

Mark Pruhenski  
Town Manager

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## TOWN OF GREAT BARRINGTON MASSACHUSETTS

### OFFICE OF THE TOWN MANAGER

Selectboard Meeting Order of Agenda for Monday October 5, 2020, at 6:00 PM, Via Zoom

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83960898272?pwd=R0JqdUJ4NmJ6cE9wQ0RlMHByeFNCQT09>

Webinar ID: 839 6089 8272

Passcode: 005599

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

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

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

1. CALL TO ORDER-6:00 PM - OPEN MEETING
2. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS
3. TOWN MANAGER'S REPORT
  - a. Housatonic Water Works Update
  - b. Nov. 15<sup>th</sup> Winter Parking Ban Reminder
  - c. Retirement Announcement
  - d. South County Elderly/Disabled Transportation Update
  - e. Next Virtual Coffee Meeting- Update
  - f. Amanda DeGiorgis- GB Libraries Update
4. LICENSES AND PERMITS
  - a. Jennie Reins, c/o Kelly, Granger, Parsons, & Associates for proposed common driveway to be located on the Westerly side of Alford Road approximately 1,000 feet southerly of the intersection with Hurlburt Road (Discussion/Vote)
5. NEW BUISNESS
  - a. Ramsdell Library Report: Rob Cullin and Janet Nelson, RethinkingLibraries.org
  - b. Zoom Meeting Format (Discussion)
  - c. Music on Main Street
  - d. Claudia Shapiro- Open Meeting Law Complaint #2 (Discussion/Vote)

6. OLD BUISNESS

- a. Halloween Trick or Treat (Discussion/Vote)
- b. SB Liaison Lists-carry forward from September 21<sup>st</sup> meeting.
- c. GBHA Complaint/Eileen Mooney- Town Manager update on status.

7. PUBLIC HEARING

- a. Special Permit application from Berkshire Aviation Enterprises, Inc., for a an aviation field in an R4 zone at 70 Egremont Plain Road, Great Barrington, per Sections 3.1.4 E(1) and 10.4 of the Zoning Bylaw.

(Continued from August 10, August 24, September 14, and September 21, 2020)

(Discussion/Vote)

- i. Re-Open Public Hearing
- ii. Explanation of Project
- iii. Speak in Favor/Opposition
- iv. Motion to Close or Continue Public Hearing
- v. Motion re: Findings
- vi. Motion re: Approval/Denial/Table

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

9. SELECTBOARD'S TIME

10. MEDIA TIME

11. ADJOURNMENT

NEXT SELECTBOARD MEETING

Regular Meeting October 26, 2020

Regular Meeting November 9, 2020

Regular Meeting November 23, 2020

/s/ Mark Pruhenski

Mark Pruhenski, Town Manager

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

### Executive Summary

**Title:** Great Barrington Libraries COVID Update

**Background:** Upon closing our doors to the public on March 18, Mason and Ramsdell pivoted to providing online services and eventually in person services. We started curbside pick-up in June and followed with in person pick up at Mason in August. We continue to provide online services (eBooks, eAudio, streaming video, New York Times digital access) as well as helping patrons by phone and email.

We are accepting the return of physical material in our book drops but all material is quarantined for 72 hours before it goes back in circulation. Library industry tests have revealed that the virus can live on the surfaces of our material from 1 - 6 days, depending on the material. In our case, most material is safe after 72 hours.

Currently Mason is open from 1-4pm, Tuesday-Friday for patrons to pick up items they have placed on hold. Ramsdell is offering curbside on Wednesdays from 1-4. Patrons must order items in advance. Browsing is not available, nor are the public computers or bathrooms. We are working with DPW on preparing Ramsdell to be open for in-library pick up and hope to have that up and running soon.

DPW and library staff have been working to keep the buildings clean and sanitized. We have placed floor markings for social distancing and we require a mask to enter the building. Staffing in both DPW and the library has limited what we are able to provide and there are concerns about air quality in both buildings.

Programming is mainly virtual with a few CHP sponsored outdoor youth programs.

**Fiscal Impact:** Three PT staff remain furloughed and there is one FT vacancy and 1 PT vacancy.

**Recommendation:** Continue to monitor health data, add services and staff back when it is feasible. Patron and staff safety is the highest priority.

**PREPARED AND REVIEWED BY:** Amanda M. DeGiorgis

Amanda M. DeGiorgis, Library Director

**APPROVED BY:** 

Mark Pruhenski, Town Manager

**DATE:** September 29, 2020

4.A.

**Chris Rembold**

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**Subject:** For your review and comment

**Memorandum**

September 21, 2020

*For SB review  
+ comment to P.B.*

To: Fire Chief  
Highway Superintendent  
Conservation Commission  
→ Selectboard

Re: Common driveway application from Jennie Reins, c/o Kelly, Granger, Parsons, & Associates, Inc., proposed to be located on the westerly side of Alford Road approximately 1,000 feet southerly of the intersection with Hurlburt Road.

Please review the attached Common Driveway application, and return your comments to me at your earliest convenience. The Planning Board expects to take action on this matter at its October 8, 2020 meeting.

Thank you.



**Christopher Rembold, AICP**  
Assistant Town Manager  
Director of Planning and  
Community Development  
413-528-1619 ext. 108  
crembold@townofgb.org

Town of Great Barrington  
334 Main Street  
Great Barrington MA 01230



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





**Town of Great Barrington**

Common Driveway  
Rev. May 2010

**Planning Board**

**Application for a Common Driveway Permit**

Fee \$50.00

OFFICE USE ONLY  
APPLICATION NO.

*Received*  
*9/18/20* (CR)

This is an interactive, fillable form. You may save it to your computer and type in the required information. Print the completed form and submit 5 copies along with required fee and 5 copies of plans.

Date of Application 9/9/2020

Name of applicant (property owner) JENNIE REINS C/O KELLY, GRANGER, PARSONS & ASSOCIATES

Mailing address of applicant P.O. BOX 88 GREAT BARRINGTON, MA 01230

Telephone number of applicant 413 528-3291

Location of proposed driveway / highway entrance ON THE WESTERLY SIDE OF ALFORD ROAD, APPROX. 1000 FEET SOUTH OF THE INTERSECTION OF ALFORD ROAD AND HURLBURT ROAD

Contractor WILLIAM WARNER CONSTRUCTION

Address of contractor 53 BLUNT ROAD SOUTH EGREMONT, MA 01258

Proposed construction date T.B.D.

Type of driveway (gravel, asphalt, etc.) GRAVEL

Number of dwelling units served (no more than 3) 2

DESIGN REQUIREMENTS: Applicants are required to read and comply with 153-19 of the Great Barrington Town Code. Design requirements for the Common Driveway shall be the same as those for driveways under 153-14 of the Great Barrington Town Code. The design shall, in the opinion of the Planning Board and the Highway Superintendent, assure adequate safety and access for emergency vehicles.

- Check here to confirm that you have read and complied with 153-19 and 153-14 of the Great Barrington Town Code
- Check here to confirm that you have included 5 sets of detailed plans, showing all of the information required to determine compliance with the Design Requirements
- Check here to confirm that you have included a draft of covenants, easements and restrictions for review by Town Council and subsequent execution and recording in the Southern Berkshire Registry of Deeds.

**Attach Five (5) Copies of Detailed Plans of Proposed Driveway / Highway Entrance**

The applicant hereby agrees to notify the Great Barrington Highway Superintendent of the date and time of driveway construction at least 24 hours before construction is begun. The applicant further agrees to conform to all requirements of the Town of Great Barrington regulations of access to public ways (as most recently revised) and to all conditions set forth in the permit. See Ch. 153 of the Town Code for regulations governing driveways.

Applicant's Signature \_\_\_\_\_

[Click Here to Print Completed Form](#)

**THIS PAGE FOR OFFICE USE ONLY**

**Recommendation of Highway Superintendent**

I recommend that this application be

- ( ) approved ( ) subject to conditions attached.
- ( ) disapproved for reasons attached.
- ( ) resubmitted with changes suggested per attached.

Highway Superintendent's Signature \_\_\_\_\_ Date \_\_\_\_\_

**Additional Recommendations**

- Application has been reviewed and recommended by the Fire Chief
- Application has been reviewed and recommended by the Conservation Commission
- Application has been reviewed and recommended by the Board of Selectmen
- Draft of covenants, easements, and restrictions has been reviewed and approved by Town Counsel

**Permit for Access to Public Way**

Permission is hereby granted \_\_\_\_\_

To ( ) construct or ( ) alter a common driveway to access to a public way at \_\_\_\_\_

as shown on the application for access to public way dated \_\_\_\_\_  
subject to conditions attached.

**Great Barrington Planning Board**

Date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





John Malumphy  
Highway-Facilities Superintendent

E-mail: [jmalumphy@townofgb.org](mailto:jmalumphy@townofgb.org)  
[www.townofgb.org](http://www.townofgb.org)



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Great Barrington, MA 01230

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## TOWN OF GREAT BARRINGTON MASSACHUSETTS

Department of Public Works  
Highway Division

### Conditions on Application for Access to Public Way

Applicant: Jennie Reins  
Location: Alford Rd, 1,000 feet southerly of intersection with Hulburt Road  
From: John Malumphy Highway Superintendent/Sean VanDeusen, Public Works Director  
Date: September 30, 2020

1. The applicant shall construct the proposed access to conform to the following applicable criteria listed under **Section 153-14, Design requirements** of the Town of Great Barrington Code:
  - B. Driveway location as shown on the attached plan is acceptable, with regards to alignments with the way, profile, sight distance conditions and not located at the extreme edge of the property.
  - C. No more than two (2) driveways shall normally be allowed for any property, unless there is a clear necessity for more.
  - D. Driveways shall not normally be approved at intersections, because of potential safety hazards.
  - E. Culverts taking the place of roadside ditches shall have a diameter of not less than 15" (*A culvert is not required at this location*)
  - F. Entrance elevation at the point of entry into the public right-of-way shall be no more than the elevation of the shoulder of the road.
  - G. Driveways should be so constructed that water from the driveway shall not drain onto the crown of the road.
  - H. In no instance shall the edge of the driveway entering onto the road conflict with the flow of surface water runoff.



- I. Driveway width. Any curb at the entrance shall be rounded off with a radius of three (3) feet.
  - J. Pitch of driveway shall be downward from the edge of the road to sideline of the town right-of-way or front property line.
  - K. Driveways should be located to the best advantage with respect to the alignment with the way, profile and sight distance conditions. In no instance shall a driveway intersect the way at less than a sixty degree angle. Unless there is no alternative, a driveway should not be located within a required side yard.
  - L. No permit shall be issued for any driveway to a structure or proposed structure on a grade in excess of ten percent (10%) above the road or street level until and unless the applicant submits plans to the Highway Superintendent showing that the driveway will be constructed in a such a way so as not to discharge water, stones or other materials onto any public street, road or highway.
2. Install a paved driveway apron in accordance with the following requirements:
    - A. Apron dimensions: Width = 22-feet maximum along the roadway which includes a 3-foot radius curb on each side. Length = 5-feet minimum from edge of roadway.
    - B. Place 3-inches of bituminous concrete on 12-inches of compacted gravel.
    - C. Place asphalt tack coat along the edge of the road where the apron meets the edge of the existing pavement.

***The applicant agrees to notify the Highway Superintendent (528-2500) at least 48 hours prior to the installation of the paved apron.***

3. Should there be, after completion of the driveway, discharges of water, stones, or silt onto the public way or onto property of any abutters or neighbors, the property owner shall take whatever steps are necessary to eliminate such discharges.
4. The applicant shall maintain the proposed access to conform to the following applicable condition listed under **Section 153-17, Continuing responsibility of owners**, of the Town of Great Barrington Code:

Abutting property owners shall be responsible for keeping culverts under their driveways cleared and for maintaining driveways in condition conforming to the requirements of the permit.

Please note that when the old driveway is abandoned that new curbing will need to be added along the road edge.

Berkshire Southern District Registry of Deeds  
Electronically Recorded Document

This is the first page of the document - Do not remove

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Recording Information

|  |                |
|--|----------------|
| Document Number                        | : 257948       |
| Document Type                          | : COV          |
| Recorded Date                          | : May 27, 2020 |
| Recorded Time                          | : 03:16:42 PM  |
| Recorded Book and Page                 | : 02594 / 313  |
| Number of Pages(including cover sheet) | : 6            |
| Receipt Number                         | : 57801        |
| Recording Fee                          | : \$105.00     |

**Berkshire Southern District Registry of Deeds**  
**Michelle Laramee-Jenny, Register**  
**334 Main Street, Suite 2**  
**Great Barrington, MA 01230-1894**  
**413-528-0146**  
**<http://www.masslandrecords.com/BerkSouth/>**

### **DECLARATION OF COVENANTS**

This Declaration of Covenants effective the 25th day of May, 2020, by and between Abigail Haupt, LLC, its successors and assigns ("Grantor") and Jennie Reins, her heirs, successors and assigns ("Grantee") (each a "Party" and, together, the "Parties").

WHEREAS, Grantor owns a parcel of land shown as "Lot-1" on a plan entitled, "Plan of Land Surveyed for Abigail Haupt, LLC, Great Barrington, Massachusetts," dated February 2020, prepared by Kelly, Granger, Parsons & Associates, Inc. (the "Plan"), recorded in the Berkshire Southern District Registry of Deeds (the "Registry") in Plat File D-F15 ("Grantor's Parcel" or "Lot-1"); and,

WHEREAS, Grantor has this day conveyed to Grantee that certain parcel of land adjacent to Grantor's Parcel, shown as "Lot-2" on the Plan ("Grantee's Parcel" or "Lot-2") in a deed from Grantor to Grantee recorded herewith ("Grantee's Deed"); and,

WHEREAS, the Parties now wish to declare certain covenants for the mutual benefit of their interest in adjoining properties.

NOW, THEREFORE, in consideration of the mutual covenants, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **SHARED MAINTENANCE OF COMMON DRIVEWAY**: Grantee holds an Access and Utility Easement over and across Grantor's Parcel for the construction of a gravel driveway and for the installation of underground communication and electric utilities to and from the public road known as "Alford Road" to Grantee's Parcel as set out in Grantee's Deed. A portion of the driveway to be constructed on the Access and Utility Easement shall also serve Lot-1 (the "Common Driveway") and the costs for the construction and maintenance of the gravel driveway and the installation and maintenance of underground electric and communication utilities serving both Lot-1 and Lot-2 on, under, and along the Common Driveway shall be shared equally by the Parties.
2. **SOLE DRIVEWAY MAINTENANCE OBLIGATIONS**: Each Party shall be solely responsible for any costs arising from constructing and maintaining any driveway spur and any utilities solely serving their respective lots or for any damage to the Common Driveway caused solely by that Party. However, if, and when, Grantor makes substantial,

ongoing use of Grantee's driveway spur beyond the Common Driveway, then Seller shall contribute to the maintenance and repair expenses of that section of Grantee's driveway spur, in proportion to that use.

3. **PROHIBITED USES.** Neither Party shall use or permit the use of recreational off-road vehicles including all-terrain vehicles or dirt bikes on Lot-1 or Lot-2. Use of off-road maintenance vehicles is permitted.
4. **VIEW EASEMENT AREA:** Grantor retains a view easement within the area marked "View Easement Area" on the Plan. No building shall be placed in the View Easement Area; however, Grantee may place, keep and maintain, fences, and trees not exceeding twenty (20) feet in height, within the View Easement Area. Any violation of the terms of this paragraph shall be promptly removed or corrected upon written request of Grantor.
5. **MAINTENANCE OBLIGATIONS:** Portions of both Grantee and Grantor's Parcels are subject to a Conservation Restriction held by Berkshire Natural Resources Council, Inc. ("BNRC") recorded in Book 1217, Page 140 in the Registry (the "Conservation Restriction") with boundaries as shown on the Plan (the "Restricted Premises"). Grantee shall maintain the currently mowed area of the Restricted Premises on Lot-2 in its present mowed condition for its scenic beauty. Grantor shall maintain the currently mowed area of Lot-1, in its present mowed condition for its scenic beauty. Upon a failure by either Party to maintain mowed areas as required herein, after thirty (30) days written notice, the complaining party may have the area mowed by an insured contractor and be fully compensated by the non-mowing party for all costs arising therefrom.
6. **VEGETATED BUFFER AREA:** Grantor shall preserve a "Vegetated Buffer Area" located as shown on the Plan, to maintain foliage for maximum screening and visual privacy; however, Grantor shall be permitted, but not required, to cut and remove dead or diseased wood, brush, and invasive species therefrom.
7. **NO BUILD AREA:** Grantee shall not build any structures whatsoever in the area marked "No-Build Area" on the Plan; however, this provision shall not prohibit Grantee from planting non-invasive trees and shrubs, keeping non-nuisance animals, and installing fences in the No-Build Area, if, and where, otherwise permitted.
8. **NOTICE:** Grantee shall provide advance written notice prior to commencement of any work by contractors involving motorized vehicles on Grantor's Parcel, (other than regular



maintenance such as snow-plowing or roadside mowing) explaining the work to be done and the manner and means of accomplishing said work. Each Party shall provide advance written notice of any work by contractors that may have an effect on the other Parties' use and enjoyment of their respective properties. Certificates of insurance shall be provided upon request.

9. **LIABILITY:** Grantee agrees to indemnify and hold Grantor harmless from and against any and all liability for injury or damage to persons or property resulting from Grantee or its agents, licensees or invitees use or entrance upon Grantor's Parcel except for, and to the extent of, any injury or damage caused by the negligent acts of Grantor, its agents, licensees or invitees. Both Grantor and Grantee shall maintain general liability insurance on the Easement area with coverage of at least One Million Dollars.
10. **FEES AND COSTS OF ENFORCEMENT:** If either Party defaults in the performance of any obligations set forth herein, the fees and costs of enforcement, including reasonable attorney's fees, shall be paid by the defaulting Party, as determined by a court of competent jurisdiction in addition to any other remedy available to the non-defaulting Party.

*[Signature Pages Follow]*

IN WITNESS WHEREOF, the Parties have executed this Declaration of Covenants as of the date(s) indicated below:

Grantor:

ABIGAIL HAUPT LLC

Abigail Haupt  
BY: ABIGAIL HAUPT  
ITS MANAGER

DATE: 5/25/20

**COMMONWEALTH OF MASSACHUSETTS**

**County of BERKSHIRE**

On this 25<sup>th</sup> day of May, 2020, before me, the undersigned notary public, personally appeared **ABIGAIL HAUPT** who, being by me duly sworn, proved to me through satisfactory evidence of identification, being (*check whichever applies*):

- ( ) driver's license or other state or federal government document bearing a photographic image;
- ( ) oath or affirmation of a credible witness known to me who knows the above signatory; or
- (  ) my own personal knowledge of the identity of the signatory,

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as the manager of **ABIGAIL HAUPT, LLC**.

Ira J. Kaplan

Notary Public: Ira J. Kaplan  
My Commission Expires: July 26, 2024



Grantee:

Jennie Reins  
JENNIE REINS

DATE: 5/25/2020

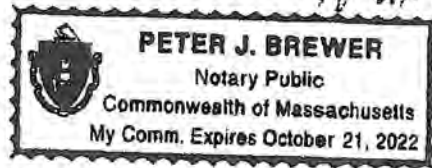
COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF BERKSHIRE

On this 25<sup>th</sup> day of May, 2020, before me, the undersigned notary public, personally appeared JENNIE REINS and proved to me through satisfactory evidence of identification which was:

- a driver's license or other state or federal government document bearing a photographic image, or
- based on my personal knowledge of the identity of the signatory

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Peter J. Brewer  
Notary Public Peter J. Brewer  
My commission expires: 10-21-22



# GREAT BARRINGTON LIBRARIES - RAMSDELL LIBRARY BUILDING PROGRAM



June  
2020

Great Barrington Libraries – Ramsdell Library



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## EXECUTIVE SUMMARY

When you walk into the Ramsdell Library, you are taking a step back in time. Though the nostalgia is nice and can stir emotion in many, the dated structure creates many issues for the community it serves. The Library is a beautiful Beaux Arts style building that was constructed in 1908 and expanded in 1930. The current "look and feel" of the facility, has not changed dramatically since its expansion. It is listed on the National Register of Historic Places, and as such is good reflection of its time.

Library trustees, staff, and the community undertook an evaluation process in 2018, which identified a number of issues that need to be addressed, but one message was clear: keep this Library open and keep its character, but make it more usable for the full community. Most notably, the Library lacks access to anyone with mobility issues. Not only is the Library not compliant with modern ADA accessibility standards, but even entering the building is a physical roadblock for anyone challenged by ascending the required eight steps up to the front door. Though accessibility of the building is the primary issue, other challenges remain to adapting this historic structure to the modern needs of residents and the community at large. During the 2018 process residents across all age groups spoke of how they wanted to keep the Ramsdell Library open in its current building and allow it to grow in its role as the "hub" of the village of Housatonic. In addition, they hoped improvements in the building and service offerings might help draw in visitors from the around the region. They desire a place where people come together to connect with each other in all sorts of ways. They want to create, satisfy their curiosity, and be informed and entertained in this building. A strong message from the community was seeking to make Ramsdell not just a smaller version of the larger Mason Library, but to setup the Ramsdell Library to be unique and to serve the broader Great Barrington community in ways, that the Mason Library cannot. "Warm" and "welcoming" are two words that surfaced repeatedly in focus groups when people were asked about the strengths of the Library, and those attributes carry forward into the Library's plan for the future.

The current Library is a well-loved showpiece with a number of "old building" problems. In addition to the lack of physical accessibility to anyone not up to ascending the steps at the entry, the mechanical and electrical infrastructure is completely insufficient to meet the demand of today's patrons. Parking is limited to the streets in front of the Library, which further exacerbates the accessibility issues of the Library. Space allocation and arrangement are not ideal for the modern usage of the Library and too much of the space is set aside for collections that are not circulating. The building, as currently configured, prohibits the Library from fulfilling the needs of its current and future users as articulated in the 2018 community and building evaluation and also outlined in the Great Barrington Libraries Strategic Plans and Service Goals.

Since the 2018 assessment project, the Library has made a number of simple low cost changes to help address many of the issues identified in the discussions with the community, however any further improvements will require more significant physical improvements to the building.

## Great Barrington Libraries - Ramsdell Library Building Program

The goal of this plan is to enhance the historic design of the Library allowing access to all residents regardless of physical attributes and evolving the building in a way that will allow the Library to achieve its vision and remain the true hub of the community – a place that is open and welcoming to everyone in our town, and where anyone can come to connect, create, and learn. An improved facility is needed so the Library can meet the needs of current and future residents while maintaining the history and heritage of the community.



*A view from the middle of the library look toward the front doors.*

## MISSION

The two Great Barrington Libraries work together to bring the town and region access to a large collection of books, movies, and books-on-tape. We offer extensive interlibrary loan, high speed internet, wireless internet, programs and more at both locations.

**The mission of the Great Barrington Libraries is to serve all members of our evolving community in a welcoming manner.**

### **The Great Barrington Libraries are dedicated to:**

Providing and promoting responsive, free, and ready access to printed and electronic resources.  
Developing collections and programming that include a broad spectrum of materials and services.  
Encouraging everyone to experience the joy of reading and learning.



## LIBRARY OVERVIEW & HISTORY

The Ramsdell Library is located at 1087 Main Street in Housatonic village, in a two-story Beaux Arts building erected circa 1908. The building was a gift to the town by T. Ellis Ramsdell, fulfilling a bequest by his father Theodore, owner of the Monument Mills. It was designed by Boston architects McLean & Wright, with a rear addition (added 1928-30) designed by the Pittsfield firm of Harding & Seaver. It was listed on the National Register of Historic Places in 2014.

Ramsdell Public Library is set between the Housatonic Congregational Church and the Corpus Christi Church on the north side of Main Street. The original 1908 main block is 1-1/2 stories in height, built out of yellow brick with marble trim. The main facade is three bays wide, with a projecting gabled entry pavilion at the center. The entry pavilion has marble corner quoins, and a further projection with an entablature and dentillated (toothed) gable supported by pilasters and Ionic columns. The entrance has glass-paneled double doors, set in a recess framed by marble trim and topped by a sill with a foliated cartouche, and a half-round transom window. Windows on the ground floor are set in rectangular openings with splayed keystone lintels; there are small windows beneath the eaves that illuminate the rooms of the half-story.



The interior begins with a tiled entry area, with stairs rising around the outer walls to a large meeting room that occupies most of the upper story. The entry opens into a central rotunda, with reading rooms on either side, and stacks and librarian area to the rear. The openings to these spaces are flanked by wooden columns finished in emulation of marble. Walls are plastered, with oak trim around the windows, doors, and fireplaces.

The rear addition nearly doubles the space of the building, extending behind the central and western portions of the main block. It provides for an enlarged reference area, more stacks, and a dedicated workroom for the library staff. (History and building description courtesy of Wikipedia but confirmed with observations and library personnel).

Beyond the walls of the Library, the village of Housatonic, a former vibrant mill town, has lost most of its public facilities in recent decades. As such, the Ramsdell Library remains a living landmark and beacon for the community. It is also one of the last remaining gathering spaces for residents of the northern end of Great Barrington, particularly the residents of Housatonic.



## COMMUNITY & LIBRARY ANALYSIS - TRENDS & STATISTICS

### A. Demographics and Community Makeup

The following information is per the 2010 U.S. Census with most of this data representing all of Great Barrington as there is no census data breakdowns for the Village of Housatonic.

- 7,104 residents and 2,879 households, both of which are down from the 2000 Census. The Village of Housatonic has 1,109 residents within its boundaries.
- 27.3% of households had children under the age of 18 living with them.
- The median age was 42 years.
- For every 100 females, there were 87.2 males. For every 100 females age 18 and over, there were 83.8 males.
- In the town, the mean income for a household was \$80,802 and the per capita income was \$42,655.
- Approximately 4.7% of families and 5.4% of the population were below the poverty line.
- 6.7% of households received food stamp/SNAP benefits within the previous 12 months.



Having two public libraries in a town the size of Great Barrington is not uncommon, though it is not widespread. The two library locations are 10-15 minutes apart, but both serve separate and distinct villages within the town and serve a sprawling 45 square miles of the Berkshires.



Roughly 2,000 to 2,300 of the total 7,104 residents of Great Barrington could be considered in the Ramsdell Library Service Area.

## B. Collections and Services

A full collection analysis was conducted in 2018 and again in 2020. Below is the 2020 analysis, along with KBA recommendations on adjustments/reductions to the collections. These recommendations would get the collection size more in line with usage and the service population, giving the Library about 4 items per capita and getting average turnover into the range of 1.5 turns per year (still low, but closer to best practices).

| Collection Analysis - Ramsdell Library  |               |               |               |                  |                  | KBA Recommendations                              |                  |
|---|---------------|---------------|---------------|------------------|------------------|--|------------------|
| Total Service Population: 1,109   |               |               |               |                  |                  |  |                  |
| Holdings data as of May, 2020 Circulation data gathered from January 1, 2019 to December 31, 2019 |               |               |               |                  |                  |  |                  |
| Last rev: 6/24/2018   |               |               |               |                  |                  | version 2  |                  |
| Collection  | Holdings      | Circulation   | Turnover Rate | % of Total Coll. | % of Total Circ. | Proposed Collection Size Based on Best Practices | % of Total Coll. |
| <b>Adult</b>  |               |               |               |                  |                  |  |                  |
| <b>Adult Popular Library</b>  |               |               |               |                  |                  |  |                  |
| New Fiction   | 94            |               |               | 0.5%             |                  | 300  |                  |
| New Non-Fiction   | 69            |               |               | 0.4%             |                  | 100  |                  |
| DVDs  | 2,019         | 3,000         | 1.49          | 11.1%            | 22.7%            | 800  |                  |
| Audiobooks  | 600           | 747           | 1.25          | 3.3%             | 5.7%             | 350  |                  |
| Number of Adult Magazine Titles   | 23            |               |               |                  |                  |  |                  |
| <b>General Adult Collection</b>   |               |               |               |                  |                  |  |                  |
| Fiction, Large Print and Non-Fiction  | 10,207        | 5,512         | 0.54          | 56.2%            | 41.8%            | 5,000  |                  |
| <b>CIRCULATING PHYSICAL ADULT MATERIALS TOTAL (Minus Magazines)</b>                               | <b>12,663</b> | <b>9,259</b>  | <b>0.73</b>   |                  |                  | <b>6,550</b>                                     |                  |
| <b>ADULT TOTAL</b>  | <b>12,663</b> | <b>9,259</b>  | <b>0.73</b>   | <b>69.7%</b>     | <b>70.1%</b>     | <b>6,550</b>                                     | <b>67.8%</b>     |
| <b>Children (Ages 0 - 12)</b>   |               |               |               |                  |                  |  |                  |
| <b>Children's Popular Library</b>   |               |               |               |                  |                  |  |                  |
| J New Books   | 89            |               |               | 0.5%             |                  | 200  |                  |
| J DVDs  | 370           | 572           | 1.55          | 2.0%             | 4.3%             | 300  |                  |
| J Audiobooks  | 94            | 121           | 1.29          | 0.5%             | 0.9%             | 80   |                  |
| <b>J Popular Library Total</b>  | <b>553</b>    | <b>693</b>    | <b>1.25</b>   | <b>3.0%</b>      | <b>5.2%</b>      | <b>580</b>                                       |                  |
| <b>General Children's Collection</b>  |               |               |               |                  |                  |  |                  |
| All forms   | 4,439         | 2,914         | 0.66          | 24.4%            | 22.1%            | 2,200  |                  |
| <b>CHILDREN'S TOTAL</b>   | <b>4,903</b>  | <b>3,607</b>  | <b>0.74</b>   | <b>27.0%</b>     | <b>27.3%</b>     | <b>2,780</b>                                     | <b>28.8%</b>     |
| <b>Teen (Ages 13 - 18)</b>  |               |               |               |                  |                  |  |                  |
| New Teen Books  | 3             |               | 0.00          | 0.0%             |                  | 100  |                  |
| Teen Audiobooks   | 52            | 23            | 0.44          | 0.3%             |                  | 30   |                  |
| Teen Magazines  | 0             | 0             |               |                  |                  |  |                  |
| Teen Fiction, Graphic and Nonfiction  | 540           | 313           | 0.58          | 3.0%             | 2.4%             | 200  |                  |
| <b>TEEN TOTAL</b>   | <b>595</b>    | <b>336</b>    | <b>0.56</b>   | <b>3.3%</b>      | <b>2.5%</b>      | <b>330</b>                                       | <b>3.4%</b>      |
| <b>TOTAL PHYSICAL COLLECTION MINUS MAGAZINES</b>  | <b>18,161</b> | <b>13,202</b> | <b>0.7</b>    |                  |                  | <b>9,660</b>                                     |                  |

## DESCRIPTION OF EXISTING CONDITIONS

The existing Ramsdell Library is three stories. It is mostly brick, with stone surround details at the main entry and window bays, with wood cornices and window frames. There is a large semicircular window above the front door with intricately designed grillwork.

The Library is located on Main Street. The site is bounded by the Corpus Christi Church to the west and the Housatonic Congregational Church to the east. It has no parking lot or driveway and all Library parking is on the street. The Library's southern orientation is problematic at certain times of year because of sunlight pouring in through very large windows on the south side. This causes huge temperature fluctuations and causes fading of library materials and furnishings.

The Library's location on the north end of the village strengthens the notion of a civic core and the vision of being the "hub" of the community. It is easily walkable from most all residences in the village.

The current Library is well loved by the village, reflected in its listing in the National Register of Historic Places. The original building was built as a library, so it reflects the historic architecture of the time and fits in well with the other adjacent buildings. The exterior is beautiful, and has held up well over the last century, but needs some attention in a few areas to remain a showpiece for years to come.

The Library is NOT accessible by anyone with physical or mobility limitations. A daunting series of granite steps await all visitors. The upper level, which currently houses the local Historical Society and Commission, and was the former meeting room and performance space is accessed through one of two wooden staircases. The lower level which is currently not accessible to the public is accessible only via the rear staircase. The Library's public and staff restrooms are woefully inadequate and are nowhere close to be ADA compliant.

Though difficult to initially access, the main floor of the Library is a beautiful and relatively open space. The open areas to the left and right of entry are bright and airy and favorites of many residents. The rear area of the building is dominated by older metal shelving with aisles that are too narrow and do not meet current ADA accessibility standards.

The staff service point, work, and lounge areas are all inadequate and need better space, furnishings, equipment, and storage solutions.

## BUILDING ASSESSMENT

A full facility assessment was completed by Kimberly Bolan Cullin in January 2020, and is included in this document as Appendix C.

### Factors that were rated "Good" or "Adequate" include:

- Library visibility
- Proximity to village and primary roads
- Building style is complementary to surroundings
- Interior Materials Return
- Existence of Quiet Reading Areas (even though they are not always quiet due to noise from other areas)
- Children's & Teen Collection Areas
- Décor and Aesthetics
- Lighting throughout but especially front areas of the building.

### Factors rated "Inadequate" include:

- The Children's and Teen collection/area need more color and energy.
  - Minimal interactive elements
  - Space is not zoned for ages 0-18
- The Adult collection/area
  - Comfortable seating is worn
  - The space is overcrowded in some areas with the collections
  - The hard cover book collections need weeding to make better space for popular items
  - The workspaces for patrons are limited in number, size, and flexibility
  - There are no collaboration spaces
  - Wiring and access to power is inadequate
- Entry points are cold, and unwelcoming. Doors are heavy and unwieldy.



Factors rated "Poor" include:

- The entrance is not handicapped-accessible
- Book drop access is inconvenient for patrons, far from parking, and isn't drive-up accessible
- Parking: there is no parking lot
- Noise management – the Adult area is really one big area without any noise management
- No quiet study areas, dated/uncomfortable chairs, dark, no meeting or study rooms
- Book stack area is not ADA accessible
- No ADA accessible space that can accommodate more than 50 people exists
- There's little to no helpful signage
- Single public restroom is not accessible and is dated and inadequate for those that can access it
- Staff Considerations: storage space is limited
- Staff members need a proper space for meals and quick breaks. The existing staff break room is in poor condition due to water infiltration, old furnishings, exposed pipes, and worn out cabinetry.





## PREVIOUS FACILITY PLANNING EFFORTS

As a first step in developing a plan for the future of the Ramsdell Library, the GBL Library Administration and Board contracted with Kimberly Bolan Cullin in 2018 to:

- Conduct a multi-day onsite visit to GBL that included a walkthrough of the facility as well as meetings with administration, board members and staff.
- Conduct community input through a number of group forums to discuss the current and future of the Ramsdell Library.
- Conduct an online survey of the community to gather information on what the community wants and needs from the library with specific focus on the Ramsdell/Housatonic location.
- Complete collection, demographic, and space needs analysis.
- Create a report to summarize the needs of the community and present a recommended direction for the future of the Ramsdell Library location.

Accomplishing the previously mentioned tasks required a thorough understanding of 21<sup>st</sup> Century Public Libraries, the community's current library needs, and the expectations and likely needs of the community into the future. This included researching and analyzing the Library's usage and observing and understanding how the current library spaces are being used as well as how people *desire* to use the space. This knowledge became the basis for the resulting recommendations that outline how the Ramsdell Library should be updated and evolved to meet its community's needs.

The data and information gleaned from all these activities helped to set the stage for optimal reprogramming of the current space for greatly improved access and use by the community. The recommendations outlined in this report presented ideas and strategies for creating a thriving 21<sup>st</sup> Century Library Facility that:

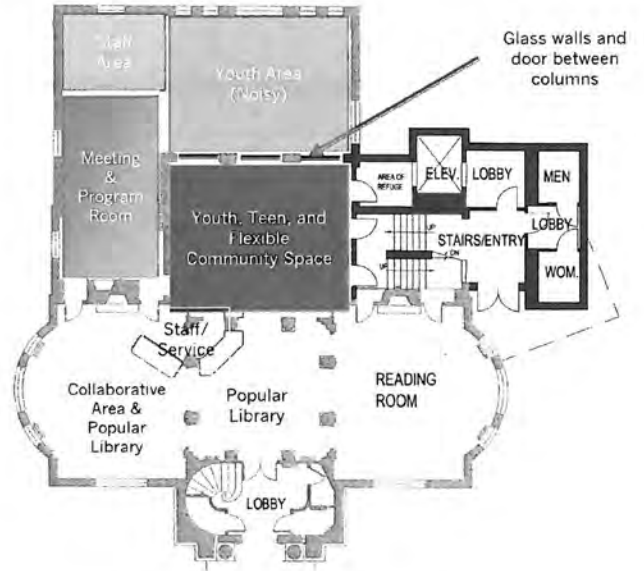
- Uses proven public library best practices,
- Makes the library accessible to everyone in the community,
- Assists in streamlining workflow and optimizing staffing,
- Demonstrates accountability as stewards of taxpayer dollars,
- Supports the goals outlined by the library staff, board members, and the community.

The report and recommendations that resulted from this process were presented to the community for feedback. The response from the community was very positive, leading the Great Barrington Libraries Board of Trustees to commence with furthering this work and moving forward with the more formal building program developed here. The copies of the report and presentation are available from the Library.

Great Barrington Libraries - Ramsdell Library Building Program

This report outlined the following space utilization concepts:

Main Floor:



Lower Floor:



Upper Floor:

## STAKEHOLDER INPUT

As a part of the previous building analysis in 2018, community input was sought on the future of the Ramsdell Library. Given the relative timeliness of that input and to keep the budgetary impact of this building program as low as possible, this input was also used to develop the current building program. The same is true for the online community survey that was conducted. The full summaries of those two-engagement processes are found in Appendix A and B.

### Community's Vision for the Library

Feedback from the community focus groups and surveys indicated that people want the Ramsdell Library to stay open and be a warm, inviting space with a variety of comfortable seating. They want the Library to remain in its current location and continue evolving as the clear "hub" of the community. Making the building accessible to all via ADA compliance is critical to the community. They would love to see it be a regional destination with its charm and its resources. Spaces for small and large meetings were ranked as high priority, along with space that supports the use of technology and personal devices, a more engaging children's space that is more interactive and has more sound isolation from adult areas. Flexible space for teens is also desired.

### Unmet Needs & Opportunities

Housatonic has no other remaining public gathering spaces, so the Ramsdell Library is critical to the community as a place to gather formally and informally. Making public meeting space(s) accessible and equipping them with updated technology is critical. In addition, collaboration, co-working, and creativity spaces are desired by residents. An abundance of power outlets or charging stations for devices; adequate lighting and seating; modern and accessible restrooms; outdoor gathering space; and adequate accessible parking are also elements that are high on the list of needs for the community.

