

Jennifer Tabakin
Town Manager

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-1619 x2
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTBOARD'S MEETING

MONDAY, FEBRUARY 9, 2015

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

7:00 PM - OPEN MEETING

1. CALL TO ORDER.

2. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. GENERAL COMMENTS BY THE BOARD.

3. LICENSES OR PERMITS:

A. CHANGE OF DBA (DOING BUSINESS AS) MEZZE SOUTH INC. (D/B/A VERDURA) TO MEZZE SOUTH INC. (D/B/A ALLIUM) AT 42-44 RAILROAD STREET. (DISCUSSION/VOTE)

B. JENISE LUCEY/BERKSHIRE SOUTH REGIONAL COMMUNITY CENTER FOR ONE DAY BEER AND WINE LIQUOR LICENSE FOR MARCH 5, 2015 FROM 6:30 PM – 8:30 PM AT 15 CRISSEY ROAD. (DISCUSSION/VOTE)

C. GB HISTORIC PRESERVATION LLC (PAUL JOFFE) FOR A DRIVEWAY PERMIT AT 198 MAIN STREET. (DISCUSSION/VOTE)

4. TOWN MANAGER'S REPORT:

5. NEW BUSINESS:

A. SB APPOINTMENT TO FILL A VACANCY ON THE HOUSING AUTHORITY UNTIL THE NEXT ANNUAL ELECTION. (DISCUSSION/VOTE)

B. BERKSHIRE REGIONAL TRANSIT AUTHORITY/VIN RONGHI- PROPOSAL FOR ADDITIONAL EXPRESS ROUTE FROM GREAT BARRINGTON TO PITTSFIELD AND REVERSE. (DISCUSSION/VOTE)

C. REFERRAL OF ZONING AMENDMENTS TO THE PLANNING BOARD. (DISCUSSION/VOTE)

D. PETER DILLON/BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT SUPERINTENDENT
RE: REGIONAL SCHOOL AGREEMENT. (DISCUSSION/VOTE)

6. CITIZEN SPEAK TIME:
- KAREN CHRISTENSEN – SCHOOL ISSUES.
7. SELECTBOARD'S TIME:
8. MEDIA TIME:
9. ADJOURNMENT:

NEXT SELECTBOARD'S REGULAR MEETING: MONDAY, FEBRUARY 23, 2015 AT 7:00 P.M.


Jennifer Tabak, 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.

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

046400071

ABCC License Number

Great Barrington

City/Town

The licensee Mezze South Inc. respectfully petitions the Licensing Authorities to approve the following transactions:

- | | |
|---|--|
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Premises |
| <input type="checkbox"/> Pledge of License/Stock | <input type="checkbox"/> Cordial & Liqueurs |
| <input type="checkbox"/> Change of Corporate Name | <input type="checkbox"/> Change of Location |
| <input checked="" type="checkbox"/> Change of DBA | <input type="checkbox"/> Change of License Type (\$12 ONLY, e.g. "club" to "restaurant") |

Change of Manager

Last-Approved Manager:

Requested New Manager:

Pledge of License /Stock

Loan Principal Amount: \$ Interest Rate:

Payment Term: Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA: Mezze South Inc. dba Verdura

Requested New Corporate Name/DBA: Mezze South Inc. dba Allium

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out attached financial information form)

Description of Alteration:

Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee

Mary C. Thomas
(If a Corporation/A.C. by its authorized representative)

Date Signed

1-2-15

The Commonwealth of Massachusetts
Town of Great Barrington
DBA

No. 15-15

New
Renew

BUSINESS CERTIFICATE

In conformity with the provisions of Chapter one hundred and ten, Section five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of MEZZE SOUTH, INC dba ALLIUM is conducted at 42-44 RAILROAD STREET for the purpose of (type of business) RESTAURANT + BAR in Great Barrington, by the following person(s).

Please be advised that the attached Business Certificate is only valid if the business has followed the Town of Great Barrington Zoning Bylaws. It is the responsibility of the business owner to be sure that the business meets all the qualifications as required by law.

It is the responsibility of the person who has filed such a certificate, upon his discontinuing such business or changing location, to file a statement in the office of the Town Clerk and pay the fee per Mass General Law, C. 110, §5.

I have read the above statement and understand the terms of the Business Certificate provided to me by the Town clerk's Office.

FULL NAME

NANCY C. THOMAS

Residence Street Address
and Mailing Address

12 MANVILLE ST, APT 4
GREAT BARRINGTON

SIGNED:

Nancy C Thomas

Phone#: [REDACTED]

Federal Tax ID#: [REDACTED]

The Commonwealth of Massachusetts
Town of Great Barrington
Business Certificate

Berkshire County

Date: Jan 1, 2015

Personally appeared before me, the above named
Mezze South, Inc DBA: Allium
and made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Expiration Date: Jan 1, 2019

Marie Y Ryan, CMC
Town Clerk



Fee: \$25.00 (per day)



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: Janise Lucey

Organization Name: Berkshire South Regional Community Center

Applicant's Address: 15 Crissey Road, Great Barrington, MA 01230

Telephone Number: 413-528-2810

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

Event: Taste of Community

Date: 3/5/15 Start Time: 6:30 pm End Time: 8:30 pm

Event Address: same

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.

Janise Lucey
Signature of Applicant

1/19/15
Date

FOR TOWN USE:

Approved _____ Denied _____ Postponed _____

Joseph W. Sokul,
Highway/Facilities Superintendent

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



334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-0867
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

Conditions on Application for Access to Public Way

Applicant: GB Historic Preservation LLC (Paul Joffe)
Location: 198 Main Street, Great Barrington, MA
From: Joe Sokul, DPW Superintendent
Date: February 5, 2015

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

- H. Driveway width shall not be less than 8-feet nor more than 16-feet within the town right-of-way. Any curb at the entrance shall be rounded off with a radius of three (3) feet. **The proposed drive shall not be wider than 16-feet and shall be a one way entrance in off Main Street**
 - I. Pitch of driveway shall be downward from the edge of the road to sideline of the town right-of-way or front property line.
 - J. Driveways should be located to the best advantage with respect to the alignment with the way, profile and sight distance conditions. In no instance shall a driveway intersect the way at less than a sixty degree angle. Unless there is no alternative, a driveway should not be located within a required side yard.
 - K. No permit shall be issued for any driveway to a structure or proposed structure on a grade in excess of ten percent (10%) above the road or street level until and unless the applicant submits plans to the Highway Superintendent showing that the driveway will be constructed in a such a way so as not to discharge water, stones or other materials onto any public street, road or highway.
2. Install a paved driveway apron in accordance with the following requirements:
- A. Apron dimensions: Width = 22-feet maximum along the roadway which includes a 3-foot radius curb on each side. Length = 5-feet minimum from edge roadway. **See note under 1H**
 - B. Place 3-inches of bituminous concrete on 12-inches of compacted gravel.
 - C. Place asphalt tack coat along the edge of the road where the apron meets the edge of the existing pavement.
3. Should there be, after completion of the driveway, discharges of water, stones, or silt onto the public way or onto property of any abutters or neighbors, the property owner shall take whatever steps are necessary to eliminate such discharges.
4. The applicant shall maintain the proposed access to conform to the following applicable condition listed under **Section 153-17, Continuing responsibility of owners**, of the Town of Great Barrington Code:

Supplemental Conditions:

- 1. ***The proposed drive shall be one-way in from Main Street. Exit from the parking lot shall be via the exit onto Rosseter Street.***
- 2. ***All costs associated with changes to the Main Street Reconstruction Project plans or additional construction costs due to the installation of the driveway shall be the responsibility of the applicant.***
- 3. ***The approval is contingent on and the driveway may only be constructed if the permits required under the Zoning Bylaw and other applicable laws are received prior to construction.***

Town of Great Barrington

Form date: June 2011

Board of Selectmen

Fee \$50.00

Application for Access to a Public Way / Driveway Permit

Number _____

INSTRUCTIONS

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

Application Date 1/22/15

Name of Applicant / Property Owner GB Historic Preservation LLC (Paul Joffe)

Mailing address 390 Tamaridge Road, New Marlborough, MA 01230

Phone number (917) 693-3292

Location of proposed driveway / highway entrance 198 Main Street, Great Barrington, MA

Contractor who will perform the work J.H. Maxymillian, Inc. (Great Barrington Main Street Reconstruction Contractor)

Address & phone number of contractor 1801 East Street, Pittsfield, MA (413) 499-3050

Proposed construction date Request incorporation into Main Street Reconstruction project

Type of driveway (gravel, asphalt, etc.) Gravel with Asphalt Apron



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

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

Applicant's Signature: _____

FOR STAFF USE ONLY

RECOMMENDATION OF DPW / HIGHWAY SUPERINTENDENT

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

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

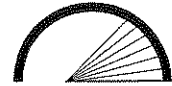
Staff Reviews Received:

Table with 3 columns: Received, Conditions Recommended, Other Permits Required. Rows: Conservation, Fire Chief, Planning.

