

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, AUGUST 11, 2014

7:00 P.M. – 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. TOWN MANAGER'S REPORT:

A. FOLLOW UP ITEMS

- HAMPSHIRE COUNCIL OF GOVERNMENTS

- BOARDS/COMMITTEES/COMMISSIONS VACANCIES

4. LICENSES OR PERMITS:

A. PATTY SPECTOR/JOSH BILLINGS RUNAGROUND FOR PERMISSION TO UTILIZE TOWN ROADS FOR THE 38TH ANNUAL GREAT JOSH BILLINGS RUNAGROUND ON SUNDAY, SEPTEMBER 14, 2014. (DISCUSSION/VOTE)

B. VICKI COONS/FAIRVIEW HOSPITAL'S RECREATION ASSOCIATION FOR PERMISSION TO HOLD ANNUAL MONSTER DASH 5K RUNNING RACE/WALK AND 1 MILE WALK ON SATURDAY, OCTOBER 25, 2014 AT 9:30 AM STARTING AND FINISHING AT FAIRVIEW HOSPITAL OUT-PATIENT REHABILITATION SERVICE (THE OLD CONDOR CHEVROLET SITE). (DISCUSSION/VOTE)

5. NEW BUSINESS:

A. SB –APPOINTMENT OF FY 2015 ELECTION OFFICERS. (DISCUSSION/VOTE)

B. PARKING TASK FORCE. (DISCUSSION/VOTE)

C. SB – LEGAL SPECIAL COUNSEL APPOINTMENT. (DISCUSSION/VOTE)

D. SUMMERFEST – TOWN BOOTH.

E. PROPOSED CEMETARY DOG CLEAN UP POLICY.

F. SB – RECOMMENDATION TO THE PLANNING BOARD ON THE COMMON DRIVEWAY
PERMIT APPLICATION OF JOSEPH DOMANEY AT 6 ABBEY HILL ROAD.
(DISCUSSION/VOTE)

6. OLD BUSINESS:

7. CITIZEN SPEAK TIME:

8. SELECTBOARD'S TIME:

9. MEDIA TIME:

10. ADJOURNMENT:

NEXT SELECTBOARD'S REGULAR MEETING: MONDAY, AUGUST 25, 2014 AT 7:00 P.M.

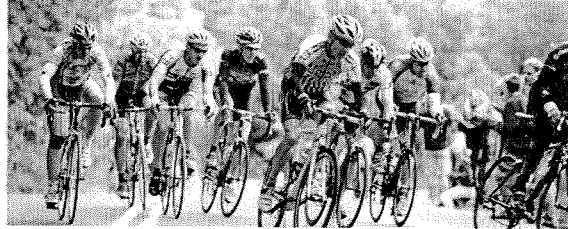

Jennifer Tabakin, Town Manager

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.



JOSH BILLINGS

RUNAGROUND TRIATHLON
BIKE 27 MILES • PADDLE 5 MILES • RUN 6 MILES



RECEIVED
TOWN MANAGER

JUL 14 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

July 10, 2014

TO: Board of Selectmen
FROM: Patty Spector, Race Director
RE: The 38th Annual Great Josh Billings RunAground

The 38th Annual Great Josh Billings RunAground will take place on Sunday, September 14, 2014. I would like to request permission for the race to utilize your roads on this date.

As in the past, the race will be using local law enforcement as well as the Berkshire County Sheriffs to ensure the safety of our participants.

I understand that there will be road construction in downtown Great Barrington. Please let me know who I can meet with to discuss our options for the race during the road construction. Also, to ensure the safety of the Josh bikers, I would like to request that any holes or large debris on the bike route through Great Barrington be repaired prior to race day.

Thank you for your assistance with the Josh Billings race. Please call me at 344-7919 or email patty@joshbillings.com with contact information for the road construction.

The Josh is a 501c3 organization and is proud to be a supporter of the Berkshire United Way

Best Regards,

Patty Spector, Race Director

Helen Kuziemko

From: Chris Rembold
Sent: Tuesday, July 29, 2014 12:13 PM
To: Helen Kuziemko; Jennifer Bailly
Subject: Josh Billings

On 7/29 the DRT reviewed this event, planned for Sunday 9/14/2014. We have no issues or concerns.