## ARCHEOLOGICAL SURVEY

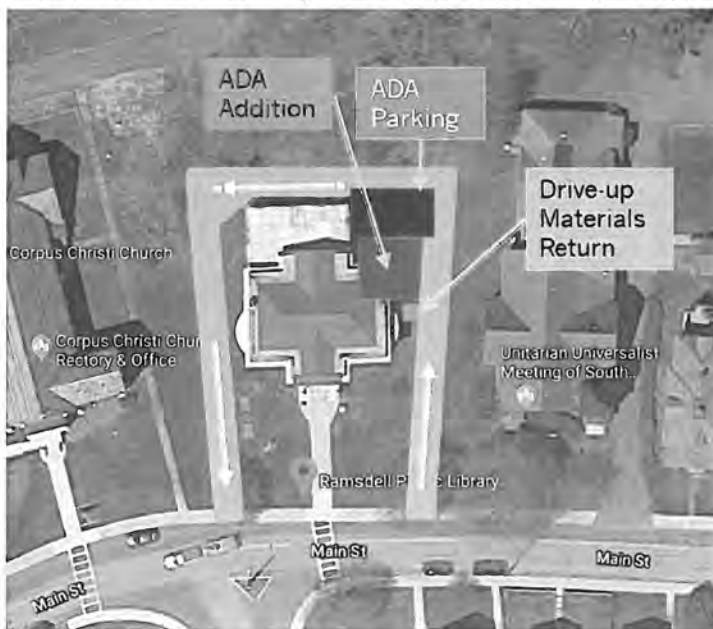
The Public Archaeology Laboratory, Inc., 26 Main Street, Pawtucket, RI 02860 (PAL) was contracted to do an initial archaeological assessment of the Ramsdell Library site. This assessment determines if the site is likely to be in an archeologically sensitive area that requires further examination and archaeological study. PAL's initial due diligence study has identified the Library to likely be in a sensitive area and a deeper archaeological site study and core sampling would be required to ascertain if site and construction work as part of a renovation would be permissible or if mitigation efforts would be required before construction could commence. This due diligence report is captured in Appendix D. PAL provided a cost proposal for doing this next step in the archaeological survey, with costs coming in around \$10,000. This study if performed is required to be done when the ground around the Library is NOT frozen.



Figure 3. Aerial overview of the Ramsdell Public Library Project showing archaeological sensitivity.

## PARKING AND SITE STUDY

Foresight Land Services, 1496 West Housatonic Street, Pittsfield, MA 01201 did a high-level assessment of the Ramsdell site for the implementation of parking and a driveway. Marc Volk, VP and Project Manager, did an in-person assessment of the site and looked at site documentation. Their preliminary estimation is that a driveway up the east side of the building would be possible, with parking positioned right behind the current building and



where an addition for grade level access and elevators would likely be positioned. The hill currently behind the Library would need to be "cut into" but he foresaw no issues with being able to accomplish that. Marc also suggested that to simplify the drives and access to the parking that the drive could be continued in a one-way direction back along the west side of the Library to the street. This would also make the addition of a drive-up materials drop box simpler given one-way traffic flow. This driveway on the west side of the building might also allow an option for a few "parallel" parking spaces to be added along the building. These would most likely be non-ADA access spots.

## ALTERNATIVE SITE OPTIONS

### Former Housatonic School Building

A former public-school building in the village of Housatonic has been sitting empty for some time now. It was evaluated as an alternative to renovations to the Ramsdell Library building. The overall footprint of the building is significantly larger than the current Library, but the condition of the structure is very poor. Several areas of the building are roped off due to flooring being unstable and ready to collapse.



The former school building also shares the same problem that Ramsdell has with having no floor on grade, so a similar investment in a grade level addition with elevator and likely also ADA compliant bathrooms would have to be made to this building. The HVAC systems here look to be in very poor shape and given its larger size, bringing those systems up to an opening standard would be higher cost than any upgrades required at Ramsdell. Given this, the total costs of utilizing this building as library in lieu of the Ramsdell Library would be significantly higher given the equal investment in adding ADA access and the additional structural remediation that would be required at a minimum. In addition to all of this, the floor plan of the building would be less than an ideal as a library from a layout and space allocation standpoint. All of this adds up to this former school building being a very poor fit as an alternative to the just renovating the Ramsdell Library.

### Shovel Ready Empty Lots

There are no available shovel ready empty lots in the immediate Housatonic village area. If one became available construction and site development costs of an equivalently sized building would be in the \$2,500,000 to \$4,000,000 range plus site acquisition costs. This is far higher than even the highest cost expectations of a renovation to the Ramsdell Library.

### Other Existing Structures



## Great Barrington Libraries - Ramsdell Library Building Program

There is only one property in the Housatonic area currently on the market. It is an industrial building, and which would not be an ideal option for adaptation to a library. In addition, the cost of the building plus the renovations required to make the building suitable as a library would certainly exceed the costs of the recommended improvements at the current Ramsdell Library.



414 Park St N, 6,000 SF Vacant Industrial Building  
\$525,000 (\$88/SF)  
<https://www.loopnet.com/Listing/414-Park-St-N-Great-Barrington-MA/15374551/>

Estimate for the cost of improvements: 6,000 SF X \$150-250/sq. ft. = \$900,000 to \$1,500,000 plus site improvements for parking \$300,000 to \$600,000

Total Cost Estimate with site acquisition: \$1,700,000 to \$2,600,000

## HISTORICAL SOCIETY AND HISTORICAL COMMISSION

The original 2018 assessment project noted that an issue needing to be resolved in the planning of the Ramsdell Library was the use of the Library by both the local Historical Commission and Historical Society. These two entities currently occupy the entire upper floor. The 2018 plan suggested that space be allotted on that upper floor for usage by those two entities but that the main space be shifted back to library purposes as a meeting and programming space. Some conclusions to the final arrangements and covenants of space usage by these organizations must be reached. This program continues to follow the 2018 guidance on allocating some space to these organizations, but this is more of a place holder than anything.

## SPACE DESCRIPTIONS & REQUIREMENTS

The building program and space requirements presented here evolved throughout this 2-year process and reflect best practices for 21<sup>st</sup> Century Public Libraries. The final breakdown of areas includes each of the major service areas within the Ramsdell Library.

The following information is arranged into these sections:

- A. Functional Areas Summary
- B. Functional Areas Detail
- C. Adjacency Chart

### A. Functional Areas Summary

| <b>Space</b>   | <b>Space No.</b> | <b>Est-SF</b>         |
|--|------------------|-----------------------|
| ADA Compliant Entry and Restrooms  | Space S.1        | 350-500 SF            |
| Popular Library & Customer Service & Traditional Entrance  | Space S.2        | 475-575 SF            |
| Adult Area (Collection, Seating, Collaboration, Computing)   | Space S.3        | 575-650 SF            |
| Quiet Area / Periodicals / Collections   | Space S.4        | 575-650 SF            |
| Children's Area  | Space S.5        | 625-700 SF            |
| Flexible All Ages / Teen Area  | Space S.6        | 625-700 SF            |
| Staff Office / Work Area   | Space S.7        | 175-200 SF            |
| Medium Sized Meeting / Program Room  | Space S.8        | 450-600 SF            |
| Staff Lounge / Break Room  | Space S.9        | 175-200 SF            |
| Large Meeting Room with Stage & Storage  | Space S.10       | 975-1,300 SF          |
| Historical Society and Historical Commission Areas   | Space S.11       | 650-800 SF            |
| Historical Storage   | Space S.12       | 200-250 SF            |
| Maker/Creativity Lab, Collaboration/Co-Working, & Vending  | Space S.13       | 1,125-1,500 SF        |
| <b>APPROXIMATE TOTAL NET SQUARE FOOTAGE NEEDS:</b>   |                  | <b>7,500 – 8,500*</b> |
| <i>*Interior dimensions only, does not include non-assignable spaces, mechanical systems, etc.</i> |                  |                       |

## B. Functional Areas Detail

## Space S.1 – ADA Compliant Entry and Restrooms

350-500 SF

**Function:**

This area would be part of a new addition to the Library. With entrance set on grade offering full ADA compliance and ideally seeking to meet the goals of Universal Design (a higher accessibility design standard evolved from ADA requirements). This addition would also most likely include multiple new compliant restrooms, most likely in the form of gender neutral "family-style" restrooms. This addition will also house an elevator with access to all three of the existing floors of the building.

The area would also function as a small lobby, perhaps with display cases or room for a piece of display furniture.

**Occupancy:**

The area will be a flow through area so all occupancy will be transient.

**Furniture, Equipment, and Technology:**

| Item  | Quantity Needed | Additional Notes / Description |
|---|-----------------|--------------------------------|
| Wireless access for maximum flexibility of library technologies and staff using portable devices, etc.<br><br>Plus, readily available power access. |                 |                                |

**Spatial Relationships:**

**Adjacent to:** Accessible Parking, Elevator

**Architectural and Engineering Needs:**

**Acoustics:** Traffic in and out of the area will be high at times, but this is a non-work area which should be mostly isolated from the rest of the Library. The primary acoustical considerations are probably containing the sounds from the restrooms.

**Heating/Cooling/Air Quality:** As an entrance heating and cooling will have certain challenges. Keeping the restrooms warm in the winter will be a key consideration, in addition to having effective ventilation.

**Electrical:** Provide ample power outlets.

**Data Wiring/Cabling:** Wireless access and one data drop for potential future digital signage.

**Lighting:** Appropriate lighting for an entrance space.

**Finishes:** As an entrance, flooring choices will be critical. Walk off flooring or mats should be present. Choices should be easy to clean and stand up to traffic coming immediately from outdoors where water, dirt, and salt are likely to be present.

## Space 5.2 – Popular Library, Customer Service, &amp; Traditional Entrance

475-575 SF

**Function:**

This area will serve as the main service area for the Library. It will be a popular space that contains the newest materials and is home to the primary staff service point. It will also maintain the original (traditional) entrance from the street.

The information service desk will be part of this space. All functions related to customer service will occur at this location including patron assistance with reference questions, library registration, assistance with library accounts, and checking out library materials. Staff will be monitoring the Library from this location when they aren't roving, so the desk needs to be visually prominent and have good sight lines into as much of the main level as possible.

A self-check station may be located in this area. Staff should have easy access to these stations to assist library users with checking out materials. In addition, shelving to accommodate self-serve holds will be incorporated into the area.

Other elements of the service area will include an internal book drop, a small business center consisting of a multi-function copier, fax, scanner system should be included.

A display kiosk for the Friends of the Library, and display spaces for fliers, public art, etc. are also desired in addition to a flat panel monitor/digital signage to display information about new materials, programs, etc.

**Occupancy:**

Public occupancy for the entire area will vary depending on time of day and what's occurring in the Library. It will be a very active area.

The service desk should accommodate up to 2 staff persons.

**Furniture, Equipment, and Technology:**

| Item   | Quantity Needed | Additional Notes / Description  |
|--|-----------------|---|
| Service Desk that can accommodate 2 people with 2 computer workstations, 2 scanners, 2 receipt printers, and 1 printer | 1               | Service point should be relatively compact and modular, allowing the option to be relocated in the future. This desk should also have some storage for fliers and basic office supplies, etc. This should not be a traditional built-in, custom millwork piece. |
| Ergonomic task chairs  | 2               |   |
| Self-check stations  | 1               | Located conveniently near the Service Desk and easily accessed by staff and the public.   |
| Combination of low open shelving and closed cabinetry located behind the desk  | TBD             | To house a small collection of ready reference materials and other circulation and informational materials.   |

**Great Barrington Libraries - Ramsdell Library Building Program**

|  |  |   |
|--|--|---|
| Secure Laptop and Portable Device Storage  | 1  | Need space for storage of circulation laptops and other devices. These may be incorporated into the cabinetry above or exist as a standalone option.                                  |
| Shelving to accommodate self-serve holds   | Enough to accommodate at least 200 items | This shelving could be freestanding, or perimeter/wall mounted. If freestanding, it should be no higher than 66". If perimeter/wall mounted it could be 78".                          |
| Internal Book Return   | 1 return                                 | It should be near the Service Desk and could be a part of the desk.   |
| 48" flat panel monitor for advertising new materials, programs, events, etc.   | 1  |   |
| Business Center to include 1 multi-function machine copier/scanner/fax   |  | This should be near the Customer Service Area.  |
| A variety of retail merchandising shelving/display to house new books and all audiovisual collections. A combination of freestanding and wall mounted/perimeter shelving may be used.  |  | Freestanding shelving for new books and audiovisual shelving should be on lockable casters and no higher than 60" h. If perimeter/wall mounted it could be up to 78" H.               |
| Online Public Access Station   | 1  |   |
| Friends Book Sale Kiosk (Optional)   | 1  | Should be an attractive, moveable kiosk used for displaying daily book sale items. This should be near the Customer Service Area, but may also reside in a lobby or near an entrance. |
| Literature/Display Rack  | 1  | For fliers, etc.  |
| Wireless access throughout the space for maximum flexibility of library technologies, staff and public using portable devices, etc.  |  |   |
| Standard, recessed flush floor-mounted and wall-mounted communications and power outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the Library. |  |   |

**Spatial Relationships:**

**Adjacent to:** Main entrances

**Close to:** The elevator



**Environmental and Engineering Needs:**

**Acoustics:** This is a high traffic area that will be a busy space serving many various users.

**Heating/Cooling/Air Quality:** The ability to manage temperature control is essential for this area. It will be near the existing entrance which is likely to still be used by able bodied users.

**Electrical:** Provide ample power outlets along the walls and in the floor to provide maximum flexibility for this space.

**Data Wiring/Cabling:** Should have wireless access and be fully wired for data and telecom connectivity.

**Lighting:** Daylighting and appropriate artificial lighting for function as well as to create a warm and welcoming ambience.

**Finishes:** Since this is a high traffic area, flooring materials should be selected for its long-term durability characteristics. Most likely this area will remain in the where it currently is which is has a historic mosaic tile floor.

All furnishings should be attractive, up-to-date, and easily moveable. Related finishes should be durable, stain resistant and easily cleaned but also match the historic aesthetic as closely as possible.

**Space S.3 – Adult Area (Collection, Seating, & Collaboration)****575-650 SF****Function:**

This area will serve as the primary adult area in the Library. The space should support functions such as individual research, computing and technology use as well as small group collaboration. This area will also house a large portion of the adult collections. It will be a high-use, active space.

**Occupancy:**

Public occupancy for the entire area will vary depending on time of day and what's occurring in the Library. It will be a very active area.

**Furniture, Equipment, and Technology:**

| Item  | Quantity Needed                   | Additional Notes / Description   |
|---|-----------------------------------|--|
| A combination of freestanding double-sided shelving and single-sided wall mounted/perimeter shelving may be used. | TBD                               | See the Space Requirements Summary for details.<br><br>Freestanding shelving for new books and audiovisual shelving should be no higher than 60"H, preferably on casters. All perimeter shelving can be 78"H or 84"H as needed for capacity.   |
| 2-seat tables with chairs.  | 3 to 5 tables with 6 to 10 chairs | All furniture should be attractive, up-to-date, and easily moveable (on lockable casters) as well as durable, stain resistant and easily cleaned. 2-seat tables can be pushed together to make larger tables for 4+. Four-seat tables are not recommended as they limit the flexibility of the |

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|  |           |  |
|--|-----------|--|
|  |           | space and maximum use by patrons.  |
| Lounge seating   | 2-4 seats | Include a variety of lounge seating. All seating should be attractive, up-to-date, and easily moveable as well as durable, stain resistant and easily cleaned.                 |
| Furniture and technology to accommodate adult use of portable devices (e.g., laptops, iPads, etc.) but should also have a least 1 fixed desktop station which should be ADA accessible.  | As needed | Primary computer usage in the Library will be through personal laptops or laptops borrowed from the Library. At least 1 ADA compliant desktop station should still be present. |
| Wireless access throughout the space for maximum flexibility of library technologies, public and staff using portable devices, etc.  |           |  |
| Standard, recessed flush floor-mounted and wall-mounted communications and power outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the library. |           |  |

**Spatial Relationships:**

**Adjacent to:** Customer Service Area

**Environmental and Engineering Needs:**

**Acoustics:** This is a high traffic area that will be a busy space that serves a large number and variety of library users. Wall, ceiling and floor surfaces should be sound absorbing, including carpet tiles where appropriate, acoustical wall panels could be added as needed. Goal is primarily to dampen noise transmission to other areas of the library.

**Heating/Cooling/Air Quality:** The ability to manage temperature control is essential for this area.

**Electrical:** Provide ample power outlets along the walls and in the floor to provide maximum flexibility for this space.

**Data Wiring/Cabling:** Wireless access and fully wired for data and telecom connectivity.

**Lighting:** Daylighting and appropriate artificial lighting for function as well as to create a warm and welcoming ambience.

**Finishes:** Since this is a high traffic area, flooring materials should be selected for its long-term durability characteristics. Carpet tile is recommended if choosing a carpet option. The flooring should complement inviting and comfortable characteristics of the space.

All furnishings should be attractive and up-to-date, and easily moveable. Related finishes should be durable, stain

resistant and easily cleaned but also match the historic aesthetic as closely as possible.

### Space S.4 – Quiet Area / Periodicals / Adult Collections

575 - 650 SF

#### Function:

This area will serve as the primary “quiet” space in the Library, though with an open building it is not promised to be always quiet. The space should support functions such individual study and reading. This area will also house periodicals and a good portion of the adult collection. It will be a medium- to high-use space.

#### Occupancy:

Public occupancy for the entire area will vary depending on time of day and what’s occurring in the Library. It will be a very active area.

#### Furniture, Equipment, and Technology:

| Item  | Quantity Needed       | Additional Notes / Description   |
|---|-----------------------|--|
| Magazine Shelving   | TBD                   | For maximum flexibility, it is recommended that standard flat shelving with mag   boxes or a similar product be used. Only the current issue and 1-year backfile should be retained.   |
| A combination of freestanding double-sided shelving and single-sided wall mounted/ perimeter shelving may be used.                  | TBD                   | See the Space Requirements Summary for details.<br><br>Freestanding shelving should be no higher than 60”H, preferably on casters. All perimeter shelving can be 78”H or 84”H as needed for capacity.  |
| 2-seat tables with chairs   | 2 tables and 4 chairs | All furniture should be attractive, up-to-date, and easily moveable (on lockable casters) as well as durable, stain resistant and easily cleaned. 2-seat tables can be pushed together to make larger tables for 4+. Four-seat tables are not recommended as they limit the flexibility of the space and maximum use by patrons. |
| Lounge seating  | 3-5                   | All seating should be attractive, up-to-date, and easily moveable as well as durable, stain resistant and easily cleaned.  |
| Occasional Tables   | 1 - 2                 |  |
| Wireless access throughout the space for maximum flexibility of library technologies, public and staff using portable devices, etc. |                       |  |
| Standard, recessed flush floor-mounted and  |                       |  |

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|---|--|--|
| wall-mounted communications and power outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the library. |  |  |
|---|--|--|

**Spatial Relationships:**

---

**Separate from:** Noisy spaces as well as possible

**Environmental and Engineering Needs:**

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**Acoustics:** Because this is a designated quiet space, wall, ceiling, and floor surfaces should be sound absorbing, including carpet tiles where appropriate, acoustical wall panels and ceiling tile. In addition, strong consideration should be given to a sound masking solution (pink/white noise) to give the area a “quieter” feel.

**Heating/Cooling/Air Quality:** The ability to control temperature is essential for this area.

**Electrical:** Provide ample power outlets along the walls and in the floor to provide maximum flexibility for this space.

**Data Wiring/Cabling:** Wireless access and fully wired for data and telecom connectivity.

**Lighting:** Daylighting and appropriate artificial lighting for function as well as to create a warm and welcoming ambience.

**Finishes:** Since this is a medium to high traffic area, flooring materials should be selected for long-term durability characteristics. Carpet tile is recommended. The flooring should complement the inviting and comfortable characteristics of the space.

All furnishings should be attractive and up-to-date, and easily moveable. Related finishes should be durable, stain resistant and easily cleaned but also match the historic aesthetic as closely as possible.

**Space S.5 – Children’s Area**

**625 - 700 SF**

**Function:**

---

This area will be a popular destination point for families and will be a focal point for children’s services within the building. It will include all children’s materials. This will be a high-use, busy space that will often be visited by family groups, with strollers and small children in tow.

Ideally this area is “glassed” off from the rest of the Library to provide sound containment. The area would then be accessed via a glass door between the center columns that separate the back portion of the Library from the middle portion (S.6).

Wall-mounted display boards and/or an art gallery system should also be incorporated to provide a high-profile space for staff to mount attractive exhibits of children’s art, crafts or similar high-interest displays. Interactive displays and digital signage should also be incorporated.

The space needs to be safe and secure. In addition to library collections, this area will include interactive elements

that enhance child development, encouraging fine and gross motor development and providing sensory stimulation. A comfortable area for parents should be included that includes read aloud seating. This space needs a comfortable ambience where families can enjoy finding and reading books together.

### Occupancy:

Public occupancy will vary depending on time of day and what's occurring in the Library.

This space will be used by children ages 0 through 12 and their families. Higher occupancy is expected before and after story times and after school, in the evenings, and on weekends.

### Furniture, Equipment, and Technology:

| Item   | Quantity Needed       | Additional Notes / Description   |
|--|-----------------------|--|
| Shelving/display to house books, audiovisual collections, and magazine display. Most shelving should be perimeter shelving but one or two double side units on casters may also be required. | TBD                   | All perimeter shelving should be no higher than 66". Freestanding shelving should be on lockable casters and no higher than 48" H. |
| Child Height Online Public Access Station (optional)   | 1                     |  |
| Children's size two-seat tables and chairs   | 2 tables and 4 chairs |  |
| Parent read-aloud chair and a-half   | 1                     |  |
| Child-sized lounge seating   | 2                     |  |
| Interactive elements (fine and/or gross motor skill development, etc.)   | TBD                   | A combination of interactives should be selected to meet the varying needs of children ages 0 – 12.                                |
| Adult-size two-seat tables and chairs  | 2 tables and 4 chairs |  |
| Adult-size lounge seating  | 1                     |  |
| 48" flat panel monitor for advertising new materials, programs, events, etc.   | 1                     |  |
| Wall-mounted display boards and/or an art gallery system to display children's art, crafts and similar high-interest displays.   | TBD                   |  |
| Wireless access throughout the space for maximum flexibility of library technologies, staff using portable devices, etc.   |                       |  |
| Standard, recessed flush floor-mounted and wall-mounted communications and power   |                       |  |



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|   |  |  |
|---|--|--|
| outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the Library. |  |  |
|---|--|--|

### Spatial Relationships:

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**Adjacent to:** Medium Sized Program / Meeting Room

### Environmental and Engineering Needs:

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**Acoustics:** This is a high traffic area that will serve ages 0 – 12 as well as their parents and caregivers. Wall, ceiling and floor surfaces should be sound absorbing, including carpet tiles where appropriate, acoustical wall panels and ceiling tile. Small children and their parents will gather here to find books, read aloud and engage in the interactive elements. This area will inevitably be a source of noise and should be designed to contain noise as much as feasible. Wall, ceiling and floor surfaces should be sound absorbing, including carpet, acoustical wall panels and ceiling tile. If glassing off/acoustically separating this area from the rest of the Library is not possible then even more attention should be paid to acoustic options and finishes that will limit how much sound is reflected and transmitted out to the rest of the library.

**Heating/Cooling/Air Quality:** The ability to manage temperature control is essential for this area.

**Electrical:** Provide ample power outlets along the walls and in the floor to provide maximum flexibility for this space. All outlets should also have safety covers appropriate for a children's area.

**Data Wiring/Cabling:** Wireless access and fully wired for data and telecom connectivity.

**Lighting:** Lighting should be over stacks either parallel or perpendicular to the stacks as long as the required lighting level is achieved. It is crucial that sufficient lighting reach the bottom shelf of each book stack. Ambient lighting such as pendant lamps, etc. is also encouraged to add a welcoming feeling to this space. The Early Literacy Area should be bright with indirect but high lighting.

**Finishes:** Since this is a high traffic area, flooring materials should be selected for its long-term durability characteristics. Carpet tile is recommended. The flooring should complement the inviting and comfortable characteristics of the space. All furnishings and shelving should be fun and inviting as well as ergonomically sound and appropriate for children ages 0 - 12. All furnishings should be attractive and up-to-date, and easily moveable. Related finishes should be durable, stain resistant and easily cleaned but also match the historic aesthetic as closely as possible.

### Space S.6 – Flexible All Ages / Teen Area

625-700 SF

#### Function:

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This space will seek to be a flexible space, capable of serving all ages, but with the intent of being a particular draw to teen users. It will need to strike a tricky balance of space assignment and aesthetic to be attractive to teens but also feel welcoming to other users (younger and older). This area will house the Library's collection of new teen books, teen fiction, teen magazines, and graphic novels. It also may need to house any overflow of adult materials that exceeds the capacities of areas S.3 and S.4. Adding to the difficulties of this

space is that library patrons who enter via the new ADA accessible entrance will arrive on the main floor adjacent to this space and will transverse this space on their way to other areas of the library.

This area should include a variety of flexible (i.e., easily moved and reconfigured) seating to accommodate the various activities. Ample and easily accessible power should be available throughout the space so technology can be used and personal devices (e.g., cell phones, etc.) can be charged.

Ideally, there needs to be adjacency and a line of sight into this space from the Service Point.

### Occupancy:

This space will be used by people of all ages. Public occupancy will vary depending on time of day and what's occurring in the library. Higher occupancy is expected after school, in the evenings, and on weekends.

### Furniture, Equipment, and Technology:

| Item   | Quantity Needed             | Additional Notes / Description   |
|--|-----------------------------|--|
| A variety of shelving/display to house new teen books, teen fiction and paperbacks, teen magazines, and teen graphic novels. A combination of freestanding and perimeter wall-mounted shelving may be needed.                          | TBD                         | Freestanding shelving should be no higher than 60-66" H, depending on manufacturer. Perimeter shelving can be either 78"H or 84" H as needed for capacity. |
| Adult-size two-seat tables and chairs.   | 2-3 tables, with 4-6 chairs |  |
| Adult-size lounge seating  | 2-3                         |  |
| A variety of shelving/display to house upper level fiction, nonfiction and graphic novels. A combination of freestanding and perimeter wall-mounted shelving may be needed.  | TBD                         | Freestanding shelving should be no higher than 60-66" H, depending on manufacturer. Perimeter shelving should be no higher than 78"H, but 66"H is ideal.   |
| Wireless access throughout the space for maximum flexibility of library technologies, patrons using their own devices, etc.  |                             |  |
| Standard, recessed flush floor-mounted and wall-mounted communications and power outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the library. |                             |  |

### Spatial Relationships:

**Adjacent to:** For supervision and security purposes when the area isn't supervised, this area should be close to a

main staff service point or a staff office/area.

**Environmental and Engineering Needs:**

**Acoustics:** Teens and users of all ages will gather here to study, read, socialize, collaborate, and engage. This area will inevitably be a source of noise and should be designed to contain noise as much as possible. Wall, ceiling and floor surfaces should be sound absorbing, including carpet, acoustical wall panels and ceiling tile.

**Heating/Cooling/Air Quality:** The ability to control temperature is essential for this area.

**Electrical:** Provide ample power outlets along the walls and in the floor to provide maximum flexibility for this space.

**Data Wiring/Cabling:** Wireless access and fully wired for data and telecom connectivity.

**Lighting:** Lighting should be over stacks either parallel or perpendicular to the stacks as long as the required lighting level is achieved. This area should be bright with indirect but high lighting.

**Finishes:** Since this is a high traffic area, flooring materials should be selected for its long-term durability.

All furnishings should be attractive, durable, ergonomically sound and appropriate for BOTH the historic aesthetics of the building and attractive to young adult users in addition to the general population. It is acknowledged that this will be a difficult balance to strike.

**Space S.7 – Staff Office / Work Area**

**175-200 SF**

**Function:**

This area includes staff desks for 2 to 3 staff members. Staff will use their individual areas to do collection development, plan programs and services, prepare for programs, make phone calls, write reports, etc. In addition to serving as individual workspace, this area will also serve as a general work area.

**Occupancy:**

2 to 3 staff members will occupy this space

**Furniture, Equipment, and Technology:**

| Item  | Quantity Needed | Additional Notes / Description |
|---|-----------------|--------------------------------|
| Desk system with storage that can accommodate a computer, printer, telephone, and basic supplies and files. | 2-3             |                                |
| Ergonomic task chair  | 2-3             |                                |
| Appropriate storage as needed and fits within the space   |                 |                                |
| Wireless and wired access for maximum   |                 |                                |

|   |  |  |
|---|--|--|
| flexibility of library technologies and staff using portable devices, etc.  |  |  |
| Standard, recessed flush floor-mounted and wall-mounted communications and power outlets to support electronic equipment located here, charging of devices, and future equipment moved here from another part of the library. |  |  |

### Spatial Relationships:

---

**Adjacent to:** No required adjacencies.

### Architectural and Engineering Needs:

---

**Acoustics:** Acoustical treatment will be important considering that this is both an individual workspace as well as a collaborative area. Traffic and out of the area will be high.

**Heating/Cooling/Air Quality:** The ability to control temperature is essential for this area.

**Electrical:** Provide ample power outlets in office/staff work areas.

**Data Wiring/Cabling:** Wireless access and fully wired for data and telecom connectivity.

**Lighting:** Appropriate lighting for work areas where people are spending several hours per day in the space. Lighting considerations will be crucial to the success of this workspace.

**Finishes:** Because this is a medium to light traffic area, flooring materials should be selected for their long-term durability characteristics. The flooring should complement the inviting and comfortable characteristics of the space. All furnishings should be ergonomically sound.

### Other Comments:

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This area should be securable.

### Space S.8 – Multi-functional Medium Program/Meeting Room

450 - 600 SF

#### Function:

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To provide a medium-sized multipurpose program and meeting space for story times up to 20 people and table and chair meetings of up to 15 persons.

#### Occupancy:

---

Up to 20 people.

**Furniture, Equipment, and Technology:**

| Item   | Quantity Needed | Additional Notes / Description                          |
|--|-----------------|---|
| Flip and nest tables   | 2-3             |   |
| Meeting room chairs (stacking or flip and nest)  | 15              |   |
| Ceiling mounted projector and screen   | 1 of each       | Other potential equipment includes a mobile white board |
| Wireless access throughout the space for maximum flexibility of library technologies, public and staff using portable devices, etc.  |                 |   |
| Standard, recessed flush floor-mounted and wall-mounted communications and power outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the library. |                 |   |

**Spatial Relationships:**

**Adjacent to:** Youth Areas

**Environmental and Engineering Needs:**

**Acoustics:** Outstanding acoustics appropriate large meetings and programs, performances, lectures, movies, etc.

**Heating/Cooling/Air Quality:** Ability to control temperature is essential for this area.

**Electrical:** Provide ample power outlets in the floor and walls.

**Wiring/Cabling:** Maximum capacity for wireless, cabled connectivity and telecommunication.

**Finishes:** Flooring materials should be selected for their long-term durability and ease of cleaning. Given this area's likely use for story times, if carpet is not selected, some type of pads or mats will be required for story time attendees. All furnishings should be attractive, comfortable, durable, and easy-to-clean.

**Lighting:** Daylighting and appropriate lighting for lighted and darkened presentations.

**Other Comments:**

This room should be technologically advanced as well as very flexible.



## Space S.9 – Staff Lounge / Break Room

175-200 SF

**Function:**

Provide a comfortable and functional area for staff breaks, meals, relaxation, etc. for all library staff. May also be used for staff meeting space as needed.

The kitchenette in this space MIGHT also serve as a kitchenette for the adjacent large meeting room.

**Occupancy:**

The occupancy at any given time will range from 1 to no more than 4 persons.

**Furniture, Equipment, and Technology:**

| Item                                  | Quantity Needed      | Additional Notes / Description   |
|---------------------------------------|----------------------|--|
| Adult-size four-seat table and chairs | 1 table and 4 chairs |  |
| Adult-size lounge seating             | 1                    |  |
| Galley Kitchen Unit                   | 1                    | Unit should include a sink, two stove top burners, a refrigerator, countertop, a space for a microwave, and cabinetry. Typically, this unit would be 26"D. |

**Spatial Relationships:**

*Close to:* No specific adjacency requirement

**Environmental and Engineering Needs:**

**Acoustics:** This is a low to medium traffic area. Consider additional acoustical control to provide privacy for staff conversations within the space.

**Heating/Cooling/Air Quality:** The ability to control temperature is essential for this area based on the number of people in the room at any given time.

**Electrical:** Provide ample power outlets in the floor and walls in all staff spaces.

**Wiring/Cabling:** Wireless access and maximum capacity for connectivity, telecommunication, and telephone.

**Lighting:** Need daylighting and appropriate lighting for reading and relaxing.

**Finishes:** Flooring materials should be selected for their long-term durability characteristics. Chair coverings must be durable, non-stain with washable surfaces.

**Other Comments:**

This area must be securable.

**Function:**

To provide large multipurpose meeting, programming and event space for up to 80 persons seated theatre style. Given its location on the 3<sup>rd</sup> floor of the existing building, which is what that area was originally built for, the existing stage and storage areas should likely be maintained.

**Occupancy:**

Up to 80 people seated theater style.

**Furniture, Equipment, and Technology:**

| Item   | Quantity Needed | Additional Notes / Description   |
|--|-----------------|--|
| Flip and nest tables   | TBD             |  |
| Meeting room chairs (stacking or flip and nest)  | 80              |  |
| Portable podium  | 1               |  |
| Ceiling mounted short throw projector and ceiling mounted retractable screen   | 1               | Other potential equipment includes mobile whiteboards, a Quality Stereo Sound System and Quality HD Video System and potentially an Assistive Hearing Loop |
| Wireless access throughout the space for maximum flexibility of library technologies, public and staff using portable devices, etc.  |                 |  |
| Standard, recessed flush floor-mounted and wall-mounted communications and power outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the library. |                 |  |

**Spatial Relationships:**

**Adjacent to:** No requirements, however adjacent to Staff Lounge to make use of Kitchenette if possible

**Environmental and Engineering Needs:**

**Acoustics:** Outstanding acoustics appropriate large meetings and programs, performances, lectures, movies, etc.

**Heating/Cooling/Air Quality:** Ability to control temperature is essential for this area.

**Electrical:** Provide ample power outlets in the floor and walls in all staff spaces.

**Wiring/Cabling:** Maximum capacity for wireless, cabled connectivity and telecommunication.

**Finishes:** Flooring materials should be selected for their long-term durability and ease of cleaning. All furnishings should be attractive, comfortable, durable, and easy-to-clean.

**Lighting:** Daylighting and appropriate lighting for lighted and darkened presentations.

**Other Comments:**

---

This room should be technologically advanced as well as very flexible.

**Space 5.11 – Historical Society and Historical Commission Areas**

**650-800 SF**

**Function:**

---

Currently the Historical Society and the Historical Commission occupy the full 3<sup>rd</sup> floor of the building. However, this space is in high demand as a public meeting and program space (as it was originally built and intended for) once the 3<sup>rd</sup> floor is made accessible with an elevator. Ultimately the Library and local leaders will need to decide if the 3<sup>rd</sup> floor of the Library is still the best location for these groups. For purposes of this program, space has been set aside for both organizations on the third floor. However, this is a place holder, as this is a decision the community must reach outside of the scope of this programmatic project.

**Occupancy:**

---

1 – 3 people in each area is typical

**Furniture, Equipment, and Technology:**

| Item  | Quantity Needed | Additional Notes / Description |
|---|-----------------|--------------------------------|
| Furniture and equipment for this space is outside of the scope of this project. |                 |                                |

**Spatial Relationships:**

---

No specific adjacency requirements.

**Environmental and Engineering Needs:**

---

**Acoustics:** No special requirements

**Heating/Cooling/Air Quality:** Ability to manage temperature control is essential for this area; this area should be able to be kept cooler to maintain the resources, ideally averaging 72 degrees all year round, with humidity of no more than 60 percent year round.

**Electrical:** Provide ample power outlets in the floor, tables, and walls in all public and staff spaces for future re-

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purposing and remodeling

**Data Wiring/Cabling:** Maximum electrical wiring and data cable for flexibility and future re-purposing of spaces as needed.

**Finishes:** All finishes and flooring should be attractive, comfortable, durable, easily cleaned and maintained, and appropriate to the function of this space.

**Lighting:** Lighting appropriate for preserving these materials is needed and supporting the work of staff and volunteers working in the area.

**Space S.12 – Historical Storage (Hist. Society and Commission)**

**200-250 SF**

**Function:**

---

This space will serve as a place for the Historical Society and/or the Historical Commission to store their materials. Since this area is in a basement area and the materials stored here are sensitive in nature, protection from water, moisture, etc. should be incorporated into the design. This should be a separately secured room and should be as sealed off as possible from the rest of the basement. It might require its own independent sump pump with emergency backups, and ideally be sealed off at the ceiling to protect from any water penetration from above. Separate temperature and humidity controls may be required.

High density (collapsible) shelving should also be considered to get maximum storage since the space would only be accessed by trained staff and volunteers.

**Occupancy:**

---

This space will be only for storage so any occupancy by staff will be transient in nature.

**Furniture, Equipment, and Technology:**

| Item                  | Quantity Needed | Additional Notes / Description                    |
|-----------------------|-----------------|---|
| High Density shelving | TBD             | SpaceSaver shelving or other similar manufacturer |

**Spatial Relationships:**

---

**Adjacent to:** No required adjacencies.

**Environmental and Engineering Needs:**

---

**Acoustics:** Acoustics are not an issue for this space.

**Heating/Cooling/Air Quality:** The ability to manage temperature and humidity is essential for this area.

**Electrical:** Some power access should be available in this area.

**Data Wiring/Cabling:** Wireless access

**Lighting:** Appropriate lighting to support staff/volunteers who are filing or searching for filed materials.

**Finishes:** This is a non-public storage area so finishes can be focused on what best supports the requirements of the room.

**Security:** This area must be secured for access by staff and authorized volunteers only.

### Space S.13 – Maker/Creativity Lab, Collaboration/Co-Working, & Vending 1,125 - 1,500 SF

#### Function:

This space will be highly flexible and able to serve a variety of purposes and users. All furnishings should be flexible and easy to move. The space should be focused on day-to-day and year-to-year flexibility in terms of setup and intent. Uses for the space are likely to include maker/creativity functions, digital creativity, co-working/collaborative work, café/vending area, and even a potential program area and meeting space as needed.

