

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 AGENDA

MONDAY, SEPTEMBER 12, 2016

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 3, 2016 Special Meeting.
- August 22, 2016 Regular Meeting.
- August 31, 2016 Special Meeting.

3. SELECTBOARD'S ANNOUNCEMENTS/STATEMENTS:

- A. General Comments by the Board.

4. TOWN MANAGER'S REPORT:

5. PUBLIC HEARINGS:

- A. Special Permit application of Dante Realty, LLC, c/o Lynch Scrimo Attorneys, PO Box 1787, Lenox, MA 01240 to legalize the existing nonconforming eight-unit multifamily residential dwelling at 16 South Street, Great Barrington, MA in accordance with Sections 3.1.4 A(3), 8.3 and 10.4 of the Great Barrington Zoning Bylaw. (Discussion/Vote)
 - a. Open Public Hearing
 - b. Explanation of Project
 - c. Speak in Favor/Opposition
 - d. Motion to Close Public Hearing
 - e. Motion re: Findings
 - f. Motion re: Approval/Denial/Table

6. LICENSES OR PERMITS:

- A. Polly Mann Salenovich and Ed Abrahams/GB Council on Aging and Friends of the GB Libraries for three (3) One Day Beer and Wine Liquor Licenses for October 1, November 5

and December 3, 2016 from 7:00 pm – 10:00 pm at the Claire Teague Senior Center, 917 Main Street for a Documentary Film Series. *Fee Waiver Requested.*
(Discussion/Vote)

- B. Robin Vickery/Great Barrington Fish and Game for Eleven (11) One Day Beer and Wine Liquor Licenses every Sunday from September 18 to November 27, 2016 from 11:00 am – 7:00 pm at the Great Barrington Fish and Game Clubhouse, 338 Long Pond Road for Annual Turkey Shoots and Christmas for Kids. (Discussion/Vote)
- C. Charles Burger/GB Fire Department for permission to shut down a small portion of Mechanic Street on September 24, 2016 from 8:00 am – 3:00 pm for an Open House. (Discussion/Vote)
- D. Vicki Coons/Fairview Hospital for permission to use Town roads for the Annual Monster Dash 5K running race/walk on Saturday, October 29, 2016 starting at 9:30 am, start and finish at Fairview Hospital's Out-Patient Rehabilitation Services (the old Condor Chevrolet site). (Discussion/Vote)

7. NEW BUSINESS:

- A. SB- To approve Town Meeting/Election Calendar 2017. (Discussion/Vote)
- B. SB – Appointment of Treasurer/Collector as Custodian of Properties acquired by Foreclosure of Tax Titles – MGL Chapter 60 Section 77B. (Discussion/Vote)
- C. SB – To authorize the Treasurer to borrow up to \$600,000 for a new Fire Truck as approved at the May 2016 Annual Town Meeting, Article 6. (Discussion/Vote)
- D. SB - To approve an Amendment to the Solar Tax Agreement with RT MA Solar, LLC (VanDeusenville Road project) and RP MA Solar, LLC (Park Street Project). (Discussion/Vote)
- E. SB – Recommendation to the Planning Board on the Special Permit Application of Marcia Stamell and Arthur Yanoff to build a six-foot high fence within the front yard setback at 624 South Egremont Road in accordance with Sections 4.2.9 and 10.4 of the Zoning Bylaw. (Discussion/Vote)
- F. SB – Accept Covenant on the Unitarian Universalist property at 1089 Main Street, Housatonic Pursuant to the CPA Grant Agreement. (Discussion/Vote)

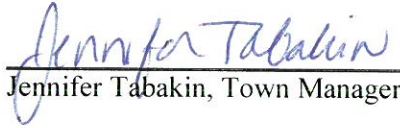
8. CITIZEN SPEAK TIME:

9. SELECTBOARD'S TIME:

10. MEDIA TIME:

11. ADJOURNMENT:

NEXT SELECTBOARD'S MEETING: Monday, September 26, 2016, 7:00 P.M.


Jennifer Tabakin, Town Manager

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

SB SP# 858-16

NOTICE OF PUBLIC HEARING

The Great Barrington Selectboard will hold a public hearing on Monday, September 12, 2016 at 7:00 PM at Town Hall, 334 Main Street, Great Barrington, MA, to act on the special permit application of Dante Realty, LLC, c/o Lynch Scrimo Attorneys, PO Box 1787, Lenox, MA 01240, to legalize the existing nonconforming eight-unit multifamily residential dwelling at 16 South Street, Great Barrington, MA, in accordance with Sections 3.1.4 A(3), 8.3 and 10.4 of the Great Barrington Zoning Bylaw.

Sean Stanton, Chair

Please Publish Friday, August 5, 2016 and Friday, August 12, 2016

Berkshire Record



TOWN OF GREAT BARRINGTON
MASSACHUSETTS

PLANNING BOARD

September 3, 2016

Selectboard
Town Hall
334 Main Street
Great Barrington, MA 01230

RE: Special Permit 858-16
16 South Street

Dear Members of the Selectboard:

At its meeting of August 25, 2016, the Planning Board reviewed the special permit application submitted on behalf of Dante Realty, Manager for property located at 16 South Street. The Board voted to send a positive recommendation for the multi-family use in the B-2 zone with the recommendation to allow the waiver for the parking requirement.

Thank you for your attention to this matter.

Sincerely,

Kimberly L. Shaw
Planning Board Secretary

Cc: Chris Rembold, Town Planner

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, 2016

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

RE: Special Permit # 858-16

Dear Board Members:

At its meeting of September 1, 2016 the Board of Health reviewed the Special Permit #858-16: Dante Realty, LLC, c/o Lynch Scrimo Attorneys, P.O. Box 1787, Lenox, MA 01240 to legalize the existing nonconforming eight-unit multifamily residential dwelling at 16 South Street, Great Barrington, MA, in accordance with Sections 3.1.4 A (3), 8.3 and 10.4 of the Great Barrington Zoning Bylaw. A Certificate of Inspection from the Building and Fire Departments has been issued. The property is on Town water and sewer.

After discussion the board voted to forward no recommendation as there are no health issues.

Sincerely,

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

Jayne E. Smith, Agent
Board of Health

Cc: Planning Office, Town Manager

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
Shepley Evans, Conservation Agent

A handwritten signature in blue ink, appearing to read 'SWE', is written over the name 'Shepley Evans' in the 'FM' line.

Date: August 2, 2016

RE: Special Permit Application #858-16 from Dante Realty, LLC
for legalizing the existing nonconforming eight-unit multifamily
residential use at 16 South Street, Great Barrington.

We have reviewed the applicant's plans and conducted a site visit to the subject property on August 2, 2016. The Commission has concluded that there are no Wetland or Scenic Mountain issues of concern with the subject property. The Commission has no other recommendations or comments on this matter.

Joseph W. Sokul,
DPW Superintendent

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



334 Main Street
Great Barrington, MA 01230

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

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

August 30, 2016

Jeff Lynch
Lynch Scrimo
68 Main St.
PO Box 1787
Lenox, MA 01240

RE: 16 South Street, Great Barrington

Dear Mr. Lynch:

At your request the Department of Public Works has reviewed the reference property and its associated parking. The property does not create a traffic hazard or contribute to congestion in this area.

Feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Sokul", is written over the word "Sincerely,".

Joseph W. Sokul
DPW Superintendent

Cc: Chris Rembold, Town Planner

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

FORM SP-1
REV. 11-2013

TOWN CLERK
GREAT BARRINGTON

JUL 29 2016 AM 9:5

FOR OFFICE USE ONLY

Number Assigned 858-16 Date Received 7/29/16
Special Permit Granting Authority SB
Copy to Recommending Boards 8/1/16
Advertised 8/5 & 8/12
Public Hearing 9/12/16
Fee: 8150.00 Paid: Yes

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

MAP 19 LOT 98 BOOK 1744 PAGE 63 ZONING DISTRICT(S) B2

Site Address: 16 South Street

Date of Application July 27, 2016

Applicant's name and complete mailing address Dante Realty, LLC

c/o Lynch Scrimo, P.O. Box 1787, Lenox Ma. 01240

Applicant's phone number (413) 637-1300 Applicant's email address: lynch@lenoxattorney.com

Name and Address of Owner of land exactly as it appears on most recent tax bill:

Dante Realty LLC, 473 West End Ave. #8C

New York, NY 10024-4934

I (we) request a Special Permit for: multi-family dwelling

Under Section(s) 3.1.4A(3), 8.3 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.