Chris

Christopher T. Rembold, AICP

Town Planner
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230
Ph: (413) 528-1619, x. 7
www.townofgb.org

RECEIVED
TOWN MANAGER

JUL 11 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

Board of Selectmen
Town of Great Barrington
334 Main St.
Great Barrington, MA 01230

July 8, 2014

Dear Selectboard:

As a representative of Fairview Hospital's Recreation Association I am requesting permission for us to hold our annual Monster Dash 5k running race/ walk and 1 mile walk on Saturday October 25, 2014.

We would like to begin the event at 9:30 AM, starting and finishing at Fairview Hospital's Out-Patient Rehabilitation Services (the old Condor Chevrolet site). The run route will head west on Rt. 23, turn left onto West Sheffield Rd., turn around just before Wyantenuck Country Club and return to start. The walk route will head downtown to Berkshire Bank and back.

We will have volunteers on the course and I have spoken with Chief Walsh regarding this event. If you have any questions I can be reached at 528-8600, ext. 5142.

I look forward to hearing from you and hope that you will be able to approve this community event. Upon your approval I will submit the application for permit to the Mass. Highway Department.

Sincerely,



Vicki Coons, Race Director
Fairview Hospital
29 Lewis Ave.
Great Barrington, MA 01230
vcoons@bhs1.org
413-528-8600 ext. 5142

Helen Kuziemko

From: Chris Rembold
Sent: Tuesday, July 29, 2014 12:14 PM
To: Helen Kuziemko; Jennifer Bailly
Subject: Monster Dash

On 7/29 the DRT reviewed this event, planned for 10/25/2014. We have no issues or concerns, but would like to note the applicant should coordinate with Mass DOT since Rte. 23 is a state highway.

Chris

Christopher T. Rembold, AICP

Town Planner
Town of Great Barrington
334 Main Street
Great Barrington, MA 01230
Ph: (413) 528-1619, x. 7
www.townofgb.org

Marie Y. Ryan, CMC
Town Clerk
Justice of The Peace



Town Hall, 334 Main St.
Great Barrington, MA 01230
(413) 528-1619 ext. 3
Fax: (413) 528-1026

**TOWN OF GREAT BARRINGTON
MASSACHUSETTS**

—
OFFICE OF THE TOWN CLERK

EXECUTIVE SUMMARY

TITLE: Fiscal 2015 Election Officers Appointment

BACKGROUND: Pursuant to M.G.L. Chapter 54 Section 12, the Selectboard shall annually appoint the election officers for the Town.

FISCAL IMPACT: Payment for working at polls or use hours towards the Senior Citizen Tax Work Off Abatement Program.

RECOMMENDATION: The Selectboard to appoint the individuals on the attached list as Election Officers for the current Fiscal Year.

PREPARED AND REVIEWED BY: Marie Y Ryan, CMC

DATE: August 4, 2014

APPROVED: Jennifer Tabakun

Marie Y. Ryan, CMC
Town Clerk
Justice of The Peace



Town Hall, 334 Main St.
Great Barrington, MA 01230
(413) 528-1619 ext. 3
Fax: (413) 528-1026

**TOWN OF GREAT BARRINGTON
MASSACHUSETTS**

—
OFFICE OF THE TOWN CLERK

TO: Selectboard
FROM: Marie Y Ryan, Town Clerk
DATE: August 11, 2014

RE: Election Officers

According to M.G.L. Chapter 54, section 12, the Selectmen shall annually, appoint the election officers for each voting place within the town. I respectfully request that the following people be appointed for the current fiscal year:

Judith Arienti	Michele Gilligan	Andrew C. Moro
Marlene Atwood	Jane Green	Lynn Nettleton
Maureen Avery	Ann Grochmel	John Passetto
Madonna Bachman	Thomas Hatch	Virginia Passetto
Barbara Bailly	Jean Holcomb	Susan Pettee
Debbie Ball	Dorothy Hotchkiss	Kathleen Plungis
Irene Bara	Carolyn Ivory	Frances Premerlani
Marion Barry	Paul Ivory	Larry Premerlani
Theresa Bernoi	Harry Jennings	Donald Rembisz
Marilyn Bisiewicz	Deborah Kain	Bernard Rodgers
Louise Briggs	Laura Keefner	Linda Santos
Elizabeth Budz	Marjorie Keefner West	Sheila Shepardson
Barbara Chamberland	John Kellogg	Terry Smith
Christine Coons	Kathleen Kotleski	Sandra Sokul
Richard Coons	Ethel Kramer	Margaret Soule
Judith Corbett	Helen Kuziemko	Marilyn Stevens
Madeleine Curtiss	Matt Kuziemko	Carol Strommer
Jessica Dezieck	Lois Larkin	Steve Strommer
Judith Dunham	Fran Locke	Christine Tarnawa
Patricia Dymek	Michelle Loubert	John Tossavainen
Frederick Dymek	Donna MacDowell	Marcia Trombley
William Fields	Carol Meade	Howard Trombley
Patrick Fennell	Theresa Moore	Christine Ward
Paul Gibbons	Bruce Morelli, Sr	Michael Wise