This space must be technologically advanced, flexible with adjustable lighting and the ability to black out the space as needed.

#### Occupancy:

Anywhere from 1 to 25 people will occupy this space at a given time. Individuals, groups, as well as for small classes/programs will use this space.

#### Furniture, Equipment, and Technology:

| Item  | Quantity Needed         | Additional Notes / Description   |
|---|-------------------------|--|
| Flip and nest tables and chairs   | TBD                     |  |
| Adult lounge seating and occasional tables (half-caster)                              | TBD                     |  |
| Collaboration table (with flat panel and technology hookups) and chairs               | 1 table with 4-6 chairs | Collaboration table should be properly fitted with flat panels and technology hookups for patrons to plug in portable devices to the screen. |
| Lockable Storage cabinet(s) for equipment   | 1                       |  |
| Ceiling mounted retractable (projection screen, black backdrop, green screen)         | 1                       |  |
| Maker-table/workbench (on casters)  | TBD                     |  |
| Wall art/display hanging systems  |                         |  |
| Wireless access throughout the space for maximum flexibility of library technologies, |                         |  |



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| public and staff using portable devices, etc.   |  |  |
| Standard, recessed flush floor-mounted and wall-mounted communications and power outlets to support electronic equipment located here, charging of personal devices, and future equipment moved here from another part of the library.<br><br>Also, drop-down/pull-down power in key positions to support maker and creativity functions. |  |  |

**Spatial Relationships:**

---

No special adjacencies required.

**Environmental and Engineering Needs:**

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**Acoustics:** Wall, ceiling and floor surfaces should be absorptive, including carpet, acoustical wall panels and ceiling tile. Specific attention should be given to preventing sound transmission from above and from this area to upstairs.

**Heating/Cooling/Air Quality:** The ability to manage temperature control is essential for this area. Attention to the noise level generated by heating and cooling systems is also critical here as loud noise could negatively affect digital creativity activities. The space must have its own thermostat.

**Electrical:** Provide ample power outlets along the walls and in the floor to provide maximum flexibility for this space. In addition to drop-down power in key areas to support maker and creative functions.

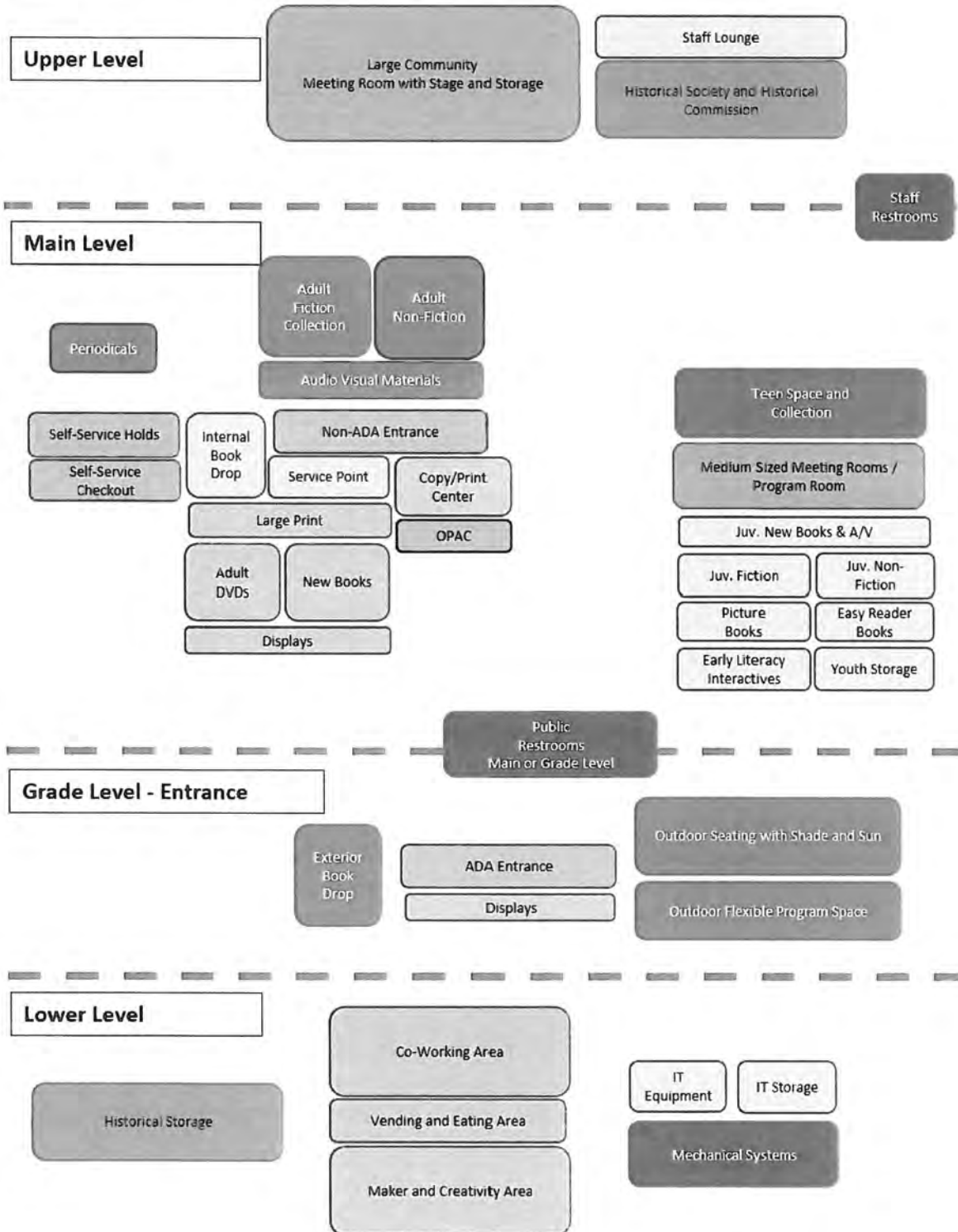
**Data Wiring/Cabling:** Wireless access and fully wired for data and telecom connectivity.

**Lighting:** This area should have adjustable lighting. It is imperative that this space have a good mix of direct and indirect lighting in various areas. As this will be in a basement area with limited natural light, creating warm and inviting lighting will be critical.

**Finishes:** Because this area is in the lower level, and because of the purposes it is serving a more modern approach to furnishings should be considered. Because this is a medium to high traffic area, flooring materials should be selected for its long-term durability characteristics. Carpet tile is recommended for durability as well as acoustics. Flexibility and mobility are key for all furnishings. Everything should be portable, durable and ergonomic.

### C: Adjacency Chart for Functional Areas

To provide further guidance to the program the following chart outlines the required and ideal adjacencies within the building. Given the strong preference to stay in the current building, The existing floor levels plus the addition of a grade level have been utilized in the mapping.



## FINAL GUIDANCE AND RECOMMENDATIONS

The outcome of the study completed in 2018 was to keep the Ramsdell Library open, renovate it to make it fully ADA accessible, and work with the community to make it the vibrant hub the residents want it to be. That recommendation still seems warranted and the additional investigations completed during the development of this building program further the soundness of those recommendations.

# APPENDICES

## APPENDIX A: RAMSDELL LIBRARY COMMUNITY DISCUSSIONS (JUNE 2018)

Kimberly Bolan and Associates conducted a series of community stakeholder sessions for the Great Barrington Libraries April 9-11, 2018. Overall, 95 people attended these sessions. The summary of the discussions is listed below. The order of the comments and categories was determined by fit to the page not the importance assigned via the discussions.

### General Sentiments:

- Overall, the community supports keeping Ramsdell Library open and expressed that there is a great need for a gathering space (community center) in the village of Housatonic as the village has limited amenities.
- Both Housatonic and GB residents have a sentimental attachment to the Ramsdell building and found it to be an untapped resource.
- Most people agreed that there is no need to duplicate materials and services at both GB Libraries and that a more focused approach at Ramsdell would make it more of a destination for both GB and Housatonic residents.
- Overwhelmingly people understood that ADA accessibility issues at Ramsdell are a major factor in why library usage is low.
- There was general concern over the Historical Society and Historical Commission occupying the upper level and limiting the library's ability to use the space.

### Customer Service:

- Many people expressed confusion over knowing when Ramsdell was open and cited that as reason for using Mason and other area libraries with more consistent hours of operation.
  - As a result, many suggested that the library rethink the hours of operation and consider having hours that don't overlap with Mason.
  - Many supported the idea that Ramsdell close whole days and have longer hours on the other days so it can accommodate the community in the evening and later than 3pm on the weekends.
  - Most participants appreciated the libraries decision to reduce hours to be more cost effective but found the current inconsistent with community needs.
- Many participants cited a need for more 24/7 self-service facilities as amenities in the community are limited.
  - Many residents would prefer to be able to pick up holds from Ramsdell as it is more convenient and liked the idea of having 24/7 access to a locker holds system.
  - Several suggested use of the front outdoor space with strong Wi-Fi and nice seating would give the illusion that the library is more accessible to the community even when it is closed.
  - Many expressed a need for community organizations to have access to meeting rooms, copiers and gathering spaces and found the space at Ramsdell to be an ideal location during and after library hours.

### Technology & Digital Services:

- Most participants indicated that there is a shocking number of residents that don't have access to Wi-Fi or computers and the library needs to provide stronger Wi-Fi and have more desktops and laptops available.
- There were many complaints about the technology not being current, issues with the existing Wi-Fi and the lack of power and charging ports.



**Youth Services:**

- Most participants found that the library is doing a good job serving younger children at Ramsdell with its collection and programming. Many mentioned the Saturday morning art program and movie nights as a very popular draw to the library.
- Several people cited that more families are moving into neighborhood around Ramsdell and enjoy having the ability to walk to the library.
- But almost all participants recognized that most families age out at around 9-10 years old and begin to use Mason.
- Some parents of younger children cited that while they love the location of the children's area, they often feel like their children are bothering the adult patrons.
- Most participants found that the space was too small to accommodate all ages.
- The idea of moving the youth area to the back of the library and adding a glass wall between columns to create a dedicated youth area was well received.
- Many felt that the Pre-teens and teens were very much underserved at Ramsdell.
  - Several participants felt that it is important for the library to be open afterschool and into the evening so students can have access to resources, a place to do homework or meet with tutors.
  - It was mentioned that children 9 year-old and older can use Mason library unattended, many felt that parents near Ramsdell could use the library as a gap between the end of the school day and work commitments if there was bus access.
  - In general, all participants felt that catering to this group needed to be a combination of finding a space that teens could feel was their own, targeted programming and marketing efforts.

**Adult and Senior Services:**

- In general, participants find the building/architecture very charming, but do not find the space allocation and furnishings welcoming.
- Many suggested a need for more flexible furniture, comfortable seating and finding a way to accommodate social spaces and quiet spaces for adults.
- Overall people were open to the idea of using the front half of the building as adult space. Many believed that the large windows and natural light would be more appreciated by the adults and moving the children's area to the back of the building would help with acoustical issues.

**Programming:**

- In general, most participants felt that Ramsdell could become a destination for Housatonic and GB residents for programs and community events.
- Existing children's art program, cooking classes and movie nights were referenced several times as being very successful.
- Many suggestions were made to tap into the artisan community to offer more art, music and local author programs for all ages.
- Several people referenced that Housatonic is at a disadvantage with unemployment and felt that workforce training and career planning programs would benefit the residents.
- It was suggested that the library offer teen only programs on Friday evening and provide more weekend programming.

**Meeting Spaces:**

- Overwhelmingly participants acknowledged a community need for both small and large meeting spaces.
- There was interest in developing some small meeting rooms similar to those at Mason for tutoring or for use by telecommuters.
- In general, most participants thought the upper floor should be used as a large meeting room once accessibility was addressed.

## Great Barrington Libraries - Ramsdell Library Building Program

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### Collections:

- In general, all participants felt that the collection was not very easy to browse at Ramsdell and were open to the idea of reducing the size of the collection to make room for other functions.
- Most of the participants were happy to wait a day or two for a title that was being transferred from Mason or CWMARS but the library could do better at promoting this service.
- All groups were excited by the idea of having a bookstore style shelving system with shelving on casters and more face-out display.
- Several participants referenced the extraordinary art book collection and suggested that it be more prominently featured in the library.
- Many discussed featuring other specialty collections: such as, music, cookbooks and Local History specifically Berkshires and Great Barrington.
- It was suggested that the youth collection be expanded to serve the older children and teens.
- It was noted several times that Ramsdell is know for an extensive DVD collection and that it is appreciated by the community.
- Many people indicated that having more access to new books and popular collections would be appreciated at Ramsdell.

### Creativity/ Makerspaces:

- Many participants discussed offering an art focused creativity space or studio spaces for the arts.
- Several participants cited the economic conditions in Housatonic as a good reason for the library to develop a makerspace that provided artisan tools and sewing machines.
- In general, many agreed that the lower level would be a great area to incorporate a makerspace once accessibility was addressed.

### Other:

- Many cited that Co-Working spaces happen organically at Mason and felt that a dedicated Co-Working area at Ramsdell would be a benefit to the residents.
- There are many people who work from home, many start-up businesses that cannot afford rent in GB and many seasonal professionals that would use the library more with a Co-working space.
- In addition to addressing ADA accessibility, all participants noted that the heating and cooling systems at the library was a problem at the library citing no air conditioning and inconsistencies in climate control throughout the building in the winter.

## APPENDIX B: RAMSDELL LIBRARY COMMUNITY SURVEY (JUNE 2018)

Kimberly Bolan and Associates conducted an online survey from April 2-May 28, 2018. 303 surveys were completed. Below is a compilation of the results from that online survey.

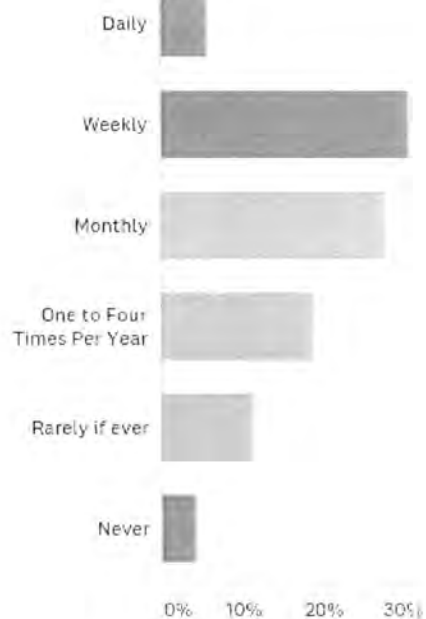
### Q1: How often do you visit the Ramsdell Library?

| ANSWER CHOICES             | RESPONSES |
|----------------------------|-----------|
| Weekly                     | 27.39%    |
| One to Four Times Per Year | 23.76%    |
| Monthly                    | 17.16%    |
| Rarely if ever             | 14.85%    |
| Never                      | 14.85%    |
| Daily                      | 1.98%     |
| TOTAL                      |           |

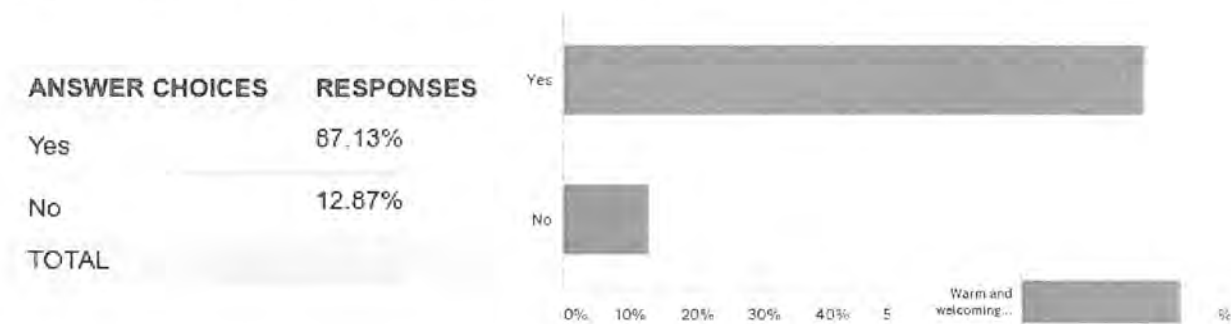


### Q2: How often do you visit the Mason Library?

| ANSWER CHOICES             | RESPONSES |
|----------------------------|-----------|
| Daily                      | 5.94%     |
| Weekly                     | 31.02%    |
| Monthly                    | 28.05%    |
| One to Four Times Per Year | 19.14%    |
| Rarely if ever             | 11.55%    |
| Never                      | 4.29%     |
| TOTAL                      |           |

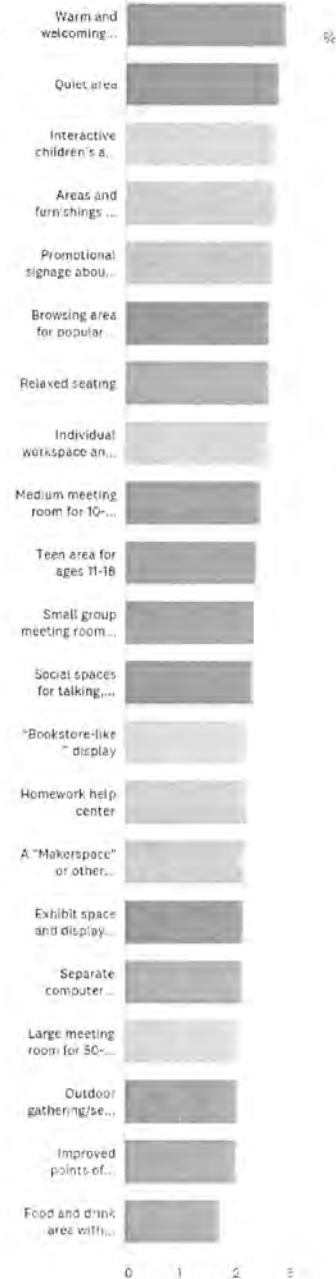


Q3: Do you have a Great Barrington Libraries card?



Q4: Please rate the following SPACF needs

|   | MUST HAVE     | NICE TO HAVE BUT NOT CRITICAL | DON'T NEED   | DON'T KNOW   | WEIGHTED AVERAGE |
|---|---------------|-------------------------------|--------------|--------------|------------------|
| Warm and welcoming atmosphere   | 90.55%<br>230 | 7.48%<br>19                   | 1.18%<br>3   | 0.79%<br>2   | 2.90             |
| Quiet area  | 79.53%<br>202 | 18.11%<br>46                  | 1.18%<br>3   | 1.18%<br>3   | 2.79             |
| Interactive children's area for ages 0-10                             | 74.80%<br>190 | 14.57%<br>37                  | 5.91%<br>15  | 4.72%<br>12  | 2.72             |
| Areas and furnishings for plugging in and using your own technology   | 74.02%<br>188 | 21.26%<br>54                  | 3.94%<br>10  | 0.79%<br>2   | 2.71             |
| Promotional signage about upcoming events and services                | 68.90%<br>175 | 28.35%<br>72                  | 1.97%<br>5   | 0.79%<br>2   | 2.67             |
| Browsing area for popular materials                                   | 64.57%<br>164 | 31.10%<br>79                  | 3.15%<br>8   | 1.18%<br>3   | 2.62             |
| Relaxed seating   | 63.78%<br>162 | 30.71%<br>78                  | 3.54%<br>9   | 1.97%<br>5   | 2.61             |
| Individual workspace and study areas                                  | 63.39%<br>161 | 31.50%<br>80                  | 3.54%<br>9   | 1.57%<br>4   | 2.61             |
| Medium meeting room for 10-30 people                                  | 51.57%<br>131 | 38.19%<br>97                  | 7.87%<br>20  | 2.36%<br>6   | 2.45             |
| Teen area for ages 11-18  | 46.85%<br>119 | 34.25%<br>87                  | 11.81%<br>30 | 7.09%<br>18  | 2.38             |
| Small group meeting rooms for 2-4 people                              | 44.49%<br>113 | 39.76%<br>101                 | 11.42%<br>29 | 4.33%<br>11  | 2.35             |
| Social spaces for talking, small groups, etc                          | 44.09%<br>112 | 37.80%<br>96                  | 14.17%<br>36 | 3.94%<br>10  | 2.31             |
| "Bookstore-like" display  | 29.13%<br>74  | 51.18%<br>130                 | 9.45%<br>24  | 10.24%<br>26 | 2.22             |
| Homework help center  | 38.19%<br>97  | 32.68%<br>83                  | 19.69%<br>50 | 9.45%<br>24  | 2.20             |
| A "Makerspace" or other Creativity Space(s)                           | 29.37%<br>74  | 47.62%<br>120                 | 14.29%<br>36 | 8.73%<br>22  | 2.17             |
| Exhibit space and display area  | 27.17%<br>69  | 53.54%<br>136                 | 12.60%<br>32 | 6.69%<br>17  | 2.16             |
| Separate computer training/instruction area                           | 26.77%<br>68  | 55.91%<br>142                 | 12.99%<br>33 | 4.33%<br>11  | 2.14             |
| Large meeting room for 50-100 people                                  | 27.17%<br>69  | 46.46%<br>118                 | 22.05%<br>56 | 4.33%<br>11  | 2.05             |
| Outdoor gathering/seating area  | 19.69%<br>50  | 62.60%<br>159                 | 14.57%<br>37 | 3.15%<br>8   | 2.05             |
| Improved points of service (e.g. desk locations, self-checkout, etc.) | 26.38%<br>67  | 35.43%<br>90                  | 24.02%<br>61 | 14.17%<br>36 | 2.03             |
| Food and drink area with seating                                      | 9.84%<br>25   | 49.61%<br>126                 | 35.43%<br>90 | 5.12%<br>13  | 1.73             |

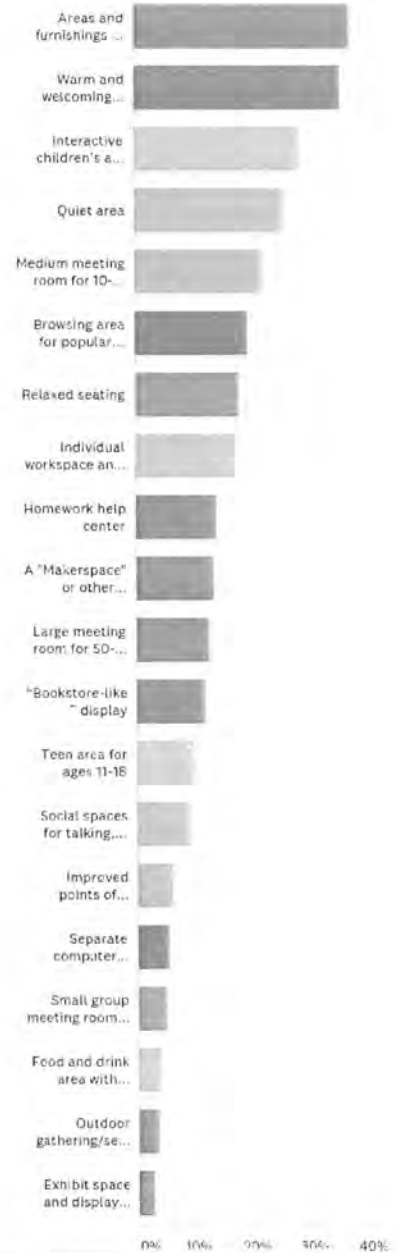


**Q5: Please check your TOP THREE space-related priorities for the Ramsdell Library.**

**ANSWER CHOICES**

|   |        |
|---|--------|
| Areas and furnishings for plugging in and using your own technology   | 37.01% |
| Warm and welcoming atmosphere   | 35.43% |
| Interactive children's area for ages 0-10                             | 28.35% |
| Quiet area  | 25.59% |
| Medium meeting room for 10-30 people                                  | 21.65% |
| Browsing area for popular materials                                   | 19.29% |
| Relaxed seating   | 17.72% |
| Individual workspace and study areas                                  | 17.32% |
| Homework help center  | 13.78% |
| A "Makerspace" or other Creativity Space(s)                           | 13.39% |
| Large meeting room for 50-100 people                                  | 12.60% |
| "Bookstore-like" display  | 11.81% |
| Teen area for ages 11-18  | 9.84%  |
| Social spaces for talking, small groups, etc.                         | 9.06%  |
| Improved points of service (e.g. desk locations, self checkout, etc.) | 6.30%  |
| Separate computer training/instruction area                           | 5.51%  |
| Small group meeting rooms for 2-4 people                              | 5.12%  |
| Food and drink area with seating                                      | 3.94%  |
| Outdoor gathering/seating area  | 3.54%  |
| Exhibit space and display area  | 2.76%  |
| Total Respondents: 254  |        |

**RESPONSES**



**Q8: What are your experiences with parking at the Ramsdell Library?**

**ANSWER CHOICES**

|   |        |
|---|--------|
| I never have a problem with parking at the library.             | 47.64% |
| I sometimes have a problem with parking at the library.         | 37.26% |
| I always have a problem with parking at the library.            | 2.83%  |
| I do not use the library because of challenges with the parking | 0.94%  |
| I use other ways to get to the library and do not park.         | 11.32% |

**RESPONSES**



TOTAL

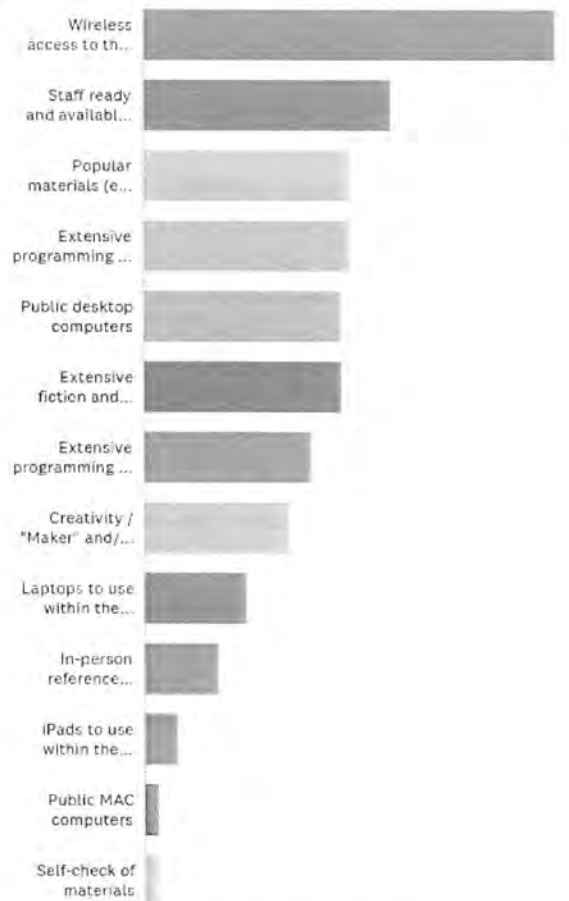


Q6: Please rate the following SERVICES.

|  | MUST HAVE     | NICE TO HAVE BUT NOT CRITICAL | DON'T NEED   | DON'T KNOW   | WEIGHTED AVERAGE |                              |
|--|---------------|-------------------------------|--------------|--------------|------------------|------------------------------|
| Wireless access to the Internet  | 89.79%<br>211 | 6.81%<br>16                   | 2.13%<br>5   | 1.28%<br>3   | 2.89             | Wireless access to th...     |
| Staff ready and available when needed                                      | 74.68%<br>174 | 17.60%<br>41                  | 2.15%<br>5   | 5.58%<br>13  | 2.77             | Staff ready and availabl...  |
| Popular materials (e.g. new books, audiovisual materials, magazines, etc.) | 71.79%<br>168 | 25.64%<br>60                  | 1.71%<br>4   | 0.85%<br>2   | 2.71             | Popular materials (e...      |
| Public desktop computers   | 71.79%<br>168 | 20.94%<br>49                  | 5.98%<br>14  | 1.28%<br>3   | 2.67             | Public desktop computers     |
| Extensive programming for Youth and Teens                                  | 59.31%<br>137 | 30.74%<br>71                  | 4.76%<br>11  | 5.19%<br>12  | 2.58             | Extensive programming ...    |
| Extensive fiction and non-fiction collections in the building              | 50.65%<br>117 | 36.80%<br>85                  | 9.09%<br>21  | 3.46%<br>8   | 2.43             | Extensive fiction and...     |
| Extensive programming for Adults   | 42.92%<br>100 | 47.64%<br>111                 | 4.72%<br>11  | 4.72%<br>11  | 2.40             | Extensive programming ...    |
| Creativity / "Maker" and/or STEM Programming                               | 33.91%<br>78  | 42.61%<br>98                  | 10.87%<br>25 | 12.61%<br>29 | 2.26             | Creativity / "Maker" and/... |
| In person reference and/or reader's advisory services                      | 34.93%<br>80  | 41.05%<br>94                  | 12.66%<br>29 | 11.35%<br>26 | 2.25             | In person reference...       |
| Laptops to use within the Library  | 39.39%<br>91  | 36.96%<br>90                  | 17.32%<br>40 | 4.33%<br>10  | 2.23             | Laptops to use within the... |
| Public MAC computers   | 32.61%<br>75  | 43.48%<br>100                 | 16.96%<br>39 | 6.96%<br>16  | 2.17             | Public MAC computers         |
| iPads to use within the Library  | 21.03%<br>49  | 48.93%<br>114                 | 26.16%<br>61 | 3.86%<br>9   | 1.95             | iPads to use within the...   |
| Self-check of materials  | 9.91%<br>23   | 41.38%<br>96                  | 37.50%<br>87 | 11.21%<br>26 | 1.69             | Self-check of materials      |

0 1 2 3

Q7: Please check your TOP THREE service priorities for the Ramsdell Library.



**ANSWER CHOICES**

| ANSWER CHOICES   | RESPONSE % |
|--|------------|
| Wireless access to the Internet  | 61.44%     |
| Staff ready and available when needed                                      | 36.86%     |
| Popular materials (e.g. new books, audiovisual materials, magazines, etc.) | 30.51%     |
| Extensive programming for Youth and Teens                                  | 30.51%     |
| Public desktop computers   | 29.24%     |
| Extensive fiction and non-fiction collections in the building              | 29.24%     |
| Extensive programming for Adults   | 25.00%     |
| Creativity / "Maker" and/or STEM programming                               | 21.61%     |
| Laptops to use within the Library  | 15.25%     |
| In-person reference and/or readers advisory services                       | 11.02%     |
| iPads to use within the Library  | 5.08%      |
| Public MAC computers   | 2.12%      |
| Self-check of materials  | 2.12%      |

Total Respondents: 236

APPENDIX C:  
RAMSDELL LIBRARY BUILDING EVALUATION (JANUARY 2020)

Facility Analysis - ~~\_\_\_\_\_~~ *Ramsdell Library*  
Completed: *Great Barrington Libraries*



\*If something is not applicable, just mark N/A under Notes.

|   | Current Assessment |          |            |      | Notes & Ideas for Improvement |
|---|--------------------|----------|------------|------|-------------------------------|
|   | Good               | Adequate | Inadequate | Poor |                               |
| <b>LIBRARY ACCESSIBILITY</b>            |                    |          |            |      |                               |
| Patron Vehicle                          |                    |          |            | ✓    |                               |
| Delivery Vehicle                        |                    |          |            | ✓    |                               |
| Exterior Materials Return(s)            |                    |          | ✓          |      |                               |
| Pedestrian Access                       |                    |          | ✓          |      |                               |
| Daily Parking                           |                    |          |            | ✓    |                               |
| Event Parking                           |                    |          |            | ✓    |                               |
| Proximity to Major Roads                |                    | ✓        |            |      |                               |
| ADA Accessibility (exterior & interior) |                    |          |            | ✓    |                               |
| <b>LIBRARY VISIBILITY</b>               |                    |          |            |      |                               |
| From a distance                         | ✓                  | ✓        |            |      |                               |
| Upon approach                           | ✓                  |          |            |      |                               |
| Of entry points                         | ✓                  |          |            |      |                               |
| Easily identifiable as Library          |                    | ✓        |            |      |                               |

| INTERIOR PUBLIC / SERVICE SPACES   | Good               | Adeq. w/ | Inadeq. w/ | Poor | Notes                         |
|--|--------------------|----------|------------|------|-------------------------------|
|  |                    |          |            |      |                               |
| Lobby / Entrance(s)  |                    |          | ✓          |      |                               |
| Interior Materials Return  |                    | ✓        |            |      |                               |
| Friends Area   |                    | ✓        |            |      |                               |
| Service point(s) –<br><i>Include comments about the service "desks", self-check, self-serve holds and other service point related items.</i> |                    |          | ✓          |      |                               |
| New Books / Popular Library  |                    |          | ✓          |      |                               |
| Quiet areas  |                    | ✓        |            |      |                               |
| Social / collaboration areas   |                    |          | ✓          |      |                               |
| Adult collection space   |                    | ✓        | not ADA ✓  |      |                               |
|  | Current Assessment |          |            |      | Notes & Ideas for Improvement |
|  | Good               | Adequate | Inadequate | Poor |                               |
| Technology spaces  |                    |          |            |      | Laptops loaned out            |
| Children's collection & area   |                    | ✓        |            |      |                               |
| Teen collection & area   |                    | ✓ coll   | ✓ Area     |      |                               |
| Small group meeting room(s) / space(s)   |                    |          |            | ✓    | Non-existent                  |

Great Barrington Libraries - Ramsdell Library Building Program

| STAFF AREAS  |        |  |   |   |   |
|--|--------|--|---|---|---|
| Staff Entrance(s)  |        |  |   | ✓ | Non-Existent  |
| Overall Flexibility of Staff Spaces                              |        |  |   | ✓ | Minimal Staff Space                                     |
| Circulation / Service Desk Functionality, Workflow, Layout, etc. |        |  | ✓ |   |   |
| Technical Services   | —————→ |  |   |   | Not Applicable  |
| Courier / Delivery   |        |  |   | ✓ | Stairs, no storage for bins, doors are an issue         |
| Outreach Services  | —————→ |  |   |   | Not Applicable  |
| General Office Space (Admin, Supervisors, etc.)                  |        |  |   | ✓ | Minimal Staff Space                                     |
| Maintenance Space / Janitorial Space                             |        |  |   | ✓ | Minimal Space   |
| Other Staff Spaces (Staff Lounge, etc.)                          |        |  |   | ✓ | Tiny staff area<br>Poor Staff Restroom                  |
| Storage  |        |  | ✓ |   | Basement has storage<br>But hard to access              |
| Other<br>Mechanical & Electrical                                 |        |  |   | ✓ | HVAC + Power is<br>Very Poor, Dated, maintenance issues |



|   |  |   |   |   |   |
|---|--|---|---|---|---|
| Medium-sized meeting room(s)              |  |   |   | ✓ | Doesn't Exist   |
| Large meeting room(s)                     |  |   |   | ✓ | Doesn't Exist   |
| Food & beverage area(s)                   |  | ✓ |   |   | Coffee Stand  |
| Overall furniture and fixtures            |  |   | ✓ |   | Mix & Match Dated<br>Some in poor condition                                   |
| Ease of way-finding                       |  |   | ✓ |   | Need some<br>collection signage   |
| Restrooms                                 |  |   |   | ✓ | Small hard to access<br>Fixtures in poor shape<br>No charging Table (NOT ADA) |
| <b>TECHNOLOGY</b>                         |  |   |   |   |   |
| Computers & technologies for the public   |  |   | ✓ |   | Laptops/printers avail  |
| Future capacity for additional technology |  |   | § |   |   |
| Online Public Access Catalogs (OPACs)     |  |   |   |   |   |
| Self-check availability                   |  |   |   | ✓ | Not Present   |
| Other technology                          |  |   |   |   | Not Applicable  |

|  | Current Assessment |          |            |      | Notes & Ideas for Improvement |
|--|--------------------|----------|------------|------|-------------------------------|
|  | Good               | Adequate | Inadequate | Poor |                               |
| <b>EXPERIENTIAL CONSIDERATIONS</b>                     |                    |          |            |      |                               |
| Décor & aesthetics                                     |                    | ✓        |            |      |                               |
| Lighting – Natural and artificial                      |                    | ✓        |            |      |                               |
| Noise management                                       |                    |          | ✗          | ✓    |                               |
| Other  |                    |          |            |      |                               |
| <b>VISTAS, VIEWS &amp; OUTDOOR SPACES</b>              |                    |          |            |      |                               |
| Neighboring elements create views from interior spaces |                    | ✓        |            |      |                               |
| Opportunity for outdoor program spaces                 |                    | ✓        |            |      |                               |
| <b>Other</b>   |                    |          |            |      |                               |
|  |                    |          |            |      |                               |
|  |                    |          |            |      |                               |
|  |                    |          |            |      |                               |

**Other Items Needed:**

Number of existing tables for the public: 4

Number of seats for the public: ~~15~~ 30

Ceiling height(s): 18-20

Notes about daily computer usage: Laptops

Number of meeting rooms and their capacities:  
 Small: 0 Medium: 0 Large: 0

## APPENDIX D: RAMSDELL LIBRARY ARCHEAOLOGICAL DUE DILIGENCE REPORT

Some elements of the report were designated as confidential, so the full report is not included in this appendix.



### Ramsdell Public Library Improvements Project Great Barrington, Massachusetts

#### *Cultural Resources Due Diligence*

December 4, 2019

Submitted to:  
**Kimberly Bolan and Associates, LLC**  
7249 Arbuckle Commons, Ste 423  
Brownsburg, IN 46112

In response to a request from Kimberly Bolan and Associates, LLC on behalf of the Great Barrington Library Board of Trustees, The Public Archaeology Laboratory, Inc. (PAL) has completed a cultural resources due diligence including an archaeological sensitivity assessment for the Ramsdell Public Library Improvements Project (Project) located in the Village of Housatonic in Great Barrington, Massachusetts (Figure 1). The library is an approximately 2,885 square foot structure that sits on a lot of less than one acre. The Town is considering possible renovations to the library, but a scope of work for Project has not yet been determined. Proposed improvements under consideration that could result in potential ground disturbances include an ADA accessible addition to the existing library building, creation of outdoor seating spaces, construction of a parking area, and installation of a temporary wheelchair ramp.

The Town anticipates using federal and/or state funds for the Project. The circa 1906 Ramsdell Library is also listed in the National Register of Historic Places (National Register). As such, the Project is potentially subject to review under Section 106 of the National Historic Preservation Act and review by the Massachusetts Historical Commission (MHC) in accordance with Massachusetts General Laws Chapter 9, sections 26-27C and the regulations that guide MHC review of state funded, licensed, or permitted projects (950 CMR 71).