PERMIT FOR ACCESS TO A PUBLIC WAY / DRIVEWAY

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

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



Robert E. Hoogs
John M. Campetti, P.L.S.
*Steven A. Mack, P.E.**
Marc S. Volk

January 23, 2015

Joe Sokul, Superintendent
Department of Public Works
Great Barrington Town Hall
334 Main Street, 2nd Floor
Great Barrington, MA 01230

Re: Application for Access to a Public Way / Driveway Permit
198 Main Street, Great Barrington, MA

Dear Mr. Sokul,

On behalf of the applicant, Paul Joffe of the GB Historic Preservation, LLC, we are pleased to provide the attached Application for Access to a Public Way / Driveway Permit for the property located at 198 Main Street in Great Barrington, MA.

The existing lot consists of approximately 0.5 acres located at the northern corner of Main Street and Rosseter Street. The property is the location of the Old Methodist Church which is proposed to be repurposed and expanded for use as retail space, a restaurant, and office/apartment space.

The lot is currently accessed by an approximately 24' wide asphalt driveway off of Rosseter Street. This access is proposed to remain. The applicant is proposing a new curb cut on Main Street to provide access to the proposed parking area. The curb cut is proposed to be an 18' asphalt curb cut.

The proposed driveway is within the project limits of the Great Barrington Main Street Reconstruction project. We have been in touch with MassDOT regarding the impacts this has on the project. No work to date has been performed in this location and the costs incurred for changes to the contract plans will be the responsibility of the applicant (please see attached e-mail correspondence with MassDOT). The changes to the Main Street Reconstruction design plans will be minimal to incorporate the new curb cut.

In addition to the proposed curb cut, the applicant is also proposing a new 12" drainage stub from Drainage Manhole D5 in Main Street. The applicant is proposing an on-site subsurface stormwater management system and is proposing to connect the discharge from the system to the Town drainage system. There will be no increase in peak rates of runoff as a result of the project. We will provide detailed design calculations prior to construction.

FORESIGHT LAND SERVICES, INC.

January 23, 2015

Page 2

We respectfully request that the Department of Public Works set a date for the Selectmen to hear on the application and forward the application to the Conservation Agent, Fire Chief, and Development Review Team (via the Town Planner) for review.

Thank you in advance for your consideration in this regard. If you have any questions or comments, please don't hesitate to contact me.

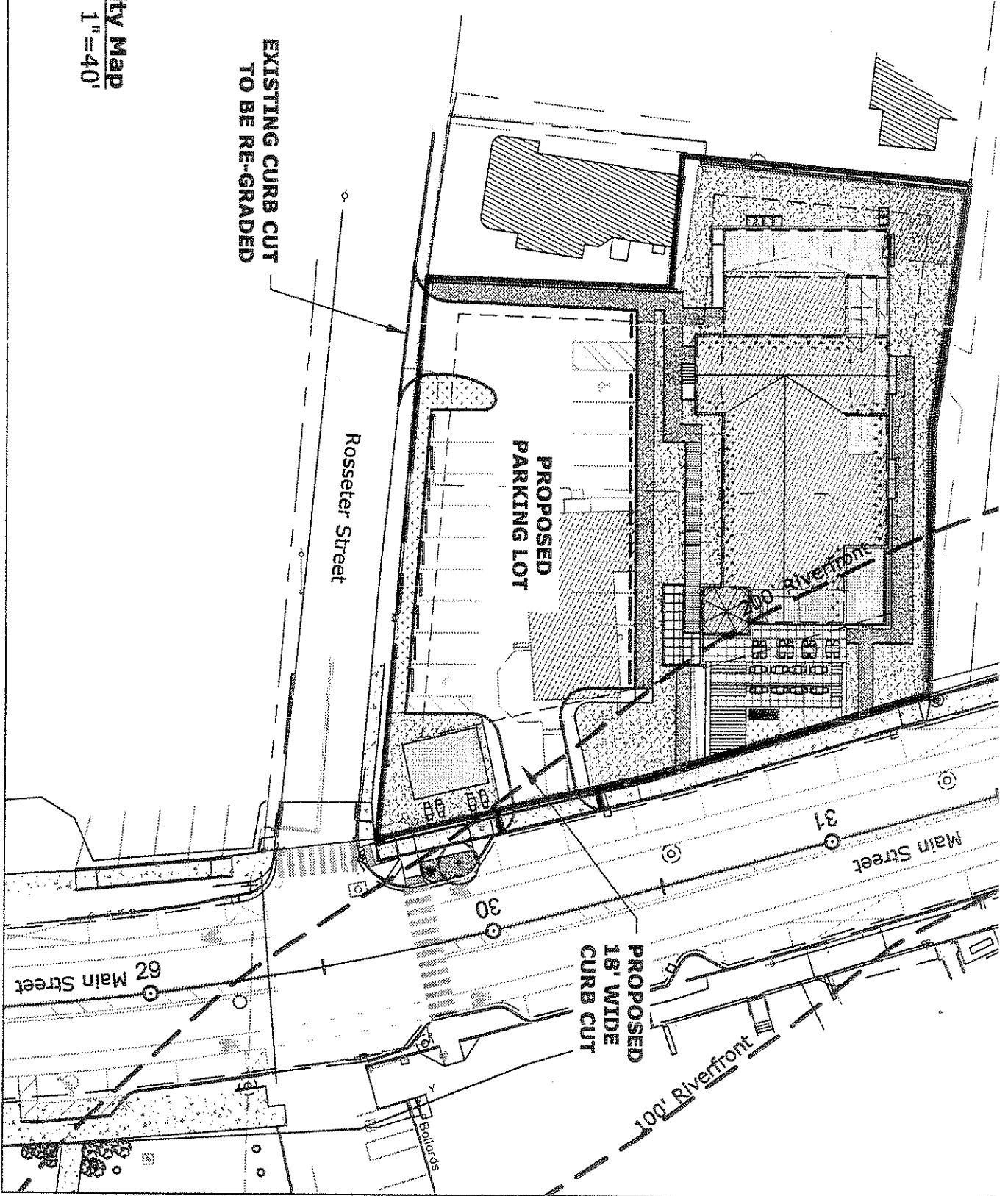
Sincerely,
Foresight Land Services, Inc.



Steven A. Mack, P.E.
Principal Engineer

CC: Paul Joffe, GB Historic Preservation, LLC

Attached: E-mail Correspondence with MassDOT (1/13/15)
Application for Access to a Public Way / Driveway with \$50 Fee (1/22/15)
Proposed Curb Cut Plan & Drainage Stub (1/23/15)



Vicinity Map
Scale: 1" = 40'

EXECUTIVE SUMMARY

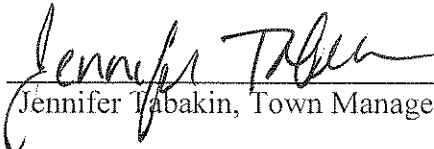
TITLE: Appointment of Great Barrington Housing Authority member.

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. Nan Wile has 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 12, 2015.

PREPARED AND REVIEWED BY:



Jennifer Tabakin, Town Manager

DATE:

2/5/15

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

Go To: Next Section Previous Section Chapter Table of Contents MGL Search Page General Court Home Mass.gov
--

CHAPTER 41. OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS

ELECTION OF TOWN OFFICERS

Chapter 41: Section 11. Appointment to fill vacancy in town office

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

From: Nan Wile [REDACTED]
Sent: Friday, January 16, 2015 2:04 PM
To: Jennifer Tabakin
Cc: HOUSING
Subject: To the Board of Selectmen

Re. GB Housing Authority

Ariane Blanchard resigned her membership on the board of the Housing Authority and there is now a vacancy for that position. I am interested in filling that seat until the election in the spring.

I am currently a resident of GBHA property, Brookside Manor, and have been attending the monthly board meetings this past year as a casual observer. The executive director and all board members present at the January meeting encouraged me to express my interest to the Town Selectmen for their approval.

And, if further interested, to begin the process of being on the ballot for election in the spring- which I have also done.

I'm looking forward to hearing from you, and that you have no objections.
Best wishes to all,

Nan Wile

NAN WILE
Brookside Manor, 909 S Main St Apt 1-C
[REDACTED]

RECEIVED
TOWN MANAGER

JAN 30 2015

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

January 29, 2015

Ms. Jennifer Tabakin
Town Manager
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230

Re: Proposal for Additional Express Run Buses from Great Barrington to Pittsfield and reverse

Dear Ms. Tabakin:

This letter will serve to provide all the specifics I believe you and the Great Barrington Board of Selectmen will need to make a decision on the above referenced proposal.

Currently the BRTA's express bus leaves the Pittsfield ITC @ 6:10AM arriving in Great Barrington at the Fairgrounds Plaza; the bus then departs the Plaza at 6:55AM, stops at Rite Aid at 6:59AM, Main St. Stockbridge at 7:10AM, Walker St./RT 7 Lenox at 7:18AM and arrives at the Pittsfield ITC at 7:35AM.

BRTA is proposing adding an additional south bound morning express bus run leaving Pittsfield ITC at 7:10AM with stops at Lenox (Walker St) at 7:27AM, Main St, Stockbridge at 7:35AM, Rite Aid (GB) at 7:46AM arriving at Fairgrounds Plaza (GB) at 7:50AM. The north bound express run leaves the Fairgrounds Plaza at 7:55AM with stops at Rite Aid at 7:59AM, Main St. Stockbridge at 8:10AM, Walker St./RT 7 Lenox at 8:18AM and arriving at the Pittsfield ITC at 8:35AM.

