

Jennifer Tabakin
Town Manager

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



Town Hall, 334 Main Street
Great Barrington, MA 01230

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

TOWN OF GREAT BARRINGTON MASSACHUSETTS

OFFICE OF THE TOWN MANAGER

SELECTBOARD'S MEETING

WEDNESDAY, SEPTEMBER 16, 2015

7:00 PM – REGULAR SESSION

TOWN HALL, 334 MAIN STREET

ORDER OF AGENDA

7:00 PM - OPEN MEETING

1. CALL TO ORDER.

2. APPROVAL OF MINUTES:

August 18, 2015 Regular Meeting.
August 24, 2015 Regular Meeting.

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

4. TOWN MANAGER'S REPORT:

- A. INFORM THE SB OF THE RESULTS OF THE BIDS TO ISSUE TEMPORARY BOND ANTICIPATION NOTES (BANS) FOR 2016 CAPITAL EQUIPMENT PROJECTS.
- B. INFORMATION ON ESTABLISHING A MUNICIPAL AFFORDABLE HOUSING TRUST FUND.

5. PUBLIC HEARINGS:

- A. LINDA HODDY AND JOHN TRACY SPECIAL PERMIT APPLICATION FOR WORK IN THE 300 FOOT STREAM AND LAKE PROTECTION ZONE OF THE WILLIAMS RIVER AT 224 NORTH PLAIN ROAD IN ACCORDANCE WITH SECTIONS 9.2.9, 9.2.14 AND 10.4 OF THE GREAT BARRINGTON ZONING BY LAW. (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. ANDREW BERNAL APPLICATION FOR A DRIVEWAY PERMIT AT 131 MONUMENT VALLEY ROAD. (DISCUSSION/VOTE)
- B. NATIONAL GRID AND VERIZON NEW ENGLAND FOR PERMISSION TO INSTALL TWO

NEW POLES (93-50 & 96-50) IN ORDER TO SHORTEN THE DISTANCE BETWEEN EXISTING SPANS. THE LOCATION BEGINS AT A POINT APPROXIMATELY 1,465 FEET NORTHERLY OF THE CENTERLINE OF THE INTERSECTION OF SEEKONK ROAD AND CONTINUES APPROXIMATELY 925 FEET IN A NORTHERLY DIRECTION.
(DISCUSSION/VOTE)

C. DAVID BARRETT/THE MAHAIWE PERFORMING ARTS CENTER FOR ANNUAL GALA ON SUNDAY, OCTOBER 11, 2015 FOR PERMISSION:

- TO PUT UP TEMPORARY DECORATIONS IN THE PEDESTRIAN TUNNEL
(DISCUSSION/VOTE)
AND
- TO RESERVE 40 PARKING SPACES IN THE TOWN HALL LOT FROM
4:00 PM – MIDNIGHT. (DISCUSSION/VOTE)

D. DAVID BARRETT/THE MAHAIWE PERFORMING ARTS CENTER FOR TEMPORARY ONE DAY SUNDAY ENTERTAINMENT LICENSE FOR OCTOBER 11, 2015 FROM 5:30 PM – 10:00 PM AT 14 CASTLE STREET. (DISCUSSION/VOTE)

E. DAVID BARRETT/THE MAHAIWE PERFORMING ARTS CENTER FOR TEMPORARY ONE DAY ALL ALCOHOLIC LIQUOR LICENSE FOR OCTOBER 11, 2015 FROM 5:30 PM – 8:00 PM AT THE OLD TRAIN STATION, CASTLE STREET. (DISCUSSION/VOTE)

F. LAUREN SMITH/FAIRVIEW HOSPITAL FOR PERMISSION TO RESERVE 35 PARKING SPACES IN THE BACK AND SIDE OF THE TOWN HALL FROM NOON UNTIL 10:30 PM ON SATURDAY, SEPTEMBER 26, 2015 FOR THE 2015 FAIRVIEW GALA.
(DISCUSSION/VOTE)

G. AMY RUDNICK/FAIRVIEW HOSPITAL FOR ONE DAY TEMPORARY WEEKDAY ENTERTAINMENT LICENSE FOR SATURDAY, SEPTEMBER 26, 2015 FROM 5:00 PM – 7:30 PM AT THE GAZEBO, TOWN GREEN FOR THE 2015 FAIRVIEW GALA.
(DISCUSSION/VOTE)

H. LAUREN SMITH/AMY RUDNICK/FAIRVIEW HOSPITAL FOR ONE DAY ALL ALCOHOLIC LIQUOR LICENSE FOR SEPTEMBER 26, 2015 FROM 5:00 PM – 10:30 PM IN THE TENT BEHIND TOWN HALL FOR THE 2015 FAIRVIEW GALA. (DISCUSSION/VOTE)

I. ROBIN VICKERY/GREAT BARRINGTON FISH AND GAME FOR TEN (10) ONE DAY BEER AND WINE LIQUOR LICENSES EVERY SUNDAY FROM SEPTEMBER 20, 2015 – NOVEMBER 22, 2015 FROM 11:00 AM – 7:00 PM AT 338 LONG POND ROAD.
(DISCUSSION/VOTE)

J. ROBIN VICKERY/GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LIQUOR LICENSE FOR NOVEMBER 29, 2015 FROM 11:00 AM – 7:00 PM AT 338 LONG POND ROAD. (DISCUSSION/VOTE)

K. CARA DAVIS/CONSTRUCT FOR PERMISSION TO HOLD ANNUAL WALK TO PREVENT HOMELESSNESS ON SUNDAY, OCTOBER 18, 2015 AT 1:00 PM, START POINT AT SKI BUTTERNUT AND END AT THE GREAT BARRINGTON FAIRGROUNDS.
(DISCUSSION/VOTE)

L. VICKI COONS/FAIRVIEW HOSPITAL'S RECREATION ASSOCIATION FOR PERMISSION TO HOLD ANNUAL MONSTER DASH 5K RUNNING RACE/WALK AND 1 MILE WALK ON SATURDAY, OCTOBER 31, 2015 TO BEGIN AT 9:30 AM, STARTING AND FINISHING AT FAIRVIEW HOSPITAL'S OUT-PATIENT REHAB SERVICES, MAPLE AVENUE.
(DISCUSSION/VOTE)

7. NEW BUSINESS:

- A. SB – DESIGNATION/APPOINTMENT OF SELECTBOARD REPRESENTATIVE TO THE BERKSHIRE METROPOLITAN PLANNING ORGANIZATION. (DISCUSSION/VOTE)
- B. SB – RECOMMENDATION TO TOWN MANAGER ON THE APPOINTMENT TO THE CONSERVATION COMMISSION. (DISCUSSION/VOTE)
- C. SB – TO ACCEPT COVENANT ON THE WHEELER FARMSTEAD PROPERTY PURSUANT TO THE CPA GRANT AGREEMENT. (DISCUSSION/VOTE)

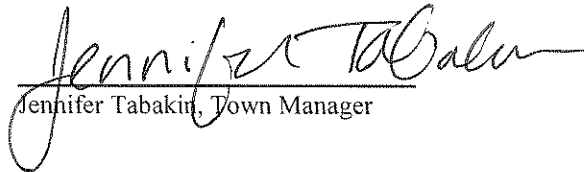
8. CITIZEN SPEAK TIME:

9. SELECTBOARD'S TIME:

10. MEDIA TIME:

11. ADJOURNMENT:

NEXT SELECTBOARD'S REGULAR MEETING: MONDAY, SEPTEMBER 28, 2015, 7:00 P.M.


Jennifer Tabakin, Town Manager

THIS MEETING MAY BE RECORDED BY MEMBERS OF THE MEDIA. THE LISTING OF AGENDA ITEMS ARE THOSE REASONABLY ANTICIPATED BY THE CHAIR WHICH MAY BE DISCUSSED AT THE MEETING. NOT ALL ITEMS LISTED MAY IN FACT BE DISCUSSED AND OTHER ITEMS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

EXECUTIVE SUMMARY

TITLE: Inform the Selectboard of the results of the bids to issue temporary bond anticipation notes (BANS) for 2016 Capital Equipment Projects as authorized by the Selectboard, Finance Committee and Town Meeting.

BACKGROUND: The Selectboard, Finance Committee and Town Meeting have approved capital projects for the fiscal years 2016 to be funded by borrowing authorizations as recommended in the budget process for the general fund. In order to meet the dates of the expected contractual payments of these projects money is being borrowed on a temporary basis and will be replaced with a permanent borrowing in the future by issuing bonds. This temporary borrowing is in the amount of \$375,000 for the following capital projects: (1) Fire Chief Vehicle \$40,000, (1) DPW Dump Truck \$139,464, (2) Pickup Trucks \$115,536, (2) Police Cruisers \$80,000.

FISCAL IMPACT: The interest rate on the BANS will determined by a competitive bid process to take place on Tuesday, September 15, 2015. The note will have a due date of March 5, 2016.

RECOMMENDATION: No Board action is necessary, however the Board needs to sign the notes.

PREPARED BY: 
Lauren Sartori Hobgood, Financial Coordinator

DATE: 9-3-15

Approved: 
Jennifer Tabakin, Town Manager



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

EXECUTIVE SUMMARY

TITLE: Municipal Affordable Housing Trust Fund

BACKGROUND: The 2013 Housing Needs Study and 2013 Master Plan outlined the severity of the need for affordable housing and developed several strategies to create, retain, and support affordable housing. One of these was the establishment of a Municipal Affordable Housing Trust fund that would work cooperatively with local housing advocates.

A local housing trust allows municipalities to collect funds for affordable housing, segregate them out of the general municipal budget into a trust fund, and use the funds for local initiatives, public or private, to create, preserve, and support affordable housing.

Trust funds can be supported by developer contributions, donations, grants, and appropriations from the general fund and/or the CPA, for example. Once established, there is no requirement that it be funded at a certain level or for a certain time period. It is entirely up to the Town on what level to fund it.

Should the Town wish to establish such a fund, Town Meeting would have to vote to accept the provisions of MGL Ch. 44, s. 55C (attached for your information), and also approve a local law creating a Board of Trustees to oversee and implement the fund. The Board would be appointed by the Selectboard or Town Manager. The Trustees would develop and implement an action plan, and create budgets and strategies to meet the Town's affordable housing objectives.

The Town has submitted a Step 1 application to the CPA for a modest amount of \$20,000 in CPA funds to "seed" such a trust fund. The Step 1 application has been accepted by the CPC and the Town is invited to submit a full Step 2 application. The Town Manager will direct staff to prepare the Step 2.

Should the Step 2 be accepted, the Town Manager will work with staff to develop appropriate articles for the voters at the 2016 Town Meeting to establish the fund and board.

FISCAL IMPACT: N/A; informational only at this point.

RECOMMENDATION: N/A; informational only at this point.


PREPARED BY:


Town Planner

DATE:

9/10/15

APPROVED BY:


Town Manager

DATE:

9/10/15

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 44** MUNICIPAL FINANCE**Section 55C** Municipal Affordable Housing Trust Fund

Section 55C. (a) Notwithstanding section 53 or any other general or special law to the contrary, a city or town that accepts this section may establish a trust to be known as the Municipal Affordable Housing Trust Fund, in this section called the trust. The purpose of the trust is to provide for the creation and preservation of affordable housing in municipalities for the benefit of low and moderate income households. Acceptance shall be by majority vote of the municipal legislative body under section 4 of chapter 4.

(b) There shall be a board of trustees, in this section called the board, which shall include no less than 5 trustees, including the chief executive officer, as defined by section 7 of chapter 4, of the city or town, but where the chief executive officer is a multi-member body, that body shall designate a minimum of 1 of its members to serve on the board. Trustees shall be appointed in a city by the mayor or by the city manager in a Plan D or Plan E municipality, subject in either case, to confirmation by the city council, and in a town by the board of selectmen, shall serve for a term not to exceed 2 years, and are designated as public agents for purposes of the constitution of the commonwealth. Nothing in this subsection shall prevent a board of selectmen from appointing the town manager or town administrator as a member or chair of the board, with or without the power to vote.

(c) The powers of the board, all of which shall be carried on in furtherance of the purposes set forth in this act, shall include the following powers, but a city or town may, by ordinance or by-law, omit or modify any of these powers and may grant to the board additional powers consistent with this section:—

(1) to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with any ordinance or by-law or any general or special law or any other source, including money from chapter 44B;

(2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

(3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board

deems advisable notwithstanding the length of any such lease or contract;

(4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;

(5) to employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;

(6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

(7) to apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

(8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;

(10) to carry property for accounting purposes other than acquisition date values;

(11) to borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;

(12) to make distributions or divisions of principal in kind;

(13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

(14) to manage or improve real property; and to abandon any property which the board determined not to be worth retaining;

(15) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

(16) to extend the time for payment of any obligation to the trust.

(d) Notwithstanding any general or special law to the contrary, all moneys paid to the trust in accordance with any zoning ordinance or by-law, exaction fee, or private contributions shall be paid directly into the trust and need not be appropriated or accepted and approved into the trust.

General revenues appropriated into the trust become trust property and to be expended these funds need not be further appropriated. All moneys remaining in the trust at the end of any fiscal year, whether or not expended by the board within 1 year of the date they were appropriated into the trust, remain trust property.

(e) The trust is a public employer and the members of the board are public employees for purposes of chapter 258.

(f) The trust shall be deemed a municipal agency and the trustees special municipal employees, for purposes of chapter 268A.

(g) The trust is exempt from chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the commonwealth or any political subdivision thereof.

(h) The books and records of the trust shall be audited annually by an independent auditor in accordance with accepted accounting practices.

(i) The trust is a governmental body for purposes of sections 23A, 23B and 23C of chapter 39.

(j) The trust is a board of the city or town for purposes of chapter 30B and section 15A of chapter 40; but agreements and conveyances between the trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the city or town shall be exempt from said chapter 30B.

SB SP # 846-15

NOTICE OF PUBLIC HEARING

The Great Barrington Selectboard will hold a public hearing on Wednesday, September 16, 2015 at 7:00 PM at Town Hall, 334 Main Street, Great Barrington, MA to act on the application of Linda Hoddy and John Tracy, 224 North Plain Road, Great Barrington, for work in the 300-foot Stream and Lake Protection Zone of the Williams River, at 224 North Plain Road, in accordance with Sections 9.2.9, 9.2.14, and 10.4 of the Great Barrington Zoning Bylaw. The majority of the property is within the 300-foot zone. The work includes adding a small deck between the existing house and garage. This application is on file with and may be viewed in the Town Clerk's office.

Sean Stanton, Chair

Please Publish Friday, August 21, 2015 and Friday, August 28, 2015

Berkshire Record



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

PLANNING BOARD

August 31, 2015

Selectboard
Town Hall
Great Barrington, MA

RE: Tracy/Hoddy
224 North Plain Road

Dear Members of the Selectboard

At its meeting of August 13, 2015, the Planning Board voted to send a favorable recommendation for the special permit application submitted by John Tracy and Linda Hoddy under 9.2.14. The Planning Board determined that there is no practical alternative to what is proposed and there would be no adverse impact

Thank you for your attention to this matter.

Sincerely,

Kimberly L. Shaw
Planning Board Secretary

Cc: Chris Rembold, Town Planner

Shepley Evans
Conservation Agent

E-mail: conservation@townofgb.org
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

TO: Great Barrington Selectboard

FM: Conservation Commission
Shep Evans, Agent *SE*

DATE: September 8, 2015

Re: Special Permit #846-15
Linda Hoddy and John Tracy, 224 North Plain Road, Great Barrington, MA for expansion of an existing nonconforming structure within the WQPOD district – Stream + Lake protection zone.

We have reviewed the applicants' plans, conducted a site visit, advertised and held a public hearing on May 27, 2015 and issued a Negative Determination #3 on June 6, 2015 approving the applicants project of work in the Riverfront Resource Area with standard conditions. The Commission has no other recommendation on this matter.