The cultural resources due diligence was conducted to provide information about known archaeological sites and aboveground historic resources that may be affected by the Project, and to make recommendations regarding the need for consultation with the MHC and additional cultural resource management investigations. The due diligence consisted of a search of the MHC's *Inventory of Historic and Archaeological Assets of the Commonwealth* (MHC Inventory) and the *Massachusetts Cultural Resource Information System* (MACRIS) to identify previously recorded archaeological sites and aboveground resources in the Project vicinity.

The study area established for the purposes of the due diligence effort was broadly defined to provide information on the types, nature, and distribution of resources located near the Project. As such, the study area for archaeological sites encompasses one-half mile around the Ramsdell Library property for a total radius of one mile; for aboveground resources, the study area encompasses one-quarter mile around the library for a total radius of one-half mile. The Project's Area of Potential Effects (APE) will be refined as more detailed information about the Project and its design are made available. The APE is defined based on the *potential* for effect, which may differ for archaeological sites and aboveground resources. The APE may include all areas where the ground may be disturbed, where land use patterns (traffic patterns, drainages, etc.) may change, or locations from which the



undertaking may be visible. For the archaeological sensitivity assessment, the APE was defined as the entire lot containing the Ramsdell Library.

### Due Diligence Results

A total of 27 resources have been identified within the Project's defined study area: 26 aboveground resources and 1 archaeological site (Figure 2; Appendices A-1 through A-2).

#### Aboveground Resources

Aboveground resources consist of 3 historic areas and 23 buildings (see Figure 2; see Appendices A-1 and A-2). Of the 3 historic areas, one is currently listed in the National Register as a Historic District. Known as Monument Mills (GBR.B), the Historic District consists of a cotton mill complex along the east and west banks of the Housatonic River and was listed in the National Register in 1983. Textile manufacturing began as early as 1809 with the first damming of the upper mill privilege, and activity at the lower privilege began in 1837 with the construction of a chair manufacturing shop. Monument Mills was incorporated in 1851 following the 1850 purchase of the property by John and Asa Russell, and others, who established a new textile mill and cotton warp manufactory. The mill complex operations continued to expand during the remainder of the nineteenth century, with the addition of jacquard Marseilles bedspreads manufacturing. The mill operations ceased in the 1950s (Fitch and Parrish 1983). The other two historic areas consist of streetscapes associated with Main Street that consist of Monument Mills worker housing built during the mid- to late-nineteenth century (Parrish 1980a, 1980b).

The 23 buildings are represented by nineteenth- to early twentieth-century residential dwellings (including one used as a restaurant/tavern), late-nineteenth and early-twentieth century churches; mid-nineteenth century rail stations; late nineteenth- to early-twentieth century commercial establishments (hotel, restaurant/taverns, gas station, and commercial block); early-twentieth century municipal buildings (school and library), and mid-nineteenth to early-twentieth century buildings associated with the Monument Mills complex (mills, machine shops, business office/clubhouse, power house, warehouse, and picking and dye houses). Seven of the 23 buildings (mills, machine shops, warehouse, power house, and picking and dye houses) are contributing resources to the Monument Mills Historic District.

Two of the 23 buildings are National Register-listed individual properties: the Ramsdell Public Library (GBR.267) and the Housatonic Congregational Church (GBR.268). The library is significant on a local level for its contribution to the growth and development of Housatonic Village, as an important example of private and public efforts to improve the welfare of the town's citizens, and as a well-preserved example of an early-twentieth century, small-town, Classical Revival-style library (Roberts and Friedberg 2014). Listed in the National Register in 2014, the Ramsdell Public Library was constructed from 1906 to 1908. Once completed, the library was deeded to the Town of Great Barrington by T. Ellis Ramsdell, son of Theodore Ramsdell (Stark 2010). Theodore Ramsdell was an administrator and eventual owner of Monument Mills known for his interest in the mill workers and the betterment of Housatonic Village, and had stipulated in his will that funds be used to build the library (Roberts and Friedberg 2014). The most substantial alteration to the property consists of an addition built off the rear of the building in 1930 to extend the stack space.



The Housatonic Congregational Church is on property east of and neighboring the Ramsdell Public Library. It was constructed in 1893 to replace the original 1842 meetinghouse. A dry-laid stone wall foundation for the Church horse shed was contemporaneous with the earlier meetinghouse remains at the rear of the church property. The church is significant at the local level for its association with the development of Housatonic Village, its association with Theodore Ramsdell (manager, then owner of Monument Mills), and as a unique High, Queen Anne, and East Lake style building designed by noted architects H. Neil Wilson and Charles T. Rathbun (Parrish and Dumont 1997).

### Archaeological Resources

There is one previously documented pre-contact archaeological site within the study area consisting of the Monument Mills Site (19-BK-124). No post-contact archaeological sites are documented within the study area. The Monument Mills Site is located within Housatonic Village along the west bank of the Housatonic River within the footprint of the Monument Mills complex. The documented finds from the site consist of two pestles from the Charles J. Taylor collection (MHC site files). One pestle was found during 1874 excavations for a barn for the Monument Mills. The second pestle was found by Thomas Welch in 1884.

In addition to these two pestles from the Monument Mills Site, Charles Taylor noted in *The History of Great Barrington* numerous finds of Native American burials and objects from multiple locations along the Housatonic River valley, including the remains of a stone fish weir near “the factory, south of the bridge” that could be referring to the Monument Mills (Taylor 1928:46).

### Archaeological Sensitivity Assessment

Archaeological sensitivity is the potential for a given area to contain archaeological sites. PAL staff performed a desktop review and a walkover survey of the Project area to stratify it into zones of high, moderate, and low archaeological sensitivity (Figure 3). The factors considered in the development of these sensitivity rankings are summarized in Table 1. Factors affecting sensitivity in the Project area included the proximity of previously-recorded sites, the settlement and land use history of the area as documented through historic maps and town histories; proximity to water sources; topography; soil conditions; and the degree of known or inferred disturbance. No surface indications of pre- or post-contact archaeological sites were observed during the field inspection.

The library property was previously characterized as having moderate sensitivity for pre-contact archaeological resources based favorable locational criteria, and high sensitivity for post-contact resources based on the depiction of former structures in historic maps (Roberts and Friedberg 2014). PAL’s walkover survey and due diligence review of historical maps have confirmed and refined this previous assessment.

The lot containing the Ramsdell Library is situated on a mostly level floodplain terrace landform within 820 feet (250 meters) of the Housatonic River. The level portion of the library property consists of open lawn and plantings, and a wooded, steep slope is present along the north side of the property. Several soil augers were placed around the perimeter of the library building and showed a landscaped topsoil of dark brown (10YR 3/3) fine sandy silt before hitting refusal. It is possible that intact sediments are present below the topsoils.





**Table 1. Archaeological Sensitivity Rankings.**

| Presence of Sites |         | Proximity to Favorable Cultural/ Environmental Characteristics |               |         | Degree of Disturbance |          |           | Sensitivity Ranking |
|-------------------|---------|--|---------------|---------|-----------------------|----------|-----------|---------------------|
| Known             | Unknown | < 150 m  | ≥ 150 ≤ 500 m | > 500 m | None/Minimal          | Moderate | Extensive |                     |
| *                 |         | *  |               |         | *                     |          |           | High                |
| *                 |         | *  |               |         |                       | *        |           | High                |
| *                 |         | *  |               |         |                       |          | *         | Low                 |
| *                 |         |  | *             |         | *                     |          |           | High                |
| *                 |         |  | *             |         |                       | *        |           | High                |
| *                 |         |  | *             |         |                       |          | *         | Low                 |
| *                 |         |  |               | *       | *                     |          |           | High                |
| *                 |         |  |               | *       |                       | *        |           | High                |
| *                 |         |  |               | *       |                       |          | *         | Low                 |
|                   | *       | *  |               |         | *                     |          |           | High                |
|                   | *       | *  |               |         |                       | *        |           | Moderate            |
|                   | *       | *  |               |         |                       |          | *         | Low                 |
|                   | *       |  | *             |         | *                     |          |           | Moderate            |
|                   | *       |  | *             |         |                       | *        |           | Moderate            |
|                   | *       |  | *             |         |                       |          | *         | Low                 |
|                   | *       |  |               | *       | *                     |          |           | Moderate            |
|                   | *       |  |               | *       |                       | *        |           | Low                 |
|                   | *       |  |               | *       |                       |          | *         | Low                 |

A review of the 1876 Beers map of Housatonic Village indicate a house attributed to J. Lang was present in the eastern edge of the lot. The 1904 Barnes and Farnham map depicts two former residences: the Mrs. N.D. Van Deusen house, and a house and outbuildings owned by H.H.B. Turner. The Turner house may be the same as the J. Lang house depicted on the 1876 Beers map. It has also been attributed as being the original 1809 Abel Sheldon house, which was the first house built in Housatonic (Roberts and Friedberg 2014).

Based on the results of the due diligence, approximately 70% of the Project APE is assessed as having high archaeological sensitivity, and 30% is assessed as having low archaeological sensitivity (Table 2; see Figure 3). The archaeologically sensitive portion of the Project area has the potential to contain significant pre-contact resources associate with Native American occupation of the Housatonic River Valley and/or post-contact resources associated with nineteenth-century homesteads or residences. The portion of the Project area assessed as having low archaeological sensitivity is characterized by a steep slope.





**Table 2. Archaeological Sensitivity, Ramsdell Public Library Improvements Project.**

| Sensitivity  | Acres       | Percent of APE |
|--------------|-------------|----------------|
| High         | 0.53        | 70%            |
| Low          | 0.22        | 30%            |
| <b>Total</b> | <b>0.75</b> | <b>100.0%</b>  |

### Recommendations

The due diligence indicates that a portion of the Project area is sensitive for cultural resources and could potentially contain significant archaeological deposits. PAL recommends consultation with the MHC on the potential for the Project to affect historic properties, including archaeological sites.

### References

#### Barnes & Farnham

1904 *Atlas of Berkshire County, Massachusetts*. Barnes & Farnham. Pittsfield, MA.

#### Beers, F.W.

1876 *County Atlas of Berkshire, Massachusetts*. R.T. White & Co., New York.

#### Fitch, Virginia A. (MHC) with James N. Parrish (Berkshire County Regional Planning Commission)

1983 *Monument Mills*. National Register of Historic Places Nomination Form. United States Department of Interior – National Park Service, Washington D.C.

#### Parrish, James N.

1980a *Main Street Streetscape*. Massachusetts Historical Commission Form-G.

1980b *Main Street Streetscape II*. Massachusetts Historical Commission Form-G.

#### Parrish, James N. and Peter Dumont

1980 *Housatonic Congregational Church*. Massachusetts Historical Commission Form-B.

#### Roberts, Norene (MHC) with Betsy Friedberg (National Register Director)

2014 *Ramsdell Public Library*. National Register of Historic Places Registration Form. United States Department of Interior – National Park Service, Washington D.C.

#### Stark, James

2010 *Ramsdell Public Library*. Massachusetts Historical Commission Form-B.

#### Taylor, Charles J.

1928 *Part I, History of Great Barrington (Berkshire), Massachusetts*. Published by the Town of Great Barrington.

STEPHEN C. BANNON  
CHAIR

EDWARD ABRAHAMS  
WILLIAM COOKE  
KATE BURKE  
LEIGH DAVIS



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www.townofgb.org

**TOWN OF GREAT BARRINGTON  
MASSACHUSETTS**  

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**SELECTBOARD**

October 5, 2020

Claudia Shapiro  
P.O. Box 112  
So. Egremont, MA 01258

**RE: Open Meeting Law Complaint dated September 20, 2020**

Dear Ms. Shapiro:

The Town is in receipt of your Open Meeting Law (OML) complaint. Your complaint alleges the following:

1. "Town of Great Barrington/Consolidated effort by Gt. Barr. Town Officials, have been attempting for 17 yrs. to accomplish something the law does not allow."

In response to these claims, we submit the following information:

1. All public hearings held for the special permit application by Berkshire Aviation Enterprises were properly advertised and posted in accordance with Great Barrington bylaws and the Open Meeting Law. Abutters were also noticed in accordance with the law.
2. This meeting was held virtually via our "Zoom" platform, with links posted on the agenda at least 48 hours in advance. As always, the meeting was open to the public with options for participation by video or phone.
3. All participants were given an opportunity to speak and be heard at the appropriate time.

In conclusion, we do not believe that the alleged OML violation has merit.

The Selectboard continues to obey and respect the Open Meeting Law and we hope this response clears up any concerns you may have.

Sincerely,

Stephen Bannon, Chairman  
cc: Office of the Massachusetts Attorney General



### OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

#### Your Contact Information:

First Name: CLAUDIA Last Name: SHAPIRO

Address: 78 EGREMONT PLAIN ROAD -

City: GT. BARR State: MA Zip Code: 01230

Phone Number: 413 528-6053 Ext. \_\_\_\_\_

Email: mailing address e.Shapiro P.O. Box 112 SO. EGREMONT MA. 01230

Organization or Media Affiliation (if any): \_\_\_\_\_

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

- Individual
- Organization
- Media

#### Public Body that is the subject of this complaint:

- City/Town
- County
- Regional/District
- State

Name of Public Body (including city/town, county or region, if applicable): Town of Gt. Barr

Specific person(s), if any, you allege committed the violation: Consolidated effort by Gt. Barr Town officials have been attempting to for 17 yrs. accomplish something the law does not allow

Date of alleged violation: Sept. 14<sup>th</sup> 2020

I believe the alleged violation is intentional for the following reasons,

On Sept 14th the Gt. Barr Select Board held a Zoom Public Hearing, where you could see the participants for a "Special Permit Application for the Town of Gt. Barr.", the notice says "Town of Gt. Barr. Notice to abutters of a Public Hearing" and is requesting to establish a KGBR, Koladza Gt. Barr. Regional Airport. The Town is not being transparent to the community and abutting communities that in fact they are establishing a Municipal Regional Airport.

I filed a response to the Application asking the Select Board not to exceed their authority by granting a special permit for a Municipal Regional Airport under Section 7.2 of the zoning bylaw and point out it states "In accordance with Ch. 90 of Mass.General. Law Section 35B, building height. I pointed out Ch. 90 s. 39 - 39 G Aeronautics Commission, powers, rules, and regulations. **39B** states "no one may establish, alter, or activate an airport, without first obtaining a certificate of approval by the Mass. DOT Aeronautics Commission pursuant to 702 Commonwealth Mass. Regulations Aeronautics Commission 5.02-5.06 and,

702 CMR 5.03 Applicants proposing an airport that is partially on land not owned or controlled by the applicant and owned or controlled by others must obtain authorization from the the owner or person in control of the property to use the property. The signature of that person must be notarized and such written notarization must expressly authorize the applicant to apply for the activities set forth in the application. This applies directly to me, my piece of an airport the town refuse to acknowledge or accept, and I have **not** given my permission.

**5.03 (8) Pursuant to M.G.L. C.90 s.39B before issuing a certificate of approval for an airport the division shall hold a public hearing in the city or town where the airport is to be located.**

I believe because I brought this to the Towns attention on Aug. 24th the Selectmen held a second Public Hearing this time you could not see the participants because,

They are holding that Public Hearing with Mass. DOT, DOT Aeronautics Division, and who ever else is required behind closed doors, the reason why the Town is using a "different system", hiding participants and,

Because I exposed the true intent of this application as a Recycling Plant with a Combustion Facility under the jurisdiction of the Mass. DEP Hazardous Waste Facility Siting Act, that also requires my property,

They are holding that Public Hearing with the DEP, developer, and whoever else is required also behind closed doors.

The reason for this lack of transparency that pertains and relies directly on my property is due to the fact the Town is establishing, developing, expanding, and creating a Regional Municipal Airport that involves two properties in conjunction with the appropriate Government Agencies required behind the backs of the county that would not fly if open and transparent.

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



Town Hall, 334 Main Street  
Great Barrington, MA 01230

Phone: 413-528-0680  
Cell: 413-717- 2010

Ned Saviski  
[nsaviski@townofgb.org](mailto:nsaviski@townofgb.org)

## TOWN OF GREAT BARRINGTON MASSACHUSETTS

Rebecca Jurczyk  
[riurczyk@townofgb.org](mailto:riurczyk@townofgb.org)

### BOARD OF HEALTH

October 2, 2020

#### **Recommendations & Guidance for Halloween Activities:**

The CDC categorized Halloween festive activities into three risk rating categories (Low, Medium, and High). The MA Department of Public Health has strongly encouraged all communities to closely follow the recommendations of the CDC when deciding which Halloween activities to allow.

<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/holidays.html#halloween>

#### Recommendations for conventional door to door trick or treating:

1. All participants must wear a mask, those distributing candy and those collecting. Costumes that include a mask do not replace the requirement for proper nose and mouth face coverings.
2. Prepackaged candy in individual bags is preferable over the traditional communal bowls of candy.
3. Those that hand out candy are encouraged place a table or some other barrier at the door (or wherever candy is passed out) so as to remain socially distanced between the 'trick or treat-ers.' Prepackaged candy bags can be placed on or near this barrier to allow for trick or treat-ers to grab one at a time. Please sanitize this surface and hands frequently throughout the evening.
4. When participating in any Halloween activity, it is ideal that participation occurs with only members of the same household. If groups of friends or family (outside of the same household) want to participate together please remember to wear proper face coverings and to socially distance when possible. Also, note that the indoor gathering limit is 25 people and the outdoor gathering limit remains at 50.

If you would like specific guidance/ recommendations for a particular group or community activity please do not hesitate to reach out to the Health Department.



# Halloween

Many traditional Halloween activities can be high-risk for spreading viruses. There are several safer, alternative ways to participate in Halloween. If you may have COVID-19 or you may have been exposed to someone with COVID-19, you should not participate in in-person Halloween festivities and should not give out candy to trick-or-treaters.

## Lower risk activities

These lower risk activities can be safe alternatives:

- Carving or decorating pumpkins with members of your household and displaying them
- Carving or decorating pumpkins outside, at a safe distance, with neighbors or friends
- Decorating your house, apartment, or living space
- Doing a Halloween scavenger hunt where children are given lists of Halloween-themed things to look for while they walk outdoors from house to house admiring Halloween decorations at a distance
- Having a virtual Halloween costume contest
- Having a Halloween movie night with people you live with
- Having a scavenger hunt-style trick-or-treat search with your household members in or around your home rather than going house to house

## Moderate risk activities

- Participating in one-way trick-or-treating where individually wrapped goodie bags are lined up for families to grab and go while continuing to social distance (such as at the end of a driveway or at the edge of a yard)
  - If you are preparing goodie bags, wash your hands with soap and water for at least 20 second before and after preparing the bags.
- Having a small group, outdoor, open-air costume parade where people are distanced more than 6 feet apart
- Attending a costume party held outdoors where protective masks are used and people can remain more than 6 feet apart
  - A costume mask (such as for Halloween) is not a substitute for a cloth mask. A costume mask should not be used unless it is made of two or more



Sorted by Area/Department

G.b.

| Board/Committee/Department   | Selectboard Member(s)      | Area/Department         | Authority       |
|--|----------------------------|-------------------------|-----------------|
| Southern Berkshire Chamber of Commerce   | Ed Abrahams                | Economic Development    |                 |
| Economic Development Practitioners Group/1 Berkshire   | Jennifer Tabakin           | Economic Development    |                 |
| GB Economic Development Group (Business owners, young entrepreneur)  |                            | Economic Development    |                 |
| Great Barrington Business District Planning Committee  |                            | Economic Development    |                 |
| Finance Committee  | Steve Bannon & Ed Abrahams | Finance                 | Elected         |
| Finance (accountant, treasurer, collector, assessor)   | Steve Bannon & Ed Abrahams | Finance                 | Town Department |
| Board of Assessors   |                            | Finance                 | Appointed       |
| Management and Operations : management, oversight, administration, legal, human resources, technology, procurement, communication, real estate | Steve Bannon & Ed Abrahams | General Government      | Town Department |
| Technology Team  |                            | General Government      |                 |
| Board of Registrars  |                            | General Government      | Appointed       |
| Mass Municipal Association   | Jennifer Tabakin           | General Government      |                 |
| All Chairs Committee   | Steve Bannon & Ed Abrahams | General Government      |                 |
| Historic District Commission   | Ed Abrahams                | Historic                | Appointed       |
| Historical Commission  | Ed Abrahams                | Historic                | Appointed       |
| Housing Authority  | Bill Cooke                 | Human Services/Cultural | Elected         |
| Housing Trust Fund   | Bill Cooke                 | Human Services/Cultural | Appointed       |
| Council on Aging   | Ed Abrahams                | Human Services/Cultural | Appointed       |
| Cultural District  | Ed Abrahams                | Human Services/Cultural | Appointed       |
| Library  | Ed Abrahams                | Human Services/Cultural | Town Department |
| Library Trustees   | Ed Abrahams                | Human Services/Cultural | Elected         |
| Senior Center  | Ed Abrahams                | Human Services/Cultural | Town Department |
| Special Events / Celebrations  | Ed Abrahams                | Human Services/Cultural | Town Department |
| W E B Du Bois  | Ed Abrahams & Bill Cooke   | Human Services/Cultural | Appointed       |
| Cultural Council   | Kate Burke                 | Human Services/Cultural | Appointed       |
| Cable Advisory Committee   |                            | Human Services/Cultural | Appointed       |
| Cultural District Committee  | Ed Abrahams                | Human Services/Cultural |                 |
| Railroad Street Youth Project (RSYP)   | Ed Abrahams                | Human Services/Cultural |                 |
| Great Barrington Rotary  | Steve Bannon               | Human Services/Cultural |                 |
| Lake Mansfield Improvement Task Force  | Bill Cooke                 | Planning & Environment  | Appointed       |
| Planning and Community Development   | Bill Cooke                 | Planning & Environment  | Town Department |
| Community Preservation Committee   | Dan Bailly                 | Planning & Environment  | Appointed       |
| Design Advisory  | Ed Abrahams                | Planning & Environment  | Appointed       |
| Planning Board   | Ed Abrahams                | Planning & Environment  | Elected         |
| Marijuana  | Ed Abrahams & Kate Burke   | Planning & Environment  |                 |
| Agricultural Commission  | Kate Burke                 | Planning & Environment  | Appointed       |
| Zoning Board of Appeals  | Steve Bannon               | Planning & Environment  | Elected         |
| Cemetery Commissions   | Steve Bannon & Ed Abrahams | Planning & Environment  | Appointed       |
| Conservation Commission  |                            | Planning & Environment  | Appointed       |
| Development Review Team  |                            | Planning & Environment  |                 |
| Energy Committee / Heat Smart  |                            | Planning & Environment  | Appointed       |
| Tree Committee   |                            | Planning & Environment  | Appointed       |

Sorted by Selectboard Member

| <b>Board/Committee/Department</b>                      | <b>Selectboard Member(s)</b> | <b>Area/Department</b>  | <b>Authority</b> |
|--|------------------------------|-------------------------|------------------|
| Berkshire Municipal Planning Organization              | Bill Cooke                   |                         |                  |
| Berkshire Regional Transportation Association          | Bill Cooke                   |                         |                  |
| Housing Authority                                      | Bill Cooke                   | Human Services/Cultural | Elected          |
| Housing Trust Fund                                     | Bill Cooke                   | Human Services/Cultural | Appointed        |
| Lake Mansfield Improvement Task Force                  | Leigh Davis                  | Planning & Environment  | Appointed        |
| Planning and Community Development                     | Bill Cooke                   | Planning & Environment  | Town Department  |
| Community Preservation Committee                       |                              | Planning & Environment  | Appointed        |
| Inspectional Services (building, electrical, plumbing) |                              | Public Safety           | Town Department  |
| Public Works (highway, buildings and grounds)          | Kate                         | Public Works            | Town Department  |
| Board of Health  | Ed Abrahams                  | Public Safety           | Elected          |
| Broadband and Fiber in GB                              | Ed Abrahams                  |                         |                  |
| Council on Aging                                       | Ed Abrahams                  | Human Services/Cultural | Appointed        |
| Cultural District                                      | Ed Abrahams                  | Human Services/Cultural | Appointed        |
| Cultural District Committee                            | Ed Abrahams                  |                         |                  |
| Design Advisory  | Ed Abrahams                  | Planning & Environment  | Appointed        |
| Historic District Commission                           | Ed Abrahams                  | Historic                | Appointed        |
| Historical Commission                                  | Ed Abrahams                  | Historic                | Appointed        |
| Library  | Ed Abrahams                  | Human Services/Cultural | Town Department  |
| Library Trustees                                       | Ed Abrahams                  | Human Services/Cultural | Elected          |
| Planning Board   | Ed Abrahams                  | Human Services/Cultural | Elected          |
| Railroad Street Youth Project (RSYP)                   | Ed Abrahams                  | Planning & Environment  |                  |
| Senior Center  | Ed Abrahams                  | Human Services/Cultural | Town Department  |
| Southern Berkshire Chamber of Commerce                 | Leigh                        |                         |                  |
| Special Events / Celebrations                          | Ed Abrahams                  | Human Services/Cultural | Town Department  |
| W E B Du Bois  | Ed Abrahams & Kate Burke     | Human Services/Cultural | Appointed        |
| Marijuana  | Ed Abrahams & Kate Burke     | Planning & Environment  |                  |
| Economic Development Practitioners Group/1 Berkshire   | Jennifer Tabakin             |                         |                  |
| Mass Municipal Association                             | Jennifer Tabakin             |                         |                  |
| Health   | Kate Burke                   | Public Safety           | Town Department  |
| Public Safety (police, fire, emergency management)     | Kate Burke                   | Public Safety           | Town Department  |
| Rest of River Municipal Committee                      | Kate Burke                   |                         |                  |
| Agricultural Commission                                | Kate Burke                   | Planning & Environment  | Appointed        |
| Cultural Council                                       | Kate Burke                   | Human Services/Cultural | Appointed        |
| Housatonic School                                      | Selectboard                  |                         | Special Projects |
| Fairview GB Opioid Prevention Task Force               | Steve Bannon                 |                         |                  |
| Great Barrington Rotary                                | Steve Bannon                 |                         |                  |
| Zoning Board of Appeals                                | Steve Bannon                 | Planning & Environment  | Elected          |
| Berkshire Hills School Committee                       | Steve Bannon                 | School                  | Elected          |
| Parks Commission                                       | Steve Bannon                 | Public Works            | Appointed        |
| All Chairs Committee                                   | Steve Bannon & Ed Abrahams   |                         |                  |
| Cemetery Commissions                                   | Steve Bannon & Ed Abrahams   | Planning & Environment  | Appointed        |
| Finance (accountant, treasurer, collector, assessor)   | Steve Bannon & Ed Abrahams   | Finance                 | Town Department  |
| Finance Committee                                      | Steve Bannon & Ed Abrahams   | Finance                 | Elected          |



## TOWN OF GREAT BARRINGTON

### NOTICE OF PUBLIC HEARING

The Great Barrington Selectboard will hold a Public Hearing on Monday, August 10, 2020 at 6:30 pm, to act on the Special Permit application from Berkshire Aviation Enterprises, Inc., for an aviation field in an R4 zone at 70 Egremont Plain Road, Great Barrington, per Sections 3.1.4 E(1) and 10.4 of the Zoning Bylaw. A copy of the application is on file with the Town Clerk.

The meeting will be held via remote video/teleconference and in accordance with current emergency health orders, in-person attendance at this hearing will not be permitted. Instructions for participating in the Hearing will be listed on the Selectboard's August 10, 2020 agenda, which will appear on the Town's website, [www.townofgb.org](http://www.townofgb.org), at least 48 hours prior to the meeting, or you may call 413-528-1619, x. 2 to receive instructions.

Stephen Bannon, Chair

Please publish July 16 and July 23, 2020  
Berkshire Eagle

Follow the link to see the application and supporting documents:

<https://www.dropbox.com/s/537qbbwmz67ct17/Airport%20SP%20application.pdf?dl=0>

Airport information submitted by applicant for August 24, 2020 meeting:

<https://www.dropbox.com/s/m1lk817u0ne1r79/airport%20supplement%20filed%20August%2018%202020.pdf>

Airport letters in support, since last meeting and up to 3:00 PM Thursday 8/20/2020:

<https://www.dropbox.com/s/kfxie3acu2kgvj3/airport%20new%20letters%20in%20support.pdf?>

Airport letters in opposition, since last meeting and up to 3:00 Pm Thursday 8/20/2020:

<https://www.dropbox.com/s/5ol3cr9e70qggav/airport%20new%20letters%20opposed.pdf?dl=0>

New letters in support (since 8/24 meeting):

<https://www.dropbox.com/s/bvo4x45kha6fjzc/airport%20in%20support%20-%20new%20since%208-24%20meeting.pdf?dl=0>

New letters in opposition (since 8/24 meeting):

<https://www.dropbox.com/s/l45jsebw2etni5j/airport%20in%20opposition%20-%20new%20since%208-24%20meeting.pdf?dl=0>



*The Leader in Public Sector Law*

T: 617.556.0007 F: 617.654.1735

101 Arch Street, 12<sup>th</sup> Floor, Boston, MA 02110

***By Electronic Mail***

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To: Hon. Stephen Bannon and Members of the Selectboard  
cc: Town Manager

From: David J. Doneski

Re: Application of Berkshire Aviation Enterprises, Inc.  
for Aviation Field Special Permit, 70 Egremont Plain Road

Date: October 2, 2020

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You have requested an opinion regarding the applicability of certain Zoning Bylaw provisions to the application of Berkshire Aviation Enterprises, Inc. for a special permit for an aviation field use at 70 Egremont Plain Road (the “Property”). In particular, you have asked about the criteria for review and whether the aviation field use is also subject to a Water Quality Protection Overlay District (WQPOD) special permit under section 9.2.12 of the Zoning Bylaw. In my opinion, the criteria for review are the general special permit criteria in subsection 10.4.2 of the Bylaw, and the particular standard for aviation fields in section 7.2, applied as described below. It is also my opinion that the airport use proposed to be established as a specially permitted use under section 7.2 of the Zoning Bylaw, as described in the application, would be subject to a special permit requirement under section 9.2.12.2 of the Bylaw to the extent that a) the new construction proposed or use of the constructed buildings or facilities will include the handling of toxic or hazardous materials, or b) the uses to be conducted within the buildings or facilities to be constructed will increase the level of handling of toxic or hazardous materials on the Property.

The Property is located in the Residence 4 zoning district. For several decades, it has been the site of an airport known as the Great Barrington Airport (a/k/a Walter J. Koladza Airport). Under the Zoning Bylaw’s Table of Uses, section 3.1.4, an “Aviation field, public or private” is a use allowed only in the R-4 District, by special permit from the Selectboard. The application states that Berkshire Aviation Enterprises “wishes to permit the existing nonconforming use at the property,” and requests approval for construction of new hangars – six, as shown on the plan submitted with the application (“Plans to Accompany Permit Applications prepared for: Great Barrington Airport” by SK Design Group, Inc., dated January 17, 2020).

## The Bylaw Provisions

Section 7.2 of the Zoning Bylaw consists of the following:

### **7.2 AVIATION FIELDS**

**7.2.1 General.** Any aviation field, public or private, with essential accessories, shall comply with the following special requirements:

1. It shall be so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition.
2. In accordance with Chapter 90 of the Massachusetts General Laws, as amended by Section 35B, no person shall erect or add to the height of any structure within a rectangular area lying 1,500 feet on either side of the extended center line of a runway or landing strip of an airport approved by the Commission for a distance of two miles from the end of such runway or landing strip so that the height thereof will be more than 150 feet above the level of such runway or landing strip, nor, within that portion of such area which is within a distance of 3,000 feet from the end of such runway or landing strip, so that the height thereof will be greater than a height above the level of such runway or landing strip determined by the ratio of one foot vertically to every 20 feet horizontally measured from the end of such runway or landing strip, unless a permit therefore (sic) has been granted by the Commission (Massachusetts Aeronautics Commission).

**7.2.2 Exemption.** The provisions of this Subsection shall not apply to structures which will be 30 feet or less in height above ground.

The application asserts that the proposed hangars “are exempt from the Aviation Field Special Permit Requirements due to the building heights meeting an exemption.” (Special Permit Narrative at p. 16) Presumably, this statement is based on the “exemption” language in Zoning Bylaw subsection 7.2.2. I find that to be an overly broad reading of that subsection. In my view, the exemption does not apply to any structure of 30 feet or less in height above ground; rather, it relates to the requirement of a permit from the Massachusetts Aeronautics Commission for construction of or addition to a structure within the ‘exclusion’ area described in subsection 7.2.1.2. That is because subsections 7.2.1.2. and 7.2.2 simply repeat the language of G.L. c. 90, §35B, which is referenced at the outset of subsection 7.2.1.2. This is seen by a comparison of the Bylaw language with the statutory language, which is as follows:

No person shall erect or add to the height of any structure within a rectangular area lying fifteen hundred feet on either side of the extended center line of a runway or landing strip of an airport approved by the commission<sup>1</sup> for a distance of two miles from the end of such runway or landing strip so that the height thereof will be more than one hundred and

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<sup>1</sup> Referring to the Massachusetts Aeronautics Commission, the predecessor agency to the Aeronautics Division of the state Department of Transportation. See G.L. c. 6C, §59, c. 90, §35; St. 2009, c. 25, §83.

fifty feet above the level of such runway or landing strip, nor, within that portion of such area which is within a distance of three thousand feet from the end of such runway or landing strip, so that the height thereof will be greater than a height above the level of such runway or landing strip determined by the ratio of one foot vertically to every twenty feet horizontally measured from the end of such runway or landing strip, unless a permit therefor has been granted by the commission.

The provisions of this section shall not apply (1) to areas subject to airport approach regulations adopted pursuant to sections forty A to forty I, inclusive, (2) to air approaches to the General Edward Lawrence Logan International Airport, nor (3) to structures which will be thirty feet or less in height above ground.

With the exception of clauses (1) and (2) in the second paragraph of section 35B of Chapter 90 (which do not appear in the Bylaw), subsections 7.2.1.2. and 7.2.2 contain language identical to that in the statute. In my view, inclusion of that statutory language, which relates to a *state* permit requirement for structures within a specified area adjacent to a runway or landing strip and exempts structures of a certain height, should not operate to exempt *all* airport structures of that height from the scope of review under a *local* zoning bylaw requiring a special permit for an airport. Instead, when a special permit application for an airport includes proposed construction of hangars the hangar elements of the proposed use should be included within the review of the application under the standard set forth in subsection 7.2.1.1.

For the present application, then, the next question is how to apply that standard: locating the airport so that “it is not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition,” when the airport that is the subject of the application already exists. In my view, subsection 7.2.1.1 should be applied so as to measure whether whatever is proposed to be added to the existing operation, such as the hangars, would result in the operation of the airport becoming more “objectionable” than at present. On this point, there is some historical guidance.

At the May 9, 2016 Annual Town Meeting the Zoning Bylaw was amended to add provisions for the MXD district (Mixed Use Transitional Zone). The amendment article included a revision to the Bylaw’s Table of Use Regulations, to add a column for the new district. When the amendment was submitted to the Attorney General’s office for review and approval (as required by G.L. c. 40, §32) the Attorney General advised the Town in a letter of August 8, 2016 that the “N” (prohibited) designation in the MXD zone for the listed use of “Aviation field, public or private” would require approval by the Aeronautics Division of the Massachusetts Department of Transportation, pursuant to G.L. c. 90, § 39B. That section includes the following paragraph:

A city or town in which is situated the whole or any portion of an airport or restricted landing area owned by a person may, as to so much thereof as is located within its boundaries, make and enforce rules and regulations relative to the use and operation of aircraft on said airport or restricted landing area. Such rules and regulations, ordinances or by-laws shall be submitted to the commission and shall not take effect until approved by the commission.

By letter to the Town dated March 6, 2017 the Administrator of the Aeronautics Division reported that after review of the amendment voted at the 2016 Annual Town Meeting and a



review of existing section 7.2 of the Zoning Bylaw, the Division determined that the language concerning the standard for location of an airfield in subsection 7.2.1.1 would amount to a “de facto prohibition of aviation” and could not be approved by the division. In my opinion, the Aeronautics Division’s letter should not be construed as somehow invalidating the subsection 7.2.1.1 language, since section 7.2 was not part of the 2016 Zoning Bylaw amendments the Attorney General required to be referred to the Aeronautics Division, and since the Bylaw language, to my understanding, has been in place since at least 1960 while the Aeronautics Division review language was only added to G.L. c. 90, §39B in 1985. (See St. 1985, c. 30.)

However, I do find what the Aeronautics Division suggested to the Town to be instructive. The Administrator recommended that the “objectionable” standard be revised to include additional language so that it would read along the lines of “. . . likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition beyond that of normal airport operations.” In my view, the standard I have recommended above is consistent with the guidance of the Aeronautics Division and would take into account the fact that the airport already exists.

#### Water Quality Protection Overlay District

The general scope of the WQPOD is described in subsection 9.2.2 of the Zoning Bylaw:

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.

Permitted uses in the WQPOD include, subject to all local, state, and federal law requirements, “Any use permitted in the underlying Zoning District, subject to other requirements herein.” (Subsection 9.2.7.6) Prohibited uses, listed in subsection 9.2.8, include:

Facilities that generate, treat, store, or dispose of hazardous waste that are subject to G.L. c. 21C and 310 CMR 30.00, except for:

- a. Very small quantity generators as defined under 310 CMR 30.000;
- b. Household hazardous waste centers and events operated in accordance with 310 CMR 30.390 (not permitted in Zone A);
- c. Waste oil retention facilities required by G.L c. 21, s. 52A (not permitted in Zone A). (Subsection 9.2.8.4)

Uses allowed only upon issuance of a special permit by the Selectboard, and subject to “such conditions as it may require,” include:

Those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying

zoning district (except as prohibited hereunder). Such activities shall require a special permit to prevent contamination of groundwater; (Subsection 9.2.12.2)

For purposes of the WQPOD, hazardous material is defined as follows:

Any substance or mixture of physical, chemical, or infectious characteristics posing a significant, actual, or potential hazard to water supplies or other hazards to human health if such substance or mixture was discharged to land or water in the Town of Great Barrington. Hazardous materials include, without limitation, synthetic organic chemicals; petroleum products; heavy metals; radioactive or infectious wastes; acids and alkalis; solvents and thinners in quantities greater than normal household use; and all substances defined as hazardous or toxic under Massachusetts General Laws, Chapters 21C and 21E and 310 CMR 30.00. (Zoning Bylaw, section 11.0)

By its terms, the Berkshire Aviation Enterprises application requests a special permit for an aviation field per section 7.2 of the Zoning Bylaw. Accordingly, even though the airport presently exists on the Property, the use proposed by the application may, in my opinion, be viewed as encompassing the full measure of that airport's aviation field activities and proposed construction. By virtue of subsection 9.2.2, then, those activities and construction are subject to the requirements and restrictions of the WQPOD. Again, subsection 9.2.2 includes the following statement of scope: "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." Therefore, in my view, the provisions of subsection 9.2.12.2, specifying those uses and activities within the WQPOD which require a special permit, are relevant to the airport use proposed by the application.

