

**TOWN OF GREAT BARRINGTON
SELECTMEN'S MEETING
MINUTES
MONDAY, AUGUST 26, 2013
7:00 P.M. – TOWN HALL**

PRESENT: DANIEL BAILLY
STEPHEN BANNON
ANDREW BLECHMAN
DEB PHILLIPS
SEAN STANTON

JENNIFER TABAKIN, TOWN MANAGER

7:00 PM – PUBLIC SESSION – BOARD ROOM

1. CALL TO ORDER

Sean Stanton called the meeting to order at 7:00 P.M.

2. APPROVAL OF MINUTES:

August 12, 2013 Regular Meeting

MOTION: Deb Phillips to approve the August 12, 2013 minutes

SECOND: Steve Bannon

VOTE: 5-0

3. SELECTMEN'S ANNOUNCEMENTS/STATEMENTS

A. GENERAL COMMENTS BY THE BOARD.

Dan Bailly thanked the Great Barrington Fire Department and the Chamber of Commerce for their events: car show and summerfest this past week; it was a great time for residents and non-residents.

Andrew Blechman thanked the Berkshire Record for not using the term 'armed guard,' Andrew said that free digital adapters are available if you ask Time Warner now until September 23rd; for when local cable goes digital.

B. DISCUSSION OF UPCOMING MEETING CALENDAR.

The calendar was presented to the Selectboard for their review.

4. TOWN MANAGER'S REPORT:

A. FOLLOW UP ITEMS

Jennifer Tabakin is working on easements that are needed for the Main Street Reconstruction project. She said that it is very favorable to the property owners.

Jennifer showed the layout for the parking spaces that will be painted at the Housie Dome. There are two options that were presented to the Selectboard. Jennifer will e-mail this layout to the Selectboard for their comments.

Jennifer reported that a Broadband connection was made at Main Street, hence the work in the road. Going forward there will be protocol in regards to communication about permitted work.

B. DEPARTMENT UPDATES

Chris Rembold reported that the final Master Plan draft is available on the town website, at the library, in the Town Clerk's office, etc.

There will be a Planning Board meeting on September 26th to approve the plan. This reflects 3 years of input. Chris thanked the Master Plan Committee, Bud Atwood and Deb Phillips for their hard work on this.

C. COMMITTEE UPDATES

Jennifer Tabakin said that there will be a meet and greet with Chairs of the Town's Board/Committees/Commissions on September 11th.
On September 30th, the Parking Task Force will reconvene.
The Cultural Council's grant applications are due on October 15th.

Steve Bannon clarified that the Parking Task Force is still in session.
Jennifer said that there is a need for additional members.

5. PUBLIC HEARINGS:

A. CONTINUATION OF PUBLIC HEARING ON THE SPECIAL PERMIT APPLICATION OF JOHN DELMOLINO, PO BOX 446, MONTEREY, MA FOR THE PARTIAL DEMOLITION AND RENOVATION OF THE EXISTING STRUCTURE AND TO OPERATE A RESTAURANT AT 165 MAIN STREET, GREAT BARRINGTON, MA, IN ACCORDANCE WITH SECTION 3.1.4 C (21), 9.6, AND 10.4 OF THE GREAT BARRINGTON ZONING BY LAW. (DISCUSSION/VOTE)

a. Open Public Hearing

MOTION: Deb Phillips to re-open the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

b. Explanation of Project

Diego Gutierrez presented the details of the project. He explained that the 2 southerly buildings on this property could not be renovated so they will be demolished. The corner building will remain. The new building will have one story using wood from the one that will be taken down. The original character of the building will remain. There are river views from the rear. Diego said this project will raise tax revenues and will draw people to this side of the town.

c. Speak in Favor/Opposition – Paul Ivory, Chairman of the Historical Commission, said that it is great to see the corner market saved. He said that the sensitive use of the original building is smart.

d. Motion to Close Public Hearing

MOTION: Deb Phillips to close the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

e. Motion re: Findings

MOTION: Deb Phillips to approve the Findings for Special Permit #816-13 for John Delmolino as submitted and referenced as Exhibit A, with the findings that the proposal meets the criteria of the Village Center Overlay District and the benefits of the proposal outweigh any possible detrimental impacts

