

Mark Pruhenski
Town Manager

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Great Barrington, MA 01230

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

AGENDA

SELECTBOARD AND PLANNING BOARD SPECIAL MEETING

AND

SELECTBOARD REGULAR MEETING AGENDA

MONDAY, DECEMBER 9, 2019, 6:00 PM

SELECTBOARD REGULAR SESSION IMMEDIATELY FOLLOWING

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

6:00 PM – OPEN MEETING

- I. Call to Order.
- II. Selectboard and Planning Board
 - Zoning for Marijuana Businesses including in the Downtown Business District - Discussion
 - Short Term Rentals - Continued Discussion
 - Housing Sub-Committee - Update
 - Economic Development Committee - Update
- III. Citizen Speak Time.
- IV. Adjournment.

SB REGULAR SESSION: - OPEN MEETING

1. CALL TO ORDER:

2. APPROVAL OF MINUTES:

- November 13, 2019 Regular Meeting.
- November 18, 2019 Regular Meeting.
- November 25, 2019 Special Meeting.

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

4. TOWN MANAGER'S REPORT:

A. **Updates on Department Business** – by Town Manager and/or Department Heads

- Updates on Foreclosures of Residential Properties by Treasurer/Collector
- Updates from Fire Department/Fire Chief

B. **Project Updates** – by Town Manager and/or Department Heads

5. PUBLIC HEARINGS:

- A. Special Permit application from Highminded, LLC to operate a marijuana establishment – manufacturing, at 126 Main Street, Great Barrington, in accordance with Sections 3.1.4 C(13), 7.18, and 10.4 of the Zoning Bylaw. (Discussion/Vote)
- a. Open Public Hearing
 - b. Explanation of Project
 - c. Speak in Favor/Opposition
 - d. Motion to Close Public Hearing
 - e. Motion re: Findings
 - f. Motion re: Approval/Denial/Table

6. LICENSES OR PERMITS:

A. Joe Wilkinson Excavating Inc./Ken Drucker for a Driveway Permit at 102 Castle Hill Avenue. (Discussion/Vote)

7. OLD BUSINESS:

A. Design Advisory Committee (DAC) – Recommendation to Selectboard on the color for State Road/Main Street Bridge. (Discussion/Vote)

B. SB – Continuation - Discussion of Marijuana License Limits. (Discussion/Vote)

8. NEW BUSINESS:

A. SB – Recommendation to the Planning Board on the Special Permit Application from Highminded, LLC seeking permission to deviate from the awning height requirements of Section 146-6 of the Sign Bylaw, for 126 Main Street. The application is filed in accordance with Section 146-20 of the Sign Bylaw. (Discussion/Vote)

B. SB - Discuss and Establish Housatonic Improvement Committee. (Discussion/Vote)

C. Appointment to Economic Development Committee. (Discussion/Vote)

D. Re-schedule date/time for Strategic Planning/Goal Setting meeting. (Discussion/Vote)

E. Authorize website as official posting location for town agendas. (Discussion/Vote)

9. CITIZEN SPEAK TIME:


Citizen Speak Time is an opportunity for the Selectboard to listen to our residents. The Board will not engage in a conversation, and items of particular concern or importance may be placed on the Board's future agenda.

10. SELECTBOARD'S TIME:

11. MEDIA TIME:

12. ADJOURNMENT:

**NEXT SELECTBOARD'S MEETING: Monday, December 16, 2019, 6:00 P.M. Jt. Meeting
with Finance Committee**



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



TOWN OF GREAT BARRINGTON MASSACHUSETTS

EXECUTIVE SUMMARY

TITLE: Town Owned Properties- Next Steps

BACKGROUND: Listed below are properties that the town has acquired through the foreclosure process for non-payment of taxes in Mass Land Court. Not listed are some properties that we are pursuing remediation on. The Town places a lien on a property when the taxes are over one year in arrears, The Treasurer will try to work with the owner to pay the taxes, but if not repaid the Town will ask for ownership through the foreclosure process in Land Court. When properties are obtained in this manner, the Treasurer (as Tax Title Custodian) can only dispose of properties through auction. If the Selectboard wishes to dispose of properties through an RFP process, the property could be transferred by two-thirds Town Meeting vote from the Tax Title Custodian to the Selectboard (or other board) if the Tax Title Custodian declares the property is no longer needed for the purpose for which it is being used.

1. Fairview Terrace Taxes \$20,468, Fees \$2,682
 - a. Map 12 Lot 28 -conforming lot in an R-1-B zone. The lot is covered by wetlands.
 - b. Map 12 Lot 29 -conforming lot in an R-1-B zone. The lot is covered by wetlands.
These were offered but did not sell at 2015 auction
2. Fairview Terrace Taxes \$7,842, Fees \$1910;
 - a. Map 12 Lot 23
Conforming lot in an R-1-B zone. The lot is covered by wetlands.
This was offered but did not sell at 2015 Auction
3. Brush Hill; Taxes \$6,276, Fees \$2,017
 - a. Map 38 Lot 40A
3 acre undeveloped, conforming lot, buildable under R-2 zoning for residential use; 200 foot Riverfront area applies, well and septic prospects are unknown
4. 9 Railroad Avenue; Taxes \$14,735, Fees \$1,785
 - a. Map 13 Lot 113;
Preexisting, non-conforming lot and single family structure in I-2 zone, downtown, just on other side of tracks and accessed via Rosseter St. and Railroad Ave. Could renovate or rebuild on existing footprint.
5. 40 Grove Street; Taxes \$31,319 Fees >\$5000
 - a. Map 20 Lot 100
0.29 Acre lot, with existing home. Adjacent to park, accessible to downtown. Could renovate or rebuild on existing footprint.
6. 50 East Sheffield Road Taxes \$10,985, Fees \$3,072
 - a. Map 38 Lot 35

A 7.90 acres parcel with existing building, not sure if building can be saved; most likely a buildable lot.

7. South Main Street

Taxes \$31,205, Fees \$2,816

a. Map 30 Lot 50I

An 11.3 acres parcel. Industrial one, but mostly wetland or flood plain. Possible use as a public trail connector in future

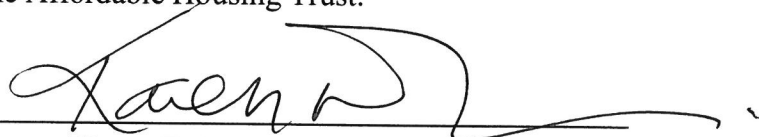
FISCAL IMPACT: Currently the Town is not receiving any tax income from these properties, and is expending funds on insurance and security

RECOMMENDATION: Any properties that the Town has no plans for should be sold at auction. The property would then go back on the tax rolls. Proceeds from the sales will recoup lost tax revenue, and any amounts received over the tax liability will go to the general fund, for use in subsequent years. After soliciting quotes, an auction company could be hired to advertise and run an auction. Any persons winning the auction would pay a premium on top of the sale price to cover the Auctioneer costs. The Town would only incur the legal fees for preparation of documents, which may be paid out of proceeds.

In the case of 40 Grove Street, we recommend that the Selectboard either:

1. Decide to follow the auction process. This would not necessarily result in the property being retained for affordable housing purposes, but the proceeds of the auction could be transferred to the Affordable Housing Trust to support local affordable housing initiatives. Or,
2. Decide to follow an RFP process to guarantee the property is reused for affordable housing purposes. If choosing this path, the Selectboard would request a declaration that the property is no longer needed, and authorization from Town Meeting to transfer the property to the Selectboard with the authorization to dispose of the property on terms acceptable to the Selectboard. In this case an RFP for affordable housing purposes could be written/issued/reviewed by the Town Manager with the assistance of the Affordable Housing Trust.

PREPARED AND REVIEWED BY:



Karen D. Fink, Treasurer/Collector

APPROVED BY:



Mark Pruhenski, Town Manager

DATE: December 5, 2019

SB SP# 903-19

TOWN OF GREAT BARRINGTON

NOTICE OF PUBLIC HEARING

The Great Barrington Selectboard will hold a public hearing on Monday, December 9, 2019 at 7:00 pm at Town Hall, 334 Main Street, Great Barrington, MA, to act on the Special Permit application from Highminded, LLC to operate a marijuana establishment – manufacturing, at 126 Main Street, Great Barrington, in accordance with Sections 3.1.4 C(13), 7.18, and 10.4 of the Zoning Bylaw. A copy of the application is on file with the Town Clerk.

Stephen Bannon, Chair

Please publish November 8 and November 15, 2019

Berkshire Record - emailed 10/31/19

SP # 903-19

Special Permit application from Highminded, LLC, 126 Main Street, Great Barrington, operate a marijuana establishment – manufacturing, at 126 Main Street, Great Barrington, in accordance with Sections 3.1.4 C(13), 7.18, and 10.4 of the Zoning Bylaw.

DRAFT MOTIONS

VOTE ON FINDINGS

(If the Board has amended the Findings based on the Public Hearing and its discussion, specify those changes and approve the findings “as amended.”)

Motion: ____ Move to approve the Findings of Fact for Special Permit #903-19, as submitted and referenced as Exhibit A.

Second: ____

Roll call vote: Davis ____ Burke ____ Cooke ____
Abrahams ____ Bannon ____

VOTE ON SPECIAL PERMIT

Motion: Move, in view of the approved Findings of Fact, to approve Special Permit #903-19 to operate a marijuana manufacturing establishment at 126 Main Street, in accordance with Sections 3.1.4 C(13), 7.18, and 10.4 of the Zoning Bylaw and in conformance with the application submitted.

Second: ____

Roll call vote: Davis ____ Burke ____ Cooke ____
Abrahams ____ Bannon ____

EXHIBIT A

FINDINGS OF FACT AND BASIS FOR DECISION

Re: Special Permit #903-19, 126 Main Street

Introduction

This Special Permit application was filed on October 22, 2019 by Highminded, LLC, the owner of the property at 126 Main Street, the subject site. The Applicant is seeking special permit approval per Zoning Bylaw Section 3.1.4 C(13) and 7.18 in order to operate a marijuana manufacturing establishment at the site.

General Findings

The site is in a B2 zoning district on Main Street, at the southwest corner of Main Street and Gas House Lane. The existing building will be retained and renovated, but not expanded, and it will be utilized primarily has a retail / marijuana retail establishment as permitted by-right. The existing parking area on site will be retained and not expanded. The site plan including parking and landscaping has been approved by the Planning Board.

With this special permit application the applicant seeks to add a small tabletop machine to the retail business operation permitted at the site. The machine will be used to package products (fill jars, cartridges and pre-rolls, for example). Since the Cannabis Control Commission licenses and regulations define this process as manufacturing, the applicant must secure local zoning approval to operate a manufacturing use.

As described in the application, there are space constraints in the building, and for this reason the manufacturing operation cannot and will not be expanded beyond what is described. Further, any expansion of manufacturing beyond what may be licensed by the CCC would require modification of the CCC license and of the local Host Community Agreement.

The proposed marijuana manufacturing establishment is in compliance with all applicable regulations of Section 7.18 of the zoning bylaw governing marijuana establishments. It has received site plan approval from the Planning Board to be used for both marijuana retail and marijuana manufacturing. The Planning Board made a positive recommendation to the Selectboard regarding this special permit application but cautions that the type and scope of the manufacturing be limited to what is in the application.

The Conservation Commission determined it has no jurisdiction for this application. The Board of Health reviewed the application but passed it to the Selectboard without a recommendation.

