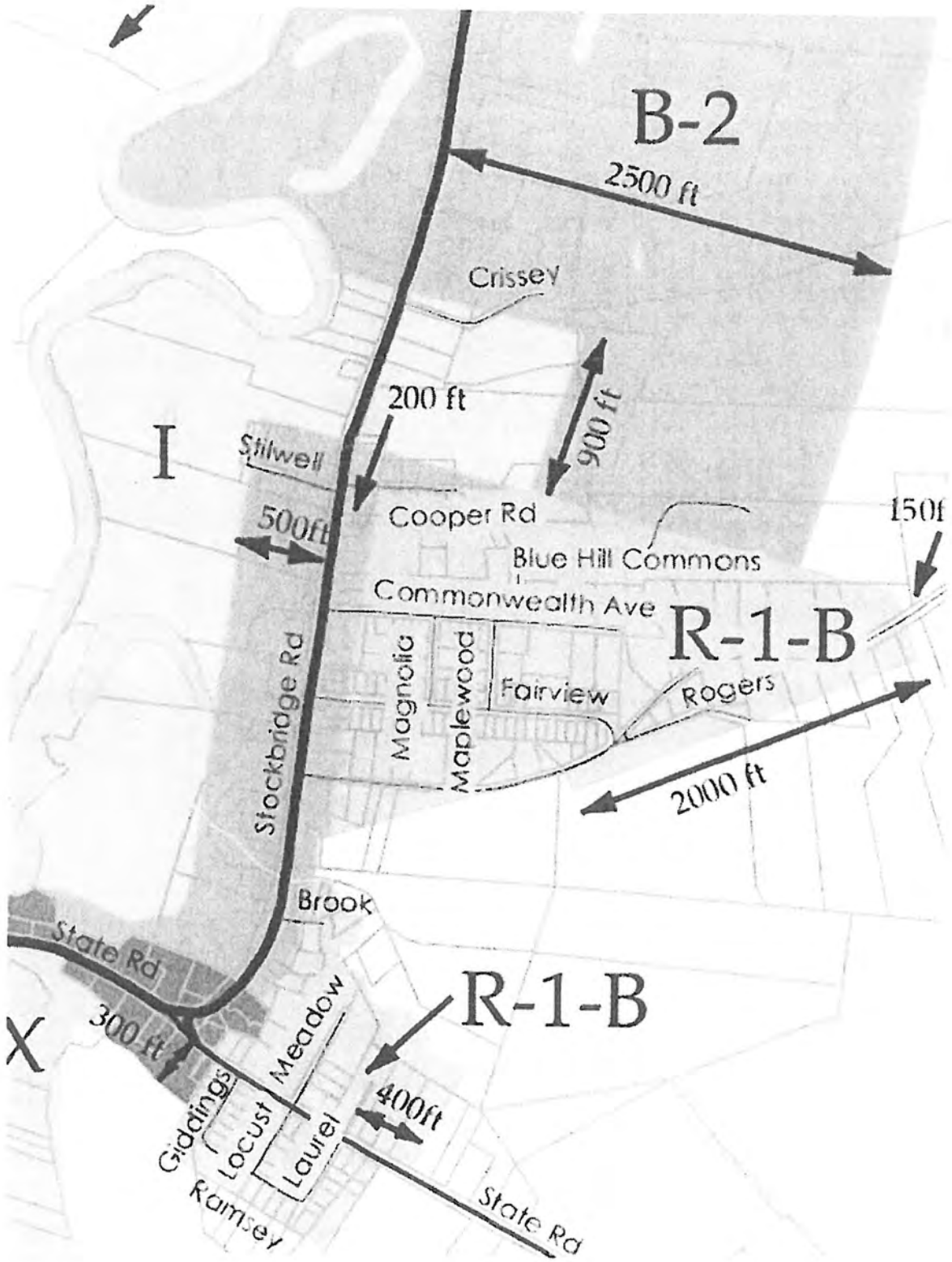
I HEREBY REPORT THAT THE PLAN HAS BEEN PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR.  
 KATHLEEN A. SINICO  
 PROFESSIONAL LAND SURVEYOR

Scale 1" = 30'



PLAN OF LAND SURVEYED FOR  
 KATHLEEN A. SINICO  
 GREAT BARRINGTON, MASSACHUSETTS  
 JANUARY - 2019 SCALE 1" = 30'  
 KELLY GRANGER, PARSONS & ASSOCIATES, INC.  
 PROFESSIONAL LAND SURVEYORS  
 117 MAIN STREET, 2ND FLOOR, SUITE 201  
 GREAT BARRINGTON, MASSACHUSETTS 01838  
 TEL: (413) 528-1111 FAX: (413) 528-1111  
 GREATBARRINGTON@PARSONSANDASSOCIATES.COM







**Town of Great Barrington**

334 Main Street  
Great Barrington,  
Great Barrington, MA 01230  
Phone: 413-528-1619  
Fax: 413-528-2290

Permit# C-19-0008

Date 2/8/2019

Application to	C-19-0008	Permit to	DEMOLISH AND REMOVE GARAGE BETWEEN HOUSE AND COMMERCIAL BUILDING		
Permit Address	4 COOPER RD	Map	009.0	Parcel	009.0 0000 0016.A
Zoning District	B2	Dwl Units		Stories	
Property Owner	SINICO KATHLEEN A	Address	4 COOPER RD GT BARRINGTON MA 01230-1260		
Type of Construction		Est cost of Construction	\$ 3,000.00	Public Water?	<input type="checkbox"/>
Architect		Engineer		Public Sewer?	<input type="checkbox"/>
Contractor	Wayne Wilkinson	Fee Amt.	\$ 35.00		
Remarks	Contractor to demolish 350SF accessory garage as per submissions				
This permit is subject to all Federal, State and Local laws and regulations and may be revoked if their requirements are violated.					
<input type="checkbox"/> FOOTING AND STEEL <input type="checkbox"/> FOUNDATION AND STEEL <input checked="" type="checkbox"/> FRAMING AND FIRE CAULK <input type="checkbox"/> INSULATION <input checked="" type="checkbox"/> FINAL INSPECTION / COI		Great Barrington, Massachusetts Inspector of Buildings 780 CMR Ninth Edition		Permit # C-19-0008 Date 2/8/2019	
Address:- 4 COOPER RD		Application to:- C-19-0008			
<b>BUILDING INSPECTOR</b>		<b>PLUMBING AND GAS INSPECTOR</b>		<b>ELECTRICAL INSPECTOR</b>	
		Approved Disapproved		Approved Disapproved	
		Underground <input type="checkbox"/> <input type="checkbox"/>		Service <input type="checkbox"/> <input type="checkbox"/>	
		Rough Piping <input type="checkbox"/> <input type="checkbox"/>		Roughing wiring <input type="checkbox"/> <input type="checkbox"/>	
		Gas Test <input type="checkbox"/> <input type="checkbox"/>			
		C of O/FINAL <input type="checkbox"/> <input type="checkbox"/>		C of O/FINAL <input type="checkbox"/> <input type="checkbox"/>	
		<b>FIRE DEPARTMENT</b>		<b>HEALTH DEPARTMENT</b>	
		Approved Disapproved		Approved Disapproved	
		Oil burner <input type="checkbox"/> <input type="checkbox"/>		Septic field <input type="checkbox"/> <input type="checkbox"/>	
		Smoke detector <input type="checkbox"/> <input type="checkbox"/>		C of O/FINAL <input type="checkbox"/> <input type="checkbox"/>	
		C of O/FINAL <input type="checkbox"/> <input type="checkbox"/>		Date	
		<b>CONSERVATION</b>		<b>PUBLIC UTILITIES</b>	
		C of O/FINAL <input type="checkbox"/> <input type="checkbox"/>		C of O/FINAL <input type="checkbox"/> <input type="checkbox"/>	
		<b>ASSESSOR</b>			
		ASSESSOR <input type="checkbox"/> <input type="checkbox"/>			
Comments		1st inspection will be witnessing a clean empty excavation. (Absolutely NO organic material may be buried. final inspection will be after witnessing a safe excavation filled to the surrounding grade)			
Signature					