Town of Great Barrington

Planning Board

Application for a Common Driveway Permit

Fee \$50.00 (pd)
OFFICE USE ONLY
APPLICATION NO.

This is an interactive, fillable form. You may save it to your computer and type in the required information. Print the completed form and submit 5 copies along with required fee and 5 copies of plans.

Date of Application July 22, 2014

Name of applicant (property owner) Joseph Domaney

Mailing address of applicant 10 Humphrey, Apt. A, Great Barrington, MA 01230

Telephone number of applicant 413-329-4967

Location of proposed driveway / highway entrance 6 Abbey Hill, Great Barrington, MA

Contractor Martin Excavating, Inc.

Address of contractor 96 Salisbury Road, Sheffield, MA 01257

Proposed construction date September 1, 2014

Type of driveway (gravel, asphalt, etc.) Gravel

Number of dwelling units served (no more than 3) TWO

DESIGN REQUIREMENTS: Applicants are required to read and comply with 153-19 of the Great Barrington Town Code. Design requirements for the Common Driveway shall be the same as those for driveways under 153-14 of the Great Barrington Town Code. The design shall, in the opinion of the Planning Board and the Highway Superintendent, assure adequate safety and access for emergency vehicles.	
<input checked="" type="checkbox"/>	Check here to confirm that you have read and complied with 153-19 and 153-14 of the Great Barrington Town Code
<input checked="" type="checkbox"/>	Check here to confirm that you have included 5 sets of detailed plans, showing all of the information required to determine compliance with the Design Requirements
<input checked="" type="checkbox"/>	Check here to confirm that you have included a draft of covenants, easements and restrictions for review by Town Council and subsequent execution and recording in the Southern Berkshire Registry of Deeds.

Attach Five (5) Copies of Detailed Plans of Proposed Driveway / Highway Entrance

The applicant hereby agrees to notify the Great Barrington Highway Superintendent of the date and time of driveway construction at least 24 hours before construction is begun. The applicant further agrees to conform to all requirements of the Town of Great Barrington regulations of access to public ways (as most recently revised) and to all conditions set forth in the permit. See Ch. 153 of the Town Code for regulations governing driveways.

Applicant's Signature _____

[Click Here to Print Completed Form](#)

THIS PAGE FOR OFFICE USE ONLY

Recommendation of Highway Superintendent

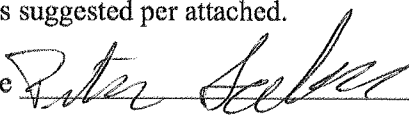
I recommend that this application be

approved subject to conditions attached.

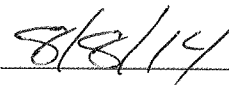
disapproved for reasons attached.

resubmitted with changes suggested per attached.

Highway Superintendent's Signature



Date



Additional Recommendations

- Application has been reviewed and recommended by the Fire Chief
- Application has been reviewed and recommended by the Conservation Commission
- Application has been reviewed and recommended by the Board of Selectmen
- Draft of covenants, easements, and restrictions has been reviewed and approved by Town Counsel

Permit for Access to Public Way

Permission is hereby granted _____

To construct or alter a common driveway to access to a public way at _____

as shown on the application for access to public way dated _____
subject to conditions attached.

