

Jennifer Tabakin
Town Manager

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTBOARD'S MEETING AGENDA

MONDAY, JANUARY 23, 2017

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

7:00 PM - OPEN MEETING

1. CALL TO ORDER
2. APPROVAL OF MINUTES:
December 19, 2016 Regular Meeting.
3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:
 - A. General Comments by the Board.
 - B. Citizen Petition Submittal for May 1, 2017 Annual Town Meeting
 - Opens January 23, 2017, 8:30 am
 - Closes February 1, 2017, 4:00 pm
4. TOWN MANAGER'S REPORT:
 - A. Department Updates.
 - B. Project Updates.
5. PUBLIC HEARINGS:
 - A. Application of 10 Castle Street Corp. d/b/a Castle Street Café, Michael L. Ballon, Manager for a Transfer of Common Victualler All Alcoholic Restaurant Liquor License to Berkshire Restaurant Group III, Inc. d/b/a Castle Street Café, Vern M. Kennedy, Manager and to include service outside at 10 Castle Street, Great Barrington, MA 01230. (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

- B. Application of MSCGB, Inc. d/b/a The 528 Café, Theresa Sonsini, Manager for a Transfer of Common Victualler All Alcoholic Restaurant Liquor License with outdoor seating for 24 seats to Schmaltz and Pfeffer, LLC d/b/a The Marketplace Kitchen Table, David W. Renner, Manager at 240 Stockbridge Road, Great Barrington, MA 01230. (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
- C. Special permit application of Berkshire Housing Development Corporation, for the construction of a 31-unit addition to Bostwick Gardens senior housing, and for in Zone II of the Water Quality Protection District, at 899 Main Street, Great Barrington, in accordance with Sections 3.1.4 A(10), 8.9, 9.2 and 10.4 of the Great Barrington 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. Vern Kennedy/Berkshire Restaurant Group III d/b/a Castle Street Cafe for 2017 Common Victualler License at 10 Castle Street. (Discussion/Vote)
- B. Vern Kennedy/Berkshire Restaurant Group III d/b/a Castle Street Cafe for 2017 Annual Weekday Entertainment License at 10 Castle Street. (Discussion/Vote)
- C. Robin M. Vickery/Great Barrington Fish and Game for One Day Beer and Wine Liquor License for February 11, 2017 from 10:00 am – 7:00 pm at the Great Barrington Fish and Game Clubhouse, 338 Long Pond Road. (Discussion/Vote)
- D. Robin M. Vickery/Great Barrington Fish and Game for Eight (8) One Day Beer and Wine Liquor Licenses Every Sunday from February 19-April 8, 2017 from 11:00 am – 6:00 pm at the Great Barrington Fish and Game Clubhouse, 338 Long Pond Road.(Discussion/Vote)

7. NEW BUSINESS:

- A. SB – Referral of Proposed Zoning Amendments to the Planning Board. (Discussion/Vote)
- B. SB – To Change Health Insurance Benefits under G.L.c 32B, §§21-23. (Discussion/Vote)
- C. SB – Recommendation to the ZBA on the Special Permit Application of Berkshire Aviation Enterprises to build a deck and disabled access ramp on to the rear of the existing office building at 70 Egremont Road. (Discussion)
- D. SB – Recommendation to the ZBA on the appeal of Kearsarge Energy LLP of the Building Inspector’s zoning interpretation that a commercial ground-mounted solar photovoltaic array is not by right use in R-4 Zoning District on 20 West Plain Road (Arthur J. & Robert

A. Coons, Trustees). (Discussion/Vote)

E. SB and GB Housing Authority – Joint Appointment of member to the GB Housing Authority. (Discussion/Vote)

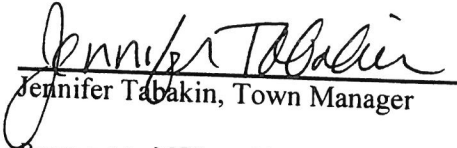
8. CITIZEN SPEAK TIME:

9. SELECTBOARD'S TIME:

10. MEDIA TIME:

11. ADJOURNMENT:

NEXT SELECTBOARD'S MEETING: Monday, February 13, 2017, 7:00 P.M.


Jennifer Tabakin, Town Manager

Pursuant to MGL. c. 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

NOTICE OF PUBLIC HEARING

The Selectboard will hold a public hearing on Monday, January 23, 2017 at 7:00 P.M. at the Town Hall, 334 Main Street, Great Barrington, MA to act on the application of 10 Castle Street Corp. d/b/a Castle Street Café, Michael L. Ballon, Manager for a Transfer of Common Victualler All Alcoholic Restaurant Liquor License to Berkshire Restaurant Group III, Inc. d/b/a Castle Street Café, Vern M. Kennedy, Manager and to include service outside at 10 Castle Street, Great Barrington, MA 01230.

Sean Stanton
Chair

PLEASE PUBLISH January 6 and 13, 2017.

TOWN OF GREAT BARRINGTON

NOTICE OF PUBLIC HEARING

The Selectboard will hold a public hearing on Monday, January 23, 2016 at 7:00 PM at the Town Hall, 334 Main Street, Great Barrington, MA 01230 to act on the application of MSCGB, Inc. d/b/a The 528 Café, Theresa Sonsini, Manager for a Transfer of Common Victualler All Alcoholic Restaurant Liquor License with outdoor seating for 24 seats to Schmaltz and Pfeffer, LLC d/b/a The Marketplace Kitchen Table, David W. Renner, Manager at 240 Stockbridge Road, Great Barrington, MA 01230.

Sean Stanton
Chair

PLEASE PUBLISH January 13 and 20, 2017

COMMONWEALTH OF MASSACHUSETTS
TOWN OF GREAT BARRINGTON
APPLICATION FOR COMMON VICTUALLER LICENSE

FEE: 525.00 (Payable to the Town of Great Barrington) DATE: 12 DEC 16

NOTICE: PO CK #101

As provided by MGL Chapter 140, the sale of food for immediate consumption on the premises of the vendor has an intimate relation to the public health, and such activity cannot be conducted without the proper license and permit.

TO THE LICENSING AUTHORITY:

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

OWNER(S) NAME: VERN KENNEDY
NAME OF BUSINESS: BELKSHIRE RESTAURANT GROUP III
D/B/A (if applicable): CASTLE STREET CAFE
BUSINESS MAILING ADDRESS: 10 CASTLE ST, GREAT BARRINGTON MA 0123
BUSINESS TELEPHONE: _____ HOME TELEPHONE: _____
LOCATION WHERE LICENSE IS TO BE USED: 10 CASTLE ST, GREAT BARRINGTON, MA 01230
DAYS OF OPERATION: WEDS - MON
HOURS OF OPERATION: 1130 - 10PM
DESCRIPTION OF PREMISES: FOOD SERVICE RESTAURANT

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

[Signature]
Signature of Individual or Corporate Name

VERN KENNEDY
By: PRESIDENT
Corporate Officer (if applicable)

SS# _____ or FID# _____



TOWN OF GREAT BARRINGTON
Annual Weekday Entertainment License Application
(INDOOR ONLY)

\$25.00 *pk # 101*

The undersigned hereby applies for a license in accordance with the provisions of MA General Laws, Ch.140 Sec.183A amended, Ch.351, Sec.85 of Acts of 1981 and Ch.140 Sec.181.

Name: VERN KENNEDY

Business/Organization: BERKSHIRE RESTAURANT GROUP III

D/B/A (if applicable): CASTLE STREET CAFE

Address: 10 CASTLE STREET, GREAT BARRINGTON, MA 01230

Mailing Address: SAME

Phone Number: 770-656-2794

Email: VMK245@GMAIL.COM

TYPE: (Check all that apply) Concert Dance Exhibition Cabaret DJ

Live band with up to 4 pieces, including singers Public Show

INCLUDES: Live music Recorded music Dancing by entertainers/ performers

Dancing by patrons Amplification system Theatrical exhibition

Floorshow Play Moving picture show Light show Jukebox

As part of the entertainment, will any person be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any person will be permitted to appear on the premises in any manner or attire as to expose to public view a portion of the breast below the top of the areola, or any simulation thereof? (M.G.L. Chp.140 Sec.183A)

YES

NO

Exact Location of Entertainment (include sketch): FRONT OF 10 CASTLE STREET

Days of Entertainment*: THURS - TO SATURDAY

*Does not include SUNDAY

Start & End Times of Entertainment: 7PM - 11PM

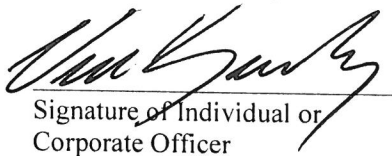
Does your event involve any of the following? (Check all that apply)

- Food Temporary Bathrooms Tents Stages Temporary Signs
 Electrical Permits Building Permits Police Traffic Details Street Closures

ALL entertainment licenses will be reviewed by the Design Review Team (DRT), which is comprised of several Town departments, for comments/concerns on this application.