Special Permit Criteria and Findings

Section 10.4.2 of the Zoning Bylaw, granting of a special permit requires a written determination by the Special Permit Granting Authority “that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site.” This determination shall include consideration of the following criteria:

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

Consideration of the Criteria in relation to SP #903-19:

Per Section 10.4.2 of the Zoning Bylaw, granting of any special permit requires a determination by the Special Permit Granting Authority “that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site.”

Criterion 1. The proposed manufacturing use will serve the community by creating three additional jobs and by payment of a community impact fee as established in the Host Community Agreement (HCA).

Criterion 2. The traffic and parking impacts of the by-right retail use have been reviewed and approved by the Planning Board. This proposal will not increase consumer trips and its traffic flow, safety, parking or loading impacts will be negligible.

Criterion 3. The site is adequately served by utilities and services, and this proposal will have no detrimental impact on utilities or public services.

Criterion 4. The proposal will have no detrimental impact on neighborhood character and social structures. It preserves an existing building in the village center overlay district, and reuse of this building could enliven this area.

Criterion 5. The proposal will have no detrimental impact on the natural environment.

Criterion 6. The proposal will have not strain public or community services or infrastructure but it will increase property tax revenue, hire employees, and contribute fees per the HCA. Therefore it will have a beneficial fiscal impact.

Finding:

In consideration of the above Findings, this Selectboard finds that the benefits of the proposal outweigh possible detrimental impacts.

Proposed Condition(s):

None.

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



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Great Barrington, MA 01230

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

BOARD OF HEALTH

December 3, 2019

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

RE: 126 Main Street, the former Dempsey Physical Building
Special Permit # 903-19

Dear Board Members:

At its meeting of November 7, 2019, the Board of Health reviewed the Special Permit Application #903-19 submitted by Highminded, LLC to request a Marijuana Manufacturing Establishment at 126 Main Street, Great Barrington, the former Dempsey Physical Therapy building under Sections 3.1.4c 12 and 7.18 and 10.4 of the Great Barrington Zoning Bylaws.

After discussion and review, the Board of Health voted to pass on the permit with no recommendation.

Sincerely,

Locke Larkin
Health Inspector

Cc: Chris Rembold, Town Planner



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

PLANNING BOARD

November 24, 2019

Selectboard
Town Hall
334 Main Street
Great Barrington, MA 01230

Re: Special Permit #903-19
126 Main Street

Dear Members of the Selectboard:

At its meeting of November 14, 2019, the Planning Board voted to send a positive recommendation on the special permit application submitted on behalf of the High Minded LLC to operate a marijuana manufacturing establishment at 126 Main Street.

The Board has concerns about the scope and type of manufacturing.

Thank you for the opportunity to comment.

Sincerely,

Kimberly L. Shaw

Kimberly L. Shaw
Planning Board Secretary

Cc: Chris Rembold, Assistant Town Manager

Shepley Evans
Conservation Agent

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 ext. 122
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TOWN OF GREAT BARRINGTON MASSACHUSETTS

CONSERVATION COMMISSION

October 29, 2019

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

Re: SPECIAL PERMIT # 903-19
Application of Highminded, LLC for a Special Permit
for Marijuana Establishment Manufacturing at 126 Main Street

The Conservation Commission has considered the subject application for a special permit for Marijuana Establishment Manufacturing and has determined that it has no Wetlands Protection or Scenic Mountain jurisdictional interest in such activity at the subject address. The Commission has no other comment or recommendation to offer at this time.

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Evans', written in a cursive style.

Shepley W. Evans
Conservation Agent

CC: Jeffrey Cohen, Conservation Commission Chairman
Chris Rembold, Town Planner

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

FORM SP-1
REV. 11-2013

TOWN CLERK
GREAT BARRINGTON
OCT 22 2019 PM 3:21

FOR OFFICE USE ONLY

Number Assigned 903-19 Date Received 10/22
Special Permit Granting Authority SB
Copy to Recommending Boards 10/29
Advertised 11/8 & 11/15
Public Hearing 12/9/19
Fee: \$150.00 Paid:

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

MAP 14 LOT 33 BOOK 2278 PAGE 308 ZONING DISTRICT(S) B2

Site Address: 126 Main Street

Date of Application 10/22/2019

Applicant's name and complete mailing address Highminded, LLC

126 Main Street, Great Barrington, MA 01230

Applicant's phone number (801) 419-7327 Applicant's email address: alexander@highminded.com

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

Dempsey Physical Therapy, LLC - Kenneth G. Dempsey, Manager

126 Main Street, Great Barrington, MA 01230

I (we) request a Special Permit for: Marijuana Establishment Manufacturing

Under Section(s) 3.1.4.c.13 & 7.18 and 10.4 of the Great Barrington Zoning Bylaws.

APPLICANTS MUST READ AND COMPLY WITH THE FOLLOWING:

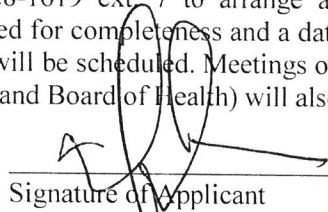
One Signed Original application with each of the items below, as applicable, and fourteen (14) exact copies of the entire application package are to be submitted. Applications must include:

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

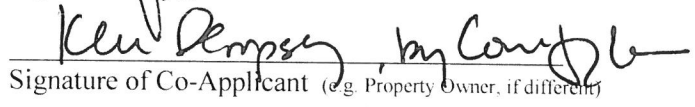
- 6. Zoning Map designating the zoning district(s) and location for the area for which a special permit is requested, plus a USGS map enlarged and showing the site location within the Town.
- 7. Drainage Plan indicating the destination of all runoff from the property. In the event of substantial increase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

SPECIFICS:

- 1. All site plans and specifications must be signed and dated by the preparer.
- 2. **ALL OWNERS** of property must also sign the application.
- 3. A copy of special permit procedures is available upon request.
- 4. Fee for application is \$150.00 to cover the cost of the public hearing notices in the newspaper and notification to parties in interest. If the cost exceeds \$150.00, the applicant shall pay the balance due upon notification from the Granting Authority.
- 5. Once all the necessary papers, maps, etc. are compiled into the required Original and Fourteen sets, call the Town Planner's office at 413-528-1619 ext 7 to arrange an appointment to file your application. The application will be reviewed for completeness and a date for a public hearing before the Board of Selectmen or Planning Board will be scheduled. Meetings of recommending boards (e.g. Planning Board, Conservation Commission and Board of Health) will also be arranged at this time.



 Signature of Applicant



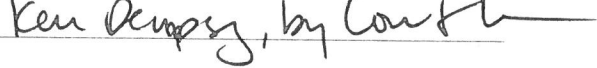
 Signature of Co-Applicant (e.g. Property Owner, if different)

PLEASE READ AND SIGN BELOW

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

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

Signature _____

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

Date 10/18/2019

SPECIAL PERMIT NARRATIVE

A. Project Overview

This Project Narrative has been prepared in support of a Special Permit Application for Highminded, LLC ("Highminded") and its use of the property to include a marijuana manufacturing facility in conjunction with its use a retail marijuana establishment, a by-right use on property located at 126 Main Street in Great Barrington, Massachusetts ("Premises"). This application is submitted in accordance with the Town of Great Barrington Zoning Bylaws.

Site Description

The property is a .2-acre parcel located at 126 Main Street in a B-2 zoning district. It contains a fully enclosed, standalone building that is preexisting.

Proposed Project

Highminded is seeking a Marijuana Retail and Manufacturer's license from the Cannabis Control Commission. Marijuana Retail is the primary use for the Premises with an accessory use of Marijuana Manufacturing. The goal of Highminded's manufacturing capabilities is to package and brand its own products in-house.

Manufacturing Process

Highminded's manufacturing processes will be limited due to space constraints and lack of a commercial kitchen. Manufacturing will take place in a self-contained countertop unit. The proposed manufacturing does not include combustible organic solvents. Highminded intends to take bulk cannabis material and put measured amounts into jars, cartridges and cannabis pre-rolls.

Equipment

Highminded intends to use a "Futurola Knockbox" machine, or similar product, which is an industry standard tabletop device that shakes, or knocks, ground cannabis material into cones, or joints. The Company will also utilize scales, grinders, labeling devices, and computers. All equipment used by Highminded will be compliant with the Cannabis Control Commission's regulations.

Odor Control

Given the scale of Highminded's proposed manufacturing capabilities, it is reasonably assumed that no additional odor will be created by Highminded's manufacturing processes. To remedy any potential odor due to manufacturing, Highminded shall utilize a carbon filtration system and dehumidifier in its manufacturing and storage rooms.

B. Zoning Compliance

The proposed marijuana manufacturing facility is allowed by Special Permit from the Great Barrington Selectboard in accordance with the Table of Use Regulations and Section 7.18 of the Town of Great Barrington Zoning Bylaws. The proposed project is also required to file for Site Plan Review under Section 7.18.3 and in accordance with Section 10.5 of the Zoning Bylaws. On April 25, 2019, The Town of Great Barrington's Planning Board approved Highminded's Site Plan Review for a Retail Marijuana Establishment (see attached Site Plan Review Decision dated April 26, 2019). No changes to the approved site plan are being proposed, however, Highminded will request the Planning Board amend its approval to include the Marijuana Manufacturing use.

7.18 Marijuana Establishments and Medical Marijuana Treatment Centers

7.18.1 Purposes. To provide for the placement of Marijuana Establishments and Medical Marijuana Treatment Centers in recognition of and accordance with G.L. c.94I, Medical Use of Marijuana, and G.L. c.94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, in suitable locations in Great Barrington, in order to minimize potential adverse impacts of such facilities.

No response required.

7.18.2 Definitions. Terms are defined in Section 11 and in the applicable governing statutes and regulations, including said chapters 94I and 94G of the General Laws and the regulations of the Cannabis Control Commission.

No response required.

7.18.3 Site Plan Review Required. All proposed Marijuana Establishments and Medical Marijuana Treatment Centers shall be subject to Planning Board Site Plan Review as set forth in Section 10.5.

On April 25, 2019, the Town of Great Barrington's Planning Board approved Highminded's Site Plan Review for Retail Marijuana (see attached Site Plan Review Decision dated April 26, 2019). Highminded shall request the Planning Board amend its approval to include the Marijuana Manufacturing use.

7.18.4 Locational Requirements. Marijuana Establishments may be located in accordance with Section 3.1.4, Table of Use Regulations except as follows:

- 1. No Marijuana Establishment or Medical Marijuana Treatment Center may be located closer than 200 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.*

The proposed marijuana manufacturing facility is not located within 200 feet from a public or private school.

2. The distance in paragraph 1 is to be measured in a straight line from the nearest point of the property line of the proposed Marijuana Establishment or Medical Marijuana Treatment Center and the nearest point of the property line of the protected uses stated above in paragraph 1.

No comment.

3. The Selectboard may, by special permit pursuant to Section 10.4, authorize a deviation from this distance requirement if it finds the Marijuana Establishment or Medical Marijuana Treatment Center will not be detrimental to a protected use.

A Special Permit is not required. The distance requirement is met.

4. Other types of marijuana establishments licensed by the Massachusetts Cannabis Control Commission may be permitted in accordance with the appropriate use category in the Table of Use Regulations.

Manufacturing is licensed by the Cannabis Control Commission and allowed by Special Permit in accordance with the Table of Use Regulations.

7.18.5 Physical Requirements. In addition to pertinent requirements of implementing regulations of the Massachusetts Cannabis Control Commission, Marijuana Establishments and Medical Marijuana Treatment Centers shall comply with the following:

1. All aspects of Marijuana Establishment or Medical Marijuana Treatment Center relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, marijuana accessories, related supplies, or educational materials shall take place at a fixed location within a fully enclosed building or fenced area dedicated to the cultivation of marijuana and shall not be visible from the exterior of the business.