SECOND: Steve Bannon

ROLL CALL VOTE:

DANIEL BAILLY – YES

STEPHEN BANNON – YES

ANDREW BLECHMAN - YES

DEB PHILLIPS - YES

SEAN STANTON - yes

VOTE: 5-0

f. Motion re: Approval/Denial/Table

MOTION: Deb Phillips: In view of the approved Findings, move to approve Special Permit #816-13 for John Delmolino Special Permit application #816-13 filed by John Delmolino, PO Box 446 Monterey, MA, for the partial demolition and renovation of 165 Main Street, Great Barrington, MA, and the operation of a restaurant at the premises, in accordance with Sections 3.1.4 C (21), 9.6, and 10.4 of the Great Barrington Zoning Bylaw, subject to the following conditions:

1. The public sidewalk may be blocked during demolition and construction only if sufficient accommodation is made for pedestrians to travel without having to cross Main Street.
2. Site preparation, demolition staging and process, renovation and storage of building materials, and storm water management shall be as noted on the plans submitted with the application and dated July 8, 2013.
3. All exterior lighting shall be directed downward and have full horizontal cutoffs.
4. All exterior materials shall be as noted on "Proposed Plan and Elevations for New Restaurant Building" prepared by Housatonic Architectural Services dated August 22, 2013.
5. A maximum of 95 seats is permitted, counting interior dining, the bar, and outside seating.
6. All deliveries and trash removal shall be conducted via the existing driveway from Cottage Street, and shall not occur on Main Street or from the intersection.

SECOND: Steve Bannon

ROLL CALL VOTE:

DANIEL BAILLY – YES

STEPHEN BANNON – YES

ANDREW BLECHMAN - YES

DEB PHILLIPS - YES

SEAN STANTON - YES

VOTE: 5-0

B. TAX CLASSIFICATION HEARING TO DETERMINE THE TAX ALLOCATION FOR FY 2014 FOR THE TOWN OF GREAT BARRINGTON. (DISCUSSION/VOTE)

- a. Open Public Hearing

MOTION: Deb Phillips to open the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

- b. Explanation of Project

Chris Lamarre, principal assessor, explained the options for tax classification. He said that there are 4 options: Open space discount, residential exemption, commercial exemption and single or split rate. He explained each in detail. The choice will not impact the tax levy, only the tax rate.

Chris Lamarre recommended the single tax rate option.

- c. Speak in Favor/Opposition – None

- d. Motion to Close Public Hearing

MOTION: Deb Phillips to close the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

- e. Motion re: Findings

No findings

- f. Motion re: Approval/Denial/Table

MOTION: Deb Phillips to approve the single tax rate for FY 2014 of \$13.56.

SECOND: Steve Bannon

ROLL CALL VOTE:

DANIEL BAILLY – YES

STEPHEN BANNON – YES

ANDREW BLECHMAN - YES

DEB PHILLIPS - YES

SEAN STANTON, - yes

VOTE: 5-0

Fire District

MOTION: Robert Avery to open the Public Hearing

SECOND: Ken Schumacher

VOTE: 5-0

MOTION: Robert Avery to approve the single tax rate for FY 2014 of \$0.70.

SECOND: Ken Schumacher

ROLL CALL VOTE:

BUD ATWOOD – YES

ROBERT AVERY – YES

KEN SCHUMACHER – YES

ROBERT HAMMER - YES

WILLIAM FOSTER – YES

VOTE: 5-0

MOTION: Robert Avery to close the Public Hearing

SECOND: Ken Schumacher

VOTE: 5-0

C. LORI WELLER, 293 MAIN STREET, GREAT BARRINGTON FOR A SPECIAL PERMIT FOR A RESTAURANT AND ARCADE AT 34 BRIDGE STREET, GREAT BARRINGTON, MA, IN ACCORDANCE WITH SECTIONS 3.1.4 B (5) AND C (21), 9.6, AND 10.4 OF THE GREAT BARRINGTON ZONING BY LAW. (DISCUSSION/VOTE)

a. Open Public Hearing

MOTION: Deb Phillips to open the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

b. Explanation of Project

Keith Weller explained the project. He said that they will put a restaurant/arcade in the old Laramee Building. It will be geared toward ages 21 and up. There will be 20 arcade games, air hickey and ping pong. There will be parking in the back. They will maintain the property.