In the event of a change in type of entertainment or hours/days different than indicated above, a new application will be required and a new license will be issued.

Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.


Signature of Individual or
Corporate Officer

12 DEC 16
Date

SS# or FID#

TOWN USE ONLY:

DRT Review with Conditions: _____

APPROVAL DATE: _____

LICENSE # _____

RECEIVED
TOWN MANAGER

JAN 09 2017

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



Fee: \$25.00 (per day)

paid OK #5923

APPLICATION FOR ONE DAY LIQUOR LICENSE

TO THE LICENSING AUTHORITY:

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

Applicant's Name: Robert Vickery

Organization Name: Gt. Barrington Fish + game

Applicant's Address: 338 Long Pond Rd Housatonic MA

Telephone Number: 274-6291

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

Event: Annual old fishing Derby

Date: Feb 11, 2017 Start Time: 10am End Time: 7pm

Event Address: 338 Long Pond Rd - Club House

Is the Event on Town property? YES (NO)

PLEASE ATTACH THE FOLLOWING TO YOUR APPLICATION:

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

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

Robert M Vickery
Signature of Applicant

1-9-17
Date

FOR TOWN USE:

Approved _____ Denied _____ Postponed _____

Tips & insurance on file

RECEIVED
TOWN MANAGER

JAN 09 2017

BOARD OF SELECTMEN
GREAT BARRINGTON, MA



Fee: \$25.00 (per day)

8 @ \$25 each = \$200
OK # 5925

APPLICATION FOR ONE DAY LIQUOR LICENSE

TO THE LICENSING AUTHORITY:

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

Applicant's Name: Robert Vickery

Organization Name: Gt. Barrington Fish + Game

Applicant's Address: 338 Long Pond Rd Haverbore, MA

Telephone Number: 274-6291

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

Event: Annual Ham Shoots

Date: Feb 19, - April 8th Start Time: 11am End Time: 6pm

Event Address: 338 Long Pond Rd Haverbore MA

Is the Event on Town property? YES NO

Every Sunday
⑧ →

PLEASE ATTACH THE FOLLOWING TO YOUR APPLICATION:

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

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

Robert M Vickery
Signature of Applicant

1-9-17
Date

FOR TOWN USE:

Approved _____ Denied _____ Postponed _____

Tips & insurance on file



Jennifer

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

PLANNING BOARD

January 17, 2017

Sean Stanton, Chairman
Great Barrington Selectboard
334 Main Street
Great Barrington, MA 01230

Re: Proposed Zoning Amendments for the May 2017 Annual Town Meeting

Dear Sean:

The Planning Board has drafted four zoning amendments for this coming Annual Town Meeting. The draft amendments are attached to this letter. They are: (1) Site Plan Review; (2) Definition of Height; (3) Solar Energy Systems; and, (4) Smart Growth Overlay District.

The procedure for proposed zoning amendments, per MGL Ch. 40, s.5, is that upon receipt, the Selectmen refer these proposals, and any other zoning amendment proposals it might receive, back to the Planning Board for a public hearing. At the hearing, the Planning Board will consider input on each draft amendment and vote whether or not to recommend the amendment to Town Meeting.

We ask the Selectmen to consider making the referral at its upcoming January 23 meeting, so that the Planning Board may hold its public hearing on February 9.

Thank you.

For the Planning Board,

Brandee K. Nelson, Chair

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

Attachments

Article : **Site Plan Review**

To see if the Town will vote to amend the Zoning Bylaw by amending Section 10.5.5, item 2 as proposed below, or to take any other action relative thereto.

Purpose of the Amendment: This amendment is to add consideration of accessibility for handicapped and disabled persons to the Board's site plan review approval criteria.

(Proposed deletions are ~~struck through~~. Proposed additions are underlined.)

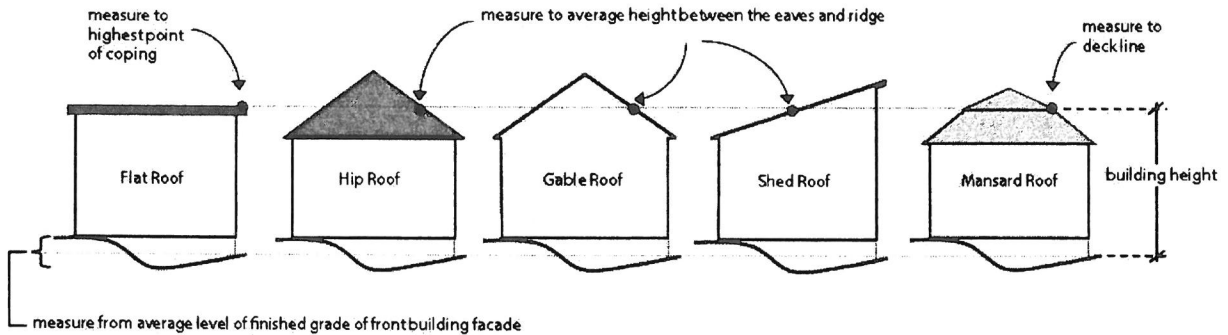
2. Maximize accessibility and pedestrian and vehicular safety, both on the site and accessing and exiting the site.

Article : **Definitions: Height of a Building**

To see if the Town will vote to amend the Zoning Bylaw by amending Section 11, Definitions, by deleting the existing definition for Height of a Building and replacing it with a new definition, proposed below, or to take any other action relative thereto.

Purpose of the Amendment: This amendment will delete the existing confusion definition and replace it with a new definition which clarifies where to measure from, in the case of a sloping site, and where to measure to, in the case of different roof types, and includes an illustrative diagram.

Height of A Building: The vertical distance measured from the average level of the highest and lowest points of the finished grade adjoining the wall of a building facing the street to the highest point of coping of the top story in the case of a flat roof, to the deck line of a mansard roof, and to the average height between the eaves and ridge of a gable, hip or shed roof (see illustration below). When height is expressed in both stories and feet, the specified number of stories is allowed up to the maximum specified number of feet.



Article ___ : Solar Energy Systems

To see if the Town will vote to amend the Zoning Bylaw by adding a new Section 9.12, and amending Section 3.1.4, Section 4.1, and Section 11, as proposed below, or to take any other action relative thereto.

Purpose of the Amendment: This amendment is to add reasonable regulations for solar energy systems of all sizes throughout the Town.

Add a new Section 9.12, as follows:

9.12 SOLAR ENERGY SYSTEMS

9.12.1 Purpose. The purpose of this bylaw is to provide reasonable regulations to govern Solar Energy Systems in order to regulate the size, placement, design, construction, operation, maintenance and removal of such installations, minimize the impacts on and loss of scenic, natural and historic resources, including agricultural resources, protect public health, safety, and welfare, and to increase the economic viability of local agriculture by providing an alternative revenue source.

9.12.2 Use Regulations. Solar Energy Systems shall be permitted as set forth in Section 3.1.4, the Table of Use Regulations.

9.12.3 Dimensional Regulations.

1. **Setbacks.** Ground mounted solar energy systems shall not be located within the front, side, or rear yard required in the zoning district in which the system is located. Perimeter fences more than six feet high and appurtenant structures such as transformers, utility boxes, or utility poles, shall also be subject to these regulations, unless otherwise required by the utility company.
2. **Lot Coverage.** Solar energy systems shall not be included in calculations for lot coverage or impervious surface area, unless the ground area under the solar energy system is impervious.

9.12.4 Design and Performance Standards. Solar energy systems shall comply with the following standards, as applicable:

1. **Visual Impact.** Reasonable efforts, as determined by the Site Plan Review Authority, shall be made to minimize visual impacts from public rights of way and abutting properties.
2. **Land Clearing, Soil Erosion and Habitat Impacts.** Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of ground-mounted solar energy systems or as otherwise prescribed by applicable laws, regulations, and bylaws/ordinances. Areas of clearing shall be revegetated to the extent practicable to minimize erosion.
3. **Agricultural Land.** Where systems are proposed on farm land or prime farmland soils, systems shall be designed, constructed, and operated in such a way as to minimize soil compaction and loss of fertility and shall incorporate active farm uses to the extent practicable. The land removed from agricultural use must not be more than 20% of the total existing agricultural land in common ownership at or abutting the Project location.
4. **Lighting.** Any proposed lighting shall be directed downward and have full horizontal cut-offs.
5. **Utility Connections.** Any connections between a solar energy system and the utility grid shall be underground to the extent feasible, unless it is not permitted by the utility
6. **Fences.** All perimeter fences shall have a minimum clearance of six (6) inches between the

bottom of the fence section and the ground.

7. Plantings / seed mix: All proposed landscaping and revegetation shall be with noninvasive species and seed mixes that are pollinator and habitat friendly and do not require the use of pesticides or herbicides.