Great Barrington Planning Board

Date: _____



N/F LAND OF
JOHN D. AND
LINDA W. MULLANY

N/F LAND OF
DALE L. GUREK
TRUSTEE

N/F LAND OF
ELIZABETH M.
HUEMMER

N/F LAND OF
KATHLEEN A. SHIELDS,
JAMES DANIELS, AND
KATHERYN OBRIEN

N 71° 49' 50" W
L=357.45'

DRIVEWAY
RIGHT-OF-WAY
AREA SHOWN IN
HATCH. R.O.W. TO
SERVE LAND N/F
SHIELDS, DANIELS AND
OBRIEN

Handwritten: SHIELDS DANIELS OBRIEN

CULVERT

S 01° 19' 15" E
L=276.26'

S 84° 14' 50" E
L=162.79'

S 71° 46' 27" E
L=128.69'

N 13° 15' 30" E
L=150.55'

N 11° 00' 00" E
L=76.18'

N/F LAND OF
MICHAEL N. AND
MARY M. HUGGINS

SITE PLAN



SCALE: 1" = 60'

ABBAY HILL ROAD

IPF



Google

Imagery Date: 5/10/2014 42°12'55.18" N 73°21'21.89" W elev 750 ft

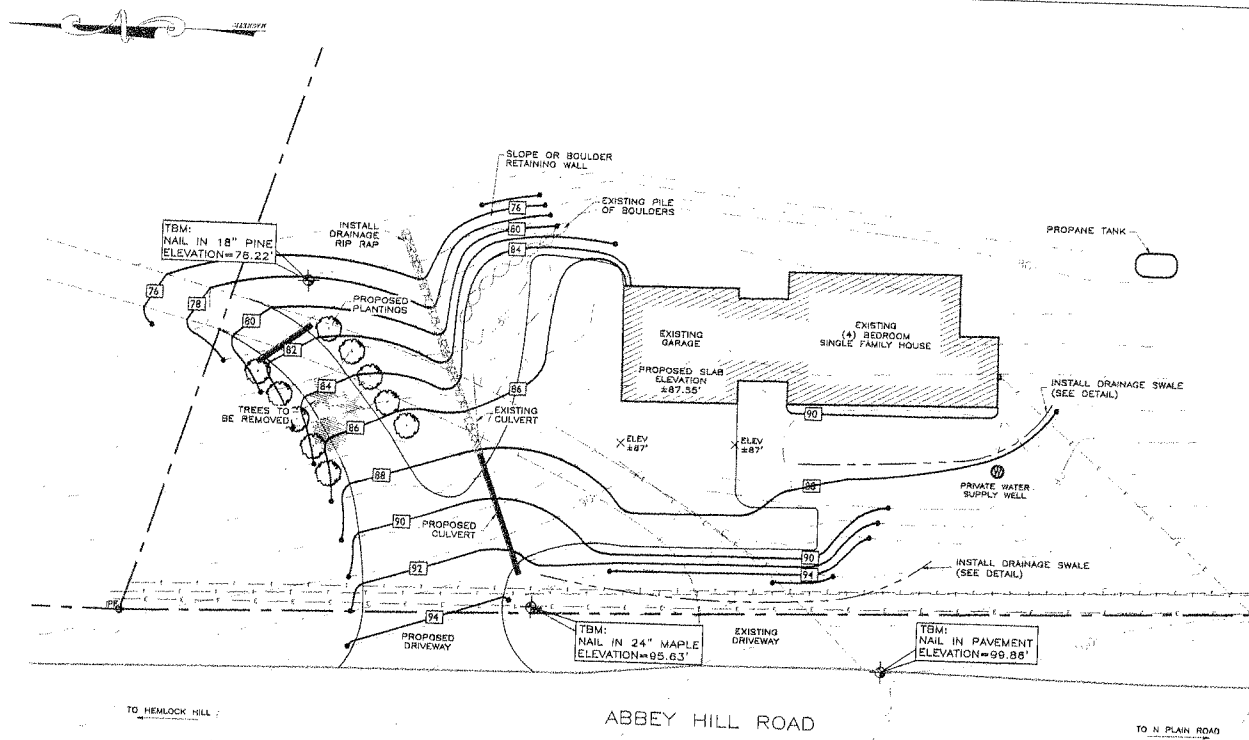
© 2014 Google

Abbey Hill Dr

3005 ft

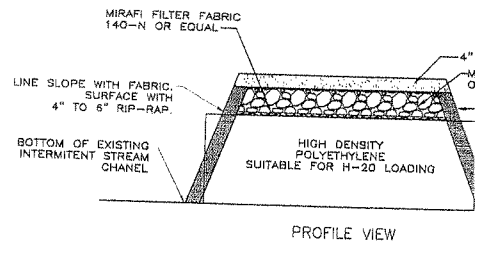
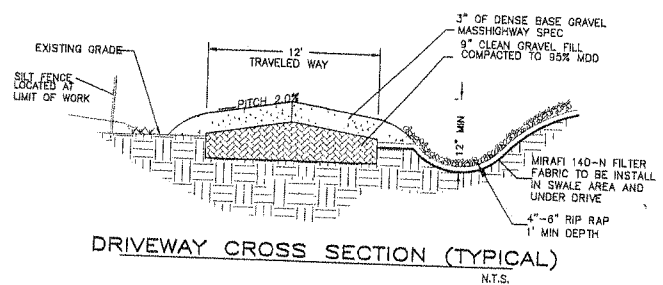
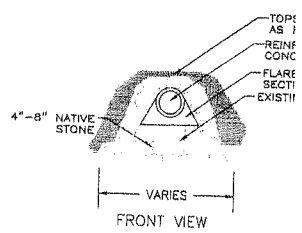
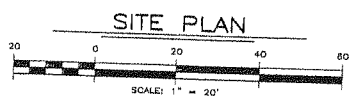
1995

14-16 ...
 ... 22' of street

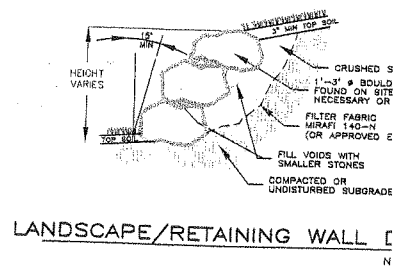
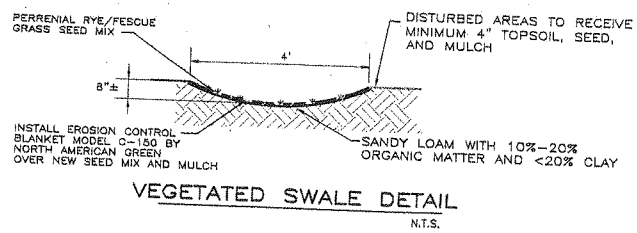


TO HEMLOCK HILL / ABBEY HILL ROAD / TO N. PLAIN ROAD

△
 STA 1
 EL=100.00'



CULVERT REPLACEMENT



Pete Soules
Highway-Facilities Superintendent

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



20 East Street
Great Barrington, MA 01230

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

TOWN OF GREAT BARRINGTON MASSACHUSETTS

Department of Public Works
Highway Division

Conditions on Application for Access to Public Way

Applicant: Joseph Domaney
Location: 6 Abbey Hill
From: Pete Soules Highway Superintendent
Date: August 8, 2014

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

- H. In no instance shall the edge of the driveway entering onto the road conflict with the flow of surface water runoff.
 - I. Driveway width shall not be less than 8-feet or more than 16-feet within the town right-of-way. Any curb at the entrance shall be rounded off with a radius of three (3) feet.