In addition, BRTA is proposing to add a late day express back to Great Barrington departing the Pittsfield ITC at 5:35PM with arrival at the Fairground Plaza at 6:15PM, with stops at Walker St/RT 7 Lenox at 5:52PM, Main Street Stockbridge at 6:00PM and Rite Aid at 6:11PM.

Understand that these times are proposed and approximated. There may be a deviation of a few minutes either way, once it is underway based on traffic, road conditions, etc.

I have attached a route map showing these proposed express bus stops and times.

BRTA would add these additional runs for a six month trial period at no additional assessment cost to Great Barrington. The rider fare would be \$3.60 each way using the Charlie Card. As these are new express bus routes, we have no ridership numbers to share at this time.

This trial will be reviewed periodically and adjustments made accordingly to account for deviations and variances. At the end of the six month trial, ridership numbers will be available and reviewed for all of the new express routes to determine whether ridership is sustainable and whether it is financially feasible to propose continuing these express routes and if so, at that time BRTA would come back to you and the Board of Selectmen with a proposal for your review and approval or disapproval.

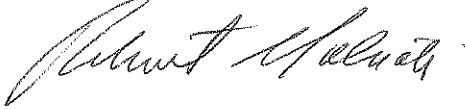


Please note this proposal is for express bus service only. It does not cover stops other than those on the proposed express routes. We continue to study the need and opportunities to provide additional non-express bus service in Great Barrington and other South Berkshire County locations.

We look forward to the Great Barrington Select Board's response to our Proposal, the acceptance of which may be indicated by the signature of the Town's Chief Elected Official and a notation of the date the Board so authorized this person to sign the Authorization block below.

While I believe I have answered all of your questions, if you need any further information or have any questions, please do not hesitate to contact my office.

Sincerely,



Robert Malnati

BRTA Administrator

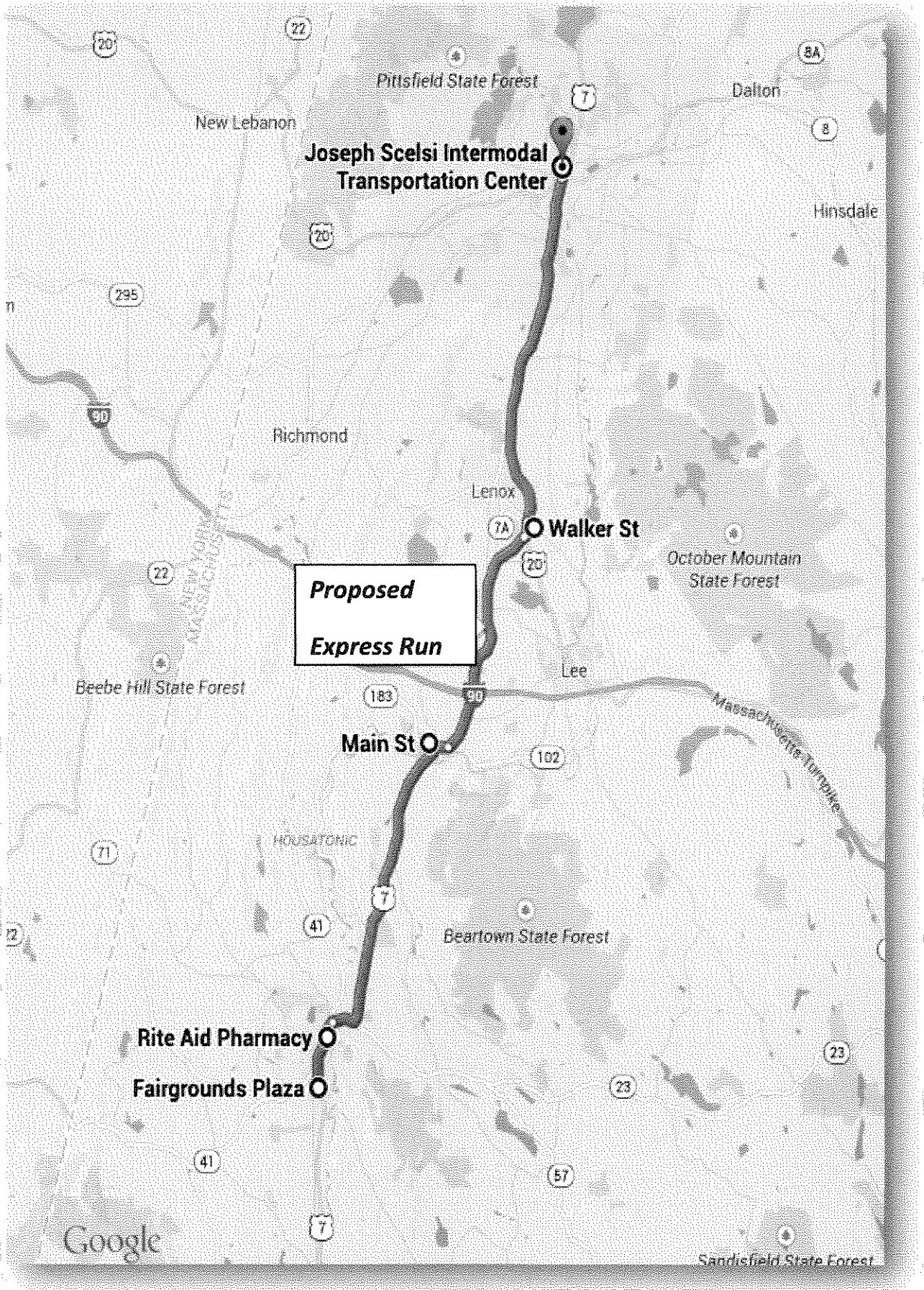
Attachment: Map and Express Bus Routes

Authorization:

The Town of Great Barrington's Select Board voted to accept the BRTA additional express bus runs, as specified, for a six month trial at their meeting on _____.

Signature of Chief Elected Official

Printed Name and Title of Chief Elected Official



**Proposed
Express Run**

**Joseph Scelsi Intermodal
Transportation Center**

Walker St

Main St

Rite Aid Pharmacy

Fairgrounds Plaza

Google

Sandisfield State Forest



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

PLANNING BOARD

RECEIVED
TOWN MANAGER

JAN 28 2015

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

January 28, 2015

Deborah Phillips, Chair
Great Barrington Selectboard

Re: Proposed Zoning Amendments for May 2015 Annual Town Meeting

Dear Ms. Phillips:

At its meetings on January 8 and 22, 2015, the Planning Board voted to forward to the Selectboard several proposed zoning amendments for consideration at this coming Annual Town Meeting. The proposed amendments were developed over the period of six months and include the following:

1. Create a new Housatonic Village Center (HVC) district and amend the Zoning Map to rezone the center of Housatonic Village from B2 General Business to HVC;
2. Create a new Housatonic Village Overlay District (HVOD) for parcels fronting on Main Street, Meadow Street, and Depot Street in Housatonic Village;
3. Amend the Zoning Map to rezone the R1B One-Family High Density Residential areas of Housatonic to R3 General Residential;
4. Revise the existing B1 Neighborhood Business regulations, and, amend the Zoning Map to rezone the North Plain Road B2 zone to B1 and to rezone the Risingdale Café area to B1;
5. Amend the Zoning Map to change two lots on Pothul Drive at Castle Hill Avenue from R2 to R1A to bring them into conformance;
6. Amend the height regulations and definitions of accessory buildings and accessory uses in order to allow for construction of garages or barns with accessory dwelling units and the construction of accessory buildings on adjacent lots in common ownership.

These proposed amendments are described in more detail in the attached documents and maps.

The required procedure for zoning amendments is that upon receipt, the Selectboard refer the proposed back to the Planning Board for a public hearing, per MGL Ch.40A, s.5. We request the Selectboard take this action at its February 9, 2015 meeting, so the Planning Board may properly notice and hold the public hearing on March 12, 2015.

Sincerely,



Jonathan Hankin, Chairman

cc: Jennifer Tabakin, Town Manager
Christopher Rembold, Town Planner
Marie Ryan, Town Clerk

HOUSATONIC VILLAGE CENTER (HVC) HOUSATONIC VILLAGE OVERLAY DISTRICT (HVOD)

Purpose of the amendments: Pursuant to the recommendations of the 2013 Master Plan, the following zoning amendments, updating the dimensional and use regulations, are proposed for Housatonic Village to promote village scale development, allow mixed uses, shared parking, and a variety of housing and employment options.

