

**Zoning Board of Appeals
Town of Great Barrington**

Minutes of Tuesday, March 19, 2024

The meeting was held in-person at Town Hall and remotely via Zoom Video/Telephone conference.

The following members were present in-person: Carolyn Ivory, Madonna Meagher, Peter Most, Michael Wise, and alternate member JB Brodeur.

Also Present: Assistant Town Manager/Planning Director Christopher Rembold.

Not Present: Stephen McAlister

Chair Wise called the meeting to order at 6:30 PM.

Public Hearing: 9 Elm Court, Special Permit application to act on a Special Permit application from the W.E.B. DuBois Center for Freedom and Democracy for the restoration and exterior alterations of the existing structure at 9 Elm Court, Great Barrington.

Wise opened the public hearing at 6:30 PM. He indicated Brodeur would be participating as a voting member tonight. He said the hearing was properly noticed and advertised, and that the board members made a site visit at 5:30. He invited the applicant to make a presentation.

Attorney Nick Arienti introduced the project team, including Center director Ny Whittaker, Project Manager Eugenie Sills, engineer Steve Mack, and architects Glenn Goble and Jacob Bek.

Arienti said the structure was used as an active church, from 1887 to 2014, so it has a lengthy history. He said since 2016 a group has been active to restore the structure and honor the legacy. He said the proposed project is to adaptively reuse this existing building into an educational and cultural center. The goals align with the Town's strategic goals for historic preservation, adaptive reuse, revitalizing deteriorated downtown buildings, drawing residents and tourists into downtown, protecting our community character, enhancing our neighborhoods, and promoting redevelopment of the town center. He said the project has received very strong backing and support with more than 2 dozen grants including local CPA grants and federal historic preservation funds. He said as such the construction work is being done in accordance with the Secretary of Interior standards.

Steve Mack presented the site and civil engineering existing conditions and proposed plans. He said the site is very small and is nonconforming on all sides and regarding lot area. He said it is served by municipal water and sewer, as well as drainage into the street. He said there is no parking on the property, and the zoning district does not require any parking. He said people will arrive on foot to the center and will be directed to park offsite. This will continue the historic pattern of arrival to the site. He indicated there will on-site stormwater management; there is a lot of runoff from the hill so new drains are proposed on the south and north sides of the structure, and landscaping will also mitigate runoff. He said they are proposing to raise the building 2 feet for a variety of reasons including to increase headroom in the basement and allow for a drain system under the floor. He discussed the proposal to eliminate the sidewalk on Elm Court on the north side of the site, to install a landscaping wall and entry court on that side of the structure, and to have landscaped slopes onto the front lawn which can be a gathering space for people.

Glenn Goble discussed the proposed exterior and interior architectural changes, and the proposed new elevator and stairs structure to be built on the north west corner to make the structure fully handicapped accessible. He said the elevator structure will be in the setback area, but it's where there was a porch preexisting. He said this area of the elevator structure includes the new entrance. The entrance will not be

the historic front doors but rather this new entrance. It will be a welcoming, universally accessible entry; it will be obviously the entrance and not the back door. The front door must remain for historic purposes but it will not function as the entrance. He also described the proposed layout and uses in the different levels of the interior of the building. Finally, he indicated that while the team will investigate geothermal heating possibility, that might not work out. It might be necessary instead to place HVAC systems on the roof of the addition.

There was a question about the design of the elevator/stair structure and that the Design Advisory Committee discussed that it was not in keeping with the area or the church bell tower of the existing building. Goble said that according to historic preservation standards new structures cannot mimic historic structures; for that reason we cannot make it look like a bell tower. He added that a cone shape roof on the new addition would only make it appear taller, and that is not what we intend. He said this was a small and humble but mighty church, and the design is very conscientious about not being ornate and not taking away from the historic building.

There was a question about exterior lighting and reference to the Planning Board's disapproval of uplighting. Arienti said originally the proposal included uplighting of the belfry and the Planning Board did not support that request. So those lights have been redesign and are no longer uplights. It's no longer a request. He said the belfry will be lit from inside the roof and will not shine outwards

There was a question about the proposed grade on the south side of the building on the abutting property line. The engineer said this will be a very low wall and new drainage improvements will take care of runoff that is experienced in that area currently.