 - J. Pitch of driveway shall be downward from the edge of the road to sideline of the town right-of-way or front property line.
 - K. Driveways should be located to the best advantage with respect to the alignment with the way, profile and sight distance conditions. In no instance shall a driveway intersect the way at less than a sixty degree angle. Unless there is no alternative, a driveway should not be located within a required side yard.
 - L. No permit shall be issued for any driveway to a structure or proposed structure on a grade in excess of ten percent (10%) above the road or street level until and unless the applicant submits plans to the Highway Superintendent showing that the driveway will be constructed in a such a way so as not to discharge water, stones or other materials onto any public street, road or highway.
2. Install a paved driveway apron in accordance with the following requirements:
- A. Apron dimensions: Width = 22-feet maximum along the roadway which includes a 3-foot radius curb on each side. Length = 5-feet minimum from edge of roadway.
 - B. Place 3-inches of bituminous concrete on 12-inches of compacted gravel.
 - C. Place asphalt tack coat along the edge of the road where the apron meets the edge of the existing pavement.

The applicant agrees to notify the Highway Superintendent (528-2500) at least 48 hours prior to the installation of the paved apron.

3. Should there be, after completion of the driveway, discharges of water, stones, or silt onto the public way or onto property of any abutters or neighbors, the property owner shall take whatever steps are necessary to eliminate such discharges.
4. The applicant shall maintain the proposed access to conform to the following applicable condition listed under **Section 153-17, Continuing responsibility of owners**, of the Town of Great Barrington Code:

Abutting property owners shall be responsible for keeping culverts under their driveways cleared and for maintaining driveways in condition conforming to the requirements of the permit.