An aviation field/airport is a use permitted in the underlying R-4 zoning district, but subject to the WQPOD requirements by reason of subsection 9.2.2. Operation of an aviation field/airport with fueling and maintenance activities will necessarily involve the use of, at least, aviation fuel and other petroleum products, which are toxic or hazardous materials for purposes of the WQPOD, "in quantities greater than those associated with normal household use." To the extent that a) construction of the hangar buildings or other proposed facilities, or use of the constructed buildings or facilities, will include handling of toxic or hazardous materials; or b) the uses to be conducted within the hangars, or on or in the other facilities proposed to be constructed, will increase the level of handling of toxic or hazardous materials on the Property, it is my opinion that such activity would be subject to the requirement of a special permit under subsection 9.2.12.2 of the Zoning Bylaw.

COHEN | KINNE | VALICENTI | COOK

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VIA FIRST CLASS MAIL AND EMAIL ([crembold@townofgb.org](mailto:crembold@townofgb.org))

October 1, 2020

Mr. Stephen Bannon, Chair  
Town of Great Barrington Select Board  
334 Main Street  
Great Barrington, MA 01230

Re: Response to Questions Raised at September 21, 2020 Great Barrington Select Board  
Hearing – Application for Special Permit – Berkshire Aviation Enterprises, Inc. –  
70 Egremont Plain Road

Dear Mr. Bannon:

I am submitting this letter as a follow up to questions presented by members of the Great Barrington Select Board (the “Select Board”) at its hearing that took place on September 21, 2020 (the “Hearing”) with respect to the application (the “Application”) for special permit (the “Special Permit”) filed by Berkshire Aviation Enterprises, Inc. (“BAE”) with respect to the property located at 70 Egremont Plain Road (the “Property”).

1. **Should Section 7.2 (Aviation Fields) of Town of Great Barrington Zoning Bylaws be considered in the broader context of consideration of the Application?**

Mr. Cooke raised the issue of the applicability of Section 7.2.1.1 of Town of Great Barrington Zoning Bylaws (the “Bylaws”) to the Select Board’s consideration of the Application. Section 7.2.1.1 provides “It shall be so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition.” The Massachusetts Department of Transportation Aeronautics Division (the “Aeronautics Division”) in its letter to Christopher T. Rembold, Town Planner, dated March 6, 2017 (the “Aeronautics Division Letter” – a copy of which is enclosed herewith) has determined that Section 7.2 is “very vague” and “amounts to a de facto prohibition of aviation since, under this standard, any normal aeronautical operation, by its very nature, could be summarily denied a special permit as ‘likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition.’” As such, the Aeronautics Division has not approved this section of the Bylaws, and therefore, Section 7.2 cannot be considered in the context of the Application.

COHEN | KINNE | VALICENTI | COOK LLP *Attorneys*  
tel 413-443-9399 | fax 413-442-9399 | cohenkinne.com

RESPOND TO MAIN OFFICE:  
28 North Street, 3rd Floor  
Pittsfield, MA 01201

244 Main Street  
Great Barrington, MA

The Aeronautics Division derives its statutory authority to regulate airports and restricted landing areas from Massachusetts General Laws, Chapter 90, Section 39B, which provides, in pertinent part: “A city or town...may...make and enforce rules and regulations relative to the use and operation of aircraft on said airport or restricted landing area.” However, “such rules and regulations, ordinances or by-laws *shall be submitted to the commission and shall not take effect until approved by the commission* [emphasis added].” Therefore, Section 7.2 is not effective with respect to the Select Board’s consideration of the Application.

The Aeronautics Division Letter is instructive with respect to the Select Board’s consideration of the Application. Specifically, the Application cannot and should not be considered in a vacuum – it must be considered in light of the fact that Great Barrington Airport (the “Airport”) (a) has been in operation since 1931 and (b) is no more likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition than “any normal aeronautical operation” as a result of the Select Board’s granting the Special Permit.

Moreover, the Application must be considered in light of the fact that the Airport already exists. The Application does not contemplate a new use at the Property, but rather, a request that the Board allow for a pre-existing, non-conforming use to become a conforming use, subject to reasonable restrictions imposed by the Select Board. Denial of the Special Permit on the grounds that some neighbors find the noise produced by aircraft objectionable would amount to a de facto prohibition of aviation in Great Barrington – a position which is not consistent with the intent of the Zoning Bylaws, which allow for Aviation Fields in the R4 Zoning District, subject to grant of a special permit by the Select Board.

In other words, the fact that a vocal, well-funded minority is opposed to the Airport, generally, because it finds the operation of the Airport objectionable is not dispositive. Instead, as the Aeronautics Division has stated, the Select Board’s decision rests on its answer to the following question: Is the Airport more objectionable than normal airport operations? The answer to that question is: no. Therefore, any other analysis of the Application with respect to the character of the neighborhood would allow a vocal minority that finds airport operations objectionable on their face to prevent any Aviation Field in the Town of Great Barrington, which is antithetical to the Bylaws and Massachusetts General Laws, Chapter 39.



2. **Will approval of the Special Permit result in uncontrollable expansion of the Airport?**

Should the Select Board vote to grant the Special Permit, the Airport will not be allowed to expand unchecked for the following reasons:

- a. The Aeronautics Division certifies airports, licenses airport managers, conducts annual airport inspections and enforces safety and security regulations. The Select Board has no jurisdiction concerning matters over which the Aeronautics Division has jurisdiction, and therefore, a decision by the Select Board has no impact with respect to matters that fall within the jurisdiction of the Aeronautics Division.
- b. The Special Permit, if granted, would allow a pre-existing, non-conforming use to become conforming – this use of the Property as an Aviation Field would not be expanded as a result of the grant of the Special Permit. To the contrary, the law provides that the Select Board may place reasonable restrictions on the use – restrictions that do not currently exist relative to the Airport.
- c. The types of aircraft that the Airport can accommodate is dictated by the length of the Airport's runway, which cannot be extended because (i) a town owned road – Seekonk Crossway – is located at the eastern end of the Property and (ii) the Airport does not own the property to the west of the Property.
- d. Uses not otherwise allowed in the R4 Zoning District are not allowed at the Property. Specifically, with respect to the issue of a potential restaurant at the Property, which has been raised by opponents of the Airport, restaurants are not allowed in the R4 Zoning District. Therefore, the Bylaws would have to be amended (which requires a vote at Town Meeting) to allow for a restaurant at the Property. The Airport has no plans to open a restaurant at the Property. Moreover, the Select Board can add a condition to the Special Permit specifically prohibiting a restaurant (or other uses not allowed in the R4 Zoning District).
- e. Should the Airport wish to construct additional structures at the Property, it is restricted from doing so because the maximum percentage of lot coverage in the R4 Zoning District is 10%. If the Special Permit is granted and the proposed airplane hangars (collectively, the "Hangars") are built, the percentage of coverage by buildings and structures at the Property would be 9.4%. Therefore, additional buildings would require a special permit. The Airport has no plans to construct additional buildings or structures at the Property.
- f. With respect to unfounded assertions regarding a potential recycling facility, the Select Board can add a condition to the Special Permit prohibiting such use.

If there are additional specific ways in which townspeople are concerned that the Airport may be expanded as a result of the issuance of the Special Permit, those concerns should

be brought before the Select Board and addressed by the Airport. It is not the Airport's responsibility to identify every conceivable expansion of the Airport.

3. **Will the Special Permit result in increased air traffic at the Airport?**

Currently, the number of takeoffs and landings at the Airport is restricted by (a) the length of the runway, which dictates the types of aircraft that the Airport can accommodate and (b) the number of aircraft owners and flight students who wish to use the Airport – these restrictions will not change if the Special Permit is granted. In addition, if additional aircraft owners wanted to house their aircraft at the Airport, they are limited only by the space available for aircraft tie downs at the Property – there is much more space available.

It is a misconception that construction of the Hangars will lead to increased air traffic at the Airport. To the extent that the Airport experiences growth, it will be consistent with the growth predicted by the Aeronautics Division, which has nothing to do with the construction of the Hangars. Moreover, space in the Hangars is already 100% accounted for.

4. **Why is the Airport seeking the Special Permit instead of seeking a special permit from the Zoning Board of Appeals?**

Because the Airport is currently a pre-existing, non-conforming use, almost any improvement to the Airport proposed by BAE, including, without limitation, addition of an assistive handicapped ramp, redesign of interior spaces or construction of a deck, requires a special permit from the Zoning Board of Appeals (the "ZBA").

Historically, special permits granted by the ZBA with respect to proposed minor projects at the Airport, including construction of a deck and assistive handicapped ramp, have been appealed in court, which has led to significant delays and significant legal fees for the Town of Great Barrington and the Airport. The issuance of the Special Permit would provide for a more comprehensive zoning approach to the Airport, as opposed to the piece mail approach required under the pre-existing, non-conforming use regime. It is important to note that as a pre-existing, non-conforming use, the Airport is an allowed use in the R4 without any further permits or approvals from the Town of Great Barrington. As such, objections raised by neighbors with respect to additional restrictions actually further BAE's position that the Select Board should approve the Special Permit with reasonable restrictions.

While I did my best to take comprehensive notes with respect to the Hearing, there may be issues raised by the Select Board at the Hearing which are not addressed in this letter. In that case



*[AIRPORT: new materials for 10-5-20 hearing]*

Mr. Stephen Bannon, Chair

October 1, 2020

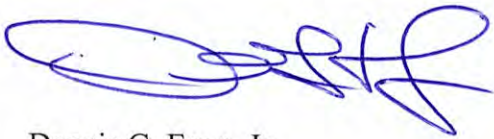
Page 5

James Scalise, representatives of BAE and I will be happy to address these issues at the Select Board's next hearing scheduled for October 5, 2020.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,

**COHEN KINNE VALICENTI & COOK LLP**



Dennis G. Egan, Jr.

DGE/

Encl.

226323



Charles D. Baker, Governor  
Katyn E. Polito, Lieutenant Governor  
Stephanie Pollack, Secretary & CE  
Jeffrey DeCarlo, Administrator



March 6, 2017

VIA EMAIL ONLY

Christopher T. Rembold, Town Planner  
Town of Great Barrington  
Office of Planning and Community Development  
Town Hall, 334 Main Street  
Great Barrington, MA 01230

Re: Approval of Zoning Bylaw relative to Aviation Uses

Dear Mr. Rembold,

I write in response to your January 25, 2017 letter requesting "Mass DOT's [sic] approval of the Town of Great Barrington's (Town) zoning bylaw relative to the regulation of aviation uses." More specifically, "Article 21 amends the Town's zoning by-laws to add a new Section 9.11, 'Mixed Use Transitional Zone (MXD)', and has added this zone to the Town's Zoning Bylaw's table of uses. The use of an aviation field (public or private) in this zone is designated "N" (prohibited). "Article 23 amends the definition of 'Hospital' in Section 11.0 to include 'helipad for emergency use.'"<sup>1</sup>

As you are aware, the Aeronautics Division has the statutory authority pursuant to G.L. c. 90, §§ 39 and 39B to review any local rule, regulation, ordinance or bylaw relative to the use and operation of aircraft, and such local rule, regulation, ordinance or bylaw is ineffective and unenforceable until and unless it is approved by the Division. Please note that in approving or disapproving any such local rule, regulation, ordinance or bylaw, the Division considers both the interests of public safety as well as the advancement of aeronautics in the Commonwealth.<sup>2</sup>

As noted in the AG's letter, Article 21 prohibits "aviation fields" in the newly-created MXD zone. This is not problematic as it may make sense not to allow uses, such as airports, that require a significant amount of space or a significant buffer in a "mixed use" area intended to accommodate multiple uses including residential. I have also reviewed the Town's Zoning Bylaw and note that aviation fields are only allowed in one district, R4, and even there only with a special permit from the Board of Selectmen. The standard governing those special permits in Section 7.2 of the Zoning Bylaw is, however, very vague and provides that an aviation field "... shall be so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition (emphasis added)." This language, as currently worded, in the opinion of the Aeronautics Division, amounts to a de facto prohibition of aviation

<sup>1</sup> August 8, 2016 letter from Nicole B. Caprioli, Assistant Attorney General, Municipal Law Unit to Marie Y. Ryan, Town Clerk, Town of Great Barrington re: Great Barrington Annual Town Meeting of May 9, 2016 ... (AG's Letter).

<sup>2</sup> This authority was recently affirmed in Hanlon v. Town of Sheffield (AC 15-P-799)(May 13, 2016)(town's zoning by-law that purports to regulate "the use and operation of aircraft on [an] airport or restricted landing area" cannot take effect until submitted to and approved by the Aeronautics Division).

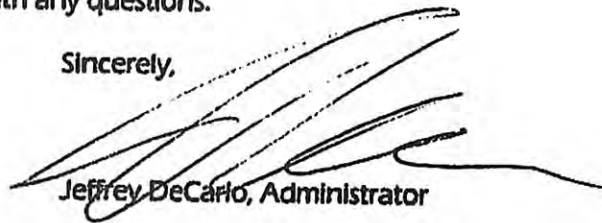
since, under this standard, any normal aeronautical operation, by its very nature, could be summarily denied a special permit as "likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition." Going forward, I suggest this language conclude with additional wording such as "beyond that of normal airport operations" or something of that nature, and resubmitted to the Division for approval.

Article 23 expands potential aeronautical uses by adding within the list of activities and structures permitted at a Hospital a "helipad for emergency use". This supports Chapter 90's goal of furthering aviation, although, please be aware that any new helipad may require FAA and Aeronautics Division approval to ensure it is safely constructed and operated.

Accordingly, while I approve Articles 21 and 23, I do not approve Section 7.2 as it applies to aviation fields for the reasons stated above.

Please feel free to contact me with any questions.

Sincerely,



Jeffrey DeCarlo, Administrator

cc: Tracy W. Klay, Deputy General Counsel, MassDOT and MBTA (via email)  
Kelli E. Gunagan, Assistant Attorney General, Municipal Law Unit (via email)



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October 2, 2020

Thaddeus Heuer  
617-832-1187 direct  
THeuer@foleyhoag.com

**BY ELECTRONIC MAIL**

Stephen Bannon, Chair  
Great Barrington Selectboard  
334 Main Street  
Great Barrington, MA 01230

**Re: 70 Egremont Plain Road, Berkshire Aviation Enterprises**

Dear Mr. Bannon and Members of the Selectboard:

With respect to the application of Berkshire Aviation Enterprises (“BAE”) for a special permit, please accept this correspondence on behalf of Holly Hamer residing at 99 Seekonk Cross Road, and Marc Fasteau and Anne Fredericks, residing at 77 Seekonk Cross Road (collectively, the “Neighbors”). This letter supplements those of August 8, 2020, September 10, 2020, and September 20, 2020.<sup>1</sup>

This letter emphasizes two specific legal points raised during the Selectboard member discussion at the September 20, 2020 hearing.

First, that BAE must comply with Section 7.2 as a condition of a special permit being granted, which requires the Selectboard to find that the use (as specially permitted) will not be objectionable to adjoining and nearby property.

And second, that even a very small quantity generator located in the WQPOD requires a WQPOD special permit to operate, without which BAE cannot demonstrate that the grant of a Selectboard special permit will not have an adverse effect on the natural environment.

**I. BAE Must Conform with Section 7.2 to Obtain a Special Permit, and Cannot**

Several Selectboard members correctly observed during the September 20 hearing that as a matter of law, BAE must conform with Section 7.2 in order to convert from an alleged “preexisting nonconforming use” to a “conforming use” authorized by special permit. Under Section 7.2, aviation fields must be located where they are “not likely to

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<sup>1</sup> This is one of two letters being submitted by the Neighbors on October 2, 2020. The other letter provides proposed findings for the Selectboard.

Page 2

become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition.”

There is no dispute that numerous owners of adjoining and nearby property have raised serious and detailed objections, on the record, about the airport’s noise, traffic, safety, and water protection. Given these facts, the Board’s discretion under Section 7.2 is highly circumscribed as a matter of law. A finding contrary to the record evidence — that the airport is *not* objectionable to adjoining and nearby property — would be questionable.

In an effort to avoid an adverse finding under Section 7.2, the airport suggests that Section 7.2 is simply inapplicable, because as “the airport is currently and continuously been in use and pre-dates zoning[,] the use can continue.” (Application at 10). There is no legal basis for this contention. Put simply, the airport wants all the benefits of being a preexisting nonconforming use, *and* all the benefits of being a conforming use. It cannot have both.

The fact that the airport is already in an objectionable location does not mean the airport conforms with Section 7.2 for purposes of the special permit application. As an allegedly preexisting nonconforming use, if the airport wishes to *continue* avoiding compliance with Section 7.2, it can do so by continue operating as it currently does. But the airport *doesn’t* want that. Instead, the airport has affirmatively applied to abandon its preexisting nonconforming protections and become conforming. By definition, “conforming” means the use must conform with all the zoning bylaws with which it does *not* need to conform as an alleged preexisting *nonconforming* use — *including* Section 7.2.

## **II. A VSQG Requires a WQPOD Special Permit to Operate in the WQPOD**

Setting aside the factual question of whether the airport has even presented sufficient record evidence of its classification as a “very small quantity generator” under Massachusetts law (as opposed to under federal law), a member of the Selectboard correctly observed at the September 20 hearing that under the plain language of the WQPOD bylaw, a VSQG must have a special permit to operate in the WQPOD. The airport disagrees. The airport is incorrect.

Contrary to the airport’s assertion, Section 9.2.8 does not provide a by-right *exemption* for VSQGs. What Section 9.2.8 does do is establish a list of uses that are prohibited outright within the WQPOD, including “Facilities that generate, treat, store, or dispose of hazardous waste that are subject to G.L. c. 21C and 310 CMR 30.00.” (Section 9.2.8.4). Section 9.2.8.4(a) then provides an exception from that outright prohibition for “very small quantity generators as defined under 310 CMR 30.000,” Yet while VSQGs are thus not prohibited outright under Section 9.2.8, they are plainly still regulated under Section 9.2.12.2, which expressly requires a Selectboard special permit for “those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use.” There is no dispute that as an entity with a self-described comprehensive FAA maintenance facility, the airport handles such materials in “quantities greater than normal household use.”

Page 3

Notably, under the airport's interpretation, the Section 9.12.2 special permit provision would be a legal nullity, since there would be no circumstance in which it could ever apply. Household uses would be exempt under Section 9.2.12, VSQGs would (according to the airport) be exempt by right, and facilities larger than VSQGs would remain prohibited outright under Section 9.2.8.<sup>2</sup> This is simply not the law.

In the absence of a WQPOD special permit for hazardous waste storage as required by bylaw, BAE cannot demonstrate that the grant of a Selectboard special permit will not have an adverse effect on the natural environment.

\* \* \*

For the above reasons, and those articulated in the Neighbors' previous letters, BAE has not met its legal burden to demonstrate entitlement to a special permit. The application should be denied.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thaddeus Heuer', with a long horizontal flourish extending to the left.

Thaddeus Heuer

Cc (by email): Mark Pruhenski, Town Manager  
Christopher Rembold, Town Planner  
David Doneski, Town Counsel  
Holly Hamer  
Marc Fasteau & Anne Fredericks

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<sup>2</sup> Since the airport is applying to become a *conforming* use, it cannot simultaneously rely upon the Section 9.2.11 exemption for *nonconforming* uses to avoid the Section 9.2.12 special permit requirement.





Seaport West  
155 Seaport Boulevard  
Boston, MA 02210-2600

617.832.1000 main  
617.832.7000 fax

October 2, 2020

Thaddeus Heuer  
617-832-1187 direct  
THeuer@foleyhoag.com

**BY ELECTRONIC MAIL**

Stephen Bannon, Chair  
Great Barrington Selectboard  
334 Main Street  
Great Barrington, MA 01230

**Re: 70 Egremont Plain Road, BAE – Proposed Special Permit Findings**

Dear Mr. Bannon and Members of the Selectboard:

With respect to the application of Berkshire Aviation Enterprises (“BAE”) for a special permit, please accept this correspondence on behalf of Holly Hamer residing at 99 Seekonk Cross Road, and Marc Fasteau and Anne Fredericks, residing at 77 Seekonk Cross Road (collectively, the “Neighbors”). This letter supplements those of August 8, 2020, September 10, 2020, and September 20, 2020.<sup>1</sup>

This letter provides proposed findings for the Selectboard to adopt with respect to Section 7.2 and the six special permit criteria under Section 10.4.2. A special permit may be granted only on a determination that “the adverse effects of the proposed use will not outweigh its beneficial impacts. Under Massachusetts law the burden rests with the party seeking the special permit—BAE—to prove their entitlement to the special permit. *Fish v. Accidental Auto Body, Inc.*, 95 Mass. App. Ct. 335, 362-63 (2019) (“the ultimate burden of persuasion rest[s] upon the owner of the locus”) and cases cited.

The Neighbors request that the Selectboard make the attached findings, each based on a review of the totality of the record, and deny the application because the adverse effects of the proposed use will outweigh its beneficial impacts.

Sincerely,

A handwritten signature in black ink, appearing to read "Thaddeus Heuer", written in a cursive style.

Thaddeus Heuer

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<sup>1</sup> This is one of two letters being submitted by the Neighbors on October 2, 2020. The other letter briefly emphasizes two specific legal points raised by Selectboard members during the September 20, 2020 hearing.

Page 2

Cc (by email): Mark Pruhenski, Town Manager  
Christopher Rembold, Town Planner  
David Doneski, Town Counsel  
Holly Hamer  
Marc Fasteau & Anne Fredericks

**PROPOSED SPECIAL PERMIT SELECTBOARD FINDINGS  
70 EGREMONT PLAIN ROAD**

Based on the totality of the administrative record, including both written submissions and oral statements by both the applicant and by members of the public, the Selectboard makes the following findings:

1. That the airport has not demonstrated, in the opinion of the Board, that it complies with Section 7.2 of the by-law, which requires that “Any aviation field, public or private, with essential accessories . . . shall be so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable condition,” in light of the significant detailed record evidence of objections from owners of adjoining and nearby property to the application on the basis of noise, traffic, safety, lighting, and environmental impact, among other objectionable conditions.
2. That with respect to social, economic, or community needs which are served by the proposal, the airport has not in the opinion of the Board provided data or economic analysis sufficient to demonstrate that sufficient economic benefits will inure to the Town as a result of approval of the special permit in general or hangar construction in specific.
3. That with respect to social, economic, or community needs which are served by the proposal, the airport has in the opinion of the Board failed to establish such economic or community need in light of inconsistent statements in this regard, including the airport stating that there will be no growth in airport use if the special permit is granted (Application at 6) and then stating that granting the special permit will “drive tourism to the town” including through aerial tours, create “new job opportunities,” and generate “additional customers” for airport maintenance services (Application at 12).
4. That with respect to traffic flow and safety, the airport has not in the opinion of the Board provided evidence that the adverse effects of traffic from an *aviation field* use — including any intensification or expansion that it might choose to pursue by right in the future if the special permit is granted, beyond merely hangar construction — will be outweighed by the beneficial impacts.
5. That with respect to traffic flow and safety, in the opinion of the Board the commercial traffic generated by the proposed hangars will be more detrimental to the residential neighborhood in which the airport is located than the beneficial impacts.

6. That with respect to traffic flow and safety, the airport has in the opinion of the Board made inconsistent statements that it “complies with all FAA advisories with respect to airport safety” notwithstanding that *FAA Advisory Circular 150/5300-13A* (which establishes the FAA standards and recommendations for Airport Design) expressly states that airports shall have a Runway Obstacle Free Zone (ROFZ) that “extends 200 feet (61m) beyond each end of the runway” and “precludes aircraft and other object penetrations,” where Seekonk Cross Road and its automotive and pedestrian traffic is located well within such a zone, and as such the location of the runway would in the opinion of the Board have an adverse effect on traffic and safety.
7. That with respect to adequacy of utilities and other public services, the airport’s statement that “this standard is not applicable to this Application” because the airport “does not utilize public utilities” (Application at 14) and the airport’s failure to provide evidence regarding “other public services,” has, in the opinion of the Board, prevented the Board from evaluating the adequacy of the impact of granting a special permit on “other public services”, including demand on municipal police, fire, and public works services, among others, including but not limited to responses to adverse airplane incidents (including crashes).
8. That the airport does have an adverse impact on residential neighborhood character, because in the opinion of the Board the airport does not constitute “most of the neighborhood context” (as asserted by the airport), and where the Board finds that the entirety of the surrounding neighborhood is zoned residential (R-2 or R-4), that the majority of residential structures in the vicinity of the airport predate the airport, and that the Board has received dozens of written objections from residents of the neighborhood and the wider Great Barrington community regarding both the current operation and proposed special permitting of the airport.
9. That the airport does have an adverse impact on residential neighborhood character, as the Board finds that the level and extent of noise generated by thousands of aircraft flights annually has generated numerous objections by the residential neighbors and the wider Great Barrington community, and that in the opinion of the Board the airport been unable to enforce sufficient compliance with its own noise policy by its own pilots.
10. That the airport does have an adverse impact on residential neighborhood character, as in the opinion of the Board the proposed hangars would require commercial/industrial grade floodlighting that is fundamentally inconsistent with a residential neighborhood.

11. That the airport has not met its burden to demonstrate that it will minimize impacts on the natural environment, as it has not provided evidence sufficient in the opinion of the Board to demonstrate that authorizing an airport, particularly one with a fly-in maintenance facility that handles hazardous and toxic waste as defined by 310 C.M.R. 30.000 and is capable of servicing additional planes beyond those based at the airport, to be situated on top of Great Barrington's sole-source public aquifer and within proximity to the Green River will have environmental benefits that outweigh the potential adverse environmental effects.
12. That the airport has not met its burden to demonstrate that it will minimize impacts on the natural environment, as the record contains unrebutted evidence that the airport has purchased only small quantities of *unleaded* avgas, that the majority of the planes utilize *leaded* avgas, and that in the opinion of the Board the airport has not satisfactorily addressed associated concerns arising from airborne lead from engine exhaust, as well as groundwater pollution from spilled fuel, refilling errors, and crashes in the vicinity of the aquifer, particularly if airport usage were to increase.
13. That the airport has not met its burden to demonstrate that it will minimize impacts on the natural environment, as it has in the opinion of the Board presented inconsistent written statements about how it intends to mitigate the risk from hazardous and toxic maintenance chemicals in the proposed hangars, stating on September 18 that "hazardous materials will not be stored in the proposed hangars" but stating on August 18 that "the new hangars will be supplied with a fuel barrel to collect waste or contaminated fuel."
14. That the airport has not met its burden to demonstrate that it will minimize impacts on the natural environment, as in the opinion of the Board the airport is required to obtain a WQPOD special permit to operate as a very small quantity generator (as defined by Massachusetts law) for the airport to be authorized to operate as a conforming use under a special permit, and as it has neither sought nor obtained a WQPOD special permit.
15. That the airport has not met its burden to demonstrate that it will minimize impacts on the natural environment, as the airport has not obtained wetlands permits for its proposed hangar construction, despite showing on its submitted plans that the hangars will be located 316 feet from the Green River, where Section 217-14.1.E of the bylaws states that "land within a five-hundred-foot distance of the Green River upstream of the water supply gallery" is a "resource area . . . subject to protection under the Wetlands Bylaw."

16. That the airport has not met its burden with respect to its potential fiscal impact on Town services and tax base, as it has provided the Board only with an assertion of the *gross* fiscal impact of granting the special permit and constructing the hangars, but has not provided an analysis of the *net* fiscal impact, which in the opinion of the Board is essential for evaluating the potential *decrease* in tax revenue generated by the numerous residential properties around the airport, both due to visual impact of six industrial hangars in a residential neighborhood and due to the potential for increased airport usage, noise, and nuisance.
17. That the airport has not met its burden with respect to its potential fiscal impact on Town services and tax base, as it has in the opinion of the Board presented in its written submissions inconsistent assertions of the taxable value of the proposed hangars (\$2 million in its Application, and \$2.5 million in its September 18 letter), and has presented in its September 18 letter an estimate of potential property tax revenue (\$45,000) that is inconsistent with the airport's own higher asserted value of the hangars (\$2.5 million) and the current municipal tax rate (\$15.75 per thousand), or only \$39,375.
18. That the airport has not met its burden with respect to its potential fiscal impact on Town services and tax base, as the airport has asserted an estimated annual tax revenue figure (\$45,000) whose value to the Town, even if accurate, does not in the opinion of the Board outweigh the other detriments of granting the special permit.
19. That the airport has not met its burden with respect to its potential fiscal impact on Town services and tax base, as Massachusetts law exempts aircraft, aircraft parts, aircraft fuel, and aircraft service from both use tax (G.L. c. 64I, §§ 7(d)-(e)) and sales tax (G.L. c. 64H, §§ 6(j), (uu) & yy), which in the opinion of the Board will result in little if any additional tax revenue to the Town.



## Chris Rembold

---

**From:** Garcia, Denise (DOT) <denise.garcia@state.ma.us>  
**Sent:** Tuesday, September 29, 2020 8:19 AM  
**To:** Chris Rembold  
**Cc:** DeCarlo, Jeffrey (DOT); Garcia, Denise (DOT)  
**Subject:** RE: GB Airport questions  
**Attachments:** Response to GBR Town manager questions 9\_29\_2020.docx

Good morning Chris,

Attached, please find the Aeronautics Division's response to the questions you submitted to us last Wednesday, September 23rd. Please note that my responses are based solely upon the limited information provided in this email and could change given additional information or changed circumstances. Any legal ramifications should be addressed by Town Counsel.

Thank you for your consideration.

Best,  
Denise

Denise J Garcia  
Director of Aviation Planning  
MassDOT Aeronautics Division / Logan Office Center  
One Harborside Drive / Suite 205N / East Boston, MA 02128-2909  
617.412-3688 direct / 617.412.3680 main / 617.412.3679 Fax  
[Denise.garcia@state.ma.us](mailto:Denise.garcia@state.ma.us)



**From:** Chris Rembold <crembold@Townofgb.org>  
**Sent:** Wednesday, September 23, 2020 11:24 AM  
**To:** Garcia, Denise (DOT) <Denise.Garcia@dot.state.ma.us>  
**Subject:** GB Airport questions

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Denise, thank you for your return call / voicemail this morning. As you probably know, the Owner of the Great Barrington Airport (GBR) has applied to the Town for a Special Permit under to permit it as a legal "aviation field" under our Zoning Bylaw (it is currently a preexisting conforming use). The Town has a few questions about applicable airport requirements as well as the extent of our local authority.

Here are my questions for now. Our next meeting date is October 5, so I would appreciate hearing from you before that, if possible.

[AIRPORT: new materials for 10-5-20 hearing]

1. Is the Great Barrington Airport (GBR) required by DOT or FAA to own or otherwise control land at either end of the runways? These areas might be termed runway safety zones or runway safety areas. If not, can you tell me why not?
2. If the Airport is granted a permit and becomes legal under our Zoning, does that obligate the Airport to come into compliance with any DOT or FAA regulations that it otherwise not have to meet?
3. Can the Town regulate the number of planes based at the Airport?
4. Can the Town regulate the number of general takeoffs and landings at the Airport?
5. Can the Town regulate the time of day, or day of week, that planes can takeoff or land at the Airport?
6. Can the Town regulate the types of aircraft that utilize the Airport?
7. Can the Town regulate the flight school use at the airport (as opposed to use by the general public), in terms of number of flights, time of day, types of aircraft?

Thank you very much.  
Chris



**Christopher Rembold, AICP**

Assistant Town Manager  
Director of Planning and  
Community Development  
413-528-1619 ext. 108  
[crembold@townofgb.org](mailto:crembold@townofgb.org)

Town of Great Barrington  
334 Main Street  
Great Barrington MA 01230



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1. **Is the Great Barrington Airport (GBR) required by DOT or FAA to own or otherwise control land at either end of the runways? These areas might be termed runway safety zones or runway safety areas. If not, can you tell me why not?**
  - a. The FAA does not regulate Great Barrington Airport (with very few safety & security exceptions) as they do not receive any federal funding.
  - b. Airports are encouraged but not required to own the land at either end of the runway or to purchase aviation easements for property access to trim or remove trees that penetrate the runway approaches.
  - c. MassDOT has regulatory oversight over GBR under MGL Chapter 90 and CMR 702. MassDOT must inspect the airport at least once (at minimum) every 36 months. FAA sets the safety standard inspection criteria for airport inspections conducted by the MassDOT aeronautical inspector.
  - d. GBR has a responsibility to keep their runway approaches clear of trees. If existing trees/obstructions pose a hazard to flight safety, the obstructions must be removed, or the runway ends must be displaced (shortened) and remarked so the flying public can take off or land their aircraft at a safe glideslope angle of ascent or descent.
2. **If the Airport is granted a permit and becomes legal under our Zoning, does that obligate the Airport to come into compliance with any DOT or FAA regulations that it otherwise would not have to meet?**
  - a. If the Town grants a permit under their zoning authority, the private airport would be obligated to comply with that local by-law unless the proposed by-law poses a hazard to flight. IF GBR still remained a private airport, there would be no additional changes to state or federal oversight of the airport.
  - b. If the Municipality purchased the airport, and brought it into compliance with FAA standards, the publicly owned airport would become eligible for federal funding. If federal funds were accepted, there would be additional obligations and grant assurances requiring the airport to remain in FAA compliance or lose their eligibility for federal funding.
3. **Can the Town regulate the number of planes based at the Airport?**
  - a. No. MassDOT has regulatory oversight of the public use airports in MA. MassDOT has a statute requiring all public use airports to submit their based aircraft list to the Aeronautics Division every March and September. All airworthy aircraft must be registered with the Aeronautics Division annually and display a MassDOT issued sticker on the left side of their aircraft. Failure to comply would result in fines and civil penalties. All parked/hangared aircraft must have proper wingtip clearance.
4. **Can the Town regulate the number of general takeoffs and landings at the Airport?**
  - a. No. MassDOT has regulatory control under Chapter 90 and 702 CMR for the public use airports in MA

- b. Any aircraft can use a public use airport to land 24 hours a day in an emergency situation.
  - c. GBR has imposed limitations on its hours of operations due to its classification as a Daytime Visual Flight Rules (VFR) airport without installed apron or taxiway lighting.
5. **Can the Town regulate the time of day, or day of week, that planes can takeoff or land at the Airport?**
- a. No. The airport is a daytime, daylight, and visual flight rules (VFR) airport based upon their available navigational aids (NAVAIDs) and airport lighting.
6. **Can the Town regulate the types of aircraft that utilize the Airport?**
- a. The FAA leaves the decision up to pilots to ensure they can safely operate into and out of the airport. However, since the runway is less than 3,000 feet, the airport is considered a general aviation airport limited to general aviation air traffic.
7. **Can the Town regulate the flight school use at the airport (as opposed to use by the general public), in terms of number of flights, time of day, types of aircraft?**
- a. The FAA regulates flight schools at all public use airports. All flight instructors must be FAA-certified to teach flight procedures. Again, the types of aircraft based at the airport that are used in student flight training must conform to the limitations imposed by the classification of airport, available runway length and NAVAIDS.

## Chris Rembold

---

**From:** Edwin May  
**Sent:** Friday, September 25, 2020 9:51 AM  
**To:** Chris Rembold  
**Subject:** RE: Airport

None that were recorded...Noise complaints were recommended to be sent to GBPD. I had recorded a near miss by a landing plane, after May 2020, was also sent to GBPD. Each and all noise complaints were recommended to GBPD and attend SP hearings to voice their concerns to Select board.



**Edwin A. May, CBO ZEO**

Building Commissioner

413-528-3206

[emay@townofgb.org](mailto:emay@townofgb.org)

Town of Great Barrington

334 Main Street

Great Barrington MA 01230



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

**From:** Chris Rembold <[crembold@Townofgb.org](mailto:crembold@Townofgb.org)>  
**Sent:** Friday, September 25, 2020 9:31 AM  
**To:** Edwin May <[EMay@Townofgb.org](mailto:EMay@Townofgb.org)>  
**Subject:** Airport

Ed, do you have any record of noise or other complaints regarding the Airport from between May of 2019 and May of 2020?

Thanks,  
Chris

## Chris Rembold

---

**From:** Cara Becker  
**Sent:** Friday, September 25, 2020 12:11 PM  
**To:** Chris Rembold  
**Subject:** RE: Airport

Chris,  
We have nothing in the log.  
Cara

**From:** Chris Rembold <crembold@Townofgb.org>  
**Sent:** Friday, September 25, 2020 10:00 AM  
**To:** Cara Becker <cbecker@Townofgb.org>  
**Subject:** Airport

Cara, does PD have any record of noise or other complaints regarding the Airport from between May of 2019 and May of 2020?

Thanks,  
Chris



### Christopher Rembold, AICP

Assistant Town Manager  
Director of Planning and  
Community Development  
413-528-1619 ext. 108  
[crembold@townofgb.org](mailto:crembold@townofgb.org)

Town of Great Barrington  
334 Main Street  
Great Barrington MA 01230



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

**From:** Edwin May <EMay@Townofgb.org>  
**Sent:** Friday, September 25, 2020 9:51 AM  
**To:** Chris Rembold <crembold@Townofgb.org>  
**Subject:** RE: Airport

None that were recorded...Noise complaints were recommended to be sent to GBPD. I had recorded a near miss by a landing plane, after May 2020, was also sent to GBPD. Each and all noise complaints were recommended to GBPD and attend SP hearings to voice their concerns to Select board.



## Chris Rembold

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**From:** Jim Scalise <JScalise@sk-designgroup.com>  
**Sent:** Monday, September 21, 2020 7:16 PM  
**To:** Chris Rembold  
**Cc:** 'Dennis Egan (DEgan@cohenkinne.com)'; Terri Andersen  
**Subject:** Airport  
**Attachments:** stateList.pdf

Chris

I have a simple answer to the very small generator question. The state website has an excel listing for the entire state.