Claudia Ryan, Chair
Michael Lanoue, Vice-Chair
Peter Stanton

www.townofgb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

Phone: 413-528-0680
Fax: 413-528-3064

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

BOARD OF HEALTH

September 8, 2015

Select Board
Town Hall
334 Main Street
Great Barrington, MA 01230

RE: Special Permit #846-15

Dear Board Members:

At its meeting of September 3, 2015 the Board of Health reviewed the Special Permit Application of John D. Tracy and Linda Hoddy for work in the 300 foot Stream and Lake Protection Zone of the Williams River at 224 North Plain Road, in accordance with Sections 9.2.9, 9.2.14 and 10.4 of the Great Barrington Zoning Bylaw.

After discussion it was voted to forward a favorable recommendation to the Select Board.

Sincerely,

A handwritten signature in cursive script that reads 'Jayne E. Smith'.

Jayne E. Smith
Health Agent

Cc: Town Planner

846-15 SB copies

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

FORM SP-1
REV. 11-2013

FOR OFFICE USE ONLY

Number Assigned 846-15 Date Received 8/17/15
Special Permit Granting Authority SB
Copy to Recommending Boards 8/17/15
Advertised 8/21 & 8/28
Public Hearing 9/16/15
Fee: \$150.00 Paid:

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

MAP 28 LOT 2 BOOK 1078 PAGE 139,142 ZONING DISTRICT(S) R-2

Site Address: 224 North Plain Road

Date of Application 8.1.3.15

Applicant's name and complete mailing address Housatonic Architectural Services, LLC
P.O. Box 287 Housatonic, MA 01236

Applicant's phone number (413) 854-8955 Applicant's email address: housyarch@verizon.net

Name and Address of Owner of land exactly as it appears on most recent tax bill:
Linda Hoddy and John Tracy 224 North Plain Road, Great Barrington MA 01230

I (we) request a Special Permit for: Expansion of existing nonconforming structure within the WQPOD
district STREAM - LAKE PROTECTION ZONE

Under Section(s) 9.2.9. and 9.2.14 and 10.4 of the Great Barrington Zoning Bylaws.

APPLICANTS MUST READ AND COMPLY WITH THE FOLLOWING:

One Signed Original application with each of the items below, as applicable, and fourteen (14) exact copies of the entire application package are to be submitted. Applications must include:

1. Completed application form, including signatures.
2. Brief written description of how the project is in harmony with the Great Barrington Master Plan. (Copies of the Master Plan are available for free download from the Town website. Hard copies can be read at the Clerk's office or the Town libraries.)
3. Site Plan, drawn to scale, applicable to the site and the proposed use of said site for which this special permit is requested.
4. Any other specifications necessary to further describe the site or proposed use for which a special permit is requested. At least one copy of any maps being submitted shall be no larger than 11" X 17". Plans should show all existing and proposed structures, property lines and dimensions, driveways, walkways and parking areas. All proposed landscaping, parking, loading, and similar improvements must be in compliance with the applicable sections of the Zoning Bylaw.
5. Certified list of abutters within 300' on the Assessors Maps to the subject property, including map and lot number. List must be obtained from the Assessors' Office.

TOWN CLERK
GREAT BARRINGTON
AUG 17 2015 AM 9:2

- 6. Zoning Map designating the zoning district(s) and location for the area for which a special permit is requested, plus a USGS map enlarged and showing the site location within the Town.
- 7. Drainage Plan indicating the destination of all runoff from the property. In the event of substantial increase in impervious surfaces, the SPGA may require calculations or expert analysis of the plan.
- 8. Landscaping Plan drawn to scale and showing existing and proposed landscaping.
- 9. If applicant and owner are different, a letter signed by the owner of the property authorizing the applicant to apply for the special permit.

SPECIFICS:

- 1. All site plans and specifications must be signed and dated by the preparer.
- 2. **ALL OWNERS** of property must also sign the application.
- 3. A copy of special permit procedures is available upon request.
- 4. Fee for application is \$150.00 to cover the cost of the public hearing notices in the newspaper and notification to parties in interest. If the cost exceeds \$150.00, the applicant shall pay the balance due upon notification from the Granting Authority.
- 5. Once all the necessary papers, maps, etc. are compiled into the required Original and Fourteen 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 or Planning Board will be scheduled. Meetings of recommending boards (e.g. Planning Board, Conservation Commission and Board of Health) will also be arranged at this time.

Diego Gutierrez
Signature of Applicant

Signature of Co-Applicant (e.g. Property Owner, if different)

PLEASE READ AND SIGN BELOW

ALL COSTS INCURRED BY THE TOWN FOR THE EMPLOYMENT OF EXPERTS OR CONSULTANTS REQUIRED BY ANY TOWN BOARD, AND APPROVED BY THE BOARD OF SELECTMEN, 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 THE APPLICANT IF REQUESTED.

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

Signature Diego Gutierrez

Signature of Co-Applicant (e.g. Property Owner) Prinda Haddy J. O'Neil

Date 8/14/15

Bruce Firger, Assessor
John Katz, Assessor
Christopher J. Lamarre
Principal Assessor

E-mail: clamarre@townofeb.org



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-2220 x 5
Fax: (413) 528-2290

TOWN OF GREAT BARRINGTON MASSACHUSETTS

ASSESSORS' OFFICE

July 15, 2015

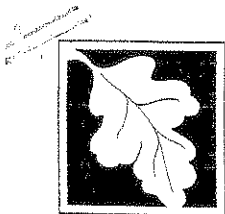
ABUTTERS TO PROPERTY OF: JOHN D. TRACY & LINDA J. HODDY
224 North Plain Road, Map 28 Lot 2, Book 1074 Pg. 142

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
28	10	Andres Flavio Lichtenthal & Lisa Landry, 89 Division St., Gt. Barrington, MA 01230-1117
28	11	Elizabeth Regina Gowan, 87, Division St., Gt. Barrington, MA 01230-1118
28	12,13	Edith M. Gilson & Bernard K. Roos, Trustees, Gilson Nominee Trust, 85 Division St., Gt. Barrington, MA 01230-1117
28	4,5	David Irland, 220 North Plain Rd., Gt. Barrington, MA 01230-1276
28	9	Alder Creek LLC, 212 North Plain Rd., Gt. Barrington, MA 01230-1276
27	71	Valerie Locher, 231 North Plain Rd., Housatonic, MA 01236-9736
27	40A	Joseph F. & Barbara A. Radice, Trustees, Radice Family Realty Trust, 44 Oak Hill Rd., Pittsfield, MA 01201-1714
27	43	D. Christopher Royer, 237 Tremont St., Newton, MA 02458-2111
32	24	Lewis C. Gershman & Russell J. Gershman, 37 Seaman Ave., Castleton, NY 12033-1309
32	25	Michael Francis Zucco, Alyce Marie Zucco & Justin Joseph Zucco, 225 North Plain Rd., Housatonic, MA 01236-9736
32	26	Clare E. O'Brien & Ann E. McHugh, 276 1st St., Brooklyn, NY 11215-1902
32	27	John F. & Jane E. Costa, 219 North Plain Rd., Housatonic, MA 01236-9736
28/1 & 27/40		Diana F. Harwood & William Scott Harwood, Co-Trustees, Diana F. Harwood Revocable Trust, 98 Division St., Gt. Barrington, MA 01230-1181
28	4	John D. Tracy & Linda J. Hoddy (applicants)

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

Sincerely,

Christopher Lamarre
Principal Assessor

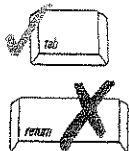


Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 2 – Determination of Applicability
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

COPY

A. General Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



From:

Great Barrington
Conservation Commission

To: Applicant

John Tracy & Linda Hoddy
 Name
224 North Plain Road
 Mailing Address
Great Barrington MA 01230
 City/Town State Zip Code

Property Owner (if different from applicant):

(SAME)
 Name

 Mailing Address

 City/Town State Zip Code

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

<u>Special Permit Site Plan Prepared for John D. Tracy & Linda J. Hoddy</u>	<u>5-27-2015</u>
<u>by Kelly, Granger, Parsons & Assoc., as Amended to add Straw Waddles</u>	Date
_____	_____
Title	Date
_____	_____
Title	Date

2. Date Request Filed:

5-15-2015

B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

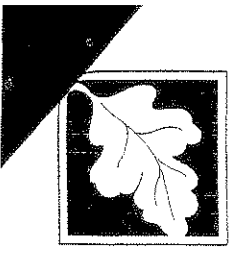
Project Description (if applicable):

Replace foundation for an existing enclosed porch; add an exterior deck (16' x 18') with a handicap accessible ramp; and create three additional parking spaces covered in gravel.

Project Location:

244 North Plain Road
 Street Address
28
 Assessors Map/Plat Number

Great Barrington
 City/Town
2
 Parcel/Lot Number



WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

Positive Determination

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

- 1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.
- 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

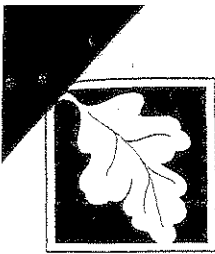
- 2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

- 3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.
- 4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).
- 5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

Name	Ordinance or Bylaw Citation
------	-----------------------------



WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

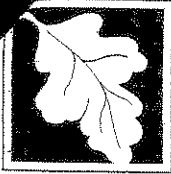
B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:
-
7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):
- Alternatives limited to the lot on which the project is located.
 - Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
 - Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained **within** the municipality.
 - Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
-
4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Determination (cont.)

* [

5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

310CMR 10.02(2)(b)1g ; 310CMR 10.02(2)(b)1e ; 310CMR 10.58(4)(d)
Exempt Activity (site applicable statutory/regulatory provisions)
SEE GT. BARRINGTON STANDARD CONDITIONS ATTACHED.

6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality _____

Pursuant to a municipal wetlands ordinance or bylaw.

Name _____

Ordinance or Bylaw Citation _____

C. Authorization

This Determination is issued to the applicant and delivered as follows:

by hand delivery on _____

by certified mail, return receipt requested on _____

Date _____

Date 6-5-2015

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/>) and the property owner (if different from the applicant).

Signatures:

ANDREW MARKIN

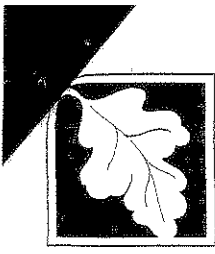
JEFFREY COHEN

JESSICA DEZIECK

LISA BEREZUTO

GAETAN LACHANCE

Date 6-4-2015



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Appeals

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/>) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.


**STANDARD CONDITIONS
REQUEST FOR DETERMINATION OF APPLICABILITY**

1. **The term "Applicant"** as used in this Determination of Applicability shall refer to the owner, any successor in interest or successor in control of the property referenced in the Determination of Applicability, supporting documents and this Determination of Applicability.
2. **Prior to any work on site**, the applicant shall submit a letter of understanding to the Commission stating that he/she has received, read, understood and shall comply with this Determination with any conditions.
3. **Prior to the initiation of any work**, the excavator, contractor, site foreman and/or construction manager shall submit a letter (or email) of understanding to the Commission stating that they have received, read, understood and shall comply with this Determination.
4. **The Determination of Applicability** shall be included with all construction-related documents. All contractors working at the site shall be made aware of the provisions contained within this and adhere to all Special Conditions herein. At all times, the site foremen, supervision engineer or construction manager shall have a copy of this Determination at the site and direct compliance with the requirements of this Determination. The Commission shall be notified if the contractor changes during the life of this Determination.
5. **Prior to any work on site**, all erosion control measures shall be constructed and installed properly. These controls must be inspected and approved by a member or members of the Commission. These controls must stay in place until the final work is inspected and approved by the Commission.
6. **Prior to any work on site** the limits of work shall be clearly marked with stakes or flags (or erosion controls if a part of the Determination) and shall be confirmed by the Conservation Commission. Such markers shall be checked and replaced as necessary and shall be maintained until all construction is complete. Workers shall be informed that no use of machinery, storage of machinery or materials, stockpiling of soil, or construction activity is to occur beyond this line at any time.
7. A minimum of 25% per cent of both silt fencing and straw bales shall be stored on site to be used for replacement and/or emergency use.
8. The applicant shall immediately control or correct any erosion problems that occur at the site and shall also immediately notify the Commission which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.

The Commission reserves the right to require additional erosion controls when it feels it is necessary to prevent alteration to jurisdictional areas.
9. Soils exposed or expected to be exposed for periods greater than two months shall be stabilized with erosion control blankets or netting, or covering of straw mulch, or a temporary cover of rye or other native grass to prevent erosion and sedimentation. Drainage ditches shall be hydro-seeded with a perennial grass mixture. Any stabilization material such as jute netting shall be firmly anchored to prevent them from being washed from slopes by rain or flooding. Preference

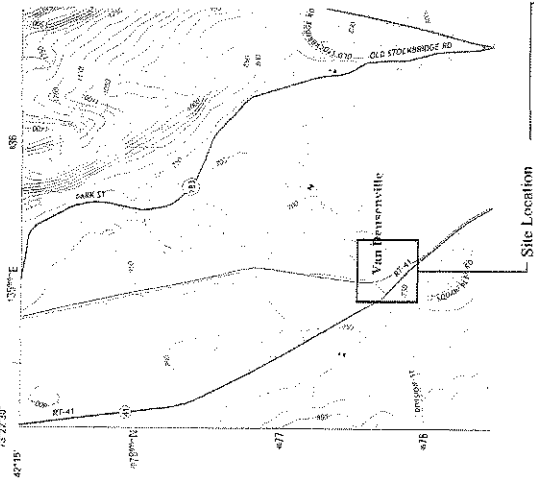
should be given to biodegradable materials.

10. The areas of construction shall remain in a stable condition at the close of each construction day. Erosion control measures shall be inspected at this time and maintained or reinforced as necessary. All such devices shall be inspected, cleaned or replaced during construction and remain in place until such time as stabilization of all areas that may impact resource areas is permanent. Any entrapped silt shall be removed to an area outside the buffer zone and resource areas.
11. Site grading and construction shall be scheduled to avoid periods of heavy rainfall and periods of high surface water. Erosion controls shall be inspected after every rainfall to assure that maximum control has been provided. Any breach of erosion controls and mitigation of silt sedimentation outside erosion control barriers must be reported to the Conservation Commission immediately.
12. All disturbed areas shall be graded, loamed and seeded prior to November 30th of each year. No disturbed areas or stockpiled materials shall be left unprotected or without erosion control during the winter. If seeding is not an option, soils shall be stabilized with through the use of erosion control blankets or other approved means.
13. All equipment shall be inspected regularly for leaks. Any leaking hydraulic lines, cylinders or any other components shall be fixed immediately and the Commission notified. Leaked material shall be cleaned up per instructions of the Commission. Used petroleum products from the maintenance of construction equipment and construction debris shall be collected and disposed of off-site.
14. All waste products, refuse, debris, grubbed stumps, slash, excavate, construction materials, etc. shall be contained and ultimately deposited in an approved landfill and shall not be incorporated in any manner into the project site unless otherwise specified in the Determination. No mulch shall be placed in wetland resource areas.
15. Any changes made in the plans approved in the Determination which will alter an area subject to protection under the Wetlands Protection Act, or any changes in activity subject to regulation under M.G.L. Chapter 131, section 40, shall require the applicant to inquire of the Commission in writing whether the change is significant enough to require a Notice of Intent.
16. Members of the Commission and/or its agent shall have the right to enter and inspect the premises to evaluate and ensure compliance with these conditions and performance standards, stated in the Determination, the Act and 310 CMR 10.00 and may require any additional information, measurements, photographs, observations and/or materials or may require submittal of any data or information deemed necessary by the Commission for that evaluation.
17. Within 30 days of final grading (or within 30 calendar days after the commencement of the following growing season if the project is completed after October 31st), all disturbed areas shall be permanently stabilized with rapidly growing cover and a minimum of 4 to 6 inches of organic topsoil, if necessary and a USDA Natural Resources Conservation Service-approved seed mixture should be used in accordance with the measure outlined in "Vegetative Practices in Site Development: Massachusetts Conservation Guide, Volume II" or other acceptable stabilization methods to assure long-term stabilization of disturbed areas. Maintenance of these areas shall be in a manner that assures permanent stabilization and precludes any soil erosion and shall be the responsibility of the owner of record of the property or the responsibility of the applicant.

