

Jennifer Tabakin  
Town Manager

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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 AGENDA

MONDAY, JUNE 27, 2016

6:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

#### ORDER OF AGENDA

#### 6:00 PM - OPEN MEETING

##### 1. CALL TO ORDER

##### 2. APPROVAL OF MINUTES:

June 13, 2016 Regular Meeting.

##### 3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

A. General Comments by the Board.

B. Discussion of Upcoming Meeting Calendar.

##### 4. TOWN MANAGER'S REPORT:

##### 5. 7:00 PM - PUBLIC HEARING:

A. Special Permit Application of Andrew and Marymar Ruggles, Drifting North LLC to work in a floodplain to replace the foundation of an existing barn at 106 Hurlburt Road, Great Barrington, in accordance with Sections 9.1 and 10.4 of the Great Barrington Zoning Bylaw. (Discussion/Vote)

- a. Open Public Hearing
- b. Explanation of Project
- c. Speak in Favor/Opposition
- d. Motion to Close Public Hearing
- e. Motion re: Findings
- f. Motion re: Approval/Denial/Table

##### 6. LICENSES OR PERMITS:

A. Jess Cooney for a Driveway Permit to relocate from 30 West Avenue to Lewis Avenue. (Discussion/Vote)

- B. Terry Chamberland/Great Barrington Firefighter's Association for permission to close Main Street from Cottage Street to Bridge Street including lower Castle Street and Railroad Street on August 4, 2016 from 4:00 PM – 9:00 PM for the 8<sup>th</sup> Annual Main Street Car Show. (Discussion/Vote)
- C. Terry Chamberland/Great Barrington Firefighter's Association for One Day Weekday Entertainment License for August 4, 2016 from 4:00 PM – 9:00 PM on Main Street from Cottage Street to Bridge Street, including Castle Street and Railroad Street, Great Barrington, MA. (Discussion/Vote)
- D. David Whitley/D. J. Wooliver & Sons, Inc./Doxsee Roofing, LLC – Request to Work Outside of Town's Noise Control By-law (Ch. 115) for Berkshire Block Roof Replacement. (Discussion/Vote)
- E. Glenn Langenback/Great Barrington Owner LLC for 2016 Annual Real Estate Sign License.
- F. Richard Sloan/Berkshire Aviation Enterprises Application for 2016 Coin Operated Soft Drinks and Food Machines License at 70 Egremont Plain Road, Great Barrington, MA. (Discussion/Vote)
- G. David Isby/WSBS/Sounds of Summer for Temporary Weekday Entertainment Licenses for 7/5, 7/12, 7/19, 7/26, 8/2, 8/9, 8/16 and 8/23, 2016 from 6:00 PM – 8:00 PM at VFW, Route 7, 800 Main Street, Great Barrington, MA. (Discussion/Vote)
- H. Joanna Rothbard/American Art Marketing d/b/a Berkshire Arts Festival for two (2) Temporary Weekday Entertainment Licenses for July 1 and 2, 2016 from 1:00 PM – 3:00 PM at Ski Butternut, 380 State Road, Great Barrington. (Discussion/Vote)
- I. Joanna Rothbard/American Art Marketing d/b/a Berkshire Arts Festival for Temporary Sunday Entertainment License for July 3, 2016 from 1:00 PM – 3:00 PM at Ski Butternut, 380 State Road, Great Barrington. (Discussion/Vote)
- J. David Ryel/Ski Butternut/Butternut Basin Inc. for Three (3) One Day All Alcoholic Liquor Licenses for July 1, 2 and 3, 2016 from 10:00 AM – 6:00 PM at 380 State Road, Great Barrington. (Discussion/Vote)
- K. Cathy Ingram/Bard College at Simon's Rock for Two (2) One day Beer and Wine Liquor Licenses at Simon's Rock, 84 Alford Road for:
- July 8, 2016 from 9:00 PM – 11:00 PM at the Snack Bar. (Discussion/Vote)
  - July 9, 2016 from 3:00 PM – 7:00 PM at the Tri-Dorm Lawn and 7:00 PM – 9:00 PM at the Snack Bar. (Discussion/Vote)
- L. Christine Heaton/Black Sheep Brewing Company dba Big Elm Brewing for One Day Beer and Wine Liquor License for August 20, 2016 from 10:00 AM – 4:00 PM for Berkshire Bike N Fly at Walter J. Koladza Airport, 70 Egremont Plain Road, Great Barrington. (Discussion/Vote)

**7. OLD BUSINESS:**

- A. SB – **Continuation** of Recommendation to the ZBA on the Comprehensive Permit Application for “100 Bridge Street” submitted by Community Development Corporation of South Berkshire at 100 Bridge Street (the former New England Log Homes property), Great Barrington, MA. (Discussion/Vote)

**8. NEW BUSINESS:**

- A. SB – FY 17 Re-Appointments. (Discussion/Vote)
- B. SB – Designation of Town Representative to the Berkshire Regional Transit Authority (BRTA) Advisory Board. (Discussion)
- C. SB/Planning Board – Joint Appointment of Associate member on the Planning Board. (Discussion/Vote)
- D. SB – To Establish a Great Barrington Commission on Disability. (Discussion/Vote)

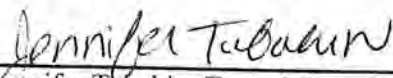
**9. CITIZEN SPEAK TIME:**

**10. SELECTBOARD’S TIME:**

**11. MEDIA TIME:**

**12. ADJOURNMENT:**

**NEXT SELECTBOARD’S MEETING: Monday, July 11, 2016, 7:00 P.M.**

  
Jennifer Tabakin, Town Manager

*Pursuant to MGL. c. 30A sec. 20 (f), after notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body, or may transmit the meeting through any medium. At the beginning of the meeting, the chair shall inform other attendees of any such recordings. Any member of the public wishing to speak at the meeting must receive permission of the chair. The listings of agenda items are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

**MEETINGS IN JULY**  
(Scheduled as of 6/22/16)

- Tuesday, June 28<sup>th</sup> at 7:30 PM ZBA- Town Hall
- Wednesday, June 29<sup>th</sup> at 1:15 PM Council on Aging- Claire Teague Senior Center
- Wednesday, July 6<sup>th</sup> at 5 PM Selectboard Lake Mansfield Site Visit
- Wednesday, July 6<sup>th</sup> at 5:15 PM Tree Committee- Mason Library
- Thursday, July 7<sup>th</sup> at 7 PM Board of Health-Town Hall
- Monday, July 11<sup>th</sup> at 5 PM Parks Commission- Mason Library
- Monday, July 11<sup>th</sup> at 6 PM Selectboard Strategic Planning Meeting- Town Hall
- Monday, July 11<sup>th</sup> at 7 PM Selectboard Regular Meeting- Town Hall
- Thursday, July 14<sup>th</sup> at 5:30 PM Library Board of Trustees- Mason Library
- Thursday, July 14<sup>th</sup> at 7 PM Planning Board- Town Hall
- Tuesday, July 19<sup>th</sup> at 5:30 PM Community Preservation Committee- GB Fire Station
- Thursday, July 21<sup>st</sup> at 2:15 PM GB Housing Authority- Bernard Gibbons Drive
- Thursday, July 21<sup>st</sup> at 6:30 PM Historic District Commission- Town Hall
- Monday, July 25<sup>th</sup> at 7 PM Selectboard Regular Meeting- Town Hall
- Wednesday, July 27<sup>th</sup> at 1:15 PM Council on Aging- Claire Teague Senior Center
- Wednesday, July 27<sup>th</sup> at 6:30 PM Conservation Commission- Town Hall
- Thursday, July 28<sup>th</sup> at 7 PM Planning Board- Town Hall

SIB SP# 855-16

## NOTICE OF PUBLIC HEARING

The Great Barrington Selectboard will hold a public hearing on Monday, June 27, 2016 at 7:00 PM at Town Hall, 334 Main Street, Great Barrington, MA, to act on the special permit application of Andrew and Marymar Ruggles, Drifting North LLC, for work in a floodplain to replace the foundation of an existing barn, at 106 Hurlburt Road, Great Barrington, MA, in accordance with Sections 9.1 and 10.4 of the Great Barrington Zoning Bylaw.

Sean Stanton, Chair

Please Publish Friday, May 20, 2016 and Friday, May 27, 2016

Berkshire Record

Helen / SB



## SPECIAL PERMIT APPLICATION

APPLICANT: Andrew and Marymar Ruggles

FOR PROPERTY LOCATED AT

106 Hurlburt Road  
Great Barrington, MA

May 2016

**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 855-16 Date Received 5/9/16  
Special Permit Granting Authority SB  
Copy to Recommending Boards 5/10  
Advertised 5/20 & 5/27  
Public Hearing 6/13  
Fee: ~~\$150.00~~ Paid: Yes  
300

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

**IDENTITY OF PROPERTY:** MAP 31 LOT 38A BOOK 2297 PAGE 157

Address of property: 106 Hurlburt Road

Zoning District(s): R4, FPOD, WQOD-Stream and Lakes Protection, Zone II  
including any  
overlay districts

**I. GENERAL INFORMATION**

- A. Type of Special Permit Requested: Work in a mapped floodplain  
Under Section(s) 9.1 and 10.4 of the Great  
Barrington Zoning Bylaws.
- B. Name of applicant: Andrew and Marymar Ruggles, Drifting North, LLC
- C. Address & telephone no. of applicant: 106 Hurlburt Road, Great Barrington, MA 01230, (203)482-8653
- D. If applicant is not owner, state interest or status of applicant in land. Attach copy of any option or purchase agreement. \_\_\_\_\_
- E. Name of owner exactly as it appears on most recent tax bill: Drifting North, LLC
- F. Address of owner: 106 Hurlburt Road, Great Barrington, MA
- G. Telephone number of owner: (203) 482-8653
- 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. Notice of Intent, Great Barrington Conservation Commission, DWCP Application, Board of Health
- 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. See Plans and Narrative
- 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: May 05, 2016

Andrew Ruggles, Drifting North, LLC / Amk  
Owner Signature \_\_\_\_\_ Co-owner Signature \_\_\_\_\_

Andrew Ruggles, Drifting North, LLC / Amk  
Applicant's Signature

**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 Andrew Ruggles, Drifting North, LLC / Amk

Date May 5, 2016

**ADDENDUM TO SPECIAL PERMIT PETITION  
PROJECT IMPACT STATEMENT**

**Property Location:  
106 Hurlburt Road  
Great Barrington, MA  
May 5, 2016**

The applicants, Andrew and Marymar Ruggles, are proposing to remove and replace a failing foundation associated with a barn structure located at 106 Hurlburt Road in the Town of Great Barrington. The subject site is located on the western side of Hurlburt Road, being the same premises as shown on the Town of Great Barrington Assessor's Map #31, Lot 38A, comprising ~2.11 Acres. Surrounding land use is characterized by year-round residential use properties varying in size, though on average are greater than one acre. The subject site is a developed lot with a 1.5 story house, detached barn and (2) shed structures. Groundcover is primarily developed lawn areas and mature meadow located along the northeastern border adjacent to the Green River. The property lies within the R4 Large Acreage Residential Zone and is included in the 9.1 Flood Plain Overlay District (FPOD) and 9.2 Water Quality Overlay District, Stream and Lakes Protection, Zone II, under current Great Barrington Zoning By-Laws.

The project meets the allowable accessory uses listed under Section 3.2.4 of the Great Barrington Zoning By-Law. The proposed height of the building, as defined in Section 11.00 Definitions, is calculated as 18-FT using the curb level elevation of 708-FT and the mean height level of the gable. The proposed foundation will replace and be located on the exact footprint, an existing conforming foundation in the FPOD.

The applicant requests a Special Permit issued by the Select Board under Section 9.1.4 FPOD of the Great Barrington Zoning By-Laws. The current and proposed use of the property is residential, the structures located at the site are to be used in the same fashion. The barn structure is used as a residential storage and hobby area. The existing structure's foundation is compromised and in need of replacement. A proposed height increase of approximately 18-in will be realized in the foundation wall and is designed to better meet current building code requirements. Additionally, the inclusion of a bathroom and wet bar is being provided for owner's convenience.

- The structure is not proposed as living or working space, the upper level of the structure is above the 100-YR flood elevation.
- The structural plans, furnaces and utilities, will be protected from any effects of flooding in accordance with the State Building Code.
- The proposed construction, and any change in grade proposed will not obstruct or divert the flood flow, reduce natural water storage or increase stormwater runoff so that water levels on other land are substantially raised or danger from flooding is increased. Storm flood storage volumes will increase due to the proposed project.
- Vehicular and pedestrian movement will not be altered based on project plans and will continue to provide safe movement over and from the premises in the event of flooding.
- Proposed methods of drainage and sewage disposal shall be approved by the Board of Health and will not cause pollution or otherwise endanger health in the event of flooding.

The project falls within the WQPOD and is defined as, Zone II, Stream and Lakes Protection Zone in Section 11.0 Definitions of the Town By-Law. The project application falls under Section 9.2.7 Permitted Uses: Other Zones, provided that all necessary permits, orders, or approvals required by local, state or federal laws are obtained: (Applicable Section) 5. Maintenance, repair, and enlargement of any existing structure, subject to other requirements herein.

The applicant requests the Select Board determine that no adverse effects would result from this project and grant a Special Permit for the project based on the following findings:

1. Social, economic, or community needs which are not changed by this proposal;
2. Traffic flow and safety, including parking and loading will not change based on this proposal;
3. Adequacy of utilities and other public services are existing and will be continued in the same manner;
4. Neighborhood character and social structures will not dramatically change;
5. Impacts on the natural environment will be beneficial based on the additional of the site's flood storage capability; and
6. Potential fiscal impact, including impact on town services, tax base, and employment will not be detrimental.

The project requires review and approval under the Great Barrington Zoning By-Laws by the Town Select Board. Section 10.5.3 Site Plan Review Submittal Requirements states, "*When specific requirements are not provided elsewhere in this Bylaw, the following general submittal requirements apply unless waived by the Planning Board.*" The attached project plan, application and narrative is offered to meet the specific requirements listed in the FPOD section of the By-Law. Under Section 10.5.4 Waiver of Submittal Compliance, the applicant requests the Board waive any other submittal requirements not included, specifically, a traffic impact study. The project is believed to involve a relatively simple development plan and/or constitutes a minor site plan. The work associated with the construction of the barn foundation is outlined in detail under a required Notice of Intent filing with the Great Barrington Conservation Commission. Anticipated approvals will condition the construction work within sensitive areas.

END DOCUMENT.



TOWN OF GREAT BARRINGTON  
MASSACHUSETTS  

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ASSESSORS' OFFICE

May 3, 2016

ABUTTERS TO PROPERTY OF: DRIFTING NORTH LLC

106 Hurlburt Road, Map 31 Lot 38A, Book 2297 Page 157

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
31	36A	Mary F. Berryhill & Robert L. Snyder, Po Box 587, Gt. Barrington, MA 01230-0587
31	54,38	Robert B. Strassler, 287 Kent St. #6, Brookline, MA 02446-5480
31	37	Charles E. Steinhacker, Trustee, Charles E. Steinhacker Revocable Living Trust & Linda K. Steinhacker, Trustee, Linda K. Steinhacker Revocable Living Trust, 100 Hurlburt Rd., Gt. Barrington, MA 01230-2302
31	38C	Kenneth T. Sayle & Susan S. Sayle, Trustees, Kenneth T. Sayle Revocable Trust & Susan S. Sayle Revocable Trust, 57 Forest Ave., Rye, NY 10580-4209
31	53	Geoffrey L. & Ellen House, 99 Hurlburt Rd., Gt. Barrington, MA 01230-1552
31	60F	John Pollart & Claire Naylor-Pollart, 314 Main St. #3, Gt. Barrington, MA 01230-1615

The above list of abutters to the subject property is correct according to the latest records of this office.

Sincerely,

Christopher Lamarre  
Principal Assessor

# Town of Great Barrington ZONING MAP

Prepared by the Berkshire Regional Planning Commission  
Date of Original Map: 1/2015

## RESIDENTIAL:

- R-1-A One-Family Medium Density (10,000 sq. ft.)
- R-1-B One-Family High Density (6,500 sq. ft.)
- R-2 Average Residential (1 acre)
- R-3 General Residential (5,000 sq. ft.)
- R-4 Large Average Residential (2 acre)

## BUSINESS:

- B Downtown Business
- B-1 Neighborhood Business
- B-2 General Business
- B-2-A Transitional Business
- B-3 Downtown Mixed-Use
- DBP Downtown Business Parking
- HVC Housatonic Village Center

## INDUSTRIAL:

- I Light Industry
- I-2 Industrial / Multi-Family

## OVERLAY DISTRICTS:

- VCOOD Village Center Overlay District (see Section 9.6)
- HMROD Housatonic Mills Revitalization Overlay District (see Section 9.8)
- HVOD Housatonic Village Overlay District (see Section 9.10)
- WQPOD Water Quality Protection Overlay District (see Section 9.2)

See also:  
Board of Assessors Date: August, October, October, October  
Water Quality Protection Districts Map



Refer to Zoning text for rules  
of interpretation on boundaries

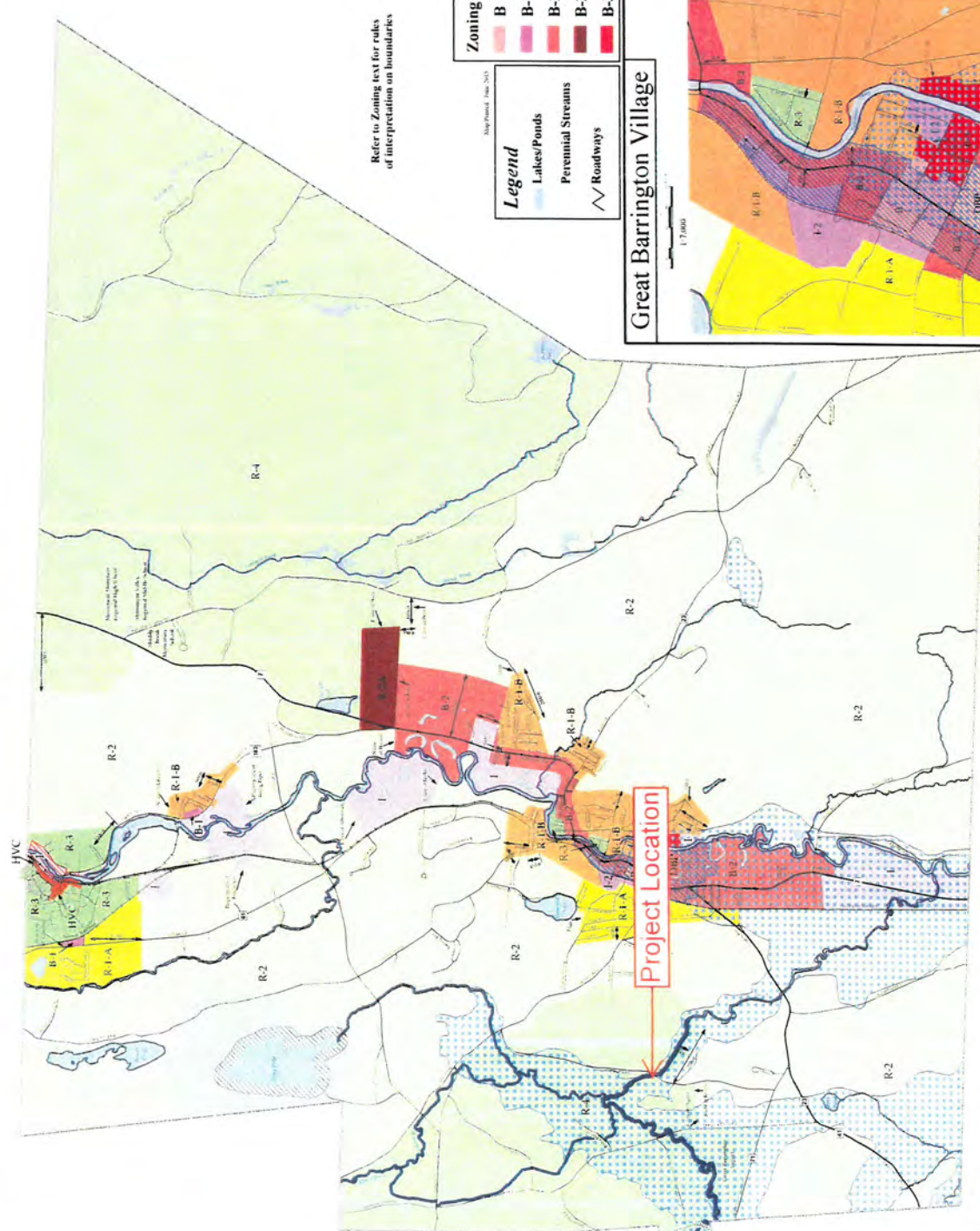
Map Printed: June 2015

**Legend**

- Lakes/Ponds
- Perennial Streams
- ^/ Roadways

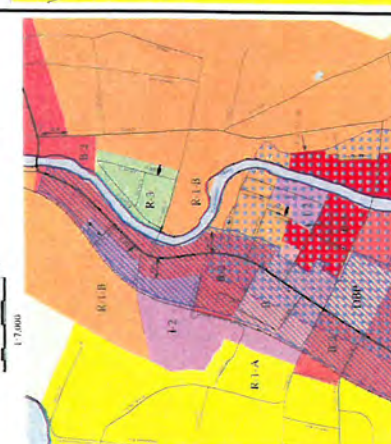
**Zoning**

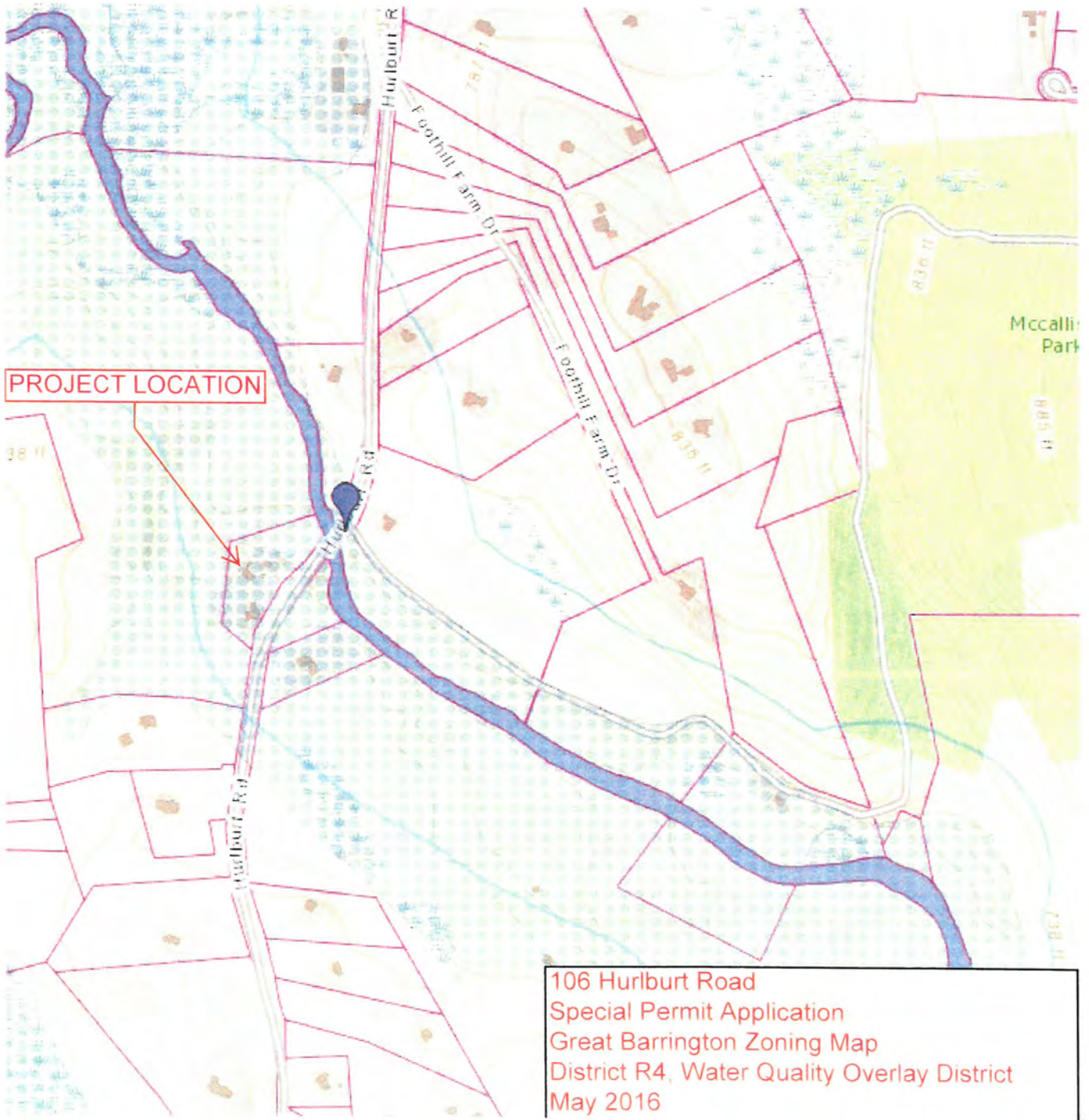
- B
- B-1
- B-2
- B-2A
- B-3
- DBP
- HVC
- I
- I-2
- HMROD
- HVOD
- R-1-A
- R-1-B
- R-2
- R-3
- R-4
- WQPOD
- Zone II
- Surface Water Zone A
- Surface Water Zone B
- Stream and Lake - 300 ft
- Stream and Lake - 500 ft