The entire operation will be within the fully enclosed, existing building. This requirement is met.

2. No unprotected storage of marijuana, related supplies, or educational materials is permitted.

Storage of marijuana, related supplies or educational materials will be within a secure, enclosed building. This requirement is met.

3. *Marijuana not grown inside a securable structure shall be enclosed within a six (6) foot fence, and inasmuch as possible the plants shall be screened from view, at grade, from a public way or from a protected use.*

Not applicable.

4. *No outdoor cultivation of marijuana shall be allowed within fifty (50) feet of any property line.*

Not applicable.

7.18.6 *Use Regulations. In addition to pertinent requirements of implementing regulations of the Massachusetts Cannabis Control Commission, Marijuana Establishments and Medical Marijuana Treatment Centers shall comply with the following:*

1. *Uses under this Section may only consist of the uses and activities permitted by their definition as limited by state law.*

Manufacturing is a use permitted by state law definition.

2. *No Marijuana shall be smoked, eaten or otherwise consumed or ingested on the premises, unless specifically authorized by the Town pursuant to G.L. 94G.*

**No marijuana product will be smoked, eaten or consumed on-site.
This requirement is met.**

3. *Retail sales of marijuana products and opening of the premises to the public shall not occur earlier than 8:00am or later than 11:00pm.*

Not applicable to this application.

4. *Additional regulations may be imposed as Site Plan Review or Special Permit conditions.*

No comment.

7.18.7 *Submittal Requirements. Above and beyond the standard application for Site Plan Review, an application under this section shall include the following:*

1. *Copies of all required Marijuana Establishment or Medical Marijuana Treatment Center licenses or registrations issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the facility;*

Once obtained, these licenses and registrations will be submitted to the Town.

2. Evidence that the applicant has site control and the right to use the site for a facility in the form of a deed, valid lease, or purchase and sale agreement, and a signed statement from the property owner;

Please see the attached signed Lease, signed Purchase and Sale Agreement and a signed statement form the property owner.

3. In addition to what is normally required in a site plan pursuant to Section 10.5, submittal shall also include details showing all signage, exterior proposed security measures for the premises, including cameras, lighting, fencing, gates and alarms, etc. ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity.

This information has been reviewed by the Town. On April 25, 2019, the Town of Great Barrington's Planning Board approved Highminded's Site Plan Review (see attached Site Plan Review Decision dated April 26, 2019). There are no proposed changes.

7.18.8 Discontinuance of Use

1. Any Marijuana Establishment or Medical Marijuana Treatment Center permitted under this section shall be required to remove all material, plants, equipment and other paraphernalia in compliance with implementing regulations of the Cannabis Control Commission prior to expiration of its operating license or permit issued by the Commonwealth of Massachusetts or immediately following revocation or voiding of such license or permit.

As per the Cannabis Control Commission regulations, Highminded is holding money in escrow to cover the dismantling and destruction of any cannabis related materials.

10.4 Special Permits

10.4.1 Special Permit Granting Authority. Unless specifically designated otherwise, the Board of Selectmen shall act as the Special Permit Granting Authority.

The Special Permit Granting Authority is the Board of Selectman.

10.4.2 Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set

forth in this Bylaw, the determination shall include consideration of each of the following:

1. Social, economic, or community needs which are served by the proposal;

Highminded will create job and career opportunities and intends to hire three (3) additional employees to complete Highminded's manufacturing processes. Highminded also executed a Host Community Agreement with the Town of Great Barrington which sets forth an Annual Community Impact Fee of 1.5% of the wholesale value of marketable product produced by the product manufacturing operations at Highminded, which are related to wholesale distribution to other off-site marijuana establishments. This is in addition to the Annual Community Impact Fee (3% of gross revenue) established in Highminded's Host Community Agreement for its retail use. Highminded will also be contributing to the Town via property taxes.

2. Traffic flow and safety, including parking and loading;

A Traffic Impact Assessment was provided as part of Highminded's Site Plan Review Application and is attached hereto. The proposed manufacturing use will not increase consumer trips. There are four parking spaces available at the Premises. An estimated 30 on-street parking spaces within 300' feet of the Premises are available for use. A pedestrian crosswalk is available on Main Street at the Cottage Street Intersection. Highminded proposes to utilize a Police Traffic Detail during anticipated periods of high use (ie: during the morning and evening rush hours through the first week of operation) and as required going forward. Highminded will maintain strict security policies in compliance with requirements by the Cannabis Control Commission and state law.

3. Adequacy of utilities and other public services;

The Premises are served by town water and town sewer. Electricity will be needed for the building.

4. Neighborhood character and social structures;

The Premises are located on the north end of Main Street in the Village Center Overlay District. The premises abuts several other businesses and effectively extends the Main Street corridor, thereby supporting the Community Master Plan.

5. Impacts on the natural environment; and

The building on the Premises is pre-existing and there is no planned expansion for the building. The proposed site redevelopment has been carefully designed to limit site disturbances wherever practical. No woody vegetation is proposed to be removed. A modest reduction in impervious area will ensure the environmental impact of the redevelopment is beneficial to soil, air and water health.

6. Potential fiscal impact, including impact on town services, tax base, and employment.

Highminded executed a Host Community Agreement with the Town of Great Barrington which sets forth an Annual Community Impact Fee of 1.5% of the wholesale value of marketable product produced by the product manufacturing operations at Highminded, which are related to wholesale distribution to other off-site marijuana establishments. This is in addition to the Annual Community Impact Fee (3% of gross revenue) established in Highminded's Host Community Agreement for its retail use. Highminded will also contribute to the Town via property taxes. Highminded will intend to employ three (3) people for its manufacturing use. Impact on town services will not drastically vary from the previous business's impact. The Premises are served by town water and sewer.

10.4.3 Procedures. An application for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority.

No Comment Required.

10.4.4 Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the Special Permit Granting Authority may deem necessary to serve the purposes of this Bylaw. Such conditions, safeguards or limitations may include, but are not limited to, the following:

No Comment Required.

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

Plans have been prepared in accordance with Section 10.5.3.

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

No Comment Required.

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

The filing fee check in the amount of \$150.00 has been included with this application.

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

No Comment Required.

C. Conclusion

As outlined above, the project, as proposed, meets the goals of Highminded and the intent of the Great Barrington Zoning By-Laws. Manufacturing is intended to be an accessory use to Highminded's Marijuana Retail Establishment and will serve to help Highminded achieve its marketing and branding goals.

HIGHMINDED

A BRIEF HISTORY:

- JULY 2018: HIGHMINDED signs a Host Community Agreement (HCA) with G.B.
- JANUARY 2019: HIGHMINDED moves to 126 Main Street & amends HCA
- APRIL 2019: HIGHMINDED receives Site Plan approval
- JUNE 2019: HIGHMINDED seeks Manufacturer's License

AS A RETAILER...



We purchase packaged goods from **manufacturers**

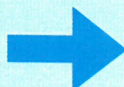


to **retail** in our shop.

AS A MANUFACTURER...



We purchase **raw** or **processed** material



to **package** into products



to **retail** in our shop.

AS A **MANUFACTURER** DOES NOT INCLUDE
COMBUSTIBLE ORGANIC SOLVENTS...



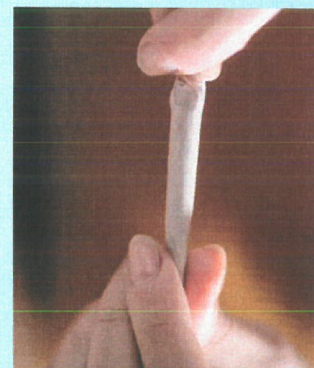
HIGHMINDED

OUR MANUFACTURING INTENTION:

- **HIGHMINDED** is seeking a Manufacturer's License in order to package & brand our own products in-house, a by-right process in most other states with legalized recreational cannabis.
 - To our knowledge, this type of manufacturing is currently being utilized in Great Barrington by Theory Wellness, without an additional license as they were an existing Registered Marijuana Dispensary (medical).
- Due to space constraints, and without a commercial kitchen, our manufacturing capabilities are limited and will not change the state of raw material.
- We believe the manufacturing of products will not cause additional odor or community disruption.

THE METHOD...

THE FUTUROLA KNOCKBOX



Raw flower is ground down manually.



Ground flower is placed onto tray and "knocked" into cone.

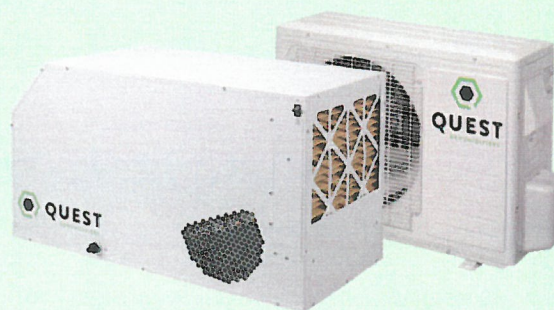


Cone is twisted at top, labeled, and packaged.

POTENTIAL ODOR REMEDIES...