- 
18. Fertilizers utilized for landscaping and lawn care on this lot shall be slow release, organic, low nitrogen types and shall not be used within 50 feet of a Wetland Resource Area. Pesticides and herbicides shall not be used on any lawn area within the buffer zone.
 19. At the completion of the permitted project, the Commission shall be contacted to do a final inspection.

Applicable Zoning Regulations
 Sections 5.5 -- Nonconforming, Single and
 Two Family Residential Structures
 Section 10.5.3 Site Plan Review

U.S. DEPARTMENT OF THE INTERIOR
 U.S. GEOLOGICAL SURVEY



Town of Great Barrington
ZONING MAP

RESIDENTIAL
 R-1A One Family Residential (1000 sq ft)
 R-1B Two Family Residential (1000 sq ft)
 R-2 Village Residential (750 sq ft)
 R-3 General Residential (500 sq ft)
 R-4 Single-Family Residential (200 sq ft)

COMMERCIAL
 C-1 Neighborhood Business
 C-2 Village/Neighborhood Business
 C-3 Professional Business
 C-4 Business District

INDUSTRIAL
 I-1 Light Industrial
 I-2 Heavy Industrial

OFFICE
 O-1 Office/Professional Services

RECREATION
 R-1A Single-Family Residential (1000 sq ft)
 R-1B Two-Family Residential (1000 sq ft)
 R-2 Village Residential (750 sq ft)
 R-3 General Residential (500 sq ft)
 R-4 Single-Family Residential (200 sq ft)

UNDESIRABLE
 U-1 Unwanted Land Use

VEGETATION
 V-1 Single-Family Residential (1000 sq ft)
 V-2 Two-Family Residential (1000 sq ft)
 V-3 Village Residential (750 sq ft)
 V-4 General Residential (500 sq ft)
 V-5 Single-Family Residential (200 sq ft)

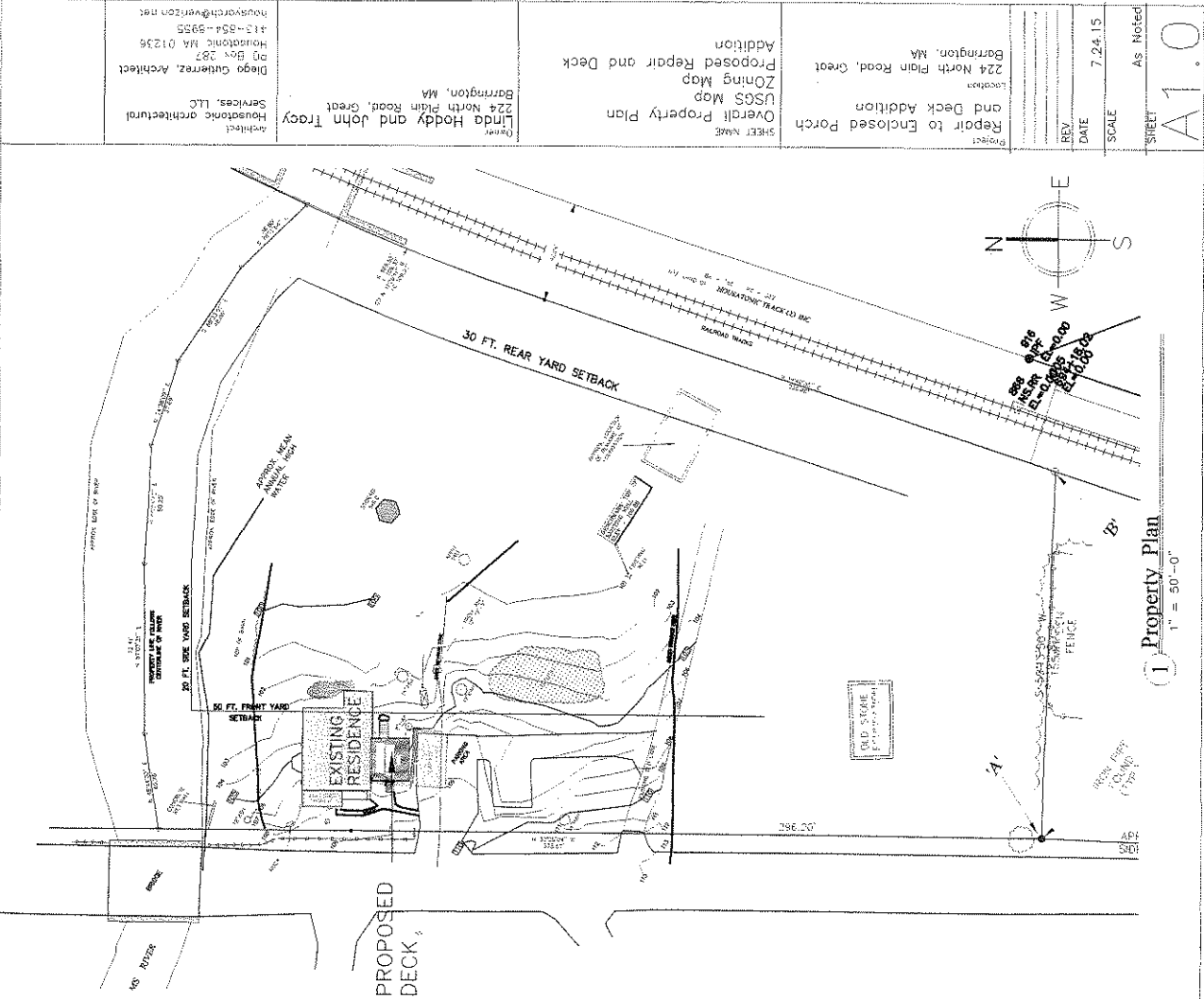
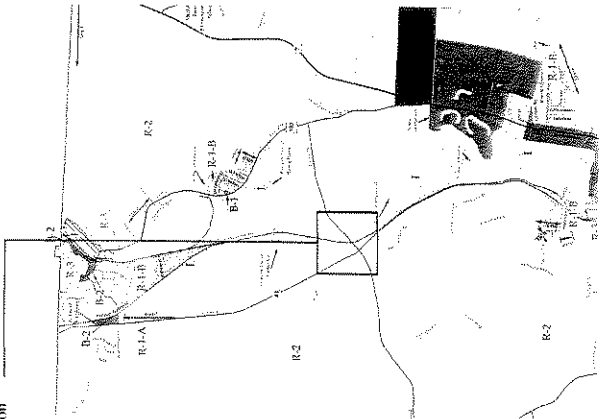
WATERWAYS
 W-1 Waterway

WETLANDS
 W-1 Wetland

WATERWAYS
 W-1 Waterway

WETLANDS
 W-1 Wetland

Zoning	Symbol	IBIROD	VCOD
R-1A	[Symbol]	R-1-A	R-1-A
R-1B	[Symbol]	R-1-B	R-1-B
R-2	[Symbol]	R-2	R-2
R-3	[Symbol]	R-3	R-3
R-4	[Symbol]	R-4	R-4
DBP	[Symbol]	DBP	DBP



1 Property Plan
 1" = 50'-0"

SHEET
 As Noted
A1.0

Project: Repair to Enclosed Porch and Deck Addition
 Location: 224 North Plain Road, Great Barrington, MA
 Overall Property Plan
 USGS Map
 Zoning Map
 Proposed Repair and Deck Addition

Client: Linda Huddy and John Tracy
 224 North Plain Road, Great Barrington, MA
 Architect: Housatonic architectural Services, LLC
 413-854-9955
 80 Box 287
 Housatonic MA 01236
 housatonicarchitectural.net

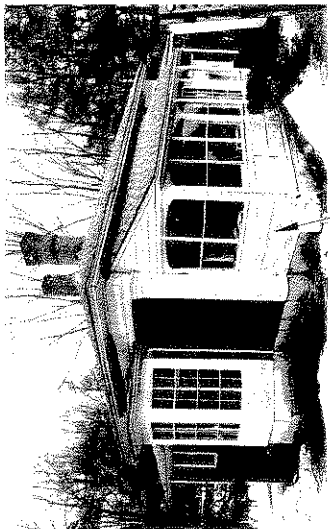
Project: Repair to Enclosed Porch and Deck Addition
 Location: 224 North Plain Road, Great Barrington, MA
 Overall Property Plan
 USGS Map
 Zoning Map
 Proposed Repair and Deck Addition

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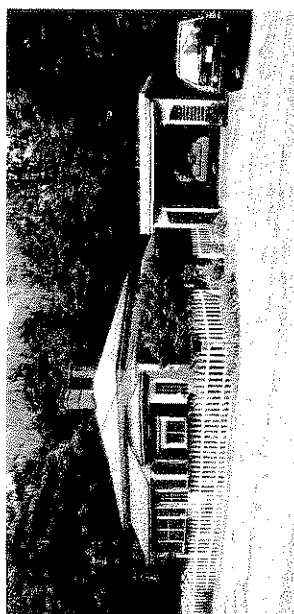
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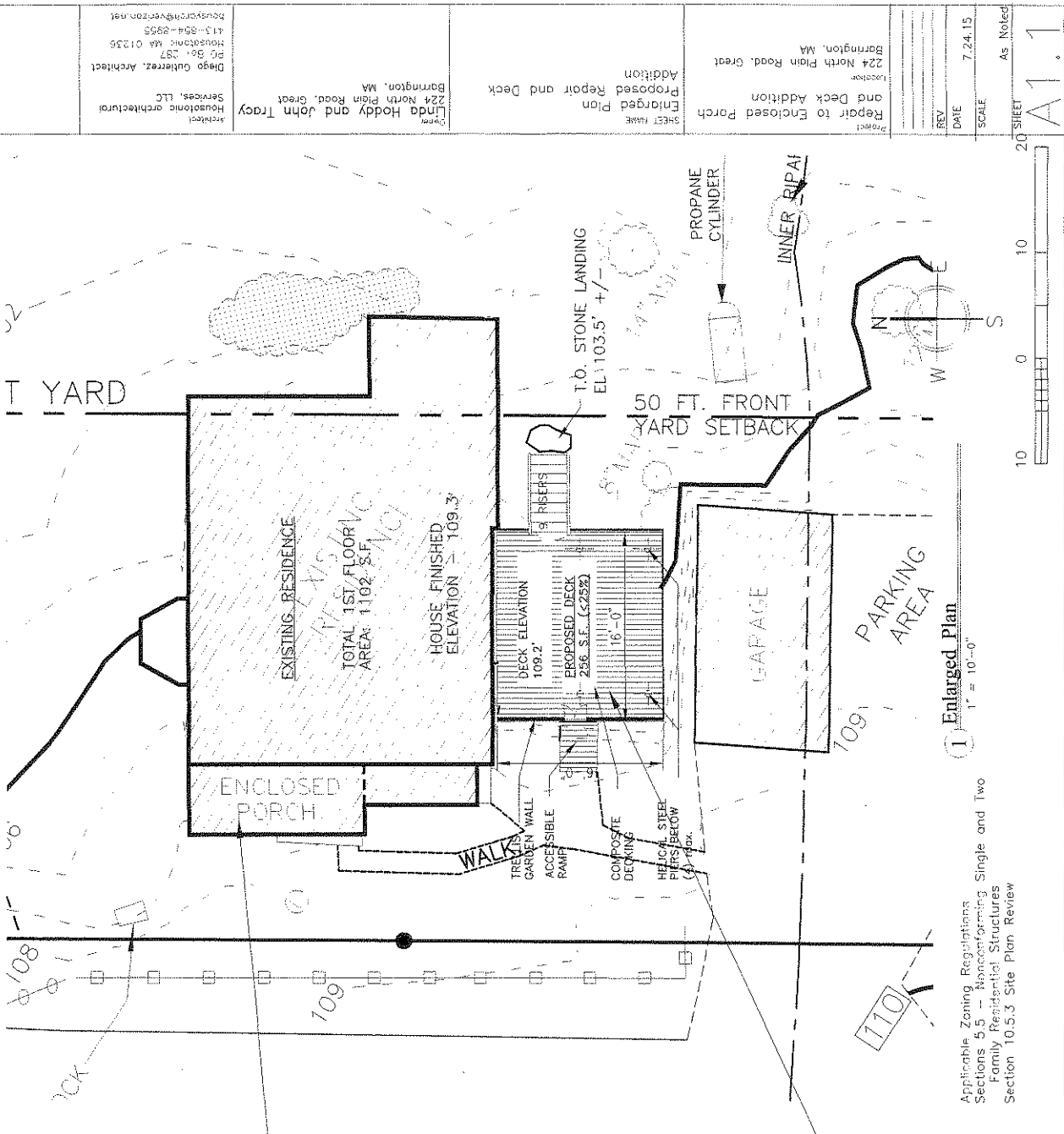
Existing Enclosed Porch

1. Enclosed Porch.
 - a. Existing Conditions. The existing shallow stone foundation of the enclosed and roofed porch facing North Plains Road has seriously deteriorated. Rot to the main wood sills is apparent, chronic frost heaving has caused significant misalignment to the overall framing. Proposed Work:
 - i. Remove existing stone foundation and install new concrete frost wall. No enlargement of the existing footprint is proposed.
 - ii. Remove and replace existing wood sill with PT sill. Repair or replace damaged floor joists, and wall framing.
 - iii. Square and align existing framing.
 - iv. Replace deteriorated windows.
 - v. Replace and repair exterior siding and trim.



Existing Finished Porch

2. New HC Accessible Exterior Deck.
 - a. Existing Conditions. The current layout of the house doesn't allow for a convenient and private way to access the exterior yard, especially from the kitchen (see plan).
 - b. Proposed Work. Construction of an approximately 256 s.f., handicap accessible open deck. Deck shall be accessible from the entry path via a short ramp, and abutted from the noisy road by a slatted trellis garden wall, and abutted from the current kitchen via a new door. The deck will have a simple wood stair to grade. Bottom of stair will have stone landing.