~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

Bruce Firger, Board Member  
John Katz, Board Member  
Carol Strommer, Administrative Assessor



Town Hall, 334 Main Street  
Great Barrington, MA 01230

Telephone: (413) 528-2220 x 5  
Fax: (413) 528-2290  
E-mail: [clamarr@townofgb.org](mailto:clamarr@townofgb.org)

## TOWN OF GREAT BARRINGTON MASSACHUSETTS

February 8, 2019

### ASSESSORS' OFFICE

ABUTTERS TO PROPERTY OF: KATHLEEN A. SINICO, 260 STOCKBRIDGE ROAD & 4 COOPER ROAD  
Map 9 Lots 16 & 16A, Book 2078 Page 203

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
9	17	Bharti H. Patel & Hasmukh D. Patel, Trustees, Lantern House Nominee Trust, 256 Stockbridge Rd., Gt. Barrington, MA 01230-1269
9	17A	258 Stockbridge Road LLC, Janet Staley, 258 Stockbridge Rd., Gt. Barrington, MA 01230-1269
9	7,6A	McDonalds Corporation (20-0130),c/o Cindy Holland, RE Tax Dept., PO Box 182571, Columbus, OH 43218-2571
9	6,8,9	Great Barrington Real Estate LLC, c/o Paragon Management Group LLC, Att: John A. Nelson, 276 Post Road West #201, Westport, CT 06880-4703
9	10	Jonathan Kogen, 20 Cooper Rd., Gt. Barrington, MA 01230-1260
9	17	Cynthia Broderick Mackoul, 14 Cooper Rd., Gt. Barrington, MA 01230-1260
9	12A	Estate of Francis X. Mackoul, 14 Cooper Rd., Gt. Barrington, MA 01230-1260
9	12,17E	Michael J. & Deborah A. Ball, 12 Cooper Rd., Gt. Barrington, MA 01230-1260
9	13	Darren E. Lockenwitz, 8 Cooper Rd., Gt. Barrington, MA 01230-1260
9	14,15	Nhac Truong, 40 Waterman Ave., East Longmeadow, MA 01028-1729
8	5	JWPS LLC, 273 State Rd., Gt. Barrington, MA 01230-2103
8	9,5A	Donna Sermini etal, c/o Robinson, 8 Stillwell St., Gt. Barrington, MA 01230-1278
8	10	Neil A. Nourse & Helen M. Eline, 894 Mill River Gt. Barrington Rd., New Marlborough, MA 01230-1634
8	11,15B	L. Locke Larkin, PO Box 87, Gt. Barrington, MA 01230-0087
8	12	Sharon Doris Bramson, Trustee, Sharon Doris Bramson Living Trust, 3 Stillwell St., Gt. Barrington, MA 01230-9502
8	17A	Berkshire Bank, Att: Peter Merwin, 24 North St., Pittsfield, MA 01201-5106
8	14	Gabiel F. & Marta E. Starczewski, 259 Stockbridge Rd., Gt. Barrington, MA 01230-1280
8	10A	Lindsey J. Morris, Trustee, A&R Realty Trust, c/o LIM Insurance Agency, 327 Union Ave., Framingham, MA 01702-6338

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

Sincerely

Carol Strommer  
Administrative Assessor

**PROPOSED  
DECISION, FINDINGS & CONDITIONS**

**Name of Applicant:** Kathleen A. Sinico

**Application for:** Special Permit (SP) to:

1. Modify Variance 85-8 by removing the condition imposed by the ZBA
2. Approve the property division line on the plan of land entitled "Plan of Land Surveyed for Kathleen A. Sinico" Great Barrington, Massachusetts, January – 2019, Scale 1" = 30' prepared by Kelly, Granger, Parsons & Associates, Inc. signed by the Planning Board on 1/10/19
3. Make a finding in accordance with MGL c. 40A, sec. 6 and Section 10.4 of the Town of Great Barrington's Zoning Bylaw that the property division line shown on the plan referenced in Paragraph 2 above is not substantially more detrimental to the neighborhood

**Project Location:** 260 Stockbridge Road and 4 Cooper Road, Great Barrington, MA 01230

**Date of Hearing:**

**Board Members conducting hearing and voting:**

**Decision:** Application for special permit (SP) to modify Variance 85-8 APPROVED  
Property Division Line on the plan entitled "Plan of Land Surveyed for Kathleen A. Sinico" Great Barrington, Massachusetts, January – 2019, Scale 1" = 30' prepared by Kelly, Granger, Parsons & Associates, Inc. APPROVED

## **Vote of Zoning Board of Appeals:**

### **Background:**

The Great Barrington Zoning Board of Appeals held a public hearing on \_\_\_\_\_, at \_\_\_\_ p.m. at Town Hall, Main Street, Great Barrington, MA to act on the special permit application of Kathleen A. Sinico for modification of Variance #85-8.

The application was filed under Sections 5.3, 5.5 and 10.4.2 of the Town's Zoning By-law. Application was received by the Town Clerk at Town Hall on \_\_\_\_\_. Notice of the hearing was advertised in The Berkshire Record for \_\_\_\_\_ and \_\_\_\_\_. The hearing was posted at Town Hall. The Board of Selectmen, Planning Board, Board of Health, Conservation Commission and Building Inspector were given notice of the hearing.

### **Findings and Reasons:**

Applicant is the owner of the property located at 260 Stockbridge Road and 4 Cooper Road, Great Barrington, MA. The Applicant currently operates a candy store at 260 Stockbridge Road. The property located at 260 Stockbridge Road is located entirely within the B-2 zone. The property at 4 Cooper Road is the Applicant's single-family residence, and is located partly in the B-2 zone and partly in the R-1-B zone. The structure located on 4 Cooper Road is situated entirely within the B-2 zone. The two parcels known as 260 Stockbridge Road and 4 Cooper Road are shown on a plan of land entitled "Plan of Land Surveyed for Kathleen A. Sinico, Great Barrington, MA, dated January – 2019, Scale 1" = 30'" prepared by Kelly, Granger, Parsons & Associates, Inc. and signed by the Great Barrington Planning Board on January 10, 2019 ("the 2019 Plan").

### **Modification of Variance #85-8**

In 1986, the Applicant and her parents obtained a Variance (Variance #85-8) from the Great Barrington Zoning Board of Appeals for the construction of an addition to the then-existing candy store. The variance was granted with the condition "that no future division of the property take place except in full compliance with zoning bylaws in effect at the time of said division." In the record of proceedings for the Variance granted in 1986, the Board's sole concern was limited to the fact that the location of the addition would be within fourteen (14) feet of another existing building on the property.

