

Jennifer Tabakin
Town Manager

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Great Barrington, MA 01230

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TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER
SELECTBOARD SPECIAL MEETING

AGENDA

MONUMENT MOUNTAIN REGIONAL HIGH SCHOOL AUDITORIUM

600 STOCKBRIDGE ROAD

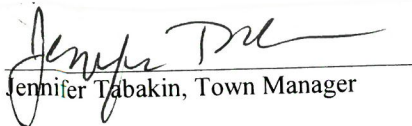
GREAT BARRINGTON, MA 01230

WEDNESDAY, DECEMBER 16, 2015, 7:00 P.M.

- I. Call to Order.
- II. **CONTINUATION** of 79 Bridge Street Realty, LLC, 247 Stockbridge Road, Great Barrington special permit application for a hotel use in a B3 zone, more than 45 hotel rooms, redevelopment in excess of 20,000 square feet in the B3 zone, and work in the Floodplain Overlay District and the Water Quality Protection Overlay District Zone II, in accordance with Sections 3.1.4, C(8), 7.10.2, 9.4.9, 9.1, and 9.2.12, respectively, of the Great Barrington Zoning Bylaw, at 79 Bridge Street, Great Barrington. The application is on file with and may be viewed in the Town Clerk's office. This is a continuation of the hearing on this application that was begun on November 9, 2015.
 - a. Open Public Hearing
 - b. Explanation of Project
 - c. Applicant's Presentation
 - d. Questions, Comments

III. Citizen Speak Time.

IV. Adjournment.


Jennifer Tabakin, Town Manager

THIS MEETING MAY BE RECORDED BY MEMBERS OF THE MEDIA.

THE LISTING 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.



**McCormick, Murtagh
& Marcus**

ATTORNEYS AND COUNSELORS AT LAW

William Cullen Bryant House
390 Main Street, Suite 2
Great Barrington, MA 01230

phone: 413.528.0630

fax: 413.528.5287

www.mccormicklegal.com

ATTORNEYS

Edward G. McCormick

Kathleen M. McCormick

**BY HAND DELIVERY AND BY
EMAIL** seanstanton@hotmail.com

October 26, 2015

Sean Stanton, Chairman
Great Barrington Board of Selectmen
Town Hall
334 Main Street
Great Barrington, MA 01230

Re: Special Permit Public Hearing
Applicant: 79 Bridge Street Realty, LLC
Address of Property: 79 Bridge Street; Map 19, Lot 139, Book 2003, Page 308 (Lot 2)
Owner: Riverschool Redevelopment, LLC

Dear Chairman Stanton:

I hereby request the Selectboard to postpone the Special Permit Public Hearing on this matter to December 14, 2015. Please open the Public Hearing on November 9, 2015 and then postpone the Public Hearing to December 14, 2015.

Thank you in advance for your assistance in this matter.

Sincerely,

McCormick, Murtagh & Marcus


Kathleen M. McCormick

KMM/svm

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**Selectboard
Town of Great Barrington**

NOTICE OF PUBLIC HEARING

The Great Barrington Selectboard will hold a continued public hearing on Wednesday, December 16, 2015 at 7:00 p.m. at Monument Mountain Regional High School, 600 Stockbridge Road, Great Barrington, MA 01230, in the auditorium, to act on the special permit application of 79 Bridge Street Realty, LLC, 247 Stockbridge Road, Great Barrington, for a hotel use in a B3 zone, more than 45 hotel rooms, redevelopment in excess of 20,000 square feet in the B3 zone, and work in the Floodplain Overlay District and the Water Quality Protection Overlay District Zone II, in accordance with Sections 3.1.4, C(8), 7.10.2, 9.4.9, 9.1, and 9.2.12, respectively, of the Great Barrington Zoning Bylaw, at 79 Bridge Street, Great Barrington. The application is on file with and may be viewed in the Town Clerk's office. This is a continuation of the hearing on this application that was begun on November 9, 2015.

Sean Stanton, Chairman

Please publish November 27 and December 4, 2015



**McCormick, Murtagh
& Marcus**

ATTORNEYS AND COUNSELORS AT LAW

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ATTORNEYS

Edward G. McCormick

Kathleen M. McCormick

BY HAND DELIVERY

September 22, 2015

Great Barrington Board of Selectmen
Town Hall
334 Main Street
Great Barrington, MA 01230

Re: Special Permit – 79 Bridge Street

Dear Members of the Board of Selectmen:

Enclosed please find seventeen (17) copies of a complete Special Permit Application prepared for 79 Bridge Street Realty, LLC and property located at 79 Bridge Street (Map 19, Lot 139). Also included is a check in the amount of \$300 for the required filing fees. In addition to the Special Permit Application, an application for Site Plan Review by the Planning Board is being filed simultaneously, followed by a Notice of Intent with the Conservation Commission.