1 Enlarged Plan
1" = 10'-0"

Applicable Zoning Regulations
Sections 5.5 - Accessory Structures
Family Residential Structures
Section 10.5.3 Site Plan Review

Project
Repair to Enclosed Porch
and Deck Addition

SHEET NAME
Enlarged
Proposed Repair and Deck
Addition

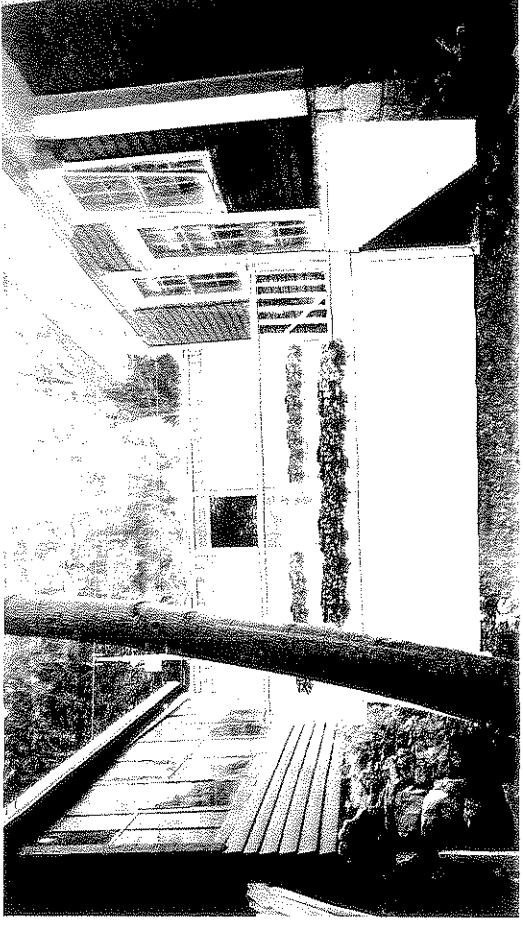
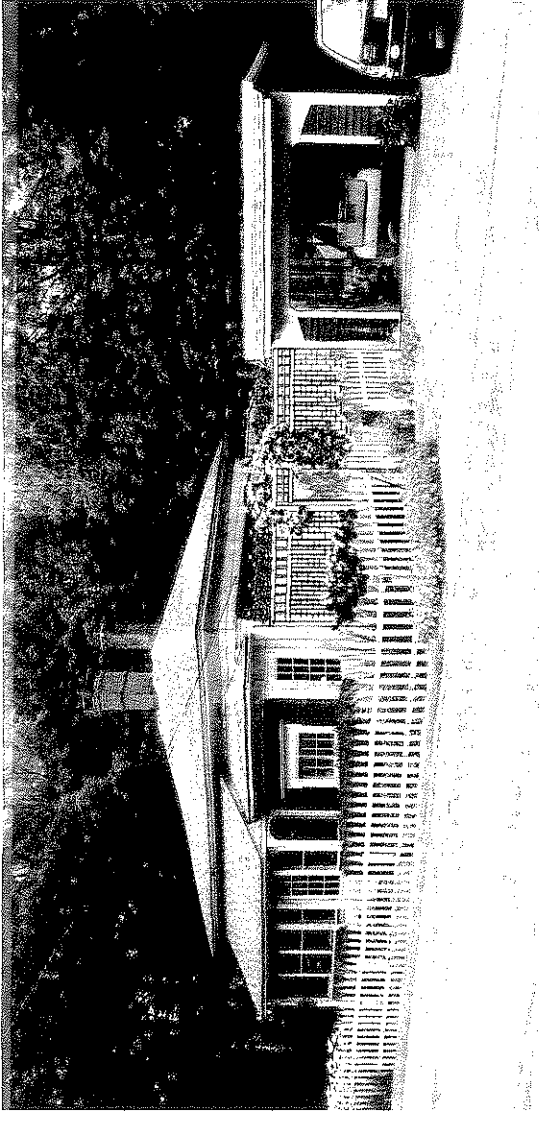
Location
224 North Plain Road, Great
Barnington, MA

REV
DATE
SCALE

7.24.15
As Noted

20 SHEET
A1.1

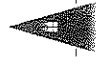
Architect
Linda Huddy and John Tracy
224 North Plain Road, Great
Barnington, MA
Services, LLC
Housatonic architectural
PG. 86, 287
Housatonic MA 01236
413-864-8955
houstrch@verizon.net



Residence of John Tracy and Linda Hoddy
224 North Plain Road
Great Barrington, MA 01230

Proposed Elevations for
Deck and garden Screen Addition

HOUSALONG ARCHITECTURAL SERVICES
100 STATE ST. SUITE 200
POQUONOC, MA 01270
413.854.8942
REVISED 10/10/10
DIEGO GUTIERREZ, ARCHITECT





Residence of John Tracy and Linda Hoddy
224 North Plain Road
Great Barrington, MA 01230

Existing Elevations for
Deck and garden Screen Addition



HOUSING ARCHITECTS, SERVICES
AND INTERIORS
PROJECTS, MA 01230
TEL: 413.854.8935
WWW.DIECOGRYNITZKY.COM
DIECO GRYNITZKY ARCHITECT

AUG 17 2015

Board of Selectmen

Fee \$50.00 (pd)
Number _____

BOARD OF SELECTMEN
GREAT BARRINGTON, MA
Application for Access to a Public Way / Driveway Permit

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 08/11/15

Name of Applicant / Property Owner ANDRES BERNAL

Mailing address 131 MONUMENT VALLEY RD GREAT BARRINGTON MA 01230

Phone number 413 429 6685

Location of proposed driveway / highway entrance 131 MONUMENT VALLEY RD

Contractor who will perform the work WILKINSON (JODY)

Address & phone number of contractor 413 394-0236

Proposed construction date SEPT. 2015

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

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: [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

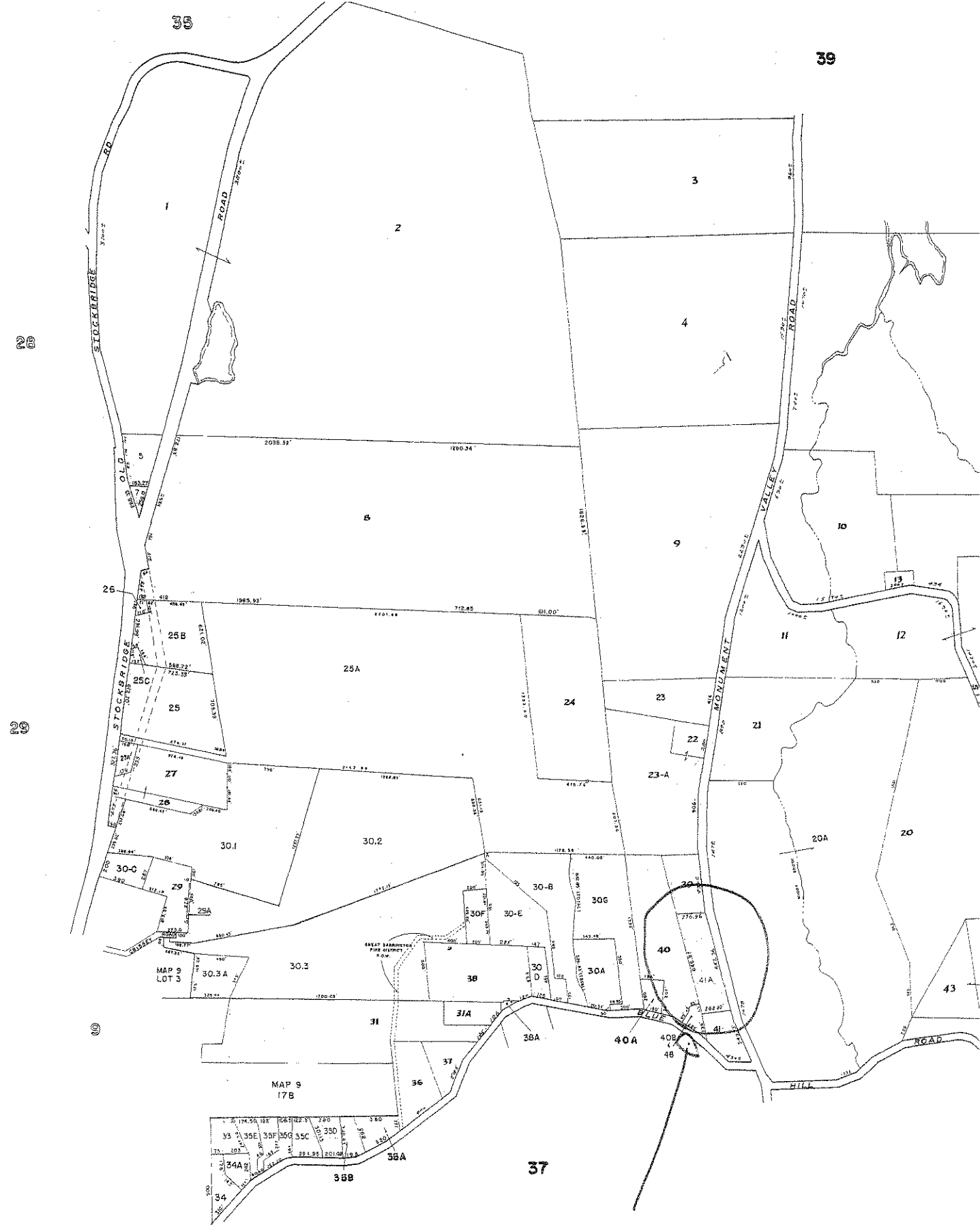
Staff Reviews Received:

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

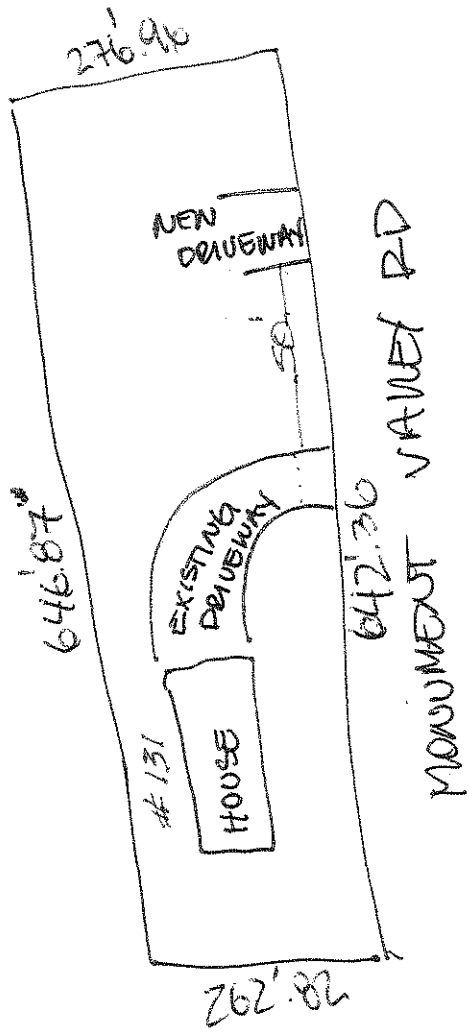
PERMIT FOR ACCESS TO A PUBLIC WAY / DRIVEWAY

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

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



131 MONUMENT
VALLEY RD.



Pete Soules
Highway-Facilities Superintendent

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



20 East Street
Great Barrington, MA 01230

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

TOWN OF GREAT BARRINGTON MASSACHUSETTS

Department of Public Works
Highway Division

Conditions on Application for Access to Public Way

Applicant: Andrew Bernal
Location: 131 Monument Valley Rd
From: Pete Soules Highway Superintendent
Date: 8/28/2015

1. The applicant shall construct the proposed access to conform to the following applicable criteria listed under **Section 153-14, Design requirements** of the Town of Great Barrington Code:
 - 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 required at this location*)
 - F. Entrance elevation at the point of entry into the public right-of-way shall be no more than the elevation of the shoulder of the road.
 - G. Driveways should be so constructed that water from the driveway shall not drain onto the crown of the road.
 - H. In no instance shall the edge of the driveway entering onto the road conflict with the flow of surface water runoff.

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

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

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

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



131 Monument
Valley Rd
Looking South



131 Monument
Valley Rd
Looking North

Joseph Sokul

From: Charles Burger
Sent: Tuesday, August 18, 2015 8:36 PM
To: Joseph Sokul; Chris Rembold
Subject: Driveway Permit

I have reviewed the driveway permit application for 131 Monument Valley road and have no concerns. While only a curb cut, and no driveway, is show on the plans, the owner told me it is only for a wood shed.

Charles Burger
Chief, Great Barrington Fire Department
37 State Rd.
Great Barrington, MA 01230
Phone: 413-528-0788
Fax: 413-528-8315

Jennifer Bailly

From: Chris Rembold
Sent: Thursday, August 27, 2015 1:11 PM
To: Joseph Sokul
Cc: Jennifer Bailly
Subject: Driveway - 131 Monument Valley Rd

I have no problem with the proposed driveway at this location.

Chris

Christopher T. Rembold, AICP

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

Jennifer Bailly

From: Great Barrington Conservation Commission
Sent: Wednesday, September 02, 2015 1:06 PM
To: Joseph Sokul
Cc: Jennifer Bailly
Subject: Driveway permit application for 131 Monument Valley Road

Good afternoon, Joe:

We have made a site visit, reviewed the driveway permit application for 131 Monument Valley Rd. and have determined that the Conservation Commission has no Wetland or Scenic Mountain jurisdiction in the project.

Best regards,

-Shep

Shepley Evans
Conservation Agent
Great Barrington Town Hall
334 Main St., Gt. Barrington, MA 01230
413-528-1619 ext.122
conservation@townofgb.org



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

EXECUTIVE SUMMARY

TITLE: Pole Petition – Seekonk Cross Road– Plan number 19815608 – July 29, 2015

BACKGROUND: National Grid and Verizon New England have filed a petition for the installation of two Joint Ownership (JO) poles. The new pole locations are approximately 1,465 feet north of the centerline of the intersection of Seekonk road.

The petitioner agrees that all the poles and associated equipment being installed or updated meet or exceed the latest version of the National Electrical Safety Code (NESC) as of the date of this petition.

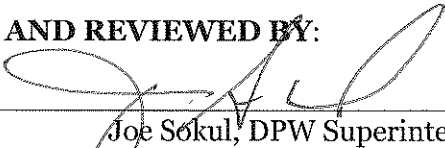
Clearance distances conform to the National Electrical Safety Code (NESC) and space is reserved for one cross arm or cable connection at a suitable point on each of said poles for use by the municipality.

The Department of Public Works has reviewed this location in the field and has no issues with the proposed pole location.

FISCAL IMPACT: There is no fiscal impact for the Town.

RECOMMENDATION: The Selectboard approves the petition as submitted.

PREPARED AND REVIEWED BY:



Joe Sokul, DPW Superintendent

DATE: 9/2/2015

APPROVED:



Jennifer Tabakin, Town Manager

DATE: 9/3/15

AUG 24 2015

Questions contact – Sandra Annis-413-582-7424
PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

North Andover, Massachusetts

To The Town Manager
Of Great Barrington Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Seekonk Cross Road-National Grid to install two new poles (93-50 & 96-50) in order to shorten the distance between existing spans. The location begins at a point approximately 1,465 feet northerly of the centerline of the intersection of Seekonk Road and continues approximately 925 feet in a northerly direction.

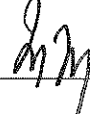
Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Seekonk Cross Road- Great Barrington Massachusetts ,

19815608 July 29, 2015

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

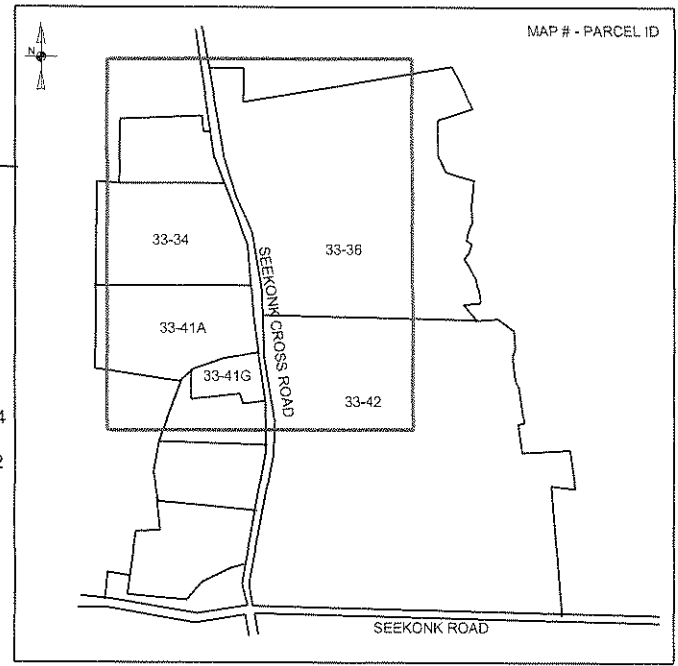
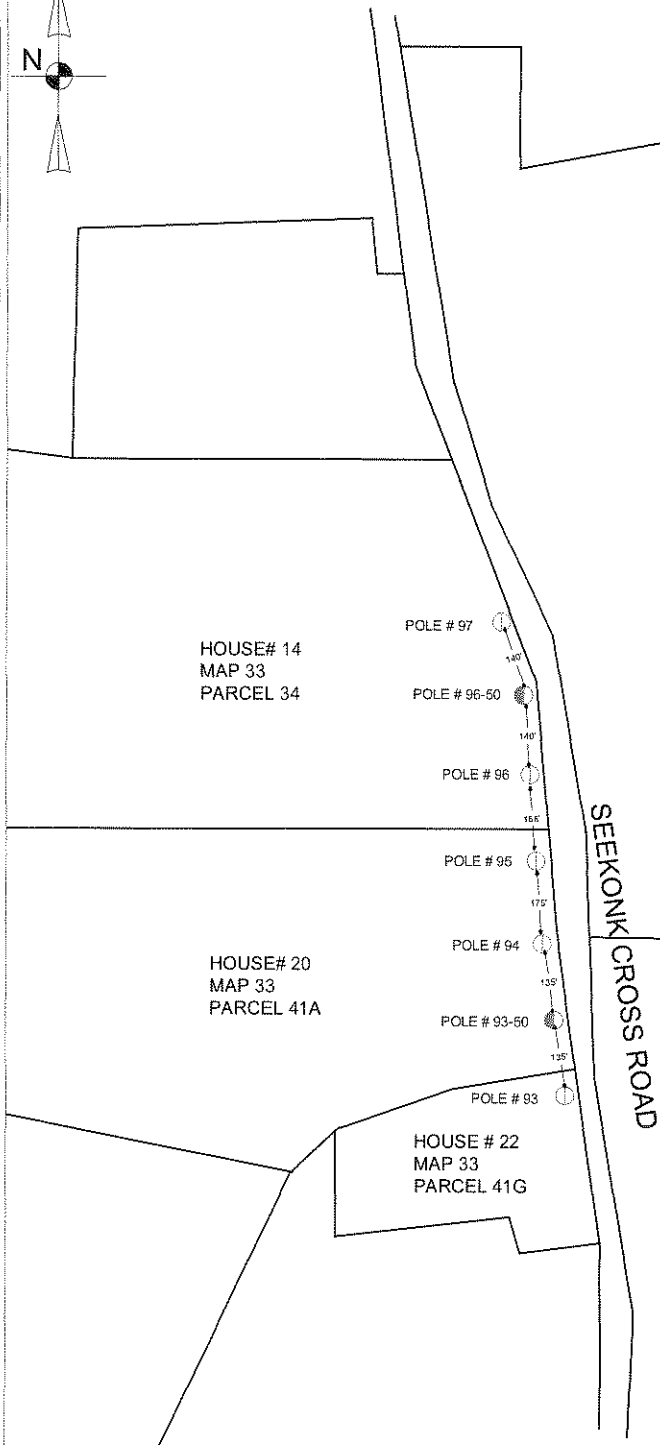
NATIONAL GRID
BY Jim Kuhn 
Engineering Department