Great Barrington Village

Housatonic Village





PROJECT LOCATION

106 Hurlburt Road  
Special Permit Application  
Great Barrington Zoning Map  
District R4, Water Quality Overlay District  
May 2016

Application Number 11613  
Issue Date 5/4/16

Fee Paid \$100  
# 7466 JS  
GBBOH Pre-Approval

## Great Barrington Board of Health

334 Main Street, Great Barrington, MA 01230  
413.528.0680 fax-528.3064  
(Revised 5/27/09)

### THIS IS NOT A PERMIT

## Septic System/ Private Well Pre-Approval Letter

### Septic Installer must obtain Permit before beginning construction.

(This letter is not transferable and is good for a maximum of one year.)

Type of Facility:  Residential?  Institutional?  Commercial  School  Private Well

Septic System:  Individual Components  Complete System - Design Flow: 570.93 gpd.

106 Number and Street of Installation \_\_\_\_\_

Map and Lot Number M 31 L 38A Owner's Name Andrew Ruggles

**House Plans Reviewed** Owner's Address 106 Hurlburt Rd, Great Barrington

Application (#11613) submitted by Berkshire Engineering Dated \_\_\_\_\_

System Designer: Ann Bruzzi / Mike Kulig  PE  RS Fax Number \_\_\_\_\_

Address 80 Run Way, Lee, MA 01238

Phone: 243-4122 Attached Plan Number 16-02-06 Ruggles Dated 3/1/16

GBBOH Licensed. Installer TBD Fax Number \_\_\_\_\_

Licensed Driller \_\_\_\_\_ Fax Number \_\_\_\_\_

Variances Granted \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**Conditions of Permit:** Septic field designed for SBR (570.93 gpd). Site/plan

review needed to ensure no increase in bedrooms/design flow prior to issuance of DWCP.

Installer must phone GBBOH before beginning construction and obtain a Disposal System Construction Permit. Any changes to the plans or installation must have the written approval of the designer and the GBBOH. Before covering, all system components must be inspected by the designer and the GBBOH. Within 30 days of completion, the Designer and Installer must submit an as-built sketch with ties to all system components and a letter certifying that the installation was done according to the plans and Title V. If certified fill is used, a current sieve analysis must also be submitted. No person shall discharge sewage to this system without first obtaining a Certificate of Compliance. The applicant, designer and installer should be aware of their obligation to comply with the regulations of the Division of Water Pollution Control pursuant to MGL c.21, s. 43, the Wetlands Protection Act MGL c.131, s.40 and the Bylaws and Regulations of Great Barrington and the Great Barrington Conservation C

Approved for the GBBOH Jayne E. Smith Date 5/4/16

### Other Approvals Needed

System within 100 feet of Wetlands -Conservation Com. Approval \_\_\_\_\_

System within 200 feet of a River or Stream -Con Com Approval \_\_\_\_\_

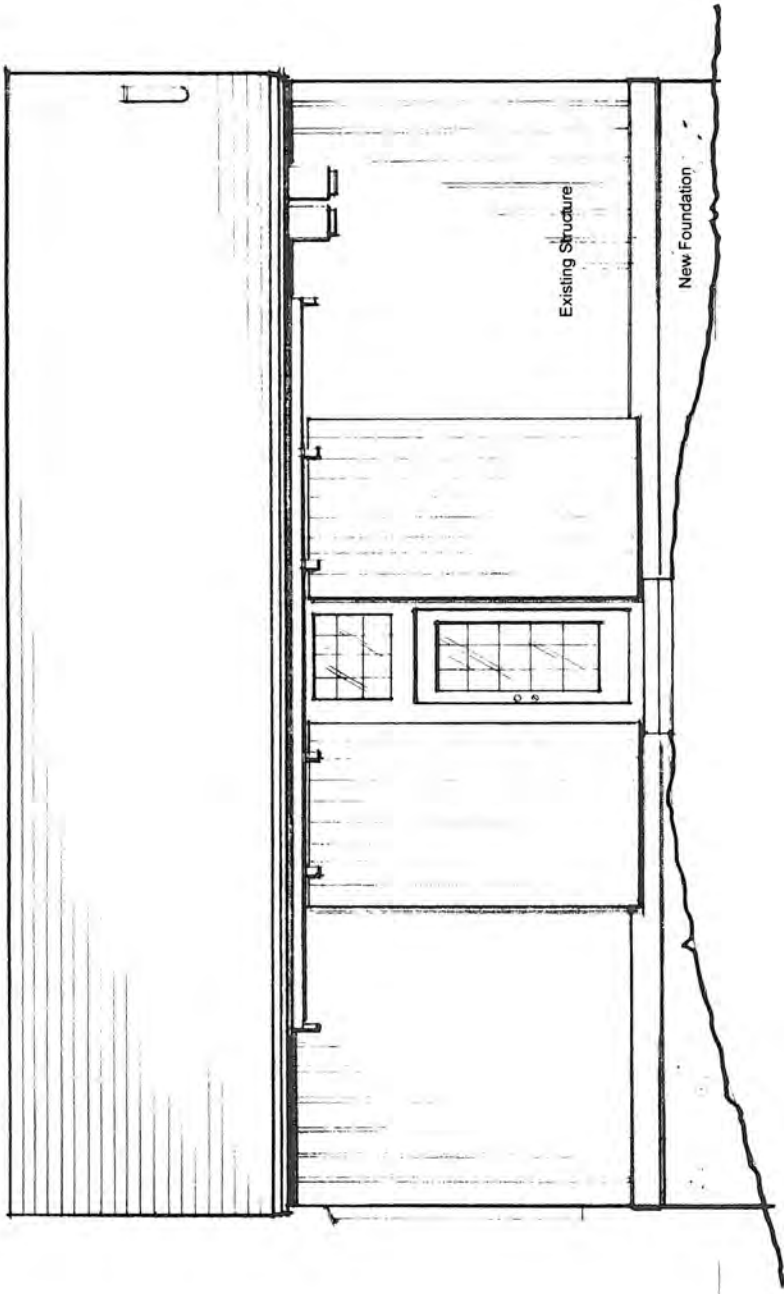
System within 500 feet of Protected Watershed Areas \_\_\_\_\_

Barn renovation  
System within Flood Plain District (Con Com, Building Inspector and Select Board.) \_\_\_\_\_

DEP Approval needed for \_\_\_\_\_







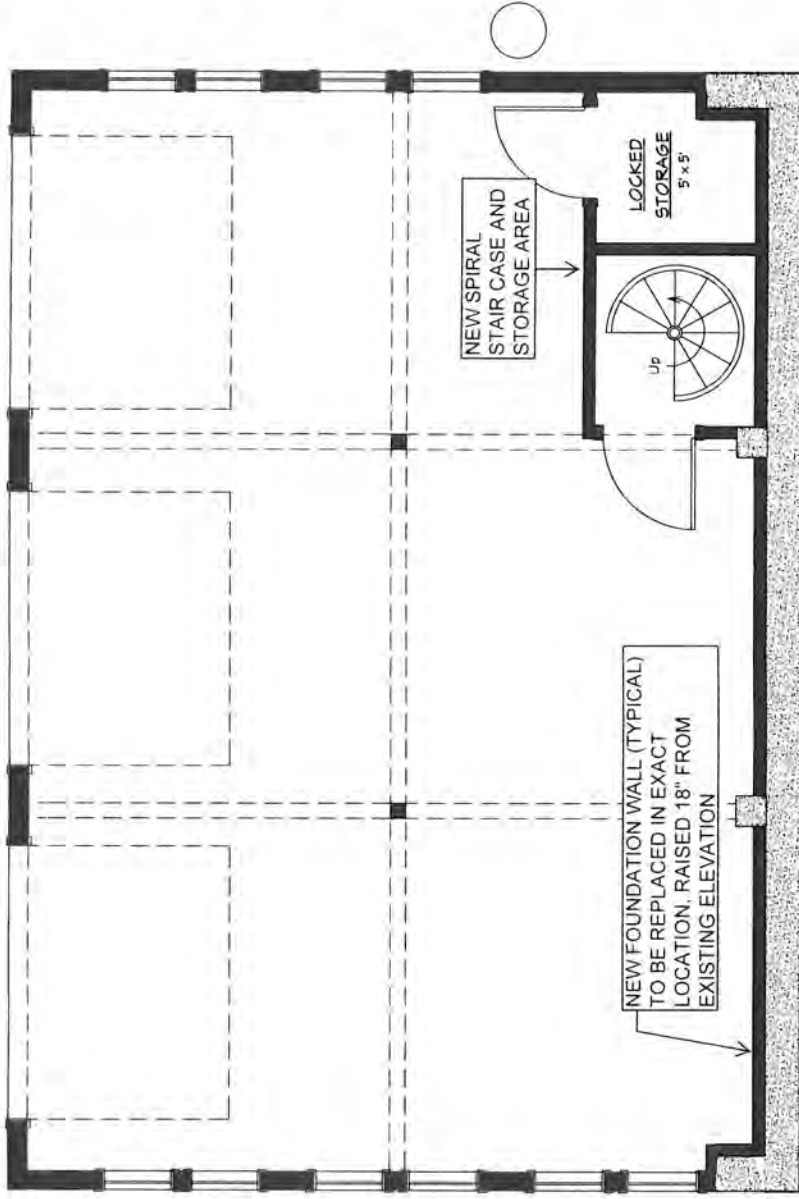
WEST ELEVATION

RUGGLES RESIDENCE  
106 Hurlburt Road Great Barrington MA 01230

SCALE: 1/4" = 1'-0"



April 5, 2016



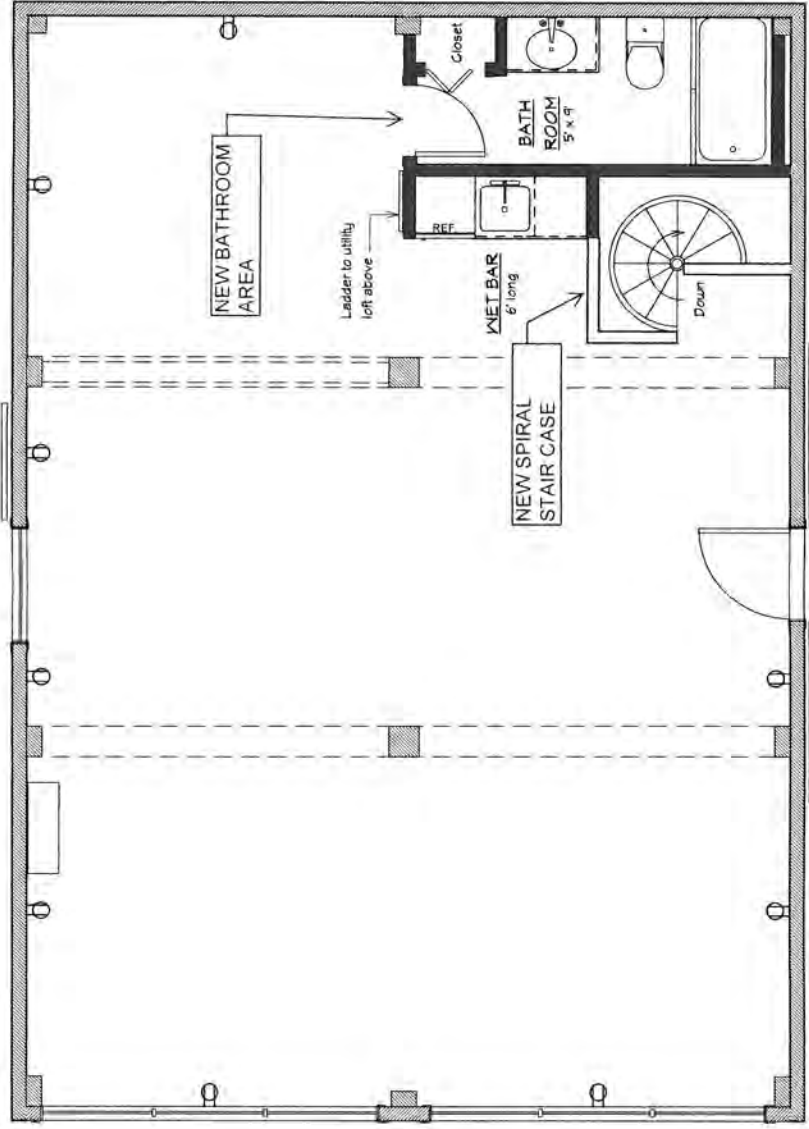
SCALE: 1/4" = 1'-0"



January 7, 2016

SCHEME 3 LOWER LEVEL

RUGGLES RESIDENCE



**SCHEME 3 UPPER LEVEL -- REVISED WITH CLOSET**

**RUGGLES RESIDENCE**



SCALE: 1/4" = 1'-0"



January 7, 2016

Selectboard

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 5-25-2016

Name of Applicant / Property Owner JOSEPH & JESSIE COONEY

Mailing address 30 WEST AVE., GREAT BARRINGTON, MA. 01230

Phone number 413-329-6535

Location of proposed driveway / highway entrance LEWIS AVE.

Contractor who will perform the work SIKORSKY CONSTRUCTION

Address & phone number of contractor 413-429-7646

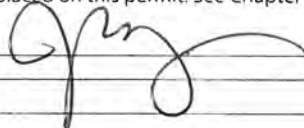
Proposed construction date 6-3-2016

Type of driveway (gravel, asphalt, etc.) GRAVEL / COMPACTED ITEM #4

Print Form

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 consideration of the application and the applicable requirements, I recommend that this application be:

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

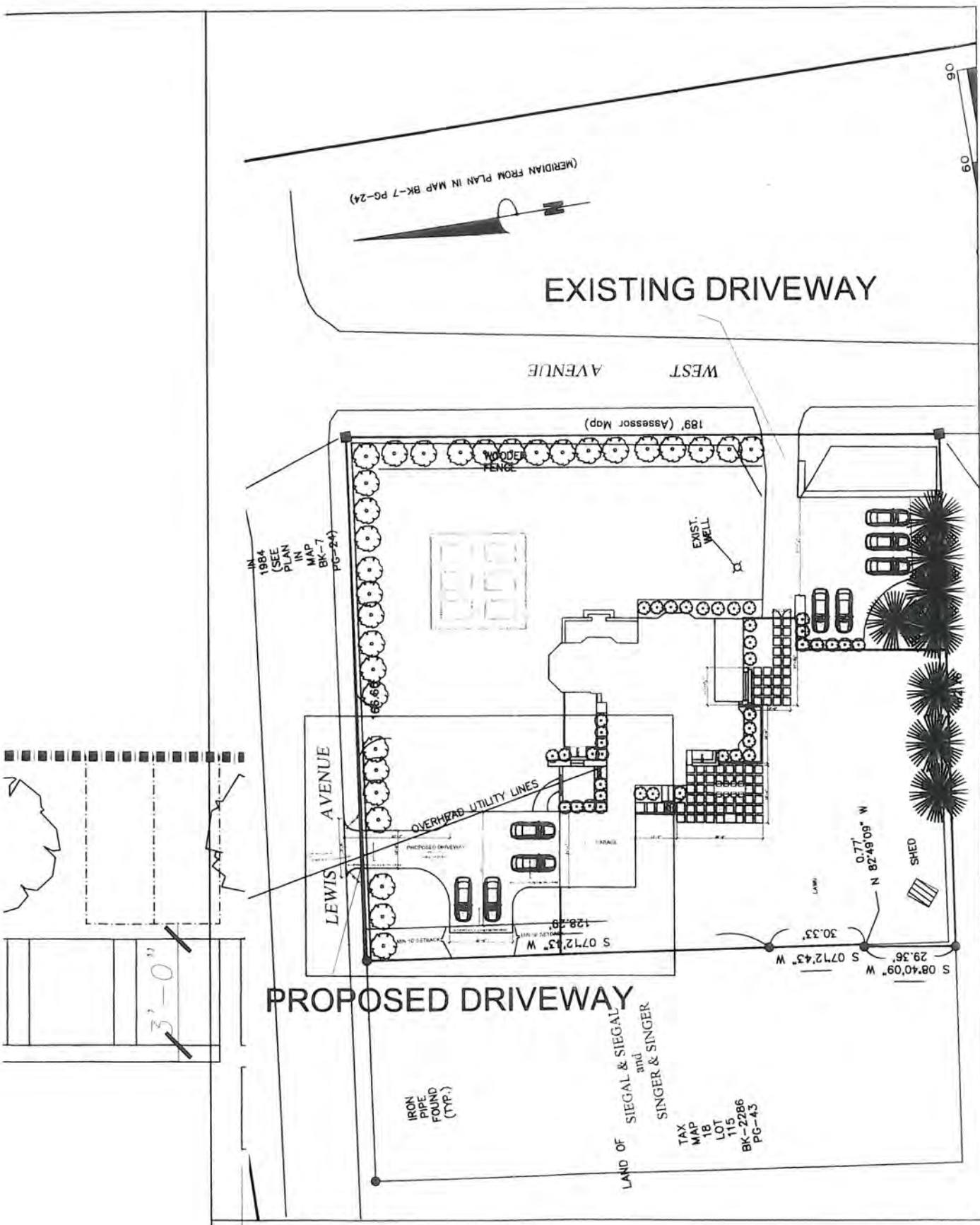
Staff Reviews Received:

	Received	Conditions Recommended	Other Permits Required
Conservation:	( <input checked="" type="checkbox"/> )	( )	( )
Fire Chief:	( <input checked="" type="checkbox"/> )	( )	( )
Planning:	( <input checked="" type="checkbox"/> )	( )	( )

**PERMIT FOR ACCESS TO A PUBLIC WAY / DRIVEWAY**

Pursuant to its vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed, at its meeting on \_\_\_\_\_, the Great Barrington Selectboard 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 Selectboard: \_\_\_\_\_, its \_\_\_\_\_  
(signature) (title) (date)



2

Existing Property Plan

Scale=NTS

Pete Soules  
Highway-Facilities Superintendent

E-mail: [psoules@townofgb.org](mailto:psoules@townofgb.org)  
[www.townofgb.org](http://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 & Jessie Cooney  
Location: Lewis Ave.  
From: Pete Soules Highway Superintendent  
Date: June 2, 2016

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. **(Apron shall have a 1.5" raised edge along the curb line)**
    - 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.





Lewis Ave  
Looking East  
Proposed driveway on  
right 20' past Lg tree



Lewis Ave  
Looking West  
Proposed Driveway on  
Left



# 30 West Ave  
Existing Driveway on  
Right

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TOWN MANAGER

JUN 09 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA

Great Barrington Firefighter's Association  
37 State Road  
Great Barrington, MA 01230

June 9, 2016

Great Barrington Selectboard  
334 Main Street  
Great Barrington, MA 01230

Dear Selectboard,

The Great Barrington Firefighter's Association plans to hold the 8<sup>th</sup> annual Main Street Car Show on Thursday, August 4<sup>th</sup>. It has been a successful event in the past which brings over a thousand visitors, primarily locals, downtown for the evening. This show will be similar in size and scope to previous years.