The Project is to construct The Berkshire, a 95-room uniquely designed boutique hotel on the 3.1 acre campus of the former Searles School. This current vacant and blighted building shall be razed and The Berkshire shall be reconstructed within the same footprint, implementing recommendations from the Great Barrington Historical Commission regarding the historically, architecturally and culturally significant site. 79 Bridge Street Realty, LLC shall be seeking Special Permits from the Board of Selectmen in accordance with the Town of Great Barrington Zoning Bylaws. The Berkshire shall include as part of its Hotel use a 60-seat restaurant and conference rooms.

The Project, located in a B3 zone, requires a Special Permit by the Board of Selectmen for the hotel use (§ 3.1.4 (c) (8)), as well as a waiver of the 45 room limits by the Board of Selectmen based on the written determination by the Great Barrington Historical Commission that the property is historically, culturally, or architecturally significant to the Town (§ 7.10.2). In addition to the use Special Permit, the Project shall require Special Permits for redevelopment in excess of 20,000 square feet (§9.4.9), Flood Plain Overlay District (§ 9.1) and Water Quality Protection Overlay –Zone II (§9.2.12).

The Project meets the criteria of the Town of Great Barrington Zoning Bylaws for a Special Permit (§10.4) as follows:

- 1) Social, economic, or community needs that are being served by the proposal;

Since fire destroyed the historic Berkshire Inn on Main Street in 1965, Great Barrington has been missing a grand lodging structure in the core of its downtown. With the introduction of The Berkshire in the center of Town, the community at large will benefit both socially and economically. Like in other New England towns, the presence of a downtown inn/hotel will add to the vibrancy of the downtown business community as well as provide event and conference space. The proposed Project shall create job opportunities during the construction and continue during operation of the hotel, as well as generate \$450,000 tax revenue annually.

- 2) Traffic flow and safety, including parking and loading;

The Project meets all site and parking requirements for the proposed use, as well as shall reengineer traffic on site for better traffic flow and enhanced safety. The Berkshire shall promote pedestrian activities, including the Riverwalk and use of the river and local trail system.

- 3) Adequacy of utilities and other public services;

The property has public water and sewer. The municipal services are adequate for the proposed use.

- 4) Neighborhood character and social structures;

The proposed plan utilizes recommendations from the Historical Commission to incorporate many aspects of the architecturally, culturally and historically significant site to rebuild a structure within the same footprint, not changing the scale of the campus as it already exists. This Project shall also revitalize an area in which the buildings to be razed currently sit vacant and blighted.

5) Impacts on the natural environment; and

The Project will not have any negative impact on the environment. The Project will add rain gardens and other storm water management practices presently not on the site. 79 Bridge is working with Riverwalk Project to determine appropriate ways to enhance both the beauty of the Housatonic River and the Riverwalk. Currently, this portion of the Riverwalk is the most neglected portion and can only be benefited by the proposed development.

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

The property has adequate water and sewer available to it. There will be no impact on any Town service. The new facility will provide tax revenue to Great Barrington in excess of \$450,000. There will be a positive fiscal impact on the community due to the many job opportunities during and after construction.

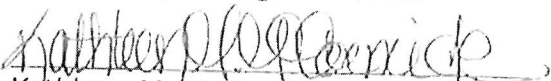
In addition to the Special Permits with the Selectboard, the Project requires a Site Plan Review by the Planning Board in accordance with §10.5 of the Zoning Bylaws. The site complies with all of the zoning requirements for a hotel use, including the 95 parking space requirement. A Notice of Intent shall be filed with the Conservation Commission to permit all work subject to the Wetlands Protection Act. Further, the plans are in accordance with the Town of Great Barrington Master Plan because this Project redevelops a blighted property while preserving the historic character of the property and will aid in making Great Barrington a hub of business, entertainment and tourism.

This Project not only meets the requirements of zoning and furthers the Master Plan, but The Berkshire has been designed to respect its close neighbor, the recently renovated Bryant School. The choice of classical design and warm materials were chosen to complement the character of the School. The 3-story massing of the conference wing and single story of the rear recreation wing were chosen to maximize views to and from Bryant School. The overall siting of the hotel improves the connection from Bryant School to the Housatonic River and the Riverwalk.