Berkshire aviation is included in the attached portion of the listing found at the state.

BAE is a VSQG. This use is a very small quantity generator

Please include this in your deliberations

Thank you

**Jim Scalise**

Professional Engineer at SK Design Group, Inc.

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A 2 Federico Drive, Pittsfield, MA 01201

P 413.443.3537

W <https://www.sk-dg.com/>

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[AIRPORT: new materials for 10-5-20 hearing]

| BERKSHIRE AVIATION ENTERPRISES |   |            |                        |            |                  |       |          |              |                 |                  |               |
|--------------------------------|---|------------|------------------------|------------|------------------|-------|----------|--------------|-----------------|------------------|---------------|
|                                | A                                       | B          | C                      | D          | E                | F     | G        | H            | I               | J                | K             |
| 1                              | Name                                    | 2nd Name   | Address                | Address 2  | Town             | State | Z/P Code | PHONE        | RCRA Gen Status | State Gen Status | EPA ID Number |
| 2848                           | BERKSHIRE AUTO & TRUCK REPAIR           |            | 850 BERKSHIRE AVE      |            | SPRINGFIELD      | MA    | 01151    | 413-543-2287 | VSQG            | VQG-MA           | MV4135432287  |
| 2849                           | BERKSHIRE AUTO MART INC                 |            | 10 GROVE AVE           |            | ADAMS            | MA    | 01220    | 413-743-2165 | VSQG            |                  | MAD086951951  |
| 2850                           | BERKSHIRE AUTOMOTIVE REPAIR             |            | 11 WEST HOUSATONIC ST  |            | PITTSFIELD       | MA    | 01201    | 413-281-8310 |                 | VQG-MA           | MV4132818310  |
| 2851                           | BERKSHIRE AUTOMOTIVE REPAIR & SALES INC |            | 607 WEST HOUSATONIC ST |            | PITTSFIELD       | MA    | 01201    | 413-499-9911 |                 | SQG-MA           | MAR000582957  |
| 2852                           | BERKSHIRE AVIATION ENTERPRISES          |            | 70 EGREMONT PLAIN RD   | 179 RTE 71 | GREAT BARRINGTON | MA    | 01230    | 413-528-1010 | VSQG            | VQG-MA           | MAD981215148  |
| 2853                           | BERKSHIRE BOULEVARD GARAGE              |            | 50 BERKSHIRE BLVD      |            | AYER             | MA    | 01432    | 978-772-0149 | VSQG            |                  | MV9787720149  |
| 2854                           | BERKSHIRE C V JOINTS INC                |            | 703 WEST HOUSATONIC ST |            | PITTSFIELD       | MA    | 01201    | 413-499-8822 | VSQG            | VQG-MA           | MAS000000281  |
| 2855                           | BERKSHIRE COMMUNITY COLLEGE             |            | 1350 WEST ST           |            | PITTSFIELD       | MA    | 01201    | 413-236-3015 | VSQG            | VQG-MA           | MAD060523545  |
| 2856                           | BERKSHIRE CONCRETE CORP                 |            | 550 CHESHIRE RD        |            | PITTSFIELD       | MA    | 01201    | 413-499-1441 | SQG             | SQG-MA           | MAC300093838  |
| 2857                           | BERKSHIRE COSMETIC                      | RECONSTRUK | 426 SOUTH ST           |            | PITTSFIELD       | MA    | 01201    | 413-496-9272 | VSQG            |                  | MAR000545673  |
| 2858                           | BERKSHIRE COUNTY SHERIFFS OFFICE JAIL   |            | 467 CHESHIRE RD        |            | PITTSFIELD       | MA    | 01201    | 413-443-7220 |                 | VQG-MA           | MAR000549311  |

## Chris Rembold

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**From:** Steve Bannon  
**Sent:** Thursday, September 24, 2020 5:09 PM  
**To:** Amy Pulver; Mark Pruhenski; Chris Rembold  
**Subject:** Fwd: Comments/Questions to Selectboard & Town Manager

Sent from my iPhone  
Stephen Bannon  
413 -446 -6957

Begin forwarded message:

**From:** Great Barrington MA via Great Barrington MA <cmsmailer@civicplus.com>  
**Date:** September 24, 2020 at 4:57:09 PM EDT  
**To:** Mark Pruhenski <MPruhenski@townofgb.org>, Steve Bannon <sbannon@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Kate Burke <kburke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>  
**Subject: Comments/Questions to Selectboard & Town Manager**  
**Reply-To:** Great Barrington MA <joanter@juno.com>

Submitted on Thursday, September 24, 2020 - 4:56pm  
Submitted by anonymous user: 24.194.29.179  
Submitted values are:

Subject: Comments/Questions to Selectboard & Town Manager  
Message:  
Dear Members of our Selectboard,

First let me thank you for your service on the Selectboard. It is a substantial contribution of your time and abilities, and is often a thankless job. But many of us appreciate your commitment to our town governance, and I thank you.

A couple of comments about the pending Application of Berkshire Aviation Enterprises for a Special Permit to build 6 new hangars, and for approval of a Special Permit to operate as an airport.

1. The application for a Special Permit to operate as an airport should be denied. Yes, it is operating as an airport now, having been "grandfathered in" back in 1931, as a small and low impact operation in a residential area yet to be developed. But the area is developed now, 70 years later, and those who built or purchased residences here have a right to expect the quiet enjoyment of their homes. Giving a Special Permit to operate as an airport, First, isn't necessary as it's "grandfathered in", and Second, would give added reason in support of future expansion. The effect would be to officially acknowledge that it is in conformity with Section 7.2 of the

[AIRPORT: new materials for 10-5-20 hearing]

zoning bylaw that it is "...so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable conditions." It is already demonstrably objectionable to its neighbors. The Special Permit to operate as an airport should be denied.

2. The application for a Permit to build 6 new hangars should be denied. This would result in 33 additional planes for the airport and allow the construction of a new access road for entry and egress from Seekonk Cross Road. This would be a major undertaking by the airport and a major expansion in the face of opposition from its residential neighbors. It is inappropriate for an airport to operate in a residential area if it is "... likely to become objectionable to adjoining and nearby property because of noise...(etc.)". It is already objectionable, Please, just say "no".

3. It is time to "just say 'No'! Of course, you want to encourage business development and the jobs and prosperity it brings. But not at the cost of the quiet enjoyment R-4 zoning promised to those who purchased homes there, and in clear violation of Section 7.2 of the zoning bylaw. The airport was "grandfathered in" as a small commercial operation in an area zoned to encourage residential housing. For it now to substantially expand beyond its original operation is simply not appropriate, especially in view of the strong opposition of the neighboring residents.

4. A final word about the Blackhawk helicopters. Apparently, the airport has entered a contract with the National Guard allowing their helicopters to approach, touch down and take off during the nighttime. These helicopters are extremely noisy, and turbulent, such as to actually so shake our house that a wall hanging fell to the floor. Another example of "objectionable" behavior by the airport. That contract should be reviewed in the light of the above discussion.

Thank you for your consideration of these comments.

==Please provide the following information==

Your Name: Terence and Joanne Cooney

Your E-mail Address: joanter@juno.com

Organization: --None--

Phone Number: 6076871324

==Address==

Street: 148 Hurlburt Road

City: Great Barrington

State: Massachusetts

Zipcode: 01230

The results of this submission may be viewed at:

<https://www.townofgb.org/node/2/submission/4186>

## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:33 PM  
**To:** Amy Pulver; Chris Rembold; Mark Pruhenski  
**Subject:** Fwd: Great Barrington Airport Support

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Tyrese Caines <tcaines21@berkshireschool.org>  
**Date:** October 1, 2020 at 2:29:56 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Mark Pruhenski <MPruhenski@townofgb.org>  
**Subject: Great Barrington Airport Support**

Good Day,

I am writing to voice my support on the Great Barrington Airport. As a student at Berkshire School, I have been graced with the opportunity to be able to enroll into the aviation program this year. The airport plays a crucial role to the curriculum through giving students a chance to see and experience all of the things that we discuss throughout the year. The Berkshire School aviation program is a highly favored class being that it provides a chance for students to engage in something new while having fun. With the absence of the airport, the class would not be what it is today. With that said, I, and the Berkshire community are in full support of the Great Barrington Airport.

Best Regards,

Tyrese Caines '21

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

## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:29 PM  
**To:** Amy Pulver; Chris Rembold; Mark Pruhenski  
**Subject:** Fwd: Great Barrington Airport support

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Nikola Dimitrijevic <ndimitrijevic21@berkshireschool.org>  
**Date:** October 1, 2020 at 2:21:57 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Mark Pruhenski <MPruhenski@townofgb.org>  
**Subject:** Great Barrington Airport support

To Whom it May Concern,

I am writing this letter in support of the airport in Great Barrington. As a student of aviation science at Berkshire school, it would be a great pleasure and experience to actually fly. I write this message as a plead for you to not shut down or discourage any future pilots that Berkshire school has.

Best regards,  
Nikola Dimitrijevic

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## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:29 PM  
**To:** Amy Pulver; Chris Rembold; Mark Pruhenski  
**Subject:** Fwd: Great Barrington Airport support

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Ben Urmston <burnston@berkshireschool.org>  
**Date:** October 1, 2020 at 2:23:56 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Mark Pruhenski <MPruhenski@townofgb.org>  
**Subject:** Great Barrington Airport support

To Whom It May Concern,

I am writing to voice my support of the airport in Great Barrington. As a teacher of Aviation Science at Berkshire School, I have seen how important it is for students to actually fly. Some students have gone on to be professional pilots, and many have loved their experience both at the airport and in the sky above Great Barrington. Some students come to Berkshire School because they want to fly. Others gain a unique perspective by taking the class. All appreciate their time at the airport with the wonderful flight instructors and in the small airplanes. We at Berkshire School strongly support the airport and we support any expansion as well. Thank you very much.

Sincerely,  
Ben Urmston

--  
Ben Urmston  
Science Faculty  
BERKSHIRE SCHOOL

[On the web](#) [Facebook](#)

[Twitter](#) [Instagram](#)

*[AIRPORT: new materials for 10-5-20 hearing]*

245 North Undermountain Road, Sheffield, MA 01257  
Office 413-229-1350

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## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:28 PM  
**To:** Amy Pulver; Chris Rembold; Mark Pruhenski  
**Subject:** Fwd: Great Barrington Airport

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Cooper Pearce <cpearce21@berkshireschool.org>  
**Date:** October 1, 2020 at 2:24:00 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Mark Pruhenski <MPruhenski@townofgb.org>  
**Subject: Great Barrington Airport**

I am reaching out to voice my support for the airport in Great Barrington. As a student of the Berkshire School, and a member of our signature aviation program. I think it would be a shame to take the privilege of using this airport , since it is such a special place for so many people.

Best,  
Cooper

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

## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:28 PM  
**To:** Amy Pulver; Chris Rembold; Mark Pruhenski  
**Subject:** Fwd: Great Barrington Airport support

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Mae Archie <marchie23@berkshireschool.org>  
**Date:** October 1, 2020 at 2:24:56 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>  
**Subject:** Great Barrington Airport support

To whom it may concern,  
I am sending this letter to voice my support to the airport in Great Barrington. I am currently a student at Berkshire school in the aviation program. I am the only female in my class and want to pursue a career in aviation. I am in the process of applying for a high school scholarship from Women in Aviation so I can continue my studies. Without this airport, it will limit my chance of earning my private pilot license. I hope to major in aviation in college and then enlist in the Air Force. After I serve, I want to fly for commercial airlines. This airport is a necessity for me to succeed in life.

Best,  
Mary Elizabeth Archie  
--  
Mae Archie  
Berkshire School  
IV Form

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

## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:28 PM  
**To:** Amy Pulver; Mark Pruhenski; Chris Rembold  
**Subject:** Fwd: Great Barrington Airport support

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Jackson Howell <jhowell22@berkshireschool.org>  
**Date:** October 1, 2020 at 2:25:00 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Mark Pruhenski <MPruhenski@townofgb.org>  
**Subject: Great Barrington Airport support**

To whom it may concern,

I would like to voice my support to Great Barrington. I am a student in the aviation class at Berkshire and this class has so far taught me a lot. Later this year, I might want to fly in Great Barrington to have a once in a lifetime experience. This class can help me in many ways. I've always wanted to fly or be in the cockpit of a plane. Myself and Berkshire strongly support the airport and don't want to see it go away.

Sincerely,  
Jackson Howell

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

## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:28 PM  
**To:** Amy Pulver; Chris Rembold; Mark Pruhenski  
**Subject:** Fwd: Great Barrington Airport Support

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Cal Osterberger <costerberger22@berkshireschool.org>  
**Date:** October 1, 2020 at 2:25:44 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Mark Pruhenski <MPruhenski@townofgb.org>  
**Subject: Great Barrington Airport Support**

To whom it may concern,

I am writing to vocalize my support for the Great Barrington Airport. As a student who is interested in aviation and all that it has to offer I understand and appreciate the importance of having airports nearby, especially when they are so supportive of helping future pilots realize their potential. The availability of airports is vastly important to all who fly private planes, and every airport that closes reduces the maneuverability and reach of pilots everywhere. I hope the airport will stay open and support future plane enthusiasts.

Sincerely,  
Cal Osterberger

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



## Chris Rembold

---

**From:** Steve Bannon  
**Sent:** Thursday, October 1, 2020 2:27 PM  
**To:** Amy Pulver; Chris Rembold; Mark Pruhenski  
**Subject:** Fwd: Great Barrington Airport dilemma

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Scott Takacs <stakacs21@berkshireschool.org>  
**Date:** October 1, 2020 at 2:25:57 PM EDT  
**To:** Steve Bannon <sbannon@townofgb.org>, Bill Cooke <bcooke@townofgb.org>, Leigh Davis <LDavis@townofgb.org>, Ed Abrahams <eabrahams@townofgb.org>, Mark Pruhenski <MPruhenski@townofgb.org>  
**Subject: Great Barrington Airport dilemma**

Dear Great Barrington Officials,

I write to you with the hopes of stopping the closing of the airport in Great Barrington. I am a student at Berkshire School and a member of our Aviation Science Program. Every year we have the wonderful opportunity to learn more about planes and the art of aviation both in the classroom and at the airport. I would like to pledge my full support of the Airport remaining open so that we might retain some sense of normalcy this year at school.

Best Regards,  
Scott Takacs

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



## 2009 Massachusetts Statewide Airport System Plan Airport Inventory & Data Survey

As a follow-up to the letter you should have received in August, MassDOT - Aeronautics Division requests your participation in this airport inventory and data survey. This information will be used by our consulting team to conduct the 2009 Massachusetts Statewide Airport System Plan.

It will be personally collected by a member of the consultant team who will be calling you within the next few weeks to schedule a visit to your airport. Please complete the form to the best of your ability **prior** to the visit, but do not return it. During the visit any unanswered questions associated with the data collection will be answered and the survey will be collected. All study airports will be visited between September and November, 2009.

Meanwhile, if you have questions about this form or the Statewide Airport System Plan, please contact Nicholas Stefaniak of The Louis Berger Group, Inc. at [nstefaniak@louisberger.com](mailto:nstefaniak@louisberger.com) or 518-432-9545. Your attention and time is appreciated. Thank you for your assistance.

|               |                      |
|---------------|----------------------|
| Airport Name: | 3-letter Identifier: |
|---------------|----------------------|

### Survey Completed by:

|               |                              |
|---------------|------------------------------|
| Name:         | Title/Position/Organization: |
| Phone Number: | Cell Phone Number:           |
| Fax Number:   | Email:                       |

### GENERAL AIRPORT INFORMATION

|  |  |
|--|--|
| Airport Ownership (Name & Public or Private) |  |
| Airport Owner Address                        |  |
| Airport Manager                              |  |
| Airport Mailing Address                      |  |
| County                                       |  |
| Phone Number                                 |  |
| Fax Number                                   |  |
| Airport Website URL                          |  |

|  |  |
|--|--|
| Current FAA designated Airport Reference Code (ARC): |  |
| Part 139 certificated?                               | Yes <input type="checkbox"/> No <input type="checkbox"/>   |
| Airport Acreage                                      |  |
| Airport Hours Attended                               |  |
| Unicom or CTAF Frequency                             | Unicom      CTAF      _____ . _____  |
| Control Tower  | Yes <input type="checkbox"/> No <input type="checkbox"/> FAA or Contract Tower: FAA <input type="checkbox"/> Contract <input type="checkbox"/> |



**AIRSIDE FACILITIES**

| Runway/Taxiway  | Primary Runway   | Secondary Runway   | Other  | Other  |
|---|--|--|--|--|
| Orientation (RWY #'s)                                       |  |  |  |  |
| Length/Width  |  |  |  |  |
| Taxiway Type <sup>1</sup> (associated with RWY)             |  |  |  |  |
| Typical Taxiway Width                                       |  |  |  |  |
| Declared Distances:   |  |  |  |  |
| Reason for Declared Distances:                              |  |  |  |  |
| Displaced Threshold (Dist. In ft.)                          |  |  |  |  |
| Reason for Displaced Threshold:                             |  |  |  |  |
| Runway Safety Area (RSA) Compliance (Circle) (UK=unknown)   | Y / N / UK   | Y / N / UK   | Y / N / UK   | Y / N / UK   |
| If no to question above, which ends do not comply? And why? |  |  |  |  |
| Notes:  |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
| <b>Lighting/Nav aids</b>                                    |  |  |  |  |
| Runway Lighting <sup>2</sup>                                |  |  |  |  |
| Taxiway Lighting <sup>3</sup>                               |  |  |  |  |
| PAPI or VASI – which end(s) <sup>4</sup>                    |  |  |  |  |
| REIL  | Yes <input type="checkbox"/> No <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Approach Lighting System <sup>5</sup>                       |  |  |  |  |

Notes :

<sup>1</sup> Full Parallel, Partial Parallel, Turnaround, Stub

<sup>2</sup> HIGH, MED, LOW for Runways, Please note if lighting is non-standard

<sup>3</sup> MED, LOW, REFL (Reflectors), Please note if lighting is non-standard

<sup>4</sup> P= PAPI, V= VASI

<sup>5</sup> MALS, MALSR, MALSF, ALSF, etc.

**Considering the airport's current ARC and approach minima, are FAA separation standards being met for:**

| Separation Criteria                                     | YES                      | NO                       | Separation Distance (ft.) |
|---|--------------------------|--------------------------|---------------------------|
| Runway Centerline to Parallel Taxiway Centerline        | <input type="checkbox"/> | <input type="checkbox"/> |                           |
| Runway Centerline to Aircraft Parking Area              | <input type="checkbox"/> | <input type="checkbox"/> |                           |
| Taxiway\Taxilane Centerline to Fixed or Moveable Object | <input type="checkbox"/> | <input type="checkbox"/> |                           |

**OTHER NAVIGATIONAL AIDS**

Please confirm the following information for navigational aids at your airport.

| Nav aids                 | YES                      | NO                       |   |
|--------------------------|--------------------------|--------------------------|---|
| Rotating Beacon          | <input type="checkbox"/> | <input type="checkbox"/> | Operating Schedule:   |
| Wind Indicator           | <input type="checkbox"/> | <input type="checkbox"/> | Lighted? Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Segmented Circle         | <input type="checkbox"/> | <input type="checkbox"/> |   |
| Weather Reporting Equip. | <input type="checkbox"/> | <input type="checkbox"/> | Which Type?   |
| Instrument Approaches    |                          |                          |   |
|                          | Runway End               | Instrument(s)            | Lowest Approach Minimums  |
| Runway                   |                          |                          |   |
| Runway                   |                          |                          |   |
| Other                    |                          |                          |   |
| Other                    |                          |                          |   |

With regard to Runway Protection Zones (RPZ's), does the airport have controlling interest (land ownership or easements) over the RPZ's for each runway end? ~~NO~~

- No Control       Partial Control       Complete Control

Notes:

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**AIRCRAFT HANGARS**

| Hangars                      | Number | % Occupied                  | Total Square Footage   |
|------------------------------|--------|-----------------------------|------------------------|
| T HANGARS                    |        |                             |                        |
| CONVENTIONAL                 |        |                             |                        |
| PORTABLES/OTHER              |        |                             |                        |
| TRANSIENT HANGAR             |        | N/A                         |                        |
| <b>TOTAL</b>                 |        |                             |                        |
| Hangar Waiting List          |        |                             |                        |
| Yes <input type="checkbox"/> |        | No <input type="checkbox"/> |                        |
|                              |        |                             | # of A/C on list _____ |



**AIRCRAFT PARKING APRONS**

| <b>Tie-downs</b>                                  | <b>Paved</b> | <b>Grass</b>                | <b>Total Square Yards</b> |
|---|--------------|-----------------------------|---------------------------|
| How many tie-downs does the airport provide?      |              |                             |                           |
| How many are provided for based aircraft?         |              |                             |                           |
| How many are for provided for transient aircraft? |              |                             |                           |
| <b>TOTAL</b>                                      |              |                             |                           |
| Tie-down Waiting List                             |              |                             |                           |
| Yes <input type="checkbox"/>                      |              | No <input type="checkbox"/> | # of A/C on list _____    |

**LANDSIDE FACILITIES**

| <b>Terminal Building</b>   | <b>YES</b>               | <b>NO</b>                |
|--|--------------------------|--------------------------|
| Does the airport have a Terminal building?                             | <input type="checkbox"/> | <input type="checkbox"/> |
| Terminal Building Owner  |                          |                          |
| Date Constructed/Rahbilitated?   |                          |                          |
| Approximate Square Footage   |                          |                          |
| Terminal Occupants<br>(i.e., FBO, Administration, Flight school, etc.) |                          |                          |
| Does the Airport have a restaurant?                                    | <input type="checkbox"/> | <input type="checkbox"/> |
| Food/Beverage/Vending Machines?  | <input type="checkbox"/> | <input type="checkbox"/> |
| Pilot Lounge?  | <input type="checkbox"/> | <input type="checkbox"/> |
| Conference Room?   | <input type="checkbox"/> | <input type="checkbox"/> |
| Flight Planning Room?  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>ARFF Building</b>   | <b>YES</b>               | <b>NO</b>                |
| Does the airport have a dedicated ARFF building?                       | <input type="checkbox"/> | <input type="checkbox"/> |
| If so, list ARFF vehicles/equipment                                    |                          |                          |
| Does the airport have a mutual aid agreement?                          | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Equipment Buildings</b>   | <b>YES</b>               | <b>NO</b>                |
| Does the airport have an SRE building?                                 | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the airport have a Maintenance building?                          | <input type="checkbox"/> | <input type="checkbox"/> |

**EQUIPMENT PURCHASED WITH AIP OR ASMP FUNDS**

| <b>SRE Equipment Type</b> | <b>Year</b> | <b>Make</b> | <b>Date Acquired</b> | <b>Funding Source</b> |
|---------------------------|-------------|-------------|----------------------|-----------------------|
|                           |             |             |                      |                       |
|                           |             |             |                      |                       |
|                           |             |             |                      |                       |
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|                           |             |             |                      |                       |
|                           |             |             |                      |                       |

| <b>Maintenance Equipment Type</b> | <b>Year</b> | <b>Make</b> | <b>Date Acquired</b> | <b>Funding Source</b> |
|-----------------------------------|-------------|-------------|----------------------|-----------------------|
|                                   |             |             |                      |                       |
|                                   |             |             |                      |                       |
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|                                   |             |             |                      |                       |
|                                   |             |             |                      |                       |
|                                   |             |             |                      |                       |

Does any of the above SRE or maintenance equipment have any environmental conservation benefits? (e.g. electric; hybrid; low emission; natural gas; etc.)

Notes:



**AUTOMOBILE PARKING**

Does the airport have sufficient automobile parking in all areas of the airport? Yes  No

If not, please explain:

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**AIRPORT SECURITY/ACCESS**

| Airport Security  | YES                      | NO                       | Date Adopted             |
|---|--------------------------|--------------------------|--------------------------|
| Does the airport have a General Aviation Security Plan?                               | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| Is your airport subject to TSA 1542 security requirements?                            | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| Is the airport equipped with an access control system to the airport operating areas? | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| Does the control system use an ID badging system and/or card readers to grant access? | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| Is the airport equipped with CCTV?  | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| Is there a law enforcement agency on-site?  | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| If so, list the agency(s)? (State Police, TSA, ICE, DEA, etc.)                        |                          |                          |                          |
|   | Complete                 | Partial                  | None                     |
| Does the airport have a perimeter road?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the airport have security fencing?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | YES                      | NO                       |                          |
| Is airport access signage adequate?   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| What is the Airport's main entrance road?   | 2 lane                   | 4 lane                   | other                    |
| Who is responsible for the capital improvement and maintenance of this road?          |                          |                          |                          |
| What is the road leading up to the Airport's main entrance road?                      | 2 lane                   | 4 lane                   | other                    |
| Who is responsible for the capital improvement and maintenance of this road?          |                          |                          |                          |

Notes: \_\_\_\_\_

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**AIRPORT FUELING INFRASTRUCTURE AND SERVICES**

| <b>Airport Fueling</b>   | <b>AvGas</b>   | <b>Jet A</b>             |
|--|--|--------------------------|
| What types of fuel does the airport provide?                   | <input type="checkbox"/>   | <input type="checkbox"/> |
| What is the storage capacity? (in gallons)                     |  |                          |
| Who operates and controls the fuel farm(s)?                    | <input type="checkbox"/> Airport <input type="checkbox"/> FBO(s) <input type="checkbox"/> Other: _____ |                          |
|  | <b>YES</b>   | <b>NO</b>                |
| Does the airport offer self fueling?                           | <input type="checkbox"/>   | <input type="checkbox"/> |
| Are fueling services offered 24 hours a day?                   | <input type="checkbox"/>   | <input type="checkbox"/> |
| If not, what are the hours that aircraft fueling is available? |  |                          |
| Does the airport have active underground fuel storage?         | <input type="checkbox"/>   | <input type="checkbox"/> |

**HISTORICAL AIRPORT FUEL SALES**

Please provide the volume of fuel sales (in gallons) at the airport by type, for the last 10 years.

| <b>Year</b> | <b>AvGAS</b> | <b>JetA</b> |
|-------------|--------------|-------------|
| 2009        |              |             |
| 2008        |              |             |
| 2007        |              |             |
| 2006        |              |             |
| 2005        |              |             |
| 2004        |              |             |
| 2003        |              |             |
| 2002        |              |             |
| 2001        |              |             |
| 2000        |              |             |
| 1999        |              |             |

Notes: \_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### AIRPORT SERVICES AND ACCOMMODATIONS

Please check the services/accommodations that the airport offers.

| Service  | YES                      | NO                                   |
|--|--------------------------|--------------------------------------|
| Fixed Base Operator (FBO) How Many? _____              | <input type="checkbox"/> | <input type="checkbox"/>             |
| On-site car rental                                     | <input type="checkbox"/> | <input type="checkbox"/>             |
| Courtesy car   | <input type="checkbox"/> | <input type="checkbox"/>             |
| Crew car   | <input type="checkbox"/> | <input type="checkbox"/>             |
| On-Airport Intermodal Transportation Services (Circle) | <u>Public Bus</u>        | <u>Light Rail</u> <u>Taxi Access</u> |
| Flight Instruction                                     | <input type="checkbox"/> | <input type="checkbox"/>             |
| Full Time Flight School                                | <input type="checkbox"/> | <input type="checkbox"/>             |
| Aircraft Maintenance Services                          | <input type="checkbox"/> | <input type="checkbox"/>             |
| Airframe Repairs                                       | <input type="checkbox"/> | <input type="checkbox"/>             |
| Power Plant Repairs                                    | <input type="checkbox"/> | <input type="checkbox"/>             |
| Avionics Repair Shop                                   | <input type="checkbox"/> | <input type="checkbox"/>             |
| FAA Part 145 Repair Station                            | <input type="checkbox"/> | <input type="checkbox"/>             |
| Aircraft Sales   | <input type="checkbox"/> | <input type="checkbox"/>             |
| Snow Removal Operations                                | <input type="checkbox"/> | <input type="checkbox"/>             |
| Aircraft Deicing                                       | <input type="checkbox"/> | <input type="checkbox"/>             |
| Aircraft Oxygen  | <input type="checkbox"/> | <input type="checkbox"/>             |
| Catering Services                                      | <input type="checkbox"/> | <input type="checkbox"/>             |
| Aircraft Lavatory Disposal Services                    | <input type="checkbox"/> | <input type="checkbox"/>             |
| <b>Amenities</b>                                       |                          |                                      |
| Number of hotels within 3 miles of the airport:        |                          |                                      |
| Number of restaurants within 3 miles of the airport:   |                          |                                      |

### AIRCRAFT OPERATIONS ACTIVITY TYPES

| Operation                             | Daily                    | Weekly                   | Monthly                  | Seasonal                 | Never                    | Operation Based<br>at the Airport?                       |
|---------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--|
| Air Carrier                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Air Taxi                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Aircraft Charter                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Air Cargo Operations                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Emergency Medical Aircraft Operations | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Angel Flight                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |

| Operation                                 | Daily                    | Weekly                   | Monthly                  | Seasonal                 | Never                    | Operation Based at the Airport                           |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--|
| Agricultural Aircraft Operations          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Law Enforcement Aircraft Operations       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Power line or Pipeline Control Operations | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Skydiving Operations                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Flight Training Operations                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Other:                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Other:                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Other:                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Yes <input type="checkbox"/> No <input type="checkbox"/> |

**ENVIRONMENTAL STEWARDSHIP**

Please check all that apply to the airport.

- In compliance with current EPA's SPCC (Spill Prevention, Spill Control, Spill Countermeasure) requirements.
- In compliance with current EPA's SWPPP (Stormwater pollution prevention plan) requirements.
- Alternative fuel vehicles or other alternative fuel equipment at the airport.
- Recycling Program.
- Surrounding municipalities with appropriate zoning controls to make land use in the airport environs compatible with airport operations and development.

Notes:

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**EXISTING AIRPORT PLANS**

Please indicate which of the following studies, plans or policies have been completed or implemented at the airport, estimate the completion date for each.

| Plan/Study/Policy  | YES                      | NO                       | Date Completed |
|--|--------------------------|--------------------------|----------------|
| Airport Master Plan  | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Layout Plan  | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Capital Improvement Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Business Plan  | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Economic Development Plan or Economic Impact Assessment          | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Minimum Standards  | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Rules and Regulation Policy                              | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Aeronautical Obstruction Survey                                  | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Obstruction Charts   | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Obstruction/Approach Analysis                                    | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Noise Study (Part 150)                                   | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Noise Contours   | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Established Airport Noise Abatement Procedures                   | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Wildlife Management Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Security Plan  | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Emergency Plan   | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Snow and Ice Control Plan/Winter Operations Plan                 | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Airport Pavement Management Plan                                 | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Is the airport recognized in local/regional comprehensive plans  | <input type="checkbox"/> | <input type="checkbox"/> | N/A            |
| Is the airport recognized in local/regional transportation plans | <input type="checkbox"/> | <input type="checkbox"/> | N/A            |

| <u>Environmental Plans</u>                              | Yes                      | No                       | Date Completed |
|---|--------------------------|--------------------------|----------------|
| Environmental Assessment/Environmental Impact Statement | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Vegetation Management Plan (VMP)                        | <input type="checkbox"/> | <input type="checkbox"/> |                |
| VMP Yearly Operational Plan (YOP)                       | <input type="checkbox"/> | <input type="checkbox"/> |                |
| NHESP Conservation Management Plan                      | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Grassland Management Plan                               | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Comprehensive Solid Waste Management Plan               | <input type="checkbox"/> | <input type="checkbox"/> |                |
| Wetland Delineation                                     | <input type="checkbox"/> | <input type="checkbox"/> |                |

**AVIATION OUTREACH/AIRPORT EDUCATION**

**Does your airport have an outreach program to improve the community's understanding of what the airport means to the community?** Yes  No

If yes, please describe:

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**Does your airport have an educational outreach program that illustrates aviation career opportunities to students?** Yes  No

If yes, please describe:

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**Does your airport have a political outreach program? If so, how frequent are your interactions?**

| Level   | Weekly                   | Monthly                  | Bi-Monthly               | Quarterly                | Bi-Annually              | Annually                 |
|---------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Local   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| State   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Federal | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Please describe/provide additional information:

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### HISTORICAL PASSENGER ENPLANEMENT AND AIR CARGO DATA

If applicable to your airport, please complete the following tables regarding historical passenger enplanement and air freight data.

#### 10 Year Passenger Enplanement Data

| Year | Passenger Enplanements |
|------|------------------------|
| 2009 |                        |
| 2008 |                        |
| 2007 |                        |
| 2006 |                        |
| 2005 |                        |
| 2004 |                        |
| 2003 |                        |
| 2002 |                        |
| 2001 |                        |
| 2000 |                        |
| 1999 |                        |

Source: \_\_\_\_\_

#### 10 Year Air Freight Data (Tonnage)

| Year | Integrated (TONS) | ALL CARGO (TONS) |
|------|-------------------|------------------|
| 2009 |                   |                  |
| 2008 |                   |                  |
| 2007 |                   |                  |
| 2006 |                   |                  |
| 2005 |                   |                  |
| 2004 |                   |                  |
| 2003 |                   |                  |
| 2002 |                   |                  |
| 2001 |                   |                  |
| 2000 |                   |                  |
| 1999 |                   |                  |

Source: \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



To the Town of Ft. Barr.

Sept. 30<sup>th</sup> 2020

In 2009 the airport filled out the attached questionnaire for the Mass. DOT Mass. Statewide Airport System Plan (MSASP) I could not retrieve a filled out copy. Please read it.

The airport disclosed how much acreage they owned, whether they have controlling interest (land ownership or easements) over the RPZ's for each runway end, So what Sealise, the airport and Attorney Eagan are stating is not true,

Look at Section Environmental Stewardship

The airport disclosed if they are in compliant with current SWPPP (stormwater Pollution Prevention Plan) requirements, mentioned in Mr. Sealise's permit application where he also states "KGR has a Recycling Plan". A "Recycling Plan is a requirement in the MSASP for B.A.2. to be compliant, 100%,"

Look at Environmental Plans

The airport had to disclose if they had a Comprehensive Solid Waste Management Plan. In 2010 the Town of Ft. Barr. added extensive provisions for a Recycling Plan/Plan to Section 9.2. Water Quality Protection Overlay District for a Recycling Plan/Plan in the Public Recharge Upper Wellhead Protection Area Zone II in violation of the 500 ft. Green River moratorium? Check Shaws

## Chris Rembold

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**From:** Dennis Egan <DEgan@cohenkinne.com>  
**Sent:** Friday, September 11, 2020 2:33 PM  
**To:** Chris Rembold  
**Subject:** Great Barrington Airport Noise Mitigation Plan  
**Attachments:** Noise management.docx

Mr. Rembold:

In advance of the Great Barrington Select Board's hearing scheduled for Monday, September 14, 2020, attached please find a copy of Great Barrington Airport's (the "Airport") revised Noise Mitigation Plan (the "Noise Mitigation Plan"), which was adopted on August 27, 2020 in response to concerns voiced by neighbors of the Airport. The Noise Mitigation Plan has been distributed to all pilots and signage has been added at GBR notifying pilots of the Noise Mitigation Plan.

Should you have any questions please do not hesitate to contact me.

Best,

Dennis

**Dennis G. Egan Jr.**  
Cohen Kinne Valicenti & Cook LLP  
28 North Street, 3rd Floor  
Pittsfield, MA 01201

Direct: (413) 553-0411  
Mobile: (413) 446-1126  
Fax: (413) 553-0334  
Email: [degan@cohenkinne.com](mailto:degan@cohenkinne.com)

**COHEN | KINNE | VALICENTI | COOK**

\*\*\*\*\*  
\*\*\*\*\*  
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\*\*\*\*\*

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August 27, 2020

To GB Airport Pilots,

We, the people who work at the Great Barrington Airport (formerly the Walter J. Koladza Airport) have worked hard to maintain our motto "the friendliest airport in New England" and we will continue to do so. But being friendly also means being a good neighbor to the good people who live near the airport, but who are not aviation enthusiasts. While it is true that many have moved in or built homes near the airport being well aware that there was an airport there, we users of the airport need to be aware that others do not share our enthusiasm for flight operations, and that although grandfathered and protected to continue to operate as an airport, we all need to practice being the friendliest airport by being a good neighbor to airport neighbors.

So how can we be good neighbors? There are actually many things we can do. Most of them are simple and easy to do. The very first thing is simply be aware that every time we takeoff and land, we generate noise. That is a fact and we should not apologize for it. But we can do noise management and be a much better neighbor, save fuel and be safe.

So, first and foremost, BE SAFE! Do whatever you have to do to fly a safe airplane.

Next, comply with our new airport good neighbor procedures, as outlined below.

- Turn right to a heading of 305 degrees as soon as you are comfortable after takeoff on runway 29. Turn further right if winds are from the North to not fly over the houses on Rt 71 west of the airport.
- Climb at best angle speed until at least 400' AGL, longer if you are comfortable.
- Do not start your turn to crosswind until 700' AGL if you are remaining in the pattern.
- Climb to or enter the traffic pattern (if returning to GBR) at the newly established Traffic Pattern Altitude of 1750' MSL and do not descend until abeam the numbers.
- Reduce power to a safe but slower airspeed than cruise as soon as you are at pattern altitude. Airplanes make the most noise at full power and there

- is no reason to go smoking down downwind. It will give you more time to set up for a good pattern.
- If you fly a variable pitch prop airplane, come back to climb power as soon as you are comfortable. Climbing out for even a few more seconds with the prop full forward creates a much louder noise footprint. Be aware that your prop is much louder than a fixed pitch prop.
- Get to know your run up procedures in advance, so that when you do your actual run up, it is only as long as necessary. It saves fuel, saves on engine wear and creates less noise. A win for everyone!
- Consider how many takeoffs and landings you need to do at Gt. Barrington if you are doing multiple patterns. There are many airports (Columbia County, Pittsfield, Westfield) that would minimize your time operating in the GBR area that are not far away.

In conclusion, think about the fact that if you fly for 1 hour from point A to point B, about 3 minutes of that time will be spent below 1000' and only 1.5 minutes of that will be spent at full power, yet that will be 100% of what airport neighbors will remember about your flight! Help us be good neighbors so we can remain "the friendliest airport in New England!" Thank you for reading and complying. Feel free to get in touch with me if you have questions.