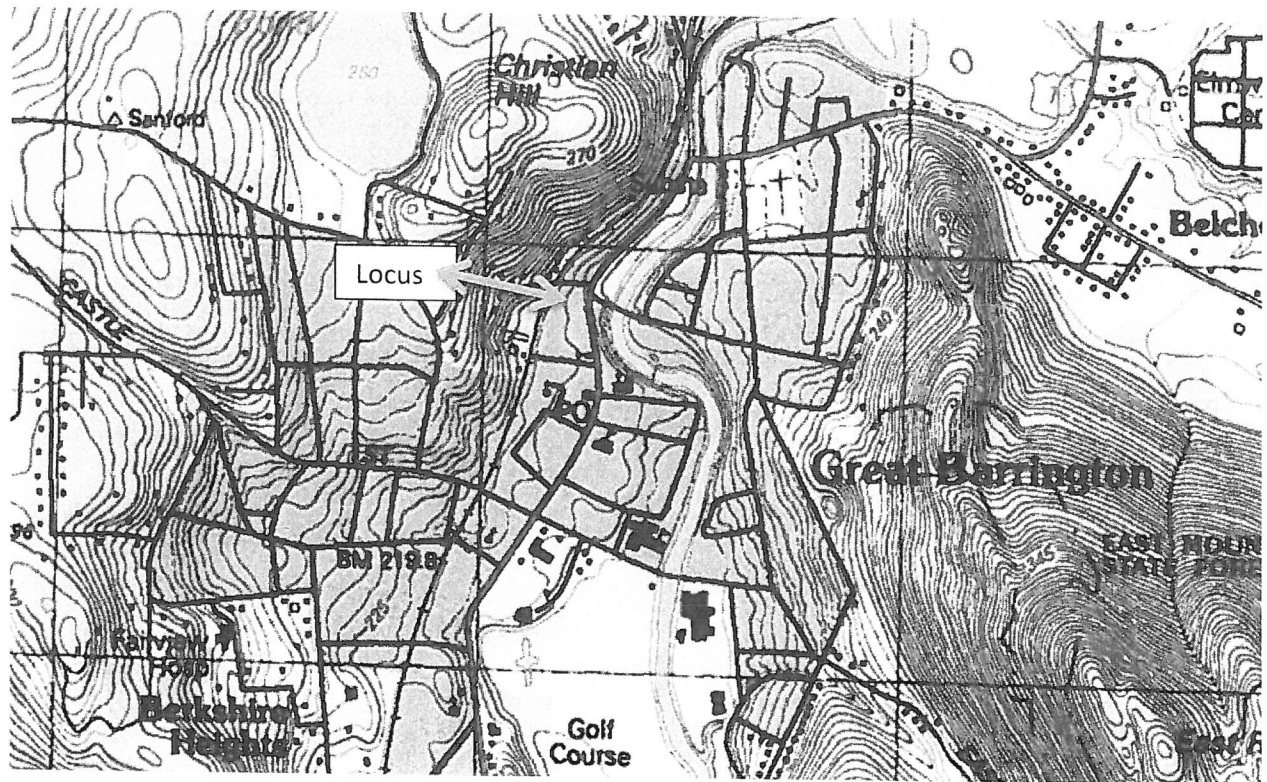
Carbon Filtration System



Dual Split Dehumidifier

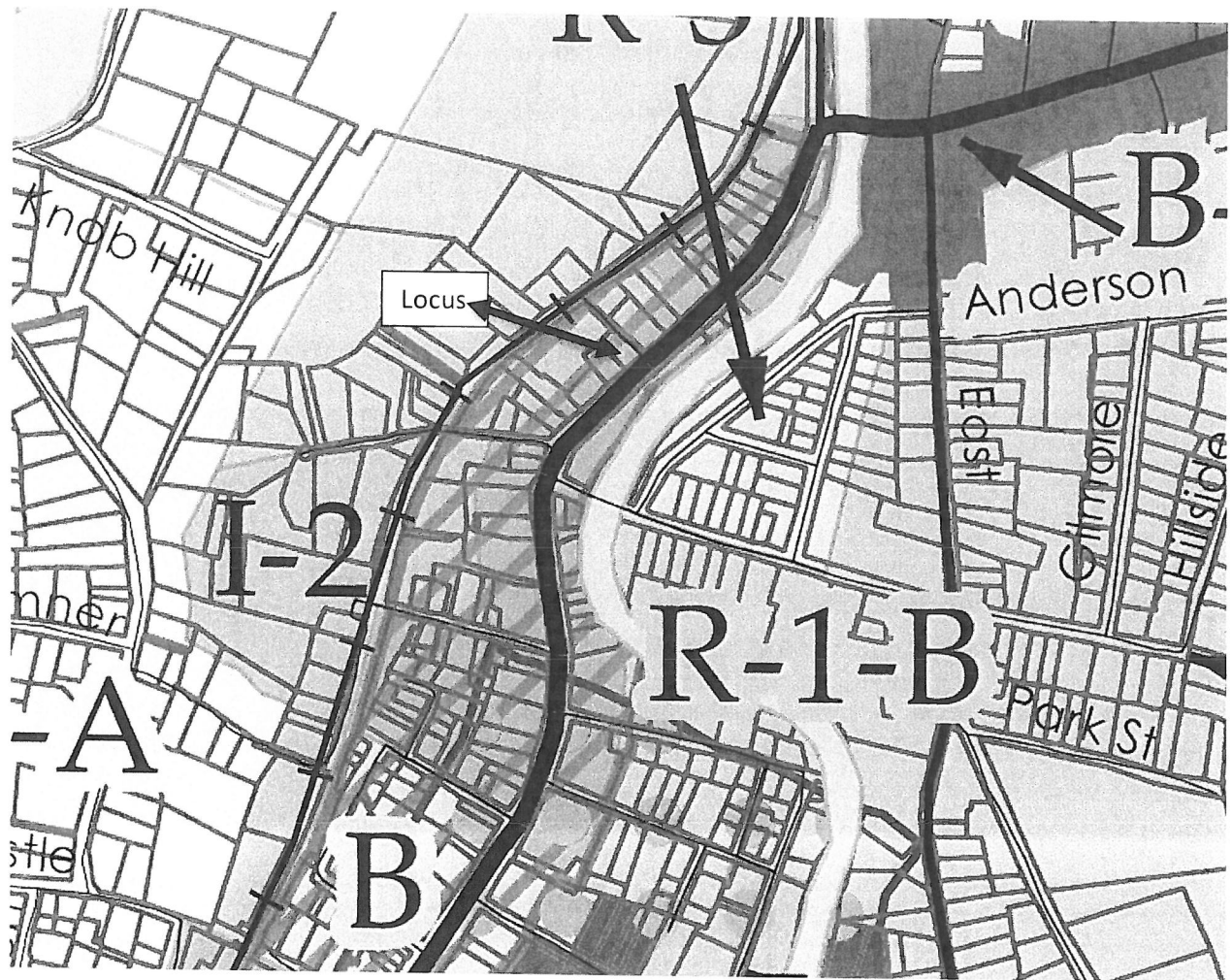
While we don't anticipate additional odor caused by processing raw flower in-house, we will have an independent (standalone zone) carbon filtration system and dehumidifier in our manufacturing room.

FIGURES



Source: U.S.G.S. Map

Figure #1
USGS Map
126 Main Street, Great Barrington, MA



Zoning	B-2X	I	R-3	VCOD
B	B-3	I2	R-4	WQPOD
B-1	DBP	R-1-A	HMROD	Zone II
B-2	HVC	R-1-B	HVOD	Surface Water Zone A
B-2A	MXD	R-2	SGOD	Surface Water Zone B

Figure #2
Great Barrington Zoning Map

Site Plan Review Decision



Town of Great Barrington
Planning Board

PB SPR 2
Rev. March 2014

Site Plan Review Decision

FOR PLANNING BOARD USE ONLY

INSTRUCTIONS TO PLANNING BOARD

Complete this form to record a Site Plan Review decision of the Planning Board. Sign the form, and make 3 copies of the completed form. File the original with the Town Clerk. File one copy, with attached plans, with the Building Inspector. Send one copy to the Applicant and retain one copy for the Town Planner / Planning Board file.

APPLICATION INFORMATION

Application Number 95-19 Initial Filing Date 4/8/19

Applicant Name Highminded LLC

Site Address 126 Main Street, Great Barrington

Application for: For a marijuana retail establishment per Sections 3.1.4, 7.18, and 10.5 of the Zoning Bylaw, per application received 4/8/19 and supplemental materials dated 4/18/19

PLANNING BOARD DECISION

By its vote of 4 in favor and 0 opposed, on 4/25/19 (date), the Planning Board

- approved
- approved with conditions
- denied

The conditions of approval, if any, are as follows:

1. The hedges proposed to be planted with japanese flowering quince shall instead be planted with a native, non-invasive shrub; and,
2. Prior to commencing retail sales operations, the Operator shall submit to the Town Planning Dept. the final License(s) approved / issued by the Massachusetts Cannabis Control Commission.

Certificate of Occupancy. A Certificate of Occupancy shall be issued for this project only if the project has been completed per the approved Site Plan and its conditions, if any.

Lapse. The Applicant is hereby notified that, per 10.5.6 of the Zoning Bylaw, Site Plan approval shall lapse after one year from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Board upon the written request of the applicant.

Signed Christopher Rembold Date 4/26/19
Title: Town Planner

October 11, 2019

Town of Great Barrington
Selectboard
c/o Stephen Bannon, Chairman
334 Main Street
Great Barrington, MA 01230

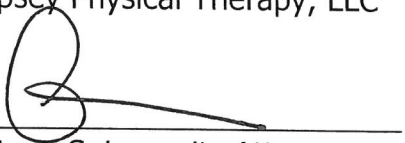
Re: Highminded, LLC Special Permit

Mr. Bannon,

Dempsey Physical Therapy, LLC owns the property located at 126 Main Street, Great Barrington.
I authorize Highminded, LLC to apply for a Special Permit for this location.

Sincerely,

Dempsey Physical Therapy, LLC

A handwritten signature in black ink, appearing to be 'C. Lane', written over a horizontal line.

Courtney S. Lane, its Attorney

Abutters List

Bruce Firger, Assessor
John Katz, Assessor

Shaun McHugh, Principal Assessor
E-mail: smchugh@townofgb.org

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-2220 x 5
Fax: (413) 528-1026

TOWN OF GREAT BARRINGTON MASSACHUSETTS

October 22, 2019

ASSESSORS' OFFICE

ABUTTERS TO PROPERTY OF: DEMPSEY PHYSICAL THERAPY LLC
126 Main Street, Map 14 Lot 33, Book 2278 Page 308

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
14	34	John W. Conway Jr. & Mattie C. Conway, 118 MAIN St., Gt. Barrington, MA 01230-1309
14	32	Gilmore's Berkshire LLC, 115 Gas House Ln., Gt. Barrington, MA 01230-1292
14	77	George D. & Roberta Sanders, 295 Murray Ave., Larchmont, NY 10538-1211
14	28,29,30,31	John B. Hull Inc., 100 Main St., Gt. Barrington, MA 01230-1308
14	37,37A	East Coast Commercial Real Estate LLC, c/o Leemilts Petroleum, 2 Jericho Turnpike #110, Jerico, NY 11753-1681
14	65	Daniel Wendekier & Jessica Robbins, 95 Railroad Ave., Gt. Barrington, Ma 01230-2402
14	63	Thomas E. Parker, 111 Railroad Ave., Gt. Barrington, MA 01230-1351
14	62	Ronald A. & Theresa M. Chapman, Trustees, 18 Elmore Dr., Dalton, MA 01226-2016
14	27	John Frederick Weingold, PO Box 279, Monterey, MA 01230-0279
14	27A	Frederick & Ora Lee Franklin, PO Box 561, Gt. Barrington, MA 01230-0561
14	74	Alexander Ross & Susan Jennings, 6 High St., Gt. Barrington, MA 01230-1509
14	5	Jadco LLC, 327 State Rd., Gt. Barrington, MA 01230-1462
14	64	Robert E. Palmer Jr. & Charlene Palmer, 109 Railroad Ave., Gt. Barrington, MA 01230-1351
14	75,76,32A	Cumberland Farms Inc., 165 Flanders Rd., Westborough, MA 01581-1032
14	35	V S H Realty Inc., 165 Flanders Rd., Westborough, MA 01581-1032
14	73,61	Massachusetts Dept. of Transportation, 10 Park Plaza, Boston, MA 02116-
10	21,23	Robin Berthet, 1704 South Undermountain Rd., Sheffield, MA 01257-9666
10	22	Grace Zinnermon, Po Box 78, Ashley Falls, MA 01222-0078
10	37	David M. & Gordana Hassett, PO Box 435, Castine, ME 074420-0435
14	38,39	Town of Great Barrington, 334 Main St. Room 208, Gt. Barrington, MA 01230-1832