A Housatonic Village Center (HVC) zone will replace the B2 zone. The existing B2 zone allows commercial development at scales inappropriate for a village center that was developed with compact lots and little parking. The existing B2 zone also restricts residences to lots of 1/2 acre or more in size, making most residential uses and almost 75% of the B2 lots in Housatonic nonconforming. In fact, much of what was developed in the village over the last 100-150 years and still exists today would not be permitted under the current B2 zoning. The HVC will also:

- Bring all currently nonconforming structures into conformance.
- Allow for mixed-uses, live-work, and small restaurants by right in the HVC;
- Cap by-right retail uses at 6,500 square feet, but allow retail up to 10,000 square feet by Special Permit from the Selectboard, and up to 20,000 square feet in the case of historic structures such as the former school;
- Reduce parking requirements to reflect the walkability of the village center;
- Eliminate the B2 zone in the village and replace it with the new HVC district;
- Rezone the east side of Meadow Street, currently split by zoning districts, to HVC.
- Rezone 425 Park St (Brick House Pub) and its rear lots from R2 to HVC, rezone 421 Park Street from I to HVC, and rezone 402 Park Street from R3 to HVC. Each of these Park Street parcels is nonconforming in their existing zones. Those parcels within the HMROD overlay will remain so;

A Housatonic Village Overlay District (HVOD) will supplement the existing R3 regulations and:

- Maintain the existing residential context of Main, Meadow, and northern Depot Street;
- Bring currently nonconforming structures into conformance;
- Allow for mixed-use and live-work use by Special Permit.

Proposed Amendment:

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

To see if the Town will vote to add new Section 9.9, Housatonic Village Center (HVC) zone, add new Section 9.10, Housatonic Village Overlay District (HVOD), amend Section 3.1.4, Table of Use Regulations, amend Section 4.0, Dimensional Requirements, and amend the Zoning Map accordingly, as hereby proposed:

9.9 Housatonic Village Center (HVC)

9.9.1 Purpose. The Housatonic Village Center (HVC) district is hereby established to encourage a mix of uses while preserving the density and pedestrian-oriented character of the Housatonic village center, and to bring existing uses and structures into compliance with zoning in order to facilitate a variety of business and housing opportunities.

- 9.9.2 Location.** The HVC shall consist of the land shown on the 2013 Town of Great Barrington Assessor's Map 1: Parcels 88, 116A, 117A, 118A, 119-135, 162-165A, 189-194, 197, 198, 202-204, 242, 243, 248, 252, 253, 253A, and 253B. And Assessor's Map 2: Parcels 10, 18-20, and 53-60.
- 9.9.3 Permitted Uses.** Permitted uses in the HVC are set forth in Section 3.1.4, the Table of Use Regulations.
- 9.9.4 Dimensional Requirements.** Minimum setback and dimensional requirements shall be as set forth in Section 4.1.2, Schedule of Dimensional Requirements, except as follows:
1. Existing structures, or those with valid building permits, with front, side, and rear setbacks as of May 4, 2015 that do not meet the requirements herein shall be permitted to maintain those setbacks and shall be considered to be in conformance.
 2. Maximum front yard: New structures shall not be setback more than 10 feet or more than the average of the front yard setbacks of existing buildings on the abutting lots on either side, whichever is less.
 3. No new nonconformity may be created except as may be permitted in accordance with Section 5 of this Zoning Bylaw.
- 9.9.5 Parking.** The off-street parking requirements in Section 6.1 shall not apply in the HVC except as provided in this section. Off-street parking requirements in the HVC shall be as follows:
1. Only one space shall be required for any dwelling unit, whether in residential-only or in mixed-use buildings.
 2. For permitted uses in existing buildings that are not substantially expanded, the existing parking spaces shall be retained, but no new spaces shall be required. A substantial expansion is defined, for the purpose of this section, as one which involves increasing the size of the footprint of a structure by more than 25% or 500 square feet, whichever is less.
 3. For permitted uses in new buildings or existing buildings that are substantially expanded as defined in this section, or for any building greater than 5,000 square feet gross floor area, parking is required as follows:
 - (a) one parking space shall be required for each dwelling unit;
 - (b) the parking requirements for business or industrial uses in 6.1.2 through 6.1.6 shall be calculated as follows: the sum of the required parking for each use multiplied by 0.5 with the product rounded down to the nearest whole number, plus handicapped parking as may be required by law or building code (Example: 3 spaces required for retail, 4 spaces required for offices: $(3 + 4) \times 0.5 = 3.5$, so 3 spaces, + 1 handicapped space, = 4 spaces are required); and
 4. The parking requirements of this section may be waived if the SPGA grants a special permit pursuant to section 6.1.9.
- 9.10 Housatonic Village Overlay District (HVOD)**
- 9.10.1 Purpose.** The Housatonic Village Overlay District (HVOD) is hereby established as an overlay district to enable mixed uses, facilitate a variety of business and housing opportunities, and provide for the preservation of the character, design, and scale of the village center.

9.10.2 Location. The HVOD shall consist of the land shown on the 2013 Great Barrington Assessor's Map 1: Parcels 18, 19, 19A, 25, 65, 66, 72, 83, 84, 84A, 85-87, 89-109, 111, 113, 115-118. And Assessor's Map 2: Parcels 2-9, 11-17.

9.10.3 Applicability. All regulations pertaining to the underlying district(s) shall continue to be in full force and effect, except to the extent that the provisions of this section modify, amend, or supersede such underlying requirements or provide an alternative to such requirements.

9.10.4 Permitted Uses. All regulations pertaining to the underlying district(s) shall continue to be in full force and effect, except within the HVOD, mixed-use and live-work may be permitted by special permit issued in accordance with this Section and Section 10.5. The requirements of Section 8.4 shall not apply to mixed-use establishments in the HVOD.

The Special Permit Granting Authority (SPGA) for the HVOD shall be the Planning Board.

9.10.5 Dimensional Requirements. Setback and dimensional requirements shall be as set forth in Section 4.1.2, Schedule of Dimensional Requirements, except as follows:

- Existing structures, or those with valid building permits, as of May 4, 2015, with front, side, and rear setbacks that do not meet the requirements of herein shall be permitted to maintain those setbacks and shall be considered to be in conformance. These existing setbacks may not be decreased except in accordance with Section 5.0 of this Zoning Bylaw.

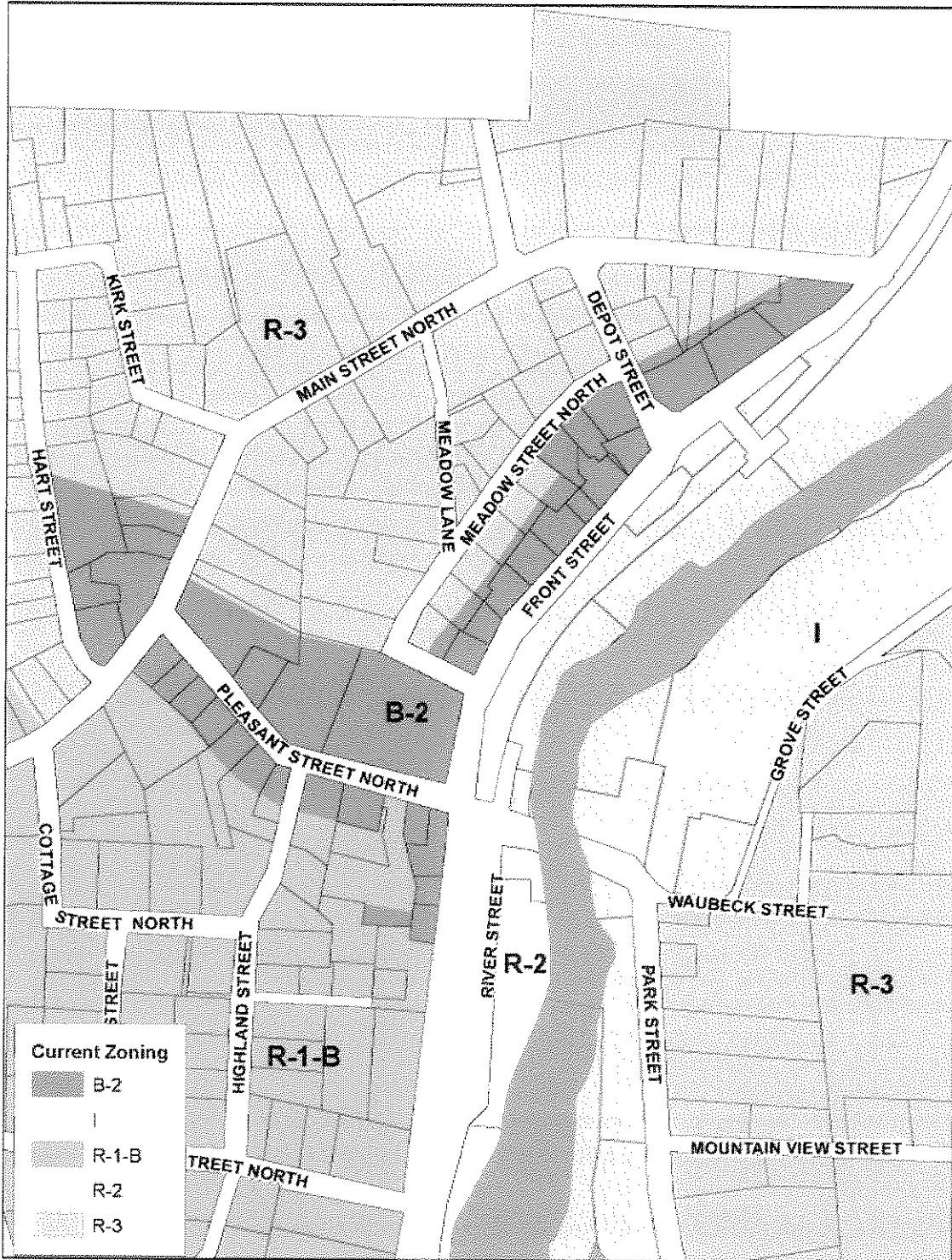
Amend Section 4.1.2, the Table of Dimensional Requirements by adding a new row for the Housatonic Village Center (HVC) district and footnote 12 as follows (additions are underlined):