We have enclosed an Entertainment Permit application along with a description and map of the event. We are also requesting permission to close Main Street from Cottage Street to Bridge Street for the duration of the event, including lower Castle Street and Railroad Street. The detour plan worked out previously with Chief Walsh will be implemented by police detail officers. All roads will remain accessible for emergency vehicles and tractor trailers will be escorted through Main Street to alleviate congestion on East Street.

Thank you for your consideration and we look forward to another successful event.

Sincerely,



Terry Chamberland

# GBFD Car Show 2016

## Event Plan

**Date:** August 4, 2016

**Time:** 16:00-21:00

**Event Coordinator:** Terry Chamberland

### Description

Downtown streets will be used for a car show displaying all types of motorized vehicles with vendors set up along the sidewalks selling food and other merchandise. Olde Yankee Street Rods will play recorded music through speakers set up on Main Street. 250-350 show cars are expected with several thousand people over the course of the night.

### Command Post

Command post will be located at Castle and Main Streets

### Display Parking

Locations: Main Street from Castle Street to Cottage Street, Castle Street, Railroad Street, and in front of the Town Hall.

Priority: Vehicles will first be parked on Main Street from Elm to Castle, then Castle Street, Railroad Street, and in front of the Town Hall. Cars will then be parked on Main Street north of Elm Street as far as needed. Vintage fire apparatus will park in front of the old fire house. In service apparatus will park on the south side of Castle Street.

Reserving Parking: The DPW will line the sidewalks with cones during the morning. Event workers will use the cones to reserve parking spaces as they open up starting at 12:00. All cars must remain properly parked until the road is closed at 15:45. At that time cars will be allowed to diagonally park on Main Street. They must be properly parked by 21:00 when the road is re-opened or they will be towed.

### Public Parking

We are working with the owners of several downtown parking lots to lift parking restriction on their lots at 16:00 p.m. to ensure adequate parking for the public.

### Security

There will be police officers at both ends of the event for traffic details. No additional security is planned.

### Traffic

Detour: Main Street will be shut down from Castle Street to Cottage Street. North bound traffic will be diverted down Bridge Street and across East Street. South Bound traffic will be diverted down Cottage Street, across East Street, and back up Bridge Street.

Detail Officers: Two police details will be located at Main/Bridge, one at East/Cottage, and one at Main/Cottage. The stop signs on East Street at the Cottage Street intersection will be covered to facilitate a steady traffic flow.

Emergency Access: All roads will remain accessible for emergency vehicle access.

Tractor Trailers: Crews of firefighters will slowly escort tractor trailers through Main Street during the event to alleviate congestion through the detour.

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TOWN MANAGER

AUG 09 2016

MEMORANDUM FOR THE TOWN MANAGER

**Local Traffic:** Church and Pleasant Streets will be coned off at Main Street. Rosseter Street and Dresser Ave will be diverted north on Main Street. Any necessary local traffic will be escorted by firefighters to their destinations.

**Handicap:** All disabled people requesting special accommodations in reaching a destination within the event area will be accommodated. The crews assisting tractor trailers will escort them to their destination. Either a convenient parking location will be found or a valet service will be offered. Parking options will be upper Railroad Street and the Berkshire Bank lot.

### **EMS**

SBVAS will have a rig mobile posted at the event, but not committed. No elevated hazards are anticipated.

### **Fire/Rescue**

An engine, ladder, and rescue will be staged and in service on Castle Street. No elevated hazards are anticipated.

### **Communications**

**Event:** Fire Ground 3

**Traffic (Truck Escorts):** Fire Ground 3—a mobile radio will be used to communicate from Castle Street to Cottage Street.

**Traffic (Police Details):** Central

**Emergency:** Standard dispatch and communications policies will remain in effect for police, fire, and EMS.

### **Vendors**

**Locations:** Vendors are being coordinated with the Chamber of Commerce. They will be located so as to not block or obstruct access to any open business or occupied building.

**Permit:** It is the responsibility of the vendor to obtain all necessary permits for their operations.

### **Restrooms**

Accessible porta potties will be located in front of 297 Main Street and 244 Main Street.

### **Signs**

Sandwich Board @ 390 Main Street

### **Tents**

None by the Firefighter's Association. Some vendors may use 10'x10' pop ups.

# Timeline

## August 4, 2016

Morning: DPW sets out cones on the sidewalk

14:00: Event workers begin reserving parking spots as they open up

15:30: Detail Officers arrive/Registration begins/In service apparatus park on Castle Street

15:45: Main Street is closed from Cottage Street to Bridge Street/Cars may park diagonally

16:00: Show officially begins

17:00: Start selling 50/50 tickets

18:00: Judging begins

20:00: Trophies and 50/50 are awarded

21:00: Main Street is re-opened, all cars are properly parked

21:30: Event cleaned up including sidewalks and garbage

ORIGINAL

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TOWN MANAGER

JUN 09 2016

CLERK/TREASURER  
BARRINGTON, MA



**TOWN OF GREAT BARRINGTON**  
**Temporary Weekday Entertainment License Application**  
**\$25.00 per day**

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

Name: Terry Chamberland

Business/Organization: Great Barrington Firefighter's Association

D/B/A (if applicable): \_\_\_\_\_

Address: 37 State Road, Great Barrington, MA 01230

Mailing Address: Same

Phone Number: 413-429-1689

Email: tchamberland38@yahoo.com

**TYPE:** (Check all that apply)  Concert  Dance  Exhibition  Cabaret  DJ  
 Live band with up to \_\_\_ pieces, including singers  Public Show  
 Other (please explain) \_\_\_\_\_

**INCLUDES:**  Live music  Recorded music  Dancing by entertainers/ performers  
 Dancing by patrons  Amplification system  Theatrical exhibition  
 Floorshow  Play  Moving picture show  Light show  Jukebox  
 Other (please explain) \_\_\_\_\_

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

\_\_\_ YES

NO

Please circle: **INDOOR** or **OUTDOOR** Entertainment

Exact Location of Entertainment (include sketch): Main Street from Cottage Street to  
Bridge Street, including Castle Street and Railroad Street.

Date(s) of Entertainment\*: August 4, 2016  
**\*Does not include SUNDAY**

Start & End Times of Entertainment: 4:00 p.m. - 9:00 p.m.

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

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

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

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

Signature of Individual or  
Corporate Officer

6-9-16  
Date

\_\_\_\_\_  
SS# or FID#

-----  
**TOWN USE ONLY:**

DRT Review with Conditions: DRT reviewed and has no issues.  
DPW, Police, Health coordination required. (CR) 6/14/16







APPROVAL DATE: \_\_\_\_\_

LICENSE # \_\_\_\_\_





## Car Show 2016

-  Command Post
-  Police Detail
-  Porta-Potty
-  Vendor (Proposed)
-  Recorded Music/Mic
-  Public Parking

**From:** David Whitley [<mailto:dave@djwooliver.com>]

**Sent:** Thursday, June 02, 2016 2:02 PM

**To:** Edwin May; Matt Wooliver; Mike Wooliver; Denny Croughwell

**Subject:** Berkshire Block Roof Replacement-Noise Variance

Ed-

Pleasure meeting with you today, thank you for taking the time to do so.

In following-up with our conversation, we are requesting to work outside of the restrictive noise hours at the above referenced project site for the following reasons:

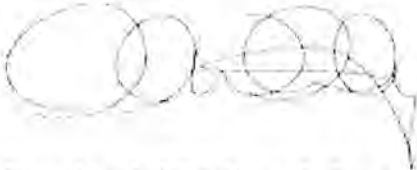
1. The project is to be a full-ACM abatement roof removal. We would appreciate to have little interaction with the public and or any pedestrian traffic in or around the building during the roof removal. Per standard trade practice(s), little-to-no-dust would be generated during the existing roof and flashing removal, however, we're attempting to make the work site as safe as possible and would want to risk anyone to be exposed to harmful debris/waste.
2. The existing roof cross-section is comprised of the original BUR (built-Up roof) w/ stone aggregate embedded, followed by a Modified Bitumen roof that is currently in place. The work involved in the removal of these two particular roof systems creates flying debris and heavy dust-both of which we would like to contain as best as possible in the removal/disposal process. Any pedestrian foot traffic in or around our debris shoot may be at risk of getting either hit with small stones or particles, or just plain dirty.
3. The entire removal process on a roof area this size should take approximately 3 days. We would be looking at starting at 5:00 AM (possibly earlier) over this 3-day period (potential for a day or two more with unfavorable weather conditions), so as to not disrupt the flow in or around the building or its' businesses. Secondary to this would be the staging of our ACM debris container, of which we can have off-site before typical morning/day routines begin.
4. Most of the noise generated during the hours prior to 'normal working hours' would be that of a powered roof cutter (a louder version of a lawn mower engine) and gasoline -powered generators to alternate means of power for skill saws, sawzalls, drills, etc.

Safety of the site is our ultimate concern here as well as not disrupting life as you know it on a daily basis in Great Barrington. Although it may be a short hindrance for the residents in a close proximity to the building , if left to attempt to streamline the project, we have the potential to be in and out of the project site with very little disruption to anyone.

Thank you for your consideration and attention in this matter. All of my personal contact information is listed below.

Please feel free to contact me directly should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "David Whitley". The signature is fluid and cursive, with several overlapping loops and a long, sweeping tail that extends to the right.

**Douglas J. Wooliver & Sons, Inc.**  
**Doxsee Roofing Company, LLC**  
David Whitley  
Project Manager/Corporate Safety Director  
[dave@djwooliver.com](mailto:dave@djwooliver.com)

Town of Great Barrington, MA  
Monday, June 6, 2016

## Chapter 115. Noise Control

### § 115-2. Excessive noise prohibited.

- A. Any noise from any source between the hours of 8:00 p.m. and 8:00 a.m. that continues steadily or intermittently for a period of 15 minutes or more at a level in excess of 20 dBA above average background noise for the time and place is hereby prohibited except agricultural activity or by permit as provided in § 115-3A. Said noise shall be measured by a Type 2 sound-level meter, set at fast meter response, at a distance of at least 50 feet from the source.
- B. Any noise from any source measured at a level higher than 86 dBA by a Type 2 sound-level meter, set at fast meter response, at a distance of 50 feet from the source, is prohibited at any time except by permit as provided in § 115-3A or as excepted in § 115-4.
- C. The use of any device which makes a sound, whether audible or inaudible, with the intent to cause pain, suffering, or irritation to any other person, or that actually causes pain or suffering to any person, is prohibited at any time except when used by law enforcement personnel who are acting in an official capacity. This includes, but is not limited to, ultrasonic devices that are used to disperse gatherings of persons.

[Added 5-14-2007 ATM, Art. 14]

### § 115-3. Applications for permits.

- A. Applications for permits for noise levels exceeding the limits specified in this section shall be made to the Selectmen and shall contain a statement as to why such relief is requested. A permit may be granted by the Selectmen for a period not to exceed six months and may contain conditions to minimize adverse effects on the neighborhood or the community at large.
- B. A permit so granted may be renewed only after a public hearing advertised in a newspaper of general circulation in Great Barrington at least 14 days before the date of the hearing, with written notice to abutters. Said permit may be renewed for an additional period of no more than six months, provided that the Selectmen make a finding that the renewal is necessary to provide additional time for the applicant to modify his activity or operation to comply with this section. No more than one renewal may be granted for any permit.

2016

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TOWN MANAGER

JUN 20 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



**TOWN OF GREAT BARRINGTON  
APPLICATION FOR REAL ESTATE SIGN LICENSE**

FEE: \$50.00

DATE: 6-20-2016

LICENSE NUMBER: \_\_\_\_\_

**TO THE LICENSING AUTHORITY:**

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

APPLICANTS NAME: GLENN LANGENBACK

BUSINESS NAME: GREAT BARRINGTON OWNER LLC

BUSINESS MAILING ADDRESS: 5 CHESTNUT RD. SUITE 60 PITTSFIELD MA

BUSINESS ADDRESS: 313-323 MAIN ST, GREAT BARRINGTON, MA

BUSINESS TELEPHONE: 413 236 5957

HOME TELEPHONE: 413 464 4211

This license is for all signs necessary pertaining to the sale of real estate in Great Barrington as per Town Sign Bylaw Chp. 146-5 (10).

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

[Signature]  
Signature of Individual or Corporate

by: \_\_\_\_\_  
Corporate Officer (if applicable)

SS# \_\_\_\_\_ or FID# [REDACTED]



**graphic  
impact  
signs**

800.458.2376  
fax 413.443.0034  
575 Dalton Ave. Pittsfield, MA 01201  
gisigns.com

Sales Rep: J. Renzi  
Job Name: Phillips Int.  
Job Location: Gt. Barrington, MA  
Sheet: 1 of 1  
Date: 6/3/16  
Job #: as noted  
Scale: as noted  
Drawn by: LH

Phillips  
International  
323 Main St. #1  
Gt. Barrington, MA  
Rev3 6/16/16

APPROVED \_\_\_\_\_  
APPROVED AS NOTED \_\_\_\_\_  
CLIENT SIGNATURE \_\_\_\_\_  
DATE \_\_\_\_\_

NOTICE OF COPYRIGHT  
THIS DESIGN IS THE PROPERTY OF GRAPHIC IMPACT SIGNS. ALL RIGHTS RESERVED. NO PART OF THIS DESIGN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GRAPHIC IMPACT SIGNS.



**(1)...Plastic Sign Panel....1 1/4" = 1'-0"**

- \* SF coroplast panel with UV digital/t printed graphics
- \* designed to mount flush to building



Town of Great Barrington, MA  
Thursday, June 16, 2016

## Chapter 146. Signs

### § 146-5. Signs allowed in specified districts which do not require a permit from the Building Inspector.

No permits are required for the following signs. Such signs are exempt from the requirements of this chapter.

- A. Governmental flags. Governmental flags and governmental insignia, except when displayed with a commercial message or in connection with a commercial promotion, are allowed in all districts. Governmental flags and insignias displayed on motor vehicles offered for sale shall be considered to be displayed in connection with a commercial purpose.
- B. Historic signs. Historic signs are allowed in all districts.
- C. Historical markers. Historical markers erected or placed by a historical association, governmental agency or owner of property that has been placed on the State or Federal Register of Historic Places are allowed in all districts.
- D. Holiday lights. Holiday lights and decorations that do not include a commercial message and that are displayed for a limited period of time are allowed in all districts.
- E. Incidental signs. Incidental signs are allowed in all districts.
- F. Information and directional signs. Informational and directional signs no greater than two square feet in area each, directing traffic to hospitals, parking areas, cultural institutions and commercial areas or other permitted uses, are allowed in all districts.
- G. Legal notices. Legal notices and identifications not exceeding two square feet in area, including "No Trespassing" and "No Hunting" signs, are allowed in all districts.
- H. Memorial signs. Memorial signs, plaques, or tablets no greater than eight square feet each are allowed in all districts.
- I. Noncommercial signs. Signs having no commercial message and which bear only house numbers, post box numbers, names of residents, or identification of premises and do not exceed two square feet in aggregate area per premises are allowed in all districts. The sign may include identification of an on-premises professional office or customary home occupation allowed by this chapter.
- J. Real estate signs. One "For Sale," "For Rent" or "For Lease" sign is allowed per premises in any district. Such sign shall not exceed eight square feet in area per premises in a nonresidential district or six square feet in area per premises in a residential district and shall advertise for sale or for rent only the premises upon which the sign is located. The sign shall be removed promptly when the advertised sale or rental is concluded. Such signs shall be set back at least three feet from the street line or 10 feet from the traveled way, whichever is greater. Real estate sales agencies shall obtain an annual license from the Board of Selectmen, in accordance with the Board's Policies and

Procedures, for the erection of real estate signs which shall advertise only properties which they have for sale or lease or rent.

- K. Signs exempted by law. Signs described in MGL c. 93, § 32, are allowed in all districts.
- L. Temporary signs in residential districts. Temporary signs not to exceed eight square feet in aggregate area are allowed in residential districts. They shall not be posted for more than 30 continuous days.
- M. Temporary window signs in business and industrial districts only. Temporary window signs are allowed in business and industrial districts.
- N. Vending machine signs. Permanent signs on vending machines, gas pumps, ice containers or similar devices indicating only the contents of such devices and prices of the merchandise are allowed in business and industrial districts only.
- O. Works of art. Works of art that do not include a commercial message are allowed in all districts.



\* New for 2016 \*



RECEIVED  
TOWN MANAGER

JUN 09 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA

TOWN OF GREAT BARRINGTON

APPLICATION FOR COIN OPERATED SOFT DRINKS AND FOOD MACHINES

FEE: \$25.00 (per machine) (pd)

DATE: MAY 6 2016

LICENSE NUMBER: \_\_\_\_\_

TO THE LICENSING AUTHORITY:

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

OWNER(S) NAME: Richard Solan

NAME OF BUSINESS: Berkshire Aviation ENT

D/B/A (if applicable): \_\_\_\_\_

BUSINESS MAILING ADDRESS: 70179 GREAT BARRINGTON

BUSINESS TELEPHONE: 413 528-1010 HOME TELEPHONE: \_\_\_\_\_

LOCATION WHERE LICENSE IS TO BE USED: 70 ELEMONS PLAIN RD

NUMBER OF MACHINES: 1

TYPE OF MACHINE(S):

Scale

\_\_\_\_\_

\_\_\_\_\_

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

Signature of Individual or Corporate Name

by: [Signature]  
Corporate Officer (if applicable)

SS# \_\_\_\_\_

OR

FID# 04 2016

ORIGINAL

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TOWN MANAGER

JUN 08 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



**TOWN OF GREAT BARRINGTON**  
**Temporary Weekday Entertainment License Application**  
\$25.00 per day x 8 = \$200.00

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

Name: WSBS Radio / Sounds of Summer

Business/Organization: \_\_\_\_\_

D/B/A (if applicable): \_\_\_\_\_

Address: 425 Stockbridge Rd.

Mailing Address: Great Barrington, MA 01230

Phone Number: 528-0860

Email: #disby@wsbs.com

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

Live band with up to 6 pieces, including singers  Public Show

Other (please explain) \_\_\_\_\_

INCLUDES:  Live music  Recorded music  Dancing by entertainers/ performers

Dancing by patrons  Amplification system  Theatrical exhibition

Floorshow  Play  Moving picture show  Light show  Jukebox

Other (please explain) \_\_\_\_\_

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

\_\_\_ YES

NO



2016“Sounds of Summer”  
agreement between


**Great Barrington V.F.W. & WSBS Radio**

**The Great Barrington V.F.W. agrees...**

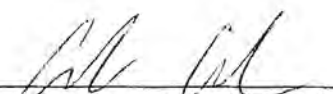
- To give WSBS the use of your grounds located at 800 Main Street, Great Barrington, every Tuesday in July (starting 5<sup>h</sup>) & August of 2016 (7/5, 7/12, 7/19, 7/26, 8/2, 8/9, 8/16 & 8/23)
- To let WSBS park a large vehicle or trailer on the grass grounds near the power source next to the pavilion (to be used as staging for bands).
- To waive the \$75.00 V.F.W. Vendor Fee on dates listed above between 6-8PM
- To stake/display at the front of the V.F.W. property (near Route 7), a sign/banner provided by the radio station throughout the summer.
- To let WSBS install additional signage/banners/posters, etc to be placed on property at various locations and to be removed at the conclusion of each concert.
- To let visitors/concert goers to park on the grass in the front area near the VFW sign and continuing back as necessary. Additional parking on the left side grassy area would be made available (if needed).
- To provide a minimum of six (6) 55-gallon drum trash barrels

**WSBS Radio agrees...**

- To provide vehicle parkers (Yankee Street Rods)
- To provide two (2) additional porta-potties on Sounds of Summer evenings
- To cleanup grounds after each event.
- Mention the VFW in all promotional announcements (live & pre-recorded) from April through August 2016. Furthermore we will include “no outside food, drink or animals” in announcements.

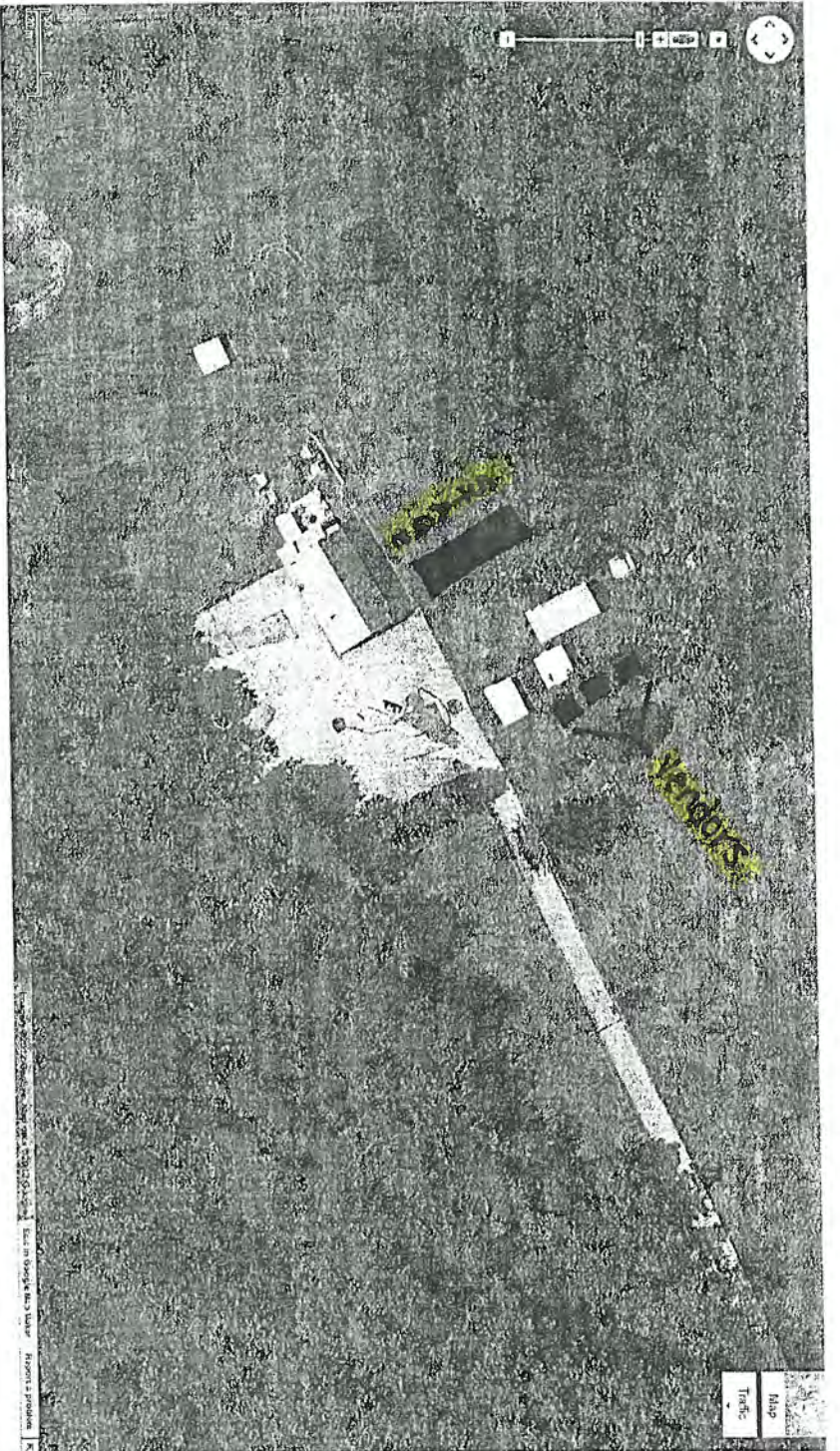
  
\_\_\_\_\_  
Dave Isby/GM WSBS

Date

  
\_\_\_\_\_  
Representative of V.F.W.