VERIZON NEW ENGLAND, INC.
BY 
Manager / Right of Way

*For questions contact Sandra Annis 413-582-7424



NEAR 20 SEEKONK CROSS RD, GREAT BARRINGTON
 NATIONAL GRID TO INSTALL TWO NEW POLES
 (POLE# 93-50 & 96-50) IN ORDER TO SHORTEN
 DISTANCE BETWEEN SPANS



JOINT OWNED POLE PETITION

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- ⓪ Existing J.O. Pole Locations
- Ⓜ Existing Telephone Co. Pole Locations
- ⊙ Existing NGRID Pole Location To Be Made J.O.
- ⊗ Existing Pole Locations To Be Removed

DISTANCES ARE APPROXIMATE

nationalgrid
 And
Verizon New England, Inc.

Date: 7/29/15

Plan Number: 19815608

To Accompany Petition Dated:

To The: TOWN Of GREAT BARRINGTON

For Proposed: JO Pole: 93-50 & 96-50 Location: SIDE OF ROAD

Date Of Original Grant:

NOTICE TO ABUTTERS

In accordance with the provisions of Section 22, Chapter 166, of the General Laws, you are hereby notified that a public meeting will be held at Town Hall, 334 Main Street, Great Barrington, Massachusetts, at 7:00 P.M., on the 16th day of September, 2015 on the petition of National Grid & Verizon New England Inc. to erect poles and wires upon, along, under, or across one or more public ways in the town of Great Barrington abutting property owned by you.

SELECTBOARD

of the Town of Great Barrington

By: Jennifer Tabalon
Town Manager

Location of Proposed Pole:

Seekonk Cross Road- National Grid to install two new poles (93-50 & 96-50) in order to shorten the distance between existing spans. The location begins at a point approximately 1,465 feet northerly of the centerline of the intersection of Seekonk Road and continues approximately 925 feet in a northerly direction.

(Location approximately as shown on plan attached)

DATED: July 29, 2015

Abutters Notice:

2.01	✓ Maureen Miloro, N.Gid	1101 Turnpike St,	N. Andover MA	01845
10.40	✓ PARSONS JEAN F	22 SEEKONK CROSS RD	GT BARRINGTON MA	01230-1564
63.34	✓ ROSENBAUM BARBARA TRUSTEE	3 CHETWYND TERRACE	LIVINGSTON NJ	07039-4202
24.53	✓ BERKSHIRE TIMES TRUST	65 PYE BROOK LANE	BOXFORD MA	01921-1831
12.56	CLARK J WILLIAM	C/O CURRY PEARSON & WOOLLEN PLC	PHOENIX AZ	85007-2105
	CLARK J WILLIAM ESTATE OF	C/O CURRY PEARSON & WOOLLEN PLC	PHOENIX AZ	85007-2105

↓ no longer own the property

New owners:

✓ Perii Skolnick
 Pamela Barkentin Blackburn
 14 Seekonk Cross Road
 GIB, MA

* Mailed 9/4/15



RECEIVED
TOWN MANAGER

AUG 27 2015

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

August 24, 2015

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

Dear Jennifer,

The Mahaiwe Performing Arts Center will hold its annual Gala on Sunday October 11, 2015 (Columbus Day weekend). The Gala evening begins with a dinner honoring Felda and Dena Hardyman at 5:30pm, which will be held in a tent at the former Great Barrington train station, followed by a performance featuring Audra McDonald at the Mahaiwe at 8:00pm. The evening will end with a fireworks display set off from Memorial Field, which we hope the entire community will enjoy.

Dinner patrons will be walking between the train station and the theater by way of the pedestrian tunnel. The Mahaiwe requests permission to:

1. Put up temporary decorations in the tunnel that will be removed at the end of the night.
2. Reserve the 40 parking spaces in the Town Hall lot by posting signs stating "No Parking. Sunday, October 11, 4pm – midnight," allowing for monitored VIP parking during the event.

We ask for the approval of this plan by the appropriate town managers and the Board of Selectmen. As you know, the Gala is the most important fundraising event of the year for the Mahaiwe, and critical to meeting our income goals. As this is our 10th Anniversary year, the Gala will be a particularly festive occasion.

Thank you for your assistance. Please contact me if you require any further information.

Sincerely,


David J. Barrett
Director of Development

Helen Kuziemko

From: Chris Rembold
Sent: Wednesday, September 09, 2015 3:14 PM
To: Helen Kuziemko
Cc: Joseph Sokul
Subject: Mahaiwe gala

Helen, the DRT met yesterday and we have no problems with the Mahaiwe gala on Oct 11 or the use of the town hall parking spaces. The sponsor is aware of the various tent, electric, liquor license and other permits and permissions required. We note, however that permission from the train station property owner is still required. Finally, DPW will see that the tunnel is clean before the weekend but cannot necessarily guarantee it for Sunday evening.

Thank you,
Chris

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



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

Hours between 1:00 pm-11:59 pm _____ Hours between 9:00 am- 11:59 pm
 (\$2.00 per Sunday) *Pd.* (\$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: David Barrett

Business/Organization: Mahaiwe Performing Arts Center

D/B/A (if applicable): _____

Address: 14 Castle Street, GB, MA 01230

Mailing Address: P.O. Box 690, GB, MA 01230

Phone Number: 413.644.9040 ext. 106

Email: dave@mahaiwe.org

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

Live band with up to 5 pieces, including singers Public Show

Other (please explain) pre-performance Gala dinner at the former Train Station, followed by performance at the Mahaiwe, ending with fireworks

INCLUDES: Live music Recorded music Dancing by entertainers/ performers with fireworks

Dancing by patrons Amplification system Theatrical exhibition

Floorshow Play Moving picture show Light show Jukebox

Other (please explain) fireworks display

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: nd INDOOR / OUTDOOR Entertainment

Exact Location of Entertainment (include sketch): See attached description and sketch.

Date(s) of Entertainment: Sunday, October 11, 2015

Start & End Times of Entertainment: 5:30 - 10:00 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]
Signature of Individual or Corporate Officer

8.10.15
Date

[Redacted]
SS# or FID#

TOWN USE ONLY:

DRT Review with Conditions: DRT reviewed and has no issues. (CR)

APPROVAL DATE: _____

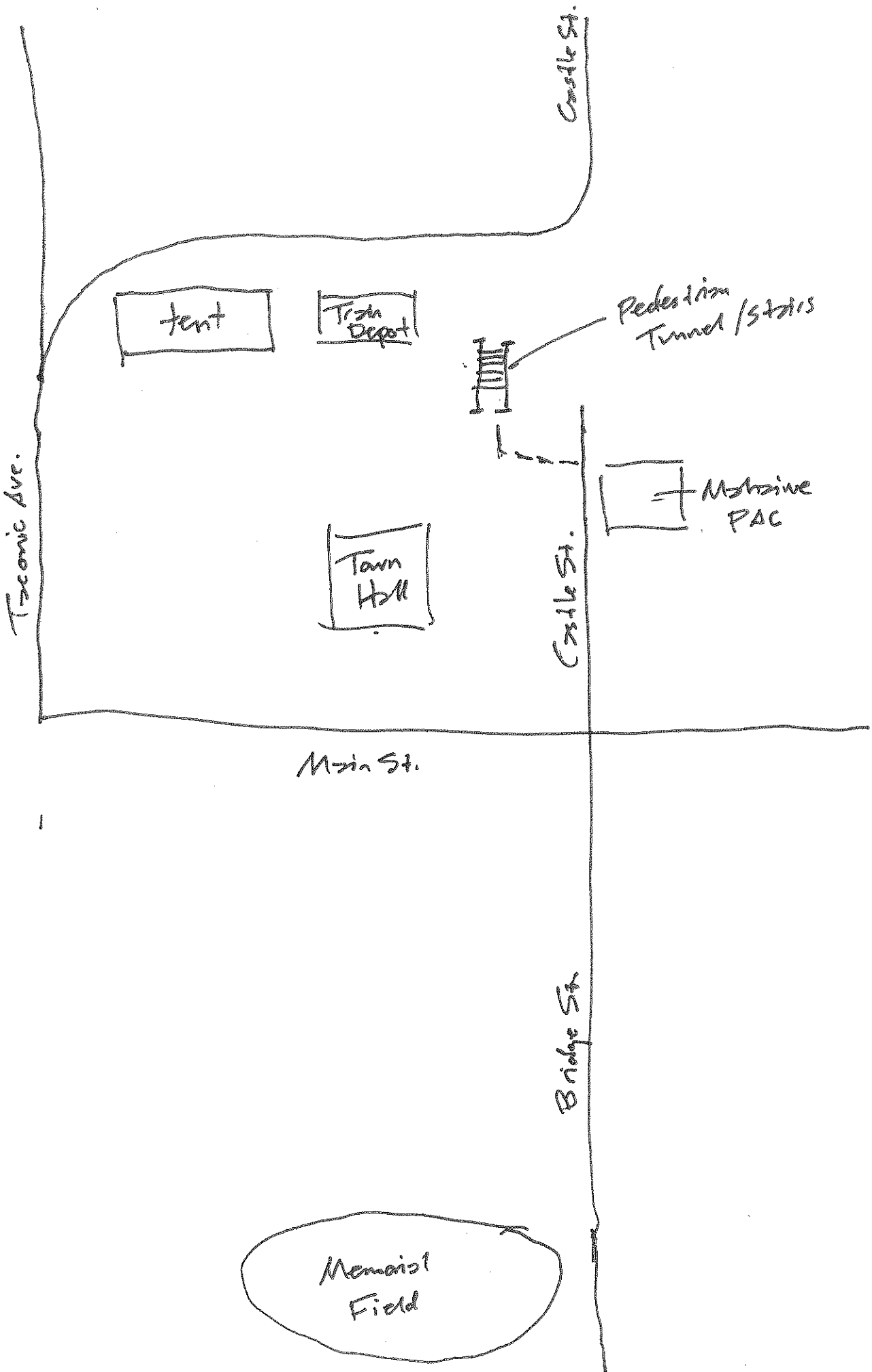
LICENSE # _____

Details on the Mahaiwe Gala, October 11, 2015

5:30pm The evening begins at the former Train Station behind Town Hall. Cocktails will be served in the Depot, followed by a catered dinner in a tent that will be set up in the adjacent south lot, where the Farmer's Market used to be held. The tent is being rented from Mahaiwe Tents, and they are procuring the appropriate permit. The caterer is Peter Platt/The Old Inn on the Green from New Marlborough, and they have the requisite alcohol license, TIPS certification, and insurance. There may be live, acoustic music. There is adequate power at the site, so we will not be using a generator. We are expecting approximately 250 guests for this portion of the evening. We are asking the Town for permission to use the Town Hall parking spaces for VIP parking, and will also be using available parking at the Train Station and the adjacent north lot.

8:00pm The dinner guests will move to the Mahaiwe theater for a performance by Audra McDonald. They will be joined by other guests who purchased tickets for the performance only. Dinner guests will primarily walk to the theater, utilizing the pedestrian tunnel that links the Train Station with lower Castle Street. We wish to put up some temporary decorations along the walls of the tunnel to hide some of the graffiti, but it will be minimal and won't obstruct anything. We will also have a shuttle van available for those who don't wish to walk.

9:40pm Approximate time the concert will end. As patrons leave the theater, we are planning a fireworks display that will be set off from Memorial Field, so as to be easily visible from outside the theater, weather permitting. Berkshire Fireworks of Sandisfield is being contracted to provide this display, lasting 7 – 10 minutes. They have the requisite insurance, and will thoroughly clean up afterwards and repair any damage that may have occurred to the field. We hope the community at large will also take the opportunity to enjoy these fireworks from wherever they are can be seen.





Fee: \$25.00 (per day) *PA.*

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: David Barrett

Organization Name: Mahaiwe Performing Arts Center

Applicant's Address: 14 Castle Street, Great Barrington, MA

Telephone Number: 413.644.9040

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

Event: 2015 Mahaiwe Gala - pre-performance dinner

Date: Oct. 11 Start Time: 5:30 p.m. End Time: 8:00 p.m.

Event Address: Old Train Station, Castle Street

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

8.10.15
Date

FOR TOWN USE:

Approved _____

Denied _____

Postponed _____

Print Close Window

Certificate of Completion

This Certificate of Completion of
eTIPS On Premise 2.0
For coursework completed on February 1, 2014
provided by Health Communications, Inc.
is hereby granted to:

Mary Wade

Certification to be sent to:

Rubiner's Cheesemongers & Grocers
264 Main St
Great Barrington MA, 01230-2202 USA



HEALTH COMMUNICATIONS, INC.





Fairview Hospital
BERKSHIRE HEALTH SYSTEMS, INC.

*DRT reviewed request and
has no issues. (CR)*

August 20, 2015

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

Dear Selectmen,

Fairview Hospital is planning the 2015 Fairview Gala for Saturday, September 26 at the Mahaiwe Performing Arts Center in Great Barrington, which is Fairview Hospital's largest annual fundraiser. This year, we are raising funds for a new imaging system in the Emergency Department, providing our physicians with the best digital technology on which to base their diagnoses.

The evening begins with a pre-show reception under a tent on the Bandstand Green behind Town Hall for our "package" ticket buyers. This format has received excellent reviews and gone smoothly each year. This is an important part of the event which includes multiple ways to support the hospital.

✂

For our largest donors, we have offered premium parking in spaces in the back and side of the Town Hall. This access to the Bandstand and the theatre is an attractive benefit. To offer this, we cordon off the two Castle Street entrances to Town Hall at noon on Saturday, allowing easy egress onto Main Street for those already parked but enabling us to clear the parking lot for the event. At 4:30, a police officer will be engaged to help us direct only our top donors and those with handicapped tags to enter the lot. In the past, parking for our top donors has gone very smoothly and we hope to offer this situation again this year. We expect to need approximately 35 spaces.

We appreciate the Selectman's support for the Gala. The evening helps us acquire new technology that serves our community year round with better health care. If you have any questions or concerns, please do not hesitate to contact me and I will be happy to provide the information you need to make the event go smoothly for everyone.

Thank you for your consideration.