Thank you very much for your consideration, and if you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,

McCormick, Murtagh & Marcus



Kathleen M. McCormick

KMM/svm
Enclosures

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

FORM SP-2
Long Form
REV. 11-2013

FOR OFFICE USE ONLY

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

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

IDENTITY OF PROPERTY: MAP 19 LOT 139 BOOK 2003 PAGE 308 (Lot 2)

Address of property: 79 Bridge Street

Zoning District(s): B3
including any
overlay districts

I. GENERAL INFORMATION

- A. Type of Special Permit Requested: Hotel 3.1.4(c)(8); Room Limits 7.10.2; Redevelopment in excess of 20,000 sq. ft. 9.4.9; FPOD 9.1 and WQPOD 9.2.12
Under Section(s) see above and 10.4 of the Great Barrington Zoning Bylaws.
- B. Name of applicant: 79 Bridge Street Realty, LLC, Chrisoula D. Mahida, Manager
- C. Address & telephone no. of applicant: 247 Stockbridge Rd. Great Barrington, MA (413-329-6442)
- D. If applicant is not owner, state interest or status of applicant in land. Attach copy of any option or purchase agreement. Riverschool Redevelopment, LLC, Robert D. Montgomery, Manager under contract to purchase Lot 2/Plan in Plat File P-128.
- E. Name of owner exactly as it appears on most recent tax bill: Riverschool Redevelopment, LLC
- F. Address of owner: 50 Church Street, Great Barrington, MA
- G. Telephone number of owner: (413) 644-3102 (Robert Montgomery)
- H. Is the proposed development served by :
Public Water System () Yes () No
Public Sewer System () Yes () No
- J. Is an environmental study or document required for this project under state or federal laws?
() Yes () No If yes, specify type of study and agency requiring it. _____
- K. Attach a brief description of proposed use of property, including the existing use of the property, and how the project is in harmony with the Great Barrington Master Plan. (Copies of the Master

Plans are available for free download from the Town website. Hard copies can be read at the Clerk's office or the Town libraries.)

- L. Attach a list of abutters, owners of land directly opposite on any public or private street or way and owners of land within 300 feet of the property line, including bordering towns. The list must be prepared and certified by the Great Barrington Board of Assessors office.
- M. Include information as applicable in Sections II, III, IV, V, VI and VII.
- N. One original and fourteen (14) exact copies of all required documentation must be submitted.

II. PLAN OF PROPERTY

- A. A site plan for the proposed development, drawn to a scale of 1"=40', each page of which shall be titled, dated, numbered and signed by the preparer. If the preparer is an engineer, architect, surveyor or other professional registered in Massachusetts, *each page shall bear his or her professional seal*. This plan shall clearly show the following:
 - 1. Owner and applicant
 - 2. Engineer or Architect
 - 3. Date
 - 4. Scale and north arrow
 - 5. Zoning district (s)
 - 6. Names of adjacent streets
 - 7. All existing lot lines and dimensions
 - 8. Lot size
 - 9. Locations and dimensions of all existing and proposed structures, including additions thereto
 - 10. Number of dwelling units existing and proposed
 - 11. Location and number of parking spaces, with each space numbered
 - 12. Location of driveways and/or access roads with directional arrows as needed
 - 13. Location of all streams, ponds, wetlands, steep slopes, and other significant topographic features of this property
 - 14. Provisions for drainage, watercourses, easements and systems
 - 15. Existing and proposed uses of structures
 - 16. Screening and/or buffer provisions, as well as all other landscaping proposed
 - 17. Site photos as needed to illustrate the existing and proposed conditions
 - 18. Locus map (locating site within the neighborhood and town)
 - 19. Proposed open space or park area(s) if any
 - 20. Such other data as the Planning Board may require
- B. Other requirements (if and as requested by the Planning Board, Conservation Commission, Board of Selectmen, Board of Health or Building Inspector):
 - 1. General characteristics of land under a separate plan at a scale of 1"=100' showing the general characteristics of all lands within 200 feet of the site including structures, parking areas, driveways, pedestrian ways, natural features and existing land uses. Land uses shall be designated by shading the plan with colored pencil and using standard land use colors.
 - 2. Architectural drawings, prepared by a Registered Architect, at a scale sufficient to show the details of the proposed building (s) and signs but not less than 1/8"=1".
 - 3. A separate plan, prepared by a Registered Engineer or Architect, drawn to a scale of 1"=500' which shall clearly show:
 - a. the project site
 - b. location of public and private wells within 1/2 mile of any lot lines
 - c. Contour lines at 2-foot intervals

- d. Location of wells on the site or within 400 feet of lot lines
- e. Location of wetland area
- 4. Common ownership land/adjacent lots usage.
 - a. A copy of those portions of the Assessors' map(s) showing all contiguous land held in common ownership with the land affected by the special permit, or all contiguous land held in common ownership by the applicant
 - b. Land use of adjacent lots