Date

5/24/16



Stage Placement for WSBS's  
Sounds of Summer series  
at the Great Barrington VFW  
800 Main Street, Great Barrington

ORIGINAL

RECEIVED  
TOWN MANAGER

JUN 06 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



**TOWN OF GREAT BARRINGTON**  
**Temporary Weekday Entertainment License Application**  
**\$25.00 per day x 2 = \$50.00 (pd)**

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

Name: JOANNA ROTHBARD

Business/Organization: AMERICAN ART MARKETING

D/B/A (if applicable): BERKSHIRES ARTS FESTIVAL

Address: SKI BUTTERNUT 380 STATE RD GR, MA

Mailing Address: P.O. BOX 480 SLATE HILL, NY 10973

Phone Number: 845-355-2400 OFFICE 845-661-8951 CELL

Email: JOANNA@AMERICANARTMARKETING.COM

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

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

Other (please explain) \_\_\_\_\_

**INCLUDES:**  Live music  Recorded music  Dancing by entertainers/ performers

Dancing by patrons  Amplification system  Theatrical exhibition

Floorshow  Play  Moving picture show  Light show  Jukebox

Other (please explain) 4 PC BLUES BAND

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

\_\_\_ YES

NO

Please circle: **INDOOR** or **OUTDOOR** Entertainment

Exact Location of Entertainment (include sketch): INSIDE TENT

Date(s) of Entertainment\*: JULY 1 <sup>FRI</sup>, JULY 2 <sup>SAT</sup>  
\*Does not include SUNDAY

Start & End Times of Entertainment: 1 PM - 3 PM

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

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

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

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

[Signature]  
Signature of Individual or Corporate Officer

6.1.16  
Date

[Redacted]  
SS# or FID#

**TOWN USE ONLY:**

DRT Review with Conditions: DRT reviewed and has no issues @ 6/14/16

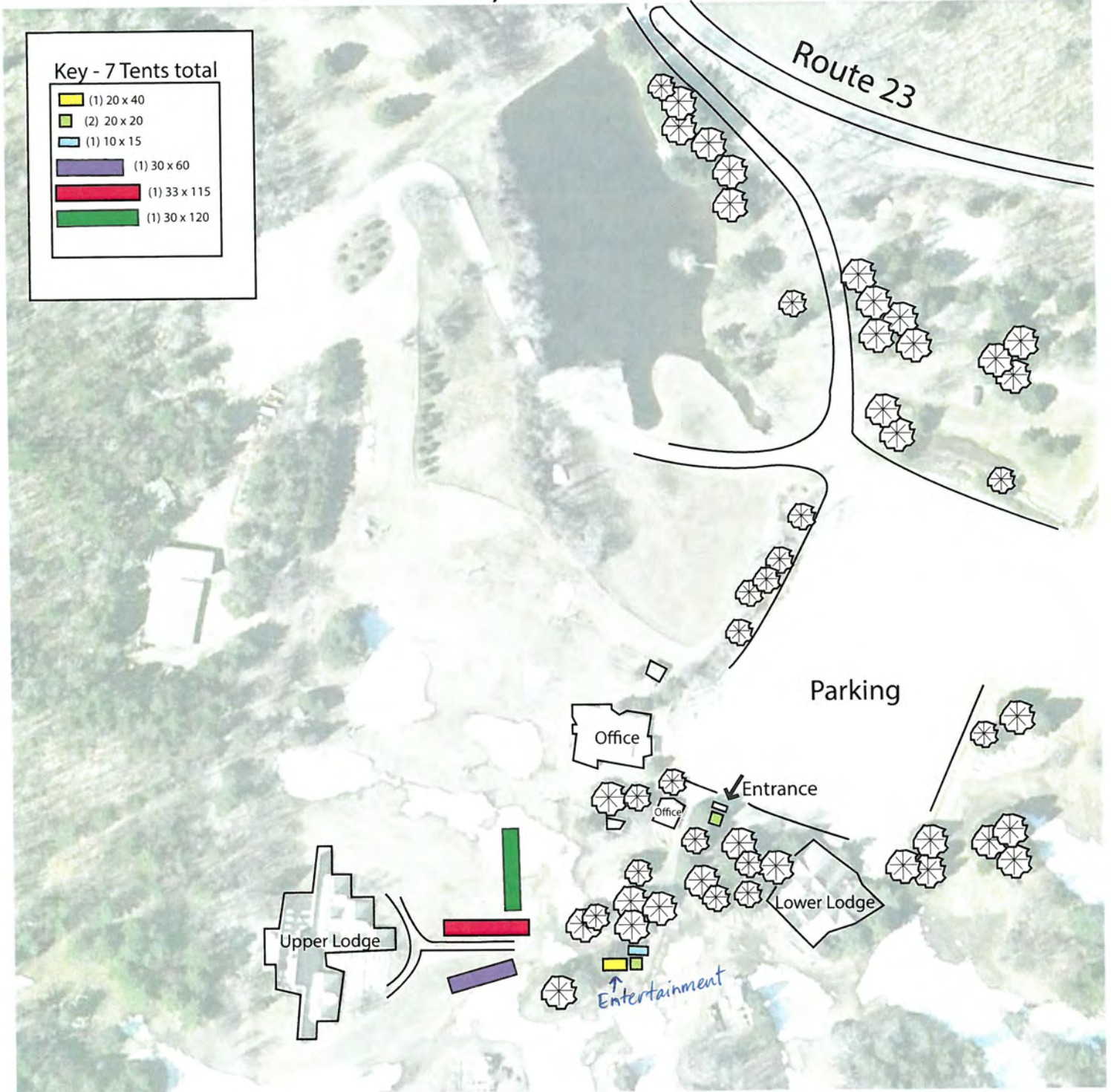
APPROVAL DATE: \_\_\_\_\_

LICENSE # \_\_\_\_\_

# Berkshires Art Festival 2016

July 1, 2, 3

## Ski Butternut, 380 State Rd -Rt23







6/7/16



To: Great Barrington Board of Selectmen  
334 Main Street  
Great Barrington, MA 01230

Re: Summer Sounds Permission Letter

To whom it may concern,

Please be advised that Richard & Joanna Rothbard of American Art Marketing, has the permission of Butternut Basin Inc. (d.b.a. Ski Butternut) to rent the ski area facilities at 380 State Road, Great Barrington MA for the purposes of holding the 15<sup>th</sup> annual Berkshire Art Festival on Friday, 7/1/16, Saturday, 7/2/16 and Sunday, 7/3/16.

If you have any questions whatsoever, please do not hesitate to contact me. Thanks.

Sincerely,

David P. Ryel  
Ski Butternut  
Summer Events Manager  
T: 413-528-2000 x154  
E: daver@skibutternut.com

ORIGINAL

RECEIVED  
TOWN MANAGER

JUN 06 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



**TOWN OF GREAT BARRINGTON**  
Temporary Sunday Entertainment License Application  
(Local Approval ONLY-State Approval Required Separately)

Hours between 1:00 pm-11:59 pm (\$2.00 per Sunday) (pd)       Hours between 9:00 am- 11:59 pm (\$5.00 per Sunday)

The undersigned hereby applies for a license in accordance with the provisions of Massachusetts General Laws, Ch.136 Sec.4.

Name: JOANNA ROTHBARD

Business/Organization: AMERICAN ART MARKETING

D/B/A (if applicable): BERKSHIRES ARTS FESTIVAL

Address: SKI BUTTERNUT 380 STATE RD GB MA

Mailing Address: P.O. BOX 480 SLATE HILL, NY 10973

Phone Number: 845-355-2400 845-661-8951 CELL

Email: JOANNA@AMERICANARTMARKETING.COM

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

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

Other (please explain) \_\_\_\_\_

**INCLUDES:**  Live music  Recorded music  Dancing by entertainers/ performers

Dancing by patrons  Amplification system  Theatrical exhibition

Floorshow  Play  Moving picture show  Light show  Jukebox

Other (please explain) JAZZ TRIO, 4 PC BLUES BAND

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

— YES

NO

Please circle: INDOOR or **OUTDOOR** Entertainment

Exact Location of Entertainment (include sketch): \_\_\_\_\_

SEE ATTACHED

Date(s) of Entertainment: Sunday, JULY 3, 2016

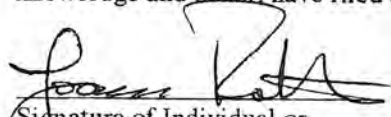
Start & End Times of Entertainment: 1-3 PM

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

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

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

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

  
Signature of Individual or  
Corporate Officer

6-1-16  
Date

  
SS# or FID#

**TOWN USE ONLY:**

DRT Review with Conditions: DRT reviewed + has no issues. (CP) 6/14/16

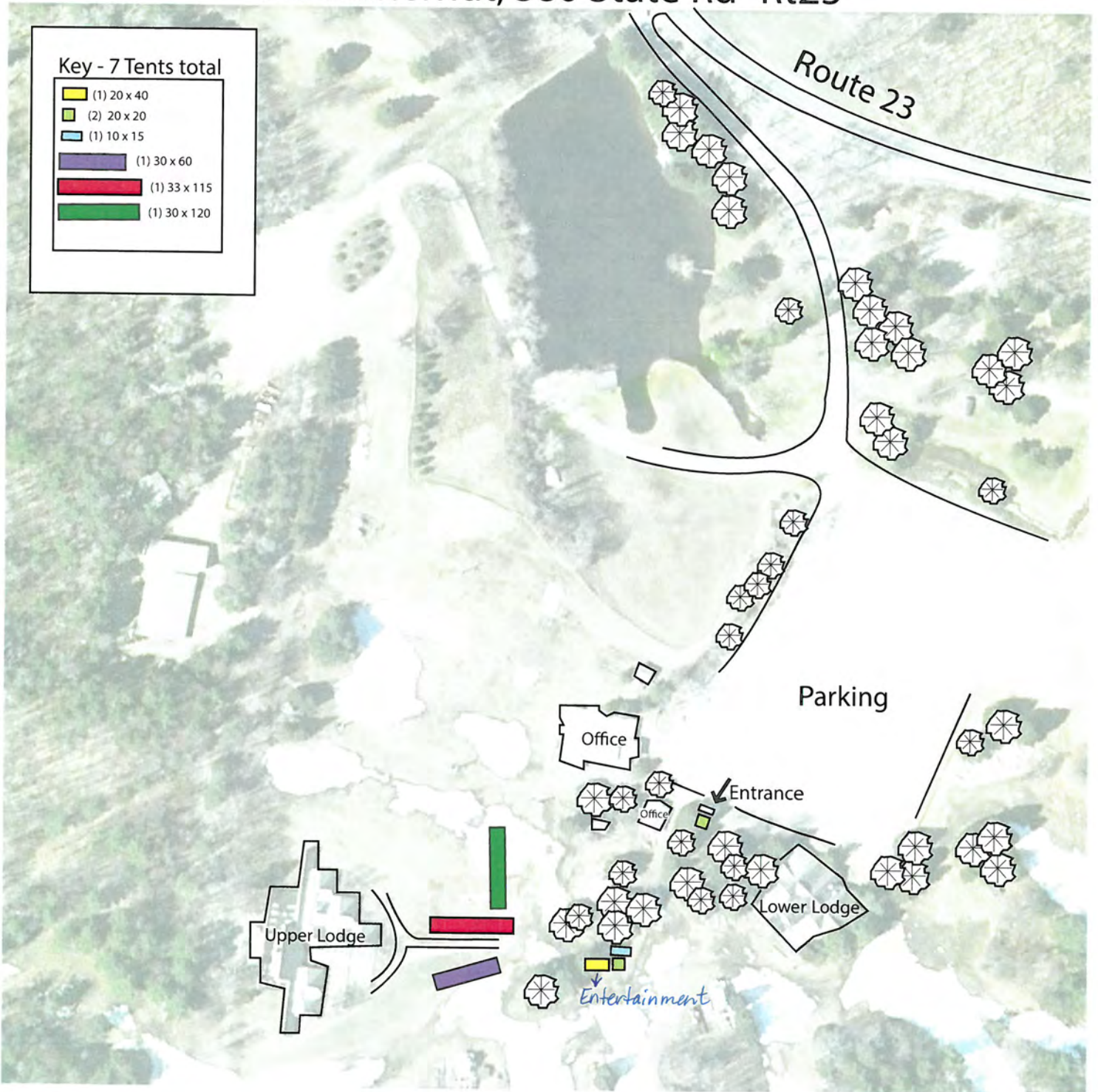
APPROVAL DATE: \_\_\_\_\_

LICENSE # \_\_\_\_\_

# Berkshires Art Festival 2016

July 1, 2, 3

## Ski Butternut, 380 State Rd -Rt23



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TOWN MANAGER

JUN 13 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA

Fee: \$25.00 (per day)  $\times 3 = 875.00$



**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: SKI BUTTERNUT - DAVID P. REEL

Organization Name: BUTTERNUT BASIN INC.

Applicant's Address: 380 STATE RD. GREAT BARRINGTON, MA

Telephone Number: 413-528-2000 x154 01230

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

Event: BERKSHIRE ARTS FESTIVAL

Date: 7/1, 7/2, 7/3/16 Start Time: 10 am End Time: 6 pm

Event Address: SAME AS ABOVE

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.

[Signature]  
Signature of Applicant

8/1/16  
Date

FOR TOWN USE:

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Postponed \_\_\_\_\_

# BUTTERNUT - ART FEST



Google earth



RECEIVED  
TOWN MANAGER

JUN 15 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



Fee: \$25.00 (per day)

pd

**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: Cathy Ingram

Organization Name: Bard College at Simon's Rock

Applicant's Address: 84 Alford Rd. Great Barrington, MA 01230

Telephone Number: 413-528-7266

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

Event: Reunion

Date: Friday, July 8 Start Time: 9-PM End Time: 11 PM

Event Address: Snack Bar, Bard College at Simon's Rock, 84 Alford Rd GB, MA 01230

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.

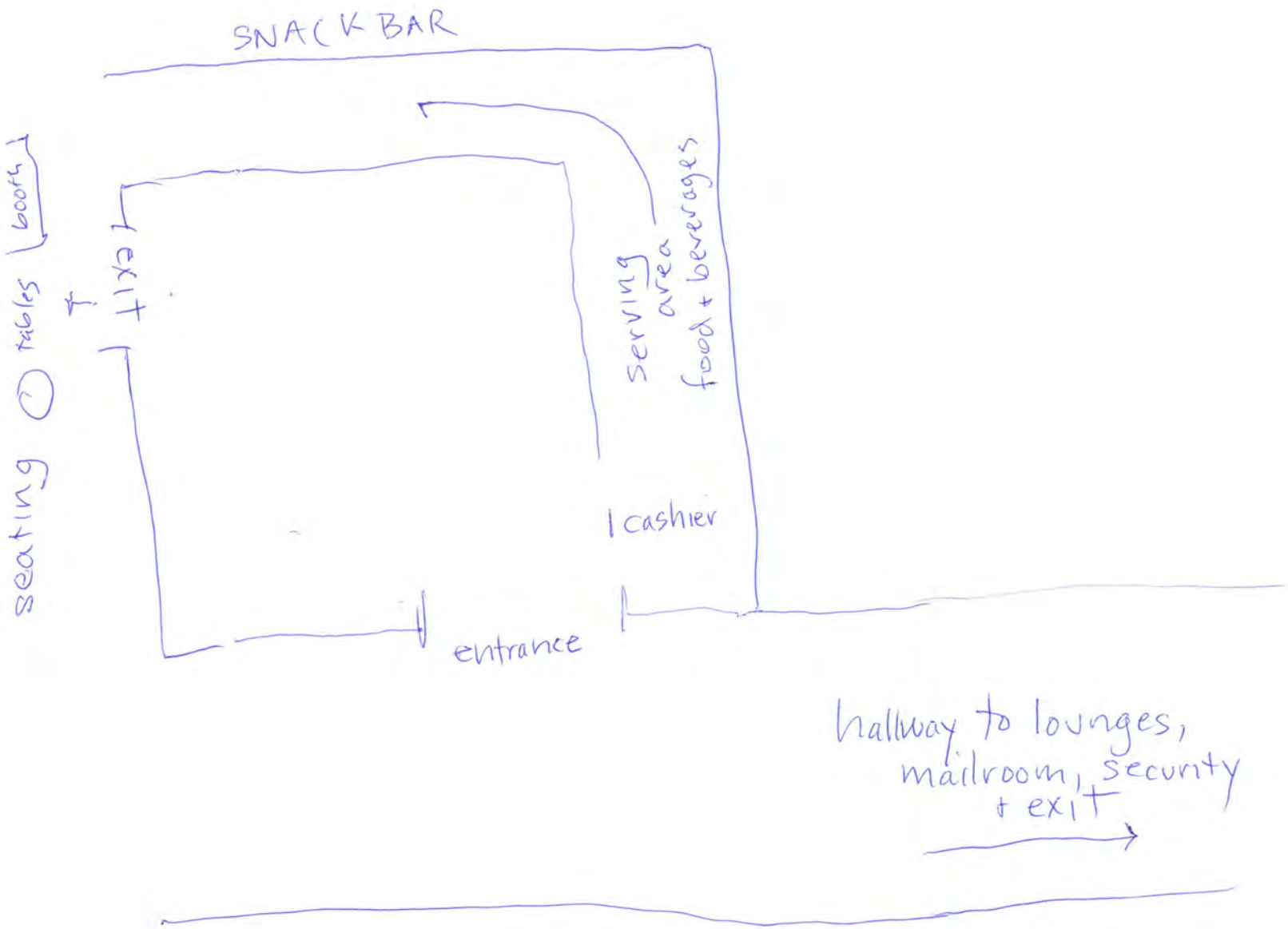
Cathy Ingram  
Signature of Applicant

6-15-16  
Date

FOR TOWN USE:

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Postponed \_\_\_\_\_

# Simon's Rock Reunion Snack Bar layout in Livingston Hall





RECEIVED  
TOWN MANAGER

JUN 15 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA



Fee: \$25.00 (per day) *pd*

**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: Cathy Ingram

Organization Name: Bard College at Simon's Rock

Applicant's Address: 84 Alford Rd. Great Barrington, MA

Telephone Number: 413-528-7266

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

Event: Reunion (day 2)

Date: Saturday, July 9 Start Time: 3pm End Time: 7pm (Tri-Dorm Lawn/Dining Hall)  
7pm (Snack Bar)

Event Address: Bard College at Simon's Rock, 84 Alford Rd., GB

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.

Cathy Ingram  
Signature of Applicant

6.15.16  
Date

FOR TOWN USE:

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Postponed \_\_\_\_\_

Simon's Rock Reunion  
Rockfest BBQ  
event layout:

Saturday, July 9, 2016

PAVILION

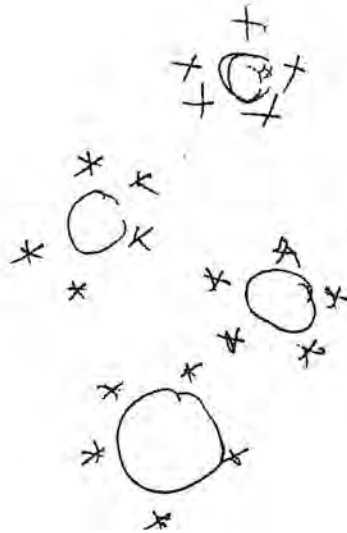


AID CHECK TABLE



MUSIC

TABLES  
& CHAIRS  
for  
SEATING  
AREA

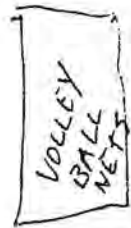


CASH BAR

FOOD

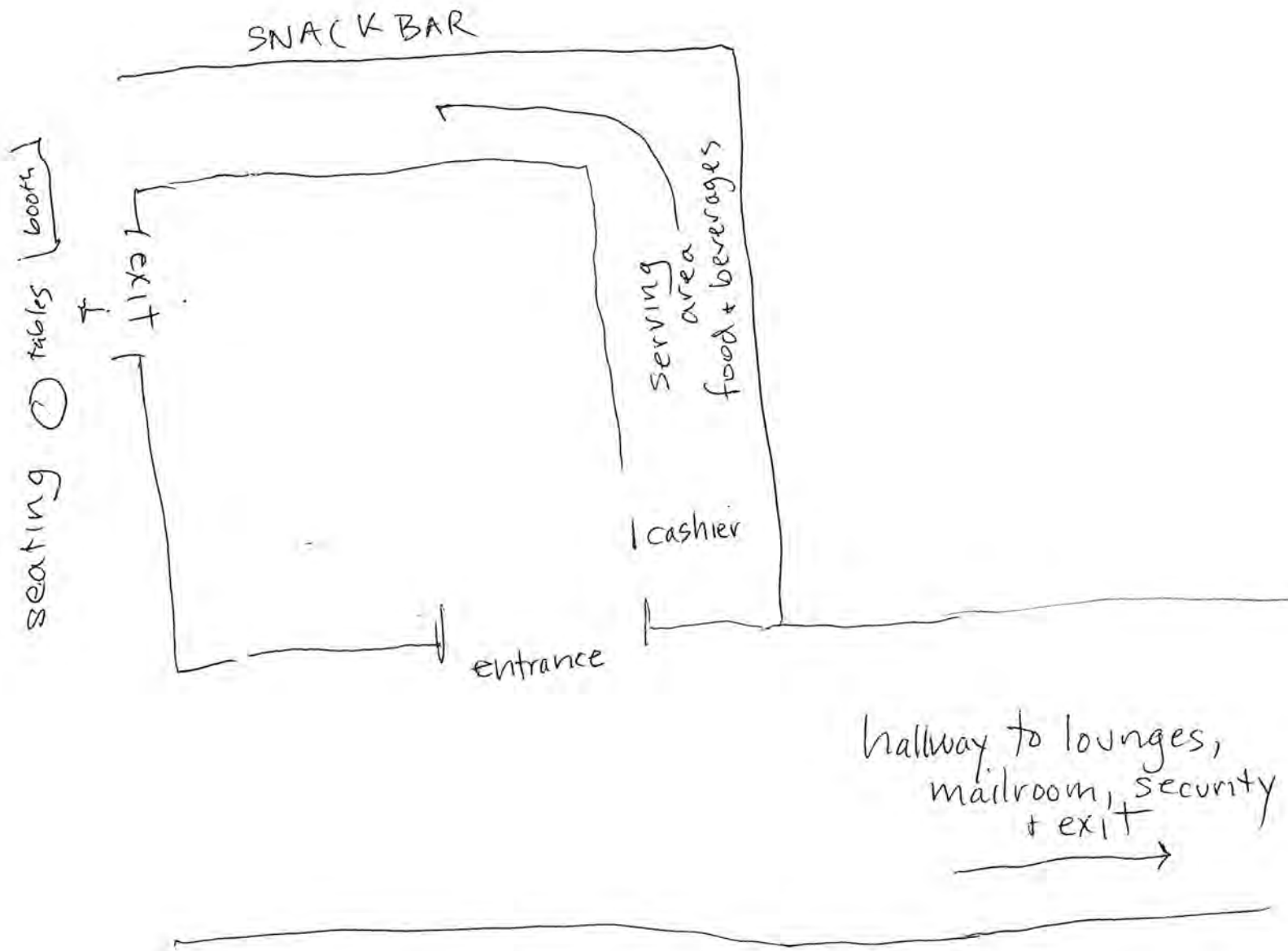


FOOD



\* EVENT IN DINING HALL, in case of inclement weather.