Sincerely,
Lauren Smith *LSmith*
Director, Community Relations and Development
Fairview Hospital

✂

**We expect to need the spaces from noon until 10:30 p.m.*



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

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: Amy Rudnick

Business/Organization: Fairview Hospital

D/B/A (if applicable): _____

Address: 29 Lewis Avenue, Gt. Barrington MA 01230

Mailing Address: _____

Phone Number: (413) 229-2786 / 854-9611 (Lauren Smith)

Email: amy@amyrudnick.com

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

Live band with up to 3 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

X NO

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

Exact Location of Entertainment (include sketch): The 3 piece band will be playing on the bandstand gazebo.

Date(s) of Entertainment*: Saturday, September 26, 2015

*Does not include SUNDAY

Start & End Times of Entertainment: 5:00 pm - 7:30 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.

Lauren K Smith 8/20/2015 [REDACTED]
 Signature of Individual or Date SS# or FID#
 Corporate Officer

TOWN USE ONLY:

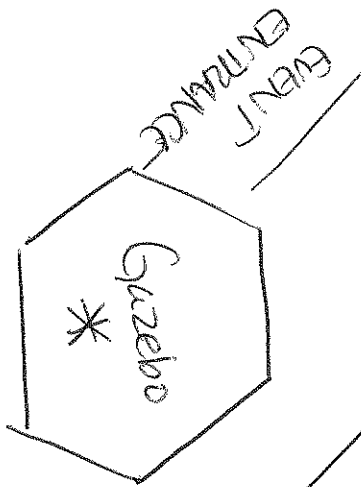
DRT Review with Conditions: DRT reviewed + has no issues. (CD)

APPROVAL DATE: _____ LICENSE # _____

Playground

Program for Furniture
Saturday, September 26
* Music in Gazebo

Teat



TOWN HALL

Path to railroad underpass



Town Hall, 334 Main Street
Great Barrington, MA 01230

Telephone: (413) 528-3206
Fax: (413) 528-3064

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

OFFICE OF THE PARKS COMMISSIONERS

April 21, 2015

Ms. Amy Rudnick
Ms. Lauren Smith
Fairview Hospital
29 Lewis Avenue
Great Barrington, MA 01230

Dear Amy and Lauren:

At its meeting of April 13, 2015, the Parks Commissioners approved the request for Fairview Hospital to use the Town Hall Bandstand/Green on Saturday, September 26, 2015 from 9:00 a.m. to 1:00 p.m. for setup and from 6:00 p.m. to 8:00 p.m. for the reception and 8:00 p.m. to 9:00 p.m. for clean-up. You noted that the tent will be set up on Friday, September 25, 2015 and taken down on Monday, September 28, 2015.

If you should have any questions, please do not hesitate to call.

Very truly yours

Carolyn Wichmann
Clerk
Parks and Recreation Commissioners



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: Lauren Smith / Amy Rudnick

Organization Name: Fairview Hospital

Applicant's Address: 29 Lewis Avenue, Great Barrington MA

Telephone Number: (413) 854-9611

Type of License:
(Circle one)

ONE DAY BEER & WINE

ONE DAY ALL ALCOHOLIC

Event: Fairview Hospital GAAT

Date: 9/26/2015 Start Time: 5:00pm End Time: 10:30pm

Event Address: Behind Town Hall in Great Barrington

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.

Lauren Smith
Signature of Applicant

9/20/2015
Date

FOR TOWN USE:

Approved _____

Denied _____

Postponed _____

Do not click Back-Space to leave this window

Certificate of Completion

This Certificate of Completion of
eTIPS On Premise 2.0
For coursework completed on October 8, 2014
provided by Health Communications, Inc.
is hereby granted to:

Mary Shook

Certification to be sent to:

264 Mountain Dr
Pittsfield MA, 01201-7445 USA



HEALTH COMMUNICATIONS, INC.

This document is not proof of TIPS certification. It signifies only that you have completed the course. Valid certification documents will be forwarded to you.





Fee: \$25.00 (per day) ^{\$250.00} (pd) 8/25

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: W. Barrington Fish + Game

Organization Name: W. Barrington Fish + Game

Applicant's Address: 338 Long Pond Rd Housatonic MA 01236

Telephone Number: 274-6291

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

Event: Annual Turkey Shoots

Every Sunday
(10)

Date: Sept 20 - Nov 22 Start Time: 11 am End Time: 7 pm

Event Address: 338 Long Pond Rd. Housatonic MA 01236

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.

Bob M Vickery
Signature of Applicant

8/20/15
Date

FOR TOWN USE:

Approved _____ Denied _____ Postponed _____

Great Barrington Fish & Game

RECEIVED
TOWN MANAGER

APR 14 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

CERTIFICATION NUMBER:

75764

ALCOHOL INTERVENTION METHODS
CERTIFIES:

Robin M. Vickery

CAMPBELL TRENT
508-756-8542

EXPIRES:

JAN 19 2016

CERTIFICATION NUMBER:

75763

ALCOHOL INTERVENTION METHODS
CERTIFIES:

Gloria J Hadsell

CAMPBELL TRENT
508-756-8542

EXPIRES:

JAN 19 2016

CERTIFICATION NUMBER:

75762

ALCOHOL INTERVENTION METHODS
CERTIFIES:

Susan Barbieri

Great Barrington Fish & Game

RECEIVED
TOWN MANAGER

APR 02 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

CERTIFICATION NUMBER:

75767

ALCOHOL INTERVENTION METHODS

CERTIFIES:

JESSIE MCCORMICK

CAMPBELL TRENT
508-756-8542

EXPIRES:

JAN 19 2016

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: Et. Barrington Fish + Game

Organization Name: Et. Barrington Fish + Game

Applicant's Address: 338 Long Pond Rd Housatonic Ma 01236

Telephone Number: 274-6291

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

Event: Annual Christmas for Children Benefit Shoot

Date: Nov. 29th Start Time: 11am End Time: 7pm

Event Address: 338 Long Pond Rd Housatonic Ma 01236

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.

Bob M Vickery
Signature of Applicant

8/31/15
Date

FOR TOWN USE:

Approved _____

Denied _____

Postponed _____

Great Barrington Fish & Game

RECEIVED
TOWN MANAGER

APR 14 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

CERTIFICATION NUMBER:

75764

ALCOHOL INTERVENTION METHODS
CERTIFIES:

Robin M. Vickery

CAMPBELL TRENT
508-756-8542

EXPIRES:

JAN 19 2016

CERTIFICATION NUMBER:

75763

ALCOHOL INTERVENTION METHODS
CERTIFIES:

Gloria J Hadsell

CAMPBELL TRENT
508-756-8542

EXPIRES:

JAN 19 2016

CERTIFICATION NUMBER:

75762

ALCOHOL INTERVENTION METHODS
CERTIFIES:

Susan Barbien

Great Barrington Fish & Game

RECEIVED
TOWN MANAGER

APR 02 2014

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

CERTIFICATION NUMBER:

75767

ALCOHOL INTERVENTION METHODS
CERTIFIES:

JESSIE MCCORMICK

CAMPBELL TRENT
508-756-8542

EXPIRES:

JAN 19 2016

AUG 27 2015

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

41 Mahaiwe Street • Great Barrington, MA 01230



413-528-1985 • fax 413-528-0192 • email: construct12@yahoo.com
www.constructinc.org

August 24, 2015

OFFICERS

Elizabeth Rosenberg
Chair of Board

Mark Rosengren
Vice President

John Katz
Treasurer

Marcia Lawrence Soltes
Secretary

BOARD MEMBERS

Nick Arienti

Thomas Berkel

Peter Cherneff

Tony Chojnowski

Suzanne Crerar

Shirley Friedman-Yohalem

Larry Gadd

John James

Sara Koffman

Paul Moritz

Deborah Ryan

Elaine Silberstein

Bruce Teague

Charles VanAusdall

Susie Weekes

Janet Zimmerman

Cara B. Davis
Executive Director

Great Barrington Selectboard
Town Hall
Great Barrington, MA 01230
Dear Selectboard:

I am writing to request permission to hold our Annual Walk to Prevent Homelessness on Sunday, October 18th at 1pm.

ROUTE:

The Walk will start at **Ski Butternut** and end at the **Great Barrington Fairgrounds**. Walkers will proceed along Route 23 facing traffic in the breakdown lane. Sidewalks will be used when available. They will proceed along State Rd. on the sidewalk to East St., turn left on East St. to Cottage St. At the corner of Cottage and Rte 7 they will proceed south through the retail center of town on sidewalks all the way to the Fairgrounds.

At the fairgrounds there will be cones set along the breakdown lane to keep the walkers moving single file. Walk marshals will be posted along the narrow way for additional safety of the walkers. There will be two check points along the way at the Friends Meeting on State Rd. and in front of the Congregational Church on Main St.

PARKING:

Most will park at the start point at Ski Butternut. Walkers will be shuttled from the Endpoint at the Fairgrounds back to their cars at Butternut. Those who park at the Endpoint will use the Fairgrounds parking field.

COMFORT and SAFETY:

Walk Marshals will accompany the walkers along the route. An ambulance will be on call for emergencies.

Marshals will also be stationed at crosswalks to assist with any crossing of main roads.

We have confirmed the route and the safety issues with the Chief of Police, the Fire Chief and the Mass Highway Department.

2 portapotties will be placed at the Fairgrounds for the Walkers' use during the endpoint celebration. One will be ADA accessible.

Cara Davis, Executive Director

DRT reviewed on 9/8 and has no issues (CP)





41 Mahaiwe Street • Great Barrington, MA 01230

413-528-1985 • fax 413-528-0192 • email: construct12@yahoo.com

www.constructinc.org

OFFICERS

Elizabeth Rosenberg
Chair of Board

Mark Rosengren
Vice President

John Katz
Treasurer

Marcia Lawrence Soltes
Secretary

August 24, 2015

Chief Walsh
Great Barrington Police Department
Great Barrington, MA 01230

Dear Chief:

This is to ask your approval of this year's Walk to Prevent Homelessness route through Great Barrington on Sunday, October 18, 2015 at 1PM.

BOARD MEMBERS

Nick Arienti

Thomas Berkel

Peter Cherneff

Tony Chojnowski

Suzanne Crerar

Shirley Friedman-Yohalem

Larry Gadd

John James

Sara Koffman

Paul Moritz

Deborah Ryan

Elaine Silberstein

Bruce Teague

Charles VanAusdall

Susie Weekes

Janet Zimmerman

This year's Walk will begin at Ski Butternut in Great Barrington at 1:00pm. The Walk will end at Construct, Inc., located at 41 Mahaiwe St. in Great Barrington between 1 and 3:30pm. We expect that participants will begin to gather at Ski Butternut at 12noon for pre-registration. Their cars will be left at Ski Butternut for the duration of the Walk. Vans will transport them from the Endpoint at the GB Fairgrounds back to their cars at Ski Butternut at the end of their walk.

At approximately 1:00pm, the Walk will begin. Walkers, accompanied by Walk Marshalls, will proceed west on Route 23 towards Great Barrington center, facing traffic in the break down lane. Walkers will bear left at Belcher Square and proceed along Route 7 south, using the side walk, to East St. Construct will have a volunteer walk marshal available to direct walkers down East St. to Cottage, down Cottage to Main St. Walkers will proceed south on Main St. to the Fairgrounds. A volunteer walk marshal will assist walkers at busy intersections and cones will be used along the front of the Fairgrounds to keep walkers safe along the narrow shoulder.

Thank you for your support of our Walk again this year

Sincerely,


Cara Davis, Executive Director

Cara B. Davis
Executive Director

Signed:


Police Chief


Date

Great Barrington Police Department





41 Mahaiwe Street • Great Barrington, MA 01230

413-528-1985 • fax 413-528-0192 • email: construct12@yahoo.com

www.constructinc.org

August 24, 2015

OFFICERS

Elizabeth Rosenberg
Chair of Board
Great Barrington Fire Department
Great Barrington, MA 01230

Mark Rosengren
Vice President
Dear Chief:

John Katz
Treasurer
This is to ask your approval of this year's Walk to Prevent Homelessness route through Great Barrington on Sunday, October 18, 2015 at 1PM.

Marcia Lawrence Soltes
Secretary
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BOARD MEMBERS

Nick Arienti
Thomas Berkel
Peter Cherneff
Tony Chojnowski
Suzanne Crerar
Shirley Friedman-Yohalem
Larry Gadd
John James
Sara Koffman
Paul Moritz
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Thank you for your support of our Walk again this year

Sincerely,

Cara Davis, Executive Director

Signed: 
Fire Chief
Great Barrington Fire Department


Date

Cara B. Davis
Executive Director



RECEIVED
TOWN MANAGER

AUG 03 2015

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

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

July 27, 2015

Dear Selectboard:

As a representative of Fairview Hospital's Recreation Association I am requesting permission for us to hold our annual Monster Dash 5k running race/ walk and 1 mile walk on Saturday October 31, 2015.

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

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

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

Sincerely,

Vicki J. Coons

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

DPT has no issues.
CR

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 · FAX (413) 442-1523
Massachusetts Relay Service: TTY: 771 or 1-800-439-2370
www.berkshireplanning.org

SHEILA IRVIN, Chair
KYLE HANLON, Vice-Chair
MARIE RAFTERY, Clerk
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNS, A.I.C.P.
Executive Director

September 1, 2015

Town of Great Barrington Select Board

RE: Meeting Regarding Subregional Representation on Berkshire MPO

Dear Select Board:

The Berkshire Metropolitan Planning Organization includes select board members from each of four subregions across the Berkshires. In accordance with the Memorandum of Understanding for the MPO, representatives of the Select Boards from two of the subregions are called together each year to appoint a select board member from one of the subregion's towns to act as the MPO representative and another member, who must be from another town in the subregion, to act as the alternate. The currently designated representative for the Southwest Berkshire subregion, now coming to the end of a two year term is James Lovejoy of Mount Washington. The currently serving representative is eligible to serve a new term on the MPO but must be re-appointed via caucus.

We have scheduled a Southwest Berkshire subregional caucus for Thursday, October 8th, at 5:30 p.m. at the Great Barrington Fire Department, 37 State Road, in the training room. We would like a representative for each of the eight select boards (Alford, Egremont, Great Barrington, Mount Washington, Richmond, Sheffield, Stockbridge and West Stockbridge) in the subregion to be present for this important meeting. You should be prepared to determine who will be the Southwest Berkshire subregion's representative and alternate to the MPO. Others are welcome to attend but it is important that each town have a representative who is empowered to act on its behalf and therefore we request that you appoint one for this meeting.

Please let me know who will be representing your select board at the caucus as soon as possible. You can contact me via email at ckus@berkshireplanning.org or phone at 442-1521, ext. 20. We look forward to the meeting on October 8th.

Sincerely,

Clete Kus
Transportation Program Manager

Attachments:

Agenda for Southwest Subregional Caucus Meeting
Explanation of the MPO

Cc: Mark Moore, Acting District Director, MassDOT
Malcom Flick, BRPC Delegate, Great Barrington
Jeremy Higa, BRPC Alternate, Great Barrington

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 · FAX (413) 442-1523
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SHEILA IRVIN, Chair
KYLE HANLON, Vice-Chair
MARIE RAFTERY, Clerk
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNIS, A.I.C.P.
Executive Director

MEETING NOTICE

The Berkshire Metropolitan Planning Organization
will hold a Southwest Berkshire Subregional Caucus on

Thursday, October 8, 2015 at 5:30 p.m.

Great Barrington Fire Department, Training Room
Great Barrington, Massachusetts

AGENDA

I. Opening

- A. Call to Order
- B. Introductions of Town Representatives

II. Purpose of the Berkshire Metropolitan Planning Organization & Duties and Requirements for Subregional Representative and Alternate

Clete Kus, BRPC Transportation Program Manager, will give a brief overview of the functions of the MPO and the duties and responsibilities of the Subregional representative and alternate

III Selection of a Representative and an Alternate to the MPO from the Southwest Subregion

The town representatives will determine an appropriate representative and alternate to represent this subregion on the MPO. The representative and alternate must be from different towns. The representative (or in their absence, the alternate) must be prepared to make decisions on the MPO which they feel serve the best collective interests of the entire region, not necessarily their individual town.