- 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.

* Renee Goff
Signature of Applicant *member*

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 Renee Goff
member

Signature of Co-Applicant (e.g. Property Owner) _____

Date 7-28-2016

Residential Property Record Card

Parcel ID: 113/019.0-0000-0098.0 MAP 019.0 BLOCK 0000 LOT: 0098.0 Parcel Address: 16 SOUTH ST FY 2016

PARCEL INFORMATION		Use-Code: 111	Sale Price: 595,000	Book: 1744	Road Type: T	Inspect Date: 05/20/2014
Owner: DANTE REALTY LLC	Tax Class: T	Sale Date: 12/29/2006	Page: 63	Rd Condition: P	Meas Date: 05/20/2014	
Address: 473 WEST END AVE #8C NEW YORK NY 10024-4934	Tot Fin Area: 3308	Sale Type: P	Cerf/Doc:	Traffic: M	Entrance: X	
	Tot Land Area: 0.240	Sale Valid: Y	Grantor: JDJ ENTERPRISES	Water:	Collect Id: CL	
	Sewer:	Resid-B/L%: 100/100	Comm-B/L%: 0/0	Sewar:	Inspect Reas: P	
	Exempt-B/L%: 0/0			Indust-B/L%: 0/0	Open Sp-B/L%: 0/0	

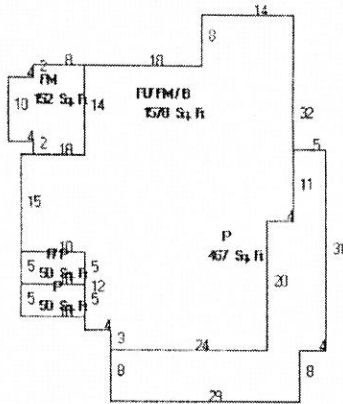
RESIDENCE INFORMATION

Style: CO	Tot Rooms: 12	Main Fn Area: 1730	Attic: Y
Story Height: 2.00	Bedrooms: 6	Up Fn Area: 1576	Bsmt Area: 1578
Roof: G	Full Baths: 6	Add Fn Area:	Fn Bsmt Area:
Ext Wall: WS	Half Baths:	Unfin Area:	Bsmt Grade:
Masonry Trim:	Ext Bath Fix:	Tot Fin Area: 3308	Foundation: CN
Bath Qual: T	RCNLD: 396930	Kitch Qual: T	Eff Yr Built: 1988
Mkt Adj: 1.375	Heat Type: FA	Ext Kitch:	Year Built: 1900
Sound Value:	Fuel Type: G	Grade: G	Cost Bldg: 545,800
Fireplace:	Bsmt Gar Cap:	Condition: G	Att Str Val1:
Central AC:	Bsmt Gar SF:	Pct Complete:	Att Str Val2:
Att Gar SF:	%Good P/F/E/R:	#86	
Porch Type:	Porch Area:	Porch Grade Factor:	
P	617		

LAND INFORMATION

NBHD CODE: 5		NBHD CLASS:		ZONE: B2				
Seq	Type	Code	Method	Sq-Ft	Acres	Infl-Y/N	Value	Class
1	P	111	A	10454	0.240	N	54,575	
VALUATION INFORMATION								
Current Total:	591,300	Bldg:	535,600	Land:	54,700	MktLnd:	54,700	
Prior Total:	591,300	Bldg:	535,600	Land:	54,700	MktLnd:	54,700	

Sketch



Photo



16 SOUTH ST

**MEMORANDUM IN SUPPORT OF SPECIAL PERMIT APPLICATION
DANTE REALTY, LLC
16 SOUTH STREET**

Dante Realty, LLC ("Dante"), submits this memorandum in support of its application for a special permit under 8.3.3 of the Town of Great Barrington Zoning Bylaw (the "Bylaw"). Dante is the owner of 16 South Street, (the Premises), which is improved by an existing structure. The structure was built in the early 1900s and likely served as a single family residence. The structure is presently used as a multi-family dwelling with six (6) one bedroom apartments and two (2) studio apartments. The Town's records do not evidence when the structure was converted to a multi-family dwelling.

Dante purchased the premises on December 29, 2006 as an existing eight-unit multi-family dwelling and has maintained the property as an eight unit multi family dwelling since that time. The prior owner, JDJ Enterprises, LLC, also operated the property as an eight unit multi-family since its date of purchase in 2001. Since the purchase of the premises by Dante Realty, LLC the Town of Great Barrington accessor's office has taxed it as an eight-unit multi-family home. The Building Commissioners office has issued building permits and Certificates of Inspection, copies submitted herewith for the Premises.

Dante seeks a special permit pursuant to Sections 3.1.4A(3), 8.3 and in accordance with the requirement of 10.4. A waiver of certain requirements is also requested pursuant to Section 8.3.3. The balance of the memorandum addresses the waiver request, followed by a discussion of the special permit criteria under section 8.3 and in accordance with section 10.4.

WAIVER REQUEST

Pursuant to Section 8.3.3 the Board of Selectmen is allowed to waive any requirements for multi-family dwellings that have been in existence as of May 9, 2016. Dante requests the following waivers.

1. The Bylaw requires two parking spaces for each dwelling unit.¹ A waiver is requested because there is not sufficient area on the property to establish 16 parking spaces. Also, the creation of 16 parking spaces will further reduce the impervious ground on the premises. The property has been operating as one-unit apartments generally occupied by only one individual. In Dante's experience the parking has been adequate for the residents and their guests. The reduction in the number of required spaces will not be detrimental to the property or result in an adverse consequence to the Town or the adjacent neighbors.

2. Bylaw Section 8.3.3(4) requires that the driveway width be not less than 16 feet. A waiver of this requirement is necessary. As shown on the site plan there is a portion of the driveway that is reduced to 13 feet where it is adjacent to parking space #4. Dante requests a waiver of this requirement as it relates to the driveway in the area of parking space No. 4. Again,

¹ See also, Bylaw 6.1.2 that requires 2 parking spaces per unit and 6.1.9 authorizing the board to reduce the required spaces.

the property has been operating in its current configuration and parking layout since 2001. In Dante's experience the driveway access has been adequate for the residents and their guests. The existing layout has not created a safety hazard for pedestrians or motor vehicles.

3. The Bylaw requires all structures to be ten (10) feet from any side lot line. The existing shed on the property is nearer than 10 feet from the sideline of the property. However, in completing the site plan it was determined the shed belongs to the neighbor and a request has been made for it to be removed.

SPECIAL PERMIT CRITERIA

Section 8.3 of the Bylaw allows multi-family dwellings upon issuance of a Special Permit by the Board of Selectman. The following criteria must be met under section 8.3., with Dante's response to each criteria in italics.

1. Not applicable exempt under 8.3.6;
2. Not applicable exempt under 8.3.6;
3. No portion of any enclosing wall of any building and no portion of any other permissible structure shall be nearer than 25 feet to any street line, 10 feet to any side lot line and 30 feet to the rear lot line.

Per the site plan the residential structure meets these guidelines. An existing shed will be removed by the neighbor.

4. Two off street parking spaces shall be provided for each dwelling unit. No space shall be considered available for parking if such space reduces the effective width of a driveway providing access to more than one dwelling unit to less than 16 feet. (rest of section not stated herein)

A waiver is requested to reduce the parking to eight spaces, and allowance of a 13 foot width in one single area of the driveway.

5. Within the development, vehicular and pedestrian circulation shall provide for safe and convenient use to the satisfaction of the Planning Board.

The conditions disclosed on the site plan, are existing condition since at least 2001. The layout and configuration has proven safe and convenient for the residents.

6. Front yards and all open areas shall be suitable landscaped and maintained with grass, trees, flowers, shrubs and /or walks. Such landscaping shall be specified in detail on the site plan and shall be made a condition of the special permit.

The existing conditions are submitted on the site plan. Photographs of the site are provided with the original application (but omitted from the 14 copies).

7. The proposed development shall be located with respect to major thoroughfares and uses outside the development as not to create traffic hazards or congestion. Before issuance of a special permit by the Board of Selectman, the Chief of Police and Highway Superintendent shall give their written approval of said location.

The existing conditions are submitted on the site plan. No changes are requested. It is anticipated that the Chief of Police and Highway Superintendent will approve the existing conditions.

8. Fire escapes and outside stairways leading to a second or higher story shall, where practicable, be located on the rear of each building, shall not be located on any building wall facing a street.