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

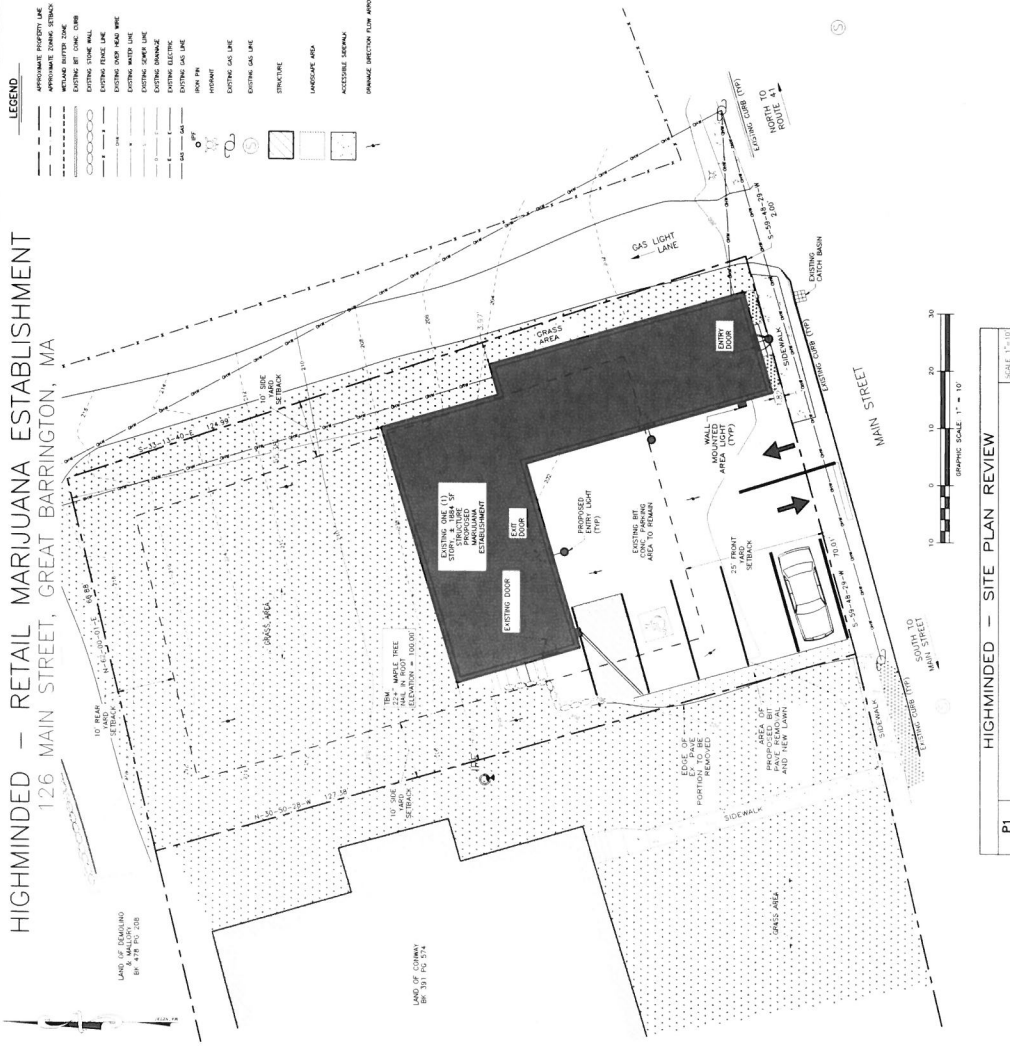
Sincerely,


Shaun McHugh
Principal Assessor

Site Plan

HIGHMINDED — RETAIL MARIJUANA ESTABLISHMENT

126 MAIN STREET, GREAT BARRINGTON, MA



SECTION 2 APPLICABLE SECTION 3 USE	REQUIRED W/O SUPPLEMENT	EXISTING	PROPOSED	PROPERTY	RECEIVED
MINIMUM LOT AREA	10,000 SF	10,000 SF	10,000 SF	10,000 SF	10,000 SF
FRONTAGE	100 FT	100 FT	100 FT	100 FT	100 FT
LOT WIDTH	100 FT	100 FT	100 FT	100 FT	100 FT
YARD SETBACK—FRONT	10 FT	10 FT	10 FT	10 FT	10 FT
YARD SETBACK—SIDE	10 FT	10 FT	10 FT	10 FT	10 FT
YARD SETBACK—REAR	10 FT	10 FT	10 FT	10 FT	10 FT
MAX. LOT COVERAGE	75%	75%	75%	75%	75%
BUILDING HEIGHT—FEET	35 FT	35 FT	35 FT	35 FT	35 FT

	EXISTING	PROPOSED	CHANGE
PARKING AND DRIVEWAYS	2,113 SF	2,113 SF	NO CHANGE
SIKEMASKS	356 SF	356 SF	NO CHANGE
STRUCTURES	1,863 SF	1,863 SF	NO CHANGE
WOODED/UNMAINTAINED AREA	0 SF	0 SF	NO CHANGE
LANDSCAPED AREA	17,234 SF	17,234 SF	NO CHANGE
LAWN	4,160 SF	4,160 SF	NO CHANGE
TOTAL IMPERVIOUS	3,329 SF	3,329 SF	NO CHANGE
TOTAL VEGETATION	3,173 SF	3,173 SF	NO CHANGE
PERCENT IMPERVIOUS	45.7%	45.7%	NO CHANGE

HIGHMINDED — SITE PLAN REVIEW

GENERAL NOTES:

ALL UNDERGROUND UTILITIES AS SHOWN ARE APPROXIMATE ONLY. COMMENCEMENT OF WORK SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. THIS PLAN IS NOT THE RESULT OF A PROPERTY BOUNDARY SURVEY. ALL PROPERTY LINES SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A PROFESSIONAL SURVEY AND A RECORD DRAWING OF LAND SURVEYED FOR CHARLES J. AND MARY A. FRECHON, TOWN OF GREAT BARRINGTON, MASSACHUSETTS, 2008. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. THIS PLAN IS NOT THE RESULT OF A PROPERTY BOUNDARY SURVEY. ALL PROPERTY LINES SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A PROFESSIONAL SURVEY AND A RECORD DRAWING OF LAND SURVEYED FOR CHARLES J. AND MARY A. FRECHON, TOWN OF GREAT BARRINGTON, MASSACHUSETTS, 2008. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.

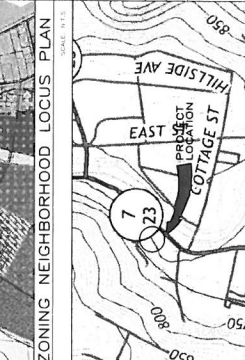
APPLICABLE GREAT BARRINGTON ZONING REGULATIONS:
 THE REGULATIONS GOVERNING THE PLACEMENT OF A RETAIL MARIJUANA ESTABLISHMENT ARE SET FORTH IN THE TABLE OF APPLICABLE GREAT BARRINGTON ZONING REGULATIONS (BZ) FOR THE ZONING DISTRICT AND A LIGHT INDUSTRIAL (LI) ZONING DISTRICT.
 SECTION 3.1.1. TABLE OF USE REGULATIONS EXCEPT AS FOLLOWS: CENTERS MAY BE LOCATED CLOSER THAN 200 FEET FROM A PRE-EXISTING ANY OF GRADES 1, THROUGH 4, TOWARDS EDGECRUISE IN KINDERHOFF OR FROM THE NEAREST POINT OF THE PROPERTY LINE OF THE EDGECRUISE CENTER AND THE NEAREST POINT OF THE PROPERTY LINE OF THE EDGECRUISE CENTER AND THE NEAREST POINT OF THE PROPERTY LINE OF THE EDGECRUISE CENTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES. THIS PLAN IS NOT THE RESULT OF A PROPERTY BOUNDARY SURVEY. ALL PROPERTY LINES SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A PROFESSIONAL SURVEY AND A RECORD DRAWING OF LAND SURVEYED FOR CHARLES J. AND MARY A. FRECHON, TOWN OF GREAT BARRINGTON, MASSACHUSETTS, 2008. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.



Berkshire Engineering, Inc.
 80 RUN WAY, SUITE 101
 GREAT BARRINGTON, MA 01930
 PHONE (413) 431-4122
 WWW.BERKSHIREENGINEERING.COM

TABLE OF PROTECTED USES

IDENTIFIED PROTECTED USE IN THE VICINITY	MEASURED DISTANCE
N/A NO PRE-EXISTING PUBLIC OR PRIVATE SCHOOLS TEACHING GRADES K THROUGH 12 ARE LOCATED IN THE PROJECT VICINITY	N/A



SITE PLAN
 FOR PROPERTY LOCATED AT
 126 MAIN STREET
 GREAT BARRINGTON, MASSACHUSETTS 01930

PROJECT PARTICIPANTS:

FACILITY OWNER	WINDMILL CREEK, LLC
OWNER	WINDMILL CREEK, LLC
APPLICANT	WINDMILL CREEK, LLC
CIVIL ENGINEER	BERKSHIRE ENGINEERING, INC.

APPLICABLE BUILDING INFORMATION:
 -CONSTRUCTION TYPE VS. COMBUSTIBLE/ UNPROTECTED (LIGHT FRAMED WOOD CONSTRUCTION)
 -PROPOSED OCCUPANCY CLASSIFICATION: B, BUSINESS/ OFFICE, M, MERCANTILE.
 -ANTICIPATED MAXIMUM ALLOWABLE OCCUPANT LOADING PER 750 SQ. FT. OF FLOOR AREA: 47 PERSONS.
 -FIRE PROTECTION: AUTOMATIC SPRINKLER SYSTEM.
 -ELEVATOR: NONE.
 -MECHANICAL: NONE.
 -ELECTRICAL: NONE.
 -PLUMBING: NONE.
 -MECHANICAL: NONE.
 -ELECTRICAL: NONE.
 -PLUMBING: NONE.

TABLE OF PROTECTED USES

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TABLE OF PROTECTED USES

TABLE OF PROTECTED USES



TABLE OF PROTECTED USES

Selectboard

Paid check #: 7839
copy

Fee \$50.00

Application for Access to a Public Way / Driveway Permit

Number _____

INSTRUCTIONS

RETURN FIVE (5) COPIES OF THIS FORM AND ALL ACCOMPANYING PLANS, ALONG WITH THE \$50.00 FEE to the Department of Public Works office in Town Hall, 2nd Floor, 334 Main Street, Great Barrington, MA 01230. Plans must show the location of the driveway on the property and must also indicate all details needed in order to determine that driveway regulations are met, including paving material, width, grade, drainage, culverts, angle to street, etc. See Chapter 153 of the Town Code for driveway regulations.

Application Date 10/28/2019

Name of Applicant / Property Owner JOE WILKINSON EXCAVATING INC / KEN DRUCKER

Mailing address 1551 BOARDMAN ST SHEFFIELD, MA. 01257

Phone number 413-229-7711

Location of proposed driveway / highway entrance 102 CASTLE HILL AVE GT. BARRINGTON

Contractor who will perform the work JOE WILKINSON EXCAVATING, INC

Address & phone number of contractor 1551 BOARDMAN ST SHEFFIELD, MA. 01257

Proposed construction date _____

Type of driveway (gravel, asphalt, etc.) GRAVEL & ASPHALT APRON

Print Form

Submit five (5) copies of completed form and plans.

Applicant hereby agrees to notify the Great Barrington DPW Superintendent of the date and time of driveway construction at least 24 hours before construction is begun. Applicant further agrees to conform to all requirements of the Town of Great Barrington regulations governing access to public ways and to all conditions that may be placed on this permit. See Chapter 153 of the Town Code for regulations and design requirements.

Applicant's Signature: Joseph Wilkinson

FOR STAFF USE ONLY

RECOMMENDATION OF DPW / HIGHWAY SUPERINTENDENT

After consultation with review staff, and after full consideration of the application and the applicable requirements, I recommend that this application be:

- () approved as submitted
- (X) approved with conditions attached
- () disapproved for reasons attached
- () resubmitted with changes suggested per attached

Staff Reviews Received:

	Received	Conditions Recommended	Other Permits Required
Conservation:	(X)	()	()
Fire Chief:	(X)	()	()
Planning:	(X)	(X)	()

PERMIT FOR ACCESS TO A PUBLIC WAY / DRIVEWAY

Pursuant to its vote of _____ in favor and _____ opposed, at its meeting on _____, the Great Barrington Selectboard granted permission to construct or alter this access to a public way at the address and in the location indicated in this application, in accordance with the plans accompanying this application, and subject to any conditions attached.