District	Minimum lot area (sq. ft.)	Width (ft.)	Minimum front yard ¹ (ft.)	Minimum side yard (ft.)	Minimum rear yard (ft.)	Maximum lot coverage by buildings (percent)	Stories ^{2, 6}	Height (ft.) ^{2, 6}
<u>HVC</u> ¹²	<u>5,000</u>	<u>50</u>	<u>5</u>	<u>5</u>	<u>10</u>	<u>75</u>	<u>2 ½</u>	<u>35</u>

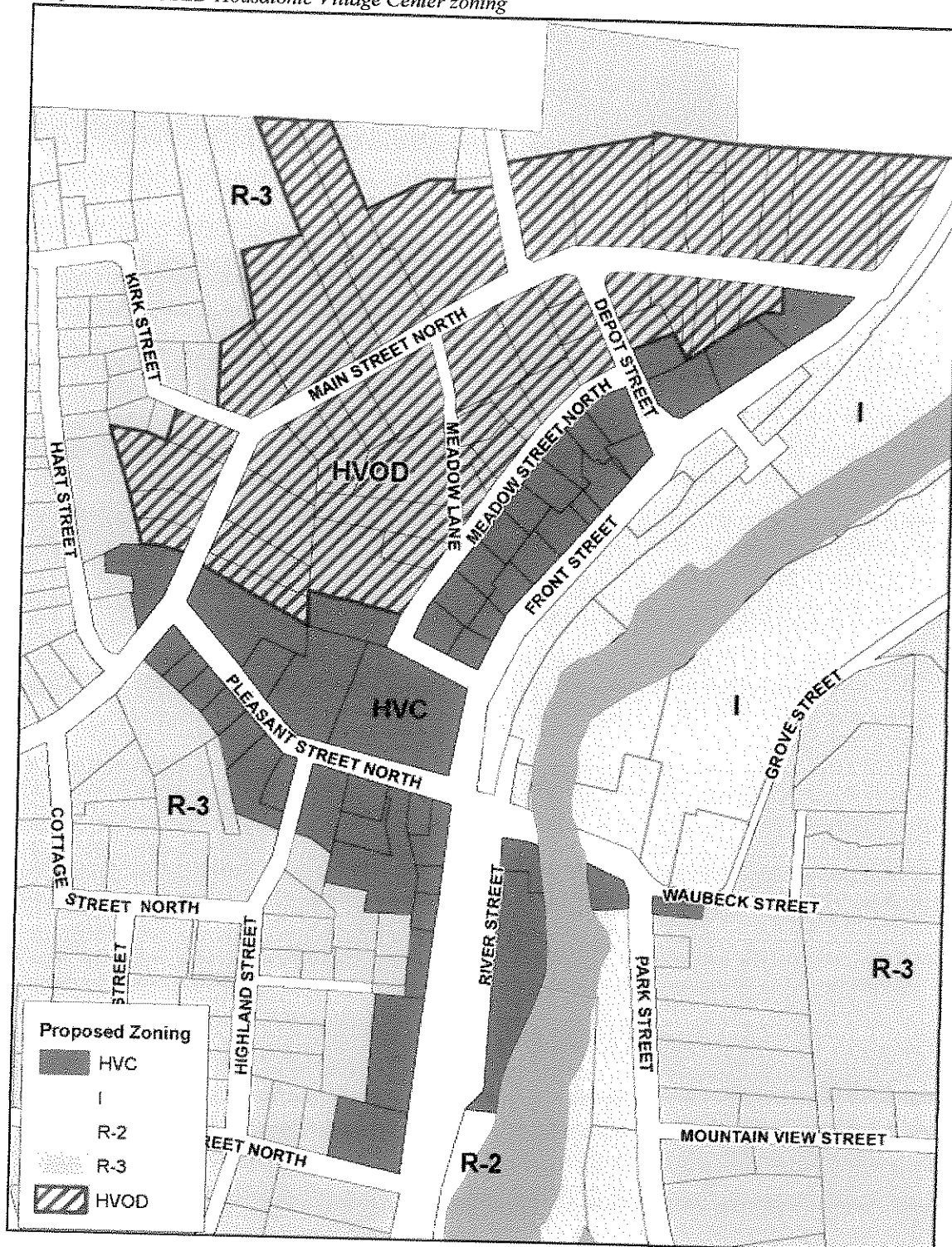
12. For existing structures in the HVC, see also Section 9.9.4.

Amend the Zoning Map accordingly (illustrated below):

Map 1: Existing zoning in Housatonic Village



Map 2: PROPOSED Housatonic Village Center zoning



Amend Section 3.1.4, the Table of Use Regulations as follows (additions are underlined):

Permitted Use	ZONING DISTRICT ^{1,4}											ADDITIONAL APPLICABLE REGULATIONS		
	RIA	RIB	R2	R3	R4	B	HVC	B1	B2	B2A	B3		I	I2
A. Residential uses														
(1) Dwelling, Single family	Y	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	SB	SB	
(2) Dwelling, Two-family	Y ²	Y ²	Y ²	Y ²	Y ²	Y ²	<u>Y²</u>	Y ²	Y ²	Y ²	Y ²	Y ²	Y ²	See also <u>8.1, 8.7.</u>
(3) Dwelling, multifamily	N	N	N	SB	N	SB	<u>SB</u>	N	SB	SB	Y	SB ³	SB ³	See also <u>8.2</u>
(4) Assisted living residence	PB	PB	PB	PB	PB	PB	<u>PB</u>	PB	PB	PB	PB	PB	PB	See also <u>8.8</u>
(5) Live/work units	N	N	N	N	N	N	<u>Y</u>	N	N	N	Y	Y	Y	See also <u>2.4, 9.6.</u>
(6) Lodging house or tourist home for transient guests	SB	SB	SB	SB	SB	SB	<u>SB</u>	N	SB	SB	SB	SB	SB	See also <u>7.16</u>
(7) Mixed use	N	N	N	N	N	SB	<u>Y</u>	SB	SB	SB	SB	Y	Y	See also <u>8.4, 9.6.</u>
(8) Open Space Residential Development	N	N	PB	N	PB	N	<u>N</u>	N	N	N	N	N	N	See also <u>8.7</u>
(9) Planned unit residential development (PURD)	SB	SB	SB	SB	SB	SB	<u>N</u>	N	SB	SB	SB	N	N	See also <u>8.5</u>
(10) Publicly Financed Nonprofit Age-Restricted Housing	N	N	N	SB	N	SB	<u>SB</u>	N	SB	SB	SB	N	N	See also <u>8.9</u>
(11) Trailer or mobile home	SB	SB	SB	SB	SB	SB	<u>N</u>	SB	SB	SB	N	SB	SB	See also <u>8.6</u>
B. Community, educational, & recreational uses														
(1) Camping facilities	N	N	SB	N	SB	N	<u>N</u>	N	N	SB	N	N	N	See also <u>7.4</u>
(2) Cemeteries	N	N	SB	N	SB	N	<u>N</u>	N	N	N	N	N	N	
(3) Child care center	Y	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	Y	Y	
(4) Clubhouses or fraternal lodges not conducted for profit	SB	SB	SB	SB	SB	SB	<u>SB</u>	SB	SB	SB	SB	SB	SB	
(5) Commercial amusements, fairgrounds	N	N	N	N	N	SB	<u>SB</u>	N	SB	N	N	SB	SB	
(6) Community center operated by a municipal or private not-for-profit organization	SB	SB	SB	SB	SB	SB	<u>SB</u>	SB	SB	SB	SB	SB	SB	