6 Abbey Hill

Looking North



6 Abbey Hill

Looking South



Existing Driveway
To # 8 Abbey Hill



6 Abbey Hill

COMMON DRIVEWAY EASEMENT & MAINTENANCE AGREEMENT

AGREEMENT made as of this _____ day of August, 2014, among **JOSEPH F. DOMANEY**, of 6 Abbey Hill Drive, Great Barrington, MA (“Domaney”) and **Kathleen A. Shields, James J. Daniels and Kathryn A. O’Brien** of 8 Abbey Hill Drive, Great Barrington, MA. (“Shields/Daniels/O’Brien”).

Whereas Domaney is the owner of property situated at 6 Abbey Hill Drive a/k/a 6 Abbey Hill Road conveyed to him by deed of Rita Zola dated September 18, 2012 and recorded in the Southern Berkshire Registry of Deeds in Book 2143, Page 116&c., and identified as Lot 20 (1.78 Acres) on a plan entitled “Section ‘A’, Revised Plan Showing a Subdivision of Land of Well-Kamp Enterprises, Inc. known as Abbey Hill Acres in Great Barrington, Mass. Scale 1” = 100’ June 1972, Kelly and Granger, Engineers” which plan is recorded in the Southern Berkshire Registry in Map File 55, and

Whereas Shields/Daniels/O’Brien are the owners of property situated at 8 Abbey Hill Drive a/k/a 8 Abbey Hill Road conveyed to them by deed of Rita Zola dated November 17, 2011 and recorded in the Southern Berkshire Registry of Deeds in Book 2085, Page 106&c., and identified as Lot 18 (1.98 Acres) on a plan entitled “Section ‘A’, Revised Plan Showing a Subdivision of Land of Well-Kamp Enterprises, Inc. known as Abbey Hill Acres in Great Barrington, Mass. Scale 1” = 100’ June 1972, Kelly and Granger, Engineers” which plan is recorded in the Southern Berkshire Registry in Map File 55, and

Whereas Domaney and Shields/Daniels/O’Brien wish to establish a right of way easement for Shields/Daniels/O’Brien over Domaney’s Lot 20 to access Shields/Daniels/O’Brien’s Lot 18, that Domaney and Shields/Daniels/O’Brien share a common driveway over that portion of said Lot 20 as shown on the attached Site Plan which is common to both parties herein, that Domaney shall pay for the cost of installation, repair and maintenance of that portion of the driveway which is in common usage for both parties herein, that Domaney and Shields/Daniels/O’Brien shall be responsible to repairs, maintenance and snow plowing of those portions of their respective driveways which are not used in common and that they wish to formalize an arrangement for the usage, installation, repair and maintenance of said driveway.

Now therefore, in consideration of the mutual covenants contained herein the parties agree as follows:

1. Domaney grants a non-exclusive right of way easement to Shields/Daniels/O'Brien over that portion of Lot 20 as shown on the attached sketch entitled "SITE PLAN" described therein as "DRIVEWAY RIGHT-OF-WAY AREA SHOWN IN HATCH. R.O.W. TO SERVE LAND N/F SHIELDS, DANIELS AND O'BRIEN". Said right of way easement shall be for ingress and egress for all the usual purposes of residential usage.
2. Domaney shall be responsible for maintenance, snow removal and repair of the initial portion of the driveway shared by Domaney and Shields/Daniels/O'Brien between Abbey Hill Drive a/k/a Abbey Hill Road and where the common shared driveway and the Domaney and Shields/Daniels/O'Brien driveways fork and separate.
3. Shields/Daniels/O'Brien shall be responsible for that portion of their driveway used to access Lot 18 beyond that point where the common shared driveway and the Domaney and Shields/Daniels/O'Brien driveways fork and separate.
4. In the event the owner of either Lot 18 or Lot 20 causes damage to the common shared driveway attributable to either of them, said lot owner shall be solely responsible for repair of the common shared driveway to its condition prior to the damage.
5. This Common Driveway Easement & Maintenance Agreement supersedes and replaces an easement from Rita Zola to Rita Zola dated December 17, 2009 and recorded in the Southern Berkshire Registry of Deeds in Book 1961, Page 39.
6. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors in title.
7. This agreement may be amended by a writing executed by the Lot Owners, as well as approval of the Great Barrington Board of Selectmen, and filed with the Southern Berkshire Registry of Deeds.