9.12.5 Special Permits. Special Permits shall be required as set forth in Section 3.1.4, the Table of Use Regulations, and shall be in accordance with the requirements of this Section and criteria of Section 10.4.

9.12.6 Site Plan Review. Medium-scale and large-scale solar energy systems shall be subject to Site Plan Review by the Planning Board, in accordance with Section 10.5.

In addition to the submittal requirements of Section 10.5.3, the project proponent shall provide the following:

1. Locations of prime farmland soils and plans to protect, maintain, and/or restore same.
2. Locations of proposed utility connections and disconnects.
3. Locations and details of proposed access roads in and around the solar energy system.
4. Locations and details of any perimeter fencing.
5. Structural details of the system.
6. Operations and Maintenance Plan and Emergency Management Plan. A copy of the Site Plan, electrical schematics, and the Emergency Management Plan shall be provided to the Great Barrington Building Inspector and Fire Chief prior to issuance of a Certificate of Occupancy. A periodic, not less than annual, certification and summary of Operations and Maintenance activities, including mowing or farming as applicable, shall be submitted to the Planning Board.

9.12.7 Agricultural Commission Review. If the medium- or large-scale solar energy system is to be located on land that is actively farmed, or was farmed within the last five years, or on prime farmland soils, the project proponent shall provide a full copy of the Site Plan Review application to the Agricultural Commission simultaneous with submittal to PB. The Agricultural Commission shall review and provide comments relative to agricultural matters to the Planning Board within 30 calendar days of filing of the application. The Planning Board shall not issue its Site Plan decision until the Agricultural Commission has provided its comments to the Board unless more than 30 days has passed since the application was filed.

9.12.8 Decommissioning or Abandonment.

1. Any medium- or large-scale ground-mounted solar energy system shall provide a Decommissioning Plan that includes consideration of the following:
 - (a) Physical removal of all solar energy systems, foundations and structures, equipment, security barriers and transmission lines from the site.
 - (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - (c) Stabilization or re-vegetation of the site as necessary to minimize erosion.
 - (d) Soil Restoration, including soil health.
2. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, a ground-mounted solar energy system shall be considered abandoned when it

fails to operate for more than two years without the written consent of the Site Plan Review Authority. Abandoned facilities shall be removed at the owner's expense.

Amend the Table of Use Regulations Section 3.1.4 by adding a new item E (7), as follows:

Permitted Use	ZONING DISTRICT ¹														ADDITIONAL APPLICABLE REGULATIONS		
	R1A	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B3	MXD	I	I2			
E. Utilities, communication and transportation																	
(7) Solar Energy Systems:																	
Roof-mounted (any size)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See also 9.12
Individual scale	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See also 9.12.
Small scale	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	See also 9.12
Medium scale	N	N	PB	N	PB	N	N	N	PB	PB	PB	PB	N	Y	Y	Y	See also 9.12.
on lots 5 acres or larger	PB	PB	PB	PB	PB	N	N	N	PB	PB	PB	PB	N	Y	Y	Y	See also 9.12.
Large scale	N	N	PB	N	PB	N	N	N	PB	N	N	N	N	Y	PB	PB	See also 9.12.
on lots 5 acres or larger	PB	PB	PB	PB	PB	N	N	N	PB	N	PB	N	N	Y	PB	PB	See also 9.12.

Amend Section 4.1.3 note 2 by adding underlined text as follows:

2. For exceptions, see Section 4.2.8.1. The height regulations do not apply to agricultural structures, antennae, belfries, chimneys, churches, cupolas, mixing plants, roof-mounted solar energy systems, screening or loading towers for sand or rock, spires, ventilators, water tanks, wind energy generators, or other appurtenances usually required to be placed above roof level and not intended for human occupancy.

Amend Section 4.1.3 by adding new note 14 as follows:

14. For dimensional requirements for solar energy systems, see Section 9.12, Solar Energy Systems.

Amend Section 11, Definitions, by adding the following new definitions:

PHOTOVOLTAIC SYSTEM (ALSO REFERRED TO AS PHOTOVOLTAIC INSTALLATION): An active solar energy system that converts solar energy directly into electricity.

PROJECT AREA: The land area required to accommodate and support the installation and operation of a solar energy system; typically, the land which is enclosed within the line of a perimeter fence, if provided, that encloses the solar energy system and its accessory components.

RATED NAMEPLATE CAPACITY: The maximum rated output of electric power production of the photovoltaic system in kilowatts (kW) of Direct Current (DC).

SOLAR ACCESS: The access of a solar energy system to direct sunlight.

SOLAR COLLECTOR: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

SOLAR ENERGY: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

SOLAR ENERGY SYSTEM: A device or structural design feature for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

SOLAR ENERGY SYSTEM: A solar energy system whose primary purpose is to transform solar energy into another form of energy or to transfer heat from a collector to another medium.

SOLAR ENERGY SYSTEM, INDIVIDUAL SCALE: A Solar Energy System that occupies less than 1,750 square feet of Project Area.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED: A Solar Energy System of any size that is structurally mounted to the ground and is not roof-mounted.

SOLAR ENERGY SYSTEM, LARGE-SCALE: A Solar Energy System that occupies more than 40,000 square feet of Project Area.

SOLAR ENERGY SYSTEM, MEDIUM-SCALE: A Solar Energy System that occupies more than 4,000 square feet but less than 40,000 square feet of Project Area.

SOLAR ENERGY SYSTEM, ROOF-MOUNTED: A Solar Energy System of any size that is structurally mounted to the roof of a building

SOLAR ENERGY SYSTEM, SMALL-SCALE: A Solar Energy System that occupies 1,750 – to 4,000 square feet of Project Area or less.

SOLAR THERMAL SYSTEM: A Solar Energy System that uses collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling.

Article : Smart Growth Overlay District (SGOD)

To see if the Town will vote to amend the Zoning Bylaw by adding a new Section 9.13, as proposed below, or to take any other action relative thereto.

Purpose of the Amendment: This amendment will add a new overlay district to three areas of Town, as described in the text and accompanying maps, in which higher density multifamily housing is allowed as of right, if proposed in accordance with the regulations and design guidelines of these regulations.

Add a new Section 9.13, as follows:

Section 9.13 Smart Growth Overlay District (SGOD)

1. Purpose. The purposes of this Section are:

1. To establish a Smart Growth Overlay District (SGOD) to encourage smart growth in accordance with the purposes of G. L. Chapter 40R;
2. To encourage the revitalization of existing buildings to benefit the general health and welfare of our residents and the region;
3. To promote the economic health and vitality of the Town by encouraging the preservation, reuse, renovation, and repurposing of underutilized historic structures where applicable;
4. To maintain or increase the supply of affordable dwelling units;
5. To encourage the creation of new multifamily and residential developments in appropriate locations at appropriate densities; and,
6. To maintain a consistently high level of design quality.

2. Definitions. For purposes of this SGOD, the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under the Enabling Laws or this Section of the Zoning Bylaw, or as set forth in the Plan Approval Authority (PAA) Regulations. To the extent that there is any conflict between the definitions set forth in this Section or the PAA Regulations and the Enabling Laws, the terms of the Enabling Laws shall govern.

Administering Agent or Monitoring Agent: the local housing authority or other qualified housing entity designated by the PAA but this bylaw to review and implement the Affordability requirements affecting Projects under this bylaw.

Affordable Homeownership Unit: an Affordable Housing unit required to be sold to an Eligible Household.

Affordable Housing: housing that is affordable to and occupied by Eligible Households.

Affordable Housing Restriction: a deed restriction of Affordable Housing meeting statutory requirements in G.L. Chapter 184, Section 31 and the requirements of this Bylaw.

Affordable Rental Unit: an Affordable Housing unit required to be rented to an Eligible Household.

Applicant: the individual or entity that submits a Project for Plan Approval.

As-of-right: a use allowed under the SGOD bylaw without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. A Project that requires Plan Approval by the PAA pursuant to shall be considered an as-of-right Project.

Department or DHCD: the Massachusetts Department of Housing and Community Development, or any successor agency.

Design Standards: means provisions of subsection 13 of this SGOD bylaw made applicable to Projects within the SGOD that are subject to the Plan Approval process.

Developable Land: an area of land that does not include floodplain, wetlands or wetland buffers areas, River Protection Areas, rare and endangered species habitats as designated by the Natural Heritage and Endangered Species Program, or slopes over 15%.

Eligible Household: an individual or household whose annual income is less than 80 percent of the area-wide median income as determined by the United States Department of Housing and Urban Development (HUD) or any successor agency, adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

Enabling Laws: G.L. Chapter 40R and 760 CMR 59.00.

Light Industrial Use: Fabrication, finishing, packaging or assembly operation utilizing hand labor or quiet machinery and processes, that are free from agents disturbing to the neighborhood, including but not limited to odors, gas fumes, smoke, cinders, flashing or excessively bright lights, refuse matter, electromagnetic radiation, heat or vibration.

