

**TOWN OF GREAT BARRINGTON  
SELECTBOARD MEETING  
TOWN HALL, 334 Main St.  
MINUTES July 11, 2016**

**PRESENT:**

SELECTBOARD

SEAN STANTON  
STEPHEN C. BANNON  
DANIEL BAILLY  
ED ABRAHAMS  
WILLIAM COOKE

TOWN MANAGER JENNIFER TABAKIN

**1. Call to Order:**

Mr. Stanton called the meeting to order at 6:02 p.m.

**2. Strategic Planning Priorities Session**

The session began with Mr. Bannon saying the board should work from a list that includes dollar amounts, responsible departments and timelines. The list should be checked more often than quarterly. Town Manager Jennifer Tabakin distributed copies of her worksheet and a worksheet prepared by DPW Superintendent Joe Sokul. Ms. Tabakin said the sheets, broken down into General Government, Economic Development, Projects, Construction Management, Real Estate, Financial, Green Initiatives, Culture and Recreation, Town Facilities, Technology Committee and Town Archiving categories, also DPW projects, include many endeavors that have already begun, are midway or are nearing completion. She said many of the items were discussed during the budgeting process.

Mr. Bannon said, regarding continued rental of the old fire station on Castle Street, that the Town wasn't going to spend money on a new garage facility until it was ready to leave the fire station. But now it appears the Town should build a new facility and leave the fire station.

Mr. Cooke suggested creation of an Affordable Housing Task Force, and after some discussion, the board asked Ms. Tabakin and Mr. Cooke to look into what is required structurally to establish such a committee, who should establish the committee and what, if any, funding might be available for the committee and draft a charge for such committee. Mr. Abrahams said the charge might be to find ways to get the Town's affordable housing up to 10 percent. Mr. Abrahams made a motion, Mr. Cooke seconded, all voted in favor.

The board discussed CPA funding and ways to shift Town projects to that funding source. There followed considerable discussion as to how the CPA functions (Chairman Karen Smith and other members spoke from the audience). The Town has a CPA grant to study Town Hall's leaking roof and the need to repair historic structural features. Ms. Smith said that money has been available to spend since May. She said the next round of

proposals is due Sept. 1. Ms. Tabakin said budget and Town Meeting season, followed by summer, is not the best time to rush a new proposal to the board, and there was discussion of planning out several projects ahead of time for submission as appropriate for CPA money.

By the time this discussion ended, Mr. Bannon observed that the board had made no headway in prioritizing needs. Ms. Tabakin said last year the board used the budget process as a strategic planning process. She said the board needs to also prioritize its staff resources and manage projects already begun. Mr. Stanton said the board should hear from the department heads and the public when making priorities.

The board decided to meet Aug. 3, 2016, at 6 p.m. at Town Hall for a Strategic Planning Priorities Session. The chairman adjourned this session at 7:02 p.m. and immediately opened the regular Selectboard meeting.

### **3. Announcements**

Mr. Cooke said Berkshire Regional Transit Authority will be in Great Barrington July 25 to discuss its express bus program. Will the Town want to continue? What is the ridership? What is the cost to Great Barrington? These are some of the questions to be asked.

Mr. Stanton said there needs to be resolution to the matter of David Magadini leaving belongings at the Town Hall Bandstand, which hosts musical programs Friday evenings and Saturday mornings. Ms. Tabakin said the bandstand is regularly cleaned up, but if there becomes an issue, a phone call should be made to the police department.

### **4. Public Hearing**

Mr. Stanton convened the board to act as **Sewer Commissioners** at 7:11 p.m., on a motion by Mr. Bannon, seconded by Mr. Bailly and voted by all. The commission at the recommendation of DPW Superintendent Sokul, voted to maintain current rates for FY 2017. This unanimous vote was on the motion of Mr. Bannon, seconded by Mr. Bailly, which read: Set the service rate at \$460 per EDU and allocate the indirect costs in the amount of \$81,000 for FY 2017 total. Mr. Stanton adjourned the Sewer Commissioners meeting at 7:12 p.m. and returned to regular session.

### **5. Permits**

A. **Lake Avenue** - National Grid and Verizon New England to install one pole (pole #12-2), approximately 45 feet east of existing pole #12, side of road, in order for new house #22 to install underground service. The location begins at a point approximately 405 feet south of the centerline of the intersection of Castle Hill Ave and continuing approximately 45 feet in an easterly direction. Sandra Adams appeared on behalf of National Grid. In answer to a question from Mr. Abrahams she said National Grid said the installation is to allow an underground line to a property owner. National Grid would not run such a line from a neighboring, privately owned pole. Mr. Bannon moved to approve the request, Mr. Bailly seconded, the Board was unanimously in favor.

