

**TOWN OF GREAT BARRINGTON
JOINT MEETING
GREAT BARRINGTON SELECTBOARD & PLANNING BOARD
MINUTES
WEDNESDAY, APRIL 20, 2011
7:00 P.M. – TOWN HALL - BOARD ROOM**

PRESENT: WALTER ATWOOD
STEPHEN BANNON
ALANA CHERNILA
DEB PHILLIPS
SEAN STANTON
KEVIN O'DONNELL, TOWN MANAGER

PLANNING BOARD

PRESENT: Richard Dohoney
Jonathan Hankin
Suzanne Fowle Schroeder

I. Call to order:

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

II. Transfer of the common victualler and weekday entertainment license of Gypsy Joynt
MOTION: Deb Phillips: To approve the transfer of the common victualler license of Gypsy Joynt from the present location on Stockbridge Rd. to their new location on Main St.

SECOND: Bud Atwood

VOTE: 5-0

MOTION: Deb Phillips: To approve the transfer of the weekday entertainment license of Gypsy Joynt from the present location on Stockbridge Rd. to their new location on Main St.

SECOND: Bud Atwood

VOTE: 5-0

III. Discussion re: Proposed Housatonic Mills Revitalization Overlay District

Sean Stanton stated that the two Boards have come to an impasse in regards to who should be the Special Permit Granting Authority. He said that there are two options:

- 1) Try to come up with something that is agreeable to both Boards after the Town Meeting
- 2) Bring it to the Town Meeting and have it amended on the Town Meeting Floor or leave it as is and see if it passes

He said that the better of the 2 options is to wait until after the Town Meeting and come up with something that is agreeable to both Boards.

Stephen Bannon asked what will change after the Town Meeting.

Sean Stanton suggested that they could come up with a bylaw that the Planning Board would be comfortable with so that the BOS will be the SPGA.

Richard Dohoney stated that the consensus of the Planning Board is that they should be the SPGA. He said that as a policy position, this type of ordinance should be with them. He added that they are trying to encourage development to come in and to put another layer of bureaucracy on it will put additional costs on the developer. He said that the downside is the developer that never comes in and who we never know about. He stated that in the past, the Town didn't have an economically friendly zoning ordinance and he feels that this is why the Town didn't have anyone to develop this area up to this point.

Sean Stanton replied that he is supposed to represent the people who elected him and some have spoken to him about this and he can't get up and say we'll pass it as it is. He added that some have said that there isn't enough protection for the people of Housatonic.

Jonathan Hankin said that both Boards are elected by the same people. He said that the charge of the Planning Board is land use and that they are elected to lead the Town in that sphere. He added that they have the time to do this since it is their only focus. He would like to see them all pull together on this.

Deb Phillips stated that the members of the Planning Board have a great grasp of technical detail and she has a lot of respect for their knowledge and focus. She added that the BOS 'plugs' information into the big picture. She feels that when it comes to developers, they should all be present.

Jonathan Hankin replied that he finds it curious that she thinks the BOS understands the bigger picture more than the Planning Board. He stated that the Planning Board decides how to create what is viable and feels that is the big picture.

Alana Chernila stated that there are nuances that the BOS are held responsible for and when these decisions are made, they fall under a bigger umbrella. She said that the long view; what Great Barrington is and what is good for it, goes beyond what the Planning Board does. She added that it might be a bigger conversation if the Planning Board feels it doesn't have enough Special Permit Authority.

Stephen Bannon said that he does not want to go to the Town Meeting divided. He added that they need to get beyond this before they look at the global picture. This is the first step in the process.

Suzanne Fowle-Schroeder said that she likes serving on the Planning Board because an important part of the big picture is design, which is what creates or detracts from the quality of life in a town. She said that the Planning Board's focus on land use is an aspect of design.

Sean Stanton said that there are no criteria for anyone to be on either Board, so we can't write bylaws based on who is on the Boards currently.

Stephen Bannon said that the people will decide at the Town Meeting, but if it doesn't pass, it will be a downfall for Housatonic. He feels that people don't understand the issue and will vote based on Boards.

Chris Rembold stated that some people fear that the bylaw was written for the development concepts and 'pretty pictures' that have been presented, and that, unfortunately now the bylaw is tied to those pictures. But the bylaw was not written to respond to those development concepts necessarily.

Bud Atwood said that the real issue is that both Boards want to make the decision.

Kevin O'Donnell explained that if something comes in of some magnitude, it will have to come to the BOS for various reasons (financing, infrastructure improvements, etc...) which will force the BOS to get actively involved with the Planning Board. This may be your methodology to compromise so the wording doesn't have to change on the document.

Chris Rembold agreed saying that from a staff perspective, this is already set up to happen.

Jonathan Hankin said that he seconds what Kevin says and that he thought that if something came in under this bylaw, they could get members of various Boards together on a regular basis and plan going forward.

Deb Phillips said that she would like to see it trigger a joint meeting.

Alana Chernila said that this is the 4th thing that the Planning Board is the SPGA on and asked why this is different and why the Planning Board wants to be the SPBA for it.

Richard Dohoney replied that this has to be a one-board deal because of the economic impact of it. He feels that any special conditions should be done by them.

Kevin O'Donnell said because it is an overlay district, they can't minimize the significance of the site plan review criteria. This will dictate what the whole development looks like. He said that this will be intricately tied in with the mills and the two can't be separated.

Richard Dohoney stated that one can never allay a developer's concerns that they have to go through two Boards.

Deb Phillips replied that they have to go through both Boards either way, and it is a matter of who says yes or no. She said that they both have input and if they can both work well together, it makes no difference which has SPGA.

Stephen Bannon said that the voters think that the BOS have the final say and that if they do not, then it seems to change the form of government we have now, in some peoples mind.

Kate McCormick said 1) as a resident of Housatonic- she stresses the importance of the preservation of the Mills. She said that they should not let it sit a year, they can't let it fade or it may never come up again. 2) As a Chamber member- Housatonic is starving for economy.

3) As a drafter of the bylaw- it is a good and overdue bylaw. It is flexible and the Board understands it.

- 4) As a lawyer – I don't care who has SPGA; at the end of the day, each Board has a say and educating the voters will get it passed.

Chris Rembold stated that he prefers that the SPGA be the Planning Board. He said that if the purpose of the bylaw is to give the developer a 'hand-shake', there needs to be a streamlined process.

Kevin O'Donnell suggested that they put into protocol that anything that triggers this bylaw will also trigger a Joint Meeting. It is easy to do without changing the bylaw. He said that he could draft a resolution binding for both Boards that would be a procedural resolution that can only be changed by the Boards. (It would be put in the Development Review Manual.)

Alana Chernila said that she feels comfortable with this. She added that if there is a protocol in place to get them involved, then she will share the 'lightning rod' with the Planning Board. She stated, however, that they all need to continue to talk about how the Boards relate this year.

MOTION: Stephen Bannon: To direct the Town Manager to create a protocol for this bylaw to incorporate the Selectmen into the process and work with the Town Planner to coordinate the procedure with the Planning Board. (This is to be put on the agenda for Monday, April 25)

SECOND: Deb Phillips

VOTE: 5-0

Stephen Bannon asked that the Planning Board be present to be part of the discussion and to be present for a vote.

Eileen Mooney asked if, with an overlay, can a SPGA hire experts?

Kevin O'Donnell replied that it is always allowed.

IV. **Adjournment**

On a motion by Stephen Bannon, seconded by Deb Phillips, the Boards adjourned their meeting at 8:45 p.m.

Respectfully submitted,



Cara Becker

Recording Secretary