## Property Line Division

The Applicant requests that the ZBA approve the property division line on a plan of land prepared by Kelly, Granger, Parsons and Associates, Inc. and entitled "Plan of Land Surveyed for Kathleen A. Sinico, Great Barrington, MA, dated January, 2019" ("the 2019 Plan"). The 2019 Plan creates two lots which meet the required lot size and lot width requirements for the B-2 zone under the current Bylaw. The lot located on 4 Cooper Road also meets the minimum lot size and lot width for the R-1-B zone. The buildings located on both lots meet the side and rear setback requirements for the B-2 zone. The building on 4 Cooper Road also meets the side and rear setback requirements for the R-1-B zone. Neither the building located at 260 Stockbridge Road, nor the house at 4 Cooper Road meet the front yard setbacks. The original candy store on Stockbridge Road was built in 1960/1961. The residence on 4 Cooper Road was built prior to 1970. Both structures pre-date the subdivision control law, and are considered prior non-conforming structures. Both structures were also prior non-conforming structures at the time the 1986 variance was granted.

The garage shown on the 2019 Plan as "Existing Garage (To Be Removed)" has been removed in compliance with a demolition permit issued by the Great Barrington Building Inspector. The buildings located on 260 Stockbridge Road and 4 Cooper Road now, respectively, meet the rear and side yard setbacks under the current Zoning Bylaw.

Applicant, through her attorney, satisfied the Board as to the requirements of Sections 10.4.2 in that the removal of the condition from Variance #85-8 and the proposed property division line on the 2019 Plan are in harmony with the general intent and purpose of the Zoning Bylaw and Master Plan. The proposed property line division has no adverse effect which will outweigh its beneficial impact to the neighborhood.

As to Section 10.4.2.1, the proposed removal of the condition from Variance #85-8 and the proposed property division line on the 2019 Plan will have no impact on the social needs of the community. The removal of the condition and the property division line will have a beneficial impact on the economic needs of the community by separating a commercial business from a residential property.

As to Section 10.4.2.2, the proposed removal of the condition from Variance #85-8 and the proposed property division line on the 2019 Plan will have no impact on traffic flow and safety. There are no changes to the current driveways or parking locations on either of the parcels.

As to Section 10.4.2.3, the proposed removal of the condition from Variance #85-8 and the proposed property division line on the 2019 Plan will have no impact on the utilities or public services to the property. Both parcels are served by town water and sewer and no changes will occur to either service as a result of a favorable decision.

As to Section 10.4.2.4, the proposed removal of the condition from Variance #85-8 and the proposed property division line on the 2019 Plan are a de minimus alteration to the property. The proposed division will not alter the use of the premises. The property at 260 Stockbridge Road will remain a commercial business, operating as a candy store, and the premises at 4 Cooper Road will remain a single-family residence. Both uses are in harmony with the neighborhood.

As to Section 10.4.2.5, the proposed removal of the condition from Variance #85-8 and the proposed property division line on the 2019 Plan will have no impact on the natural environment.

As to Section 10.4.2.6, the proposed removal of the condition from Variance #85-8 and the proposed property division line on the 2019 Plan will likely have a de minimus, if any, fiscal impact as there may be a slight increase in the real estate tax base. There is not likely to be any impact to town services or employment.

The removal of the sole condition from Variance #85-8 and approval of the property division line on the 2018 Plan neither nullifies nor substantially derogates from the intent or purpose of the Zoning Bylaw or the Master Plan. Rather, the impact of the property division line and the creation of the two lots supports the Town's objectives of promoting "talented and motivated entrepreneurs and unique, locally-owned businesses," as well as maintaining established housing.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Arbor Day Proclamation, 2019**

**Town of Great Barrington, Massachusetts**

Whereas, Arbor Day celebrates the role of trees in our lives and promotes tree planting and care. It was initiated in 1872 by J. Sterling Morton of Nebraska City who said “Other holidays focus upon the past; Arbor Day focuses on the future”. Arbor Day is now celebrated throughout the nation and the world.

Whereas, trees are important, we couldn’t live without them: they clean the air and produce the oxygen we breathe. They provide habitat for wildlife and help to keep the climate in balance. They give us paper, wood for our homes, fuel for our fires and countless other wood products.

Whereas, trees increase property values, and enhance the beauty and vitality of our community.

Whereas, planting trees is an act of kindness and optimism. The celebration of Arbor Day represents a priceless opportunity for all of you to take positive actions and make your world a better place.

Therefore, we, the members of the Selectboard of the Town of Great Barrington, Massachusetts, do hereby proclaim **April 26<sup>th</sup>, 2019**, to be known as ARBOR DAY in Great Barrington, and we urge all citizens to celebrate Arbor Day planting and caring for trees, and to support efforts in our Town to protect our trees.

IN WITNESS THEREOF, We have hereunto set our hands this 25th day of February, 2019.

\_\_\_\_\_  
Steve Bannon, Chair

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

\_\_\_\_\_  
Daniel Bailly

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

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

To: Selectboard

**RE: List of Applicants for the Strategic Sustainability and Livability Committee**

Michael Feldstein

Benjamin Downing

Richard Ruth

Ananda Hartzell

Aretha Whitehead

Jovanina Pagano

Mark Phillips

Natalie Narotzky

Lev Natan

Devan Arnold

Jesse Carter

***NOTICE***

**TOWN OF GREAT BARRINGTON**

The Selectboard seeks interested individuals to serve on the Strategic Sustainability and Livability Committee. The committee will research, recommend and support implementation of sustainability initiatives that have the maximum impact on reducing the town's greenhouse gas footprint, while improving resilience to the changing climate, and building community cohesion. Initiatives will be considered and selected not only for their impact on climate emissions, but also for their impact on supporting affordability, accessibility and cost savings for the community. Please send your resume and/or letter of interest to [hkuziemko@townofgb.org](mailto:hkuziemko@townofgb.org) to Jennifer Tabakin, 334 Main Street, Great Barrington, MA 01230 by February 15, 2019.

Stephen Bannon  
Chair

**PLEASE PUBLISH January 30, 2019**





# MICHAEL FELDSTEIN

25 Christian Hill Road, Great Barrington, MA 01230 | 413.717.0914 | michael@mfeldstein.com

**January 31<sup>st</sup>, 2019**


Ms. Tabakin  
c/o Helen Kuziemko  
Town of Great Barrington

**Dear Ms. Tabakin:**

I am writing to apply for a position on the town's newly forming Strategic Sustainability and Livability Committee.

As you know, I have been active in sustainability efforts, particularly on the local and state levels. Most recently, I was the HeatSmart coach for the pilot grant Great Barrington received from MassCEC to promote air-source heat pumps. (As a principal author of that grant application, I am proud to say that we were one of only four applicants to be accepted into the pilot.) In my decade of time as a resident of Berkshire County, seven of which were lived in Great Barrington, I have been particularly active in the Berkshire County chapter of 350Mass, having co-chaired the chapter (or "node") at one point and acted as representative of the chapter to the state organization at another.

In addition to being a local homeowner, I am a local business owner. I am a partner in an educational consulting company, work from my home, and sometimes hire other local businesses to help with my work. I am proud to see Great Barrington taking leadership on sustainability and livability and would like to help the town do so more often and more strategically in the future. One area of particular interest to me is climate justice. Long before there was any national talk of a "green New Deal," Berkshire County sustainability advocates have been talking about how to ensure that reducing carbon emissions isn't a luxury but rather an economic opportunity that reaches people of all economic strata. This was one area where we worked in our MassCEC grant. Unfortunately, that effort uncovered just how much work needs to be done in order to bring economic and quality-of-life benefits of

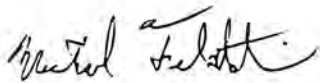


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decarbonization to our low and moderate income neighbors. Much progress can be made through local initiatives, which is one reason why am delighted that the town is forming an official Strategic Sustainability and Livability committee.