Live/Work Unit: A living unit in which the resident(s) are engaged in creative production and services, and which may or may not include retail sales of items produced on-site, provided such sales do not occur more than 12 hours per week or between the hours of 8:00 PM to 8:00 AM.

Mixed-Use Development Project: a Project containing a mix of residential uses and non-residential uses, as allowed by this bylaw, and subject to all applicable provisions of this bylaw.

Multi-family residential use: A residential building in which there are three (3) or more residential dwelling units.

PAA Regulations: the rules and regulations of the PAA adopted pursuant to subsection 9.

Plan Approval: standards and procedures which Projects utilizing the provisions of the SGOD must meet pursuant to subsections 9 through 13 and the Enabling Laws.

Plan Approval Authority (PAA): The local approval authority authorized under subsection 9 to conduct the Plan Approval process for purposes of reviewing Project applications and issuing Plan Approval decisions within the SGOD.

Project: a Residential or Mixed-use development undertaken within the SGOD in accordance

with the requirements of this SGOD.

Residential Project: a Project that consists solely of residential, parking, and accessory uses.

SGOD: the Smart Growth Overlay District established by this Section pursuant to G. L. Chapter 40R.

Zoning Bylaw: the current effective Zoning Bylaw of the Town of Great Barrington.

3. **Establishment and Location.** The SGOD is an overlay district consisting of the land shown on the Map entitled Smart Growth Overlay District (SGOD) Developable Land Plan, dated January 13, 2017, and on file with the Town Clerk, and further defined as follows:

- 3.1. **Subdistricts.** The SGOD shall contain the following subzones or subdistricts:

Subdistrict A: Housatonic Mills smart growth area, which shall consist of the land shown on the 2015 Town of Great Barrington Assessors' Map 2 as Parcels 21, 21A, 21B, 22, 22A, 23A, 23B, 48, 48A, 49, 50, 51, and 52.

Subdistrict B: Rising Mill smart growth area, which shall consist of the land shown on the 2015 Town of Great Barrington Assessors' Map 5 as Parcel 9.

Subdistrict C: South Main Street smart growth area, which shall consist of the land shown on the 2015 Town of Great Barrington Assessors' Map 30 as Parcels 48, 49, and 49A, and Assessors' Map 38 as Parcel 12E.

4. **Applicability**

- 4.1. The SGOD is an overlay district superimposed on all underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) shall remain in full force, except for those Projects undergoing development pursuant to this Section. Within the boundaries of the SGOD, a developer may elect either to develop a Project in accordance with the requirements of the SGOD, or to develop a project in accordance with the regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) or other applicable overlay district(s). Where Project proposed pursuant to the SGOD falls within a Floodplain Overlay District or Water Quality Protection Overlay District as set forth in Sections 9.1 and 9.2 of the Zoning Bylaw, the Project shall comply with applicable provisions of those Sections including any special permit(s) as may be required.

- 4.2. An applicant seeking to develop a Project located within the SGOD must submit an application for Plan Approval in accordance with the provisions of the Enabling Laws and this SGOD. Notwithstanding anything to the contrary in the Zoning Bylaw, such Project shall not be subject to any other provisions of the Zoning Bylaw, including limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits, or to other building permit or dwelling unit limitations.

5. Permitted Uses. The following uses are permitted as-of-right for Projects within and seeking Plan Approval per the regulations of the SGOD. Any other use of land or buildings in connection with a Project in the SGOD is prohibited.

5.1. Subdistrict A (Housatonic Mills):

- A. Multifamily residential uses, which may include live/work units
- B. Mixed-use Projects, incorporating multifamily residential uses and any of the following non-residential uses, where the minimum gross floor area devoted to residential uses shall be 50% of the gross floor area of the Project:
 - (1) Offices, including medical offices
 - (2) Retail stores, including banks, and wholesale establishments, but excluding stores and establishments with drive-through windows
 - (3) General service establishments and Personal service establishments
 - (4) Bakeries and artisan food or beverage producers
 - (5) Restaurants and cafes, indoor or outdoor
 - (6) Hotels, motels, or bed and breakfast establishments
 - (7) Community, education, or recreational uses, including museums, parks, playgrounds, health clubs and gym/fitness centers
 - (8) Municipal buildings and facilities
 - (9) Light industrial uses
- C. Accessory uses, including home occupations, and parking accessory to any of the above permitted uses.

5.2. Subdistrict B (Rising Mill):

- A. Multifamily residential uses, which may include live/work units
- B. Mixed-use Projects, incorporating multifamily residential uses and any of the following non-residential uses, where the minimum gross floor area devoted to residential uses shall be 50% of the gross floor area of the Project:
 - (1) Offices, including medical offices
 - (2) Retail stores, including banks, and wholesale establishments, but excluding stores and establishments with drive-through windows
 - (3) General service establishments and Personal service establishments
 - (4) Bakeries and artisan food or beverage producers
 - (5) Restaurants and cafes, indoor or outdoor
 - (6) Hotels, motels, or bed and breakfast establishments
 - (7) Community, education, or recreational uses, including museums, parks, playgrounds, health clubs and gym/fitness centers
 - (8) Municipal buildings and facilities
 - (9) Light industrial uses
- C. Accessory uses, including home occupations, and parking accessory to any of the above permitted uses.

5.3. Subdistrict C (South Main Street):

- A. Single-family, two-family, three-family, or multifamily residential uses, any of which may include live/work units
- B. Accessory uses, including home occupations, and parking accessory to any of the above permitted uses.

- 6. Affordable Housing.** For all Projects not less than twenty percent (20%) of housing units constructed shall be Affordable Housing. For purposes of calculating the number of units of Affordable Housing required within a Project, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit. A Project shall not be segmented to evade the Affordability threshold set forth above.

Affordable housing shall be subject to the following requirements:

- 6.1. Monitoring Agent.** A Monitoring Agent which may be the local housing authority or other qualified housing entity shall be designated by the PAA in its plan approval. In a case where the Monitoring Agent cannot adequately carry out its administrative duties, upon certification of this fact by the PAA or by DHCD such duties shall devolve to and thereafter be administered by a qualified housing entity designated by the PAA. In any event, such Monitoring Agent shall ensure the following, both prior to issuance of a Building Permit for a Project within the SGOD, and on a continuing basis thereafter, as the case may be:
- a. prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed;
 - b. income eligibility of households applying for Affordable Housing is properly and reliably determined;
 - c. the housing marketing and resident selection plan conform to all requirements, have been approved by DHCD specifically with regard to conformance with M.G.L. c.40R and 760 CMR 59.00, and are properly administered;
 - d. sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given; and
 - e. Affordable Housing Restrictions meeting the requirements of this section are approved by DHCD specifically with regard to conformance with M.G.L. c.40R and 760 CMR. 59.00, recorded with the proper registry of deeds.
- 6.2 Submission Requirements.** As part of an application for Plan Approval for a Project within the SGOD the Applicant must submit the following documents to the PAA and the Monitoring Agent:
- a. evidence that the Project complies with the cost and eligibility requirements of subsection 6.3;
 - b. Project plans that demonstrate compliance with the requirements of subsection 6.4; and
 - c. a form of Affordable Housing Restriction that satisfies the requirements of subsection 6.5.

These documents in combination shall include details about construction related to the provision, within the development, of units that are accessible to the disabled and appropriate for diverse populations, including households with children, other households, individuals, households including individuals with disabilities, and the elderly.

- 6.3 Cost and Eligibility Requirements.** Affordable Housing shall comply with the following requirements:
- a. Affordable Housing required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.
 - b. For an Affordable Rental Unit, the monthly rent payment, including utilities and parking,

shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one, unless other affordable program rent limits approved by the DHCD shall apply.