IV. Adjournment

Other interested citizens and officials are invited to attend.

City and Town Clerks: Please post this notice pursuant to M.G.L. Chapter 39, Section 23B.

Explanation of the Berkshire Metropolitan Planning Organization

The Berkshire Metropolitan Planning Organization (MPO) is responsible under federal law for carrying out a continuing, comprehensive and coordinated (3C) metropolitan transportation planning process for the Berkshire Region. Responsibilities and membership of the MPO is established through a Memorandum of Understanding signed by the Executive Office of Transportation & Public Works, MassHighway, the Berkshire Regional Planning Commission, and the Berkshire Regional Transit Authority which was approved on August 17, 2005 and amended on February 28, 2006 and March 29, 2011.

Most important to transportation planning in Berkshire County are the Transportation Improvement Program (TIP), the Unified Transportation Planning Work Program (UPWP) and the Regional Transportation Plan. The TIP is a prioritized, multi-year program, prepared annually, for the implementation of transportation improvement projects for the Berkshire County region. As such, it serves as a management tool to ensure the most effective use of funding for transportation improvements. It is also necessary for two other reasons. First, the TIP is a requirement of the transportation planning process as most recently legislated by Congress. Secondly, a transportation improvement is not eligible for federal funding unless it is listed in the TIP. The TIP must include a certification by the Metropolitan Planning Organization that the process is being carried on in conformance with various applicable federal regulations. Certification ensures the region's continued eligibility to receive federal funds for highway and transit projects.

The UPWP is a list, budget and description of all federally funded transportation planning work proposed to be performed during the year. The work is conducted mostly by BRPC staff and consultants working for BRPC under the auspice of the Berkshire Metropolitan Planning Organization (MPO). Like the TIP, the UPWP is a certification document required under the federal law governing metropolitan transportation planning.

Finally, the Regional Transportation Plan is the long-range plan that guides transportation investments in Berkshire County for the next 25 years. The Plan ensures that various transportation projects are consistent with the area's overall development policies and are coordinated with one another to provide an effective transportation system that makes efficient use of available funds. It must be updated every four years.

In addition, the MPO reviews and approves special transportation studies affecting the region. These are usually prepared by BRPC staff, working closely with technical advisory committees, the affected communities and interests, and the public. These studies, when approved, are incorporated into the Region's transportation plans and are the basis for design and construction projects or policy discussions. Recent examples include the South Street Alternatives Study in Pittsfield and the Downtown Pittsfield Circulation Study.

EXECUTIVE SUMMARY

TITLE: Appointment of a member to the Conservation Commission.

BACKGROUND: The Town has been recruiting for a member to serve on the Conservation Commission. The term is for 2 years. William Boyer has applied for the position. MGL Ch. 40 Sec. 8D states that towns having a town manager form of government, the appointment shall be made by the Town Manager, subject to the approval of the Selectmen. As Town Manager, I wish to appoint William Boyer for a two (2) year term to the Conservation Commission and request your approval.

FISCAL IMPACT: Not applicable.

RECOMMENDATION: The Selectboard concurs with the Town Manager's appointment of William Boyer to the Conservation Commission for a term to expire June 30, 2017.

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

DATE: 9/10/15

8/20/2015

William Boyer
28 Manville Street
Great Barrington, MA 01230

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

Ms. Tabakin,

Please accept this letter as my interest in serving on the Great Barrington Conservation Commission. I have previously served as a member of the Stockbridge Conservation Commission, albeit many years ago. During that time, Mr. Evans was the chairman of Commission. Also, at my former position as Director of Facilities at the Norman Rockwell Museum at Stockbridge, MA, and current position at Director of Buildings, Grounds and Safety at the Salisbury School in Salisbury, CT, I have been involved with several construction projects that required working with the local conservation commissions.

I graduated from the University of Massachusetts at Amherst with a B.S. in Plant and Soil Sciences. I am an avid lover of the environment and outdoors, trying to be as environmentally sustainable as possible. I regularly run and hike on the local trails, and have completed over 1,750 miles of the Appalachian Trail. I have included my resume for your review.

I would welcome the opportunity to meet with the Conservation Commissioners to discuss my serving on the Commission. I am interested in learning more about the position, to determine if I will be able meet the requirements and expectations of the position. I can be reached via mail, email at wboyer4229@gmail.com, or telephone at 413-429-6009(cell)/860-435-5752(work).

I look for to learning more about the opening. Thank you for your consideration of my interest.

Sincerely,

William Boyer

Cc. Conservation Commission – Mr. Andrew Mankin, Mr. Shep Evans.

Conservation Commission
(T.M. appt but w/ SB approval)
3 year terms

Jeffrey Cohen
David Shanahan
Andrew Mankin (Chair)
VACANCY
Jessica Dezieck
Lisa Bozzuto
Gaetan Lachance

2017
2016
2016
2017
2018
2018
2016

Shopper's
Guide
8/6/15

**NOTICE
TOWN OF GREAT BARRINGTON
VACANCIES**

The Town of Great Barrington is accepting letters of interest from residents/registered voters to fill the following vacancies:

- **Conservation Commission** (1) - until 2017
- **Cultural Council** (2) - 1 until 2017 & 1 until 2018
- **Five Town Cable Advisory Committee**
(2) - Indefinite term
- **Board of Registrars** (1) Democrat or
Republican - until 2017
- **Energy Committee** (3) - 1 until 2016;
(1) until 2017 and 1 until 2018
- **Design Advisory Committee** (1) - General
Public Member until 2019
- **Cemetery Commission** (1) - until 2018
- **Tree Committee** (2) - both until 2018
- **Parks Commission** (1) - until 2018

Letters of interest must be submitted to **Selectboard, Town of Great Barrington, Town Hall, 334 Main Street, Great Barrington, MA 01230** Helen Kuziemko at hkuziemko@townofgb.org and Jennifer Bailly at jbailly@townofgb.org

Sean Stanton, Chair

545528



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

EXECUTIVE SUMMARY

TITLE: Acceptance of Covenant on the Wheeler Farmstead property pursuant to the CPA Grant Agreement


BACKGROUND: The FY 2016 CPA grant to the Great Barrington Historical Society for the restoration of the Dutch Wagon House at the Wheeler Farmstead and museum required that the Society encumber the property such that the Town would be reimbursed the CPA funds if the property was either sold or the Wagon House demolished.

The attached Covenant will satisfy the requirement of the CPA grant. The Covenant was drafted by Town Counsel and Dennis Downing as Attorney for the Historical Society, and signed by the Historical Society. Per Town Counsel's recommendation, when the Town holds a covenant on land it must be accepted by the Selectboard.

FISCAL IMPACT: n/a

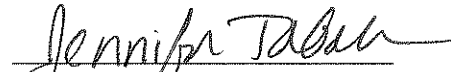
RECOMMENDATION: The Selectboard vote to accept the attached Covenant and direct the Town Manager or appropriate staff to record it with the Registry of Deeds.

PREPARED BY:


Town Planner

DATE: 9/10/15

APPROVED BY:


Town Manager

DATE: 9/10/15

COVENANT

The GREAT BARRINGTON HISTORICAL SOCIETY, INC., a Massachusetts nonprofit corporation whose mailing address is P.O. Box 1106, Great Barrington, MA 01230 ("Grantor"), owner of real property located at 817 Main Street, Great Barrington, MA (Assessors Map 38 Lot 12) pursuant to a deed from John D. Mullany and Linda Mullany dated June 15, 2007 and recorded July 5, 2007 at the Southern Berkshire Registry of Deeds in Book 1782 Page 152 ("Property"), for itself and its successors and assigns, hereby grants and covenants to the Town of Great Barrington ("Town"), that said Property shall hereafter be held subject to those certain obligations imposed upon Grantor by way of that Grant Agreement (#09-16) entered into by Grantor (identified as "Recipient" therein) and the Town dated 8/24/2015 ("Agreement"), a true and complete copy of which is attached hereto as Exhibit A, as are set forth in Paragraph 3 of Exhibit A thereto, as follows:

3. No disbursement of funds may occur until the Recipient records an encumbrance on the property such that the Town shall be repaid the full \$50,000.00 of this CPA award if either of the following occurs within 10 years from the date of this Agreement:
 - a. The Great Barrington Historical Society sells the property; or
 - b. The Dutch Wagon House is demolished.

Attached hereto as Exhibit B and incorporated herein is a plan showing the location of the Dutch Wagon House.

The covenants contained herein shall constitute a covenant running with the land and shall bind and inure to the benefit of, and be enforceable by the Town, its representatives, agents, successors and assigns. They shall apply to the Grantor and its successors and assigns, including any association or entity that may be formed to control

817 Main Street, Great Barrington, MA

or maintain the Property, and to such successors and assigns as may hereafter exist as a result of a foreclosure or of a bankruptcy.

Grantor, by its signature below, states and acknowledges that the covenant established hereby is of actual and substantial benefit to the Town and its citizens, and touches and concerns those lands of the Town on Main Street in the Town and otherwise in the vicinity of the Property, and covenants on behalf of itself and its successors and assigns that it shall not claim otherwise.

The Town shall have access to all remedies in law or equity as are necessary and proper to enforce the covenants granted herein, including, but not limited to, halting or preventing the violation of the covenants by injunction or other lawful procedure (it being agreed that the Town may have no adequate remedy at law), which shall be in addition to, and not in limitation of, any other rights and remedies available to the Town.

If any provision of this Covenant is held invalid by a court of competent jurisdiction, the remainder of the Covenant, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected, and shall remain in full force and effect.

Notwithstanding anything to the contrary herein, upon the occurrence of the tenth anniversary of the Agreement attached hereto as Exhibit A and provided the Grantor has neither sold the property nor demolished the Dutch Wagon House, the Town, acting through its Selectboard, shall execute and record at the Southern Berkshire Registry of Deeds a Release of Covenant confirming that this Covenant is released, terminated and no longer has any force or effect.

EXECUTED as a sealed instrument this 4th day of September 2015.

GREAT BARRINGTON HISTORICAL SOCIETY, INC.

By

Barbara Syer
Barbara Syer, President & Treasurer

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss

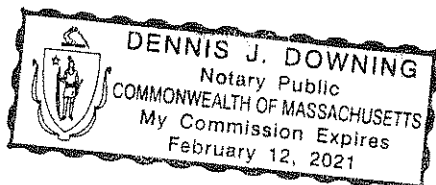
On this 4th day of September, 2015, before me, the undersigned notary public, personally appeared **Barbara Syer, President and Treasurer of the Great Barrington Historical Society, Inc.**, proved to me through satisfactory evidence of identification, being (check whichever applies):

driver's license or other state or federal government document bearing a photographic image,

oath or affirmation or a credible witness known to me who knows the above signatory, or

my own personal knowledge of the identity of the signatory, to be the person whose name is signed on the preceding or attached document, and acknowledge to me that (he) (she) signed it voluntarily for its stated purposes.

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



ACCEPTANCE OF COVENANT

The foregoing Covenant is hereby accepted by the Town of Great Barrington, acting by and through its Select Board, this ____ day of _____, 2015

TOWN OF GREAT BARRINGTON
SELECT BOARD

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss. _____, 2015

On this _____ day of _____, 2015 before me, the undersigned Notary Public, personally appeared _____ who proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that s/he signed it voluntarily for its stated purposes, as a member of the Select Board and acknowledged the foregoing to be the free act and deed of the Board on behalf of the Town of Great Barrington.

Notary Public
My commission expires: _____

ALL RIGHTS RESERVED BY THE ARCHITECT AND ENGINEER. THIS PLAN IS THE PROPERTY OF THE ARCHITECT AND ENGINEER AND IS NOT TO 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 THE ARCHITECT AND ENGINEER.

THIS PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT AND ENGINEER.

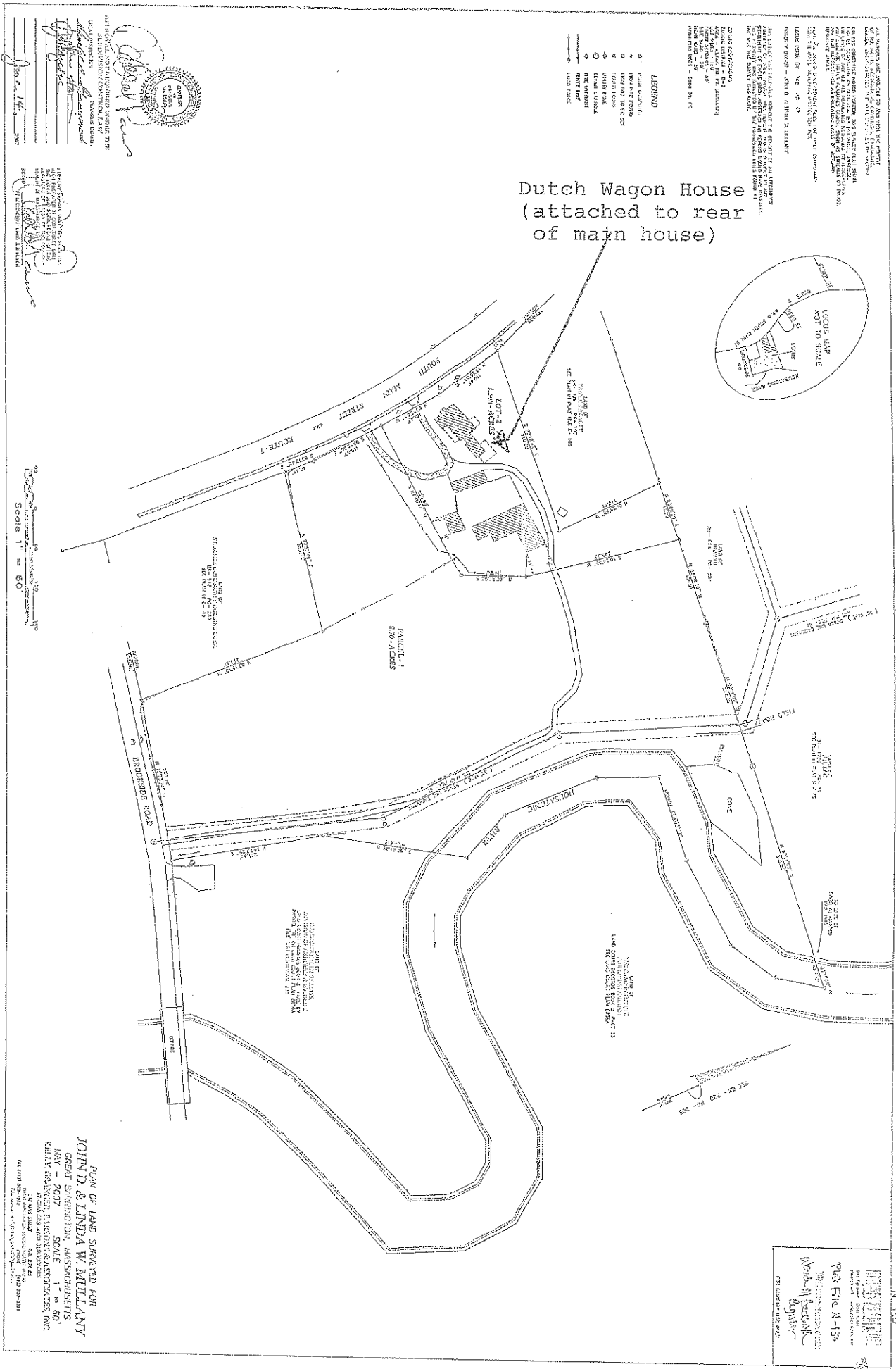
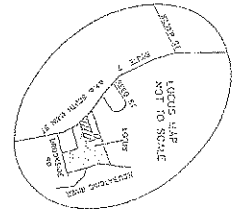
DATE OF PLOTTING: 05/15/2007

PROJECT NO: 07-001

SCALE: 1" = 50'

- LEGEND**
- 1. LOT LAYOUT
 - 2. PROPERTY BOUNDARIES
 - 3. EXISTING BUILDINGS
 - 4. EXISTING DRIVEWAYS
 - 5. EXISTING UTILITIES
 - 6. EXISTING FENCES
 - 7. EXISTING CURBS
 - 8. EXISTING SIDEWALKS
 - 9. EXISTING DRIVEWAYS
 - 10. EXISTING UTILITIES
 - 11. EXISTING FENCES
 - 12. EXISTING CURBS
 - 13. EXISTING SIDEWALKS

Dutch Wagon House
(attached to rear
of main house)



JOHND. & LINDA W. MULLANY
GREAT SWAMP, MASSACHUSETTS
MAY - 2007
SCALE 1" = 50'
KIMBLE ENGINEERING, MASSACHUSETTS ASSOCIATES, INC.