If it would be helpful, my full résumé can be found at <https://www.linkedin.com/in/mfeldstein/>. I look forward to supporting the committee in any way I can and would be honored to serve in either an official or a supporting capacity.

Sincerely,



**Michael Feldstein**

**Benjamin D. Downing**  
413 Monterey Road  
Great Barrington, MA  
01230  
413.446.5351 (cell)  
Ben@20Railroad.com

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6, February, 2019

Great Barrington Town Hall  
Town Manager's Office  
334 Main St.,  
Great Barrington, MA 01230

To whom it may concern,

I am writing to ask that I be considered to join the Sustainability and Livability Committee.

I am requesting this position as a concerned citizen as to the environmental impact our community has. My time with such companies as Patagonia and R.E.I. has taught me how important these issues are in our changing environment. I was and am a supporter of the single use plastic bag ban as well as the bottle ban and would like to work on more initiatives with the town based on that mission of sustainability. At my restaurants we have always used plant based, compostable straws and compostable "to go" containers and we strive to lessen our carbon footprint in all aspects.

I have a vested interest in this community and would like to serve it better as a member of this committee.

Thank you for your consideration,

Benjamin Downing

20 Railroad Public House

DOLA Pizzeria

## Helen Kuziemko

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**From:** Richard Ruth <rwruth111@yahoo.com>  
**Sent:** Sunday, February 3, 2019 5:37 PM  
**To:** Jennifer Tabakin  
**Cc:** Helen Kuziemko  
**Subject:** Volunteering for position on Economic Development & Strategic Sustainability & Livability Committee

Good Morning, I would like to be considered for a volunteer position on the Economic Development & Strategic Sustainability and Livability Committee. Here is a short list of my experiences, qualifications and training background that would be most useful to help the Committee successfully function and meet its goals in the shortest time possible.

Full time Great Barrington resident since 1990.

Former member of GB Rotary.

Raised funds for Fairview Hospital by participating in group creation of 3 Musical Theater Productions

Recent Active Member of Volunteer Group interacting with Peter Pan Bus Company Executives to establish Express Bus Service between GB and NYC.

USAF Veteran 1959 to 1963

BSc Economics and Finance, Arizona State. MBA City University of New York

15 years experience on Wall Street as a Financial Reporter, Investment Researcher, and Institutional Sales Representative with various Investment Banking firms. Sales territory included Berkshire County Banks and Insurance Companies.

Entrepreneurial Experience creating and operating a Photographic Novelty business and a Summer Camp.

The most productive experience I can share with the Economic Development Committee is my 1980's work Training and Consulting with the General Public and Corporations in the use of a simple, but powerful, Decision Making and Problem Solving System authored by Dr Edward De Bono and the Cognitive Research Trust, Cambridge, England.

I will call tomorrow to set up a meeting with you and/or other Selection Committee members. From what I've briefly seen about the Committee's needs, I appear to fit most easily into the spot representing the Community at Large. Of course I would gladly accept any other spot you all think most beneficial . Sincerely, Richard Ruth 413-429-1184

## Helen Kuziemko

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**From:** Ananda Hartzell <ananda.hartzell@gmail.com>  
**Sent:** Monday, January 21, 2019 11:08 AM  
**To:** Helen Kuziemko  
**Cc:** Ananda Hartzell  
**Subject:** Interest in Town Sustainability and Livability Committee  
**Attachments:** AResume\_2018 (1).pdf

Dear Ms. Kuziemko,

I am writing to express interest in serving on the Strategic Sustainability and Livability Committee for Great Barrington. My attached resume, as requested, shows my experience in renewable energy and energy efficiency, but does not reflect my current position or a few other notes.

- Currently VP of Technology for ABB's North American Solar Product Group - solar inverters and integrated products
- LEED Accredited Professional - past accreditation
- Participated in Hartford Vermont Energy Committee and serviced on the board of Renewable Energy Vermont several years ago.

Can you please confirm receipt of this email?

Thank you and Best Regards,

Ananda Hartzell  
413-429-1870

**Ananda G. Hartzell**  
18 Hemlock Hill Road  
Great Barrington, MA 01230

(413) 429-1870  
ananda.hartzell@gmail.com

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### *OBJECTIVE*

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Pursuing opportunities in the development and deployment of photovoltaic technology and projects in domestic and global markets. Engineering, technical sales, and management professional with over fifteen years of experience in the design, development, optimization, and deployment of photovoltaic electric systems, through distribution channels and direct sales. Develop and implement engineering and program management strategies to facilitate the adoption, sale, and deployment of residential, commercial, and utility scale solar electric technology and projects. Design for long term operation, reliability, and performance. Generate value-based design and deployment strategies for effective plant operation and maintenance.

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### *PROFESSIONAL EXPERIENCE*

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**Vice President, Engineering** August 2017 - present

Norwich Solar Technologies, White River Junction VT, [www.norwicksolar.com](http://www.norwicksolar.com)

The primary focus of this role is building scalable engineering-based infrastructure and processes for a regional solar developer and EPC for projects under 2 MW in scale. Department responsibilities include all aspects of project development and completion, from pre-sales technical support, interconnection approval, financing due diligence, project drawings and documentation through close out and O&M support. Lead component selection and value-based engineering strategies.

**Director, Product Management and Engineering, Utility** May 2016 – August 2017

KACO new energy, Inc., San Antonio, TX, [www.kaco-newenergy.com](http://www.kaco-newenergy.com)

Responsible for defining and implementing strategic direction for utility scale inverters and integrated systems/platforms, including daily oversight of the utility integrated inverter MV power platform engineering program. Development and implementation of processes and engineering controls for growth and standardization. Departmental responsibility for utility scale PV project technical support from pre-sales expectations and approvals (utility, AHJ, customer qualification, etc.) through commissioning and operation. Project sizes range from 1 MW to several hundred MWs in scale.

**Director, Product Management, Engineering and Technical Sales**, April 2012 – April 2016

ABB/Power One Renewable Energy Solutions, LLC, Phoenix, AZ, [www.ABB.com](http://www.ABB.com)

Director of Product Management, Engineering and Technical Sales in the ABB Solar PG, defining product features and requirements for current and future applications in North American market. Oversight of applications engineering team for product compliance, utility integrated inverter MV power platform, and project deployment for residential, commercial, and utility market segments. Held positions as Technical Sales Manager and Technical Sales Director at ABB.

**Senior Technical Sales Support Engineer**, May 2010 – March 2012

SMA America, Rocklin, CA, [www.sma-america.com](http://www.sma-america.com)

Technical sales and application engineering support for solar inverters and system design optimization in commercial and utility scale photovoltaic systems, up to and including 200 – 300 MW in scale.

**Director - Engineering**, June 2004 – May 2010

groSolar, Inc., White River Junction, VT [www.grosolar.com](http://www.grosolar.com)

Primary responsibilities include oversight of and participation in technical training, sales support, project management, project engineering, consulting, and design/engineering of residential and commercial photovoltaic (2.0 kW – 2.0 MW+) and solar thermal systems. Developed and supported best practices engineering services and teams for distribution channels, direct accounts, and internal EPC teams. Held positions of Engineering Manager and Project Engineer at groSolar.

**Research Project Manager**, January 2003 – June 2005 IBACOS,

Inc. Pittsburgh, PA, [www.ibacos.com](http://www.ibacos.com)

Managed research programs and activity in IBACOS' existing buildings energy research program, under the Department of Energy (DOE) Building America Program. Developed methodologies for testing, evaluating, and implementing energy efficient products and strategies in residential and commercial building design and construction.