Permitted Use	ZONING DISTRICT ^{1,4}														ADDITIONAL APPLICABLE REGULATIONS
	R1A	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B3	I	I2		
(7) Educational use, exempt	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See also 7.6
(8) Educational use, nonexempt	N	N	SB	N	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	
(9) Golf or country clubs	N	N	SB	N	SB	N	N	N	N	SB	N	SB	SB	SB	
(10) Hospitals, sanitariums, nursing or convalescent homes or philanthropic institutions, provided that no principal building so used shall be within 50 feet of any lot line	N	N	SB	N	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	
(11) Municipal parks and playgrounds, including recreational buildings therein	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(12) Public libraries, public museums, municipal buildings and facilities	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(13) Riding stables on less than 5 acres, provided that any buildings or structures are set back not less than 50 feet from any lot line	N	N	SB	N	SB	SB	N	N	SB	SB	N	SB	SB	SB	
(14) Ski tows, provided that any buildings or structures are set back not less than 50 feet from any lot line	N	N	SB	N	SB	SB	N	N	SB	N	N	SB	SB	SB	
(15) Summer camps operated for children on sites not less than 10 acres in area	N	N	SB	N	SB	N	N	N	N	SB	N	N	N	N	
(16) Use of land or structures for religious purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
C. Office, retail and consumer service establishments															
(1) Banks and other financial institutions	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(2) Fast-food eating establishments	N	N	N	N	N	SB	SB	N	SB	N	N	N	N	N	See also 7.7, 7.9
(3) Fuel storage and sales, excluding motor vehicle fuel stations	N	N	N	N	N	SB	N	N	SB	N	N	SB	SB	SB	
(4) Garages, public	N	N	N	N	N	SB	SB	N	SB	N	SB	SB	SB	SB	See also 9.7
(5) Garden centers, including associated landscaping services	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	
(6) General service establishment	N	N	N	N	N	SB	Y	N	Y	N	SB	Y	Y	Y	

Permitted Use	ZONING DISTRICT ^{1,4}													ADDITIONAL APPLICABLE REGULATIONS
	RIA	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B3	I	I2	
(7) Greenhouses, commercial, on less than 5 acres, provided that no heating plant for a greenhouse shall be within 50 feet from any side or rear lot line	N	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(8) Hotels	N	N	N	N	N	SB	SB	N	SB	SB	SB	SB	SB	
(9) Institutional administrative offices or planned professional office developments or research centers, provided that in R2 & R4 Districts such uses are subject to special requirements	N	N	SB	N	SB	SB	SB	SB	SB	SB	SB	SB	SB	
(10) Kennel	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	
(11) Large-scale commercial development	N	N	N	N	N	Y	SB	SB	SB	N	SB	SB	SB	
(12) Lumberyards	N	N	N	N	N	SB	N	N	SB	N	SB	SB	SB	
(13) Motels or overnight cabins	N	N	N	N	N	SB	SB	N	SB	N	SB	SB	SB	
(14) Motor vehicle fuel station	N	N	N	N	N	SB	SB	N	SB	N	N	SB	SB	
(15) Motor vehicle general and body repair	N	N	N	N	N	SB	SB	N	SB	N	N	SB	SB	
(16) Motor vehicle sales rooms, including used car lots	N	N	N	N	N	SB	SB	N	SB	N	N	SB	SB	
(17) Offices	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	
(18) Parking lots, commercial	N	N	N	N	N	SB	SB	N	SB	N	SB	SB	SB	
(19) Personal service establishment	N	N	N	N	N	Y	Y	Y	Y	N	Y	Y	Y	
(20) Professional offices	SB	SB	SB	SB	SB	Y	Y	Y	Y	Y	Y	Y	Y	
(21) Registered Marijuana Dispensary	N	N	N	N	N	N	N	N	Y	N	Y	Y	Y	
(22) Restaurants and other places for serving food, other than fast-food eating establishments	N	N	N	N	N	Y	SB ⁴	SB	SB	SB	SB	SB	SB	
(23) Retail stores or centers and/or wholesale sales and service with total aggregate floor area less than or equal to 20,000 square feet	N	N	N	N	N	Y	Y ⁵	Y	Y	SB	Y	Y	Y	

Permitted Use	ZONING DISTRICT ^{1,4}													ADDITIONAL APPLICABLE REGULATIONS
	R1A	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B3	I	I2	
(24) Retail stores and shops for custom work or making of articles sold on the premises	N	N	N	N	N	Y	Y	SB	Y	SB	Y	Y	Y	
D. Agricultural uses														
(1) Agriculture, as defined by MGL c. 40A, s. 3, on tracts larger than 5 acres, including sales of products raised on premises on stands or structures erected in accordance with front yard setback requirements, provided that soil fertilizer shall be stored not less than 100 feet from any lot line, unless kept in air-tight containers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
E. Utilities, communication and transportation														
(1) Aviation field, public or private	N	N	N	N	SB	N	N	N	N	N	N	N	N	
(2) Essential services	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
(3) Freight terminals, truck or rail	N	N	N	N	N	SB	N	N	SB	N	N	SB	SB	
(4) Low-power FM broadcast radio licensed by FCC														
(a) Studio	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	
(b) Antenna	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	
(5) Passenger stations	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	
(6) Personal wireless tower or structure as a principal (or accessory) use in the Overlay District, and the initial and any subsequent personal wireless service facility located upon that tower or structure (see Section 9.3 of this Bylaw)														
F. Industrial, manufacturing and storage uses														
(1) Contractor's and Landscaper's yards	N	N	N	N	N	N	N	N	N	N	N	Y	Y	
(2) Gravel, loam, sand and stone removal for commercial purposes	N	N	SB	N	SB	SB	N	N	SB	N	N	SB	SB	
													See also 7.5	

Permitted Use	ZONING DISTRICT ^{1,4}											ADDITIONAL APPLICABLE REGULATIONS				
	R1A	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B3		I	I2		
(3) Light manufacturing	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	See also <u>6.4</u>	
(4) Saw (log) mill and manufacture of forest products, provided that any saw (log) mill shall be located at least 200 feet from any lot line, and no piles of sawdust or other refuse shall be maintained within 100 feet of any lot line	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
G. Accessory uses																
(1) Any structure or use customarily incidental and subordinate to the principal permitted use in the district	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See also <u>3.2, 7.1</u>	
(2) Home occupation (low impact)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	See also <u>3.2</u>	
(3) Adult day care	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	See also <u>8.8</u>	
(4) An accessory use to a by-right use, whether or not on the same parcel, which is necessary in conjunction with scientific research or development or related production, provided that the Board of Selectmen finds that the proposed accessory use does not substantially derogate from the public good	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	See also <u>3.2</u>	
(5) Drive-up or drive-through facilities	N	N	N	N	N	SB	N	SB	SB	SB	SB	SB	SB	SB	See also <u>7.9, 9.6</u>	
(6) Family day care (small)	Y	Y	Y	Y	Y	SB	Y	SB	SB	SB	SB	SB	SB	SB		
(7) Family day care (large)	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB		
(8) Home occupation (moderate impact)	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	See also <u>3.2</u>	
(9) Incidental stripping of sod or removal of topsoil, gravel, loam, sand, stone or other earth materials	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
(10) Keeping of horses, for whatever purpose, subject to Board of Health regulations and only on lots of 5 acres or more	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		

Permitted Use	ZONING DISTRICT ^{1,4}											ADDITIONAL APPLICABLE REGULATIONS	
	R1A	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B3		I
(11) Private garage or off-street parking for private automobiles registered at the premises	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
(12) Swimming pools, inground or aboveground. Pool must be surrounded by a continuous fence having a minimum of 4 feet height and with a gate that can be locked; so designed and built to restrain entry by unauthorized persons.	Y	Y	Y	Y	Y	SB	Y	SB	SB	SB	SB	SB	SB
(13) Wind Energy Generator	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB	SB

⁴ NOTE: Restaurants accommodating up to 16 seats are permitted by right in the HVC. Larger restaurants may be permitted by Special Permit.

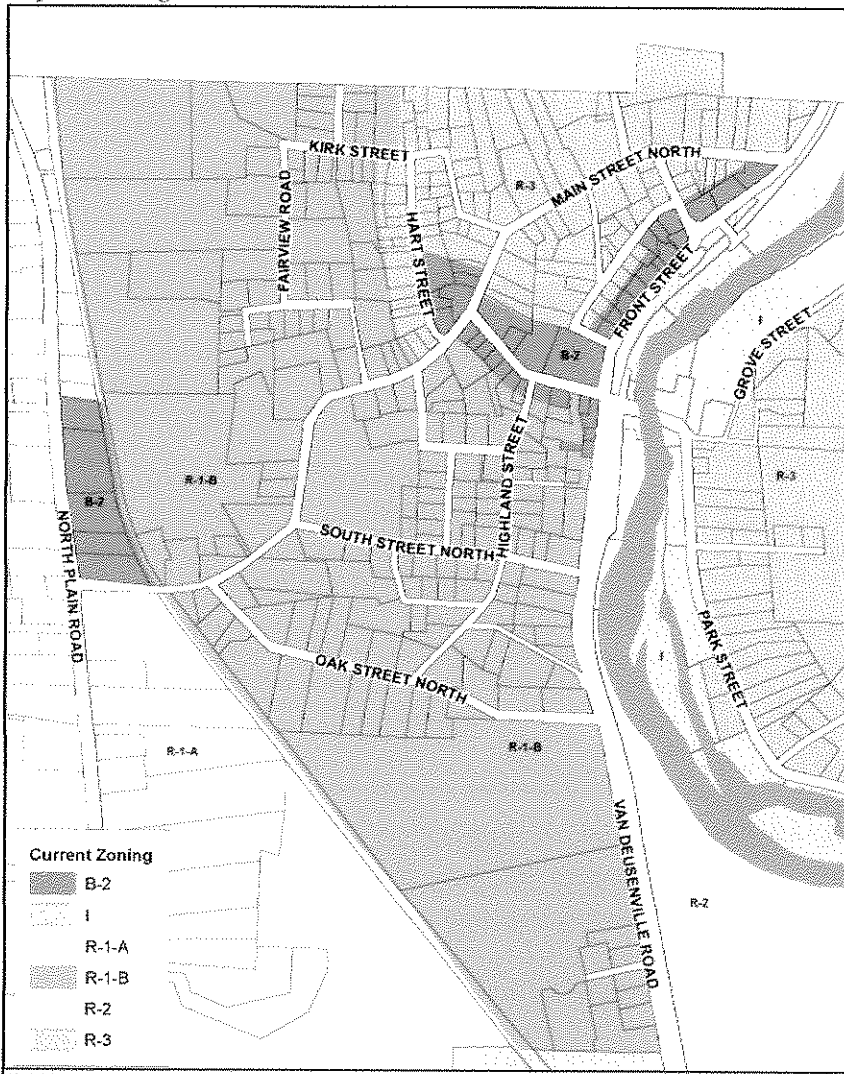
⁵ NOTE: In the B1 and HVC zones, wholesale sales and service facilities as well as retail stores are permitted by right up to 6,500 gross square feet (GSF). Such uses may also be permitted by special permit from the Select Board up to 10,000 GSF in the B1 and HVC zones. Such uses greater than 10,000 GSF are prohibited in the B1 zone. Retail stores up to 20,000 GSF in the HVC may be allowed by special permit from the Select Board, however, if the use is proposed as a component of a project that redevelops or reuses historic structures. Said structures are those listed on the State or National Register of Historic Places, a designated property in a Local Historic District, or determined in writing by the Great Barrington Historical Commission as historically, culturally, or architecturally significant to the Town.