c. Speak in Favor/Opposition

Joe Carini, owner of Wheeler and Taylor Real Estate, thanked the Mr. Weller for bringing their businesses to the town. He expressed his concern regarding parking. The parking is owned by Wheeler and Taylor and is open to the public on weekends, but at great expense. They often have to clean up after people who use it. Mr. Carini also asked where the deliveries would be made to.

Mr. Weller responded that the deliveries would come through the front door.

Nadine Foster asked how this will be prevented from becoming a hang-out.

Mr. Weller explained that this will be predominantly a restaurant. He said that this is a family operation and they do not want a hang out. He said that he will keep it clean and safe.

Nadine expressed that devaluation of her property is a concern.

d. Motion to Close Public Hearing

MOTION: Deb Phillips to close the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

e. Motion re: Findings

MOTION: Deb Phillips to approve the Findings for Special Permit #817-13 for Lori Weller as submitted and referenced as Exhibit A, with the findings that the proposal meets the criteria of the Village Center Overlay District and the benefits of the proposal outweigh any possible detrimental impacts.

SECOND: Steve Bannon

ROLL CALL VOTE:

DANIEL BAILLY – YES

STEPHEN BANNON – YES

ANDREW BLECHMAN - YES

DEB PHILLIPS - YES

SEAN STANTON - yes

VOTE: 5-0

f. Motion re: Approval/Denial/Table

MOTION: Deb Phillips- In view of the approved Findings, move to approve Special Permit #817-13 for Lori Weller 293 Main Street, Great Barrington, MA, for Gypsy Joynt Jive, a restaurant and arcade, at 34 Bridge Street, Great Barrington, MA, in accordance with Sections 3.1.4 B(5) and C (21), 9.6, and 10.4 of the Great Barrington Zoning Bylaw, subject to the following condition:

1. There shall be a maximum of 95 seats.

SECOND: Steve Bannon

ROLL CALL VOTE:

DANIEL BAILLY – YES

STEPHEN BANNON – YES

ANDREW BLECHMAN - YES

DEB PHILLIPS - YES

SEAN STANTON - yes

VOTE: 5-0

D. LORI WELLER D/B/A GYPSY JOYNT JIVE, LORI WELLER, MANAGER FOR A NEW COMMON VICTUALLER ALL ALCOHOLIC RESTAURANT LIQUOR LICENSE AT 34 BRIDGE STREET, GREAT BARRINGTON, MA. (DISCUSSION/VOTE)

a. Open Public Hearing

MOTION: Deb Phillips to open the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

b. Explanation of Project – same as above

c. Speak in Favor/Opposition - none

d. Motion to Close Public Hearing

MOTION: Deb Phillips to close the Public Hearing

SECOND: Steve Bannon

VOTE: 5-0

e. Motion re: Findings

MOTION: Deb Phillips to approve finding of facts and the benefits of the proposal outweigh any possible detrimental impacts.

SECOND: Steve Bannon

ROLL CALL VOTE:

DANIEL BAILLY – YES

STEPHEN BANNON – YES

ANDREW BLECHMAN - YES

DEB PHILLIPS - YES

SEAN STANTON - yes

VOTE: 5-0

f. Motion re: Approval/Denial/Table

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

ROLL CALL VOTE:

DANIEL BAILLY – YES

STEPHEN BANNON – YES

ANDREW BLECHMAN - YES

DEB PHILLIPS - YES

SEAN STANTON - yes

VOTE: 5-0

6. LICENSES OR PERMITS:

A. LORI WELLER D/B/A GYPSY JOYNT JIVE FOR 2013 COMMON VICTUALLER

LICENSE AT 34 BRIDGE STREET, GREAT BARRINGTON, MA FROM WEDNESDAY – SUNDAY, 11:00 AM – 1:00 AM. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