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## ADDITIONAL EMPLOYMENT HISTORY

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**Sales and Design**, January 2002 – January 2003

The Sustainable Village, Boulder, CO, [www.thesustainablevillage.com](http://www.thesustainablevillage.com)

Sales, design, and technical support for renewable energy and appropriate technology products and systems related to projects in developing countries. Part-time employment during college, and full time after graduation.

**Research Assistant**, June 2001 – May 2002

University of Colorado, Boulder, CO, <http://aren.colorado.edu>

UNPEPP research project at Rocky Mountain National Park. Collect data and develop an energy-use tracking database, creating a park-wide energy profile, to assist in cost effective retrofit and upgrade opportunities.

**Internship**, June 2000 – October 2000

National Renewable Energy Laboratory (NREL), Golden, CO, [www.nrel.gov](http://www.nrel.gov)

Internship in the NREL Federal Energy Management Program (FEMP), evaluating opportunities for renewable energy and energy efficiency. Provided project assistance for photovoltaics and energy efficiency in new and existing federal buildings. Trained in the use of energy modeling and analysis software tools.

**Sales/Technical Support**, November 1999 – April 2000

Jade Mountain, Inc., Boulder, CO, [www.jademountain.com](http://www.jademountain.com)

Part-time sales and technical support for appropriate technology products. Assist in sizing and design of photovoltaic, microhydro, and space heating systems.

**Energy Technician/Crew Support**, December 1998 – October 1999

SunPpower, Inc., Denver, CO, [www.sunpowerinc.org](http://www.sunpowerinc.org)

Residential pressure diagnostics and troubleshooting, computer aided heating and cooling load analysis, and design assistance for residential and light commercial HVAC.

**Residential Construction**, July 1998 – December 1998

John Mattson Design and Construction, Boulder, CO. (303) 444-6167. Construction crew member for custom home construction

**Energy Technician**, October 1994 – June 1998 Delta-T,

Inc., Eugene, OR, [www.delta-t.net](http://www.delta-t.net)

Field technical support for utility sponsored energy conservation and demand side management research programs. Assisted in residential pressure diagnostic troubleshooting, HVAC system design, installation, and retrofit, combustion safety testing.

**Research Assistant**, September 1993 – April 1994

GRASP, Philadelphia, PA

Assistant for residential energy efficiency research project. Gained field experience in systems based troubleshooting and energy audit procedures.

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## EDUCATION

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University of Colorado – Boulder, B.S. in Architectural Engineering, EIT

Attended the University of Oregon, 1996 – 1997, enrolled in Environmental Studies Program

Attended Drexel University, 1992 – 1994, enrolled in Architectural Engineering.

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## REFERENCES

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*Available upon request*



Dear Helen,

My name is Aretha Whitehead and I am very interested in joining the Great Barrington Strategic Sustainability and Livability Committee.

I have been living here in Berkshire County since 2013 and could not imagine living anywhere else. I have been working for Greenagers since 2015- running a summer/after-school program and Front Lawn Food. My work with middle schoolers has given me the opportunity to create my own curriculum with help from my wonderful co-teachers. Our program is called, Climate Action. We work with 7th and 8th graders from Monument Valley and Mount Everett in teaching them about climate change, and inspiring them to fully enjoy what this natural environment has to offer. We do STEM projects to explain the greenhouse effect, lead extensive nature walks, teach sustainable grocery shopping, make food from scratch, build winter shelters, plot out carbon sequestration in trees, do work at local farms, collect recycling in their schools and so much more. We are able to get kids outside who normally prefer their screens, whilst giving them the opportunity to ignite change in their communities with service learning projects.

Front Lawn Food is my other passion through Greenagers. We sell raised garden beds to residents. Their purchase includes installation, soil, seedlings of their choosing and continued gardening advice throughout the season. With their purchase, an income-eligible family also receives a bed along with the same services. Last year we installed over 40 beds and over half of them went to donees. We helped start a gardening program at the Lenox Library, and built a large community garden at French Park in Egremont. By bridging the food gap in Berkshire County, we are working hard to teach the community (especially the children) how to grow their own food in an easy, sustainable way.

I work hard every day to inspire future generations to protect our planet so that one day, when hope seems lost, this younger generation will continue to fight for our land and water. I want to be a part of this committee to not only continue my mission, but also give my students the ability to see how a small group of dedicated people can affect change in their community and their world. I would love to involve students/young people in this committee as well as myself, and I would be honored to share my experiences and learn more from others as well.

Thank you so much for this opportunity,

Aretha Whitehead

## Helen Kuziemko

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**From:** Jovanina Pagano <jovanina.pagano@gmail.com>  
**Sent:** Thursday, February 14, 2019 9:45 PM  
**To:** Helen Kuziemko  
**Subject:** applying for the Strategic Sustainability Committee  
**Attachments:** J\_Pagano\_Resume\_Sustainability Committee.pdf

Hi Helen,

Attached is my resume. Please let Natalic and I know what the next steps are and when the Selectboard will be going through and deciding upon the members.

Thank you for all of your help during this process!

Best,  
Jovanina

# Jovanina Pagano, LCSW

74 Division Street, Great Barrington, MA 10230  
917.238.7473 jovanina.pagano@gmail.com

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## EXPERIENCE

**John Dewey Academy, Great Barrington, MA**

January, 2014 – Present

### Primary Clinician

Provide individual, group, and family therapy for adolescents and their families in a therapeutic boarding school setting. Lead weekly mindfulness practice and Dialectical Behavior Therapy (DBT) group. Teach weekly yoga class.

#### Selected Achievements:

- Developed and implemented—assisted by a working group of parents, alumni, and students—diversity and inclusion programming that intersected with existing explorations of moral reasoning.

**Greene County Mental Health, Cairo, NY**

September, 2013 – May, 2014

### MSW Intern, Department of Children and Adolescents

Provided individual psychotherapy services to youth and their families. Co-led a weekly adult Dialectical Behavior Therapy (DBT) group.

**Mental Health Association of Columbia-Greene Counties, Inc., Hudson, NY**

September, 2012 – May, 2013

### MSW Intern, Personal Recovery Oriented Services (PROS) of Greene County

Led psycho-educational groups for adult clients with severe and persistent mental illness, including Understanding Mental Illness, Coping with Bipolar Disorder, Wellness, and Independent Living. Provided clinical therapy to individual clients and complete all associated New York State Office of Mental Health reports.

**Grand Street Settlement, New York, NY**

November, 2010 – August 2012

### Teen Pregnancy Prevention Program Director

Established and launched the evidence-based pregnancy prevention model, *Carrera Adolescent Pregnancy Prevention Program*, an afterschool and summer program for 30 middle school youth. Hired, trained, and supervised 10 staff: Mental Health Specialist (LMSW), Family Life and Sexuality Educator, Education Coordinator, Job Club Coordinator, Arts and Sports Coordinators, program interns, and AmeriCorps members. Submitted reports to the federal Office of Adolescent Health (HHS), created program budget and sent budgetary reports to the Office of Grants Management, and maintained fidelity to the Carrera model. Developed strategic connections with local health clinics, schools, arts organizations, businesses, and other CBOs to enhance programming and expand resources for participants and their families.