Kurt Syer

413-218-1081

Good neighbor coordinator



Town Hall, 334 Main Street  
Great Barrington, MA 01230



*Planning Board's  
Recommendation*

Telephone: (413) 528-1619

Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON  
MASSACHUSETTS

PLANNING BOARD

August 3, 2020

Selectboard  
Town Hall  
334 Main Street  
Great Barrington, MA 01230

Re: Special Permit #909-20  
Great Barrington Airport

Dear Members of the Selectboard;

At its meeting of July 23, 2020, the Planning Board voted to send a positive recommendation on the special permit application submitted on behalf of the Great Barrington Airport located at 70 Egremont Plain Road.

The Board recommends that the Selectboard require documentation about the Airport's use and handling of hazardous material and in granting a special permit, consider limitations on the overall air traffic volume as well as limitations on the type of aircraft, so that expansion of operations and/or aircraft volume would require a review of the special permit.

Thank you for the opportunity to comment.

Sincerely,

*Kimberly L. Shaw*

Kimberly L. Shaw  
Planning Board Secretary

Cc: Chris Rembold, Assistant Town Manager

To the Members of the Select Board for the Town of Great Barrington and Town Manager

My name is Michael Peretti, a Great Barrington resident living at 125 Seekonk Cross Rd. I am writing in regards to the Special Permit that has been request by Berkshire Aviation Enterprises Inc. located at 70 Egremont Plain Rd. dated 5/1/2020.

Having lived on Seekonk Cross Rd for 58 years, 5<sup>th</sup> generation to live on the Egremont Plains, I feel qualified to express my options and observations about the Walter J Koladza Airport and Berkshire Aviation. The Walter J Koladza Airport has remained unchanged my entire life. Same runway, office building, maintenance shop, storage building and aircraft hangar. I have consider it part of my neighborhood where I live along with settings of open fields, mountain backdrops and the amazing Green River running beside alongside this property. Not many places in the Berkshire have remained so unchanged for this long. It is a bit complicated to have this non-conforming business sitting in the middle of an R4 residential zone that technically should not be able to do so. I can't remember a time before 2008 when the airport was even talked about with issues pertaining to its operation. In 2008 when Mr. Koladza passed away, his estate willed the property to some of the current owners of Berkshire Aviation Enterprises (BAE). Since then some have sold out to outside investors or other hobbyist pilots. With new owners come new ideas to create income and uses for the facilities, here is when the troubles begin for us who live alongside the airport.

The Walter J Koladza Airport provides a tracking site <https://flightaware.com/live/airport/KGBR> for all flights arriving and departing. Flight traffic changes with the seasons, just like here in the Berkshires. Warmer and longer days brings out more aviation activity. The flights tracked are either charter flights or private planes in route to other location or just stopping for fuel along their way. From the data, there are relatively few flights weekly with an uptick on the weekends.

BAE on the other hand runs a full time operation at 70 Egremont Plain Road according the information in the special permit application, with 12 employees. The flight school traffic is not recorded by the flight ware tracking at all. I have no ideas if this is public information or been asked for by anyone in town government. According to their website <http://www.berkshireaviation.com/> they maintain 7 aircraft for either pilot training or rentals. On a typical weekend day, Saturday or Sunday from sun up to sundown, 1 training plane will take off and land every 5 MINUTES , that is 12 times an hour for 2 to 4 straight hours at any given time. When you get 2 planes (pilots) in training its amazingly noisy and disturbing especially on Sunday evenings. Most recently, I have watch 2 planes run for 4 straight hours! BAE really does run unchecked with little regards to the people living nearby. It seems there is no limitations on hours of operation on weekends, number of training flights on a given day and little observance of the flight pattern according to their website. See "update noise abatement procedures for runway 11 & 29" on their site. I have provided video clips of BAE planes cutting through the designated flight pattern to our Town Planner, Chris Rembold over to tops of homes along Egremont Plain Rd as well as my property on Seekonk Cross Rd. To be clear this is occurring every day. Very distressing to think things will change once a special permit is in hand. I hate that fact that BAE feels entitled to special rules because "they" existed before zoning, none of us where alive in 1930 and actually, BAE was started in the 1950's



Please consider how much the Walter J Koladza Airport will change once the owners of BAE have received this special permit. Do I dare say expansion or construction of new the runway to accommodate larger aircraft, an air terminal, air fright terminal, and heliport for wealth commuters, drone delivery, an aircraft sales center or even sell the whole operation to bigger corporation? During the early days of the Covid-19 shut down, I was interested to learn that The Walter J Koladza Airport is considered an essential business, which is understandable for medical flights, and that BAE is listed as non-essential and had to suspend activity.

In closing, this is not about new aircraft hangers as if most would like to believe. , it is not about closing the airport, as most people believe. It is really about being a good neighbor, operating a decent business around where people live. Having consideration for us neighbors who are not aviation enthusiast, not pilots or aircraft owners. I am just looking to maintain my simple and quite lifestyle especially in the state of world we live in today. I just need little help making BAE understanding we too have special requirements like quite evening sitting outside at sunsets and backyard gathering without continuous noise from above, sounds of military helicopter practicing in the cover for darkness and hours of continuous takeoff and landing while circling our home. We can get this right but we need to walk this out slowly, create new guidelines, and put regulation as to how BAE operates certain parts of its business. I do not feel now is the correct time to grant a special permit having pointed out some of the operational issues I have identified and brought the your attention.

Thank you for your attention on this very important matter.

Sincerely,

Michael Peretti

125 Seekonk Cross Rd.

Great Barrington, MA 01230

[michaelperettimxp@gmail.com](mailto:michaelperettimxp@gmail.com)

To the Great Barrington SelectBoard,

Please do not exceed your authority and issue a special permit to establish a Walter Koladza Regional Community Business Airport at 70 E.P.R. based on a dimensionless substantially flawed special permit application for a parcel that has no Deed Recorded in the Registry, and for the following reasons,

### **What would Walt do to my Walden?**

On 7/17/2017 Berkshire Aviation Enterprise (B.A.E.) applied for a Special Permit before the Gt. Barr. Selectmen, at that time they were told by chairman Sean Stanton "you do know you could not establish yourself today where you located, referring to the Water Quality Protection Overlay District Zone 11 (WQPOD).

This serves as a formal response to the substantially flawed incomplete Special Permit application submitted by S-K Design Group Surveyor, Engineer and Land Planners on behalf of B.A.E. 70 Egremont Plain Road (E.P.R.), is a Sworn Affidavit based on personnel knowledge, is stated for the record, is putting the town on notice, and have the documentation to support my claim, and did not receive any plans in the permit application until July 29th.

I request this affidavit be read into the record and incorporated into the record of this proceeding.

1) The Cover Sheet states,

"We hereby submit for your consideration a request for a Special Permit for an aviation field at the existing Great Barrington Airport (aka Walter J. Koladza Airport). The goal is to obtain a land use permit for the current use".

"Specifically the operator Berkshire Aviation Enterprise wishes to permit the nonconforming use". There is a footnote that references "Aviation field as defined by the Great Barrington zoning bylaw" which states in part.

#### **SECTION 7.0 SPECIAL REGULATIONS**

##### **7.2 Aviation Fields**

**7.2.1 General.** Any Aviation field public or private, with essential accessories, shall comply with the following:

"In accordance with Chapter 90 of the Mass. General Law Section 35B" and goes on about building height and that is it. There is no mention of the granting of a special permit or local authorization to do such but does give the regulations for establishing an airport under M.G.L. Chapter 90 Section 39 - 39G Aeronautic Commission, powers, rules and regulations,

Pursuant to Mass. General Law Chapter 90 section 39B no one may establish, alter, activate, or deactivate an airport, without first obtaining a certificate of approval by the Mass.

Aeronautics Division pursuant to 702 Commonwealth Mass. Regulations (CMR) Mass. Aeronautics Commission 5.02 through 5.06.

5.03 (3) Applicants proposing an airport that is partially on land not owned or controlled by the applicant and owned or controlled by others must obtain authorization from the owner or person in control of the property to use the property. The signature of that person must be notarized and such written notarization must expressly authorize the applicant to apply for the activities set forth in the application.

This applies directly to me and my 78 E.P.R. property, and I have not given any written authorization.

5.03 (4) requires a site plan drawn to scale and a written plan addressing safety and security.

5.03 (8) Pursuant to M.G.L.c.90 s.39B, before issuing a certificate of approval for an airport the division shall hold a public hearing in the city or town where the airport is to be located.

5.04 Any approval issued by the division shall be limited to the facts submitted with the application.

To date, the Aeronautics Commission has been steadfast in their refusal to speak or respond to my record request for information regarding the 2008 inclusion of B.A.E. in their Statewide Airport System Plan slated for a 2017, 3.4 million dollar Phase 1 development plan for a "Walter J. Koladza Gt.Barr. Community Business Airport".

I Claudia Shapiro am swearing to this sworn affidavit based on personnel knowledge that,

a) to date there is no legal entity known as "Gt. Barr. Walter J. Koladza Airport".

b) Berkshire Aviation Enterprise is not "legally preexisting," and is a piece of an airport that does not own or control the required "200 feet from the end of the usable take off or landing area at the end of a runway", to be an airport, I do, nor do they own or control my portion of the Runway Safety Area both of which I maintain.

"RE: Great Barrington Airport aka Walter J. Koladza Airport Berkshire Aviation Enterprise, Inc. Special Permit for an Aviation Field and the Cc says **Gt. Barrington Airport Expansion** Special Permit.This is not for Berkshire Aviation Enterprise, it is for a "**KGBR**" "**Koladza Gt. Barr. Regional Airport**" and is for an expansion and is for the Town of Gt. Barr.

The Table of Contents claims 64 pages, I paid through a Record Request \$4.40 for 88 pages @ 5cents and received 87 doubled sided pages. So the Table of Contents verse the amount of pages don't add up. There are pages missing, Sections entirely missing, and Sections that are not numbered. This leaves for additional documents to be added or subtracted at a later date making an open book out of this incomplete application.

Table of Contents

1) Town of Gt. Barr. Application for a Special Permit" 2 pages, it is the Town of Gt. Barr. that is applying for this special permit and unfortunately it is the Town that is not being transparent.

2) The Town of Gt. Barr. Abutters List 1 page. I do not abut the Town of Gt. Barr., I live in it. The abutters to the Town of Gt. Barr. are the surrounding Towns who's notification is a requirement for establishing an airport.

Page 2) Which is not numbered states in capital letters TOWN OF GREAT BARRINGTON APPLICATION FOR A SPECIAL PERMIT. Every time the airport applies for a special permit it has been for the Town of Gt. Barr., empowering airport personnel, and neighbors against me.

**When a nonconforming use gets a Special Permit they have to come into compliance.** The only way B.A.E can come into compliance is with my written permission. There are several other abutting properties that constitute the Runway Safety Area, Runway Protection Zone, and the Object Free Zone Area that the airport would need to control or maintain and cannot eminent domain. ( U.S.Supreme Court Griggs v. Allegheny County, 369 U.S. 84 (1962) )

**Compliance for a "Community Business General Aviation Airport"** as presented in this special permit application would include but not be limited too, runway extension, security fencing, a terminal building, recycling program, hangars, and essential services.

Anything in this application that is not challenged is to be construed as accepted and I Claudia Shapiro 78 E.P.R. do not accept and am challenging every aspect of this substantially flawed incomplete special permit application for the following reasons,

This application is filed on a SP1 Short Form which is not for airports which are required to file on a SP2 Long Form, taken from the Gt. Barr. Zoning Manuel Code E 360, Subsection E (1), even so this application is incomplete.

#2 Brief written description of how the project is in harmony with the Gt. Barr. Master Plan is not included, but I quote from the Master Plan the following,

"The airport is located in the water quality protection district, **upstream of the Green River water supply galleries**, and is a residential and agricultural area. Any activity, growth or development here must be regulated to protect the Town's water supply and to ensure uses are compatible with residential and agricultural neighbors.This application violates this standard.

#4 Plan should show all existing and proposed structures, property lines and dimensions, there is no plan showing dimensions included in this application.

#5 Certified list of Abutters.

The abutter's list is for the "Town of Gt. Barr." This application is filed by a professional surveyor, civil engineer and land planner yet bears no seal, is dimensionless, has no survey, plot plan or a site plan review lot layout and dimensions, so one does not know the accurate abutters. It involves property on North Plain Road and there is no abutters list for that parcel.



There is no Recording in the Registry of Deeds for this parcel located at 70 E.P.R. Gt. Barr. Mass., B.A.E. no longer exists and has been replaced with a "Walter J. Koladza Airport" that has been back dated to 1967. This is illegal, leaves for an open book and lacks transparency.

**Page 1) BACKGROUND** "B.A.E. operates and owns the Great Barrington Airport (KGBR)", Koladza Great Barrington Regional Airport and states the "facility is located along Egremont Plain Road and at the corner of Seekonk Cross Roads" is false, misleading and a misrepresentation of fact. To date there is no Gt. Barr. Walter J. Koladza Airport and is a subject of this affidavit. There is a house on the corner of Seekonk Cross Roads and there are four homes on E.P.R. followed by a stretch belonging to B.A.E. followed by five house, the fifth 86 E.P.R. is claimed to be owned in the phone book by the Town of Gt. Barr.

**USE** "the airport is an established at this location since the 1920s", an established what? This sentence is incomplete and false, the airport has never been established and is attempting to do so now and has been since the Walt's estate was settled in Feb. 2008.

**Great Barrington Airport Operations** "Gt. Barr. Airport named the Walter J. Koladza Airport" is a "privately owned Community Business Airport". This is a change of use, what is next door is a private airport called B.A.E. that was Walt's Koladza's hobby. It cites baseline information from the Mass. Statewide Airport System Plan (MSASP).

In 2008 the airport landed in the MSASP as a "Walter J. Koladza Community Business Airport" slated for a 2107 Phase 1 3.4 million dollar expansion that includes in part a Terminal Building, an inclusion that would require the Town, my property, and other land abutters properties.

In Sept 2009 B.A.E. filled out a detailed 18 page questionnaire for the Mass. DOT Aeronautics Division requesting information to be used in the 2009 Statewide Airport System Plan. I could never retrieve the completed questionnaire that disclosed in part the following,

How much acreage the airport was and whether they had ownership or control over the runway Protection Zone at each end of the runway, whether they had a Recycling Program and a Comprehensive Solid Waste Management Plan. It asks if surrounding municipalities have appropriate zoning controls, and does the airport have an established or developable industrial park or land for future development. They had to disclose if they hosted annual Fly-Ins and if they were a member of the local Chamber of Commerce both promoted to garner public support.

It asks if the airport has any onsite businesses and on 3/29/18 according to the Secretary of State B.A.E. Inc. changed its name to Berkshire Holdings Ltd.

A Koladza Gt. Barr. Regional Community Business Airport would affect the environs to the airport as well, this would be devastating to the WQPOD Zone 11.

Page 2) #1) The MSASP revealed that 21 of the 37 airports in the Plan have hangar waiting list from one to an extensive list of 25 at the Walter J. Koladza Airport and claims this fact “establishes the need to file and obtain a special permit”? Mr. Scalise said the same thing Attorney Robbins stated, if the special permit is granted the hangars are by right, all 6 or all 25.

2) Airport has RIEL (Runway End Identifier Lights), which are high intensity strobe lights that when on inhibit the ability to go outdoors, one must close the curtains, I attempted to complain to no avail. These lights are dangerous to the naked eye.

5) Claims leaded and unleaded fuel but these little planes don't use unleaded fuel, bigger jets require unleaded fuel and an extended runway. Mr. Scalise claims he does not know if these planes require unleaded fuel or not? You stated you had a pilots license.

9) Airport Plans and studies claims to have an “obstruction analysis at the end of runway 11 and a noise abatement” but no survey, plot plan, site plan layout or dimensions in this application.

10) Environmental: Airport has onsite resource areas delineated; this application is skirting the fact the airport is required to file under section 9.2 WQPOD and is in the Upper Wellhead Public Recharge Protection Area Zone 11 the most sensitive part of the Towns Sole Source Aquifer, and goes on to state “KGBR has a recycling plan” a requirement in the MSASP for the airport to be 100% compliant.

In 2008 the Planning Board initiated codifying the Zoning Bylaw and in 2010 the following recycling plans/provisions where added to the Zoning Bylaw WQPOD Section 9.2.

**WQPOD Section 9.2.8 Prohibited Uses.** The following uses are prohibited in the WQPOD.

4. Facilities that generate, treat, store or dispose of hazardous waste that are subject to G.L.c. 21C and 310 CMR 30.00 except for:

a. Very Small Quantity Generators as defined under 310 CMR 30.000;

b. Household hazardous waste centers and events operated in accordance with 310 CMR 30.390;

c. Waste oil retention facilities required by G.L. c. 21 s. 52A;

5. Water remediation treatment works unless approved by DEP for the treatment of contaminated groundwater or surface water;

6. Petroleum, fuel oil, and heating oil bulk stations and terminals, not including liquefied petroleum gas;

7. Storage of liquid hazardous materials and or liquid petroleum products;

8. Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR

12 b. Treatment works approved by the DEP.

12 c. Publicly owned treatment works

**9.2.9 Prohibited Uses; Inner Zone.** The following uses may be permitted in the Outer zone but are expressly prohibited in the Inner Zone:

1. New or expanded underground storage tanks (310 CMR 22.20B);
2. Motor Vehicle Repair Operations;
4. Solid waste combustion facilities or handling facilities as defined in 310 CMR 16.00;
5. Land uses that result in the rendering impervious of more than 15%, or more than 20% with artificial recharge, or 2,500 square feet of any lot, whichever is greater,
6. Commercial outdoor washing of vehicles, commercial car washes.

**9.2.11 Nonconforming Uses.** Continuation of a legally preexisting nonconforming use shall be allowed, provided that:

1. The nonconformity shall not be increased or expanded. This is directly followed by,

**9.2.12 Uses and Activities** requiring a special permit. The following uses and activities are permitted only upon the issuance of a special permit by the Board of Selectmen (SPGA) under such conditions as it may require:

1. Enlargement or alteration of existing uses that do not conform to the WQPOD;
2. Those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying zoning district (except as prohibited hereunder). Such activities shall require a special permit to prevent contamination of groundwater;
3. Any use that will render impervious more than 15% of any lot or parcel or 2,500 square feet, whichever is greater. A system for groundwater recharge must be provided which does not degrade groundwater quality. For nonresidential uses, recharge shall be by stormwater infiltration basins or similar system covered with natural vegetation, and dry wells shall be used only where other methods are infeasible. For all nonresidential uses, all such basins and wells shall be permanently maintained in full working order by the owner. Special permits for nonresidential uses as described in this subsection are not allowed in the Surface Water Source Protection Zones A and B.

**9.2.13 Procedures for issuance of special permit.**

The special permit granting authority (SPGA) under this section shall be the Board of Selectmen. Such special permit shall be granted if the SPGA determines, in conjunction with the Board of Health, the Conservation Commission, the Town Engineer/Department of Public Works, and the Planning Board that the intent of this section, as well as its specific criteria, are met. The SPGA shall not issue a special permit under this section unless the petitioner's application materials include in the SPGA's opinion, sufficiently detailed, definite, and credible

information to support positive findings in relation to the standards given in this section. The SPGA shall document the basis for any departures from the recommendation of the other Town boards or agencies in its decision.

3. Evidence of compliance with the regulations under the Massachusetts Hazardous Waste Management Act, 310 CMR 30.000. Including obtaining an EPA identification number from the DEP. These provisions apply to Simon's Rock of Bard College, 78 E.P.R. and the Egremont Transfer Station and DPW documented in the 2003 Source Water Assessment Program Report.

**Section 11 Definitions WQPOD**, added a definition in 2010 of a VSQG (Very Small Quantity Generator) as "any entity public or private other than residential".

These provision apply to 78 E.P.R. documented in 2003 Source Water Assessment Program (SWAP) Report written in 2003 for the Gt. Barr. Fire District mandated by the Federal Government under the Safe Water Drinking Act to inventory land uses within the public water supply. This report documents the airport with underground tanks and being the "Greatest Concern in the Gt. Barr. WQPOD" **and that is it.**

This SWAP Report documents **78 E.P.R. as a Regulated DEP Permitted Facility** within the **Water Supply Protection Area** with a **Permitted Activity of Very Small Quantity Generator (VSQG), an Activity Class of Hazardous Waste Generator** and a **Facility Description of Auto body/Repair**. The DEP Facility Number is 398876 and the property has a MV United States Environmental Protection Agency (USEPA) Number which is my phone number MV4135286053 with a generation status of Federal RCRA, the Resource Conservation Recovery Act which promotes community source reduction and beneficial reuse. This number is permanent (MV) and attaches to 78 E.P.R. and is no longer obtainable in the WQPOD and is an USEPA ( United States Environmental Protection Agency) Identification number required to obtain a special permit added in 2010 to the Zoning Bylaw WQPOD Section 9.2.13. and a subject of my struggle.

This SWAP Report was written for the Gt. Barr. Fire District, and was sent to the Board of Health, Conservation Commission and the Planning Board, so the town knew all about the rights that attached to 78 E.P.R. since 2003 and was fully aware of those rights when the Planning Board came after us for operating our humble shop as soon as Walt passed away in 2004 and supported a trumped up scandalous cease and desist against us in 2010.

The 2010 Master Plan is Award winning for what I do not know and to date could never retrieve the plan for my neighborhood.

I do know that Pittsfield has an Award winning Combustion Facility and I documented that a Combustion/Handling Facility provision was added in 2010 to the Zoning Bylaw WQPOD Section 9.2 a provision that applies to my property.



11) states "Koladza Gt. Barr. Airport is a General Aviation Airport is false, misleading, and a misrepresentation of fact. A General Aviation Airport is defined as "public-use airports that do not have scheduled service or have less than 2,500 passenger boardings (49 USC 47102(8). Approximately 88 percent of airports included in the NPIAS are general aviation airports". NPIAS is the National Plan Integrated Airport System (FAA) . The airport is included in this plan as a "Walter J. Koladza General Aviation Airport" since 2008 an inclusion that required a "public willing sponsor" and my property.

To date I have not been able to obtain any Plans or information from the Town, Mass. DOT Aeronautics Division or the FAA, other than a hard time.

12) Runways: KGBR has a single paved runway that is 2579 feet long.

13) KGBR is a "Community/Business Airport and that KGBRs community role establishes the Facility and Service objectives at the airport" this statement is directly followed on the next page by Figure 3-13 from the Mass. Statewide Airport System Plan.

**Page 3) Facility and Service Objectives** -Community /Business Airport Criteria and Minimum Objective lists a runway length requirement for a Community /Business Airport as a minimum of 3200 feet or greater. This is an expansion that would require numerous other properties and my written notarized authorization to use my piece of an airport which extends two hundred feet (200) from the usable take off or landing area end of Runway 11 that cannot be taken by eminent domain, that I maintain under an Order dated March 20th 2015 from the Mass. DOT Aeronautics Division under Mass General Law C.90 ordering me to maintain the end of runway 11 with photos attached which I did and did prior to this Order, something B.A.E. refuses to acknowledge or compensate me for.

To date there is no established role of this piece of an airport as claimed. Figure 3-13 under Landslide Facilities list the Terminal /Administration Building in the 3.4 million dollar Phase 1 that was due to commence in 2017.

**Page 4) Zoning Applicability** states "The Zoning Bylaw applies to the property as it is an aviation field located in an R-4 zone" and claims "the use is permitted with the issuance of a Special Permit which is the purpose of this application, it claims the work limit is not within the floodplains.

The use is not permitted by special permit only, and is not permitted in what was designated as the "Water Quality Protection Overlay District Section 9.2" of the Zoning Bylaw by avid pilot Betty Vigneron, married to avid pilot Dr. Vigneron, parents of the late avid pilot and airport owner Tom Vigneron to avert what B.A.E. is attempting to accomplish and has been since the estate was settled Feb. 2008, to establish and expand themselves in the WQPOD specifically the Upper Wellhead Public Recharge Protection Area Zone 11 as a municipal airport without any transparency.

Rick Solan stated at the recorded 6/17/2017 Selectmen's hearing for a Special Permit "I've been trying to do this since 2008". Do what Rick, don't you think it's time to disclose your intent?

Are you referring to the Feb. 12th 2008 request to a local Attorney from your piece of an airport for "a plan for the division of the business and the real estate in two"? The Attorney documented you could do this if both entities and I quote "assuming, of course, that you conduct all business and operate the entities in compliance with the law" and they are not and you know it, have always known it and is the subject of you, your establishment, neighbors, certain individuals and public officials abuse of me violating my rights since Feb. 2008 because your where not content and **made a mess of what you were given** and I have something wanted for personal, political and financial gain.

This document has "division" underlined and has written in "P.B. hangar - really for subdivision".

On **July 23rd 2020** the **Planning Board** held a site plan review hearing that was not open to the public. Mr. Scalise presented partial plans "Prepared for Great Barrington Airport", there were two sets of plans, for subdivision and the two parcels involved. Mr. Scalise stated "might make sense to delay site plan review until a special permit is granted" and the Planning Board Chair agreed. On a motion made by the Town Planner Assistant Town Manager Mr. Rembold that is completely contrary to the contents of Mr. Scalise's special permit application, the Board made a positive recommendation to the Selectboard anyway?

This is 4 months after **March 20th 2020**, the date the special permit application was submitted that **includes a Site Plan Review** in part on pages 16 - 22, that states "each objective supported a positive determination from the Board".

The plans Mr. Scalise presented need to be disclosed before the Aug. 10th 2020 meeting.

You are also referring to the 2008 inclusion of your piece of an airport in the Mass. Statewide Airport System Plan (State) and the National Plan Integrated Airports (FAA) as a "Walter J. Koladza Gt. Barr. Regional Community Business General Aviation Airport" inclusions that included my piece of an airport that would have required my written authorization for you to use.

**9.2.11 Nonconforming Uses:** Continuation of a legally preexisting nonconforming use shall be allowed provided that:

1. The nonconformity shall not be increased or expanded, and Mr. Scalise responds "the replacement of underground tanks did not increase the nonconformity"? Underground tanks are not a use, they are an accessory and the replacement of the under ground tanks was mandatory, the use would be an airport and establishing an airport would increase the



nonconformity. The airport is not “legally pre existing nonconforming” and cannot increase or expand. Page 5) WQPOD 9.2.12 Uses and Activities requiring a Special Permit, The following uses and activities are permitted only upon the issuance of a Special Permit by the Selectmen,

1.Enlargement or alteration of existing uses that do not conform to the WQPOD.

Mr. Scalise response is “Existing use conforms to the WQPOD”? Sir you have been documenting the airport as nonconforming, you are now stating a piece of an airport that has never been permitted and can’t conform to the WQPOD Upper Wellhead Public Recharge Protection Area Zone 11 conforms to the WQPOD, are you serious? You then state the “proposed use cumulatively has 11.4+ acres of impervious area” and on page 18 you state “The project design includes stormwater management for the 7.8 acre portion of the site that is being improved under this application” is conflicting, is something else going on? Mr. Scalise then states “Construction, if permitted complies with and cites ,

Section 9.2.7

#6 Any use permitted in the underlying zoning district, subject to other requirements herein;

#8. Construction, maintenance, repair, and enlargement of drinking water supply related facilities such as, but not limited too, wells, pipelines, aqueducts, and tunnels; so maybe something else is going on?

Mr. Scalise then cites the use is a Very Small Quantity Generator according to USEPA (United States Environmental Protection Agency) Guidelines and cites the exemption for a VSQG under Section 9.2.8 of the WQPOD for such generator to generate, treat, store, or dispose of hazardous waste, this applies to my 78 E.P.R. property documented in the 2003 SWAP Report written for the Gt. Barr. Fire District who own the water rights out here in the WQPOD, that documents the airport with underground fuel tanks and also as the Greatest concern to the WQPOD in Gt. Barr. The Fire District is chaired my Mr. Atwood who in his brief stint as Selectmen ordered the cease and desist against us in Jan. 2010.

Page 6) GENERAL ZONING REQUIREMENTS states The Great Barrington Airport is in the R-4 Zoning District is misleading, once again there is no legal airport at 70 E.P.R. and what is at 70 E.P.R. is in the Water Quality Protection Overlay District Upper Wellhead Public Recharge Protection Area Zone 11.

Mr. Scalise then cites,

SECTION 5.0 NONCONFORMING USES AND STRUCTURES

5.1 Applicability, “the lawful use of the existing buildings pre-date the adoption of the zoning bylaw. Continued use since the 1920’s is satisfactory to meet the exemption in Section 5.1 of the bylaw”.

The buildings visually do not predate the adoption of the 1932 Zoning Bylaw but more important is the content of Section 5.1 which is being omitted in relation to being quote “exempt” which states in part “This Zoning Bylaw shall not apply to structures or uses “lawfully” in existence or “lawfully begun”. Such prior, “lawfully preexisting nonconforming uses” and structures may continue, provided that no modifications of the use or structure is accomplished, unless authorized hereunder. The key words here are “lawfully preexisting nonconforming”, the airport is not and cannot be “lawfully preexisting nonconforming”, they are a piece of an airport that has also not been in continual use, changed hands several times including foreclosure before it was developed with an activation date of April 1942 by Selectmen James F. Tracy who never obtained a special permit to operate, either did Walt Koladza.

Also omitted entirely is Section 5.2 Nonconforming Uses; which states,

The Zoning Board of Appeals may award a special permit pursuant to Section 10.4 to change a nonconforming use in accordance with this section only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

The airport is in the WQPOD and has to file under Section 9.2. clearly even if it could file under Section 5.0 NONCONFORMING USES AND STRUCTURES establishing an airport especially based on this Permit Application in this neighborhood is would be highly more detrimental.

Page 7) starts out with a “early zoning map from 1932 with a corroborating county road plan 1939 Section neither of which are legible.

### 6.3 GENERAL LANDSCAPING REQUIREMENTS

6.3.1 **Applicability.** The requirements of this section shall apply to any nonresidential use.

6.3.2 **Landscaping Requirements,** some combination of planting shall be installed in the following locations and states in part,

1) Property line(s) which also bound residential districts shall be screened from nonresidential uses by means of planting.

Mr. Scalise response is “The proposed project does not include any new activity near or in proximity to the neighboring residential properties. The nearest residential property is located to the west. The westerly end of the runway has a prohibition for installation of obstructions to aircraft including trees and cites a FAA Object Free Area. No further action is required in this area of the property”, the westerly end of the runway is mine and is not residential.

Page 8) Mr. Scalise your diagram Table 3.2 documents FAA Standard Object Free Zone as, 300 feet from the runway end, a Runway Safety Area (RSA) beginning 300 feet from the end of

the runway, and the Runway Protection Zone (RPZ) as 700 feet wide and 1000 feet in length. FAA documents an airport ending 200 feet (60m) from the usable take off and landing area and I own 200 feet off the end of runway 11.

You then claim "The project drawings designate landscaping outside of the operation safety standards". Refer to the project drawings (Site/Landscape Plan). There is no "project drawings or Site /Landscape Plan but "landscaping outside the operation safety standards" involves properties that do not belong to B.A.E.

6.3.2 2) Any accessory receptacle or structure with a holding capacity of one hundred (100) cubic feet for temporary storage or solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk and similar waste items shall be screened, in accordance with this Section, from all adjacent premises and streets from which it would be otherwise visible.

!00 cubic feet equates to 748 US gallons, of solid or liquid waste? In the WQPOD?

Mr. Scalise responds "The airport currently is compliant with the USEPA requirements for storage and handling of very small quantities of oil and hazardous materials", information from the USEPA is copied below.

You then document the airport as a Conditionally Exempt Small Quantity Generator (CESQG), the List of Mass. Hazardous Waste Generators documents Berkshire Aviation Enterprise as a VSQG, Very Small Quantity Generator which can generate no more than 220 lb. ( 26.4 us gals) of hazardous waste per month and 2.2 lb. of acute hazardous waste, and also listed with the State as a Very Small Quantity Generator (VSQ). A VSQ can generate up to 2200 lb. ( 264 us gals) of hazardous waste and 2.2 pounds of acutely hazardous waste in a calendar month. This Generator status was put in place to accommodate the recycling plan for the Koladza Great Barrington Regional Airport. A SQG must comply with the hazardous waste manifest requirements and must manage hazardous waste in tanks or containers. There must always be at least one employee and an emergency coordinator available to respond to an emergency. A VSQG can upgrade to a SQG which can upgrade to a LQG, Large Quantity Generator.

You state the "Facility is properly and adequately regulated" and I am stating for the record in this sworn affidavit based on personal knowledge, that you are documenting and attempting a "land taking" of 78 E.P.R. property and its rights documented in the 2003 Federally Mandated Source Water Assessment Program Report in **APPENDIX B; "REGULATED FACILITIES WITHIN THE PUBLIC WATER SUPPLY PROTECTION AREA DEP Permitted Facilities"**, with a Permitted Activity of VSQG, Very Small Quantity Generator, with an Activity Class of Hazardous Waste Generator with a Facility description of Auto body/Repair. The other permitted Facilities are Simon's Rock and the Egremont Transfer Station and DPW. I have documentation from the

DEP visiting 78 E.P.R. ensuring compliance. I Claudia Shapiro have a DEP Permitted Regulated Facility, I am the one with an approved Paint Booth, not the airport, they are illegal.

This Report documents B.A.E. as having underground fuel tanks, period. It also documents the airport as the biggest concern in Gt. Barr. to the WQPOD Zone 11 so any attempt to claim this expansion is not more detrimental to the neighborhood under Section 10.4 of the Zoning Bylaw if that was the appropriate Section to file under is futile.

You stated at the Oct 30th 2019 Airport meeting I was intentionally not invited to regarding the airport having a hazardous waste permit "I'm sure they are VSQG and there is Federal RCRA". That is the Resource Conservation Recovery Act which promotes community source reduction and beneficial reuse and is in part the intent of this development plan and is the recycling plan you stated the KGBR has that will generate the town compensation.

The airport was not a CESQG, a VSQG, or a SQG in 2003 when the SWAP Report was written for the Gt. Barr. Fire District or in 2010 when the Town added the definition of a VSQG as any entity public or private other than residential to Section 9.2 WQPOD of the zoning bylaw, eliminating obtaining such permit or the entire WQPOD could commercialize. The Public Recharge Upper Wellhead Protection Area Zone 11 is the wrong place for hazardous waste in this capacity and there is no place in the WQPOD for Acute Hazardous Waste.

The following **page 9)** states "if you generate no more than 220 lbs (100kg) of hazardous waste per month, you are a Conditionally Exempt Small Quantity Generator (CESQG). 220 lbs equates to 26 U.S. gallons which is a far cry from the 748 gallons cited and a farther cry from the 264 gals. B.A.E. is claiming they have a right to have.

Mr. Scalise then states "The other portion of the bylaw requirement is the enclosure of trash receptacles namely the onsite dumpster". Refer to the project drawings for the location and details of the dumpster enclosure but no project drawings or details are included in this special permit application but "trash receptacles" sounds in part like the "KGBR Recycling Plan" Mr. Scalise claims the airport has but failed to disclose the Plan.

There is a photo of two recently installed above ground 1000 gallon propane tanks that states in part quote "The following photograph(s) of outside equipment have been identified and will be appropriately screened" under Section 6.3.1 and 6.3.2. There is one photo and it is a view directly from my back yard, the "west end property" is mine and it is not residential.

Mr. Scalise you are intentional documenting my property inaccurately to put it mildly.

In 2010 the town added a definition of a VSQG to Section 9.2 WQPOD as "any entity public or private other than residential", commercializing 78 E.P.R.

**Page 10)** states "The design category for the KGBR is a "11-B" aircraft and cites a Cessna -441 Conquest that happens to be a plane owned by an airport owner that is housed at Columbia County Airport because it is too big to land here that requires unleaded fuel.



There is a photo that states "The property currently has a small dumpster, and propane tanks located behind the existing hangar building but the building is not the building located at 70 E.P.R. B.A.E., it is located at the North Plain Road site.

**Page 12) Section 10.4 SPECIAL PERMITS** ( the airport is filing under ) refusing to file under the appropriate Section 9.2 Water Quality Protection Overlay District.

**Section 10.4.2 Criteria** of the zoning bylaw states in part "Special Permits shall be granted only upon a written determination that the adverse effects of the proposed use will not outweigh its beneficial impact to the town or the neighborhood lists 6 criteria's,

**10.4 2 #1) Social, economic or community needs which are served by the proposal.**

**a) Local Economy**

"The airport currently has 12 employees" is a far cry from the 38 claimed in 2013 and the 56 claimed in 2019 in the Mass. Statewide Airport Economic Impact Study.

**b) Community Programs and Events**

"Hosted Events; The Rotary Fly-In which is a MSASP recommendation to "garner public support" along with joining the Chamber of Commerce. It mentions a Pancake Breakfast Fly-In and a Drive for Homeless Center (Thanksgiving)?

**Page 13)** "The following slides were prepared and presented at a neighborhood meeting in advance of this application. The slides are copied below in support of the criteria. Airport success benefits community, Mass. DOT Statewide Airport System Airport Economic Impact Study Update".

I was intentionally not invited to the neighborhood meeting and would have challenged then and am challenging now any inclusion of this illegal piece of an airport in the Mass. Statewide Airport System Plan. "Airport success" violates including but not limited too, the sole source aquifer, the Green River, Chapter 168 Gt. Barr. Wetland Zoning Bylaw, the Wetland Protection Act, my property rights, my rights and rights of other abutters.

The Mass. DOT Aeronautics Division has been steadfast in their refusal to speak with me or respond to any Record Request submitted regarding any aspect of this airports inclusion in their Plan and I can now see why.

**Page 14) 10.4.2 #3) Adequacy of utilities and other public service states,**

"The Walter J. Koladza Airport does not utilize public utilities". The airport does not have potable water and do they really have a Septic System to accommodate a Community Business Regional Airport in a Public Recharge Area? When a nonconforming use gets a Special Permit they have to come into compliance, the utilities at B.A.E. do not accommodate a commercial airport but I do see an Illicit Discharge statement that states "**The Stormwater and Sewer System for Gt.Barr. Airport**"?

**#4) Neighborhood character and social structures states,**

"The airfield and surrounding open space included on the 87.7 acre property included under airport ownership constitutes most of the neighborhood context? This is not true, how many properties are being claimed? It goes on to state "Surrounding uses are agricultural and residential in nature, The property is surrounded as follows":

North: Green River and forested riparian corridors

South: Egremont Plain Road and 75 acre agricultural field and residential properties, vague description, falsely claimed on page 1) that the facility is located along Egremont Plain Road and at the corner of Seekonk Cross Road.