B. **Brian and Amanda Beckwith** for a Driveway Permit at Lake Buel Road. Mr. Bannon moved to approve the request, Mr. Bailly seconded, the Board was unanimously in favor. The approval is with conditions.

C. Mark DeCelle/Great Barrington **Rotary Club** for permission to use town roads, per map attached to application, for the 4<sup>th</sup> annual Bike-N-Fly cycling event on Aug. 20, 2016 (rain date Aug. 21, 2016) from 9 a.m., and to return within two to three hours, starting and ending at Great Barrington Airport. Mr. Bailly moved to approve the request, Mr. Abrahams seconded, the Board was in favor. Mr. Bannon, a member of Rotary, recused himself.

D. Mark De Celle/**Rotary Club** of Great Barrington for Temporary Weekday Entertainment License for Aug. 20, 2016 (rain date Aug. 21, 2016) from 9 a.m. to 4 p.m. at Great Barrington Airport, 70 Egremont Plain Road, for Bike N Fly. Mr. Bailly moved to approve the request, Mr. Abrahams seconded, the Board was in favor. Mr. Bannon, a member of Rotary, recused himself.

E. Mark De Celle/**Rotary Club** of Great Barrington for Temporary Sunday Entertainment License for August 21, 2016 from 9 a.m. to 4 p.m. at Great Barrington Airport, 70 Egremont Plain Road for Bike N Fly. Mr. Bailly moved to approve the request, Mr. Abrahamson seconded, the Board was in favor. Mr. Bannon, a member of Rotary, recused himself.

F. Jennifer Hermanski/**Literacy Network of South Berkshire** for One-Day Beer and Wine Liquor License for July 21, 2016, from 5:30 p.m. to 7:30 p.m. at Iredale Mineral Cosmetics, 50 Church St. Mr. Bannon moved to approve the request, Mr. Bailly seconded, the Board was unanimously in favor.

G. Lynnette Najimy/**Camp Now Productions**, LLC for Temporary Sunday Entertainment License for July 24, 2016 from 3:00 pm – 7:00 pm at the Great Barrington Fairgrounds, 659 South Main St. Mr. Bannon moved to approve the request, Mr. Bailly seconded, the Board was unanimously in favor.

H. Chris Beacco, Matt Downing, Jim Wright/**Oldtone Productions** for Temporary Weekday Entertainment License for Sept. 9 and 10, 2016, from 11 a.m. to 10:30 p.m. at Butternut Ski Area, 380 State Road for Oldtone Roots Music Festival. Withdrawn, no discussion.

I. Chris Beacco, Matt Downing, Jim Wright/**Oldtone Productions** for Temporary Sunday Entertainment License for Sept. 11, 2016, from 10 a.m. to 1 p.m. at Butternut Ski Area, 380 State Road for Oldtone Roots Music Festival. Withdrawn, no discussion.

J. Michelle Apland/**Flying Deer Nature Center** for One Day Beer and Wine Liquor License for July 23, 2016, from 5 to 8:30 pm at Berkshire South Regional Community Center, 15 Crissey Road. Mr. Bannon moved to approve the request, Mr. Bailly seconded, the Board was unanimously in favor.

K. Jenise Lucey/**Berkshire South Regional Community Center** for One Day All Alcoholic Liquor License for Aug. 18, 2016, from 5:30 to 10:30 p.m. at 15 Crissey Road for Annual Gala. Mr. Bannon moved to approve the request, Mr. Bailly seconded, the Board was unanimously in favor.

## 6. New Business

Sonia Filipczak representing **Railroad Street Youth Project**, invited board members to attend a World Café Forum to discuss substance abuse issues in town and the results of a recent survey, to be held July 28, 2016, from 5:30 to 7 p.m. at the Claire Teague Senior Center. Mr. Cooke and Ms. Tabakin will tentatively attend.

## 7. Old Business

A. Extension of **Agreement with CET** for Hazardous Household Waste Collection. Mr. Bannon moved to approve the request, Mr. Bailly seconded, the Board was unanimously in favor. The cost is \$6,500.