PLAN OF LAND SURVEYED FOR
JOHND. & LINDA W. MULLANY
GREAT SWAMP, MASSACHUSETTS
MAY - 2007
SCALE 1" = 50'
KIMBLE ENGINEERING, MASSACHUSETTS ASSOCIATES, INC.

Plan File N-138
Kimble Engineering
1000 Main Street
North Attleboro, MA 01945
Tel: 508-851-1111
Fax: 508-851-1112
www.kimble-engineering.com

Exhibit A



SE file

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

COMMUNITY PRESERVATION COMMITTEE

GRANT AGREEMENT

Agreement #: 09-16

Project Name: Wheeler Farmstead Dutch Wagon House

Project Sponsor: Great Barrington Historical Society

Grant Recipient: Great Barrington Historical Society, Inc.

Project Description: preservation of the Dutch Wagon House

Project Address: 817 Main Street, Great Barrington (Map 38, Lot 12)

Primary Contact Person: Debbie U. Oppermaun, Director
Great Barrington Historical Society, Inc.
PO Box 1106
Great Barrington, MA 01230
deboppermann@gmail.com
(413) 591-8702

Town Meeting Date and Article #: May 4, 2015, Article 14

This Grant Agreement is made this 24 day of August, 2015 by and between the Town of Great Barrington, a municipal corporation duly organized under the laws of Massachusetts and having a business address of 334 Main Street, Great Barrington, MA, 01230 (hereinafter referred to as the "Town"), acting by and through its Community Preservation Committee (hereinafter referred to as the "CPC"), and Great Barrington Historical Society, Inc. (hereinafter referred to as the "Recipient"), with an address of PO Box 1106, Main Street, Great Barrington, MA 01230.

The purpose of this Grant Agreement is to implement the award of Community Preservation Act ("CPA") funds, as approved by Town Meeting under Article 14 on May 4, 2015.

Witnesseth

Whereas, the CPC invited the submission of proposals for grants of funds for purposes consistent with the Community Preservation Act, G.L. c.44B; and

Whereas, in response thereto, the Recipient submitted a proposal for funding ("Project Application") for purposes described above as Project Description (hereinafter referred to as the "Project"), and the CPC reviewed and approved the Project and recommended that the funding for the Project be approved by Town Meeting; and

Whereas, Town Meeting thereafter appropriated the funds recommended by the CPC pursuant to the above referenced Warrant Article;

Now, Therefore, the Town and the Recipient agree as follows:

1. Award. Subject to the terms of this Agreement, the Town agrees to award the Recipient the amount of \$50,000 (fifty thousand dollars) for the Project for the following purpose(s):

Preservation of the Dutch Wagon House
2. Project Application. The Project Application submitted to the CPC, as may be amended by conditions of the CPC upon award, is incorporated into this Grant Agreement by reference.
3. Term. The term of this Grant Agreement is three (3) years from the date of the Town's execution of this Grant Agreement (the "Commencement Date"). All of the work described in this Grant Agreement must be completed no later than three (3) years after the Commencement Date (the "Completion Date"), unless the CPC grants an extension for good cause. Extensions shall be requested by the Recipient not later than four (4) months prior to the expiration of the term. Funds not utilized on the Project must be returned to the Community Preservation Committee.
4. Budget and Other Sources of Funding. Prior to the commencement of the Work, the Recipient must submit a complete project budget ("Project Budget") that accounts for (1) the expenditure of all funds awarded under this Grant Agreement; and (2) all other sources of funding, if necessary, to complete the Project as described herein. Recipient shall not expend any grant funds unless sufficient sources of funding have been secured to complete the Work and the Project Budget has been approved by the CPC. If the CPC determines that funds have been spent on goods or services not included in the Project Budget or otherwise not authorized under the CPA, the Recipient shall be responsible for repayment of such funds to the CPC.

5. Disbursement of Funds. The Recipient hereby acknowledges and expressly agrees that all disbursements of grant funds to the Recipient shall be according to this Agreement and the “Disbursement Schedule and Additional Funding Conditions” as set forth in Exhibit A of this Agreement. The Recipient may request disbursement of CPA grant funds from the Town not more than monthly, unless otherwise provided for in Exhibit A. All requests for disbursement of grant funds shall contain a Project Status Report as detailed in item 6 of this Agreement.
6. Reports. The Recipient shall provide the CPC with a Project Status Report, (hereinafter “PSR”) as described in Exhibit B of this Agreement, which shall be due on the first day of January, March, July and October until the Project is complete. The Recipient shall also file a PSR with each Grant Fund Disbursement Request. A final PSR to close out the Project is due within 30 days after the Completion Date. The final PSR shall be to the satisfaction of the CPC, which approval shall not be unreasonably withheld.
 - a. All documents, including but not limited to photographs, videos, etc. submitted by the Recipient to the CPC in connection with the Project shall become the property of the Town of Great Barrington and shall be available for use by the Town and available to the public under the Massachusetts Public Records Law.
7. Project Liaison. The CPC may designate a Project Liaison for the Project being funded by this Grant Agreement. The Project Liaison may be either a municipal employee and/or a consultant retained by the CPC for that purpose. The Recipient shall cooperate with the Project Liaison, including providing access to the Project site at reasonable times and with reasonable notice. The Project Liaison shall serve as the agent of the CPC for the purpose of monitoring compliance with the terms of this Grant Agreement and shall periodically report to the CPC regarding the progress of the Project funded by this Grant Agreement and the compliance of the Recipient with the terms of this Grant Agreement.
8. Records. The Recipient agrees to maintain such records, such as receipts, invoices, contracts and payment records, with respect to utilization of the grant funds and income derived therefrom as are kept in the normal course of business and such additional records as may be required by the CPC. Said records shall be available for inspection by the CPC during the Recipient’s normal business hours. The CPC shall be entitled to request copies of any record so kept.
9. Deed Restrictions. Pursuant to Massachusetts General Laws Chapter 44B, § 12 a real property interest that is acquired with CPA funds shall be bound by a permanent deed restriction that meets the requirements of sections 31 to 33 of M.G.L. c. 184, limiting the use of the interest to the purpose for which it was acquired. To the extent that the Project involves the acquisition of such an interest, the Recipient agrees to the imposition of such a deed restriction in a form acceptable to the CPC.
10. Compliance with Laws and Agreement. Recipient understands and agrees that the Project funded through this Grant Agreement must comply with the requirements of the Community Preservation Act, M.G.L. c. 44B. Recipient also agrees to comply with all requirements of this Grant Agreement.
11. Permits and Licenses. It is the obligation of Recipient to obtain all permits and licenses necessary for implementation of the Project. No local permit or license is waived by the award of the Grant.
12. No Liability of Town. By making this award, the Town does not accept any liability whatsoever for any acts, omissions or errors associated with the Project. Nothing in this Grant Agreement shall be construed to render the Town or any elected or appointed official or employee of the Town, or their successors in office, personally liable for any obligation under this Grant Agreement. Recipient

agrees to indemnify and defend the Town from all claims, suits or demands, and costs and expenses, including attorney's fees, resulting from implementation of the Project.

13. Community Preservation Act Awareness and Signage. Upon commencement of the Project, Recipient agrees to post, in an appropriate location mutually acceptable to the parties, a temporary sign, either provided by the CPC, or a sign of the Recipient's choosing subject to the approval of the CPC, stating that the Project was funded through the Town of Great Barrington's Community Preservation Act Program. The temporary sign shall be posted outside in an area conspicuous to the public view for the duration of the construction period.

Upon completion of the Project, Recipient shall post, in an appropriate location mutually acceptable to the parties, a permanent sign stating that the Project was funded through the Town of Great Barrington's Community Preservation Act program. This permanent sign may be inside of the building, if any, in a conspicuous area, and it must remain in place for at least five (5) years after the Completion Date of the Project.

Signs must contain the following statement: "This project was funded in part by the Citizens of Great Barrington through the Community Preservation Act." The sign may also identify the Project component being funded with the CPA funds. All signs shall comply with applicable regulations.

Recipient shall also identify that the Project was funded through the Town of Great Barrington Community Preservation Act in its written and verbal publicity materials about the Project.

14. No Assignment. This Grant Agreement may not be assigned by Recipient without prior written agreement by the Town of Great Barrington.

15. Default and Termination.

- a. If the CPC determines that the Recipient has failed to fulfill any obligations set forth under the terms of this Grant Agreement and so defaulted in said obligations, the CPC shall so notify the Recipient in writing, setting forth the nature and details of the default.
- b. Upon the Recipient's receipt of said notice of default, the Recipient shall immediately cease to incur any additional expenses in connection with this Grant Agreement.
- c. The CPC shall hold a public hearing within fourteen (14) days of the date of the Recipient's receipt of the notice of default for the purpose of determining whether this Grant Agreement should be terminated. The Recipient shall have the opportunity to present evidence and argument at said termination hearing prior to the CPC voting whether to terminate the Grant Agreement.
- d. At the close of the public hearing the CPC shall issue a written decision setting forth its findings that form the basis of its decision. The CPC may:
 1. vote to continue in force the Grant Agreement without any further condition; or
 2. vote to continue in force the Grant Agreement with additional conditions; or
 3. vote to terminate the Grant Agreement.

The decision of the CPC shall be effective immediately, and shall be final and not subject to appeal.

- e. The CPC shall notify the Recipient in writing of the CPC's decision relative to termination of the Grant Agreement.

16. Return of Funds.

- a. Upon completion of the Project, any funds granted to the Recipient under this Grant Agreement and not yet expended shall be returned forthwith to the Town without further expenditure thereof.
- b. In the event this Grant Agreement is terminated pursuant to the provisions of Section 15 hereof, any funds granted to the Recipient under this Grant Agreement and not yet expended shall be returned forthwith to the Town without further expenditure thereof.
- c. If this Grant Agreement is terminated as a result of negligent or intentional acts or omissions of the Recipient, the Recipient shall be liable to repay to the town the entire amount of funding provided under this Agreement, and the Town may take such steps as are necessary, including legal action, to recover said funds.
- d. In the event the Town is required to take legal action under this Grant Agreement, for enforcement or otherwise, the Recipient shall be liable for all of the Town's costs expended for the enforcement of this Grant Agreement, including but not limited to reasonable attorney's fees and court costs.

17. Notice. Any and all notices, or other communications required or permitted under this Grant Agreement, shall be in writing and delivered in hand or mailed by certified mail, return receipt requested, or by reputable delivery service to the parties hereto at the following addresses:

If to the Recipient: GB Historical Society
Barbara Syer
president

If to the CPC: Town of Great Barrington CPC
334 Main Street
Great Barrington, MA 01230

With copies to:	CPA Administrator	Town Accountant/Financial Coordinator
	Town of Great Barrington	Town of Great Barrington
	334 Main Street	334 Main Street
	Great Barrington, MA 01230	Great Barrington, MA 01230

18. Severability. If any term or condition of this Grant Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Grant Agreement shall not be deemed affected thereby.
19. Governing Law. This Grant Agreement shall be governed by and construed in accordance with the law of the Commonwealth of Massachusetts.

20. Entire Agreement. This Grant Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by both the Town of Great Barrington and the Recipient. Signatory below acknowledges and avers that he/she has the authority to execute this Agreement on behalf of the Recipient.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, the Town by its authorized representative who, however, incurs no personal liability by reason of the execution hereof or of anything herein contained, as of the day and year first above written.

RECIPIENT NAME

Barbara A. Syer
(signature)

Barbara A. Syer, Pres.
(print name) (title)

TOWN OF GREAT BARRINGTON

Jennifer Tabakin
Jennifer Tabakin, Town Manager

Karen W. Smith
for the Community Preservation Committee

KAREN W. SMITH, CHAIR
(print name) (title)

Approved as to Availability of Funds:

Lauren Sartori Holgood
Lauren M. Sartori, C.P.A.

Great Barrington Town Accountant / Financial Coordinator

Contract Amount: \$ 50,000
Funding Source: CPA

CERTIFICATE AS TO PAYMENT OF STATE TAXES

Pursuant to M.G.L. Chapter 62C, Section 49A, I certify under the penalties of perjury that the Recipient has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

04-2650251
Social Security Number
or Federal Identification Number

GREAT BARRINGTON HISTORICAL SOCIETY, INC.
Corporate/Entity Name

by: Barbara A. Sykes, Pres.
Signature of Individual

CERTIFICATE OF VOTE

(Corporations Only)

At a duly authorized meeting of the Board of Directors of the _____
Name of Corporation

held on _____, it was voted, that
Date

Name Officer

of this company, be and hereby is authorized to execute contracts and bonds in the name and on behalf of said company, and affix its corporate seal hereto; and such execution of any contract or obligation in this company's name on its behalf by such officer under seal of the company, shall be valid and binding upon this company.

I hereby certify that I am the clerk of the above named corporation and that

_____ is the duly elected officer as above of said company, and that the above vote has not been amended or rescinded and remains in full force and effect as of the date of this certificate.

Date Clerk

Corporate Seal

EXHIBIT A

Disbursement Schedule and Additional Funding Conditions

Agreement #: 09-16

Project Name: Wheeler Farmstead Dutch Wagon House

Funds to be disbursed in accordance with the Grant Agreement and the following schedule and/or conditions:

1. No disbursement of funds may occur until the project has received necessary municipal approvals.
2. No disbursement of funds may occur until matching funding is in place (commitment or award letters must be provided).
3. No disbursement of funds may occur until the Recipient records an encumbrance on the property such that the Town shall be repaid the full \$50,000 of this CPA award if either of the following occurs within 10 years from the date of this Agreement:
 - a. The Great Barrington Historical Society sells the property; or
 - b. The Dutch Wagon House is demolished.
4. The final 10% (\$5,000) shall be withheld until:
 - a. The contractor or a licensed architect has certified in writing that the U.S. Secretary of the Interior's Standards for Rehabilitation have been met;
 - b. The Historical Society, with the Town Manager and Library Trustees, must discuss a mutually acceptable timeline for relocating that portion of the Historical Society's artifacts and archives that can be housed at the Farmstead from Ramsdell Library to the Farmstead.

CORPORATE RESOLUTION


GREAT BARRINGTON HISTORICAL SOCIETY, INC.

The undersigned, Secretary of GREAT BARRINGTON HISTORICAL SOCIETY, INC., a Massachusetts not for profit corporation (the "Corporation"), hereby certifies that at a meeting of the Board of Directors of the Corporation duly called for the purpose and held on 7/28/15, at which meeting the Directors of the Corporation entitled to vote were present or represented by proxy, the following resolution was adopted:

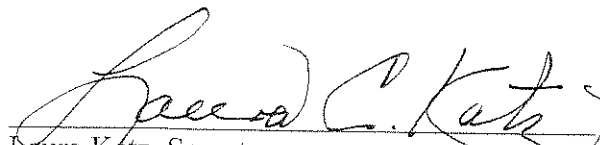
"Resolved, That the Corporation be, and on behalf of the Corporation, the President and Treasurer is authorized and empowered to execute a Grant Agreement with the Town of Great Barrington for Community Preservation Funding and to execute and record a Deed Restriction pursuant to Exhibit A #3 of said Grant Agreement."

I further certify that the foregoing resolution has not been altered, amended or rescinded but remain in full force and effect and that the person currently authorized and empowered to act thereunder and his specimen signature is as follows:

President/Treasurer:


Name: Barbara Syer

WITNESS my hand and the seal of the Corporation this 15th day of August 2015.


Laura Katz, Secretary