- c. For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one.
 - d. Prior to the granting of any Building Permit for a Project, the Applicant must demonstrate, to the satisfaction of the Monitoring Agent, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for affordability applicable to Great Barrington.
- 6.4 Design and Construction.** Units of Affordable Housing shall be finished housing units. Units of Affordable Housing shall be dispersed proportionately throughout the Project of which they are part, across all unit types and be comparable in initial construction quality and exterior design to the other housing units in the Project. The bedroom-per-unit average for the Affordable Housing must be equal to or greater than the bedroom-per-unit average for the unrestricted/market-rate units.
- 6.5 Affordable Housing Restriction.** Each Project shall be subject to an Affordable Housing Restriction which is recorded with the appropriate registry of deeds or district registry of the Land Court and which contains the following:
- a. specification of the term of the Affordable Housing Restriction which shall be no less than 30 years;
 - b. the name and address of the Monitoring Agent with a designation of its power to monitor and enforce the Affordable Housing Restriction;
 - c. a description of the Affordable Homeownership Unit, if any, by address and number of bedrooms; and a description of the overall quantity and number of bedrooms and number of bedroom types of Affordable Rental Units in a Project or portion of a Project which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Project or the rental portion of a Project without specific unit identification.
 - d. reference to a housing marketing and resident selection plan, to which the Affordable Housing is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. The plan shall designate the household size appropriate for a unit with respect to the number of bedrooms and provide that the preference for such Unit shall be given to a household of the appropriate size;
 - e. a requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan;
 - f. reference to the formula pursuant to which rent of a rental unit or the maximum resale price of a homeownership will be set;
 - g. a requirement that only an Eligible Household may reside in Affordable Housing and that notice of any lease of any Affordable Rental Unit shall be given to the Monitoring Agent;
 - h. provision for effective monitoring and enforcement of the terms and provisions of the affordable housing restriction by the Monitoring Agent;

- i. provision that the restriction on an Affordable Homeownership Unit shall run in favor of the Monitoring Agent and/or the municipality, in a form approved by municipal counsel, and shall limit initial sale and re-sale to and occupancy by an Eligible Household;
 - j. provision that the restriction on Affordable Rental Units in a rental Project or rental portion of a Project shall run with the rental Project or rental portion of a Project and shall run in favor of the Monitoring Agent and/or the municipality, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household;
 - k. provision that the owner or manager of Affordable Rental Units shall file an annual report to the Monitoring Agent, in a form specified by that agent certifying compliance with the Affordability provisions of this Bylaw and containing such other information as may be reasonably requested in order to ensure affordability; and
 - l. a requirement that residents in Affordable Housing provide such information as the Monitoring Agent may reasonably request in order to ensure affordability.
- 6.6** Costs of Housing Marketing and Selection Plan. The housing marketing and selection plan may make provision for payment by the Project applicant of reasonable costs to the Monitoring Agent to develop, advertise, and maintain the list of Eligible Households and to monitor and enforce compliance with affordability requirements.
- 6.7** Age Restrictions. Nothing in this subsection 6 shall permit the imposition of restrictions on age upon Projects throughout the entire SGOD. However, the PAA may, in its review of a an application for Plan Approval, allow a specific Project within the SGOD designated exclusively for the elderly, persons with disabilities, or for assisted living, provided that any such Project shall be in compliance with all applicable federal, state and local fair housing laws and regulations and not less than twenty-five percent (25%) of the housing units in such a restricted Project shall be restricted as Affordable units.
- 6.8** Phasing. For any Project that is approved and developed in phases , the percentage of Affordable units in each phase shall be at least equal to the minimum percentage of Affordable Housing required under subsection 6. Where the percentage of Affordable Housing is not uniform across all phases, the unit dispersal and bedroom proportionality requirements under subsection 6 shall be applied proportionate to the Affordable Housing provided for in each respective phase.
- 6.9** No Waiver. Notwithstanding anything to the contrary herein, the Affordability provisions in the SGOD shall not be waived.
- 7. Density and Dimensional Requirements:** Notwithstanding anything to the contrary in this Zoning Bylaw, the dimensional requirements applicable in the SGOD are as follows:
- 7.1. Residential Density.** Multifamily residential (four or more dwelling units) and mixed use projects in the SGOD, in any Subdistrict, may be developed as-of-right at a minimum density of 20 dwelling units per acre of Developable Land. Two-family and three-family residential may be developed as-of-right in Subdistrict C at a minimum density of 12 dwelling units per acre of Developable Land. Single-family residential uses may be developed as-of-right in Subdistrict C at a minimum density of 8 dwelling units per acre of Developable Land.
 - 7.2. Lot Area, Frontage, and Yard Setbacks**

Each Project shall have:

Minimum Project area: 10,000 square feet
Minimum length of frontage: 50 feet
Minimum front yard setback: 0 feet in Subdistrict A; 25 feet in all other Subdistricts
Maximum front yard setback: 10 feet in Subdistrict A; no maximum in other Subdistricts
Minimum side yard setback: no requirement between buildings within a Project; 10 feet between any Project building and the boundary of the SGOD
Minimum rear yard setback: no requirement between buildings within a Project; 10 feet between any Project building and the boundary of the SGOD

For the purposes of this section, frontage and front yard setbacks shall be determined with respect to public and private streets, as well as to private ways providing similar access.

Access: Individual buildings or parcels within a Project site shall have coordinated street access. There shall be not more than one driveway (curb cut) per 50 feet of frontage.

- 7.3. Open Space: A minimum of 20 percent of the total Project area shall be open space. For the purpose of this section, "open space" shall be defined as yards, playgrounds, walkways and other areas not covered by parking and driveways; such open space need not be accessible to the public. This minimum percentage may be reduced by the PAA through the Plan Approval process only if the PAA specifically finds one or more of the following are met:
- a. Riverfront access/appreciation: for any Project that provides for access or enjoyment of the Housatonic River, the minimum percent open space may be reduced by half.
 - b. Public open space: for any Project that permanently restricts the open space and allows public access in perpetuity, the percent open space may be reduced by one-quarter.
 - c. The above open space incentives may be cumulative.

7.4. Building Height, maximum:

Subdistrict A: 4 stories or 50 feet
Subdistrict B: 4 stories or 50 feet
Subdistrict C: 3 stories or 40 feet

7.5. Nonresidential Floor Area: per subsection 5 of this SGOD, above.

7.6. Dimensional Waivers in Substantially Developed Subdistrict. The PAA may, in order to encourage the development of infill housing units on undeveloped lots within a Substantially Developed Sub-district, grant a waiver to the dimensional standards of this subsection, in accordance with subsection 11.3.

8. **Parking and Loading Requirements:** The following requirements are applicable for Projects within the SGOD.

8.1. Parking spaces. Unless otherwise approved by the PAA, the following minimum requirements shall apply:

Residential project: One parking space per residential unit

Mixed-use project: One parking space per residential unit plus the applicable quantity computed per the table below:

<u>USE</u>	<u>MINIMUM PARKING REQUIRED</u>
Office, retail, wholesale, general service, and personal service establishments	1 space per 300 square feet of net useable floor area
Bakeries and artisan food or beverage producers	1 space per employee
Restaurants and cafes	1 space per three seats
Hotels, motels, or bed and breakfast establishments	1 space per guest room
Community, education, or recreational uses	1 space for each four seats or equivalent floor area
Municipal buildings and facilities	1 space per 300 square feet of net useable office area
Light industrial uses	One parking space for each two employees, computed on the basis of the estimated maximum number of employees at any one time.

8.2 Loading spaces: Unless otherwise approved by the PAA, one loading space shall be provided for every 20,000 gross square feet of floor area for non-residential use. Loading spaces must be demonstrated to be of sufficient area and height to serve the intended use.

8.3 Shared Parking and Loading. Notwithstanding anything to the contrary herein, the use of shared parking or loading to fulfill parking or loading demands noted above that occur at different times of day is strongly encouraged. Minimum parking and loading requirements above may be reduced by the PAA through the Plan Approval process (or, for Projects not requiring Plan Approval, prior to submission of any application for a Building Permit), if the applicant can demonstrate that shared spaces will meet demands by using accepted methodologies (e.g. the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other approved studies).

8.4 Reduction in parking or loading requirements. Notwithstanding anything to the contrary herein, any minimum required amount of parking or loading may be reduced by the PAA through the Plan Approval process (or, for Projects not requiring Plan Approval, prior to submission of any application for a Building Permit), if the applicant can demonstrate that the lesser amount of parking or loading will not cause excessive congestion, endanger public safety, or that lesser amount of parking or loading will provide positive environmental or other benefits, taking into consideration:

- a. the availability of surplus off street parking or loading in the vicinity of the use being served and/or the proximity of a bus stop or transit station;
- b. the availability of public or commercial parking or loading facilities in the vicinity of the use being served;

- c. shared use of off street parking or loading spaces serving other uses having peak user demands at different times;
- d. age or other occupancy restrictions which are likely to result in a lower level of auto usage;
- e. impact of the parking or loading requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways; and
- f. such other factors as may be considered by the PAA.

8.5 Location of Parking and Loading. Any surface parking lot or loading area shall, to the maximum extent feasible, be located at the rear or side of a building, relative to any principal street, public open space, or pedestrian way.

9. Plan Approval of Projects: General Provisions

9.1. Plan Approval. All Projects seeking to be developed in accordance with the SGOD shall submit an Application for Plan Approval to the PAA to be reviewed for consistency with the purpose and intent of the SGOD. Such Plan Approval process shall be construed as an as-of-right review and approval process as required by and in accordance with the Enabling Laws.

9.2 Plan Approval Authority (PAA). The Planning Board, consistent with G.L. Chapter 40R and 760 CMR 59.00, shall be the Plan Approval Authority (the "PAA"), and it is authorized to conduct the Plan Approval process for purposes of reviewing Project applications and issuing Plan Approval decisions within the SGOD.