For the Selectboard: _____, its _____
(signature) (title) (date)

Pete Soules
Highway-Facilities Superintendent

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



20 East Street
Great Barrington, MA 01230

Telephone: (413) 528-2500
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

Department of Public Works
Highway Division

Conditions on Application for Access to Public Way

Applicant: Joe Wilkinson Excavating/Ken Drucker
Location: 102 Castle Hill Ave
From: Pete Soules Highway Superintendent
Date: November 21, 2019

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 shall not be less than 8-feet or more than 16-feet within the town right-of-way. Any curb at the entrance shall be rounded off with a radius of three (3) feet. **As shown on attached plan 20 x 24**
 - 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.



102 Castle Hill Ave
Looking South



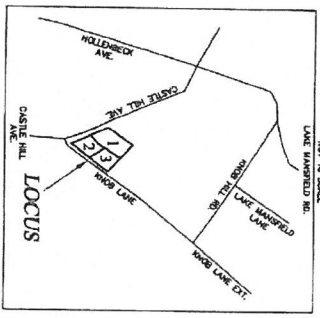
102 Castle Hill Ave
Looking North

UNLESS OTHERWISE NOTED HEREON, THIS SURVEY PLAN SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR. THIS PLAN IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

PLANNING BOARD APPROVED FOR THE TOWN OF GREAT BARRINGTON, MASSACHUSETTS, ON FEBRUARY 13, 2018.

RECORD ORDER: ERNEST AND JERI DR. PROPERTY ADDRESS: 102 CASTLE HILL AVENUE. TOWN OF GREAT BARRINGTON, MASSACHUSETTS, MAP-13 LOT-10.

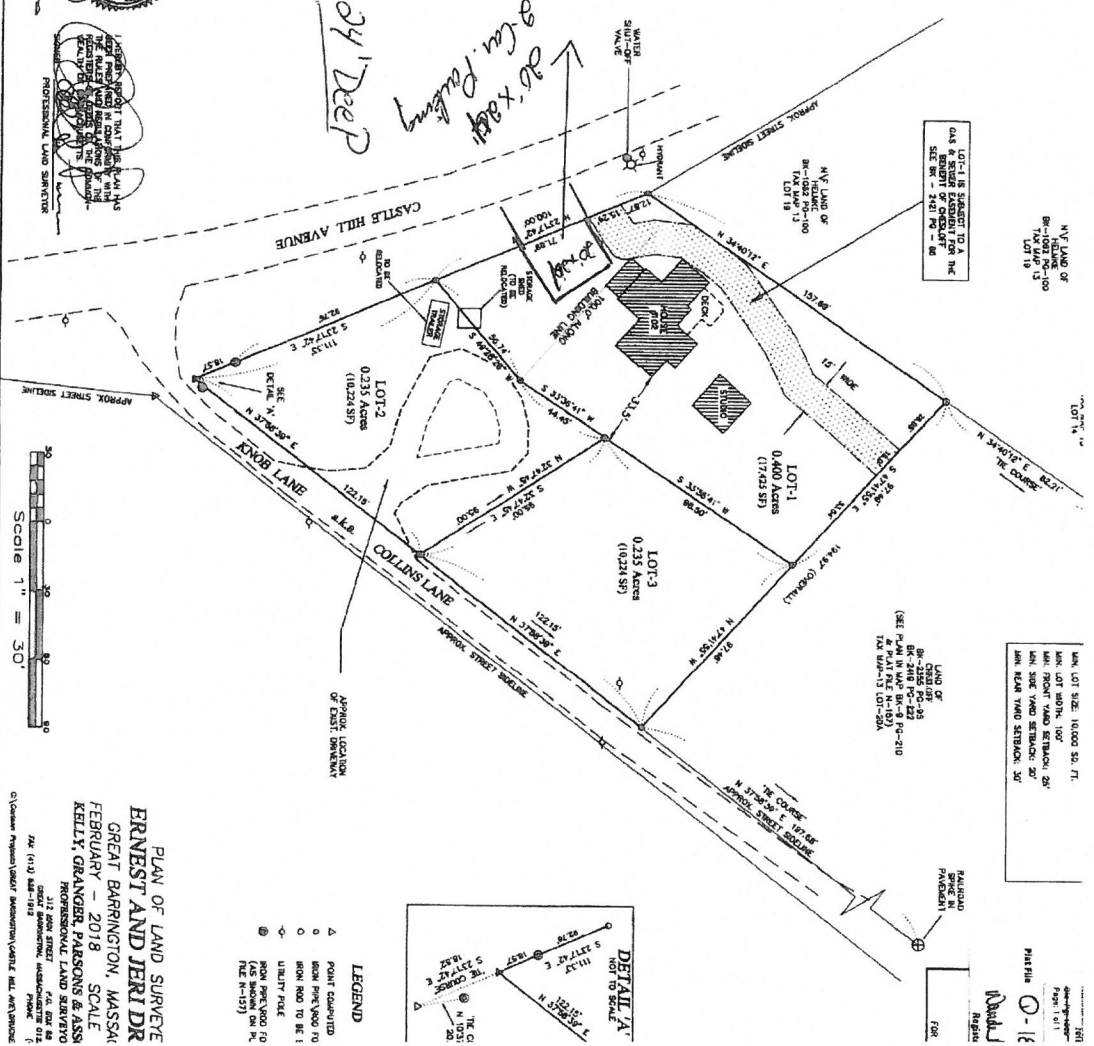
VICINITY MAP



APPROVAL NOT REQUIRED UNDER THE SUBDIVISION CONTROL LAW. GREAT BARRINGTON PLANNING BOARD. Ernest and Jeri Dr. Professional Land Surveyor. Date: 2/13/18.



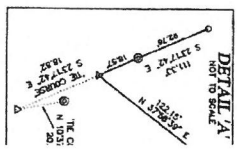
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MASSACHUSETTS.



LOT-1 IS SUBJECT TO A DEED & EASEMENT OF EGRESS FOR THE BENEFIT OF LOT-2 & LOT-3.

MIN. LOT SIZE: 10,000 SQ. FT. MIN. FRONT YARD SETBACK: 20' MIN. SIDE YARD SETBACK: 20' MIN. REAR YARD SETBACK: 20'

PLAN 102-16
Ernest and Jeri Dr.
Professional Land Surveyor



- LEGEND**
- ▲ POINT COMPUTED
 - IRON PEG/NO. TO BE I
 - IRON NAIL TO BE I
 - UTILITY POLE
 - ⊗ IRON PEG/NO. TO BE I (AS SHOWN ON PL. FILE N-157)

PLAN OF LAND SURVEY
ERNEST AND JERI DR.
GREAT BARRINGTON, MASSACHUSETTS
FEBRUARY - 2018
SCALE
KELLY, GRANIGER, PARSONS & ASSN.
PROFESSIONAL LAND SURVEYORS

1000 State Street, Suite 100
Great Barrington, MA 01930
Tel: (413) 488-1812
Fax: (413) 488-1812
www.ernestandjeri.com

Jackie Dawson

From: Chris Rembold
Sent: Thursday, November 7, 2019 10:29 AM
To: Jackie Dawson; Pete Soules; Charles Burger; Great Barrington Conservation Commission; Sean Van Deusen
Subject: RE: Driveway Application for 102 Castle Hill Avenue

This proposed 20 foot wide driveway is wider than the bylaw allows. See 153-14, I:

"Individual driveways should not be less than eight feet nor more than 16 feet in width within the Town right-of-way. Any curb at the entrance shall be rounded off with a radius of three feet."

If the proposal is changed and meets the bylaw, then I would have no problem with it.

If I recall correctly, the site might slope down to the street a little, so care should be taken to control runoff into the street.

Chris

Christopher Rembold, AICP
Assistant Town Manager / Director of Planning and Community Development
Town of Great Barrington
(413) 528-1619, ext. 103

From: Jackie Dawson <jdawson@Townofgb.org>
Sent: Thursday, November 7, 2019 10:19 AM
To: Pete Soules <PSoules@Townofgb.org>; Chris Rembold <crembold@Townofgb.org>; Charles Burger <cburger@Townofgb.org>; Great Barrington Conservation Commission <conservation@townofgb.org>; Sean Van Deusen <svandeuken@townofgb.org>
Subject: Driveway Application for 102 Castle Hill Avenue

Please see attached memo and application.

Jackie Dawson
Administrative Assistant
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230
(413)528-0867
jdawson@townofgb.org

Jackie Dawson

From: Charles Burger
Sent: Thursday, November 7, 2019 12:28 PM
To: Jackie Dawson
Cc: Pete Soules; Chris Rembold; Great Barrington Conservation Commission; Sean Van Deusen
Subject: Re: Driveway Application for 102 Castle Hill Avenue

No FD issues. -Charlie

Sent from my iPhone

> On Nov 7, 2019, at 10:19 AM, Jackie Dawson <jdawson@townofgb.org> wrote:

>

> Please see attached memo and application.

>

> Jackie Dawson

> Administrative Assistant

> Town of Great Barrington

> 334 Main Street

> Great Barrington, MA 01230

> (413)528-0867

> jdawson@townofgb.org

>

Superintendent

E-mail:svandeusen@townofgb.org

www.townofgb.org



Town Hall, 334 Main Street

Great Barrington, MA 01230

Telephone: (413) 528-0867

Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: November 7, 2019

To: Sean VanDeusen, DPW Superintendent
Peter Soules, Highway Superintendent
Christopher Rembold, Town Planner
Shep Evans, Conservation Commission Agent
Charlie Burger, Fire Chief

From: Jackie Dawson, Administrative Assistant

Re: Driveway Permit Application for
Name: Joe Wilkinson Excavating Inc./Ken Drucker
Location: 102 Castle Hill Avenue

*No Wetlands
or Scenic Mountain
jurisdictional
interest.
Shep Evans
Conservation Agent
11-15-2019*

Please find a Driveway Permit application and corresponding documents for the property listed above in your mailbox. Please review and comment at your earliest convenience. We would like to place this permit on the Selectmen's Agenda for November 18, 2019, and need all recommendations back by November 13, 2019.

Thank you,

Jackie

FEDERAL



11136

11140

11302

11310

11328

11350

11400

11630

11670

12160

3

(Printed) 1/08

14050

14052

14056

14062

14064

14066

14077

14079

(Printed) 1/08

26132

26134

26152

26173

26176

DAC
Color
Choice
"Brown
Bridge"

Pl. Bd. SP# 904-19

TOWN OF GREAT BARRINGTON

NOTICE OF PUBLIC HEARING

The Great Barrington Planning Board will hold a public hearing on Thursday, December 12, 2019 at 6:00 pm at Town Hall, 334 Main Street, Great Barrington, to act on the Special Permit application from Highminded, LLC seeking permission to deviate from the awning height requirements of Section 146-6 of the Sign Bylaw, for 126 Main Street. The application is filed in accordance with Section 146-20 of the Sign Bylaw. A copy of the application is on file with the Town Clerk.