REZONE R1B areas of Housatonic to R3

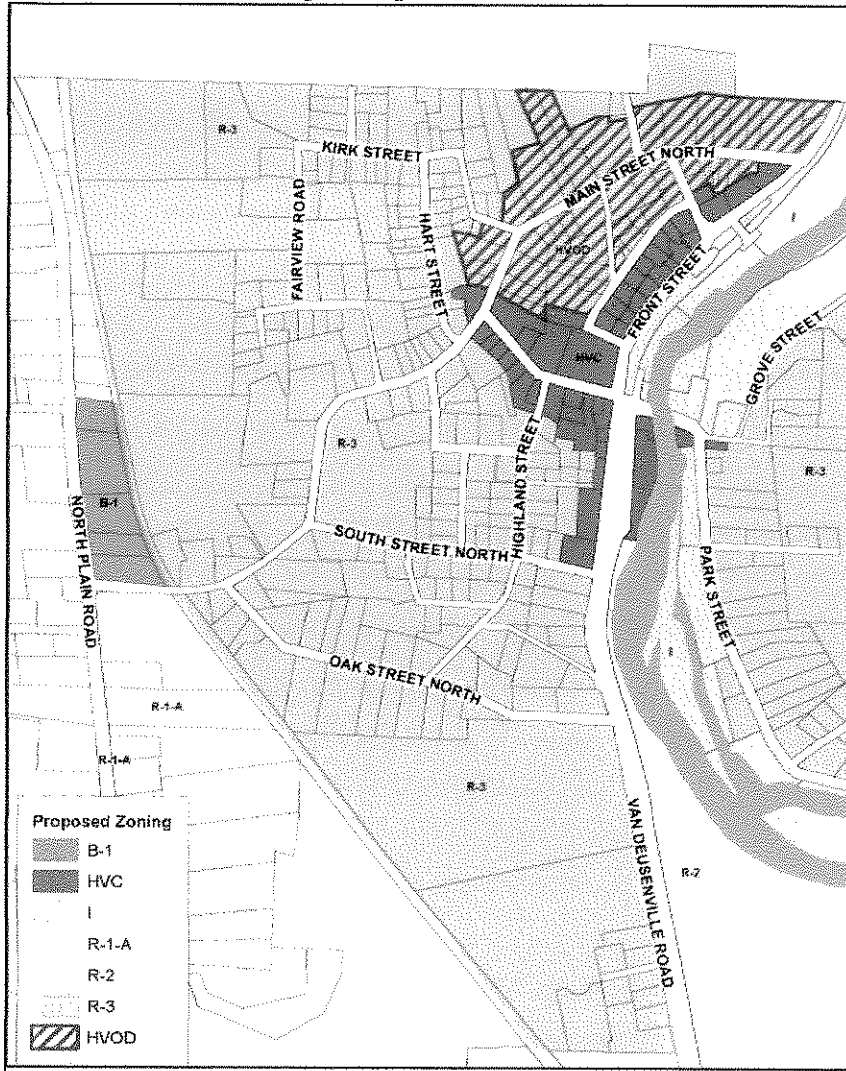
Purpose of the amendments: Amending the zoning map to extend the R3 residential zone to replace the entire R1B residential zone throughout Housatonic, and to replace remaining B2 areas to R3, will eliminate a handful of dimensional nonconformities, and it will change the uses slightly (e.g., multifamily is by special permit in R3, but not allowed in R1B). The slightly smaller minimum lot size (5,000 versus 6,500) is not expected to generate the potential for many new lots, since most of the area is already developed. The few large interior lots lack the frontage required for further lot divisions.

Proposed Amendment: To see if the Town will vote to amend the Zoning Map to replace the existing R1B zone in Housatonic and replace it with the R3 zone, illustrated on the following maps.

Map 3: Existing R1B and R3 zones in Housatonic



Map 4: PROPOSED rezoning showing R3 zone in Housatonic



DRAFT ZONING AMENDMENTS FOR 2015 TOWN MEETING

draft for Public Hearing

B1 ZONE AMENDMENTS

Purpose of the amendments: The existing B1 zone regulations are almost a mirror image of the B2 zone, a General Business zone which favors medium-large scale retail and commercial uses, similar to the size and density of what currently exists on Stockbridge Road, and restricts residential uses to large lots. These existing regulations may be appropriate for Stockbridge Road, but do not foster a “neighborhood business” area that was originally intended to allow small-scale neighborhood centers with services for local residents. Worse, the existing regulations encourage medium and large scale box retailers that would be inappropriate in these areas. These amendments will address these issues, and will make the B1 a true neighborhood business zone that incorporates a variety of residential uses. The amendments would limit the size of potential new retail uses to 6,500 square feet, which is less than what is typically required by box/chain retailers, and will prohibit retailers of 10,000 square feet or more, which would be incompatible with a neighborhood zone. Retail uses between 6,500 and 10,000 square feet may be approved by Special Permit.

There is only one B1 location currently in town; it is in the Risingdale area. It was originally intended to cover the Risingdale Café. However, when the zoning and tax maps were digitized, a mistake was made that appears to place the Café in the R1B zone. The proposed map amendment will fix that mistake, and will also extend the zone somewhat to include several similar parcels on Park Street / Route 183.

Another proposed map amendment will rezone the Housatonic North Plain Road area from B2 to B1. The B2 zone in this location makes several existing residential lots nonconforming. It also allows retail stores of up to 20,000 square feet, the size of a medium-large box retailer. This proposed map amendment will include the existing residences and the existing retail business, Country Carpets, all of which will continue to be allowed.

Proposed Amendment:

Proposed additions are underlined.

Proposed deletions are ~~struck through~~.

To see if the Town will vote to amend the B1 column of Section 3.1.4 (Table of Use Regulations), as follows:

change row A(3) Dwelling, multifamily from N to SB;

change row A(6) Lodging house or tourist home... from N to SB;

change row C(11) Large scale commercial development from SB to N;

change row C(23) Retail stores or centers and/or wholesale sales...from Y to Y⁵ thereby adding new footnote number 5, which will read as follows:

⁵ NOTE: In the B1 and HVC zones, wholesale sales and service facilities as well as retail stores are permitted by right up to 6,500 gross square feet (GSF). Such uses may also be permitted by special permit from the Select Board up to 10,000 GSF in the B1 and HVC zones. Such uses greater than 10,000 GSF are prohibited in the B1 zone. Retail stores up to 20,000 GSF in the HVC may be allowed by special permit from the Select Board, however, if the use is proposed as a component of a project that redevelops or reuses historic structures. Said structures are those listed on the State or National Register of Historic Places, a designated property in a Local Historic District, or determined in writing by the Great Barrington Historical Commission as historically, culturally, or architecturally significant to the Town.