9.3 PAA Regulations. The Plan Approval Authority may adopt administrative rules and regulations relative to Plan Approval. Such rules and regulations must be approved by the Department of Housing and Community Development.

9.4 Project Phasing. An Applicant may propose, in a Plan Approval submission, that a Project be developed in phases, provided that the submission shows the full buildout of the Project and all associated impacts as of the completion of the final phase, and subject to the approval of the PAA. Any phased project shall comply with the provisions of subsection 6.9.

10. Plan Approval Procedures

10.1 Pre-application. Prior to the submittal of a Plan Approval submission, a "Concept Plan" may be submitted to help guide the development of the definitive submission for Project buildout and individual elements thereof. Such Concept Plan should reflect the following: Areas of developable and undevelopable land; Overall building envelope areas; Open space and natural resource areas; General site improvements, groupings of buildings, proposed land uses; and Conceptual designs of any new construction, if available. The Concept Plan is intended to be used as a tool for both the applicant and the PAA to ensure that the proposed Project design will be consistent with the Design Standards and other requirements of the SGOD.

10.2 Required Submittals. An application for Plan Approval shall be submitted to the PAA on the form provided by the PAA and accompanied by an application fee if required, which shall be as set forth in the PAA Regulations. The application shall be accompanied by such plans and

documents as may be required and set forth in the PAA Regulations. For any Project that is subject to the Affordability requirements of subsection 6.0, the application shall be accompanied by all materials required under subsection 6.3. All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All landscape plans shall be prepared by a certified landscape architect registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of Massachusetts. All plans shall be signed and stamped, and drawings prepared at a scale of one inch equals forty feet (1"=40') or larger, or at a scale as approved in advance by the PAA.

- 10.3 Filing.** An applicant for Plan Approval shall file the required number of copies of the application form and the other required submittals as set forth in the PAA Regulations with the Town Clerk and a copy of the application including the date of filing certified by the Town Clerk shall be filed forthwith with the PAA.
- 10.4 Circulation to Other Boards.** Upon receipt of the Application, the PAA shall immediately provide a copy of the application materials to the Select Board, Board of Health, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, the Monitoring Agent (for any Project subject to the Affordability requirements of subsection 6.0), and other municipal officers, agencies or boards for comment, and any such board, agency or officer shall provide any written comments within 60 days of its receipt of a copy of the plan and application for approval.
- 10.5 Hearing.** The PAA shall hold a public hearing for which notice has been given as provided in Section 11 of G.L. Chapter 40A. The decision of the PAA shall be made, and a written notice of the decision filed with the Town Clerk, within 120 days of the receipt of the application by the Town Clerk. The required time limits for such action may be extended by written agreement between the applicant and the PAA, with a copy of such agreement being filed in the office of the Town Clerk. Failure of the PAA to take action within said 120 days or extended time, if applicable, shall be deemed to be an approval of the Plan Approval application.
- 10.6 Peer Review.** The applicant shall be required to pay for reasonable consulting fees to provide peer review of the Plan Approval application, pursuant to G.L. Chapter 40R, Section 11(a). Such fees shall be held by the Town in a separate account and used only for expenses associated with the review of the application by outside consultants, including, but not limited to, attorneys, engineers, urban designers, housing consultants, planners, and others. Any surplus remaining after the completion of such review, including any interest accrued, shall be returned to the applicant forthwith.

11. Plan Approval Decisions

- 11.1. Plan Approval.** Plan Approval shall be granted where the PAA finds that:
1. the applicant has submitted the required fees and information as set forth in the PAA Regulations; and
 2. the Project as described in the application meets all of the requirements and standards, including Affordability requirements and Design Standards, and the PAA Regulations, or a waiver has been granted therefrom; and
 3. any extraordinary adverse potential impacts of the Project on nearby properties have been

adequately mitigated.

For a Project subject to the Affordability requirements of Section 6.0, compliance with condition (2) above shall include written confirmation by the Monitoring Agent that all requirements of that Section have been satisfied. The PAA may attach conditions to the Plan Approval decision that are necessary to ensure substantial compliance with the SGOD and the PAA's approval, or to mitigate any extraordinary adverse potential impacts of the Project on nearby properties.

11.2. Plan Disapproval. A Plan Approval application may be disapproved only where the PAA finds that:

1. the applicant has not submitted the required fees and information as set forth in the Regulations; or
2. the Project as described in the application does not meet all of the requirements and standards set forth in the SGOD and the PAA Regulations, or that a requested waiver therefrom has not been granted; or
3. it is not possible to mitigate adequately significant adverse project impacts on nearby properties by means of suitable conditions.

11.3. Waivers. Upon the request of the Applicant, the Plan Approval Authority may waive dimensional and other requirements of the SGOD, including the Design Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the SGOD, or if it finds that such waiver will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under the SGOD.

11.4. Project Phasing. The PAA, as a condition of any Plan Approval, may allow a Project to be phased at the request of the Applicant, or it may require a Project to be phased for the purpose of coordinating its development with the construction of Planned Infrastructure Improvements (as that term is defined under 760 CMR 59.00), or to mitigate any extraordinary adverse Project impacts on nearby properties. For Projects that are approved and developed in phases, unless otherwise explicitly approved in writing by the Department in relation to the specific Project, the proportion of Affordable units shall be at least equal to the minimum percentage of Affordable Housing required under subsection 6.1.

11.5. Form of Decision. The PAA shall issue to the applicant a copy of its decision containing the name and address of the owner, identifying the land affected, and the plans that were the subject of the decision, and certifying that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the PAA. If twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. If a plan is approved by reason of the failure of the PAA to timely act, the Town Clerk shall make such certification on a copy of the application. A copy of the decision or application bearing such certification shall be recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the applicant.

11.6. Validity of Decision. A Plan Approval shall remain valid and shall run with the land indefinitely, provided that construction has commenced within two years after the decision is issued, which time shall be extended by the time required to adjudicate any appeal from such approval and which time shall also be extended if the Project proponent is actively pursuing other required permits for the Project or there is other good cause for the failure to commence construction, or as may be provided in a Plan Approval for a multi-phase Project.

12. Changes in Plans after Approval by PAA

12.1. Minor Change. After Plan Approval, an applicant may apply to make minor changes in a Project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall buildout or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the PAA on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the PAA. The PAA may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The PAA shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the applicant for filing with the Town Clerk.

12.2. Major Change. Those changes deemed by the PAA to constitute a major change in a Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the PAA as a new application for Plan Approval pursuant to subsections 9.0 through 13.0.

13. Design Standards

13.1. Adoption of Design Standards. The following Design Standards are adopted to ensure that development in the SGOD is of high quality and is compatible with the character and scale of Great Barrington's building types and streetscapes. These Design Standards are not meant to limit creativity through innovative architectural design.

13.2. Terms. It should be noted that the Design Standards include a mixture of requirements, indicated generally by the use of the words "shall" and "must" with regard to a specific standard, and guidelines, which are more advisory in nature, and which are indicated generally by the use of the words "should" and "may". Where appropriate the Design Standards and Design Guidelines may be supplemented with "Acceptable" and "Unacceptable" graphic examples within this section for illustrative purposes.

13.3. General Design Principles Applicable to All Projects.

1. Projects should further the purposes of the SGOD;
2. Buildings and materials should be consistent with or complementary to the character of the specific Subdistrict;
3. Development should be environmentally sustainable and should incorporate to the degree practical low-impact development techniques, energy efficiency, use of renewable energy and best practices for stormwater management;

4. Development should be designed to encourage pedestrian and bicycle travel to and within the site and provide a safe and aesthetically attractive pedestrian and bicycle environment;
5. Development should protect environmentally sensitive areas such as wetlands and the Housatonic River; and
6. Existing natural resources, native vegetation, and the natural topography of the site should be integrated into the site design to the greatest extent practical.