# Simon's Rock Reunion Snack Bar layout in Livingston Hall



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: Christine Heaton

Organization Name: Black Sheep Brewing Company, dba Big Elm Brewing

Applicant's Address: 65 Silver Street, PO Box 864, Sheffield MA 01257

Telephone Number: 413-229-2348

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

Event: Berkshire Bike N Fly

Date: August 20, 2016 Start Time: 10:00am End Time: 4:00pm

Event Address: Walter J. Koladza Airport, 70 Agreement 71 North Plain Rd. Great Barrington, MA 01230

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.

Christine Heaton  
Signature of Applicant

6/6/16  
Date

**FOR TOWN USE:**

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Postponed \_\_\_\_\_

# A MENDED PROJECT SUBMITTAL

**C D C S B**

Community Development Corporation of South Berkshire

June 6, 2016

Ron Majdalany, Chair  
Great Barrington Zoning Board of Appeals  
Town Hall  
334 Main Street  
Great Barrington, MA 01230

Dear Ron and Members of the Board,

After discussion with the Massachusetts Department of Housing and Community Development (DHCD) and the Great Barrington Town Planner, the CDC is amending the Project description in the 100 Bridge Street Comprehensive Permit Application submitted to the Town on December 9, 2015. The amended Project description is consistent with the DHCD Project Eligibility Letter date August 28, 2015 submitted with the application.

The amended Project includes:

- A 2.2-acre parcel at the southern end of the 100 Bridge Street address, identified in Exhibit 17 (attached), subdivided from the 8-acre site with a Form A
- 45 affordable rental units, as described in the original Application
- 1.1 acre open space

The amended Project does not include market-rate housing or commercial space. Please see the following Exhibits relating to the change in Project description:

- Exhibit 14R: Revised Zoning Analysis and Requested Waivers (attached)
- Exhibit 10 Addendum: Municipal Impact Analysis Addendum (to be provided)
- Traffic Study Addendum (to be provided)
- Exhibit 16R: Revised Site Development Schedule (attached)

There are no changes in the Storm Water Management Plan, flood plain calculations, wetlands permitting and hazardous waste cleanup strategy as these issues continue to be addressed comprehensively for the entire site. When subdivided, the two parcels will have permanent easements attached that describe shared storm water management and flood plain consumption calculations.

I look forward to discussing these changes with you on Thursday, June 9.

Sincerely,

*Tim*

Timothy Geller  
Executive Director

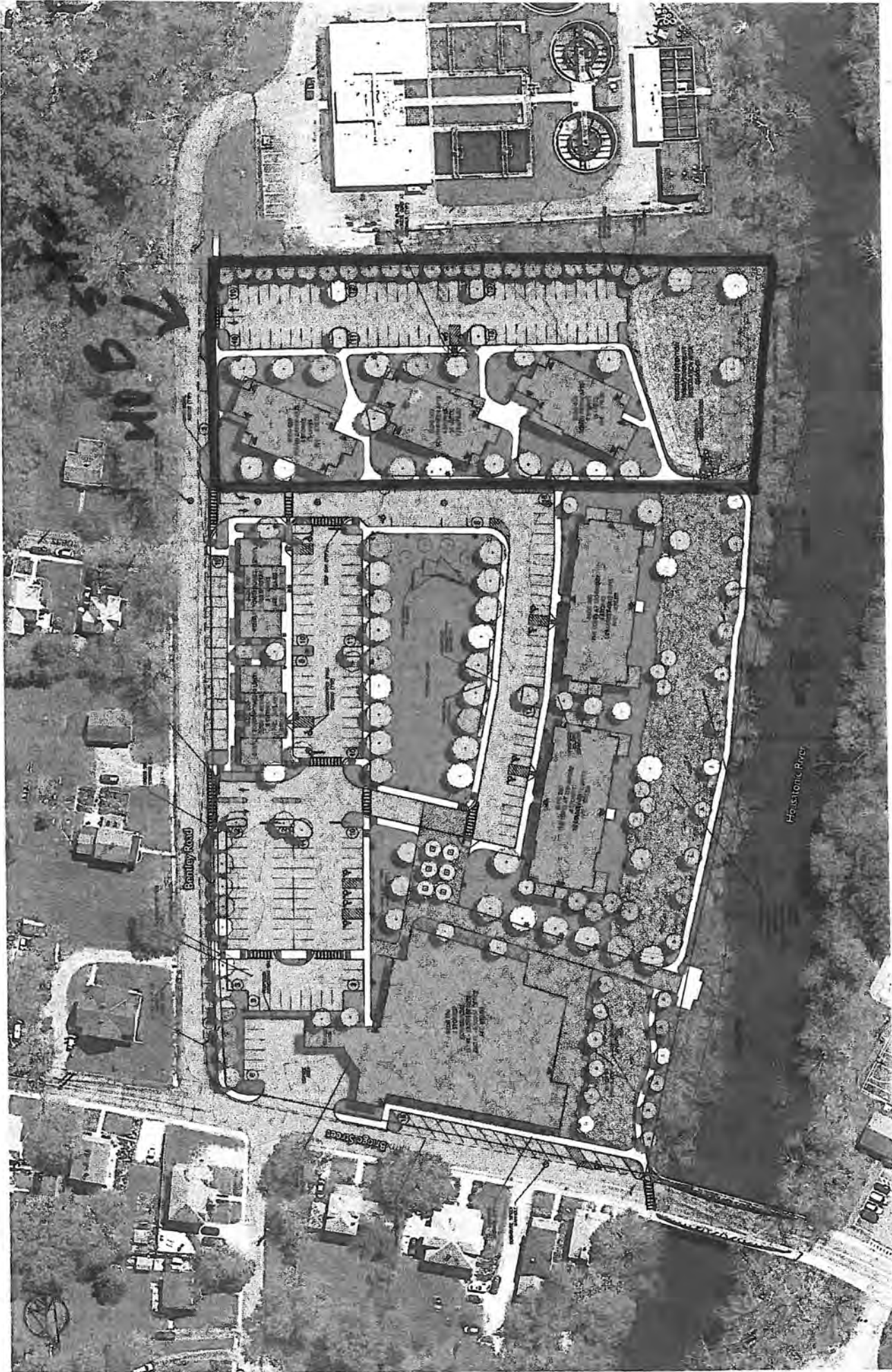
Board of Directors

James Harwood,  
President

Cara Becker  
Jeffrey Cohen  
Jeffrey Kittross  
Richard Melluzzo  
Peter Puciloski  
Richard Stanley

Timothy Geller  
Executive Director

PO Box 733  
Great Barrington, MA  
01230  
413.528.7788  
[www.cdcsb.org](http://www.cdcsb.org)



December 8, 2015

# 100 Bridge Street Concept Rendering

Town of Great Barrington, Berkshire County, Massachusetts

**THE Chazen COMPANIES**  
*Providing the Environment's Solutions*

**The Berkshire Design Group, Inc.**  
 C D C S B  
Architectural & Landscape Architecture Firm, Inc.

**KUHN-RIDDLE ARCHITECTS**  
www.kuhn-riddle.com

**100 BRIDGE STREET, GREAT BARRINGTON MIXED USE DEVELOPMENT ZONING ANALYSIS**

**I. INTRODUCTION**

The proposed 100 Bridge Street Mixed-Use Development is located in the B3 zoning district. The Applicant seeks limited exemptions from zoning under chapter 40B, which requested exemptions are fully set forth at the end of this section.

**II. COMPLIANCE OF PROPOSED DEVELOPMENT WITH DIMENSIONAL REQUIREMENTS FOR THE B3 DISTRICT, AS SPECIFIED IN §4.1.2 SCHEDULE OF DIMENSIONLA REQUIREMENTS**

The 100 Bridge Street Mixed-Use Development is located in the B3 Zoning District. The following table summarizes the Dimensional Requirements specified in §4.1.2 for the underlying B3 zoning district, and how the proposed project is proposed to comply with or deviate from those requirements.

<b>DIMENSIONAL REQUIREMENTS IN THE B3 ZONE.</b>			
<b>Description</b>	<b>Required</b>	<b>Provided</b>	<b>Status</b>
Minimum Lot Area	5000 sq/ft unit x .45 = 225,000 sq ft	97,118 ± sq. ft.	Not in compliance
Lot Width	50 feet	193 ft.	In compliance
Min. Front Yard	10 feet	18.5 feet	In compliance
Min. Side Yard	10 feet	3.5 feet	Not in compliance
Min. Rear Yard	10 feet	106 feet	In compliance
Max. Lot Coverage by Buildings	75%	15.1%	In compliance
Height of Buildings (Stories) (Feet)	5 Stories 50 Feet	4 Stories 45 Feet	In compliance

**III. COMPLIANCE OF PROPOSED DEVELOPMENT WITH §9.4 MIXED-USE B3 DISTRICT**

<b>Section</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Status</b>
9.4.6 Open Space	The Minimum open space required shall be 20% of the total lot area. For this site: .45 acres Development	1.1 acre / 50%	In compliance
9.4.7 Parking (Residential Use and Dimensional Requirements)	Parking requirements for residential dwelling units shall be two parking spaces for each of the first five units and 1 1/2 spaces for each additional unit. For this site: 70 parking spaces.	72 residential parking spaces	In compliance
	Parking areas shall be safely and conveniently accessible from the buildings they serve.		In compliance
Dimension	No parking space shall reduce the effective width of a driveway providing access to more than one dwelling unit to less than 12 feet.		In compliance

Section	Requirement	Proposed	Status
6.4.7	Parallel parking spaces shall not be less than eight feet by 23 feet.	8 ft. x 22 ft.	Not In compliance
6.1.2	Mixed Uses: The sum of the requirements for the individual uses - When other provisions specify fewer parking spaces for specific uses, the less restrictive shall apply. For this site: 175 spaces (based on one parking space for each 200 sq. ft. of net usable retail space, and one space for every 300 sq. ft. of net usable office space)	NA	
9.4.8 Site Plan Review	A development on a parcel or parcels in excess of 10,000 square feet of land shall be subject to site plan review by the Planning Board.	Deferred to ZBA	
9.4.9 Special Permit	Any development or redevelopment in excess of 20,000 square feet of gross floor area, regardless of use, shall require a special permit.	Deferred to ZBA	
	A special permit shall be required for any project seeking to use the density or open space incentives defined in this section	Deferred to ZBA	
9.4.12 Affordable Housing; Specific Requirements	Affordable housing units shall be constructed and made available for occupancy coincident with and in proportion to the development of market-rate units.	NA (100% affordable)	
	All affordable units shall be situated within the development in no less desirable locations than market-rate units in the development;	NA (100% affordable)	
	All affordable units shall be no less accessible to public amenities, such as open space, than the market-rate units;	NA (100% affordable)	
	All affordable units shall be integrated with the rest of the development;	NA (100% affordable)	
	All affordable units shall be compatible in design, appearance, construction and quality of materials with other units; interior features of	NA (100% affordable)	
	affordable units shall comply in all respects to the minimum design and construction standards set forth in Section III of the Local Initiative Program Guidelines		In compliance
9.4.13 Affordable Housing Units; Marketing Plan	Local preference shall be given to the maximum extent permitted by law.	Please see attached sample Marketing Plan	In compliance



9.4.10 Development Incentives. To encourage specific attributes of development beneficial to the Town, the following incentives are offered by special permit.

**100 Bridge Street Development Incentive Calculations**

**C. Rembold 12/4/2015**

a.	Lot area, 8.0 acres	97,118	square feet
b.	Required land area / unit (see section 9.4.5)	5,000	square feet
c.	Dwelling units possible without incentives (line a. / line b.)	19	units
d.	Max reduction in land area / unit is 50%	2,500	square feet
e.	<b>Dwelling units possible with max. incentives (a. / d.)</b>	<b>38</b>	<b>units</b>
f.	<b>Dwelling units proposed</b>	<b>45</b>	<b>units</b>
g.	<b><u>Mixed use incentive (see section 9.4.10, #2, a.)</u></b>		
h.	Proposed nonresidential space		square feet retail
i.			square feet office
j.			total square feet
k.	Incentive (line j. / 1,000 * 1% * line b)		square foot reduction in required land area per unit
l.			
m.	<b><u>Affordable housing incentive</u></b>		
n.	Proposed affordable housing	45	units
o.	Incentive (n. * 5% * b.)	<b>11,250</b>	<b>square foot reduction in required land area per unit</b>
p.			
q.	<b><u>Total incentives</u></b>		
r.	Incentives, i.e. reductions in required land area per unit, are cumulative,		
s.	but can be no greater than 50% (see d., above and Section 9.4.10, item 2)		
t.	<b>Total incentive reduction in land area (k. + o.)</b>	<b>11,250</b>	<b>square feet per unit</b>
u.	<b>Total incentive reduction is greater than maximum reduction, therefore use maximum reduction of 2,500 sf per unit (see line d.)</b>		

**IV: REQUESTED EXEMPTIONS OR WAIVERS FROM ZONING**

1. Density: Maximum allowed: 38 units  
Proposed: 45 units
2. Waiver of parallel parking dimensions
3. Waiver of Building Permit Fee, estimated
4. Waiver of Sewer Hookup Fee, estimated \$27,000



Joseph W. Sokul,  
DPW Superintendent

E-mail: [jsokul@townofgb.org](mailto:jsokul@townofgb.org)  
[www.townofgb.org](http://www.townofgb.org)



334 Main Street  
Great Barrington, MA 01230

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

**TOWN OF GREAT BARRINGTON  
MASSACHUSETTS**

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**DEPARTMENT OF PUBLIC WORKS**

February 9, 2016

Mr. Michael J. Budris, PE  
The Chazen Companies  
547 River Street  
Troy, NY 12180

**RE: Wastewater Capacity Request – 100 Bridge Street Development**

Dear Mr. Budris:

We are in receipt of your request for allocation of wastewater capacity for the above referenced project.

The Town of Great Barrington Wastewater Treatment Facility is currently operating with 1.4 million gallons per day of average daily flows. It is our understanding that the proposed sewer connection to the project will result in an estimated design flow of 22,092 GPD for both residential and commercial units.

Please be advised that the Town of Great Barrington's Wastewater Treatment Plant has adequate capacity to accept the wastewater from the proposed development.

This letter does not relieve you from obtaining all required State Permits and local permits to extend the sanitary sewer to the development.

If you should have any questions, please call Tim Drumm the Wastewater Superintendent at (413)528-0650.

Sincerely,

Joseph Sokul  
DPW Superintendent  
Town of Great Barrington

Cc: Chris Rembold, Town Planner  
Tim Drumm, Wastewater Superintendent  
Jayne Smith, Health Agent



Engineers  
Land Surveyors  
Planners  
Environmental & Safety Professionals  
Landscape Architects

**Capital District Office**

547 River Street  
Troy, NY 12180  
P: (518) 273-0055 F: (518) 273-8391  
[www.chazencompanies.com](http://www.chazencompanies.com)

Hudson Valley Office (845) 454-3980  
North Country Office (518) 812-0513

June 7, 2016

Mr. Timothy Geller  
Executive Director  
Community Development Corp. of South Berkshire  
P.O. Box 733  
Great Barrington, MA 01230

*Re: Water Service Engineering Letter Report  
100 Bridge Street Development*

*Job # 81414.01*

Dear Mr. Geller,

The Community Development Corporation of South Berkshire, Inc., has contracted with the Chazen Companies to prepare a design for water infrastructure at the proposed redevelopment site at 100 Bridge Street in the Town of Great Barrington, Massachusetts. This design work includes the estimation of water demands, water infrastructure design, and coordination with applicable agencies. An engineering report dated March 17, 2016 has been prepared to summarize this design (see attached). It is the intent of this letter to serve as an addendum to that report in order to summarize the water infrastructure design relevant to the construction of affordable housing units at the site.

#### Introduction

The property at 100 Bridge Street is a brownfield site formerly occupied by New England Log Cabin Homes. Following soils remediation work performed at the property, The Community Development Corporation of South Berkshire now intends to redevelop the site, which is approximately 8 acres in area. The overall proposed redevelopment plan consists of eight building and includes a mix of residential and commercial development. At this time the Community Development Corporation of South Berkshire intends to develop the portion of the site related to the proposed construction of 3 three buildings containing a total of 45 affordable housing units, with the additional redevelopment as described in the engineering report to potentially completed as a future phase.

#### Projected Demands

The planned affordable housing residential redevelopment consists of a total of 45 housing units, with an average of 2 bedrooms per housing unit. Residential water demands have been estimated to be 110 gallons per day (gpd) per bedroom. As such, total residential water demands have been estimated to be

9,900 gpd. There is no planned commercial redevelopment proposed as part of this phase of the project.

Based on a peaking factor of 4 to account for peak diurnal flows, peak hourly demands have been estimated to approximately 28 gallons per minute. These flows have been reviewed by the Town of Great Barrington Fire District, and it has been confirmed that the Great Barrington water supply and distribution system has sufficient capacity to meet the water usage demands represented by the proposed redevelopment.

#### Proposed Water Infrastructure

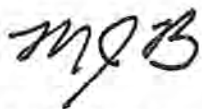
The water distribution system in the area of the proposed redevelopment project includes 8" diameter cast iron water mains along both Bridge Street and Bentley Road. Fire hydrants are currently installed along the northern boundary of the property at the Bridge Street right-of-way and at the intersection of Bentley Road and Crosby Street.

As part of this phase of the proposed redevelopment project, an 8"x8" tapping sleeve and valve will be installed on the existing main along Bentley Road to the east of the proposed residential buildings. An 8" diameter ductile iron water main will be installed running west from this point to the south of the proposed buildings. A fire hydrant will be installed in close proximity to the proposed buildings in order to provide acceptable fire flows. As described in the attached engineering report, as part of future redevelopment of the rest of the site, this water main will be extended to create a looped connection with the existing water main along Bridge Street.

As part of the water service agreement, the Town would review and inspect the tapping of, and connection to, the existing water mains, the installation of water mains on the redevelopment property, and the connection of water services serving individual buildings and residential units. All water infrastructure will be designed and constructed in accordance with the standards and regulations of the Great Barrington Fire District Water Department, the Massachusetts Department of Environmental Protection, and any other applicable state and local standards.

Should you have any questions or comments regarding the proposed water demands, or the planned water infrastructure, please don't hesitate to contact me at mbudris@chazencompanies.com or via phone at (518) 266-7348.

Sincerely,



Michael J. Budris, P.E.  
Senior Project Engineer/Project Manager

cc: Peter Marks, Great Barrington Fire District  
file

**THE GREAT BARRINGTON FIRE DISTRICT**  
**PRUDENTIAL COMMITTEE AND BOARD OF PUBLIC WORKS**  
**17 EAST STREET**  
**GREAT BARRINGTON, MASSACHUSETTS 01230**  
**TEL. 413-528-0133 • FAX 413-528-6061**

Walter F. Atwood III  
 Kenneth Schumacher  
 Robert F. Avery  
 Robert G. Hammer  
 William F. Foster



Cynthia J. Ullrich, *District Clerk*  
 Peter H. Marks, *Superintendent*

April 11, 2016

The Chazen Companies  
 547 River Street  
 Troy, New York 12180

To Whom it May Concern

The Great Barrington Fire district has reviewed the plans for the redevelopment of the former New England Log Homes parcel at 100 Bridge Street in Great Barrington for eight buildings consisting of retail space, office space, a grocery market, and a cafe.

The property is located within the bounds of the Great Barrington Fire District. The Fire District does have sufficient capacity to meet the estimated commercial demand for water being approximately 4,272 gallons per day. The plans provided to us indicate that the entire development will be served by fire hydrants, sprinkler lines and domestic water.