#### Selected Achievements:

- Created a recruitment and marketing plan – including writing marketing copy and collaborating with a graphic designer – to ensure successful enrollment of 60 youth by the program launch. Engaged in extensive outreach to generate widespread community awareness of the initiative.
- Conducted trainings for program staff to develop skills and create a cohesive team: Adolescent Development 101, An Overview of Special Education, Conflict Resolution, Behavior Management for Middle School Youth

**Cardinal McCloskey Services, Bronx, NY**

March, 2010 – June, 2010

### Educational Consultant

Served in a capacity-building role to develop the educational support services for youth in care in the Foster Boarding Home/Therapeutic Foster Boarding Home departments. Provided direct support to the education team and the case planners with complex cases, including youth who were receiving inappropriate or inadequate special education services, were chronically truant, were incarcerated, and/or were overage and under-credited.

#### Selected Achievements:

- Created procedures and tracking mechanisms for the education team and the case planners to gather comprehensive educational information from schools, birth parents, foster parents, and the youth themselves.
- Organized five Overview of Special Education and Individualized Education Plan (IEP) trainings for the education team, case planners, and the Medical/Clinical department.
- Developed personalized education plans with 30 youth, grades 7-10, outlining their educational challenges and goals, necessary interventions, and plans for achievement.

**Children's Aid Society, Bronx, NY**

November, 2007 – June, 2009

### Education Coordinator, Carrera Adolescent Pregnancy Prevention Program

Provided educational programming to 30 participants to complement and enhance traditional schooling. Monitored participants' school and standardized test performance. Taught participants to develop educational goals and formulate plans for achievement. Supervised one classroom teacher and one tutor. Worked directly with parents, guidance counselors, school teachers, and social workers to address academic issues. Advocated for participants with school official to ensure receipt of appropriate services. Provided college admissions and financial aid counseling.

*Selected Achievements:*

- Under my leadership, the program was accepted into the Global Youth Media and Arts program. Participants examined themes of immigration and identity, culminating in the creation of an art installation for a month-long exhibit at New York University.
- Graduating participants enrolled in the 2009 freshman classes of: SUNY Albany, SUNY Plattsburgh, SUNY Binghamton, Temple University, College of Mount Saint Vincent, John Jay College of Criminal Justice.

**Summer on the Hill at Horace Mann, Bronx, NY**

September, 2007 – June, 2009

**Classroom Teacher**

Taught 8<sup>th</sup> grade Language Arts and P/SAT preparation. Designed and led workshops for students and parents: The College Application Process, Writing your College Admissions Essay, Successful College Interviews, and Acquiring Scholarships and Financial Aid.

**Bared Soles Dance Company, New York, NY**

January, 2002 – March, 2009

**Founder and Artistic Director**

Created and produced dance improvisation events, experiential anatomy workshops, and Afro-Caribbean dance classes for schools and the general public. Wrote grant proposals, website, and publicity copy. Built and maintained 1500-person database. Negotiated contracts with schools, musicians, and event venues.

*Selected Achievements:*

- Guest Artist instruction (New York City): Horace Mann School, Riverdale Country School, St. John the Divine, LaGuardia High School of Music & Art and Performing Arts, Citywide Youth Opera.
- Guest Artist Instruction (National): Heifetz International Music Festival, Dancer's Workshop (Jackson Hole, WY), Earthdance Workshop and Retreat Center, Omega Teen Camp.

**Inspirica, Inc., New York, NY**

October, 1994 – June, 2006

**Academic Tutor**

Taught grammar, essay writing, math, P/SAT test preparation, and high school entrance exam (SSAT, ISEE) preparation to junior high and high school students. Provided high school and college admissions counseling to students and parents.

*Selected Achievements:*

- Graduated over 200 students into Ivy League universities, boarding schools, New York City private and specialized public high schools.

**Harlem Children's Zone, New York, NY**

July, 2005 – March, 2006

**Middle School Academy Coordinator**

Designed and commenced the Middle School Academy after-school program based on funding outcomes. Hired, trained, and supervised six Student Advocates and two tutors. Conducted site and agency-wide trainings on the Harlem Children's Zone's middle school initiative, which embodies an academic case management and project-based learning approach.

**Dance New England Summer Camp, Poland, ME**

Summers, 1999 – 2005

**Teen Program Director**

Developed the program curriculum in collaboration with the adolescent participants. Hired and supervised 6 teachers. Facilitated all program meetings with youth and teachers.

**CREATE, New York, NY**

September, 1999 – June, 2001

**Public Elementary School Teaching Artist**

Designed and led assembly programs ("The Stories of Classical Music") to teach history through the narratives of classical compositions. Taught creative movement and folk dance.

**Florentine School and Music Center, New York, NY**

September, 1993 – July, 1994

**Classroom Teacher**

Taught English, essay writing, and grammar to 7<sup>th</sup> and 8<sup>th</sup> grade school students.

**EDUCATION**

**Mannes College of Music, Bachelor of Musical Arts**

1993 – 1998

**University at Albany, State University of New York, Master of Social Work**

2012 – 2014

**ADDITIONAL EXPERIENCE**

I have been a guest lecturer at Yeshiva University and John Jay College, speaking on class inequality and its affect on adolescent education. I am also a former member of the Board of Directors of Earthdance, an international dance center in Western Massachusetts.

Letter of Interest for Great Barrington Strategic Sustainability and Liveability Committee

Mark Phillips  
39 South Street  
Great Barrington, MA

February 15th, 2019

To the Great Barrington Select Board,

I'm writing to submit my interest in the Town of Great Barrington's newly forming Strategic Sustainability and Liveability Committee. I submit this letter of interest as a 27 year old young professional and community member who is delighted to call Great Barrington home. I initially moved here in 2017 to work with Hosta Hill, a local producer of fermented vegetables, and formally declared my residency right in town this past year. I'm excited to live here and enjoy what feels like an abundant quality of life in a beautiful, unique place. And I'm excited to see a sustainability committee emerge to support the town in its own exploration of what it means to prepare for climate change.

As a young person developing out a career in the field of food systems and sustainability, I have spent the last six years since graduating college weaving together an experience base that includes economic development at the Philadelphia Department of Commerce, business skills training for minority owned enterprises at the Latin American Economic Development Association in Camden, New Jersey, and published, freelance writing on the subjects of economic democracy, deep sustainability, and climate change preparedness in the regional food system. Today, I continue my relationship with the development of Hosta Hill in a sales and marketing role and also provide research and writing services to Hudson River Flows, an independent, place-based research project exploring sustainability in the Hudson River Valley food system.

As a community member who lives in Great Barrington, I am also actively engaged in the local food system, where I served as a shareholder at Woven Roots Farm CSA in 2018 and at Indian Line in 2019. I have taught numerous workshops on food and fermentation at our library and co-op, and I am an enthusiastic member-owner the Berkshire Food Co-op, where I do the majority of my local purchasing. I have also participated in the Berkshares Entry to Entrepreneurship Program, where I explored the potential of Chestnut cultivation and tree crops as an opportunity bolster our region's agricultural economy and food security in the context of climate change intensification. In short, I would be excited to participate in our town's inquiry of this work, and would be happy to contribute my tiny part to a project whose scope extends well beyond our lifetimes.

## Helen Kuziemko

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**From:** Natalie Narotzky <nnarotzky@gmail.com>  
**Sent:** Friday, February 15, 2019 4:30 PM  
**To:** Helen Kuziemko  
**Subject:** Application for Strategic Sustainability and Livability Committee  
**Attachments:** Narotzky Natalie Resume - February 2019.pdf

Dear Town of Great Barrington,

I am formally submitting my letter of interest to serve on the newly forming Strategic Sustainability and Livability Committee.

As one of the co-proposers of this committee, I am thrilled that the Town has agreed to take it up and am similarly excited at the interest it has drummed up in our area.