The existing conditions are submitted on the site plan. The fire escapes and outside stairways have been inspected by the Building Commissioner and approved. No changes are requested.

9. Drainage controls as deemed necessary shall be specifically described as an added condition of the special permit.

The existing conditions are submitted on the site plan. The drainage controls have proven adequate for the driveways and parking areas. No changes are requested.

Section 10.4 lists the criteria that must be met for the Town of Great Barrington Board of Selectmen to grant a special permit. The criteria are listed, followed by Dante's response to each criteria in italics.

1. Social, economic or community needs which are served by the proposal;

Dante provides reasonably priced housing in Great Barrington. The unit rentals are in the range of \$660.00 to \$790.00 inclusive of hot water but exclusive of heat. Generally, the occupants have been millennials, young professionals and retirees. The social economic and community needs are met by providing housing for this demographic.

2. Traffic flow and safety, including parking and loading.

The property has existed in its present configuration since at least 2001. Vehicular access is via South Street and allows for eight on-site parking spaces. The traffic flow has proved to be adequate for the use of the property and has not presented any traffic or safety concerns during Dante's period of ownership. To the east of the building there is also available open space and green area plus a patio provided for residents.

3. Adequacy of utilities and other public services.

The property is served by town water and sewer and is serviced by electric and gas utilities. All of these services have proved adequate since at least 2006.

4. Neighborhood character and social structures.

The property has been a part of the neighborhood community and its social structures since at least 2001. Dante has received no complaints from neighbors due to its current, existing use. The adjacent uses are single family and multi-family homes

Impacts on the natural environment.

The natural environment is not impacted by the use of the property as a multi-family home. The structure was built in approximately 1900. The renovations to convert it from a single-family home to a multi-family dwelling are all internal and to the best of Dante's knowledge have not involved additions to the exterior of the premises. No further changes are requested.

5. Potential fiscal impact, including impact on town services, tax base, and employment.

The special permit with waivers do not affect the current fiscal impact on the Town of Great Barrington. The Premises has provided a home for year round residents, some of whom are employed by Great Barrington or Sheffield businesses. Dante submits that by providing housing to the mentioned demographic the Premises is helping to sustain the tax base for the Town of Great Barrington and providing employees or retiring employees with convenient and reasonably-priced housing. Town services have always been provided to the property.

CONCLUSION

Dante Realty, LLC requests a special permit with waivers pursuant to 3.1.4A(3), 8.3, 10.4. The property has been maintained as an eight-unit multi-family dwelling for at least the past 15 years. The property provides reasonably-priced housing for individuals who often are employed in or around Great Barrington. There is no negative fiscal impact by this application to the Town of Great Barrington.

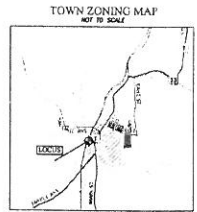
Respectfully submitted,

Dante Realty, LLC
By its attorney
Lynch Scrimo

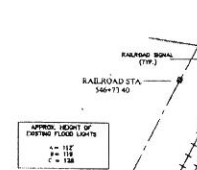

Jeffrey R. Lynch

THIS PARCEL IS SUBJECT TO AND WITH THE BENEFIT OF ALL RIGHTS, RESTRICTIONS, COVENANTS, EASEMENTS, LEASES, ENCUMBRANCES AND APPURTENANCES OF RECORD.

RECORD OWNER: DANTE FAMILY, LLC
 LOCUS DIST: 01 - 174 - PG - 82
 TOWN OF GREAT BARRINGTON ASSESSOR MAP 18 LOT 00
 LOT AREA: 0.37 ACRES ±
 PROPERTY ADDRESS: 18 SOUTH STREET



- LEGEND**
- A POINT COMPUTED
 - B MARBLE BOUND FOUND
 - C FLOODE LIGHT
 - D UTILITY POLE
 - E PROPANE CYLINDER
 - OVERHEAD UTILITY LINES
 - WIRE FENCE
 - RAILROAD TRACKS



THE ELEVATIONS AND BENCH MARKS SHOWN HEREON ARE RELATIVE TO THE PROPERTY ONLY AND ARE NOT RELATED TO ANY PUBLISHED HORIZONTAL OR VERTICAL DATUM. CONVEY INTERVAL IS ONE FOOT.

THIS PROPERTY IS SERVED BY TOWN WATER & SEWER.

THE LOCUS PARCEL DOES NOT FALL WITHIN THE RELIABLE CENTER QUADRACT DISTRICT (see County 89-01 Section 8.8.2)

THERE ARE NO ZONING CONTROLS OBSERVED. CURB AND LOCUS OF THE SITE BOUND SURFACE WATER APPEAR TO DRAIN AWAY FROM THE HOUSE IN A NORTHEAST/WESTWARD DIRECTION.

THERE IS SUFFICIENT AREA TO ACCOMMODATE (8) ON-STREET PARKING SPACES & ON-STREET PARKING IS AVAILABLE ON THE NORTH SIDE OF SOUTH STREET.

ZONING REQUIREMENTS

DISTRICT: R-2 (GENERAL BUSINESS)

LOT AREA: ALLOW UP TO 100% OF USE OF OLD MAPS FOR LOTS WITHIN A LOT BOUND BY TOWN WATER AND SEWER

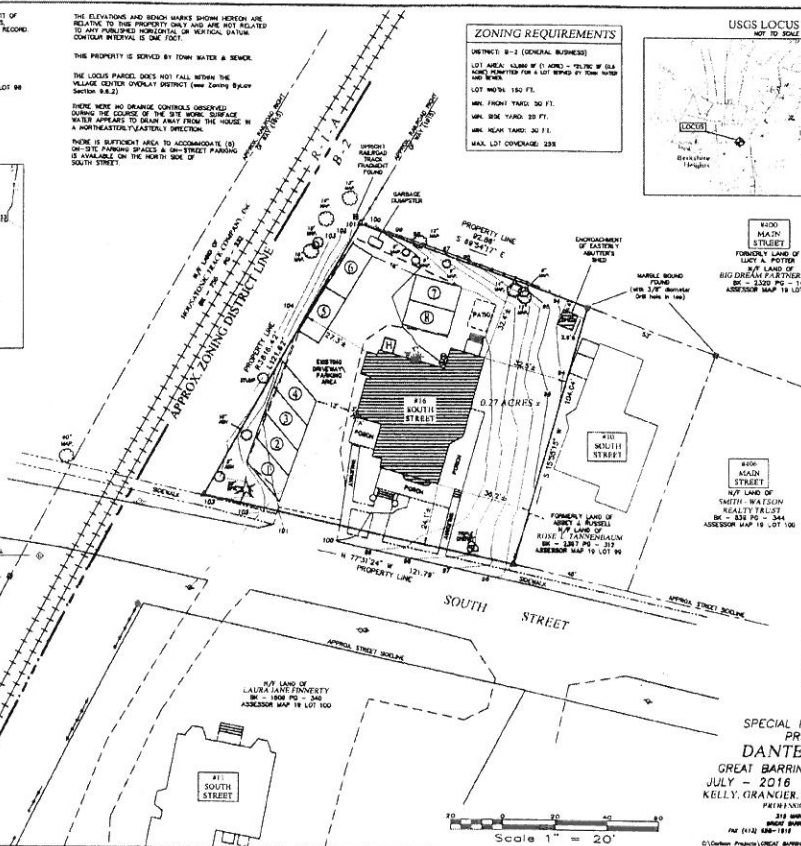
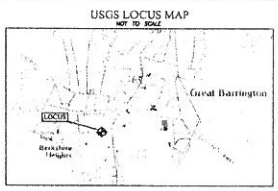
LOT WIDTH: 150 FT.

MIN. FRONT YARD: 30 FT.

MIN. SIDE YARD: 20 FT.

MIN. REAR YARD: 20 FT.