13.4. Site Design Standards Applicable to All Projects.

- A. Existing Features and Systems: Sites and Buildings shall be designed and constructed in such a way as to respect and retain, to the extent practicable, the existing buildings, topography, natural features, and natural systems of the area. The construction, operation, and maintenance of buildings and sites in the SGOD shall be designed to:
 1. minimize partial or wholesale demolition and removal of historic buildings and features;
 2. minimize the volume of cut and fill;
 3. minimize the number of removed trees 6-inch caliper or larger;
 4. minimize the length of removed stone walls;
 5. minimize the extent of stormwater flow increase from the site, soil erosion, and threat of air, light, and water pollution.
- B. Public Safety and Circulation: Sites and buildings shall be designed and constructed so that accessibility and pedestrian and vehicular safety, both on the site and accessing and exiting the site, is not compromised.
 1. The locations, dimensions, directions of travel, and construction details for streets, alleys, driveways, sidewalks, curbs, gutters, catch basins, and other structures shall maximize accessibility and pedestrian and vehicular safety.
 2. Curb cuts, driveways, accessways and walkways between adjacent sites shall be shared to the maximum extent practicable.
 3. Streets, alleys, driveways, emergency access ways, sidewalks, and bike ways shall be of adequate design with respect to width, lighting, visibility, and drainage in order to ensure safety to pedestrians, cyclists, and vehicular traffic.
- C. Scenic Views: Buildings, site, and new landscape features shall be designed and located to minimize the obstruction of scenic views from sidewalks, public ways, parks, or other publicly accessible locations.
- D. Parking, Loading, and Service areas: The visibility of parking, storage, or other outdoor service areas as viewed from public ways or abutting premises shall be minimized to the extent practicable.
 1. Fences, landscaping, or other screening features should be employed to minimize visual intrusion from surrounding land uses.
 2. Screening features should not block visibility in and out so that areas are unsafe.
 3. The materials, color, and height above grade of screening features should be generally

- consistent with, or complimentary to, the existing or desired building patterns in the surrounding area.
4. Parking lots shall incorporate shade trees to the extent practicable. Species shall be selected in accordance with the Landscaping standards of this Section.
 - E. Landscaping: All projects shall provide landscaping as required herein to the extent practicable. Landscape plants shall be non-invasive and appropriate to the climate and site conditions. Consideration should be given to species survivability, pest resistance, and ability to provide for a “pollinator friendly” landscape in keeping with the Town of Great Barrington’s policy.
 - F. Lighting and Glare: Glare from headlights and site lighting, including any lights on buildings and signs, into the night sky and into adjacent properties shall be minimized. Applications for Plan Approval shall include detailed photometric plans and specifications of all proposed exterior lights, including height and locations of fixtures, lumen ratings, color temperature, and light source (e.g. sodium vapor, metal halide, or LED).
 - G. Stormwater and groundwater: Projects shall incorporate appropriate provisions to contain, filter, clean and infiltrate stormwater and other runoff from the site.

13.5. Building Design Standards

- A. Applicable to All Projects:

Relationship to Historic Architecture and Context: Any existing buildings in the SGOD at the time of adoption of the SGOD shall be retained unless it is satisfactorily demonstrated to the PAA that renovation and reuse are infeasible. The renovation of existing buildings should retain recognizable features that distinguish the architectural styles and character of the industrial heritage of the site, while providing compatible and contemporary improvements associated with the adaptive reuse of these structures.

Scale and Proportions: New buildings, as viewed from public ways and publically accessible locations, shall be designed to be contextual with other buildings in the vicinity, as follows.

- (1) Height of new buildings shall be within one story of other buildings on the site, but shall not exceed the maximum heights allowed in the SGOD. The apparent height may be altered by the use of sloping roofs, gables, fenestration, and exterior architectural details.
- (2) Unbroken facades of longer than 100 shall be avoided.
- (3) The architecture facing a public street or publicly accessible space should exhibit a human scale of detail.

Materials: Exterior materials of new and renovated buildings shall be contextual or complementary to existing historic buildings, if any, in the vicinity. A combination of traditional and modern materials and variations of color and texture shall be used to reference both the historic and new building types.

- 14. Severability** If any provision of this Section is found to be invalid by a court of competent jurisdiction, the remainder of Section shall not be affected but shall remain in full force. The invalidity of any provision of this Section shall not affect the validity of the remainder of the Great Barrington Zoning Bylaw.
- 15. Administration, Enforcement, and Appeals.** The provisions of this Section shall be administered by the Building Commissioner, except as otherwise provided herein. Any legal appeal arising out of a Plan Approval decision by the PAA under subsections 9 through 13 shall be governed by the applicable provisions of G. L. Chapter 40R. Any other request for enforcement or appeal arising under this Section shall be governed by the applicable provisions of G. L. Chapter 40A.

Proposed district

Smart Growth Overlay District (SGOD) Developable Land Plan

SGOD

Total Acres = 75.67 acres

Total Substantially Developed = 2.29 acres

Total Undevelopable Area = 48.82 acres

Total Net Developable Area = 24.66 acres

Subzone A

Total Net Developable Area = 6.67 acres

Density = 20 units/acre

Allowable Units = 133

Subzone B

Total Net Developable Area = 8.54 acres

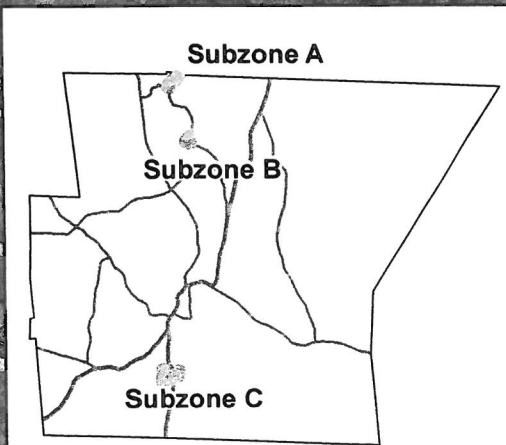
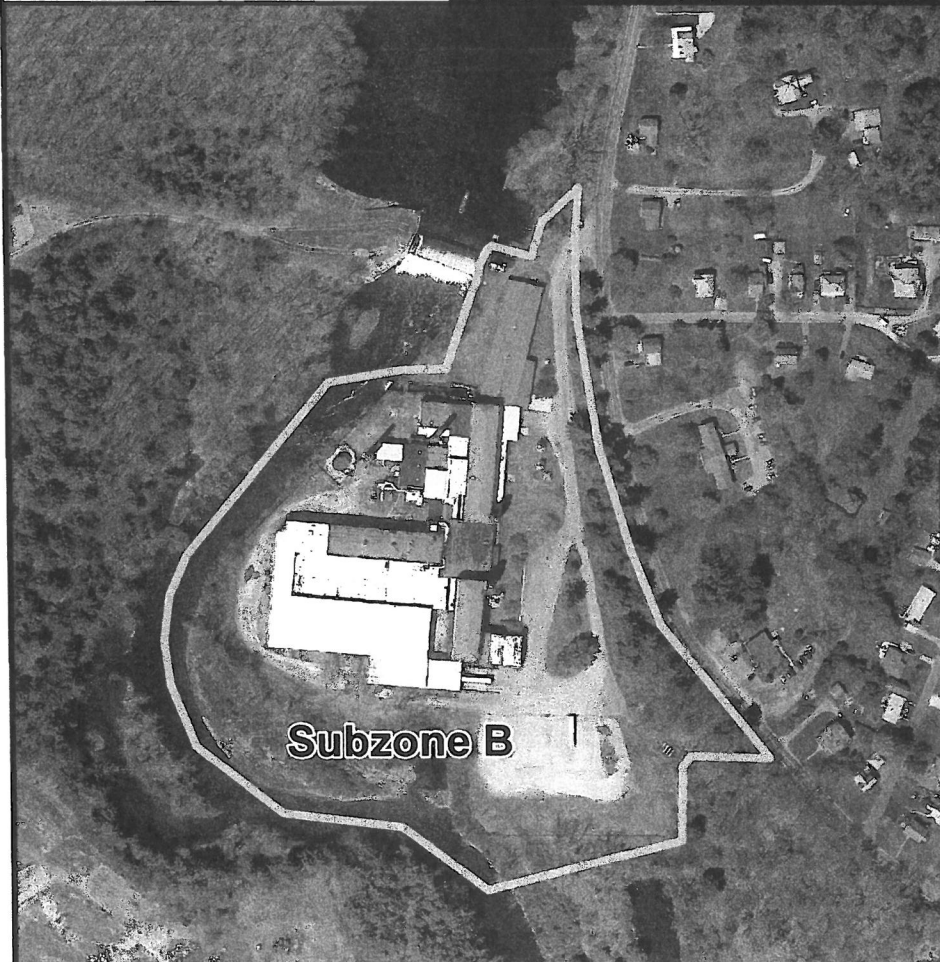
Density = 20 units/acre

Allowable Units = 171



SGOD Zone Boundary

SGOD Parcels



1/13/2017

Proposed district

Smart Growth Overlay District (SGOD)
Developable Land Plan

SGOD

Total Acres = 75.67 acres
Total Substantially Developed = 2.29 acres
Total Undevelopable Area = 48.82 acres
Total Net Developable Area = 24.66 acres

Subzone C

Total Net Developable Area = 9.45 acres
Density = 20 units/acre
Allowable Units = 190

Subzone C

 SGOD Zone Boundary
SGOD Parcels

1/13/2017

ZBA SP # 867-16

7.C.

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

NOTICE OF PUBLIC HEARINGS

The **Great Barrington Zoning Board of Appeals** will hold a public hearing on Wednesday, Feb. 8, 2017, at 7:45 p.m. (or after an earlier hearing that begins at 7:30 p.m. is adjourned) at Town Hall, 334 Main St., Great Barrington, to act on the special permit application of **Berkshire Aviation Enterprises**, for property at 70 Egremont Plain Road, to build a deck and disabled access ramp onto the rear of the existing office building. The property is in an R-4 zone. A copy of the petition is on file at the Town Clerk's office, Town Hall, 334 Main Street, Great Barrington, MA 01230. Zoning Board of Appeals members will make a site visit at about 5:30 p.m. that same date.