Sincerely,

Peter H. Marks  
 District Superintendent

PHM/cju



Engineers  
Land Surveyors  
Planners  
Environmental & Safety Professionals  
Landscape Architects

**Capital District Office**

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Troy, NY 12180  
P: (518) 273-0055 F: (518) 273-8391  
www.chazencompanies.com

Hudson Valley Office (845) 454-3980  
North Country Office (518) 812-0513

June 7, 2016

Mr. Timothy Geller  
Executive Director  
Community Development Corp. of South Berkshire  
P.O. Box 733  
Great Barrington, MA 01230

*Re: Wastewater Service Engineering Letter Report - Addendum  
100 Bridge Street Development*

*Job # 81414.01*

Dear Mr. Geller,

The Community Development Corporation of South Berkshire, Inc., has contracted with the Chazen Companies to prepare a design for wastewater infrastructure at the proposed redevelopment site at 100 Bridge Street in the Town of Great Barrington, Massachusetts. This design work includes the estimation of wastewater flows, sanitary sewer infrastructure design, and coordination with applicable agencies. An engineering report dated March 17, 2016 has been prepared to summarize this design (see attached). It is the intent of this letter to serve as an addendum to that report in order to summarize the wastewater infrastructure design relevant to the construction of affordable housing units at the site.

#### Introduction

The property at 100 Bridge Street is a brownfield site formerly occupied by New England Log Cabin Homes. Following soils remediation work performed at the property, The Community Development Corporation of South Berkshire now intends to redevelop the site, which is approximately 8 acres in area. The overall proposed redevelopment plan consists of eight buildings and includes a mix of residential and commercial development. At this time the Community Development Corporation of South Berkshire intends to develop the portion of the site related to the proposed construction of 3 three buildings containing a total of 45 affordable housing units, with the additional redevelopment as described in the engineering report to potentially completed as a future phase.

#### Projected Flows

The planned affordable housing residential redevelopment consists of a total of 45 housing units, with an average of 2 bedrooms per housing unit. Residential wastewater flows have been estimated to be 110 gallons per day (gpd) per bedroom. As such, total residential wastewater flows have been

estimated to be 9,900 gpd. There is no planned commercial redevelopment proposed as part of this phase of the project.

Based on a peaking factor of 4 to account for peak diurnal flows, peak hourly flows have been estimated to approximately 28 gallons per minute. These flows have been reviewed by the Town of Great Barrington Department of Public Works, and it has been confirmed that the Great Barrington wastewater collection and treatment system has sufficient capacity to accept the wastewater produced from the proposed redevelopment.

#### Proposed Wastewater Infrastructure

As part of this phase of the redevelopment project, sanitary sewers would be constructed to collect wastewater from the three proposed residential buildings. Under this phase, the first portion of a trunk sewer, as described in the engineering report, will be constructed parallel to the Housatonic River and will connect to a stub line being installed at the WWTF influent pump station as part of a planned, multi-phase upgrade project at the WWTF. It is understood that as part of future redevelopment of the rest of the site, this trunk sewer will be extended to the location of the existing sanitary sewer manhole near the east end of the Bridge Street Bridge. This trunk sewer will be sized to accept flows from future phases of the 100 Bridge Street redevelopment project, as well as additional flows in the area such that it will be sufficient to replace the existing siphon located along the Bridge Street bridge (as described in the engineering report). Following construction and commissioning of the complete trunk sewer, ownership of this portion of the collection system will be transferred to the Town of Great Barrington, along with a permanent utility easement.

As part of the sewer service agreement, the Town would review and inspect the construction of the trunk sewer, the sanitary sewers on the redevelopment property, and the connection of laterals serving individual buildings and residential units. All sanitary sewer infrastructure will be designed and constructed in accordance with the criteria outlined in "Technical Report 16: Guides for the Design of Wastewater Treatment Works" (commonly known as TR-16) as prepared by the New England Interstate Water Pollution Control Commission, as well as all other applicable state and local standards.

Should you have any questions or comments regarding the proposed wastewater flows, or the planned wastewater infrastructure, please don't hesitate to contact me at [mbudris@chazencompanies.com](mailto:mbudris@chazencompanies.com) or via phone at (518) 266-7348.

Sincerely,



Michael J. Budris, P.E.  
Senior Project Engineer/Project Manager

cc: Joseph Sokul, Town of Great Barrington DPW  
file





Town of Great Barrington Massachusetts

Application to the Zoning Board of Appeals

ORIGINAL SUBMITTAL

ZBA-1 Rev. July 2013

INSTRUCTIONS

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

FOR OFFICE USE ONLY

Filing Date: 12/9/15
Received and checked for completeness by: CR
Number Assigned:
Date filed with the Town Clerk: 12/9/15
FOR ZBA USE:
Advertising dates: &
Public hearing date:

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

A. WHAT ARE YOU SEEKING?

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

- VARIANCE (exempts a property from some Zoning requirements)
SPECIAL PERMIT (for changes to nonconforming uses, structures)
APPEAL (to overturn a decision of Building Inspector or a Board)

B. SITE / PROPERTY INFORMATION

Address of Subject Property 100 Bridge Street
Assessor's Map No. 20 Lot No. 61
Registry of Deeds Book No: 1780 Page: 278
Zoning District(s) B-3
Overlay Districts (if any)

C. APPLICANT AND OWNER INFORMATION

Name (please print) CDC of South Berkshire Phone (area code first) (413)528-7788
Street Address 17 Bridge Street / PO Box 733
City, State, Zip Code Great Barrington, MA 01230
If Applicant is a corporation, provide name of contact person: Tim Geller
Email Address tim@cdcsb.org Signature Tim Geller

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

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

Name (please print) Phone (area code first)
Street Address
City, State, Zip Code
Email Address Signature

TOWN CLERK GREAT BARRINGTON DEC 10 2015 AM 4:03 09

Handwritten initials MTR

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

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

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

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

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

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

## **G. REQUIREMENTS FOR ALL APPLICATIONS**

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

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

## **H. APPLICATION FEE**

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

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

## **I. TECHNICAL REVIEW FEES**

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

## **J. ADDITIONAL INFORMATION**

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

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

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

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

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



(signed)

12/9/15 (date)

Print Form

### **Need Help? Just call us.**

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

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

ZBA Secretary: (413) 528-4953

For bylaws, regulations, maps, and other useful information, visit us online at [www.townofgb.org](http://www.townofgb.org)



Community Development Corporation of South Berkshire

## 100 BRIDGE PROJECT OVERVIEW

DECEMBER 2015

*100 Bridge*, the redevelopment of the former New England Log Homes site at 100 Bridge Street, Great Barrington, MA is the quintessential public/private, green/smart growth rural development project: It is transforming an abandoned, contaminated and blighted 8-acre downtown site into a thriving, mixed-use extension of Main Street, with high density, mixed-income housing, new commercial space for job creation, and a 2-acre park along the Housatonic River.

The Community Development Corporation of South Berkshire (CDC) has had site control of the abandoned industrial site since the mid-1990s and took ownership of the site in 2007. Funding sources for site assessment and demolition include multiple EPA Assessment Grants totaling \$350,000, a \$200,000 EPA Clean-up grant, a \$197,000 HUD Appropriation secured by former Rep. John Olver, \$275,000 grant/loan from the Berkshire Regional Planning Commission's EPA-funded Berkshire Brownfields Revolving Loan Fund and a \$453,000 bridge loan from CEDAC (Community Economic Development Assistance Corporation). Since 2007, the CDC of South Berkshire has contributed over \$200,000 in equity.

Other key funding support has included a Town of Great Barrington Brownfields Tax Abatement of \$320,000 for taxes accrued by the former owner, a \$1 million Mortgage (to the former owner) forgiven by TD Bank, a Mass. Attorney General's Office *Covenant Not To Sue*, a \$2 million MassDevelopment grant for site remediation, and the problem-solving support of the Great Barrington Conservation and the Mass. Department of Environmental Protection. The \$1.2 million demolition was completed in 2012; the \$2 million site preparation and bioremediation process has commenced; design/development for the first stages of the redevelopment are underway.

The redevelopment plan for the site is a vibrant high-density, mixed-use commercial and residential development two blocks from Main Street, along the banks of the Housatonic River with four primary components: a **28,000+ sq. ft. commercial condominium building** with an anchor business and a cluster of other local businesses with a concentration in a wholeness and wellness; **45 new affordable rental residential units; 28 market-rate residential ownership units; 7,000 s. ft. commercial and 8 market-rate residential condominium units** in 2 mix-use buildings; and **2 acres of public open space** along the banks of the Housatonic River. Energy efficiency, alternative energy, permaculture and green building techniques are defining the design process. **Economic Impact: \$45MM total private/public investment; 90 new jobs, 70 jobs retained; estimated \$400,000+ in annual real estate tax revenues.**

100 Bridge Street personifies the values of the CDC and quality rural life in the Berkshires: Creating greatly needed affordable rental housing for working families in addition to market-rate ownership housing; significant job growth and retention with new commercial space for expanding and new local businesses; public gathering space that embraces the river; all in the livable/walkable core of down town while preserving our surrounding farm land and open space.

### Board of Directors

Richard Brittain  
James Harwood  
Jeffrey Kittross  
Richard Stanley  
Kim Whalen  
Mary White

Timothy Geller  
Executive Director

PO Box 733  
Great Barrington, MA  
01230  
413.528.7788  
[www.cdesb.org](http://www.cdesb.org)

## **100 BRIDGE ECONOMIC AND JOBS IMPACT**

### **Private Investment:**

\$11,100,000 Commercial  
\$17,100,000 Market-rate housing  
\$10,500,000 Affordable Housing private sources (tax credits)  
\$38,700,000 TOTAL PRIVATE INVESTMENT

### **Public Investment**

\$3,500,000 cleanup  
\$2,500,000 affordable housing  
\$ 300,000 open space  
\$6,300,000 TOTAL PUBLIC INVESTMENT

### **TOTAL SITE INVESTMENT: \$45,000,000**

### **Annual tax benefits:**

\$234,000 Market-rate housing (36 total units, average \$450,000/unit – range  
from \$375,000 to \$600,000)  
\$152,000 Commercial (30,000 sf + 7,000 sf at \$300/sf)  
\$20,000 Affordable Housing PILOT (45 units x \$300,000/unit less rent  
retraction appraisal factor of 20%)

### **\$406,000 + TOTAL ANNUAL TAX REVENUES**

### **Permanent Jobs\***

**70 Retained permanent jobs (Commercial)**

15 Commercial new jobs  
16 other retail (5,400 sq. ft. at 1 job/325 sq. ft.)  
60 Other office (12,000 sq. ft. at 1 job/200 sq. ft.)  
3 housing/site (tenant and property management)  
**94 New permanent jobs**

\* job creation estimates: retail space = 1 job/325 sq. ft. ; office space = 1 job/200 sq.ft.

### **Construction jobs**

Est. 50 x 4 years



Community Development Corporation of South Berkshire

**100 BRIDGE GREAT BARRINGTON  
PROJECT UPDATE AND SCHEDULE  
1/11/16**

**Hazardous Waste**

An experimental biological process for cleaning up the former New England Log homes site was begun in July 2014. On August 18, 2015, the Massachusetts Department of Environmental Protection (DEP) determined that this pilot project would not continue. Unfortunately, several news articles relating to this decision have led people to believe that the redevelopment of the project as a whole had been halted or delayed. This is patently false. Rather, DEP has simply determined that the site should move forward **using the originally approved remediation plan – capping the site as it is redeveloped, using compacted clean soil, building foundations and parking areas.**

**Readiness**

**The decision to “cap” rather than bio-remediate has no impact on the development schedule for the site.** The development schedule for the site is determined entirely by contractual agreements and funding commitments pertaining to the individual development segments of the site: affordable housing, market-rate housing, commercial space and open space.

**The decision to “cap” has little impact on funds available funds for remediation.** The bio-remediation contract was predominantly “performance-based” – i.e. if clean-up standards are not met, payments are not made. The majority of project expenditures to date have been for tasks necessary for clean-up of the site, regardless of what clean-up strategy is taken; in other words, money not wasted.

The **affordable housing** portion of the 100 Bridge site is geographically discrete and financially independent. **The development schedule for the affordable housing is determined by the funding cycle of the Department of Housing and Community Development (DHCD).** Application for DHCD funds will be made in the next round of DHCD funding, expected to be March 2016.

**Municipal Permitting**

The 8-acre site (including all uses) will be permitted with one 40-B Comprehensive Permit. The Town, a 20-year partner in this site, has encouraged this approach as it provides for a comprehensive and stream-lined permitting process. The 40-B Permit application was submitted to the Town on December 5, 2015. The first ZBA hearing was January 7, 2016. Receipt of Permit is expected by the end of February.

Board of Directors

Richard Brittain  
Jeffrey Cohen  
James Harwood  
Jeffrey Kittross  
Richard Melluzzo  
Richard Stanley  
Kim Whalen  
Mary White

Timothy Geller  
Executive Director

PO Box 733  
Great Barrington, MA  
01230  
413.528.7788  
[www.cdesh.org](http://www.cdesh.org)

### **Other Environmental Permitting**

All wetlands and riverfront permits have been acquired with the exception of: (1) a request for modification to the Existing Order of Conditions that was granted to cover the site clearing and bioremediation "farming". Application for this modification, which will cover the Master Plan build-out of the site, is expected to be submitted in January 2016, requesting an Amended Order of Conditions. (2) Submission of an updated Environmental Notification Form to the Mass. Office of Energy and Environmental Affairs, showing the Master Plan build-out.

### **Commercial building**

The Berkshire Coop Market remains the preferred anchor business for the commercial building. There are also ongoing conversations with other businesses interested in the site. Construction start on the commercial building will be approximately 8-10 months after a commitment from an anchor business.

### **Market-rate housing**

The CDC is in conversation with two Developers that are interested in building the market-rate housing. The conversation is ongoing.

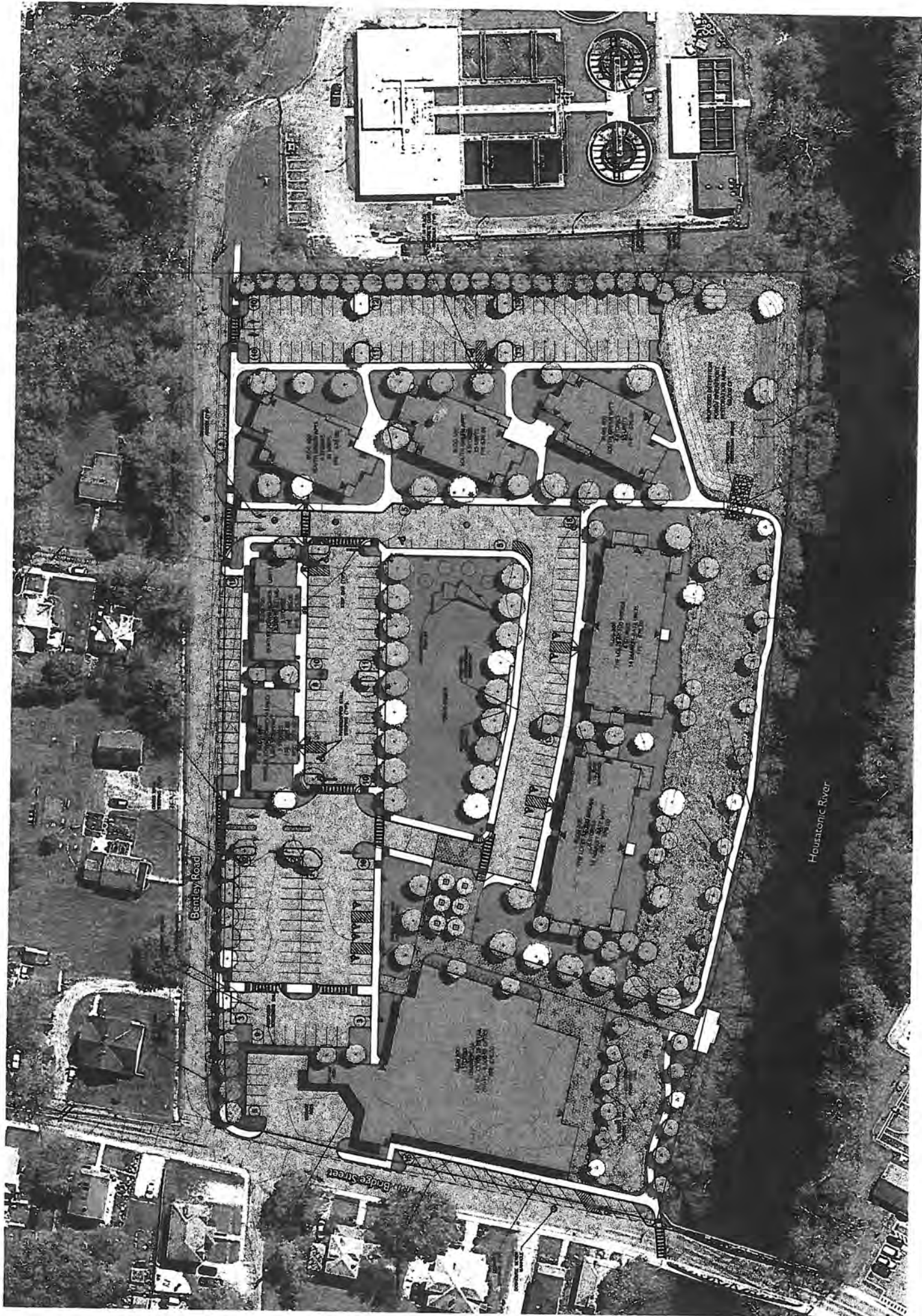
### **Open Space/Park**

The design and construction will take place simultaneously with the first stage of building construction. There will be a Conservation Restriction placed on the restored Riverfront (in contract with CPA funding) which the Great Barrington Land Conservancy is interested holding.









# 100 Bridge Street Concept Rendering

December 8, 2015

Town of Great Barrington, Berkshire County, Massachusetts

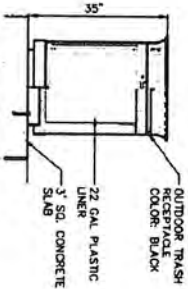
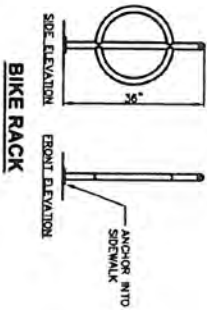
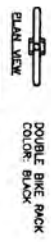
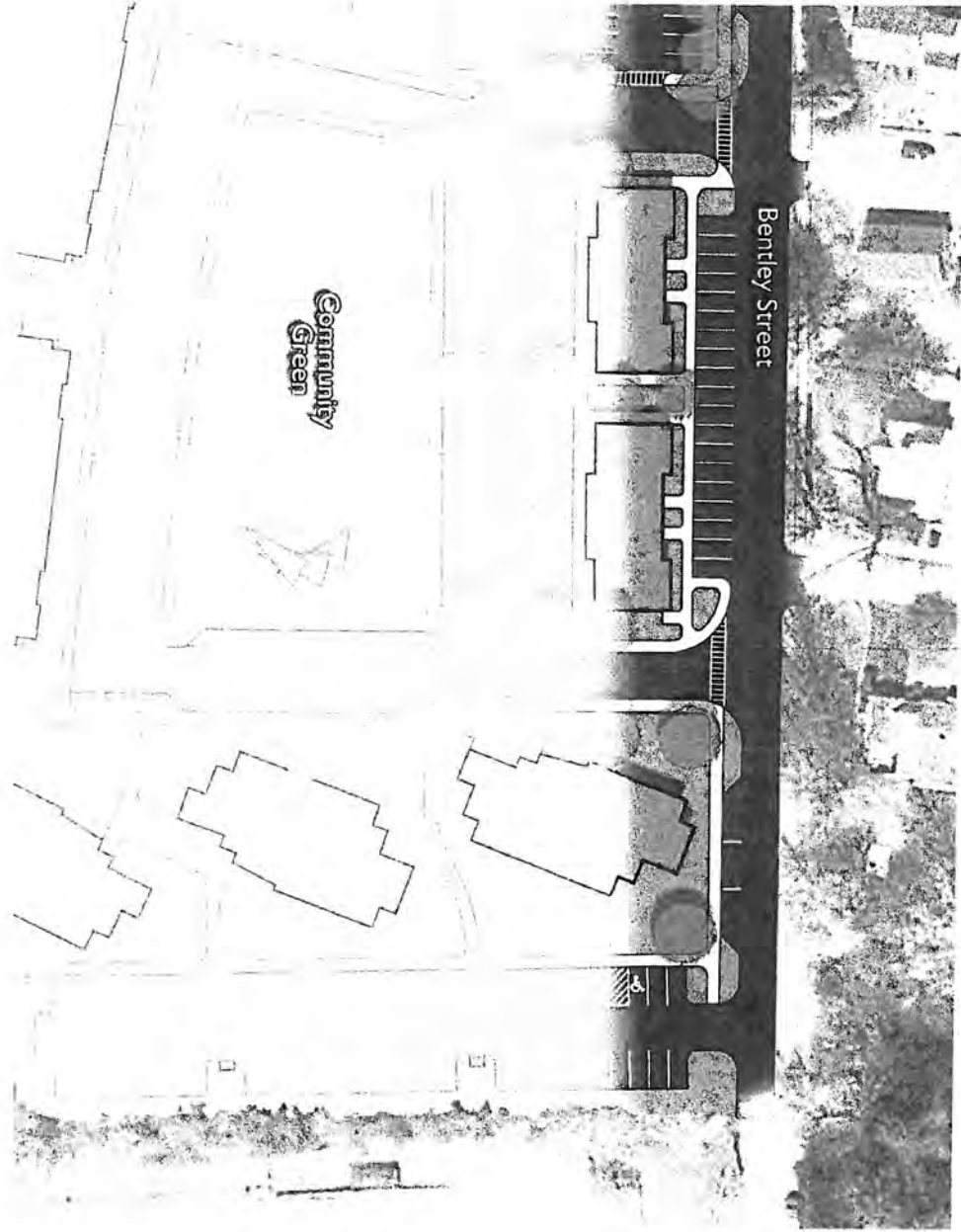
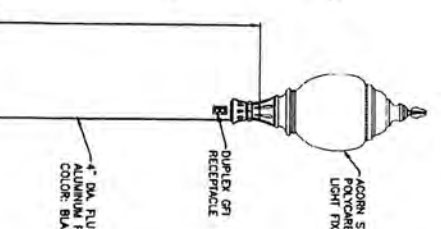
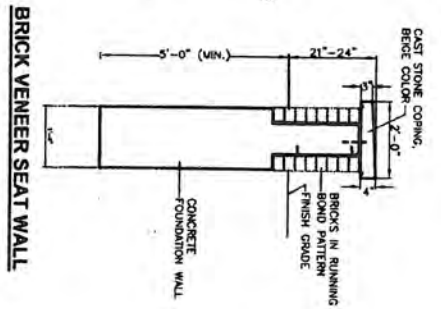
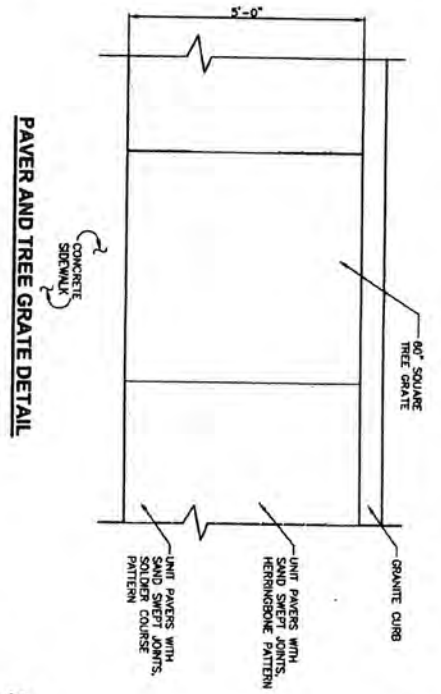
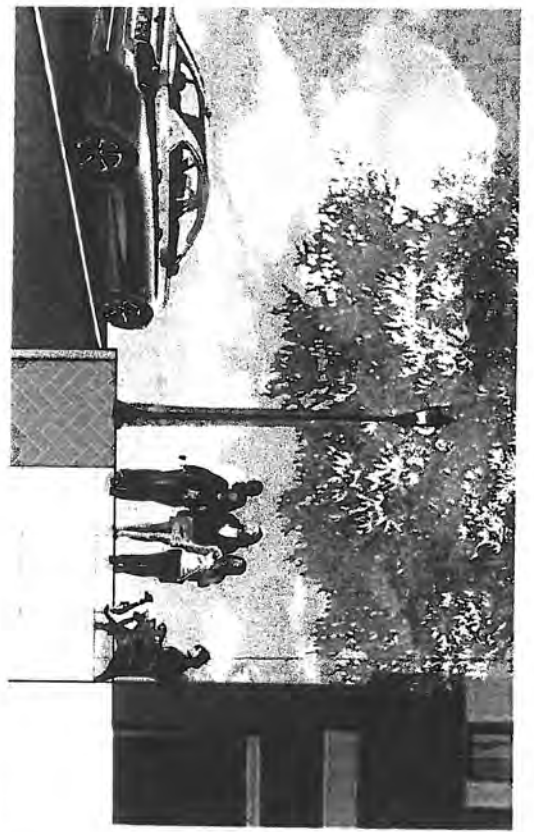
**C D C S B**  
 Consulting Engineers & Architects  
 1000 Main Street, Great Barrington, MA 01038