B. Mr. Abrahams, a former library trustee, presented a **Ramsdell Library Sunday Hours Report**. He said the trial met all goals. Sundays drew more patrons, had a community atmosphere and attracted more volunteers. The total direct cost was 44 hours for a library technician and \$125 for a workshop. Recommendations were to continue Sunday hours and to provide handicapped access to the library. Mr. Bannon moved, Mr. Bailly seconded, and the Board voted in favor of asking the Town Manager to discuss the proposal with union representatives, determine what would be involved to initiate the program as long as it is budget-neutral, and return to the Board.

C. Continuation of Recommendation to the ZBA on the Comprehensive Permit Application for **100 Bridge Street** submitted by Community Development Corporation of South Berkshire at 100 Bridge Street (former New England Log Homes property).

Tim Geller, executive director, Community Development Corp. of South Berkshire, described the proposed 45-unit, three-building affordable housing complex for the south end of the 8-acre parcel at 100 Bridge St. He said the plan is the same as was submitted seven months ago to the Zoning Board of Appeals, omitting commercial and market-rate housing aspects. The permitting strategy has changed, he said. He showed an architect's new rendering of a clapboarded, typical apartment house.

Regarding the attempt at bioremediation that the Massachusetts Department of Environmental Protection ultimately shut down, Mr. Geller the fallback is capping the site with either buildings, pavement or clean soil. He said an S-1 standard will be used for the housing site. He said there will be no air-exposure of PCPs or dioxins. He said a development near the wastewater treatment plant in Stockbridge has proved satisfactory to tenants with no complaints about odors or noise.

Economics of developing the site, he said, mean there will be a commercial component. He said the \$2.1 million MassWorks grant for the town to improve Bridge Street assumes commercial development. The commercial piece may change, but it will be no larger than what was initially proposed. Economically parts of the site (road frontage) more desirable for commercial development, Mr. Geller said. The density is needed for financial reasons, he said.

There followed extended conversation about cleanup and why effort couldn't be asserted to return to the bio-remediation method; toxicity of the site; density of the site; and nearness to the WWTP.

Mr. Bannon read a two-page list of proposed recommendations, for discussion purposes.

Jeffery Cohen of the CDC board said there are significant real estate development expenses for this parcel. He said the board has been active in coming up with a plan. He said the focus should be only on the affordable units. Besides different facades, buildings may be reoriented on the land, he said. There will be major landscaping between buildings, he said. He said the intent is to remediate the entire site before any construction

begins. He said the visual impact of four-story buildings will be softened by landscaping. Garages (in Mr. Bannon's list) are not feasible because of expense.

Richard Stanley of the CDC board said the parcel has been abandoned for 20 years, and it has taken a lot of work to reach this point. He said the purpose of a 40B hearing is to streamline the process for affordable housing; he questioned why the Selectboard was holding a hearing as well. Mr. Stanton said this was not a hearing, but discussion of proposed recommendations to the ZBA. Mr. Stanley said this is opportunity to meet a need for workforce housing, using an old industrial site, making it something more appropriate for the community.

Judy Brodeur, Bridge Street said the plan is bad, light and noise from the WWTP are constant, the site is inappropriate for housing. She said the neighborhood is mostly two-family homes. She said the housing should go along Bentley Avenue.

Mia Conkey, North Plain Road, said the WWTP emits dioxins to the air. Mr. Stanton told her the WWTP does not treat river water and does not emit dioxins to the air. Ms. Conkey said word is it emits airborne toxins and other harmful substances yet to be identified. She asked what guarantees there are in capping. Mr. Abrahams asked if she expected the board to attempt to set a higher standard than those endorsed by the EPA or DEP.

Joyce Scheffey, Pleasant Street, voiced support for bio-remediation. Mr. Stanton asked why CDC didn't press for bio-remediation. Mr. Geller, CDC board members and Ms. Tabakin described the extensive efforts made to persuade DEP to allow bio-remediation, with the response a firm no.

Mr. Bailly asked about site monitoring. Mr. Geller said that after a site is capped, a licensed site professional would oversee testing, certify results and submit them to DEP.

Mark Cohen, Warren Avenue, said he supported the project but the WWTP is noisy and smells at times. The affordable housing would get the worst of it. A solution might be to build a cover over the WWTP. He said PCBs are fat soluble, and it's possible they become airborne, are absorbed by humans and end up in human excrement.

Adrian Cohen, Warren Avenue, referred to a recent public talk by Dr. David Carpenter as to the toxicity of WWTPs. She said Great Barrington's now smells like chemicals, not sewage. She said the plant should be covered and filtered and more trees planted.