III. PUBLIC WATER – WASTE DISPOSAL

- A. Availability of public water
 - 1. Estimate demand.
 - 2. Submit documentation of available water pressure.
- B. Availability of public sewer
 - 1. Estimate daily flow of public sewer.
 - 2. Describe disposal facilities and submit evidence of all necessary state and local approvals.
 - 3. Submit evidence of all required approvals by the Massachusetts Department of Environmental Protection of any proposed wastewater treatment system requiring such approval and of any industrial waste treatment or disposal system

IV. ENVIRONMENTAL REPORTS

- A. Submit copies of any environmental reports or documents prepared for the project required by State or Federal law or regulations.
- B. Submit copies of all environmental reports required by the Conservation Commission, Planning Board, Board of Health or any other local board or official.
- C. Description of open space or park(s) if any
 - 1. Letter to the Town of Great Barrington offering open land to the Town, *or*
 - 2. Document showing terms of permanent covenant of open space.
- D. Hazardous Materials
 - 1. A complete list of all materials, pesticides, fuels and toxic or hazardous materials to be used or stored on the premises. Generic names should be supplied as listed in the Massachusetts Department of Protection's Hazardous Waste Regulations (310 CMR 30.000) and, where applicable, the Industry and EPA Hazardous Waste Number should be supplied. The list should be accompanied by a description of measures proposed to protect from vandalism, corrosion, leakage and for control of spills.
 - 2. A description of possible toxic or hazardous wastes to be generated indicating storage and disposal method.

V. PLANNED PHASING

Planned phasing, if project is to be constructed in more than one phase. For multi-family dwellings, cluster residential development and single family attached dwellings, the design of roadways, access roads, sidewalks, common drives, and utilities shall generally conform to the standards set forth in the Rules and Regulations Governing Subdivision of Land in the Town of Great Barrington; regardless of whether the development is a subdivision within the legal definition.

VI. IMPERVIOUS SURFACES

Description of the extent of impervious surfaces, of provisions for collecting surface runoff and of provisions for on-site recharge and removal of contaminants.

VII. GROUNDWATER

Except for those uses applying for a special permit solely for excavating or drilling, a Groundwater Quality Certification, prepared by a Massachusetts Registered Professional Engineer, experienced in hazardous waste disposal, groundwater evaluation or hydrogeology may be required. Said Groundwater Quality Certification shall state that: "as a result of the project, the groundwater quality at the boundary of the premises, resulting from on-site waste disposal, other on-site operations, natural recharge and background water quality,

- a. will not fall below the standards established by the DEP in "Drinking Water Standards in Massachusetts", or
- b. Where existing groundwater quality is already below those standards, will not be further degraded."

Date: 9/16/15
Riverschool Redevelopment, LLC

Owner Signature Robert D. Montgomery, Manager Co-owner Signature
79 Bridge Street Realty, LLC

Chrisoula D. Mahida
Applicant's Signature Chrisoula D. Mahida, Manager

SPECIFICS:

1. All site plans and specifications must be signed and dated by the preparer.
2. **ALL OWNERS** of property must sign the application
3. A copy of the special permit procedures is available upon request.
4. Fee for application is \$300.00 to cover the cost of the public hearing notices and notification to parties in interest. If the cost exceeds \$300.00, the applicant shall pay the balance due upon notification from the Granting Authority.
5. Once all the necessary papers, maps, etc. as indicated above are correlated into seventeen sets, call the Town Planner's office at 413-528-1619 ext. 7 to arrange an appointment to file your application. The application will be reviewed for completeness and a date for a public hearing before the Board of Selectmen will be scheduled. Meetings before the recommending Boards such as the Planning Board, Conservation Commission and Board of Health will also be arranged at this time.

PLEASE READ AND SIGN BELOW

ALL COSTS INCURRED BY THE TOWN FOR THE EMPLOYMENT OF EXPERTS OR CONSULTANTS REQUIRED BY ANY TOWN BOARD FOR THE PURPOSE OF ANALYZING OR EVALUATING ANY PROJECT THAT IS A SUBJECT OF A SPECIAL PERMIT APPLICATION SHALL BE ASSESSED TO THE APPLICANT AND SHALL CONSTITUTE PART OF THE APPLICATION FEE. A COPY OF THIS REGULATION SHALL BE PROVIDED TO EACH APPLICANT WHO SHALL SUBMIT WITH HIS APPLICATION A SIGNED STATEMENT THAT HE HAS READ THIS REGULATION AND AGREES TO BE BOUND BY IT.

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

Applicant's Signature Chrisoula D. Mahida
79 Bridge Street Realty, LLC
Chrisoula D. Mahida, Manager

Date Sept 16, 2015