**The Berkshire Design Group, Inc.**



**KUHN-RIDDLE ARCHITECTS**  
 www.kuhn-riddle.com

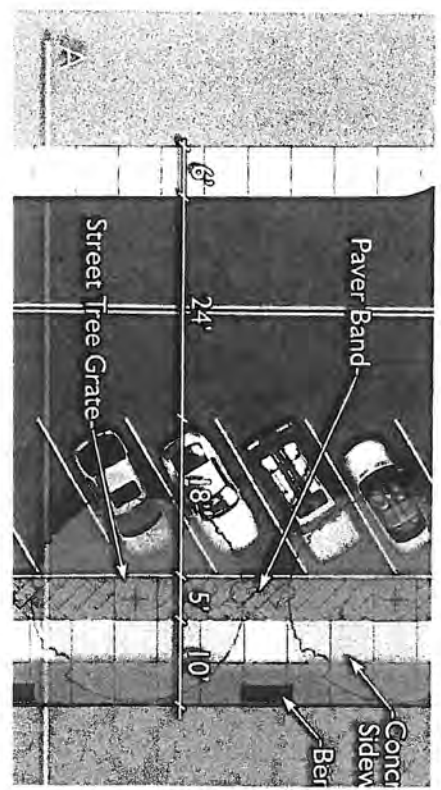




**TRASH RECEPTACLE**

**BOLLARD LIGHT**

**PEDESTRIAN STREET LIGHT**





# TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT

Christopher Rembold, AICP  
Town Planner

Ph: (413) 528-1619, ext. 7  
[crembold@townofgb.org](mailto:crembold@townofgb.org)

## MEMORANDUM

---

TO: Zoning Board of Appeals  
FROM: Christopher Rembold  
DATE: January 4, 2016  
COPY: Jennifer Tabakin, Town Manager  
Tim Geller, CDCSB  
SUBJECT: Comprehensive Permit (MGL Ch. 40B) Application, 100 Bridge Street

---

### Application Summary:

The CDC of South Berkshire (Applicant and Owner), proposes a mixed-use development at 100 Bridge Street and has applied to the Zoning Board of Appeals (ZBA) for a Comprehensive Permit in accordance with MGL Ch. 40B, sections 20-23.

The site is eight acres. It is the site of the former New England Log Homes factory. It is a contaminated site, and it is being remediated in accordance with applicable State and local regulations. Final remediation will include capping contaminated soil and will be undertaken during construction of the proposed development.

The CDC proposes 45 new units of affordable rental housing within three new buildings. An additional 36 market-rate condominiums are proposed. In total there will be 81 housing units on the site. Other aspects of the proposed development include one main commercial building totaling 30,200 square feet (23,700 retail plus 6,500 office), 7,000 square feet of commercial retail space under two new buildings on Bentley Avenue, and two acres of open space, open to the public.

The site is in a B-3 zone, subject to §9.4 of the Zoning Bylaw. The site is also in a Floodplain Overlay District (§9.1) and a Water Quality Protection Overlay District Zone II (§9.2).

The CDC is applying for a Comprehensive Permit in order to request certain waivers from zoning and local regulations and to streamline its permit process. The application is complete according to applicable State law and regulations, and other Town boards and commissions have received copies.

The project team includes the CDC as the owner and developer, The Chazen Companies as site and civil engineers, and Kuhn Riddle Architects.

The materials reviewed include the Application package dated December 9, 2015 which includes the ZBA application form, abutters list, and exhibits required by 40B, as well as the following site plans and drawings:

- Conceptual Site Plan by The Chazen Companies dated December 4, 2015;
- Concept Rendering dated December 8, 2015
- Elevations and renderings by Kuhn Riddle dated November and December 2015

### Staff and Board Reviews:

These notes summarize comments from the Development Review Team (DRT), which met with the Applicant's project team on December 15, 2015. The DRT staff includes the Building Inspector, Conservation Agent, Health

Agent, DPW Superintendent, Fire Chief, Police Chief, and Town Planner. Certain items that were identified by staff at that time are being considered by the Applicant's team. Review notes are summarized in the section below.

Other Town Boards have not yet completed their reviews of this application. The Board of Health will review it on January 7. The Selectboard will review it on January 11. The Planning Board will review it on January 14. The Conservation Commission has been actively involved in permitting for this site for several years and has issued required permits for work within the Riverfront and Flood zones.

#### Review Notes:

1. **Location and Context:** The site is located at 100 Bridge Street, between the Housatonic River and Bentley Avenue. The site is 8 acres and is owned by the CDC. The site is relatively flat, though it does slope slightly from Bentley Avenue westwards toward the River. The parcel is vacant. The previous buildings, what remained of the burned-out Log Homes complex, were demolished in 2011.

(The CDC also owns a 0.5 acre site on the east side of Bentley Avenue and adjacent to Grove Street park, as well as the southern part of Bentley Avenue, south of Crosby Street, over which the Town has an easement to access the wastewater treatment plant. These areas are not part of this application.)

The character of the area is mixed between a residential neighborhood (R-1-B zone) and commercial and industrial uses including the wastewater treatment plant (I zone) and the former Dolby Florist (B-3 zone). Adjacent residential buildings average 2.5 stories in height. The former Searles School and a public park are located across the River.

2. **Floodplain and Riverfront Areas:** The majority of the site is within the 100-year flood zone and the 200-foot Riverfront area. Thus the Conservation Commission has been actively reviewing the work at this site for several years, including the 2011 demolition activities and the 2014 experimental bioremediation work. Roughly the same amount of area will be redeveloped within the flood zone and riverfront zone that were previously developed. In other words, the intent of the development is to minimize additional disturbance of land, so that future developed area within the riverfront is equivalent to what was previously developed.

Town Staff is aware that no floodplain storage areas will be required by this development. However the Applicant should clarify for the ZBA why this is the case.

All wetlands and riverfront permits have been acquired with the exception of: (1) a request for modification to the existing Order of Conditions that was granted to cover the site clearing and bioremediation. Application for this modification, which will cover the Master Plan build-out of the site, is expected to be submitted in January 2016, requesting an amended Order of Conditions. (2) Submission of an updated Environmental Notification Form to the Massachusetts Office of Energy and Environmental Affairs, showing the Master Plan build-out.

3. **Remediation of Hazardous Materials:** The site is contaminated with PCP's (pentachlorophenol) and Dioxins. Hazardous waste permitting was completed in the August 2013 with the acceptance by DEP of a Stage IV Remedial Implementation Plan (RIP). The RIP was modified to include the possibility of the bioremediation of the site. Given that DEP halted the bioremediation process, the remediation will be accomplished with the original remediation plan approved by DEP, i.e., capping the site using compacted clean soil, building foundations and paved parking areas in the course of construction.
4. **Access / Driveways:** The development proposes two main entry/egress points, both on Bentley Avenue, which will serve all of the uses on the site. This scenario will bring a large volume of daily traffic to Bentley Avenue. The traffic study should evaluate this as a concern. Also, one main loading area for the commercial building is proposed on Bridge Street. This will serve tractor trailers backing into the site. Town Staff reviewed this and believe it is an acceptable scenario—it is not very different than what happens now on western Bridge Street at the Co-Op, and the geometry is appropriate to allow for an

efficient and fast movement, to minimize congestion of the roadway. The main concern here is that trucks will be backing in over a public sidewalk/pedestrian route.

5. Traffic: A traffic study has not yet been submitted. Town Staff was concerned that there might be limited site distance for motorists travelling east on Bridge Street. The proposed crosswalk and diagonal parking just east of the bridge may need to be shifted eastwards in order to improve site distance. The traffic study should evaluate this concern as well as those in item 4 above.
6. Parking: Parking waivers will be required. The zoning bylaw requires a total of 299 spaces (124 for the 81 residential units per §9.4.7 + 154 for the retail space + 21 for the office space),; however, only 258 are provided in the proposed plan. Of those proposed spaces, 43 are on-street spaces, 15 of which are diagonal spaces on Bridge Street and 28 are on Bentley Avenue. The spaces proposed on Bentley Avenue are only 22 feet long, which is generally adequate but not in compliance with §9.4.7 item #2 which requires 23 feet.

Town Staff asked if there would be trash and recycling areas in the parking lots as well as snow storage areas. Applicant should be asked to clarify where these areas will be.

7. Architecture and Design features of the buildings: Floor plans and elevations are provided as well as an architectural summary. The buildings are designed and oriented to step up in height as they get further into the site. They are also generally oriented to maximize solar gain. They are designed to be extremely energy efficient, "net-zero" units. The buildings will not have basements. Buildings will be sprinkled for fire protection.
8. Water and Sewer: The site will be served by public water and public sewer. The Applicant should be asked to provide capacity to serve letters from the Fire District and the Town. With regards to the sewer, the engineer is discussing with Town DPW whether a direct connection to the wastewater plant can be achieved.
9. Stormwater /Drainage: Runoff from the proposed buildings and parking areas will be managed in series of catch basins and detention ponds on site. These structures are shown on the site plans. More detail should be provided about the size and capacity of the structures and long term maintenance plans.

The application does not discuss whether or not groundwater recharge can be provided on this site, particularly with regards to the contaminated soils. Groundwater recharge is required in WQPOD Zone IIs.

10. Landscaping: Proposed trees are shown on the site plans.
11. Lighting: Proposed light locations are shown on the site plans. Town Staff requested photo-metric plans and information on the LED light color temperature. There was a question about how much lighting was needed, especially along the river.
12. Signage: Not yet proposed or discussed.
13. Phasing and Final Development Plan: This plan is based on the CDC's hope to attract the Co-Op as the anchor tenant for a commercial building proposed on Bridge Street. If that does not happen, it is not known how or when the Bridge Street portion of the site will be developed. However, the affordable housing component of this development can move forward independent of this.

In approving this application, the ZBA would be approving the site as proposed. In other words, the ZBA is approving a specific mix of uses, in specific building locations, with the attendant parking, traffic, fiscal, and other impacts. If the proposed mix of uses or scope of the project should change significantly, then the Applicant should return to the ZBA to modify the Comprehensive Permit. The application to modify the permit would follow the same submittal requirements and procedures as the original application.

Waivers:

The zoning district is B-3, governed by §9.4. Other applicable regulations include the Floodplain Overlay District §9.1, and the Water Quality Protection Overlay District §9.2. While these districts would usually require Special Permits from the Selectboard, this Comprehensive Permit application gives the ZBA the power to issue one permit in order to further the development of affordable housing.

The following zoning waivers are required / requested:

1. To waive parking regulations to allow only 114 parking spaces to serve the 81 residential units when 124 would be required and to allow only 144 parking spaces for the commercial uses when 175 would be required.
2. To waive Planning Board Site Plan Review (see §9.4.9 and §10.5.1)
3. To waive the B-3 Mixed Use zone regulations (see §9.4)
4. To waive the Floodplain Overlay District regulations (see §9.1).
5. To waive the Water Quality Protection District regulations (see §9.2).

I remind the ZBA that it is not compelled to grant any waivers that it believes are not necessary to implement the project. However, when it denies waivers, it should (1) do so only when it cannot identify any permit conditions that would address legitimate concerns caused by the waivers requested, and (2) make a detailed written finding of why the waiver should not be granted.

The waivers requested by this Applicant are those that the Applicant believes are required in order to implement a well-planned project to meet local affordable housing needs. In its "Guidelines for Local Review of Comprehensive Permits," issued in October 1999, the Massachusetts Department of Housing and Community Development (DHCD) states: "The Comprehensive Permit Law expresses a strong public policy in favor of waiving local restrictions, when appropriate, to facilitate the construction or substantial rehabilitation of low and moderate income subsidized housing."

Timeline and Decision:

The public hearing must be opened within 30 days of the application (which was December 9, 2015), but there is no specific deadline to complete the hearing. The ZBA may keep the hearing open as long as it is reasonable to receive and review pertinent new information. Excessive delays that would effectively deny a project are not permitted. Once the hearing is closed, the ZBA has 40 days to issue its written decision.

A simple majority vote of the ZBA is all that is required to grant a Comprehensive Permit.

The 40B statute requires that a comprehensive permit be granted when it is "consistent with local needs."



Jennifer Tabakin  
Town Manager

E-mail: [jtabakin@townofgb.org](mailto:jtabakin@townofgb.org)  
[www.townofgb.org](http://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

### MEMORANDUM

**TO:** Ronald Majdalany, Chairman  
Zoning Board of Appeals

**FROM:** Jennifer Tabakin   
Town Manager

**DATE:** February 10, 2016

**RE:** ZBA Comprehensive Special Permit #849-15  
Applicant – CDC of South Berkshire  
Property Address – 100 Bridge Street, Great Barrington, MA

Please be advised that the Selectboard, at its meeting of February 8, 2016, voted to forward a favorable recommendation on the Comprehensive Special Permit Application of the CDC of South Berkshire for 45 affordable rental housing units, 36 market-rate condominiums, 30,700 square feet of commercial retail space, and 6,500 square feet of commercial office space on an eight-acre site at 100 Bridge Street, with the following conditions:

1. The ZBA look into the possibility of a locally/regionally owned anchor business.
2. Ensure visibility, safety, accessibility, and cleanliness of the common/park areas.
3. Consider the architectural design and how the buildings fit in aesthetically with the character of the neighborhood.
4. Ensure clean dirt utility corridors during construction.
5. Selectboard to review the final commercial building designs before it is developed.
6. ZBA to review all final building permit plans prior to building permit being issued.
7. ZBA to consider alternatives to angled parking on Bridge Street including moving some spaces and the crosswalk, based on the traffic study recommendations.
8. Consider having the Market Rate and Affordable Housing buildings have a similar look and feel.

Thank you for the opportunity to comment on the application. If you have any questions, please do not hesitate to contact me.

JT/hk

Shepley Evans  
Conservation Agent

E-mail: [conservation@townofgb.org](mailto:conservation@townofgb.org)  
[www.townofgb.org](http://www.townofgb.org)



Town Hall, 334 Main Street  
Great Barrington, MA 01230

Telephone: (413) 528-1619 ext. 122  
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON  
MASSACHUSETTS

CONSERVATION COMMISSION

January 7, 2016

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

Dear Board Members:

With regard to the ZBA application for a Special Permit by CDC of South Berkshire dated 12/09/2015 and pertaining to the property at 100 Bridge Street, Map 20 Lot 61, the Conservation Commission received an original Notice of Intent for the property on 9/02/2010 and has since issued Orders of Condition permitting the demolition and removal of the former New England Log Home plant, the regrading and remediation of contaminated soil on the site and the daylighting of the small stream which has historically been piped directly from Bentley Street to the Housatonic River. We expect to see additional permit applications as the project moves forward. Please know that the 100 Bridge Street site is qualified under the Wetlands Protection Act (MGL Ch. 131 Sec. 40) & Regulations (310 CMR 10.0) as a candidate for riverfront redevelopment.

Sincerely yours,

Shepley W. Evans  
Conservation Agent

Cc: Chris Rembold  
Ed May

**FY'17 SELECTBOARD REAPPOINTMENTS**

(All terms expire on June 30 of the year listed)

INTERESTED IN REAPPOINTMENT: \_\_\_\_\_ NEW TERM IF APPOINTED: \_\_\_\_\_

TERM EXPIRES: \_\_\_\_\_

**AGRICULTURAL COMMISSION**

3 YEAR TERM (5 MEMBERS & 1 ALTERNATE)  
ALTERNATE IS 1 YR

DEVAN M. ARNOLD	2017		
Vacancy	2018		
LAURILY EPSTEIN	2016	Yes	6/30/19
VIVIAN ORLOWSKI (Chair)	2016	Yes	6/30/19
HILDA BANKS SHAPIRO (ALTERNATE)	2015	Yes	6/30/16
JESSICA CAMP	2016	NO RESPONSE	

INTERESTED IN REAPPOINTMENT: \_\_\_\_\_ NEW TERM IF APPOINTED: \_\_\_\_\_

TERM EXPIRES: \_\_\_\_\_

**BOARD OF REGISTRARS**

3 YEAR TERM

LINDA A. COONS	2016	Yes	6/30/19
MARIE RYAN (TOWN CLERK)	INDEFINITE TERM		
ELLEN SMITH	2018		
Vacancy			

COMMUNITY PRESERVATION COMMITTEE  
 3 YEAR TERM ( SB APPOINTS ONLY CITIZEN MEMBER AT-LARGE )

INTERESTED IN REAPPOINTMENT:  
 TERM EXPIRES:  
 NEW TERM IF APPOINTED:

KATHLEEN A. JACKSON	2016	Yes	6/30/19
MARTHA J. FICK	2016	Yes	6/30/19

CULTURAL COUNCIL  
 3 YEAR TERM (min.5, max 22 members)

INTERESTED IN REAPPOINTMENT:  
 TERM EXPIRES:  
 NEW TERM IF APPOINTED:

SUSAN PETTEE	2017		
HILDA BANKS SHAPIRO (CO-CHAIR)	2016	Yes (can't be reappointed- 6 yr max term is up)	
MICHAEL WISE	2016	No	
ELLEN SHANAHAN	2018		
SHERRY STEINER (CO-CHAIR)	2018		
LAUREN CLARK	2018		
ROSE TANNENBAUM	2016	Yes	6/30/19
HELEN HINKLEY-GRADY	2017		

CONSERVATION COMMISSION (T.M.'s appt w/SB approval)  
3 YEAR TERM (7 MEMBERS)

INTERESTED IN REAPPOINTMENT: \_\_\_\_\_  
 NEW TERM IF APPOINTED: \_\_\_\_\_

	TERM EXPIRES:	INTERESTED IN REAPPOINTMENT:	NEW TERM IF APPOINTED:
JEFFREY COHEN	2017		
DAVID C. SHANAHAN	2016	Yes	6/30/19
ANDREW MANKIN	2016	Yes	6/30/19
JESSICA DEZIECK	2018		
LISA BOZZUTO	2018		
GAETAN LACHANCE (Chair)	2016	Yes	6/30/19
WILLIAM BOYER	2017		

FENCE VIEWER  
YEARLY APPOINTMENT (2 OR MORE)

INTERESTED IN REAPPOINTMENT: \_\_\_\_\_  
 NEW TERM IF APPOINTED: \_\_\_\_\_

	TERM EXPIRES:	INTERESTED IN REAPPOINTMENT:	NEW TERM IF APPOINTED:
KURT BARBIERI	2016	Yes	6/30/17
BERNARD DREW	2016	Yes	6/30/17

HISTORIC DISTRICT COMMISSION

3 YEAR TERM (5 MEMBERS & 2 ALTERNATES)

TERM EXPIRES: INTERESTED IN REAPPOINTMENT: NEW TERM IF APPOINTED:

<b>JAMES MERCER</b>	2016	Yes	6/30/19
BARBARA A. SYER	2017		
DONALD V. HOWE (CHAIR)	2018		
HOLLY M. TROIANO	2018		
Vacancy	2017		
<b>PATRICIA RYAN (ALTERNATE)</b>	2016	Yes	6/30/19
ABBY SCHROEDER (ALETERNATE)	2017		

HISTORICAL COMMISSION (T.M.'s appt w/SB approval)

3 YEAR TERM (7 MEMBERS)

TERM EXPIRES: INTERESTED IN REAPPOINTMENT: NEW TERM IF APPOINTED:

MARILYN BISIEWICZ	2018		
PAUL IVORY (CHAIR)	2017		
<b>DONALD HOWE</b>	2016	Yes	6/30/19
WILLIAM NAPPO	2017		
<b>DAVID RUTSTEIN</b>	2016	Yes	6/30/19
GARY LEVEILLE	2018		
MALCOLM FICK	2018		

<u>TERM EXPIRES:</u>	<u>INTERESTED IN REAPPOINTMENT:</u>	<u>NEW TERM IF APPOINTED:</u>
<u>TREE COMMITTEE</u> 3 YEAR TERM (7 MEMBERS)		
BETH MOSER	2017	
LISA BOZZUTO	2017	
HILDA BANKS SHAPIRO	2016	6/30/19
Vacancy	2018	
MICHAEL WISE	2016	6/30/19
Vacancy	2018	
JESSICA WIKLE (Chair)	2016	No

<u>TERM EXPIRES:</u>	<u>INTERESTED IN REAPPOINTMENT:</u>	<u>NEW TERM IF APPOINTED:</u>
<u>VETERANS GRAVE OFFICER</u> 5 YEAR TERM		
JOSEPH SOKUL	2016	No

<u>TERM EXPIRES:</u>	<u>INTERESTED IN REAPPOINTMENT:</u>	<u>NEW TERM IF APPOINTED:</u>
<u>ZBA ASSOCIATE MEMBER</u> (Joint Appointment w/ ZBA*) 2 YEAR TERM		
JOHN KATZ	2017	
DONALD HAGBERG	2016	6/30/18

\*ZBA unanimously voted on June 9th to reappoint Donald Hagberg (see attached)

\* ZBA  
alternate

**Jennifer Bailly**

---

**From:** Helen Kuziemko  
**Sent:** Friday, June 10, 2016 9:17 AM  
**To:** Bernard & Donna Drew  
**Cc:** Jennifer Tabakin; Jennifer Bailly  
**Subject:** RE: Great Barrington Zoning Board of Appeals

Thank you Bernie, we'll added to our list of reappointments.