East: Seekonk Cross Road and Beebe ARP a handful of residential properties, in inaccurate, East is also a 200 foot piece of an airport B.A.E. does not own followed by the RSA and RPZ.

West: Residential properties with frontage along Egremont Plain Road", this is false, misleading, a misrepresentation of fact, The property to the west is my piece of an airport made commercial by the Town of Gt. Barr. in Section 11 Definitions of the Zoning Bylaw in 2010 of a VSQG.

**Page 15)** "The hangars include a development area on the opposite side of the runway from Egremont Plain and east of the existing hangars" sounds like both sides, as the existing hangars are on the opposite side of the runway as the proposed hangars. It states "the hangar location was carefully chosen" is real B.S. I am putting the Town, airport and neighbors on notice of the following,

These hangars are being constructed 200 feet from the annual mean high of the Green River and are violating the 500 foot Green River moratorium that has not been changed to 200.

I have a document dated Feb.14th 2014 from Fennick and McCredie Architecture Ltd. in conjunction the Mass DOT Aeronautics Division that summarizes the findings of a visit to the airport regarding the Statewide Airport System Plan Administration Building that states "cannot build on other side on runway".

I also have correspondence dated Feb. 9th 2016 and March 3rd 2016 between the Mass DEP, the Gt. Barr. Assistant Town Manager and Community Town Planner Mr. Rembold and Mr. Hankin, the 32 year Planning Board veteran, land abutter of the airport and 78 E.P.R., real estate agent and permanent Award winning Master Plan member who's residence lies within the WQPOD Upper Wellhead Public Recharge Protection Area Zone 11. It is requesting proposed amendments to the WQPOD Section 9.2 specifically,

**Section 9.2.9 Prohibited Uses; Stream and Lake Protection Zone.** The following uses are prohibited in the Stream and Lake Protection Zone.



1) New structures or expansion of existing structures by more than 10% of the existing gross floor area and,

**Section 11 Definitions. Stream and Lake Protection Zone** as “1) The land within five hundred foot lateral distance of the bank of the Alford Brook and Seekonk Brook when directly tributary to the Green River and the Green River itself upstream of the water supply gallery”. The entire airport property is “upstream of the water supply gallery” located on Hurlburt Road.

Mr. Hankin’s comment to Mr. Rembold’s modification request of Section 9.2.9 is quote “Disagree, delete entire Section 9.2.9. I think we already provide adequate protection. What are we really protecting at the expense of the property owners use of their land”. That certainly never applied to my property, but did for your neighbors farm you “helped save” with a solar field that has no livestock whose property happens to abut the airport, the owner of which also happened to take flying lessons.

Mr. Rembold justified the removal of section 9.2.9 and the Definition in Section 11 by stating the “River Protection Act does the job” and also cites “the local Wetland Bylaw Chapter 168 revised and adopted at the 2015 Annual Town Meeting includes protection over the Rivers Protection Act and Wetlands Protection Act” and states “see underlined portion below”, and has underlined “Except as permitted by the Conservation Commission or as provided in this chapter, no person shall remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following wetlands resource areas, land within 500 feet of any lake, pond, river or stream that is a public or private water supply. So there you have it Mr. Hankin and Mr. Rembold acknowledge there is a 500 foot moratorium on the Green River and know this is the Conservation Commissions jurisdiction. The 200 foot moratorium you both are referring to was 300 feet and applies downstream of the water supply gallery located on Hurlburt Road. There are numerous safeguards protecting the “500 foot moratorium upstream of the water supply gallery” documented with explicit detail in this sworn affidavit.

**Page 16) #5 Impacts on the natural environment; and,**

”Potential impacts on the environment followed the Mass.Guide to Conservation Commissioners as it relates to resource areas is more B.S., he claims this “approach avoids permitting requirement under the Water Quality Protection District standards set by the Great Barrington Zoning By-Law. This application does not follow the Mass.Guide to Conservation Commissioners, does not avoid filing under Section 9.2, and is the jurisdiction of the Conservation Commission documented in detail in this sworn affidavit.

Mr. Scalise claims “The process included a detailed wetland resource area delineation and the project avoids any work in the Natural Heritage Endangered Species (NHESP) Polygon”, there is a Heritage Polygon Map included in this application but the line designating the hangar

area has been changed and is carved around the hangar site and differs from the plat I have as does the PH number.

**Page 16) 10.5 SITE PLAN REVIEW**

Mr. Scalise your response is "The project as proposed includes an application for a USE Special Permit for the continued use of KGBR? Continued use of Koladza Gt. Barr. Airport? Is that not what you are attempting to permit now? Furthermore a Use Permit is not a Site Plan Application which requires written approval from the Planning Board that is not included in this application that must show in part,

**10.5.3 Submittal Requirements.**

1) Plot plan of the entire tract, signed by a licensed surveyor or engineer, drawn to scale clearly portraying the following,

- a) Lot layout and dimensions.
- e) All existing or proposed structures on the property
- o) Copy of the Gt. Barr. Zoning Map indicating the location of the property

**10.5.4 Waiver of Submittal Compliance.**

The board may, upon written request of the applicant, waive any of the submittals requirements of section 10.5.3 where the project involves relatively simple plans or constitutes a minor site plan.

Mr. Scalise goes on to state "The Site Plan Review process resulted in the development and study of the details of the hangar project. This document along with the attachments satisfies the submittal and application requirements for a site plan approval under the By-law"? What document, what attachments, what study?

Mr. Scalise then states "Further, the requirements for a traffic impact assessment has been determined to be unnecessary and, should it be an issue of interest by the Board, we hereby request a waiver from same? Traffic Impact Study is a submittal requirement of Site Plan Review and waivers apply to "simple plans and minor site plan", this is not simple or minor. A Traffic Assessment shall be performed by a certified traffic engineer in accordance with the Mass. Executive Office of Energy and Environmental Affairs, Division of Transportation Guidelines for Traffic Impact Assessment, an assessment would expose transparency to the true intent of this application.

It states "the proposed project will not generate any new traffic". An extended runway that has a minimum requirement of 3200 feet for a Walter j. Koladza Gt. Barr. Regional Community Business General Aviation Airport will not generate any new traffic?

**10.5.5 Approval.** Mr. Scalise states "The objectives outlined herein have been copied with information provided for each supporting a positive determination by the Board". There are no

Planning Board recommendations included but do have a Recommendation dated March 12th 2010 from the Planning Board regarding the shop located at 78 E.P.R. I did not know at the time was legal that states, "The Planning Board respectfully submits that it supports strict enforcement of the prohibition of commercial uses in the R-4 district" but supports a dimensionless expansion plan based on this substantially flawed application that lacks transparency in the WQPOD? The Recommendation goes on to states "The Planning Board believes the allowance of intense commercial uses such as motor vehicle repair and auto body restoration /repair would undermine the residential environment of the R-4 district".

Intense commercial use? Is not a dimensionless development plan for a Koladza Great Barrington Regional Community Business Airport with no Deed Recorded in the Registry involving two properties a more intense commercial use than what transpires on my 78 E.P.R. property? At the exact same time the Zoning Bylaw codification was in full swing, a provision for a Motor Vehicle Repair Operation was added to the WQPOD Section 9.2?

**Section 10.5.9 Appeal** states "any decision by the Board pursuant to this Section shall be appealed in accordance with Chapter 40a s.17 to a competent court of law.

Mr. Scalise documents "The objectives outlined herein have been copied with information provided for each supporting a positive determination from the board. You have 20 days to appeal a Planning Board decision so that time frame has conveniently lapsed, furthermore what were you doing with the Planning Board on July 23rd 2020 holding a Site Plan Review 4 months after submitting an application that has not been acted upon? The hearing was delayed until after the special permit hearing yet the Board made a positive recommendation anyway? On what? All those Plans you are keeping from me? These Plans need to be disclosed before the Board of Selectmen hearing.

#### **Page 17) Background**

Mr. Scalise states "This document along with the attachments satisfies the submittal and application requirements for a site plan approval under the By-Law. What documents? What attachments? What application? Site Plan Review is mandatory and yours is incomplete. There is no Site Plan Application but again, you went before the Board on July 23rd 2020 for Site Plan Review?

There is a picture of the "proposed hangars" that is completely different than the previous plans presented at the Oct. 30th 2019 airport meeting.

#### **Page 18) Outlined Objectives**

1) c **Wetlands:** The project planning includes the mapping of existing delineation of wetland resource areas jurisdictional under the Mass. Wetland Protection Act. It goes on to state " The project has been carefully designed to avoid work or activities in any resource area or their buffer zones" There is no map included of "existing delineation of wetlands".

Mr. Scalise, Town of Gt. Barr. B.A.E., immediate and not so immediate neighbors I am putting you all on notice of the following,

As the leader in laws that protect wetlands, rivers and waterfront Massachusetts has some of the strictest and farthest reaching wetland regulations and environmental codes in the U.S. Simply put you cannot do anything, not clear, cut, fill, dump (not even leaves, grass clippings or dirt), alter, grade, landscape or build upon - any wetland resource area without a permit from your local town Conservation Commission.

The Conservation Commission confirmed to Mr. Scalise this property is not their jurisdiction?

**310 CMR 10:00 Wetlands**

310 CMR is promulgated by the Commonwealth of Mass. DEP pursuant to the authority granted under the Wetlands Protection Act M.G.L. c.131 s.40. 310 CMR shall have the force of law.

**PURPOSE:** M.G.L. c.131 s.40 sets forth a public review and decision making process by which activities affect areas subject to protection under M.G.L. c.131 s.40 are to be regulated in order to contribute to the following interest,

- 1) Protect public and private water supplies
- 2) Protect ground water
- 3) Protect wildlife habitat

**Town of Gt. Barr. E Code 360 Zoning Manuel**

**Chapter 217 Article 111 Wetlands Protection Regulations states,**

**PREFACE:** These wetlands Protection Administration Bylaw Regulations are promulgated by the Commission pursuant under the authority granted to it under Chapter 168.

**PURPOSE:** The Wetlands Regulations will be used to implement and enforce the Wetlands Bylaw and are intended to read together with the Wetlands Bylaw.

**INCORPORATION OF STATE REGULATIONS:** All definitions, resource areas descriptions, procedures and requirements set forth in the Mass. Wetland Protection Regulations of Commonwealth of Mass. Regulations 310 section 10:00 and are hereby incorporated and made a part of these Wetland Regulations.

**PURPOSE AND PROTECTED INTERESTS;**

The purpose of these Wetland regulations is to aid in the consistent and effective implementation of the Wetlands Bylaw by way of further definition. The wetlands bylaw protects the wetlands, related water resources and certain adjoining land areas in Town by providing for prior review and regulation of activities deemed to have a significant cumulative adverse effect upon wetland values, including but not limited to the following interests,



- A. Protection of public and private water supplies and quality
- B. Protection of groundwater supply and quality

**AREA SUBJECT TO PROTECTION AND REGULATIONS**

**RESOURCE AREAS:** Lake, river, pond or stream that is a public or private water supply and land area within a five hundred foot distance of said lake, river, pond or stream.

**Land within a five hundred foot distance of the Green River upstream of the water supply gallery on Hurlburt Rd.** See 217-14.5, the airport, my property, Mr. Hankins property, and the neighborhood in its entirety is “upstream of the water supply gallery”.

217-14 Areas subject to protection and regulations ( jurisdiction )

217-14-1 **RESOURCE AREAS:** The following areas, which are referred to as “resource areas” are subject to protection under the Wetlands Bylaw.

B. River or perennial stream, or any land under said waters, or any land within a two-hundred foot distance of said river and perennial stream.

D. Lake river pond or stream that is a public or private water supply, and land area within a five-hundred foot distance of said lake, river, pond or stream.

**E. Land area within a five-hundred foot distance of the Green River upstream of the water supply gallery.** See 217 14.5

**217 -14.5 GREAT BARRINGTON DRINKING WATER SUPPLY AND UPSTREAM TRIBUTARIES.**

A. The Town of Gt. Barr. recognizes that protection of its public and private water supplies are imperative to the quality of drinking water. The town policy is expressed through Section 9.2 “Water Quality Protection Overlay District” of the Gt. Barr. Zoning Bylaw. The Commission will administer the Wetlands Bylaw and these Wetland Regulations in concert with the requirements of the Stream and Lake Protection Zone of the Water Quality Protection Overlay District as defined in the Zoning Bylaw. (The Stream and Lake Protection Zone Section 9.2.9 and Definition was intentionally removed in 2016 from the Gt. Barr. Bylaw aforementioned on page 14).

B. **Section 9.2** of the Zoning Bylaws regulate work within a five-hundred-foot distance of the Green River and its upstream tributaries of the water quality supply gallery. Accordingly, these regulations protect the Great Barrington drinking water supply and its upstream tributaries. This five hundred foot distance was also intentionally removed from Section 9.2.

Upstream tributaries to the **Water Supply Gallery of the Green River** include Alford Brook, Seekonk Brook and Long Pond Brook.

**Section 217-16;** Applications for permits states “Within 100 feet horizontally outward from the edge of a resource area. 200 feet horizontally outward from the mean annual high



water line of a river or perennial stream, and **within 500 feet of the town water supply galleries at the Green River**, Long Pond and any other bodies of water utilized as Town Drinking Water.

Conservation @ town of gb.org Gt. Barr. Conservation Commission,

**FUNCTION:** The 1957 Conservation Commission Act authorized each city and Town in Mass. to establish a locally appointed municipal agency to plan for natural protection, acquire important land and water areas and manage these properties for conservation and passive recreation. It is the work of the Gt. Barr. Conservation Commission Act to locally administer the Wetlands Protection Act, Mass. General Law Ch.131 s. 40, the Rivers Protection Act and the Gt. Barr Wetlands Protection Bylaws (Ch.168). The purpose of the regulations is to protect public and private water supply and ground water supply. The regulations prohibit any filling, excavation or other alteration of the land surface, water levels, or vegetation in or near wetlands, without a permit from the local Conservation Commission. Our responsibility is to review project plans, including construction, and any activity within 100 feet of a lake, pond, vegetated wetland, or intermittent stream, within 200 feet of any perennial river (except any river, lake or pond that is a public or private water supply, where the set back is 500 feet.

Town of Gt. Barr. Wetlands Protection Bylaw Chapter 168 WETLANDS

**168.1 Purpose** The purpose of this bylaw is to protect the wetlands, water resources, and adjoining land areas in the Town of Gt. Barr. by controlling activities deemed by the Conservation Commission likely to have an accumulative effect upon resources and values, including but not limited to the following, public and private water supplies and ground water.

**JURISDICTION:** Except as permitted by the Conservation Commission or provided in this bylaw no person shall remove, fill, dredge, build upon, discharge into, or otherwise alter the following resource areas "land within 500 feet of any lake, pond or river that is a public water supply and land within 200 feet of any lake or pond that is a tributary to any public or public water supply. The Green River is not a lake or pond and is what flows beneath the airport, my property and the entire neighborhood. The entire WQPOD Zone 11 is not that big and needs to be protected.

**168.2** Except as permitted by the Conservation Commission or as provide in this bylaw, no person shall remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following wetland resources areas: pond; river; creek; intermittent stream; water within water bodies and land under water bodies; land subject to flooding or inundation by groundwater, surface water, or storm flowage; and the following lands abutting wetlands resource areas; land within 100 feet of any freshwater wetland, marsh, wet meadow, bog, swamp, vernal pool, bank, reservoir, lake, pond or intermittent stream, (hereinafter "buffer zone"); land within 200 feet of

the mean annual high water line of perennial rivers or streams (hereinafter "riverfront area") and land within 500 feet of any lake, pond, river or stream that is a public or private water supply; and land within 200 feet of any lake or pond that is a tributary to any public or private water supply ( collectively, the "wetlands resource areas protected by this chapter" ).

At the airport meeting held Oct 30th 2019 I was intentionally not invited too but conflict of Interest Mr. Hankin was, asked Mr. Scalise twice "so in your professional opinion these hangars do not trigger the WQPOD and Mr. Scalise responded " no, not the modest size of this development project" this is opinion not fact, or law, and is ridiculous, this is not about hangars, it is about **establishing the airport and establishing an airport triggers the WQPOD.**

On Sept. 21st 2010 B.A.E. applied for one temporary hangar to house a body shop that the Gt. Barr. Building Commissioner Mr. May documented "required a special permit to construct or expand use in Zone 11 W.Q.P.O.D. 9.2.12 Uses and Activities requiring a special permit," Section 9.2.9 #3 Motor Vehicle Repair Operations.

Furthermore it is difficult to decipher the true intent of the this application due to the lack of transparency.

**Page 18)** states "the 7.8 acre portion of the site that is being improved under this application" yet page 6 states " the proposed use cumulatively has 11.4 acres of impervious area" and states the property includes 91.3 acres of land area despite B.A.E. being 87.7 acres.

There is nothing in all these blatant resource violations that are going to improve any acreage.

**Page 19)** states the "KGBR" has implemented unleaded fuel" which is great but these planes don't use unleaded fuel, bigger planes like the Cessna -441 Conquest mentioned in conjunction with the Community Business Airport required runway length minimum of 3200 hundred feet do.

**Water;** "Water quality issues are related to stormwater runoff" is false, misleading and a misrepresentation of fact, this entire development/expansion sits directly upon the Town of Gt.Barr. sole source aquifer and the WQPOD Upper Wellhead Public Recharge Protection Area Zone 11. It goes on to state,

"The state of Mass. has strict and complex standards for managing runoff near sensitive wetland areas while not required. State regulation only pertain to projects located in areas jurisdictional under the Wetlands Protection Act. I just documented this project falls under the jurisdiction including but not limited of the Wetlands Protection Act.

**Page 20) #2.** states "Pedestrian safety is limited to access of the terminal area. The reorganization of existing parking fields and their location adjacent to the terminal building provides for safe pedestrian access to the terminal. Otherwise the airport security fencing and

signage provide support to ensure pedestrians are not walking in aircraft use areas. What terminal building? Security fencing is mandatory for a Regional Community Business General Aviation Airport.

#4."The project use includes aircraft storage and vehicles parking along North Plain Road. The landscape plan, which is not included, proposes screening of this area along North Plain Road", and shows a picture with an arrow marking the location but the picture is not in my backyard, it is on North Plain Road. How are planes getting from North Plain Road to Egremont Plain Road?

There is a picture on page 10) of a small dumpster and storage shed, the storage shed is also not located at B.A.E. and is located at 180 and 190 North Plain Road, property the Gt. Barr. Fire District purchased in 2017.

Page 21) 7. Minimize contamination of groundwater from onsite waste-water disposal systems or operations on the premises involving the use, storage, handling or containment of hazardous substances and Mr. Scalise responds,

a) "The existing terminal has both onsite septic and well water supply" is false, the airport has no potable water and a residential sewer for a Community Business General Aviation Airport in an aquifer? That is gross, as an Engineer, Mr. Scalise you must know the ramifications of such. Does this meet the Gt. Barr. Board of Health regulations?

b) "The proposed hangars will have no water or sewer" but it looks like the hangars are going on North Plain Road and I see an unsigned Illicit Discharge statement in this application that states "The Stormwater and Sanitary Sewer System prepared for the Great Barrington Airport located in Great Barrington Mass." with no address.

This looks like what it is, it is the zoning provisions added to the WQPOD in 2010 for a Recycling Program and for a municipal airport.

8. Claims the applicant proposes a global view of parking and associated landscaping on the project site. Proposes a global view? When?

Page 22) states "The Great Barrington Airport is considered a general aviation airport". This is defined as a public use airport, is false and intentional, B.A.E. is a piece of a private airport that cannot eminent domain any surrounding properties, this classification of "Public Use" is a requirement for eminent domain and is an intentional move to open the floodgates.

Page 23) Conclusion states "KGBR is not eligible for government grants" is also misleading, the airport has received ASMP funding specific to the State of Mass. and had to furnish a Layout Plan and Dimensions of the boundaries I could never retrieve from the DOT Aeronautics Division through Mass Record Requests. Government Grants will apply **if the airport receives a Special Permit as the airport would then have to come into compliance to FAA standards.**

“Fee and Rental hangars” are an obligation in the ASMP Grant Assurances.

#### **MASSDOT INFORMATION 1Page**

It is illegible but does state up top “Land use code 22” and “Land Use Description General Aviation Airport”. A General Aviation Airport is how B.A.E. is listed in the FAA National Plan of Integrated Airports. Mr. Scalise documented on page one “The goal is to obtain a land use permit”.

#### **STORMWATER REPORT**

**TABLE OF CONTENTS** Not 1 page in this Section is numbered leaving for removal and or addition of paperwork, and is not acceptable.

#### **SECTION 1.0 Project Narrative**

**1.0 Project Narrative** and the page is blank. There is no project narrative and goes right into,

#### **1.1 SITE DESCRIPTION /WATERSHED**

“The existing property s comprised of 91+ acre parcel of land. The property is currently the (GBR) Great Barrington Regional Airport The stormwater analysis has been prepared in support of a site plan review of a proposal to construct aircraft hangars and associated taxiways. This is hardly a site description and aforementioned there is no “site plan review” to date included in this special permit application.

#### **1.3 POST-DEVELOPMENT DRAINAGE CONDITIONS**

##### **Standard #4 Water Quality**

“The site is not a land use with higher potential pollutant loads” is a bit much.

#### **1.4 STORMWATER MANAGEMENT STANDARDS**

“A Stormwater Report prepared to meet the Mass. DEP’s Stormwater Management Standards is not required for this project due to the absence of wetland resource areas”. Mr. Scalise you have no respect for the land or the natural resources and that for me is a culture clash, I recently put you on notice that you intentionally stripped 195 St. Rd of the rights of auto body/ auto repair in 2007 and replaced them with brake jobs and oil changes, rights the former State Building Commissioner helped me restore back in 2012. Now you are not being forthright in regards to the true intent of your proposal in relation to my 78 E.P.R. property and are violating my civil, constitutional and federal rights as a Tax paying American citizen.

##### **Standard #5 Land Uses with Higher Potential Pollutants Loads**

“This does not apply to this report”

##### **Standard #6 Critical Areas**

“This does not apply to this project”

##### **Standard #8 Construction Period Controls** “



A NPDES Stormwater Pollution Prevention Plan is required to be filed on sites disturbing more than one (1) acre of land.

A NPDES plan will be filed prior to construction” and claims this standard has been met.

**A Stormwater Pollution Prevention Plan (SWPPP)** is a site specific written document signed by a company executive that (1) identifies all activities and conditions at the site that could cause water pollution and (2) details the steps the facility will take to prevent the discharge of any unpermitted pollution. Activities that need my written notarized approval.

**A SWPPP** is a required step for facilities seeking to obtain a National Pollutant Discharge Elimination System (NPDES) Permit.

#### **National Pollutant Discharge Elimination System (NPDES) Permit**

If you discharge a pollutant from a point source into the water of the United States you need a NPDES Permit. If you discharge pollutants into a municipal stormwater system you may need a NPDES Permit depending what you discharge. Discharge into a municipal stormwater requiring a NPDES Permit include incinerator ash, solid waste, any type of municipal or industrial waste, sewer sludge, hazardous waste, chemical waste, and garbage.

NPDES administration procedures require that the public be notified and allowed to comment on the NPDES permit application.

Mr. Scalise you just documented a NPDES Permit is required on sites disturbing more than 1 acre on land. That is not the required reason for filing a NPDES Permit as I just documented. What is going on in these storage of aircraft hangars that require a NPDES Permit? Is it the provisions added in 2010 to the Zoning Bylaw WQPOD Section 9.2 for a Recycling Program you stated the Koladza Great Barrington Regional Airport had? Is it also for the Motor Vehicle Repair Operation also added to the WQPOD Section 9.2?

Mr. Scalise documents a NPDES Permit will be filed prior to construction and I am stating for the Record it requires being filed before.

#### **Standard #9 Operations and Maintenance Plan**

“Please see the enclosed Operations and Maintenance Plan for the proposed stormwater system” and once again, a plan is not enclosed or included anywhere in this application.

#### **Standard #10 Illicit discharges to drainage system**

“Please see the enclosed Illicit Discharge Statement and accompanying plan to show that no discharge other than Stormwater will be directed into the BMP’s, also if any illicit discharges is found they will be remedied immediately”.

a) The enclosed Illicit Discharge Statement is for a Great Barrington Airport Stormwater and Sewer System, is not signed and has no accompanying plan.

b) BMP’s are pollution control measures designed to reduce the effects of pollution from industrial stormwater discharges.



**I.5 CONCLUSIONS** you have marked as I.6 states in part,

“The proposed project is fully compliant with all the standards of the Stormwater Management Standards”.

It goes on to state “ The report is prepared under the direction of the Professional Engineer as well as the project plans”, and the next section is titled,

**SECTION 2.0 Operation and Maintenance Plan** and the page is Blank, there is no Section 2.0 and no Operation or Maintenance Plan and of what? What are you Operating? What are you Maintaining? Aircraft Storage Hangars under the direction of a Professional Engineer?

It goes on to claim “on-site soils as Hoosic Fine Sandy Loam. Soil analysis was completed on 10 test pits over the property. Soil investigation at the site have confirmed that the site is well drained sandy soils, with no groundwater or ledge encountered”. The next sentence under Soil Evaluation states “Soil test pits were performed throughout the site to determine the soil conditions, presence of ledge and seasonal groundwater”? “These test pits can be seen on the watershed plan”? What water shed plan? There is no such plan included.

**SECTION 3.0 Drainage**

**3.1 Existing Conditions Calculations and Watershed Map and Plan.**

There is no Map or Plan.

**3.2 Post Conditions Calculation and Watershed Map and Plan.**

There is no Map or Plan.

**SECTION 4.0 Illicit Discharge Statement of,**

The Stormwater and Sanitary Sewer System prepared for the Great Barrington Airport located in Gt. Barr. Mass. has no address and it is not signed. Mr. Scalise documented that the hangars will having no water or septic so what is this for?

**Custom Soil Resource Report for Berkshire County Mass..**

Contents claim a soil map on page 8) that is not included, and Page 10) a Map Unit Legend that is not included, and Page 11) Map Unit Legend and Map Unit Descriptions, that are also not included.

**Page 6)** states “After the scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs an identified each as a specific map unit”. Aerial photograph(s) show trees, buildings, fields, roads, and rivers all of which help in locating boundaries accurately but the page is blank, there are no aerial photos or boundaries in this application but I am laying down mine and its over my dead body.

So what would Walt do to my Walden?, he wouldn't, and either are any of you.

Mr. Scalise, Town of Gt. Barr., Town Council, all Council involved and to all parties involved  
at this point I am signing off because this is...

*Signed in my presence  
on August 3, 2020  
Great Barrington, MA.*  
*Jon S. Marks*  
P.S. NOTARY



Claudia Shapiro  
78 Egremont Plain Road  
Gt. Barr. Mass.

*Claudia Shapiro 8/3/2020*

On July 29th through a Mass. Public Record Request I received 6 dimensionless plans for a Great Barrington Airport Mr. Scalise presented at a Site Plan Review hearing the Planning Board held on July 23rd. This is 3 months after Mr. Scalise submitted his application that states very clearly that a Site Plan Review criteria has been met and approved with a positive recommendation from the Planning Board. The Town Planner also submitted the 6 plans on July 29th that were omitted in my Record Request dated May 21st.

This is the second Site Plan Review and also the subdivision mentioned in the 2008 local attorneys response to B.A.E. requesting division of the business and real estate.

The Plans state very clearly "Plans to accompany Permit Applications, plural, prepared for Great Barrington Airport.

Plans #2 and # 3 show B.A.E. owning property across Seekonk Cross Road? This is untrue.

Plans #3 of 6 has property owned by Dan Bell abutting the Parrish property? This is untrue. There is property marked a Gail Anderson that is not on the abutters list?

The Cover sheet has a Benchmark MassDOT Point ID #1142 with a station name SHAWN.

Requirements for survey and design consultants performing survey work on projects funded, managed or constructed by the Mass. DOT shall be performed by a Mass. Registered Surveyor. A base plan also known as an "existing conditions" plan, Plan #2 of Mr. Scalise's states "Existing Conditions Plan"

The Mass.DOT Field Survey Guidelines and Base Plan Requirements for Survey and Design Consultants, the contents of which are exactly what Mr. Scalise, Surveyor Consultant, Highways and Land Planner is doing, and the reasoning for his insistence on a waiver of a required Traffic Study.

These Plans needs to be disclosed immediately to me and to the public, the Mass. DOT in the WQPOD? No Way!

You people are all after **compliant "DEP Permitted Regulated Facility" on my piece of an airport!** No Way!

You people have no respect for the natural resources or the environment and I have no respect for you. None.

## Helen Kuziemko

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**From:** Mark Pruhenski  
**Sent:** Thursday, August 6, 2020 5:41 PM  
**To:** Helen Kuziemko  
**Cc:** Chris Rembold  
**Subject:** FW: Airport expansion

Another one for the packet.

**From:** ANDREW KRIEGMAN <amkrieg@gmail.com>  
**Sent:** Thursday, August 6, 2020 5:37 PM  
**To:** Steve Bannon <sbannon@Townofgb.org>; bcook@townofgb.org; Leigh Davis <LDavis@Townofgb.org>; eabrams@townofgb.org; Kate Burke <kburke@Townofgb.org>; Mark Pruhenski <MPruhenski@Townofgb.org>  
**Subject:** Airport expansion

I live at 79 Seekonk Cross Road in a house that was built in 1790. Local lore says that it was used as part of the Underground Railroad. Airplanes constantly fly over our house during their approach for landing, even though the official approach is supposed to be over the wooded area.

I have many concerns regarding the airport request for expansion and the effect it will have on the community as well as the sensitive environment of the Green River watershed.

The application statement that it does not affect the flood plain is technically correct, but logically wrong. The floodplain elevation of the area is 728-730. The airport plans call for an elevation of 738. Most experts agree that the historical flood levels are no longer an accurate prediction of future levels which keep getting higher and more frequent. Runoff from the airport during a flooding situation is a hazard for the entire town. The Green River is a local resource that serves the town and needs to be preserved in its natural state.

The airport abuts NHESP Priority Habitat of Rar Species PH1284. Many animals and plant species inhabit this area.

The municipal code section 217-14.1 E specifically designates land area within 500 feet of the Green River as a resource area subject to protection and regulation.

217-14.4 A also states that additional regulations apply to the Green River, referencing 217-14.5.

217-14.5 B specifically states that section 9-2 regulates work within 500 ft distance of the Green River.

In section 9-2.11 under nonconforming uses, it states that the nonconformity shall not be increased or expanded. The application statement that this is not an expansion is factually incorrect. How can you claim that 5 new buildings is not an increase or expansion?

Following the logic here, if the airport is now a nonconforming use, the request to expand must be denied.

This expansion has no benefit for the town and its citizens. It will only increase the demands on the first responders (fire, police and first aid) and will jeopardize the beauty and safety of the area and its inhabitants. Property values will decrease and all the citizens of Great Barrington will suffer.

Respectfully,

Andrew Kriegman

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



## Helen Kuziemko

---

**From:** Mark Pruhenski  
**Sent:** Wednesday, August 5, 2020 1:48 PM  
**To:** Helen Kuziemko  
**Subject:** FW: Please deny BAE Special Permit

**From:** Holly Hamer <hhamer3143@yahoo.com>  
**Sent:** Tuesday, August 4, 2020 3:01 PM  
**To:** Steve Bannon <scbannon@gmail.com>  
**Cc:** Ed Abrahams <eabrahams@Townofgb.org>; Bill Cooke <bcooke@Townofgb.org>; Kate Burke <kburke@Townofgb.org>; Leigh Davis <LDavis@Townofgb.org>; Mark Pruhenski <MPruhenski@Townofgb.org>  
**Subject:** Please deny BAE Special Permit

Dear Steve and Selectboard members:

The hangers proposal in BAE's special permit application cannot be built without changing the airport from non-conforming to conforming via special permit issued by your board (9.2.11-1).

So why even talk about hangers? Rather than submitting pages of details putting the cart before the horse, why not stick to the issue and ask the question - would airport expansion, legal only with the special permit, be in the best interests of the community?

Relationships between the owners and the neighbors and their allies have been contentious since BAE's first proposal submitted in 2017. We became wary when, asked about the "silly" number of enplanements Rick Solan had stated in an application for a state grant, he replied to the effect: We don't have a tower, we don't have someone sitting in the office counting, we just make up the numbers...."

I have seen no evidence of any attempt to reconcile with the neighbors and the eco-concerned community since then.

BAE has tried to pit the neighbors against the community, claiming we are anti-airport instead of just anti-major expansion.

It is hard to document the benefit to the town when both owners are out-of-state residents and only 9 planes are registered to GB residents. And there is no sales tax on aviation and their property taxes are greatly reduced by Chapter 61a claims.

It's hard to believe those claims without a survey or even a diagram of airport use land versus agricultural land.

It's hard to hope for the best when a simple request to turn down or redirect a very obtrusive high beam spotlight that shines in neighbors' living rooms a half mile away is said to be looked into but remains unchanged. Our hopes were dashed when BAE continued a community meeting ostensibly to answer our questions from the first meeting but then refused to postpone it during a major snow storm which shut down every school in Berkshire County.

It's hard to feel neighborly when one discovers there are no building permits on file for structures at the airport or for the purported new septic system installed five years ago by a neighbor.

It's especially hard to enjoy being outside when a noise mitigation plan put into effect by BAE goes largely unheeded and planes make quick circles at very low altitude over homes and power lines.

We don't have faith in BAE's adherence to the rules when we see numerous touch and go practices on a runway, which at 1539 feet, is too short. People needing the experience in the past went to nearby legal airports to practice. Not anymore.

I personally don't feel safe when I see the airport employees mow a grass runway starting at a point less than 150 feet from my house, near power lines, without sanction, safety measures or point as there is another grass runway parallel to the paved runway.

We gave up the pleasure of Sunday drives decades ago. We gave up leaded gas in our car tanks by 1986 knowing how dangerous lead was to our water, earth, air and especially children. Why would we encourage continued use of leaded gas at BAE by allowing expansion?

There are many reasons not to issue a special permit and not open the floodgates to many many more "accessory structures" than the six in the current proposal.

Please consider turning down the special permit and not discussing the hangers before and only if the non-conformity is removed by such a permit.

This issue has a much wider effect than just a few neighbors or a few hangers for that matter. It concerns our caretaking of natural resources, our neighborhoods, how we treat each other and our vision for the future.

Holly Hamer  
99 Seekonk Cross Rd.  
413-717-0661

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## Helen Kuziemko

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**From:** Steve Bannon  
**Sent:** Friday, August 7, 2020 10:31 AM  
**To:** Chris Rembold; Mark Pruhenski; Helen Kuziemko  
**Subject:** Fwd: Airport Hearing/Special Permit Aug. 10,2020

Stephen Bannon  
413-446-6957  
Sent from my iPad

Begin forwarded message:

**From:** Joanne Sheron <j\_sheron@yahoo.com>  
**Date:** August 7, 2020 at 10:20:27 AM EDT  
**To:** Steve Bannon <sbannon@Townofgb.org>, Kate Burke <kburke@Townofgb.org>, Leigh Davis <LDavis@Townofgb.org>, Ed Abrahams <eabrahams@Townofgb.org>, "bcook@townofgb.org" <bcook@townofgb.org>  
**Cc:** Joanne Sheron <j\_sheron@yahoo.com>  
**Subject:** Airport Hearing/Special Permit Aug. 10,2020  
**Reply-To:** "j\_sheron@yahoo.com" <j\_sheron@yahoo.com>

I live at 95 Seekonk Crossroad in Gt. Barrington. My family has been here since 1955, 65 years. I like the airport the way it is. It should remain a non conforming airport in a residential zone. No special permit, no airport expansion. It has always been a hobby airport.

Neighbors, as far as expansion of the airport, are concerned about environmental issues, lead in ground water, animal and plant habitat along the Green River, hazardous waste, excessive lighting.

Neighbors have had bad relations with the airport since 2017 and no attempt to reconcile

Local farmer uses airport land under Chapter 61a for agricultural use.

I do not want an access road of any kind off Seekonk Crossroad for airport purposes.

Flights using the Grass runway go directly over my house. Sometimes planes barely clear my house and the electrical lines.

The whole Green River area is an animal and vegetation habitat. I see deer, coyotes, turkeys, bears, and bobcat using it constantly. More commercial at airport would disturb this unique habitat.

Attempts to turn down or redirect a very obtrusive highbeam stoplight that shines directly in my windows a half mile away have no response from airport.

No special permit for the airport!

Joanne Osgood Sheron  
95 Seekonk Crossroad

[Sent from Yahoo Mail on Android](#)

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155 Seaport Boulevard  
Boston, MA 02210-2600

617.832.1000 main  
617.832.7000 fax

**Thaddeus Heuer**  
617-832-1187 direct  
THeuer@foleyhoag.com

August 6, 2020

**BY ELECTRONIC MAIL**

Stephen Bannon, Chair  
Great Barrington Selectboard  
334 Main Street  
Great Barrington, MA 01230

**Re: Public Comment at August 10, 2020 Public Hearing | 70 Egremont Plain Road, Berkshire Aviation Enterprises**

Dear Mr. Bannon and Members of the Selectboard:

I write to request permission to address the Selectboard—as counsel on behalf of a group of Great Barrington citizens—during the August 10, 2020 public hearing on the special permit application of Berkshire Aviation Enterprises (“BAE”).

These citizens, who oppose the grant of the special permit, include Holly Hamer, a statutory abutter to 70 Egremont Plain Road residing at 99 Seekonk Cross Road, and Marc Fasteau and Anne Fredericks, neighbors who will be impacted by the proposed project residing at 77 Seekonk Cross Road.

Section 189-4(C) of the Bylaws establishes the public hearing procedures before the Selectboard, including “(4) Questions: public” in response to arguments made by special permit proponents, “(5) Arguments: opponents” and “(9) Concluding statement/rebuttal: opponents (five-minute limit).” It is within these limited parameters that I request permission to address the Selectboard. I appreciate that per Section 189-4(E), the Selectboard has an interest in reducing repetition in presentations to the extent possible.

Finally, I recognize that under Section 189-7, “Citizen Speak” is reserved for citizens of Great Barrington, and do not seek permission to speak during that portion of the agenda.

If you could kindly inform me of your decision in advance of the hearing if possible, I would be most grateful. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Thaddeus Heuer".

Thaddeus Heuer

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Cc (by email): Mark Pruhenski, Town Manager  
Holly Hamer  
Marc Fasteau & Anne Fredericks