Sharon Gregory, Hollenbeck Avenue, questioned the marketing research done by CDC, as to the viability of commercial development at that location. In response to her suggestion the affordable housing be spread out on the 8 acres, Mr. Geller said it is not economically viable.

Jeffrey Cohen said commercial development is not likely at the south end of the property because of lack of visibility. He said buildings are planned to scale upward in height, two-story in front, four-story in the rear. He said four-story buildings are not desirable on Bentley Avenue. Ms. Brodeur said a destination commercial entity would work at the south end of the property.

Nancy Orenstein, Alford Road, asked if more houses could be placed along Bentley Avenue to make them more a part of the community.

Michelle Loubert, Housatonic, said the housing proposal could cost WWTP ratepayers more, to build a cover over the plant.

Bobby Houston, Humphrey Street, said the south 2 acres are the least desirable acres on the site.

Mr. Bannon proposed the Selectboard adopt his list of recommendations, Mr. Bailly seconded and all agreed. Members then added and deleted from the sheet.

Rick Aloisi, Crosby Street, said the proposal is different from one in Stockbridge and is not attractive.

Mr. Cooke said that if the town was presented only with a proposal for 45 units on 2 acres, he would never agree.

Mr. Bannon said the purpose of the recommendations is only to ask the Zoning Board of Appeals to take a look. He said he expected final conditions would be different. Ms. Tabakin said if the ZBA put on onerous conditions, or rejected the proposal, it could be appealed to the state and the town overturned. Jeffrey Cohen said CDC would likely make an appeal to preserve the density request.

Mr. Bannon withdrew his motion for his original sheet, Mr. Bailly withdrew his second. Mr. Bannon then made a new motion, with wording changes. The board on a motion by Mr. Bannon, seconded by Mr. Bailly, and voted unanimously, recommended these conditions to the ZBA:

Site Contamination — (a) No building permit shall be issued for either the affordable housing development or any other use at the 100 Bridge Street site until a remediation plan for the entire 8-acre site is submitted and approved by the Massachusetts DEP; (b) The remediation shall be undertaken in strict compliance with any required permits issued by the Massachusetts DEP and/or the Conservation Commission, including but not limited to, dust, odor control and noise control; and (c) A certificate of occupancy for the housing should not be granted until the full 8 acres is remediated.

Site Plan and Design — (a) The proposed affordable housing buildings should more closely relate to the massing and height of homes in the adjacent residential neighborhood; (b) The design of the affordable housing should not be distinctly different in quality, scale or size from the surrounding neighborhood; (c) The building closest to Bentley Avenue should have a façade in size and scale that relates to other buildings on the street; (d) The height of the buildings should not exceed the approximate elevation of three stories, as measured at the highest elevation of the site; (e) The residents of the affordable housing building, or any town resident, should not be restricted from using the open space on the rest of the site; (f) Ideally, open space used by residents should be visible from the adjacent streets; and (g) All residential buildings on the site should resemble the adjacent residential neighborhood.

Impact of Development on Neighborhood — (a) Parking lot and site lighting levels should be dimmed at night and the LED color temperatures should be a “warm” light; and (b) Future commercial developments should complement the residential neighborhood.

Density – (a) Given the available space that is not leased or designated for use on the adjacent 6 acres, the number of units on the 2 acres should be reduced to medium density housing; and (b) Parking and traffic around the common green on the 6 acres should be reduced.

Construction Impacts on Neighborhood — Construction hours shall be limited to 7 a.m. to 6 p.m., and the town noise bylaw shall be enforced unless specifically waived by the Select Board per Section 115 of the Town Code. There shall be no construction on Sundays.

All of the above items shall be applicable to the entire 8-acre site, regardless of whether the affordable housing site and the rest of the site are subdivided and developed separately. The CDC shall ensure that any required covenants or deed restrictions are in place to govern the rest of the site in the event it sells and does not develop the rest of the site.

The affordable housing units shall be affordable in perpetuity.

The ZBA should not consent to any of the fee waivers requested by the applicant.

### **8. Citizen Speak**

Nancy Orenstein said the left turn signal at Taconic Avenue/St. James Place, for northbound traffic on Route 7, does not have a left arrow. Ms. Tabakin said designers are looking at the light and will soon report to the town.

### **9. Adjournment**

Mr. Bannon at 10:02 p.m. moved to adjourn, Mr. Bailly seconded, the Board was unanimously in favor.

The next Select Board meeting is Monday, July 25, 2016, 7 p.m., Town Hall.

  
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Bernard A. Drew, Recording Secretary