Mr. Most referred to a letter received into the record from Mr. Hankin who raised questions about removing the public sidewalk. Most said he also had questions but after this presentation he now understands why they are proposing to remove it.

Wise asked if there were letters from other boards and commissions. Mr. Rembold indicated there were letters received from the Design Advisory Committee, the Planning Board, Board of Health and Selectboard.

Wise invited comments and questions from the public.

Michael Citrin spoke. He is the trustee of the owner of the neighboring property at 7 Elm Court. He appreciated the presentation and said he and his residents are excited about the project. He asked questions regarding the landscape plan and the proposed low wall between 7 and 9 Elm Court, parallel to the property line. He asked if it could be moved another six inches or foot away from #7 so that there was more room on the walkway that services the side door on #7. He also asked about proposed lighting on the old side door of the church.

Mr. Mack responded indicating that the applicant site is very small, and they have accommodated the walkway already slightly and have added drainage controls here. There was a response that lighting is required at egress doors but it perhaps would not always have to be on.

Kristi Zea is president of Black Opal which owns 30 Elm Court. She said the proposal is very exciting. She said she thinks the proposal of the raising the building and the new glass enclosed entrance just opposite her building will change the character of the church and neighborhood but in a positive way. She asked about the work schedule and duration, and traffic and parking management. She also had concerns about noise and the times of events that might happen there. She said this is a quiet area right now, which is why she purchased the barn and she hopes to live there. She also submitted her comments in writing.

Arienti said with respect to traffic the metric they use is to judge the proposed use against the old use, not against the current vacant use. It was stated by somebody in the audience that the church was active not just on Sundays; they had events during the week also.

Arienti said the Center will make efforts to visitors to let them know there is no parking at the site, and they must park off-site. And there will be directions to access public parking areas nearby and walk to this site. He said the intent is to divert traffic away from Elm Court.

Arienti said there is a Town noise bylaw and they will abide by that. He said the building use is educational in part so there will be school groups and kids, but it is not going to be an events venue that creates a lot of noise. An intent is that it's educational and it's being designed to be a reflective space. There was a comment from member Brodeur that the Mahaiwe Theater has educational events; the buses park away from the theater and kids walk in, very well behaved.

A resident, Virginia, spoke. She said she attended the church for 30 plus years. She said there were events there all the time. She said she was raised in Alabama during a time with no freedom. Because this proposal recognizes the values of DuBois and the value of freedom she is very supportive of this proposal.

Paul Ivory spoke in favor of the project. He said he has been involved in this restoration project since its inception, and he worked for many years in historic preservation. He said the team here is restoring a wonderful vernacular building. He said this is a quality team; they will do an outstanding job.

Hearing no further comments and no other information for the record, Wise asked for a motion to close the public hearing. Most made the motion, Meagher seconded. It passed unanimously at 7:55.

Wise reviewed the findings the board had to make under 10.4, 9.6 and 5.3.

Wise asked if there is agreement the structure was built before 1932 zoning. All members agreed. All members agreed the proposal will not be more detrimental than the existing nonconformity.

Wise asked if the board thought conditions should be discussed, including for noise. Members discussed that the town noise ordinance would control, that the small size and occupancy level would not lend to large noisy gatherings, and the applicant is very conscious of their neighbors' concerns and obviously in communication with them.

Board members agreed the Center will preserve a historically important site, which will be an education and social center about civil rights, W.E.B. DuBois and local African American history. Board members agreed the site does not need to provide off street parking and vehicular traffic impacts will be minimal. Board members agreed there will be no adverse impact on utilities or other public service. Board members agreed the proposed renovation of a dilapidated building will improve the neighborhood, will not have any impact on the natural environment, and a renovated building that brings more people to town will have positive fiscal impact.

The Board discussed the criteria of section 9.6 and determined the project will revitalize an existing structure, will encourage pedestrian activity and economic revitalization and promotes mixed use.

Meagher moved to grant the special permit; Most seconded.

On a roll call vote, all members voted yes in favor.

The special permit was granted.

Minutes: Ivory moved to approve the minutes of the April 6, 2023 meeting. Meagher seconded. The minutes were approved without objection.

Citizen Speak: None

Adjourn: Wise adjourned the meeting at 8:02 PM.

Minutes taken by:
Christopher Rembold