MAX. LOT COVERAGE: 25%



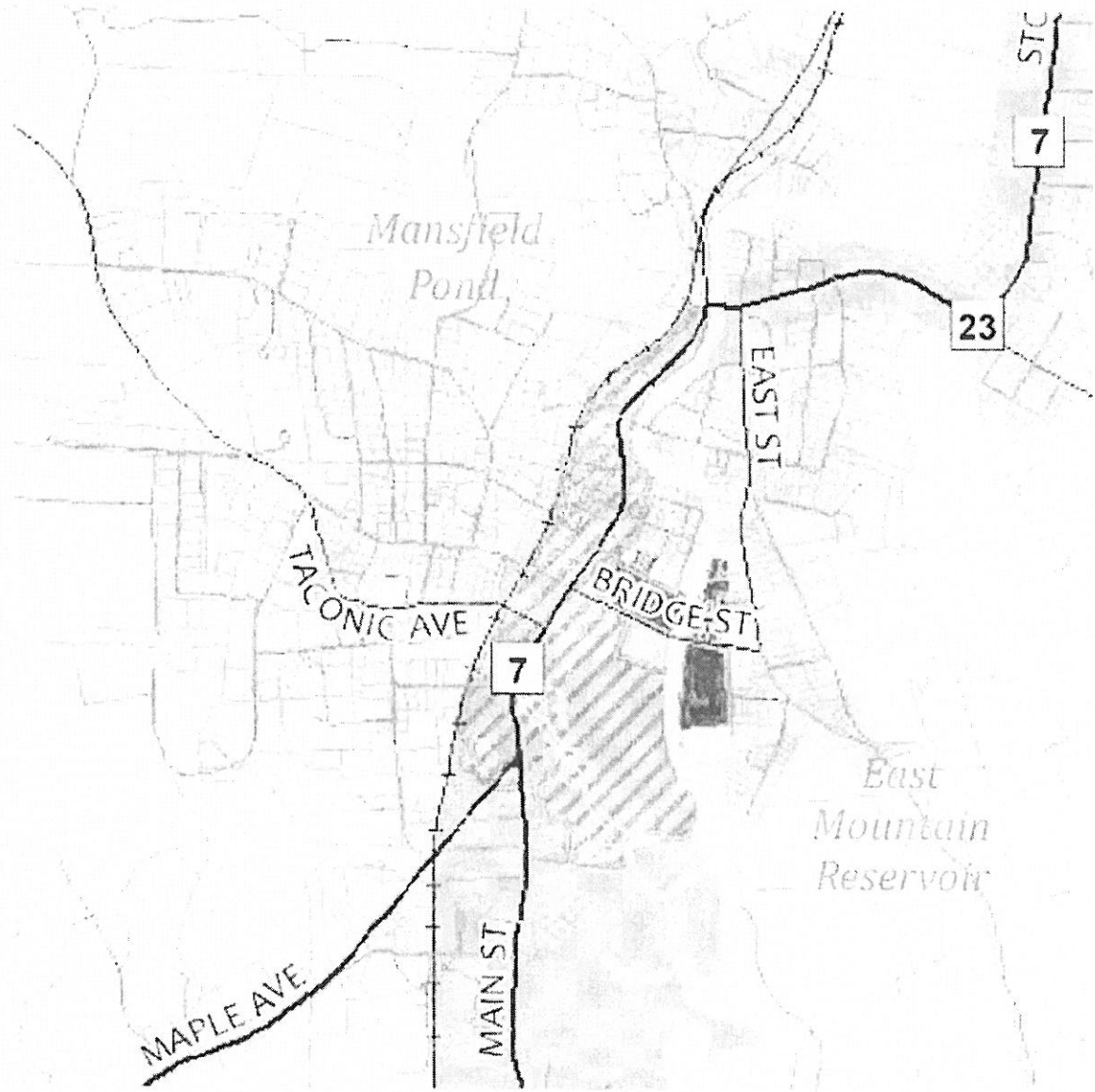
THIS SITE PLAN SHOWS A LAYOUT OPTION FOR (8) PARKING SPACES, EACH OF WHICH HAS AN AREA OF 180 SQ. FT. IN AREA (see Zoning Code Section 8.1.2)

SPECIAL PERMIT SITE PLAN
 PREPARED FOR
DANTE FAMILY, LLC
 GREAT BARRINGTON, MASSACHUSETTS
 JULY - 2016 SCALE 1" = 20'
KELLY GRANIER, PARSONS & ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS

210 BOND STREET P.O. BOX 88
 GREAT BARRINGTON, MASSACHUSETTS 01838
 TEL: (413) 486-1818 FAX: (413) 486-1881



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Mansfield Pond

23

EAST ST

TACONIC AVE

BRIDGE ST

7

East Mountain Reservoir

MAPLE AVE

MAIN ST

STC

7

Great Barrin

EAST

Substa

Golf Course

PO

ST

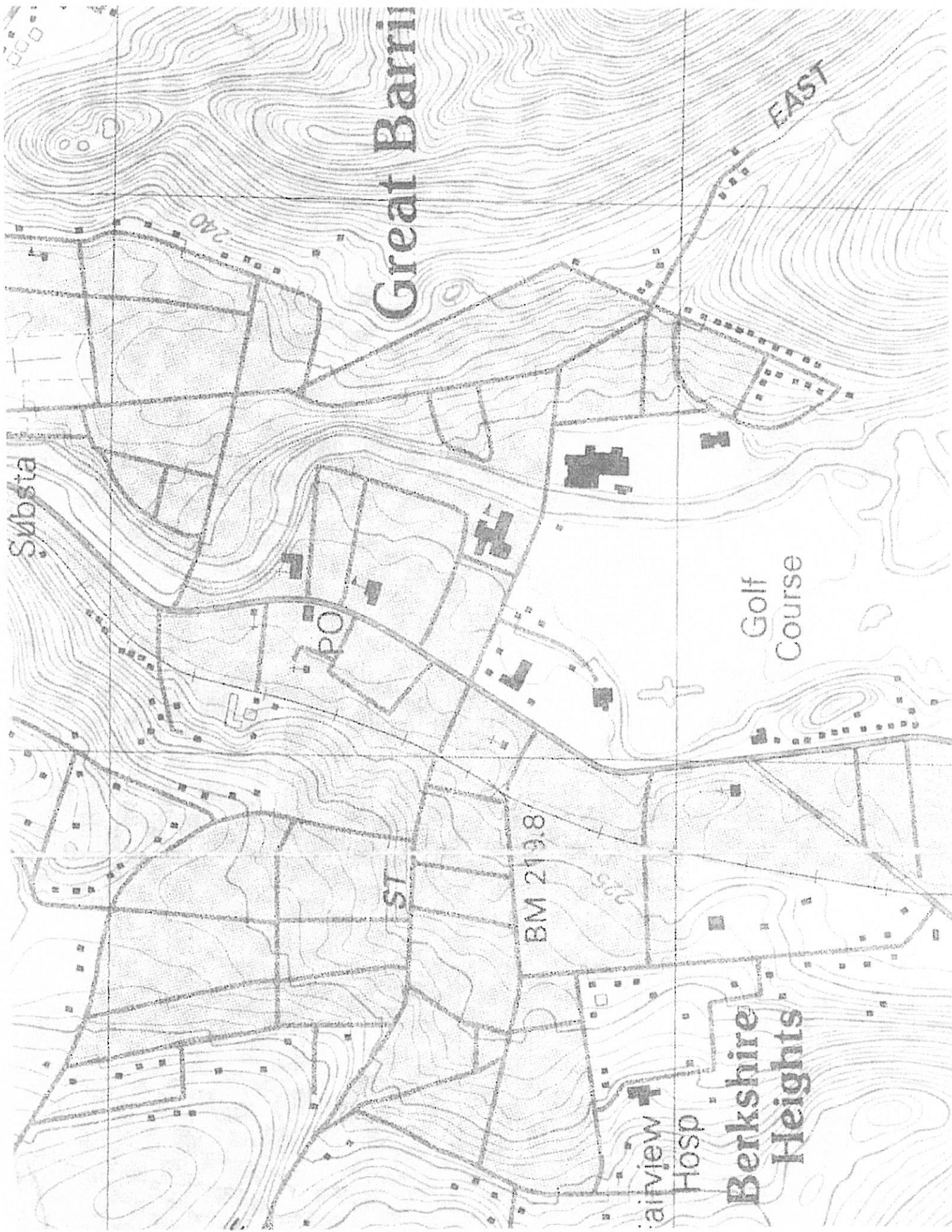
BM 219.8

airview Hosp

Berkshire Heights

240

295





TOWN OF GREAT BARRINGTON MASSACHUSETTS

ASSESSORS' OFFICE

July 25, 2016

ABUTTERS TO PROPERTY OF: DANTE REALTY LLC

16 South Street, Map 19 Lot 98, Book 1744 page 63

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
19	99	Robert E. Drennan, 10 South St., Gt. Barrington, MA 01230-1808
19	100	George T. Smith & John M. Watson, Trustees, Smith & Watson Realty Trust, 406 Main St., Gt. Barrington, MA 01230-1805
19	97	Big Dreams Partners LLC, One Monarch Place #1900, Springfield, MA 01144-1900
19 94,95,96,96A		Jack D. & Anne L. Wilson, 81 Taconic Ave., Gt. Barrington, MA 01230-1709
19	50	Mildred S. & Jack B. Pevzner, Trustees, Mildred S. Pevzner Revocable Trust, c/o Paula Pevzner, 108 West 15 th St. #D, New York, NY 10011-6754
19	46A	A2Z Properties, Scott Goffin, 17 Taconic Ave., Gt. Barrington, MA 01230-1709
19	93	Smit & Neel LLC, 372 Main St., Gt. Barrington, MA 01230-1804
19	93B	Thanatopsis LLC, 390 Main St. #2, Gt. Barrington, MA 01230-1805
21	9	Joseph H. & Christine M. Roy, 33 South St., Gt. Barrington, MA 01230-1815
21	8	Bruce E. Nayowith & Rosa Zubizarreta, 4 Forest Row, Gt. Barrington, MA 01230-1100
22	1,1A	Kevin (estate of) & Laura Jane Finnerty, 5 South St., Gt. Barrington, MA 01230-1807
19-45	UA1	Melissa E. Mishcon & Charles Ferris, PO Box 63, Monterey, MA 01245-0063
19-45	UA2	Thomas N. Borshoff & Ann M. Kelly, 536 Stone Rd., Pittsford, NY 14534-2858
19-45	UA3	Laurily J. Epstein, 6 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UB1	Regine Oesch-Aiyter, 8 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UB2	Jeffrey P. Bolson, 18 Marz Dr., Woodcliff Lake, NJ 07677-8249
19-45	UB3	Joseph E. & Joanna E. Schwartz, Trustees, 12 Copper Beech Lane Realty Trust, 12 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UC1	Suzanne Tillinghast Bulkeley, PO Box 57, South Egremont, MA 01258-0057
19-45	UC2	Henry M. & Shirley R. Sanders, Trustees, H & S Sanders Realty Trust, 16 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UC3	Renato & Roberta Kay Armas, 18 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UD1	William John Meskill, Trustee, John A. & Diane S. Meskill 2013 Irrevocable Trust, 20 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UD2	Alison Reed, 22 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UD3	Berkshire School Inc., c/o Thomas Dixon, 4677 Mirabella Ct., St. Pete Beach, FL 33706-2580
19-45	UE1	Roger William Manring & Barbara Thompson Manring, Trustees, Roger William Manring 2010 Revocable Trust & Barbara Thompson Manring 2010 Revocable Trust, 26 Copper Beech Lane, Gt. Barrington, MA 01230-1789
19-45	UE2	Jeffrey & Ruth S. Bettinger, 2000 South Bayshore Dr., Villa 45, Miami, FL 33133-3256
19-45	UE3	Charles Christopher & Leslie D. Brown, 1102 Hollins Lane, Baltimore, MD 21209-2208
19-45	UE4	Michael H. & Valarie L. Smith, Trustees, Howard W. Smith Revocable Trust of 2000 & Valarie L. Smith Revocable Trust of 2000, 32 Copper Beech Ln., Gt. Barrington, MA 01230-1789
19-45	UF1	Andrew T. Goldberg, etal, 40 White Birch Ln, Cos Cob, CT 06807-1213

DANTE REALTY LLC
16 South Street

MAP LOT ABUTTER

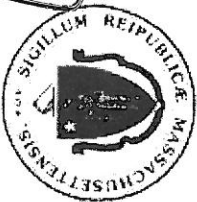
19-45 UF2		Steven G. Schwinder, 1172 Park Ave #12A, New York, NY 10128-1213
19-45 UG1		John C. Ford & Sandra S. Poster, 15 West 81 st St. #12F, New York, NY 10024-6022
19-45 UG2		William E. Wade Jr. & Noel L. Wade, Trustees, Wade Family Trust, 331 Old Beach Rd., Santa Rosa Beach, FL 32459-4468
19-45 UG3		Richard M. Arnold & Ruth Levine Arnold, Trustees, 13 Copper Beech Lane Realty Trust, 42 Annawan Rd., Waban, MA 02468-2110
19-45 UH1		Gary H. & Rosalie F. Stone, 115 Barnes Rd., Stamford, CT 06902-1242
19-45 UH2		Louis A. Moscatello & Barbara Haubold, PO Box 365, Gt. Barrington, MA 01230-0365
19-45 UH3		Deann Halper, Trustee, Deann Halper Revocable Trust, 55 Central Park West #13E, New York, NY 10023-6079
19	45	Copper Beech Limited Liability Co., PO Box 657, Gt. Barrington, MA 01230-0657
19	51	Town of Great Barrington, 334 Main St. Rm. 208, Gt. Barrington, MA 01230-1832

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

Sincerely,



Christopher Lamarre
Principal Assessor



Commonwealth of Massachusetts

Town of Great Barrington

In accordance with Massachusetts State Building Code, Chapter 1, Section 110.7, this Certificate of Inspection

IS ISSUED TO

DANTE REALTY LLC

I CERTIFY THAT I have inspected the PREMISES

Known As 16 SOUTH STREET

Located At 16 SOUTH ST

Parcel 1130190000000980, Town of Great Barrington

Commonwealth of Massachusetts. The means of egress are sufficient for the following number of persons:

BY STORY

BY PLACE OF ASSEMBLY OR STRUCTURE

story	capacity
<u>1ST</u>	3 UNITS
<u>2ND</u>	4 UNITS
<u>3RD</u>	1 UNITS

Comments USE GROUP R-2

2012-00009	4/9/2012	4/9/2017
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Certificate Number Date Issued Expiration Date

[Signature]
BUILDINGS COMMISSIONER

The Building Official shall be notified within (10) days of any changes in the above information. This Certificate shall be posted in a conspicuous place near the Main Entrance.



Commonwealth of Massachusetts

Town of Great Barrington

In accordance with Massachusetts State Building Code, Chapter 1, Section 106.5, this

Certificate of Inspection

IS ISSUED TO

J.D.J. Enterprises, LLC - Sharon Lewis

I CERTIFY THAT I have inspected the Premises

Known As J.D.J. Enterprises, LLC

Located At 16 SOUTH ST

Parcel 1130190000000980, Town of Great Barrington

Commonwealth of Massachusetts. The means of egress are sufficient for the following number of persons:

BY STORY

story	capacity
<u>1st Floor</u>	<u>3</u>
<u>2nd Floor</u>	<u>4</u>
<u>3rd Floor</u>	<u>3</u>

BY PLACE OF ASSEMBLY OR STRUCTURE

Comments

[Handwritten signature]



2007-00015	12/14/2006	3/1/2007
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Certificate Number Date Issued Expiration Date

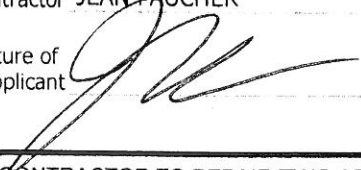
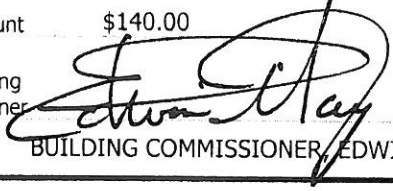
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BUILDINGS COMMISSIONER

The Building Official shall be notified within (10) days of any changes in the above information. This Certificate shall be posted in a conspicuous place near the Main Entrance.

Town of Great Barrington, Massachusetts
Building Department

Permit #	2012-00129	Date	9/16/2011	Permit To	ROOFING				
Application to	Repair	Permit Address	16	SOUTH ST	Parcel	113019000000980			
Zoning District	B2	Dwelling Units		Stories	2.00	Class	111	Occ/Use	MULTIFAM / R-2
Property Owner	DANTE REALTY LLC								
Owners Address	473 WEST END AVE #8C								
Owner City	NEW YORK			Owner State	NY	Owner Zip	10024-4934		
Type of Construction	V-B			Est Cost of Construction	\$17,200.00	Public Water?	Y	Public Sewer?	Y
Architect	JANOS KESERU 6269								
Contractor	FAIRVIEW CONTRACTING 35091								
Signature of Applicant				Engineer					
				Amount	\$119.00				
				Building Commissioner					
	BUILDING COMMISSIONER, EDWIN A. MAY								
Remarks	CONTRACTOR TO REMOVE EXISTING ROOFING MATERIAL AND INSTALL NEW ASPHALT SHINGLES WITH PROPER UNDERLAYMENTS AS PER SUBMISSIONS, CONSTRUCTION CONTROL, MANUFACTURE'S SPECS AND AMENDED 8YH EDITION 780 CMR.								