Ron Majdalany, Chairman

Please publish January 3 and January 10, 2017.

SB Recommendation
Jan 23/17 meeting



Town of Great Barrington
 Massachusetts

Application to the
 Zoning Board of Appeals

INSTRUCTIONS

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

FOR OFFICE USE ONLY

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

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

A. WHAT ARE YOU SEEKING?

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

VARIANCE (exempts a property from some Zoning requirements)
You must complete portions A, B, C, D, G, H, I, and J of this form.

SPECIAL PERMIT (for changes to nonconforming uses, structures)
You must complete portions A, B, C, E, G, H, I, and J of this form.

APPEAL (to overturn a decision of Building Inspector or a Board)
You must complete portions A, B, C, E, G, H, I, and J of this form.

B. SITE / PROPERTY INFORMATION

Address of Subject Property 70 Egremont Plain Road

Assessor's Map No. 31 Lot No. 67, 49 & 76

Registry of Deeds Book No: 280 Page: 14

Zoning District(s) R4 Two-acre Res.

Overlay Districts (if any) WQPOD Water Quality Protection Overlay

C. APPLICANT AND OWNER INFORMATION

Applicant's Information

Name (please print) Berkshire Aviation Enterprises, Inc. Phone (area code first) (413) 528-1010

Street Address 70 Egremont Plain Road

City, State, Zip Code Great Barrington, MA 01230

If Applicant is a corporation, provide name of contact person: Richard Solan, President

Email Address _____ Signature [Signature]

Check here if Applicant and Property Owner are the same, and skip to the next section.

Check here if Applicant is different than the Property Owner, and to verify that you have the Property Owner's permission to file this Application. Note that the Property Owner must sign below to indicate permission to file this Application.

Enter Property Owner's information EXACTLY as it appears on the most recent tax bill.

Property Owner's Information

Name (please print) _____ Phone (area code first) _____

Street Address _____

City, State, Zip Code _____

Email Address _____ Signature [Signature]

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

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

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

- 1) A special permit is being requested in order to (please describe project):
- 2) This application is made under the following Sections of the Zoning Bylaw (check all that apply) Section 5.2 Section 5.3 Section 5.5
 Section 5.6 Section 5.7 Section 10.4
- 3) Reason(s) that this property is not in conformance with the Zoning Bylaw
- 4) Are there any previous Special Permits or Variances for this property? No Yes
If yes, provide date(s), and name of issuing Board 8/6/13 ZBA app.# 811-13

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

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

G. REQUIREMENTS FOR ALL APPLICATIONS

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

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

H. APPLICATION FEE

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

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

I. TECHNICAL REVIEW FEES

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

J. ADDITIONAL INFORMATION

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

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

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

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

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

Richard S. [Signature] (signed) 9-20-16 (date)

Print Form

Need Help? Just call us.
 Town Planner: (413) 528-1619, x.7
 Building Inspector / Zoning Enforcement Officer:
 (413) 528-3206
 ZBA Secretary: (413) 528-4953
 For bylaws, regulations, maps, and other useful
 information, visit us online at www.townofgb.org

ZBA
864-16

7.D.

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

NOTICE OF PUBLIC HEARINGS

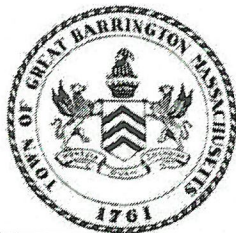
The Great Barrington Zoning Board of Appeals will hold a public hearing on Wednesday, Feb. 8, 2017, at 7:30 p.m. at Town Hall, 334 Main St., Great Barrington, to act on the appeal of Kearsarge Energy LLP of Watertown, Mass., of the Building Inspector's zoning interpretation that a commercial ground-mounted solar photovoltaic array is not by right use in an R-4 Zoning District. The specific property is 20-acre parcel on West Plain Road owned by West Plain Road Farm Nominee Trust (Arthur J. and Robert Coons, trustees). The property is in an R-4 zone. A copy of the petition is on file at the Town Clerk's office, Town Hall. Zoning Board of Appeals members will make a site visit at 5:30 p.m. that same date.

Ron Majdalany, Chairman

Please publish January 6 and January 13, 2017.

SB Recommendation

Jan 23/17



Town of Great Barrington Massachusetts

Application to the Zoning Board of Appeals

RECEIVED TOWN MANAGER

DEC 23 2016

BOARD OF SELECTMEN GREAT BARRINGTON, MA

ZBA-1 Rev. July 2013

INSTRUCTIONS

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

FOR OFFICE USE ONLY

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Received and checked for completeness by: _____
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Date filed with the Town Clerk _____
FOR ZBA USE:
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- VARIANCE (exempts a property from some Zoning requirements)
SPECIAL PERMIT (for changes to nonconforming uses, structures)
APPEAL (to overturn a decision of Building Inspector or a Board)

B. SITE / PROPERTY INFORMATION

Address of Subject Property 0 West Plain Road
Assessor's Map No. 031.0 Lot No. 0023.C
Registry of Deeds Book No: 1178 Page: 17
Zoning District(s) R4 Two-acre Res.
Overlay Districts (if any) WQPOD Water Quality Protection Overlay

C. APPLICANT AND OWNER INFORMATION

Applicant's Information
Name (please print) Kearsarge Solar, LLC Phone (area code first) (617) 393-4222
Street Address 480 Pleasant Street, Suite B110
City, State, Zip Code Watertown, MA 02472
If Applicant is a corporation, provide name of contact person: Andrew Bernstein
Email Address ABernstein@kearsargeenergy.com Signature [Handwritten Signature]

- Check here if Applicant and Property Owner are the same, and skip to the next section.
Check here if Applicant is different than the Property Owner, and to verify that you have the Property Owner's permission to file this Application. Note that the Property Owner must sign below to indicate permission to file this Application.

Enter Property Owner's information EXACTLY as it appears on the most recent tax bill.

Property Owner's Information
Name (please print) Arthur J. & Robert A. Coons, Trustees Phone (area code first) _____
Street Address 20 West Plain Road
City, State, Zip Code Great Barrington, MA 01230
Email Address _____ Signature [Handwritten Signatures]

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J. ADDITIONAL INFORMATION

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

Andrew Kenest

(signed)

12/21/2016 (date)

Print Form

Need Help? Just call us.

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

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

ZBA Secretary: (413) 528-4953

For bylaws, regulations, maps, and other useful information, visit us online at www.townofgb.org

EXECUTIVE SUMMARY

TITLE: Appointment of Great Barrington Housing Authority member.

BACKGROUND: One of the members on the GB Housing Authority resigned and there is a vacancy. This appointment, per State law, is only until the next annual election. A majority vote of the two Boards is necessary. Jackie Sinico and Josh Risen have applied for the position. MGL Chapter 41 Sec. 11 requires a joint appointment from the Selectboard and the GB Housing Authority.

FISCAL IMPACT: Not applicable.

RECOMMENDATION: Appoint one member to the GB Housing Authority with a joint appointment of the Selectboard and the GB Housing Authority until the next Town election of May 1, 2017.

PREPARED AND REVIEWED BY:


Jennifer Tabakin, Town Manager

DATE: 1/20/17

Dear Jennifer

I would like to fill the vacant seat on the GB Housing Authority Board. I have never to offer the board after working with the elderly for many years. I would like to hear from you at your soonest convenience. Thank you for your time.

Sincerely
Jackie Sineco

RECEIVED
TOWN MANAGER

OCT 14

BOARD OF SUPERVISORS
GREAT BARRINGTON, MA

Helen Kuziemko

From: Josh Risen <jrisen@berkshiremountainbakery.com>
Sent: Monday, December 05, 2016 3:18 PM
To: Helen Kuziemko
Subject: Josh Risen Interest In vacancy on Board of GB Housing Authority

To Whom It May Concern:

My name is Josh Risen and I am interested in applying for the vacant position on the Town of Great Barrington Board of the Great Barrington Housing Authority. I am currently managing Berkshire Mountain Bakery and am interested in expanding my network connections and relationships. Giving back to the Town I live in by volunteering my time and skills to the Housing Authority seems like a perfect fit for me at this time in my life. I have always been interested in Landlord Tenant issues and I have legal experience as a licensed Attorney in Massachusetts. If I am selected to join the Board of the Great Barrington Housing Authority I am certain that I would be able to make valuable contributions.

Please utilize this letter as my official letter of interest.

Thank you for your attention to this matter,

Josh Risen

General Manager

413-274-3412

367 Park St, Housatonic, MA 01236

jrisen@berkshiremountainbakery.com