My professional background centers on sustainability and climate action work. I have a Master's Degree in Climate Science and Policy and have spent the last six years working remotely as Program and Communications Manager for the Urban Sustainability Directors Network, the primary professional network and peer learning platform for local government sustainability staff in the United States in Canada. Through my work, I am exposed to a diverse range of solutions and challenges to our world's most pressing challenges, adapting to a changing climate, reducing climate-causing emissions, and addressing racial and social inequities. I also have a wide understanding of the local government context, not only related to program and policy, but also to the challenges unique to working in a local government context.

While we have just a decade to make bold changes to address climate change, communities, including ours, have many other challenges. In Great Barrington affordability of housing, an influx of tourism, and an aging population limits our Town's ability to thrive and grow and retain and attract young people and families. I am excited at the prospect of considering strategies to address all of this through our new committee, building on my professional and academic experience but also that of a younger person who is trying to create a life in our community. I feel strongly that there are strategies that can be utilized that address climate change while improving quality of life and reducing costs for residents.

Outside of my full-time job, I have also been active in Berkshire County on related issues since moving here. I am the former coordinator of 350Mass Berkshires, I served on the Great Barrington's HeatSmart team, and I currently coordinate the monthly Green Drinks at the Prairie Whale. I am a CSA member and work trader at Woven Roots Farm in Tyringham and a passionate customer of our wonderful Mason library.

I greatly appreciate your considering me as a member of this important committee and more importantly, I am thrilled that the Town is moving forward with our proposal to move towards a more sustainability, equitable, and livable community.

Please do not hesitate to contact me if you need more information and I look forward to the opportunity to contribute.

Best,  
Natalie

## Natalie Narotzky

908-591-4267  
[nnarotzky@gmail.com](mailto:nnarotzky@gmail.com)

6 Locust St.  
Great Barrington, MA

### EDUCATION

**Bard College**, Annandale-on-Hudson, NY

M.S. Climate Science and Policy

B.A. Environmental and Urban Studies

- Graduated May 2012 from a competitive and unique 3+2 program
- Master's Thesis: "Upstream greenhouse gas emissions from natural gas: Implications of a lifecycle-based carbon tax on the U.S. electricity sector."

### WORK EXPERIENCE

**Urban Sustainability Directors Network**, Remote Office

Program and Communications Manager, April 2013-Present

*For the past nearly 6 years has worked remotely managing programs and communications for the Urban Sustainability Directors Network, the premiere network for over 1200 local government sustainability officers, currently serving 200+ local government in the United States and Canada. Duties include:*

- Overseeing and directing internal and external communications modes, including an innovative private intranet ([USDN.org](http://USDN.org)), newsletters, and social media. In 2018-2019, this includes managing the most significant re-design of the website since it launched in 2012.
- Managing all peer learning programming, including 10+ content-focused peer learning groups that meet virtually monthly or every other month, and network-wide calls
- Working with a team of subject matter experts and external partner organizations to design technical assistance and collective action opportunities for members to receive training, deepen their practice, and build the field to drive impact on the ground
- Programming breakout sessions, workshops, and plenary sessions for the USDN Annual Meeting, the primary in person exchange opportunity for network members

**KM Networks**, Red Hook, NY

Research Adviser, October 2012-March 2013

- Assists in preparation of documents analyzing knowledge management at multilateral development banks
- Analyzes effectiveness of communications of complex technical and political information to multiple audiences

**Worldwatch Institute**, Washington, D.C.

Climate and Energy Research Intern, June 2011-September 2011

- Acted as point researcher for Jamaica for the Institute's low-carbon development project
- Wrote research briefs on Jamaica's energy system and policies, which informed senior staffers on their trips to Jamaica
- Wrote blogs on climate and energy issues, focusing on domestic energy and climate change science
- Co-authored and researched a *Vital Signs* article detailing global oil market trends
- Researched low-carbon policies for publications including State of the World 2012

**Hudsonia Ltd.**, Bard College Ecology Field Station, Annandale-on-Hudson, NY

Research Assistant, September 2009-May 2011

- Trained new employees on database management
- Organized and managed scientific excel databases
- Curated plant and animal specimens
- Located books and articles needed for research
- Converted two thousand-book library into Library of Congress system

**Locavore Farms**, Fort Bidwell, California

Farmer, Summer 2009

- Staffed the farm's daily U-pick operation and sold produce at farmers markets
- Planted, weeded and irrigated fields, tended chickens
- Designed permaculture-inspired farm improvement projects

**INFORM Inc.**, New York, NY

Development Intern, Summer 2008

- Assisted during research for "the Secret Life of Paper" video, depicting the lifecycle impacts of paper

- Created original content for monthly e-bulletins and updated topical RSS feeds
- Aided in fundraising efforts through donor contact and event planning

**Bard Office of Sustainability**, Bard College, Annandale-on-Hudson

Eco-Reps Coordinator, August 2007 to September 2009

- Lead sixty students who promote environmental consciousness in the residence halls
- Liaised between students and Director of Sustainability
- Used multiple forms of communications to update students of campus regulations
- Lead, organized and wrote agendas for monthly student meetings
- Planned, organized and advertised events, such as lectures, film series, discussion groups and waste audits

**SPECIAL SKILLS**

Computer: Internet, Proficient in Microsoft Word, Excel, PowerPoint, Slack, Asana, Gsuite, Social Media, GoToWebinar/GoToMeeting facilitation, Survey Design and Analysis

Language: Spanish

**VOLUNTEER EXPERIENCE**

- **Great Barrington Green Drinks:** Organizer and facilitator of monthly Great Barrington Green Drinks at the Prairie Whale since 2015.
- **Woven Roots Farm:** Work trade member of Woven Roots Farm in Tyringham MA. Staffs weekly CSA pick ups and provides field support throughout the growing season.
- **350Mass Berkshires:** Organized monthly meetings and activities of 350Mass Berkshires, the local node of the international 350.org climate action organization from 2014-2017.
- **Better Future Project:** Served on the Board of Directors of Better Future Project, the organization that sponsor 350Mass from 2016-2017.



## Helen Kuziemko

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**From:** Lev Natan <lev@themedicinetree.com>  
**Sent:** Friday, February 15, 2019 3:36 PM  
**To:** Helen Kuziemko  
**Cc:** Jennifer Browdy  
**Subject:** Letter of Interest: Sustainability and Livability Committee

Dear Jennifer Tabakin,

Jennifer Browdy, author and teacher at Simon's Rock, just told me over lunch about this new committee today, so I am writing a letter of interest, and I am happy to follow up with my resume.

I reside in Sheffield and am launching a non-profit called *Alliance for a Viable Future* focused on systems-level resilience in New England. One of our initial projects is a Berkshire Community Leadership Circle to develop peer-to-peer support, accountability and learning towards a coordinated efforts for collective impact - locally and regionally.

This Town Sustainability and Livability Committee aligns deeply with my core commitments and professional work, and I look forward to contributing my skills as a coach, consultant, speaker and organizational leader to our local community.

I look forward to hearing from you soon about next steps. Thank you for initiating this effort.