Witness my hand and seal this _____ day of August, 2014.

JOSEPH F. DOMANEY

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss

On this _____ day of August, 2014, before me, the undersigned notary public, personally appeared **JOSEPH F. DOMANEY**, proved to me through satisfactory evidence of identification, being (check whichever applies):

- driver's license or other state or federal government document bearing a photographic image,
- oath or affirmation or a credible witness known to me who knows the above signatory, or
- my own personal knowledge of the identity of the signatory,

to be the person whose name is signed on the preceding or attached document, and acknowledge to me that he signed it voluntarily for its stated purposes as his free act and deed.

Dennis J. Downing, Notary Public
My Commission Expires: 2/12/21

Witness my hand and seal this _____ day of August, 2014.

KATHLEEN A. SHIELDS

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss

On this _____ day of August, 2014, before me, the undersigned notary public, personally appeared KATHLEEN A. SHIELDS, proved to me through satisfactory evidence of identification, being (check whichever applies):

- driver's license or other state or federal government document bearing a photographic image,
- oath or affirmation or a credible witness known to me who knows the above signatory, or
- my own personal knowledge of the identity of the signatory,

to be the person whose name is signed on the preceding or attached document, and acknowledge to me that she signed it voluntarily for its stated purposes as her free act and deed.

Notary Public

My Commission Expires:

Witness my hand and seal this _____ day of August, 2014.

JAMES J. DANIELS

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss

On this _____ day of August, 2014, before me, the undersigned notary public, personally appeared JAMES J. DANIELS, proved to me through satisfactory evidence of identification, being (check whichever applies):

- driver's license or other state or federal government document bearing a photographic image,
- oath or affirmation or a credible witness known to me who knows the above signatory, or
- my own personal knowledge of the identity of the signatory,

to be the person whose name is signed on the preceding or attached document, and acknowledge to me that he signed it voluntarily for its stated purposes as his free act and deed.

Notary Public

My Commission Expires:

Witness my hand and seal this _____ day of August, 2014.

KATHRYN A. O'BRIEN

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss

On this _____ day of August, 2014, before me, the undersigned notary public, personally appeared KATHRYN A. O'BRIEN, proved to me through satisfactory evidence of identification, being (check whichever applies):

- driver's license or other state or federal government document bearing a photographic image,
- oath or affirmation or a credible witness known to me who knows the above signatory, or
- my own personal knowledge of the identity of the signatory,

to be the person whose name is signed on the preceding or attached document, and acknowledge to me that she signed it voluntarily for its stated purposes as her free act and deed.

Notary Public

My Commission Expires:

Town of Great Barrington, MA
Thursday, July 31, 2014

Chapter 153. STREETS AND WAYS

Article III. Common Driveways

§ 153-19. General requirements and restrictions.

A. Permits. Any abutting property owner(s) desiring to gain access to a way by means of a common driveway that serves no more than three dwelling units may do so only in accordance with the provisions of a permit issued by the Planning Board. A fee shall be paid to the Town of Great Barrington when the application is submitted to the Planning Board, and the permit shall include all applicable aspects of a permit under Article II of this chapter.

[Amended 5-14-2007 ATM, Art. 28]

B. Number of units accessed. A common driveway shall provide access to no more than three dwelling units.

C. Frontage. Frontage on a common driveway may not be used to satisfy zoning frontage requirements. Each lot passed by the common driveway shall have access on a way acceptable to the Planning Board.

D. Design requirements. Design requirements for common driveways shall be the same as those for driveways under § 153-14A through K of the Subdivision Rules and Regulations of the Great Barrington Planning Board. The design shall, in the opinion of the Board of Selectmen and the Highway Superintendent, assure adequate safety and access for emergency vehicles.

E. Origin or driveway. A common driveway must originate on approved frontage and must observe a twenty-five-foot setback from the side line between the lot of origin and a lot not served by the common driveway.

F. Minimum width. The traveled way shall have a minimum width of 14 feet.

G. Easements. The application for a common driveway must be accompanied by a declaration of covenants, easements and restrictions for the use and maintenance of said common drives.

H.

The sale of lots and/or the erection of buildings is prohibited until such time as the common driveway has been constructed in accordance with the permit approval plan and until the Board of Selectmen has written verification that all covenants, easements and restrictions have been recorded in the Southern Berkshire Registry of Deeds.