Town of Great Barrington, Massachusetts
Building Department

Permit #	2013-00272	Date	2/7/2013	Permit To	REPAIR WATER DAMAGE				
Application to	Repair	Permit Address	16	SOUTH ST	Parcel	113019000000980			
Zoning District	B2	Dwelling Units	6	Stories	2.00	Class	111	Occ/Use	MULTIFAMILY / R-2
Property Owner	DANTE REALTY LLC								
Owners Address	473 WEST END AVE #8C								
Owner City	NEW YORK	Owner State	NY	Owner Zip	10024-4934				
Type of Construction	V-B	Est Cost of Construction	\$20,000.00	Public Water?	Y	Public Sewer?	Y		
Architect	STEPHAN GREEN 7216			Engineer					
Contractor	JEAN FAUCHER			Amount	\$140.00				
Signature of Applicant				Building Commissioner					
	BUILDING COMMISSIONER, EDWIN A. MAY								
Remarks	CONTRACTOR TO REPAIR TWO APARTMENTS AFTER WATER DAMAGE AS PER CONSTRUCTION CONTROL, SUBMISSIONS, MANUFACTURE'S SPECS AND AMENDED 8TH EDITION 780 CMR, IEBCc.4 ALT LEVEL 2.								

Fee: \$25.00 (per day) *x3 = 75*



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: POLLY MANN SALENOVICH & ED ABRAMAMS

Organization Name: COUNCIL ON AGING & FRIENDS of the GB LIBRARIE

Applicant's Address: 917 MAIN ST., GT. BARRINGTON

Telephone Number: 413-528-1881

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

Event: DOCUMENTARY FILM SERIES

Date: OCT. 1ST, NOV. 5TH, DEC. 3RD Start Time: 7 pm End Time: 10 pm

Event Address: CLAIRE TEAGUE SENIOR CENTER 917 MAIN ST.

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.
- 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.)
- 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.

Polly Mann Salenovich
Signature of Applicant

8/31/16
Date

FOR TOWN USE:

Approved _____ Denied _____ Postponed _____

Fee: \$25.00 (per day) ⁸¹ x 11 = 275.00

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: Robin Vickery Ext. Barrington fish + Game

Organization Name: Gr. Barrington fish + Game

Applicant's Address: 338 Long Pond Rd Housatonic MA

Telephone Number: 274-6291

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

Event: Annual Turkey Shoots (Last Shoot to benefit Christmas for kids)

Date: Sept 18th - Nov 27th Start Time: 11am End Time: 7pm

Event Address: 338 Long Pond Rd Housatonic

Is the Event on Town property? YES NO

TOTAL of
11 Shoots
on Sundays

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.

Robin Vickery
Signature of Applicant

8/18/16
Date

FOR TOWN USE:

Approved _____

Denied _____

Postponed _____

Charles Burger
Chief

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



37 State Road
Great Barrington, MA 01230

Telephone: (413) 528-0788
Fax: (413) 528-8315

Emergency: 911

TOWN OF GREAT BARRINGTON
MASSACHUSETTS

FIRE DEPARTMENT

Great Barrington Selectboard
334 Main Street
Great Barrington, MA 01230

September 9, 2016

Dear Selectboard,

On Saturday September 24 from 9:00 a.m.-1:00 p.m. the Great Barrington Fire Department will host an open house for the public. The event will consist of firefighting activities and demonstrations that the public can observe and interact with. The goal is to show the public the diverse tasks we perform, demonstrate the uses of our equipment, and hopeful interest people in becoming firefighters. There will be age appropriate fun for the whole family and free hot dogs provided by the Firefighter's Association.

We have permission to use Impoco's for parking and hope to utilize the court house if needed. GBPD will have a detail officer to facilitate people crossing State Road. We are requesting to shut down part of Mechanic Street next to the fire house so we have enough room for our demonstrations. This is shown on the attached map. The only building affected is Great Barrington Family Medicine. We spoke with them and they will be closed Saturday morning and have no problem with the road being shut down.

Thank you for considering our request. It will be a fun day, hopefully with long term benefits for the Fire Department and town.

Sincerely,

A handwritten signature in black ink, appearing to be 'CB', written over a white background.

Charles Burger

Helen Kuziemko

From: Chris Rembold
Sent: Wednesday, September 07, 2016 9:53 AM
To: Helen Kuziemko
Subject: Fire Dept open house

Helen, the DRT staff reviewed the plans for the Fire Dept. for the 9/24 open house and has no issues with the proposal .

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

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

RECEIVED
TOWN MANAGER

AUG 22 2016

BOARD OF SELECTMEN
GREAT BARRINGTON, MA

~~8/22/16~~
~~8/22/16~~?
DRT 9/8

August 19, 2016

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 29, 2016.

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 Coons

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

DRT reviewed and
has no issues. (CR)

Town Meeting/Election Calendar 2017

Town Meeting on May 1st and Election on May 9th

Selectboard Set date for Town Meeting and Election	Monday, September 12, 2016
Selectboard Open Citizen Petition Time	Monday, January 23, 2017
Selectboard Close Citizen petition Time	Wednesday, February 1, 2017
Nomination Papers Available in Clerk's Office	Wednesday, February 1, 2017
Last Date to obtain nomination papers	Friday, March 17, 2017
Last Date to submit nomination papers	Tuesday, March 21, 2017
Planning Board to have completed all Public Hearings by this date	Friday, March 10, 2017
Last Date to Object or Withdraw Nomination	Thursday, April 6, 2017
Selectboard approve Final Warrant	Monday, March 13, 2017
Last Date to register to vote	Tuesday, April 11, 2017
Last Day to send warrant to printers	Monday, March 20, 2017
Last date to mail out Warrant Postcards	Friday, April 21, 2017
Last Date to post Warrant	Monday, April 24, 2017
Mini-Town Meeting @ GB Fire Station 6 PM	Wednesday, April 26, 2017
Town Meeting @ Monument Mountain 6 PM	Monday, May 1, 2017
Town Election 8:00 AM- 8:00 PM	Tuesday, May 9, 2017



ARTICLE 6:

To see if the Town will vote to appropriate \$600,000, or any other sum of money, to pay costs of purchasing and equipping a new fire truck, and for payment of all other costs incidental and related thereto, and to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing or otherwise; or to take any other action relative thereto.

Recommended by the Finance Committee and the Selectboard

ARTICLE 7:

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Thirteen Million, Eight Hundred Twenty Seven Thousand, Two Hundred and Thirty Four Dollars (\$13,827,234.00) for the operating assessment, and Six Hundred Thirty Six Thousand One Hundred Sixty Five Dollars (\$636,165.00) for the capital assessment, for a total assessment of Fourteen Million, Four Hundred Sixty Three Thousand, Three Hundred and Ninety Nine Dollars (\$14,463,399.00) of the Berkshire Hills Regional School District, or take any other action relative thereto.

Recommended by the Finance Committee and the Selectboard

ARTICLE 8:

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money necessary for the operation of the several departments in the Town for the ensuing year as detailed in the FY17 Annual Budget for the General Fund, or to take any other action relative thereto.

Recommended by the Finance Committee and the Selectboard

ARTICLE 9:

To see if the Town will vote to appropriate from the receipts of the Wastewater Treatment Plant such sums of money necessary for the operation of the Sewer Division for the ensuing year as detailed in the FY17 Annual Budget for the Sewer Fund, or to take any other action relative thereto.

Recommended by the Finance Committee and the Selectboard

ARTICLE 10:

To see if the Town will vote to appropriate and transfer the sum of \$155,919.03, the unexpended balance of the amount appropriated under Article 7 of the May 16, 2005 Town Meeting for remodeling, reconstructing, equipping and making extraordinary repairs to the Mason Library, to authorize expenditure for remodeling, reconstructing equipping or making extraordinary repairs to any Town library or for any other Town library improvement purposes for which the Town is authorized to borrow, in accordance with Section 20 of Chapter 44 of the General Laws, as it may be amended, or any other enabling authority, or take any other action relative thereto.

amounts required to repay any borrowing authorized by this vote from the limitations on the levy of local property taxes contained in Chapter 59, Section 21C of the General Laws (Prop. 2 ½).

Mr. Richard Dohoney stepped in as Moderator for this article. He asked if there was any discussion and seeing none, stated that this vote has to be a 2/3rd majority vote by secret ballot. He then instructed the voters to precede to the ballot boxes with their purple yes/no slips.