Sincerely,  
Lev

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Lev Natan  
*Leadership for Social Change*

845-389-

3622 | [www.themedicinetree.com](http://www.themedicinetree.com) | [www.allianceforaviablefuture.org](http://www.allianceforaviablefuture.org)

[Facebook](#) | [LinkedIn](#) | [Appointment Scheduler Link](#) | [Zoom Video](#)

[Link](#) | [Skype: levnatan](#)

**Coaching Leaders, Facilitating Circles, Building Alliances & Healing w/Sound**

## Helen Kuziemko

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**From:** Devan Arnold <sassafraslandcare@gmail.com>  
**Sent:** Tuesday, February 12, 2019 7:48 PM  
**To:** Helen Kuziemko  
**Subject:** GB Sustainability and livability committee Application

Hello, my name is Devan Arnold and I am interested in volunteering for the Strategic Sustainability and Livability Committee. I am a third generation Great Barringtonite, and work in Great Barrington as an ecological Land Care provider and educator. I served on the gb Ag. Comm. for several years and still act as adviser for that committee, and would love the opportunity to further contribute to the sustainability of the town moving forward.

thank you for your consideration.

--

Devan Arnold  
Sassafras Land Care LLC  
[sassafraslandcare@gmail.com](mailto:sassafraslandcare@gmail.com)  
[www.sassafraslandcare.com](http://www.sassafraslandcare.com)  
(413)-717-1251

## Helen Kuziemko

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**From:** Jesse Carter <jlawc85@gmail.com>  
**Sent:** Sunday, February 10, 2019 2:02 PM  
**To:** Helen Kuziemko  
**Subject:** Sustainability committee

02/10/2019

To whom it may concern,

My name is Jesse Carter and this is my letter of interest in joining the Strategic Sustainability and Livability Committee.

I currently work with a local building group, 377 Builders LLC, that focuses on sustainability and community growth through the lens of energy efficient, residential houses in the area. I have a deep interest in recreating the world and community in which we live, and I believe the formation of such a committee is a big step towards leadership in the state and region for systematic progress.

My work is mostly hands-on building, and it has developed my passion for sustainability and bio-inspired education. The technology available in the building world is improving rapidly, and there is a growing community of builders who are forging a path towards sustainability and even regenerative design and construction. This framework includes carbon tracking, minimization of hazardous and/or non-biodegradable materials, local sourcing, maximizing the site's natural resources for energy reduction, reducing the ecological impact, and beyond. I am constantly researching new strategies and approaches, while also learning about past developments, and dreaming of future ones.

I would love to be a part of a committee that is dedicated to taking a deeper look at what we can do as a town, and where we can set precedents for the state, the region, the nation and the world. I believe the time is long past due to be taking steps towards sustainability and regenerative environmental design. As a builder and a citizen I would like to provide my perspective and insight.

Some areas of concern that I would be interested in pursuing would be the bioremediation of Reid's cleaners, which I recently read has funding to undergo testing and removal toxins. Setting an example here could become a framework for countless other towns throughout the nation, and has been ongoing testing of fungi and microorganisms to remove such chemicals and some of which may even regenerate the contaminated soils.

I think we could also look at recycling and reducing waste in the building world given all the construction in the area and the impacts associated with the industry. At 377, we've begun to implement a plan towards recycling cardboard, sheetrock, and rigid blue foam insulation, the last of which will never break down in the landfills. The underlying struggle here is education, awareness, and follow through.

I look forward to hearing back, hopeful that I can be a part of the committee, whether as a full time member or part time member.

Thank you for your time!

Jesse Carter

## LAKE MANSFIELD ROAD

February 20, 2019

The 2016 comprehensive planning report for the Lake Mansfield Recreation Area included a series of recommended improvements, and possible funding sources, to achieve the Town's goal "to provide improvements for the Lake Mansfield Recreation Area that will support the health of the environment and provide safe access and recreational opportunities for all."

The study included several road design options to be considered, but it also said the most feasible option would depend on important engineering studies of the road itself, including its substructure, its right-of-way, drainage patterns, and permitting constraints.

The resulting engineering studies give us a great deal more insight into what is a feasible solution for the road, provide more detailed cost estimates, and identify several critical factors that determine feasibility. We have learned the following about Lake Mansfield Road (specifically the section from the beach area south to the boat launch):

- 1.) Some sort of travelled way is desired by the public for access to the lake, for access through the area, and for access to private properties adjacent to the lake.
- 2.) The base material underneath the road is like a sponge; it freezes, thaws, and moves as the lake water level moves. If a stable, passable year-round road is to remain on the shore of Lake Mansfield, expensive reconstruction of the subbase, providing for proper drainage and flexibility of the road, is required. Any solution other than reconstruction will not last.
- 3.) Simple periodic repaving of the existing road or even closing the existing road in winter, will not result in a long lasting safe surface, will continue to contribute asphalt and stormwater runoff pollution into the lake, and will not increase recreational safety. The Town would waste money with regular patching and repaving, perhaps \$50,000 every few years, while continuing to harm the lake and not increasing recreational safety.
- 4.) The water level of the lake cannot be reduced. The lake is protected by state law and our discussions with permitting authorities have determined water level reductions are unlikely to be permitted, and even then only after lengthy and expensive permitting and construction solutions.
- 5.) The road corridor cannot be made wider than it is now. A standard two-way, two-lane road is simply not possible. The right-of-way is only 30 feet wide, and in many cases the practical right-of-way is much narrower, because it is constrained by lake, by wetlands, or by bedrock/ledge outcrops. Expanding into these areas is not feasible because it is likely not permissible, would exacerbate runoff issues and decrease lake health, and would be prohibitively expensive.
- 6.) In fact, the road corridor must be made narrower than it is now. This is because the bank along the lake edge must be stabilized and new vegetated buffer must be installed where no vegetation exists between the pavement and the lake. This will reduce the width of the travelled way to a maximum of 18 feet.
- 7.) Preliminary cost estimates for an 18-foot wide paved road, including subsurface reconstruction, proper drainage and stabilization of the lake edge, is at least \$1 million. The more provisions that are made for recreation and environmental benefits (a wide vegetated buffer to filter runoff, a dedicated bike lane, for example), the more likely the Town could secure grant funding to defray

these costs. In other words, the less the road is designed purely for cars, then the more grant funds would be available. The wider the road or the more car-friendly, up to 18 feet maximum, the more the taxpayers would have to fund it directly.

The Lake Mansfield Improvement Task Force believes we now know enough for the Selectboard to make important design decisions in order to set the path forward. The timeline below is based on a “critical path” that depends on a design decision in about June 2019, in order to apply for final design and construction funding (grants and Town Meeting) in the spring of 2020, and construction in calendar 2021.

A shorter timeline to a long term solution is not really possible, since detailed engineering and permitting would be needed prior to construction start.

In the short term, however, the Selectboard could also choose to limit use of the road seasonally, and/or in one direction, in order to increase pedestrian safety and potentially reduce pollution into the lake.

Timeline:

1. March 2019: Apply for 604b water quality planning grant
2. March – May 2019: Outreach and education by LMITF members and at Selectboard meetings
  - a. also occurring during this time:
    - i. completion of LM forest trails, completion of Knob Hill Rd, begin the MEMA and OSRP planning processes
    - ii. Lake Day, LM Newsletter
3. June 2019: Selectboard road design decision
  - a. also occurring during this time:
    - i. possible 3-year water quality monitoring study with Simon’s Rock begins
    - ii. continued MEMA and OSRP planning processes
4. July – September 2019: Refine concepts and cost estimates (using 604b funds if successful)
5. October – December 2019: Apply for FY21 CPA funds, develop Capital Budget requests
6. May 2020: Town Meeting vote on CPA and capital funds for construction
7. June 2020: apply for 319 grant funds for construction
8. June 2020 - December 2020 – finalize designs and put out to bid, finalize permits
9. Spring 2021 – begin construction of road work