Brandee Nelson, Chair

Please publish November 8 and November 15, 2019

Berkshire Record - *emailed 10/31/19*

SB Recommendation

Dec. 9/19

904-19

SB 12/9

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

FORM SP-1
REV. 11-2013

FOR OFFICE USE ONLY

Number Assigned _____ Date Received _____
Special Permit Granting Authority _____
Copy to Recommending Boards _____
Advertised _____ & _____
Public Hearing _____
Fee: \$150.00 Paid: _____

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

MAP 14 LOT 33 BOOK 2278 PAGE 308 ZONING DISTRICT(S) B2

Site Address: 126 Main Street

Date of Application 10/22/2019

Applicant's name and complete mailing address Highminded, LLC

126 Main Street, Great Barrington, MA 01230

Applicant's phone number (801) 419-7327 Applicant's email address: alexander@highminded.com

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

Dempsey Physical Therapy, LLC Kenneth G. Dempsey, Manager

126 Main Street, Great Barrington, MA 01230

I (we) request a Special Permit for: Awnings and Awning Sign under Section 146-4 of the General Bylaws
(Section 146-20 of the General Bylaws allows a deviation with Special Permit)

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

APPLICANTS MUST READ AND COMPLY WITH THE FOLLOWING:

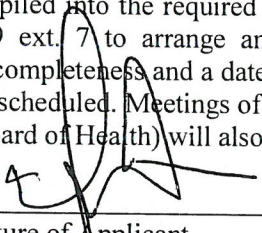
One Signed Original application with each of the items below, as applicable, and fourteen (14) exact copies of the entire application package are to be submitted. Applications must include:

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

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

SPECIFICS:

- 1. All site plans and specifications must be signed and dated by the preparer.
- 2. **ALL OWNERS** of property must also sign the application.
- 3. A copy of special permit procedures is available upon request.
- 4. Fee for application is \$150.00 to cover the cost of the public hearing notices in the newspaper and notification to parties in interest. If the cost exceeds \$150.00, the applicant shall pay the balance due upon notification from the Granting Authority.
- 5. Once all the necessary papers, maps, etc. are compiled into the required Original and Fourteen sets, call the Town Planner's office at 413-528-1619 ext. 7 to arrange an appointment to file your application. The application will be reviewed for completeness and a date for a public hearing before the Board of Selectmen or Planning Board will be scheduled. Meetings of recommending boards (e.g. Planning Board, Conservation Commission and Board of Health) will also be arranged at this time.



Signature of Applicant



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

PLEASE READ AND SIGN BELOW

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

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

Signature _____

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

Date 10/18/2019_____

SPECIAL PERMIT NARRATIVE

A. Project Overview

This Project Narrative has been prepared in support of a Special Permit Application for Highminded, LLC ("Highminded") for authorization to deviate from the Town of Great Barrington General Bylaws Chapter 146-4 (B) Awnings and awning signs.

Site Description

The property is a .2-acre parcel located at 126 Main Street (the "Premises") in a B-2 zoning district. It contains a fully enclosed, standalone building that is preexisting.

Proposed Project

Highminded intends to redevelop and refurbish the existing building at the Premises thereby supporting a mission of the Master Plan. One of the design features is awnings above the windows. Due to the existing conditions of the building, Highminded needs to deviate from the height requirements for the awnings outlined in General Bylaw Chapter 146-4(B).

B. General Bylaw Compliance

Chapter 146-4(B) states the following:

"Awnings and awning signs. Awnings shall not extend more than eight feet over the public right-of-way. Awnings shall not be closer than three feet to the face of curblines. No portion of any awning sign (or such awning on which it is located) shall be lower than 10 feet above grade. If projecting over an alley or driveway subject to vehicular traffic, the clearance must be at least 13 feet. All awnings shall comply with other applicable ordinances and regulations. Signs which overhang a public way (including sidewalks) shall be covered by a bond or insurance in accordance with this chapter. The framework supporting the awning shall be securely anchored to the building. The method of attachment as well as the anticipated structural, wind and other loads shall be detailed on the application and shall be approved in writing by the Building Inspector. No awning signs shall be allowed in any residential district."

Highminded's proposed canvas awnings cannot comply with this bylaw as the tops of the windows on the building range from seven feet (7') to seven feet and ten inches (7'10") above grade.

There will be two awnings on the front of the building facing Main Street (shown on Storefront Elevation) which will extend four (4) feet over the sidewalk and shall be seven feet and ten and a half inches (7' 10.5") above grade. In addition, there will be four awnings over the windows facing Highminded's private parking

lot (two shown on Salesroom Elevation and two shown on Car Park Elevation) which shall extend four (4) feet over the parking lot and shall be seven feet (7' 0") above grade.

Due to these design plans and the existing condition of the building, Highminded is seeking a Special Permit from the Planning Board in accordance with Chapter 146-20 of the Town of Great Barrington General Bylaws to deviate from this requirement.

Site Plan

Abutters List

Bruce Firger, Assessor
John Katz, Assessor

Shaun McHugh, Principal Assessor
E-mail: smchugh@townofgb.org

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-2220 x 5
Fax: (413) 528-1026

TOWN OF GREAT BARRINGTON MASSACHUSETTS

October 22, 2019

ASSESSORS' OFFICE

ABUTTERS TO PROPERTY OF: DEMPSEY PHYSICAL THERAPY LLC
126 Main Street, Map 14 Lot 33, Book 2278 Page 308

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
14	34	John W. Conway Jr. & Mattie C. Conway, 118 MAIN St., Gt. Barrington, MA 01230-1309
14	32	Gilmore's Berkshire LLC, 115 Gas House Ln., Gt. Barrington, MA 01230-1292
14	77	George D. & Roberta Sanders, 295 Murray Ave., Larchmont, NY 10538-1211
14	28,29,30,31	John B. Hull Inc., 100 Main St., Gt. Barrington, MA 01230-1308
14	37,37A	East Coast Commercial Real Estate LLC, c/o Leemilts Petroleum, 2 Jericho Turnpike #110, Jerico, NY 11753-1681
14	65	Daniel Wendekier & Jessica Robbins, 95 Railroad Ave., Gt. Barrington, Ma 01230-2402
14	63	Thomas E. Parker, 111 Railroad Ave., Gt. Barrington, MA 01230-1351
14	62	Ronald A. & Theresa M. Chapman, Trustees, 18 Elmore Dr., Dalton, MA 01226-2016
14	27	John Frederick Weingold, PO Box 279, Monterey, MA 01230-0279
14	27A	Frederick & Ora Lee Franklin, PO Box 561, Gt. Barrington, MA 01230-0561
14	74	Alexander Ross & Susan Jennings, 6 High St., Gt. Barrington, MA 01230-1509
14	5	Jadco LLC, 327 State Rd., Gt. Barrington, MA 01230-1462
14	64	Robert E. Palmer Jr. & Charlene Palmer, 109 Railroad Ave., Gt. Barrington, MA 01230-1351
14	75,76,32A	Cumberland Farms Inc., 165 Flanders Rd., Westborough, MA 01581-1032
14	35	V S H Realty Inc., 165 Flanders Rd., Westborough, MA 01581-1032
14	73,61	Massachusetts Dept. of Transportation, 10 Park Plaza, Boston, MA 02116-
10	21,23	Robin Berthet, 1704 South Undermountain Rd., Sheffield, MA 01257-9666
10	22	Grace Zinnermon, Po Box 78, Ashley Falls, MA 01222-0078
10	37	David M. & Gordana Hassett, PO Box 435, Castine, ME 074420-0435
14	38,39	Town of Great Barrington, 334 Main St. Room 208, Gt. Barrington, MA 01230-1832

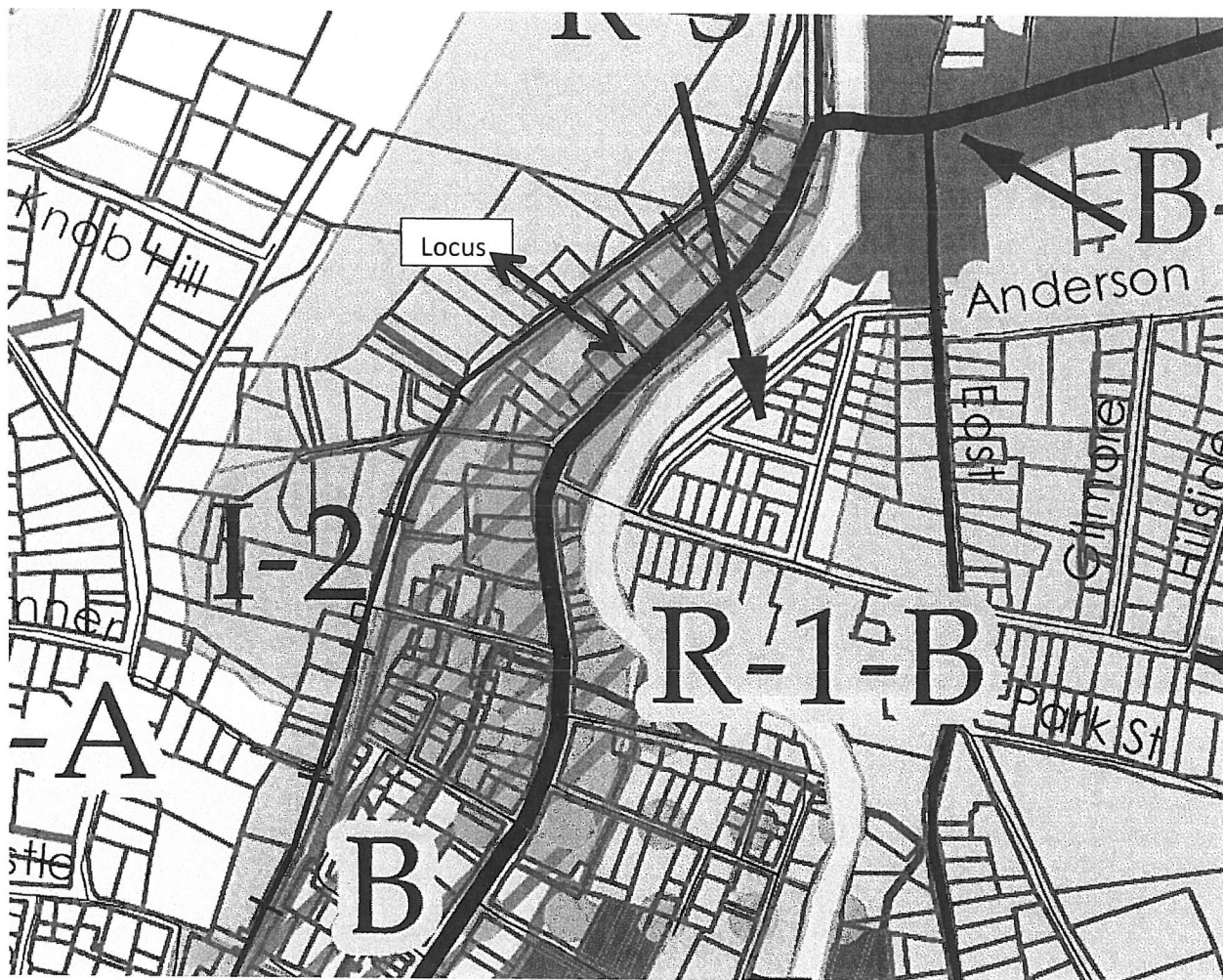
The above list of abutters to the subject property is correct according to the latest records of this office.