Helen V. Kuziemko  
Administrative Assistant  
Selectboard/Town Manager  
Town of Great Barrington  
334 Main Street  
Great Barrington, MA 01230  
413.528.1619 x2  
413.528.2290 fax

-----Original Message-----

**From:** Bernard & Donna Drew [<mailto:bddrew@verizon.net>]  
**Sent:** Friday, June 10, 2016 7:25 AM  
**To:** Helen Kuziemko  
**Cc:** Jennifer Tabakin  
**Subject:** Great Barrington Zoning Board of Appeals

Dear Great Barrington Board of Selectmen and Town Manager Jennifer Tabakin:

Five members of the Great Barrington Zoning Board of Appeals (Chairman Ron Majdalany, Vice-Chairman Carolyn Ivory, members Michael Wise and Madonna Meagher and alternate John Katz) voted unanimously at their meeting June 9, 2016, in favor of the reappointment of Don Hagberg as an alternate member of the board. The board understands this is a joint appointment made with the Board of Selectmen.

For your information, Mr. Hagberg is presently sitting on a public hearing, which began last December and continues later this month, on the Chapter 40B application of Community Development Corp. of affordable housing at 100 Bridge Street.

Best regards,

Bernard A. Drew  
Recording Secretary



RECEIVED  
TOWN MANAGER

MAY 31 2016

BOARD OF SELECTMEN  
GREAT BARRINGTON, MA

May 26, 2016

Select Board Chair  
Town of Great Barrington  
334 Main Street  
Great Barrington MA 01230

Dear Select Board Chair:

According to MGL Ch. 161B, a Regional Transit Authority's (RTA's) Advisory Board is comprised of the chief elected official of each member community, or your designee.

Please advise who will represent the Town of Great Barrington on the Berkshire Regional Transit Authority (BRTA) Advisory Board. You may do so by simply annotating the space provided at the bottom of this letter and returning either this original or a copy of the annotated letter to the BRTA. Your response by June 30, 2016 will be appreciated so that we may prepare for our annual audit of the BRTA.

Sincerely,



Robert Malnati  
Administrator

\_\_\_\_\_ will represent the Town of Great Barrington on the BRTA Advisory Board.

E-Mail Address for BRTA reports: \_\_\_\_\_

Daytime/Cell Number \_\_\_\_\_

Mailing Address \_\_\_\_\_  
\_\_\_\_\_

Executed by: \_\_\_\_\_

Date \_\_\_\_\_

\*\*\*Please Print name/Title \_\_\_\_\_



## EXECUTIVE SUMMARY

**TITLE:** Appointment of associate member to the Planning Board

**BACKGROUND:** The Town has been recruiting for an associate member to the Planning Board and Pedro Rafael Pachano has applied for the position. The term is for one year. This is joint appointment from the Selectboard and the Planning Board.

**FISCAL IMPACT:** Not applicable.

**RECOMMENDATION:** Appoint Pedro Rafael Pachano with a joint appointment of the Selectboard and Planning Board to the one year associate member term.

**PREPARED AND REVIEWED BY:** Jennifer Tabakin  
Jennifer Tabakin, Town Manager

**DATE:** 6/23/16

June 27/16 meeting  
Jt. Appt.  
Pl. Bd. v S B

**TOWN OF GREAT BARRINGTON**  
**PLANNING BOARD**  
**ASSOCIATE MEMBER VACANCY**

The Selectboard and the Planning Board are accepting letters of interest from residents to serve as an Associate Member on the Planning Board for a term to expire June 30, 2019. This is a joint appointment of the Boards. The Planning Board meets the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays of every month. For more information, please contact the Town Planner at 413-528-1619 x7. Letters of interest should be submitted to Jennifer Tabakin, Town Manager, 334 Main Street, Great Barrington, MA 01230 or e-mailed to [hkuziemko@townofgb.org](mailto:hkuziemko@townofgb.org) no later than June 22, 2016.

Jennifer Tabakin  
Town Manager

**PLEASE PUBLISH June 1, 2016.**

## Helen Kuziemko

---

**From:** Gmail <pedro.pachano@gmail.com>  
**Sent:** Wednesday, June 01, 2016 10:30 PM  
**To:** Helen Kuziemko  
**Subject:** Planning Board Associate Member

Hello,

I am writing in response the position available on the Planning Board. I have expressed interest to the board and Town Planner and would like to know what else I need to do for your consideration.

Please contact me anytime.

Regards,

—  
Pedro Rafael Pachano AIA NCARB | m. (646) 226-2224

## Helen Kuziemko

---

**From:** Kimberly Shaw <kim\_shaw88@yahoo.com>  
**Sent:** Thursday, June 23, 2016 8:19 PM  
**To:** Helen Kuziemko  
**Subject:** Associate Member

Hi Helen,

The Planning Board voted to recommend Pedro Pachano as the Associate Member to the Planning Board. The Board seeks the support of the Selectboard for this joint appointment.

Sincerely,

Kimberly L. Shaw  
Planning Board Secretary

Sent from my iPhone



# Massachusetts Office on Disability

One Ashburton Place, Room 1305 Boston, MA 02108

Charles D. Baker, Governor  
Karyn E. Polito, Lt. Governor  
David D'Arcangelo, Director

617-727-7440 TTY  
800-322-2020 TTY  
617 727-0965 FAX

April 15, 2016

RECEIVED  
TOWN MANAGER

APR 22 2016

Jennifer Tabakin

Town Manager  
334 Main Street  
Great Barrington, MA 01230

RE: Local Adoption of M.G.L Ch. 40 Sec. 8J & M.G.L Ch. 40 Sec. 22G  
Establishing a Commission on Disability for Great Barrington

Dear Town Manager Tabakin:

Thank you for your service to Great Barrington and for the constituents that you represent who are Persons with Disabilities. Our records indicate that Great Barrington does not have a duly established Commission on Disability, COD, and we are contacting you with hopes of forming one.

As you may know, the Massachusetts Office on Disability, MOD, serves as the Coordinator for COD's. Municipal CODs are established by vote of the Legislative Body of each City or Town. The mission of a COD is to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities or the community. CODs can also:

- o Advise and assist municipal officials in ensuring compliance with federal and state disability laws;
- o Attain the ability to allocate funds from Handicapped Parking fines for the benefit of persons with disabilities;
- o Provide research, information, advocacy and technical assistance to individuals, businesses and organizations in disability related matters; and
- o Coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

COD's consist of no less than five and no more than nine members. The majority of the appointed members must be persons with disabilities and one may be a member of the immediate family of a person with a disability. Also, at least one member must be an elected or appointed municipal official.

Obviously, our office works with CODs from all around the state and we witness the great value that a well formed COD can bring to a community. Indeed, establishing a COD in your community can benefit all of our constituents and make Great Barrington a better place to live, work and raise a family.

Please review the enclosed materials, which should help answer many common questions about forming your COD. MOD looks forward to working with you on local adoption and establishment of your COD. We stand ready and able to be a resource to you and your constituents.

Of course, if you have any questions or comments about this or any other issues please do not hesitate to contact me directly at 617 979-7317 or [david.darcangelo@state.ma.us](mailto:david.darcangelo@state.ma.us)

Sincerely,

  
David D'Arcangelo  
Director

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The Commonwealth of Massachusetts  
General Laws

PART I: ADMINISTRATION OF THE GOVERNMENT  
TITLE VII: CITIES, TOWNS AND DISTRICTS

**CHAPTER 40: POWERS AND DUTIES OF CITIES AND TOWNS**

**Section 8J: Disability commission; powers and duties; members; terms**

**Section 8J.** A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (2) advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; (3) coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities; (5) provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; (6) coordinate activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.



The Commonwealth of Massachusetts  
General Laws

PART I: ADMINISTRATION OF THE GOVERNMENT  
TITLE VII: CITIES, TOWNS AND DISTRICTS

**CHAPTER 40: POWERS AND DUTIES OF CITIES AND TOWNS**

**Section 22G: Funds received from fines for handicap parking violations; deposits in account; expenditures**

**Section 22G.** Any city or town which has accepted the provisions of section eight J is hereby authorized to allocate all funds received from fines assessed for violations of handicap parking in said city or town to the commission on disabilities.

Funds so received shall be deposited by the city or town treasurer in a separate account and shall be used solely for the benefit of persons with disabilities. Said account shall be established by the city or town treasurer and shall be kept separate and apart from all other monies. Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the commission on disabilities in accordance with the accepted procedures of the city or town for the disbursement of funds, including the approval of the mayor and city council or the town manager or board of selectmen. The city or town accountant shall submit annually a report of said account to the mayor and city council or the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts.



## Sample Operating By-Laws

By-Laws of the \_\_\_\_\_ COMMISSION ON DISABILITY

### **ARTICLE I: TITLE AND PURPOSE:**

1. The name of this commission is the Commission on Disability (hereafter referred to as the Commission).
2. The purpose of the Commission is to coordinate or carry out programs in coordination with programs of the Massachusetts Office on Disability in order to bring about full and equal participation in all aspects of life in the City/Town of \_\_\_\_\_ - for people with disabilities.
3. The purpose of these by-laws is to establish principles, policies and procedures for the governance of this Commission.

### **ARTICLE II: POWERS AND DUTIES:**

1. Research, understand, evaluate and advocate local issues, challenges and opportunities encountered by people with disabilities.
2. Coordinate the activities of other local groups organized to meet the needs of people with disabilities.
3. Review and make recommendations about policies, procedures, services and activities of departments and agencies of the City/Town of \_\_\_\_\_ - as they affect people with disabilities.
4. Work in cooperation with the departments and agencies of the City/Town of \_\_\_\_\_ - to bring about maximum participation of people with disabilities.
5. Initiate, monitor, and promote legislation at the city, state and federal level which advances the equal status of people with disabilities.
6. Encourage public awareness of disability issues.
7. Provide information and advice to individuals, businesses, organizations and public agencies in all matters pertaining to disability.
8. Recruit and recommend prospective Commission members to the Mayor. At least one month prior to making recommendations, the Commission shall solicit nominations and ensure that said nominations reflect different disabilities.
9. File an annual report, which shall be printed in the City/Town report.
10. Receive gifts of property, both real and personal in the name of the City/Town subject to the approval of the city council; such gifts to be managed and controlled by the Commission.
11. Take such action as the Commission considers appropriate to ensure the equal access status of persons with disabilities.

### **ARTICLE III: MEMBERSHIP:**

1. The Commission shall consist of seven members appointed by the Mayor. The majority of members shall consist of people with disabilities. One of the members may be a member of the immediate family of a person with a disability. One member shall be either an elected or appointed official of the City/Town. The members shall initially serve the following terms: (a.) Two members shall serve one-year terms; (b.) Two members shall serve two-year terms; and (c.) Three members shall serve three-year terms.
2. After the initial term, all members shall serve three-year terms.
3. Resignation shall be made by notifying the chairperson in writing.
4. If any member is absent from three regularly scheduled meetings in any one calendar year, a recommendation shall be made to the Mayor that he/she be removed from the Commission, unless any or all absences have been excused for good cause by the chairperson. Good cause shall include, but not limited to: illness, a death in the family, weather, and professional responsibilities.
5. The Mayor shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.
6. Any members of said Commission may, after a public hearing, is so requested, be removed for cause by the appointing authority.
7. Members shall get the approval of the Commission prior to making statements or joining activities on behalf of the Commission.
8. All members shall have full voting rights.

### **ARTICLE IV: OFFICERS:**

1. The officers shall include a chairperson, vice chairperson, secretary and treasurer.
2. Officers shall be elected annually by the majority vote of the Commission.
3. One member may hold more than one office.
4. Duties:

The chairperson shall:

Develop the agenda in coordination with the other officers; preside over all meetings; appoint subcommittees as needed; and authorize expenditures as needed. (The vice chairperson shall perform all the functions of the chairperson in his/her absence.)

The secretary shall:

Keep records of all meetings attendance, minutes, and correspondence; post notice of all meetings forty-eight (48) hours before each meeting at the City/Town clerk's office; and send notice of meetings and minutes of the prior meeting to the members at least fourteen (14) days prior to the meeting.

The treasurer shall:

Keep records of all financial matters; develop a budget in coordination with the Commission; prepare a financial statement for inclusion in the annual report.

### **ARTICLE V: MEETINGS:**

1. Regular meetings shall be held at least six (6) times a year.
2. A quorum shall consist of four (4) members.
3. Meeting minutes will be amended and approved at the next meeting.
4. Special meetings can be called by the chairperson or by any three (3) members.

## Sample Operating By-Laws

5. Decisions will be made by a majority of those members present, unless where otherwise noted in these by-laws.
6. Notice of meetings will be sent to the members at least fourteen (14) days prior to the meeting.
7. Meetings shall adhere to Robert's Rule of Order.

### **ARTICLE VI: AMENDMENTS:**

These by-laws may be amended at any duly constituted meeting of the Commission by two-thirds vote of those members present provided written notice of the proposed amendment is distributed to each member at least fourteen (14) days prior to the meeting.

### **COMMISSION ON DISABILITY GOALS:**

#### **ENSURE MUNICIPAL SERVICES, PROGRAMS, MEETINGS AND EMPLOYMENT OPPORTUNITIES ARE AVAILABLE AND ACCESSIBLE TO PERSONS WITH DISABILITIES:**

Meet with appropriate staff: the Americans with Disabilities Act Coordinator, Select Board, Mayor, City/Town Manager, Planning Staff, Building Inspector, and Department of Public Works to review regulations, priorities, make a plan and set timelines; survey all municipal buildings, facilities, and sidewalks for access; assess each service, program and activity for physical and communication accessibility and to make sure policies are not discriminatory; review grievance procedures and notification of rights; prioritize what needs to be done (especially the expensive building renovations); and be aware of new programs, services & construction. Work with those involved to make sure they meet the needs of people with disabilities.<sup>1</sup>

#### **ENSURE BUSINESSES, AGENCIES, AND ORGANIZATIONS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES:**

Survey businesses, agencies and organizations for communication and architectural access. Work with owners and managers to encourage compliance with the Americans with Disabilities Act, the Architectural Access Board's regulations and other disability laws. Educate owners and managers about the needs of persons with mobility, hearing, visual, cognitive and other disabilities. Introduce them to federal IRS \$15,000 tax deduction for barrier removal and \$5,000 tax credit for ADA compliance.

#### **ENCOURAGE MOBILITY:**

Survey all parking lots that are open to the public for HP designated spaces. Work with owners and the building inspector to bring the lots into compliance with AAB and ADA regulations and municipal by-laws. Review on-street HP designated parking and curb cuts. Work with local officials to increase both if necessary. Propose an ordinance/by-law that allow police to ticket cars on privately owned, publicly used parking lots and that increases fines for violations of HP parking. Evaluate transportation needs. Work with Regional Transit Authority, Council on Aging, municipal officials to increase (or to provide!) accessible transportation.

#### **INCREASE ACCESSIBLE AFFORDABLE HOUSING:**

Work with housing authority to increase adaptable and accessible housing. Meet with local builders/developers to encourage development of accessible and adaptable housing.

#### **ALL STUDENTS WITH DISABILITIES SHOULD RECEIVE AN EDUCATION COMPARABLE TO THAT GIVEN TO NON-DISABLED STUDENTS IN THE LEAST RESTRICTIVE, MOST INTEGRATED SETTING:**

Evaluate programs for students with disabilities for mainstreaming and integration. Evaluate schools for architectural accessibility. Introduce a disability awareness program in the schools.

#### **BE A RESOURCE: PROVIDE INFORMATION AND REFERRALS ON A BROAD RANGE OF DISABILITY ISSUES:**

Advertise the Commission's existence. Post the community with flyers or brochures, put articles in the newspaper, use cable TV and radio. Establish a way for people to contact the Commission. Either set-up an office and phone answering machine or assign one commission member to be the contact person. Develop a file of information.

#### **ADVOCATE FOR THE RIGHTS OF INDIVIDUALS WITH DISABILITIES AND DISABILITY GROUPS:**

Set up and publicize a mechanism for people to contact the commission with their individual concerns. Work with appropriate officials and organizations to resolve situations. Work with the Massachusetts Office on Disability Client Services Program.

#### **EDUCATE THE PUBLIC ABOUT DISABILITY ISSUES:**

Develop good relationships with newspapers, TV and radio stations (start a column or regular show, write press releases about your work). Initiate awareness program in the schools. Speak to civic organizations such as Lions, Girl Scouts, Chamber of Commerce, and Rotary. Hold disability awareness workshops.

#### **OTHER CONSIDERATIONS:**

Determine how many people in your community have a disability (Massachusetts census figures indicate 17% of the population as having a disability; that percentage might be higher if you have a large elderly population). Conduct a needs survey or hold a public hearing. Contact organizations in your community with similar concerns; veteran's office, council on aging, special needs parents' advisory committee. Work together on common issues. Establish an advisory committee, friends of the commission or associate membership to increase support.

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<sup>1</sup> **Some examples:** All public meetings should be held in accessible locations. Emergency services, such as police and fire departments, should have telecommunication devices for people who are deaf (TTY's are devices which enable persons who are deaf to communicate by telephone). Written material, such as town reports and newsletters, should be available on tape and in Braille upon request for people who are visually impaired. Announcements about municipal activities, such as recreational programs, meetings, public health programs, and employment opportunities, should be publicized on the radio, cable TV, as well as in print. Sign language interpreters should be available at meetings and activities upon request.



# Local Officials Guide

*Presented by the Massachusetts Office On Disability*



## Process for Establishing a Municipal Commission On Disability and Accepting Handicapped Parking Fines


### Establishing Your Commission On Disability... Easy As 1, 2, 3

Local acceptance of a General Law is subject to municipal charter provisions of your community. Generally speaking a member of the legislative body proposes a paper/warrant item. The Legislative Body would then vote on the measure.


#### **Step 1** - Adopt MGL 40, 8J *This Creates the COD*

 Identify a sponsor to propose the acceptance of MGL 40, 8J


##### Legislative body votes on...

 *Ordered: That the City/Town of \_\_\_\_\_ accept the provisions of Massachusetts General laws Chapter 40, Section 8J relative to the establishment of the municipal Commission On Disability*

##### In Cities;

 If the VOTE is approved, your measure goes to your Mayor for approval.


##### In Towns;

 If the VOTE is approved then your COD is created. Now, you can propose another measure to accept HP Parking fines


#### **Step 2** - Adopt MGL 40, 22G *This Allows Collection of Fines*

 Identify a sponsor to propose the acceptance of MGL 40, 22G

##### Legislative body votes on...

 *Ordered: That the City/Town of \_\_\_\_\_ accept the provisions of Massachusetts General laws Chapter 40, Section 22G relative to collecting Handicap Parking Fines*


##### In Cities;

 If the VOTE is approved, your measure goes to your Mayor for approval.

##### In Towns;

 If the VOTE is approved then your COD can accept HP Parking fines

### **Step 3** - Appoint Members

 Commissions On Disability may have from Five (5) to Nine (9) members. Members are usually appointed by the Mayor or Town Manager, but MGL 40, 8J outline the particulars for each City/Town charter. A majority of members should be persons with disabilities.



# Benefits of Creating a Commission On Disability

## *Advise*

- ✓ Advise and assist local officials with compliance to federal and state disability laws
- ✓ Assist local disability advocates with Technical Assistance, advocacy and Disability related matters

## *Research & Information*

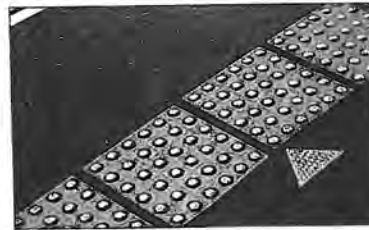
- ✓ Be a voice to let developers know that they have obligations to comply with Disability Laws and regulations
- ✓ Represent the interest of Persons with Disabilities, at certain times some PWD's may need assistance to express their views
- ✓ On behalf of Taxpayers who expect and deserve equal protection under the law

## *Review*

- ✓ Projects that may come before Planning Board, Town Meeting, City Council, etc.
- ✓ Assist municipality with ensuring the Self-Evaluation meets the requirements of the Americans with Disabilities Act
- ✓ Assist municipality with implementation and upkeep of their Transition Plan

## *Coordinate*

- ✓ With the MOD to keep abreast of applicable laws & regulations
- ✓ With advocates and elected officials



**Contact the Massachusetts Office On Disability**

**Mass. Office On Disability**  
1 Ashburton Place, Room 1305  
Boston, MA 02108

**Email:** info-mod@state.MA.US  
**Call:** 617 727-7440  
**URL:** www.Mass.Gov/MOD