B. LORI WELLER D/B/A GYPSY JOYNT JIVE FOR 2013 AUTOMATIC AMUSEMENT DEVICE LICENSE AT 34 BRIDGE STREET, GREAT BARRINGTON, MA FROM WEDNESDAY - SUNDAY, 11:00 AM – 1:00 AM. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

C. LORI WELLER D/B/A GYPSY JOYNT FOR 2013 ANNUAL SUNDAY ENTERTAINMENT LICENSE AT 293 MAIN STREET, GREAT BARRINGTON, MA FROM 1:00 PM – 11:59 PM. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

D. TOM HANKEY & JUANITA O'ROURKE D/B/A COVE BOWLING & ENTERTAINMENT FOR 2013 COMMON VICTUALLER LICENSE AT 109 STOCKBRIDGE ROAD, GREAT BARRINGTON FROM MONDAY – SUNDAY, 9:00 AM – 11:00 PM. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

E. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LICENSE FOR SEPTEMBER 7, 2013 FROM 11:00 AM – 7:00 PM AT 338 LONG POND ROAD. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

F. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LICENSE FOR SEPTEMBER 15, 2013 FROM 11:00 AM – 7:00 PM AT 338 LONG POND ROAD. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

G. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LICENSE FOR SEPTEMBER 21, 2013 FROM 5:00 PM – 12 MIDNIGHT AT 338 LONG POND ROAD. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

H. GREAT BARRINGTON FISH AND GAME FOR TEN (10) ONE DAY BEER AND WINE LICENSES, EVERY SUNDAY, FROM SEPTEMBER 22, 2013 – NOVEMBER 24, 2013 FROM 11:00 AM – 7:00 PM AT 338 LONG POND ROAD. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the licenses

SECOND: Steve Bannon

VOTE: 5-0

I. GREAT BARRINGTON FISH AND GAME FOR ONE DAY BEER AND WINE LICENSE FOR

DECEMBER 1, 2013 FROM 11:00 AM – 7:00 PM AT 338 LONG POND ROAD.
(DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

J. THE GUTHRIE CENTER /GEORGE LAYE FOR ONE DAY BEER AND WINE LICENSE FOR
SEPTEMBER 5, 2013 FROM 6:00 PM – 11:30 PM AT THE GUTHRIE CENTER,
2 VAN DEUSENVILLE ROAD. (DISCUSSION/VOTE)

MOTION: Deb Phillips to approve the license

SECOND: Steve Bannon

VOTE: 5-0

7. NEW BUSINESS:

A. BOS – RECOMMENDATION TO THE ZBA ON THE SPECIAL PERMIT APPLICATION OF
JAMES B. KETCHEN, 5631 KEY WEST PLACE, BRADENTON, FL 34203 TO ALTER PRE-
EXISTING, NON-CONFORMING DWELLING AT 70 CASTLE HILL AVENUE, GREAT
BARRINGTON. (DISCUSSION/VOTE)

MOTION: Deb Phillips to continue until the 9/9/13 meeting

SECOND: Steve Bannon

VOTE: 5-0

8. OLD BUSINESS:

A. PLASTIC BAG REDUCTION BYLAW UPDATE. (DISCUSSION)

The Attorney General has approved what was voted upon at Town Meeting.

The ban includes thin film, single use check-out bags.

Jennifer Tabakin said that outreach and education will begin in the Fall of 2013.

The film 'Bag-It' will be shown at the library.

Enforcement will begin on January 1, 2014. Fines will be \$50 per day and \$100 per day after the first violation. (These are issued by the Health Department)

The Selectboard may need to further clarify as new products come out.

MOTION: Deb Phillips to begin enforcement on January 1, 2014.

SECOND: Steve Bannon

VOTE: 4-0-1 Dan Bailly abstains

9. CITIZEN SPEAK TIME

None

10. SELECTMEN'S TIME:

None

11. MEDIA TIME:

None

12. ADJOURNMENT

On a motion by Deb Phillips, seconded by Steve Bannon, the Board adjourned its meeting at 8:35 P.M.

Respectfully submitted,



Cara Becker

Recording Secretary