To see if the Town will vote to amend the B1 rows of Section 4.1.2 (Table of Dimensional Requirements) as set forth below:

District	Minimum lot area (sq. ft.)	Width (ft.)	Minimum front yard ¹ (ft.)	Minimum side yard (ft.)	Minimum rear yard (ft.)	Maximum lot coverage by buildings (percent)	Stories ^{2,6}	Height (ft.) ^{2,6}
B1	Dwellings: 10,000 5,000	40- 50	25	20 10	30	25 40	2 ½	35
	Other permitted uses: 5,000	50	25	10	10	75	3	40

And to see if the Town will vote to amend the zoning map by changing the B2 zone on North Plain Road Assessor's Map 26, Parcels 10-18, to B1, and by changing the zoning of Assessor's Map 6, Parcels 25, 26, 37, 38, and 39 (located on Park Street / Route 183) to B1, as illustrated on the following maps:

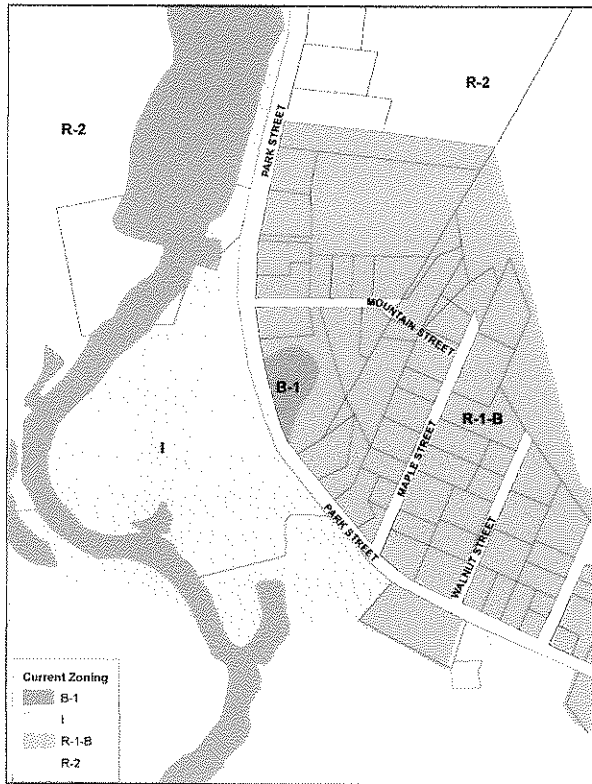
Map 5: Existing B2 on North Plain Road



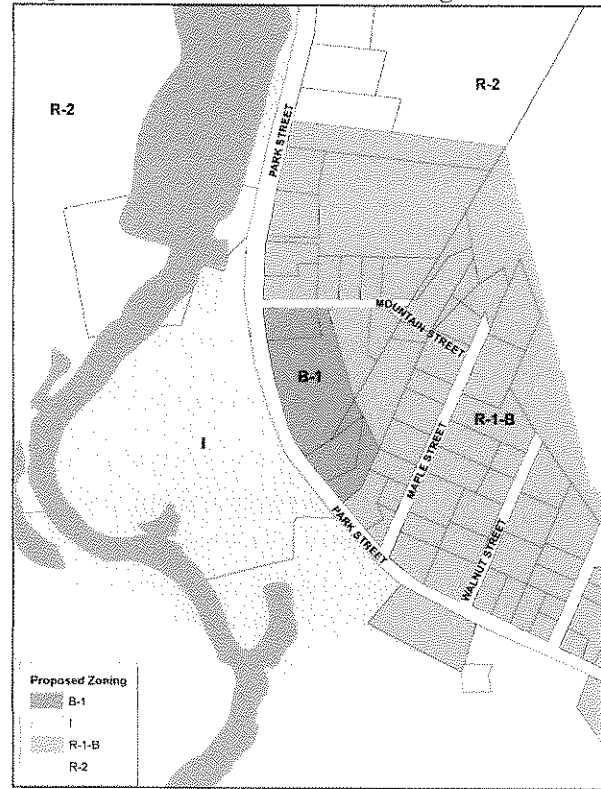
Map 6: PROPOSED B1 on North Plain Road



Map 7: Existing B1 zone in Risingdale



Map 8: PROPOSED B1 zone in Risingdale

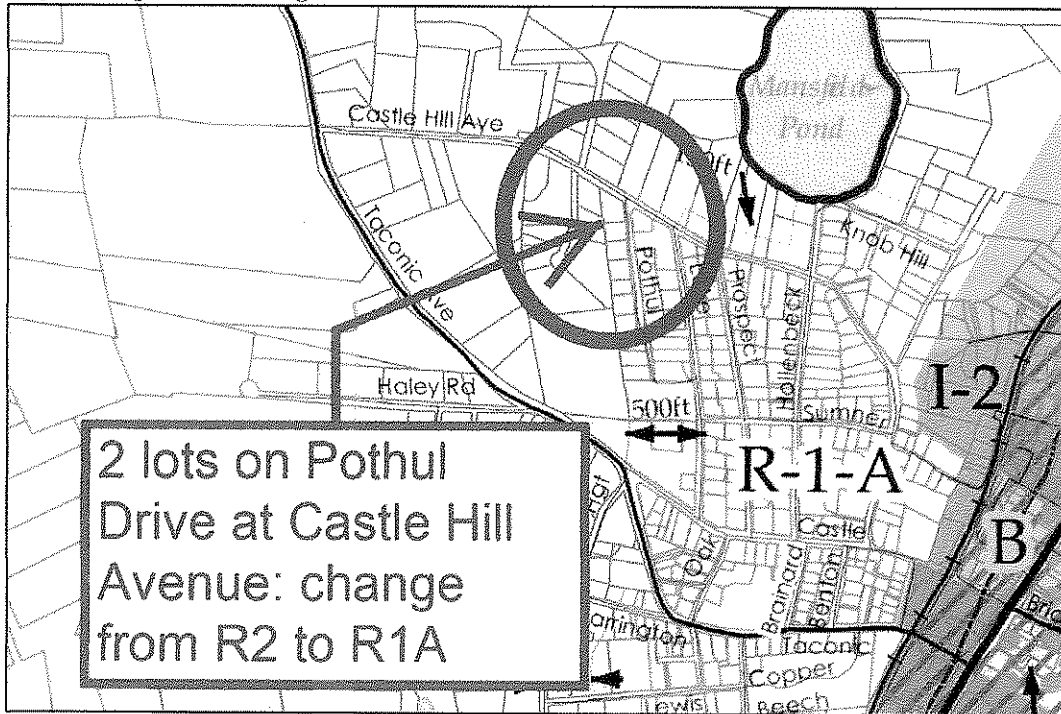


POTHUL DRIVE R2 to R1A REZONING

Purpose of the amendments: By amending the zoning map to change Assessor's Map 13, Parcels 1 and 26E from R2 to R1A, the parcels and the structures will be brought into conformance and make them subject to similar regulations as the other lots on Pothul Drive.

Proposed Amendment: To see if the Town will vote to amend the Zoning Map to rezone Assessor's Map 13, Parcels 1 and 26E from R2 to R1A, as illustrated on the following map.

Map 9: Proposed rezoning on Pothul Drive at Castle Hill Avenue



ACCESSORY BUILDINGS & USES

Purpose of the amendments: Currently accessory structures or uses must be located on the same lot as the principal use. In some instances, this has proven to be unnecessarily restrictive. These amendments will allow the accessory structure or use to be located on an abutting lot in common ownership with the principal structure. Secondly, these amendments will allow accessory structures to be taller than the existing 15 foot height limit, thereby allowing for the possibility of a contemporary carriage barn, similar to those that remain such an integral part of our architectural history in this town. In addition, the proposed two story height limit increases the likelihood that new affordable, dwelling units will be created. Each of these amendments is design to encourage, not discourage, a property owner's investment in their property.

Accessory structures taller than 15 feet will need to meet all setback requirements for the zoning district.

Proposed Amendments:

Proposed additions are underlined.
Proposed deletions are struck through.

To see if the Town will vote to amend Sections 3.2, 4.2, and 11.0 as follows:

3.2 ACCESSORY USES

3.2.1 General. A related minor use or structure which is either necessary to the operation or enjoyment of a lawful principal use, or appropriate, customarily incidental and subordinate to any such use, shall be permitted as an accessory use. Such use shall be permitted only on the same lot with or on an abutting lot in common ownership with the building to which it is accessory and shall be subject to the limitations set forth in this Bylaw.

3.2.2. Restrictions.

1. No use shall be permitted in any district as an accessory use which increases the number of dwelling units on any lot beyond that which is permitted in that district or which constitutes in effect a conversion of a permitted use to one not permitted in that district, unless a dwelling unit is permitted as an Accessory Dwelling Unit in accordance with 8.2.
2. No accessory building shall be used as a dwelling, unless permitted in accordance with 8.2, or except in an Industrial District for the accommodation of a night watchman or janitor.
32. An accessory building not exceeding 15 feet in height may be located within the required rear or side yard of the principal building, but shall not be located in the front yard or nearer to any street line than the minimum setback in the zoning district in which it is located. No accessory building shall be within 10 feet of any side or rear lot line. An accessory building exceeding 15 feet in height shall conform to all minimum setback requirements for the zoning district.
43. An accessory building in a Residence District shall not exceed 1525 feet in height above the ground level, and it shall not be located nearer than 10 feet to the principal building or occupy more than 10% of the total lot area. For definition of "height of a building," see Section 11.0.

4.2.8 Exceptions to Height Requirements.

1. Dwellings and accessory buildings on lots of five acres or more may be three stories or 40 feet in height.

SECTION 11: DEFINITIONS

ACCESSORY BUILDING: A subordinate building, the use of which is customarily incidental to that of a principal building and located on the same lot, or an abutting lot in common ownership, therewith.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use and located on the same lot, or an abutting lot in common ownership, therewith.