Sincerely,


Shaun McHugh
Principal Assessor

Zoning Map

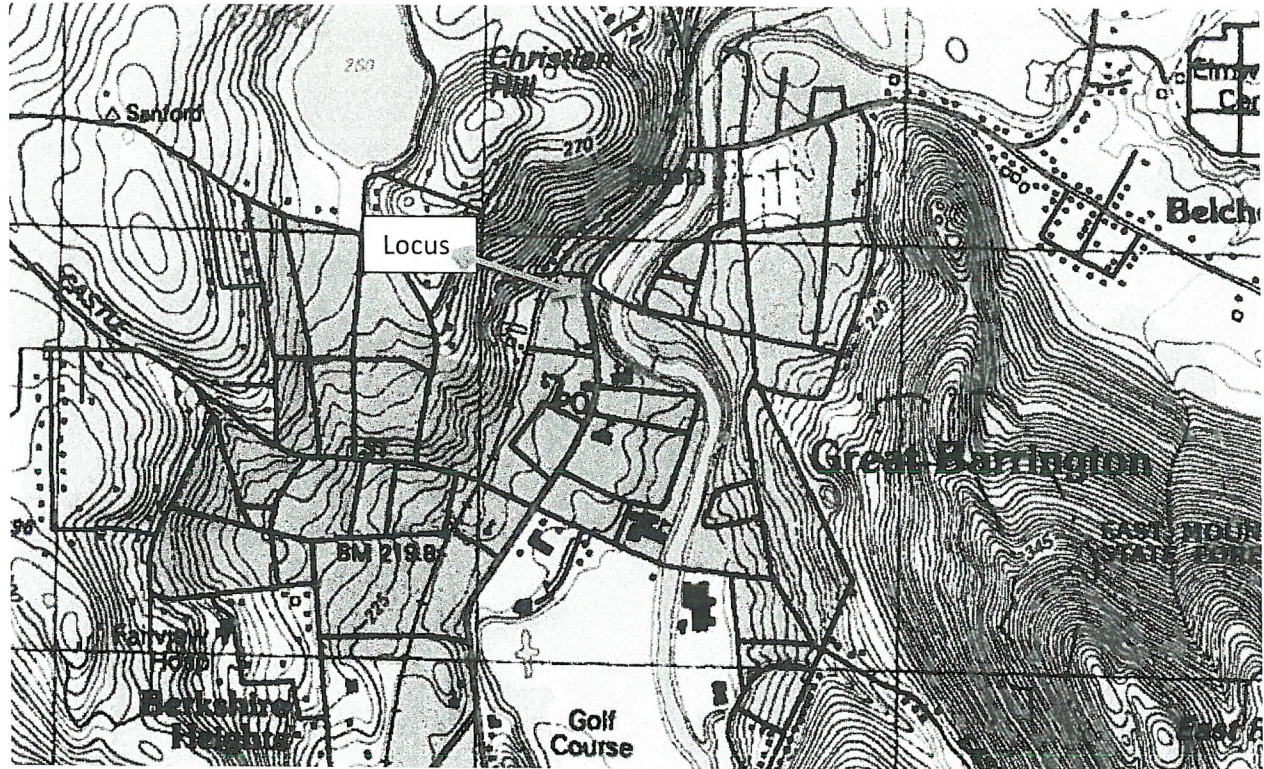
ZONING MAP



Zoning	B-2X	I	R-3	VCOD
B	B-3	I2	R-4	WQPOD
B-1	DBP	R-1-A	HMROD	Zone II
B-2	HVC	R-1-B	HVOD	Surface Water Zone A
B-2A	MXD	R-2	SGOD	Surface Water Zone B

USGS Map

TOPOGRAPHIC MAP



Elevations

Landowner Letter

October 18, 2019

Town of Great Barrington
Planning Board
c/o Chris Rembold, Town Planner
334 Main Street
Great Barrington, MA 01230

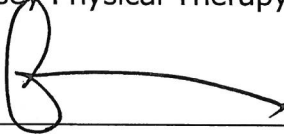
Re: Highminded, LLC Special Permit

Mr. Rembold,

Dempsey Physical Therapy, LLC owns the property located at 126 Main Street, Great Barrington.
I authorize Highminded, LLC to apply for a Special Permit for this location.

Sincerely,

Dempsey Physical Therapy, LLC

A handwritten signature in black ink, appearing to read 'Courtney S. Lane', written over a horizontal line.

Courtney S. Lane, its Attorney

HOUSATONIC IMPROVEMENT COMMITTEE

Whereas, in accordance with the authority granted to it by the Great Barrington Town Charter, the Selectboard may create special purpose committees; and,

Whereas, the support of a thriving Housatonic Village is a goal of the 2013 Great Barrington Master Plan approved by the Planning Board and Selectboard;

Whereas, a thriving Housatonic Village will benefit existing and future residents and businesses of the Village specifically as well as the Town of Great Barrington generally.

Now therefore, in response to the need to encourage redevelopment, infrastructural advancement, and cultural growth in the Village of Housatonic, on this day of _____, 2019, the Selectboard hereby resolves and creates the Housatonic Improvement Committee, as set forth below.

ARTICLE I: TITLE AND PURPOSE

1. The purpose of the Housatonic Improvement Committee (hereinafter the "Committee") is to foster the social, and cultural well-being of Housatonic.
2. The purpose of these regulations is to establish the responsibilities, duties, composition, and procedures for the operation of this Committee.

ARTICLE II: RESPONSIBILITIES AND DUTIES

1. Research, understand, evaluate and advocate local issues, challenges and opportunities encountered by those who live, work, and do business in Housatonic.
2. Coordinate and collaborate with other local groups organized to meet the needs of Housatonic residents.
3. Review and make recommendations about policies, procedures, services and activities of departments and agencies of the Town of Great Barrington as they affect residents of Housatonic.
4. Work in cooperation with the departments and boards of the Town of Great Barrington - to bring about maximum participation of Housatonic residents.
5. Initiate, monitor, and promote legislation at the municipal, state, and federal level which advances the prosperity and opportunity of Housatonic residents.

7. Recruit and recommend prospective Committee members to the Selectboard. At least one month prior to making recommendations, the Committee shall solicit nominations and ensure that said nominations meet the necessary criteria.

8. File an annual report, which shall be printed in the Town report.

ARTICLE III: MEMBERSHIP

1. The Committee shall consist of five members appointed by the Selectboard. All members must live in Voting Precinct B. At least one member shall be either an elected or appointed official of the Town.

2. The terms of the first members of said Committee shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each.

3. Resignation shall be made by notifying the chairperson of the Committee and the members of the Selectboard in writing.

4. If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made to the Selectboard that he/she be removed from the Committee, unless any or all absences have been excused for good cause by the chairperson. Good cause shall include, but not be limited to: illness, a death in the family, weather, and professional responsibilities.

5. The Selectboard shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.

6. The Selectboard may remove members of said Committee for cause by majority vote.

7. Members shall get the approval of the Committee prior to making statements or joining activities on behalf of the Committee.

8. All members shall have full voting rights in Committee matters.

ARTICLE IV: OFFICERS

1. The officers shall include a chairperson, vice chairperson, and secretary.

2. Officers shall be elected annually by the majority vote of the Committee, at the first meeting after the annual Town elections in May.

3. Duties:

- a. The chairperson shall:
 - i. Develop the agenda in coordination with the other officers;
 - ii. Preside over all meetings;
 - iii. Appoint Subcommittees as needed;
 - iv. Authorize expenditures as needed.
- b. The vice chairperson shall perform all the functions of the chairperson in his/her absence.
- c. The secretary shall:
 - i. Keep records of all meetings attendance, minutes, and correspondence.
 - ii. Post notices of all meetings forty-eight (48) hours before each meeting at the Town Clerk's Office.

ARTICLE V: MEETINGS

- 1. Regular meetings shall be held at least four (4) times a year.
- 2. A quorum shall consist of three (3) members.
- 3. Meeting minutes will be reviewed, amended and approved at the next meeting.
- 4. Special meetings can be called by the chairperson or by any three (3) members.
- 5. Decisions will be made by a majority of the quorum.

ARTICLE VI: AMENDMENTS

- 1. Proposed amendments to these regulations may be recommended to the Great Barrington Selectboard, which may in turn vote to approve, modify and approve, or disapprove on proposed amendments.

HOUSATONIC IMPROVEMENT COMMITTEE GOALS

1. PROMOTE GROWTH OF CULTURE & THE ARTS IN HOUSATONIC.

- Identify cultural and arts organizations in the community and explore ways through which they can bring their work to Housatonic.
- Work with the Cultural Council to identify grant funding opportunities for the arts that pertain to Housatonic.

2. IDENTIFY & ENCOURAGE REDEVELOPMENT OPPORTUNITIES IN HOUSATONIC:

- Explore redevelopment opportunities for unused or underutilized properties, whether publicly or privately owned, in Housatonic.
- Explore ways through which former mill facilities can be redeveloped in a way that benefits all in the community.
- Promote other vacant properties and encourage development.

4. INCREASE ACCESSIBLE AFFORDABLE HOUSING:

- Work with housing authority to increase adaptable and accessible housing.
- Meet with local builders/developers to encourage development of accessible and adaptable housing.

5. PROMOTE ACCESS TO CLEAN DRINKING WATER

- Work with Housatonic Water Works to ensure that the quality of drinking water in Housatonic is on par with that provided in Great Barrington.
- Work with Housatonic Water Works to ensure that infrastructure pertaining to water is well maintained.

6. PROMOTE INCREASED DEVELOPMENT OF RENEWABLE ENERGY INFRASTRUCTURE AND SUSTAINABLE PRACTICES IN HOUSATONIC

- Working with appropriate staff and boards including the Selectboard, Town Manager, Planning Staff, Building Inspector, and Department of Public Works. identify ways through which Housatonic can promote renewable energy infrastructure and other sustainable practices.

7. IDENTIFY AND ADVOCATE FOR IMPROVED INFRASTRUCTURE

- Working with appropriate staff and boards including the Selectboard, Town Manager, Planning Staff, Building Inspector, and Department of Public Works, identify ways through which Housatonic's infrastructure can be improved.
- An example includes reviewing and, if need be, addressing pedestrian safety measures in the village.

8. C

Mark Pruhenski

From: Anne O'Dwyer <aodwyer@simons-rock.edu>
Sent: Saturday, November 30, 2019 2:08 PM
To: Mark Pruhenski
Subject: Interest in at large position on EDC

Hi Mark,

At tonight's EDC committee, the membership of the committee—and some “at large” openings-- was discussed. I would like to join the committee as an at-large member (I am currently, an alternate from the Fin Committee, but apparently the alternate is optional). So, can I toss my hat into the mix as an at-large member of the EDC, in lieu of being an alternate from the FC?

Hope you and your family had a nice holiday.

Thanks,

Anne

Jennifer L. Messina
Town Clerk



Town Hall, 334 Main Street
Great Barrington, MA 01230
(413) 528-1619 ext. 3
Fax: (413) 528-2290

**TOWN OF GREAT BARRINGTON
MASSACHUSETTS**

OFFICE OF THE TOWN CLERK

EXECUTIVE SUMMARY

TITLE: Official Posting Location for Town Agendas

BACKGROUND: The Town currently has 3 locations for posting board, committee and commission agendas. The 1st floor bulletin board outside of the Town Clerk's Office, the outside bulletin board on the southern exterior wall of the Town Hall and the Town's website.

The outside bulletin board serves as the official 24-hour access board at this time.

In order to change our official 24-hour agenda posting location to the Town's website, which is more in-line with the 21st century practices, the Selectboard needs to vote to approve this change. A letter from the Selectboard will then be submitted to the Attorney General's Office requesting this location change. The AG's office will send a confirmation to the Town once approved.

FISCAL IMPACT: N/A

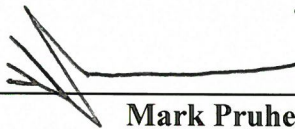
RECOMMENDATION: The Selectboard approve the Town's website as the official 24-hour posting board for all agendas. The Town Clerk will continue to post agendas on the 1st floor interior bulletin board but discontinue use of the exterior bulletin board once the Attorney General approval is granted.

PREPARED AND REVIEWED BY:



Jennifer L. Messina, Town Clerk

APPROVED BY:



Mark Pruhenski, Town Manager

DATE: December 4, 2019