DECLARED 2/3RD MAJORITY VOTE AT 8:08 PM
YES – 268 NO- 125

ARTICLE 7:

On a motion by Eugene Curletti seconded by someone in the audience, voted that the Town raise and appropriate the sum of Thirteen Million, Eight Hundred Twenty Seven Thousand, Two Hundred and Thirty Four Dollars (\$13,827,234.00) for the operating assessment, and Six Hundred Thirty Six Thousand One Hundred Sixty Five Dollars (\$636,165.00) for the capital assessment, for a total assessment of Fourteen Million, Four Hundred Sixty Three Thousand, Three Hundred and Ninety Nine Dollars (\$14,463,399.00) of the Berkshire Hills Regional School District.

Peter Dillon, Berkshire Hills Regional School District Superintendent presented a power point on the school budget. The following people spoke on this article:

George Beebe	Roselle Chartock
Gabrielle Senza	Marsha Weiner
Susan Higa	Daniel Bailly
Gene Kalish	Malcolm Fick
Karen Smith	Michael Ury
Ron Banks	Ellen Lahr
Sharon Gregory	Ruthie Lee
Leigh Davis	Marianne Young
Chip Elitzer	Peter Dillon

Mr. McCormick stated he believed that this article should be by secret ballot. He then asked voters to go to the ballot boxes with their white yes/no slips.

DEFEATED AT 8:17 PM
YES – 176 NO - 215

ARTICLE 8:

On a motion by Michael Wise seconded by someone in the audience, voted that the Town raise and appropriate such sums of money necessary for the operation of the several departments in the Town for the ensuing year as detailed in the FY17 Annual Budget for the General Fund.

Pl. Bd. SP# 860-16

**NOTICE OF PUBLIC HEARING
PLANNING BOARD, TOWN OF GREAT BARRINGTON**

The Great Barrington Planning Board will hold a public hearing on Thursday, September 22, 2016 at 7:00 PM at Town Hall, 334 Main Street, Great Barrington, MA, to act on the special permit application of Marcia Stamell and Arthur Yanoff, to build a six-foot high fence within the front yard setback, at 624 South Egremont Road, Great Barrington, MA, in accordance with Sections 4.2.9 and 10.4 of the Zoning Bylaw.

Brandee Nelson, Chair

Please Publish Friday, September 2, 2016 and Friday, September 9, 2016

Berkshire Record - sent 8/30/16

SB September 12, 2016 Meeting
Recommendation to the Planning Board

SP # 860-16

P1-B.1

MARCIA STAMELL/ARTHUR YANOFF
624 South Egremont Road, Great Barrington, MA 01230
(413) 528-6206 marcia.stamell@gmail.com

August 29, 2016

Town of Great Barrington
Town Hall
334 Main St,
Great Barrington, MA 01230

To Whom it May Concern:

We are applying for a special permit to build a short six-foot high fence in front of our house at 624 S. Egremont Road.

Currently, a large Norway spruce covers the area where we would like to build the fence. That big tree is dying, and we are having it removed for safety reasons. The purpose of the fence we want to build is to restore the screening and sound baffling that the tree provided. It will not interfere with any drainage on our property.

There are two Norway spruces directly in front of our house. The fence we'd like to build will go behind the stump of the felled tree to the trunk of the remaining healthy tree. A section of the fence will extend slightly around the stump angled inward towards our driveway to provide additional screening and sound baffling to our house.

We are planning to build a six-foot fence in natural wood and tongue-and-groove construction. Our contractor says the fence will run 24' or 32' feet, depending on the need for that extra angled section. This represents a small fraction of our long road frontage and will not result in any substantial changes to the character of our property, let alone our neighborhood.

There are a couple of fences along our street already, both of which surround entire properties--one is eight-feet high and the other is six-feet high. One is on lot 29 and belongs to High Spirit Community Farm in Cambridge, MA. The other belongs to Elise Abrams on the corner of Routes 23 and 71. Our fence will be much, much smaller than either of these—just a screen from the busy road for the front of our house.

Thank you for your consideration,

Yours,



Marcia Stamell



Arthur Yanoff

TOWN OF GREAT BARRINGTON

Application for a Special Permit to the Board of Selectmen or Planning Board

FORM SP-1 REV. 11-2013

GREAT BARRINGTON

AUG 30 2016 PM 12:01

FOR OFFICE USE ONLY

Number Assigned 860-16 Date Received 8/30/16
Special Permit Granting Authority PB
Copy to Recommending Boards 9/30
Advertised 9/2 & 9/2
Public Hearing 9/22
Fee: \$150.00 Paid: yes

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

MAP 30 LOT 16 BOOK 1066 PAGE 293 ZONING DISTRICT(S) R-2

Site Address: 624 South Egremont Road

Date of Application Aug 29, 2016

Applicant's name and complete mailing address Marcia Starnell & Arthur Yanoff
624 S. Egremont Road, Great Barrington, MA 01230

Applicant's phone number (413) 528-6206 Applicant's email address: marcia.starnell@gmail.com

Name and Address of Owner of land exactly as it appears on most recent tax bill:

Yanoff, Arthur S; Starnell, Marcia F; 624 South Egremont Road,
Great Barrington, MA 01230-1930

I (we) request a Special Permit for: a short screening fence

Under Section(s) 4.2.9 and 10.4 of the Great Barrington Zoning Bylaws.

APPLICANTS MUST READ AND COMPLY WITH THE FOLLOWING:

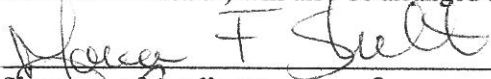
One Signed Original application with each of the items below, as applicable, and fourteen (14) exact copies of the entire application package are to be submitted. Applications must include:

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.

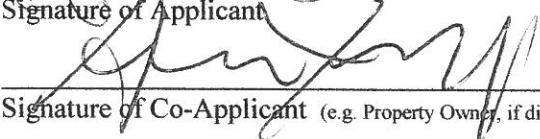
- 6. Zoning Map designating the zoning district(s) and location for the area for which a special permit is requested, plus a USGS map enlarged and showing the site location within the Town.
- 7. Drainage Plan indicating the destination of all runoff from the property. In the event of substantial increase 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.



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 

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

Date Aug 29, 2010



TOWN OF GREAT BARRINGTON MASSACHUSETTS

ASSESSORS' OFFICE

August 23, 2016

ABUTTERS TO PROPERTY OF: ARTHUR S. YANOFF & MARCIA F. STAMELL

624 South Egremont Road, Map 30 Lot 16, Book 1066 Page 293

<u>MAP</u>	<u>LOT</u>	<u>ABUTTER</u>
30	29	Douglas W. & Marie M. Pierce, 37 Mineola Ave, Roslyn, NY 11576-2046
30	27,27A	High Spirit Community Farm Inc., 4 Brattle St. #303, Cambridge, MA 02138-3751
30	25	Lori H. Levinson, 138 Seekonk Cross Rd., Gt. Barrington, MA 01230-1571
30	12A,12I,12J	H. Collins & Cheryl M. Lein, 127 Seekonk Cross Rd., Gt. Barrington, MA 01230-1572
30	15,12G	Patricia A. Garvey, 139 Seekonk Cross Rd, Gt. Barrington, MA 01230-1572
30	12E	Shawn R. & Cathy Samuels, 620 South Egremont Rd., Gt. Barrington, MA 01230-1930
30	24,5	Frederick W. Beinecke II, 99 Park Ave. #2200, New York, NY 10016-1601
30	30	Riverhill Farm Properties LLC, 615 South Egremont Rd., Gt. Barrington, MA 01230-1931
30	31	George T. & Karin D. Beebe, 615 South Egremont Rd., Gt. Barrington, MA 01230-1931
30	11B	Commonwealth of Massachusetts, Division of Capital Planning & Operations, Trustees of the University of Massachusetts, Amherst, MA 01003

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

Sincerely,

Christopher Lamarre
Principal Assessor



PROPOSED FENCE

Map of ~~STAD~~ August 30, 2016

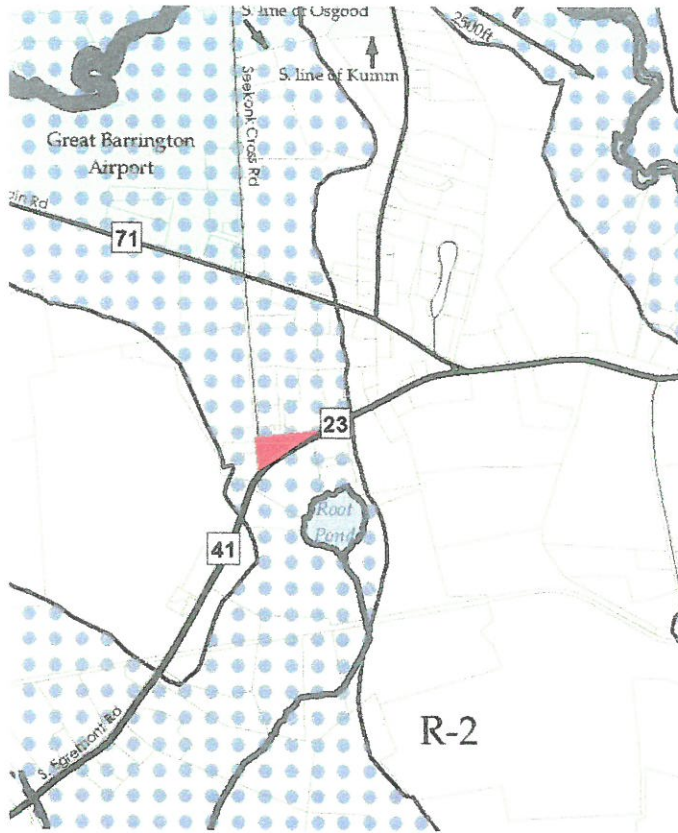
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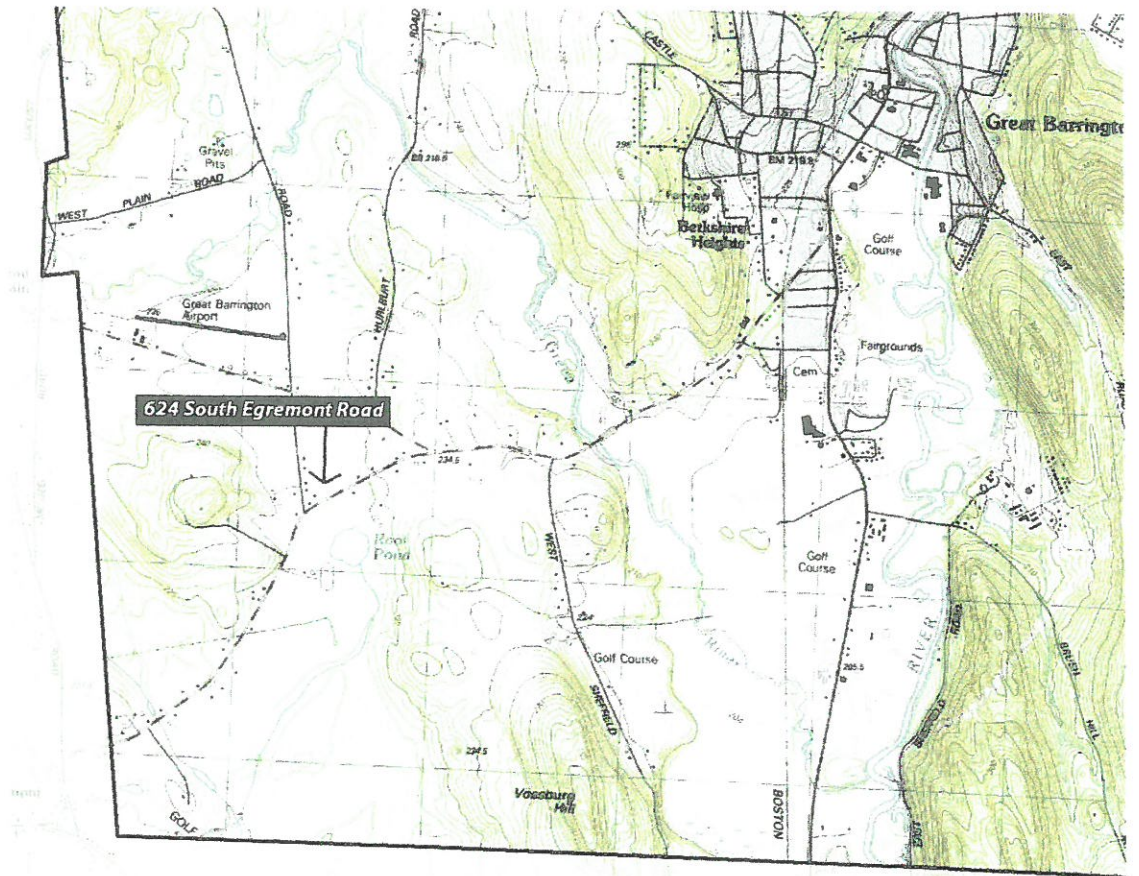
Legend
Roads to
Tax Parc

10m
97.3
Scale = 1:1,428
43,493 Twp. 582.215 45m

Zoning Map



USGS map





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 Unitarian Universalist property at 1089 Main Street pursuant to the CPA Grant Agreement

BACKGROUND: The FY 2017 CPA grant to the UUMSB for the restoration of 1089 Main Street required that a 20-year historic restriction be placed on the property.

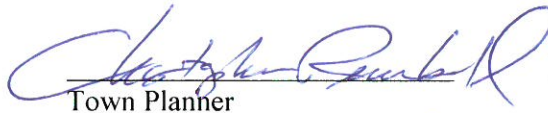
The attached Covenant will satisfy the requirement of the CPA grant. The Covenant was drafted by Town Counsel and has been signed by the UUMSB.

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 and sign the attached Covenant, and direct the Town Manager or appropriate staff to record it with the Registry of Deeds.

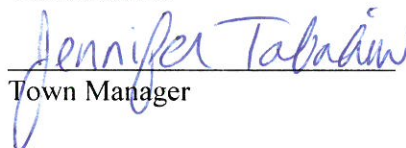
PREPARED BY:


Town Planner

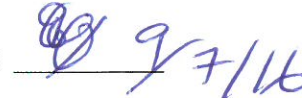
DATE:



APPROVED BY:


Town Manager

DATE:



COVENANT

The UNITARIAN UNIVERSALIST MEETING OF SOUTH BERKSHIRE, INC., a Massachusetts nonprofit corporation whose mailing address is P.O. Box 783, Housatonic, MA 01236 (“Grantor”), owner of real property located at 1089 Main Street, Housatonic, MA (Assessors Map 2, Lot 4) pursuant to a deed from Housatonic Congregational Church, Inc. dated June 2, 2014 and recorded June 2, 2014 at the Southern Berkshire Registry of Deeds in Book 2253 Page 128 (“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 (#03-17) entered into by Grantor (identified as “Recipient” therein) and the Town dated _____ (“Agreement”), a true and complete copy of which is attached hereto as Exhibit A, as are set forth in Paragraph 2 of Exhibit A thereto, as follows:

1. No disbursement of funds may occur until the Recipient records an encumbrance on the property that runs for twenty (20) years from the date of this Agreement and which accomplishes the following:
2. The Town shall be repaid the full \$60,000 of this CPA award if the Building is willfully demolished, removed or razed;
3. Material changes to the exterior of the Building shall not be made without a minimum 45-day advance notice to the Great Barrington Historical Commission for an opportunity to discuss proposed changes and their relationship to The Secretary of the Interior’s Standards for the Treatment of Historic Properties; and,
4. Said encumbrance shall apply to the Grantee and all successors and assigns and shall be released by the Town at the end of the 20 years.

1089 Main Street, Housatonic, MA

Attached hereto as Exhibit B and incorporated herein is a plan showing the location of the subject building.

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 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 Village of Housatonic 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 Farmhouse, 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 6th day of September 2016.

UNITARIAN UNIVERSALIST MEETING OF SOUTH BERKSHIRE, INC.

By

X Janet C. Hutch
Janet C. Hutchinson, President

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss

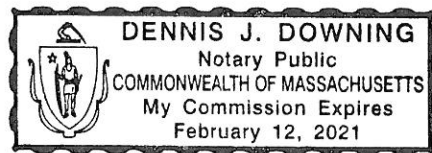
On this 6th day of September, 2016, before me, the undersigned notary public, personally appeared **Janet C. Hutchinson, President of the Unitarian Universalist Meeting of South Berkshire, Inc.**, proved to me through satisfactory evidence of identification, being (check whichever applies):

- 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, 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 _____, 2016

TOWN OF GREAT BARRINGTON
SELECT BOARD

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss. _____, 2016

On this _____ day of _____, 2016 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: _____