

**STOCKBRIDGE SELECT BOARD MEETING MINUTES**  
**Thursday, December 14, 2023**  
**6:30 p.m.**  
**ZOOM MEETING - TOWN OFFICES, 50 MAIN STREET**

**Present:**

Chuck Cardillo, Jamie Minacci, Patrick White and Mike Canales

**Call to Order:**

Chuck opened the meeting and led with the Pledge of Allegiance. A moment of silence was held for the passing of Mr. Beacco and Patrick read a brief statement on John's passing.

**Special Permit Hearing to consider the application of David and Ruth Epstein for property located at 17 Mahkeenac Terrace**

Chuck made a motion to open the hearing to consider the application for Special Permit Public Hearing for David and Ruth Epstein for property located at 17 Mahkeenac Terrace and to waive the notice and incorporate the notice into the minutes of the hearing. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

**Notice:**

BOARD OF SELECTMEN  
TOWN OF STOCKBRIDGE  
50 MAIN STREET  
STOCKBRIDGE, MA 01262  
SPECIAL PERMIT HEARING

Notice is hereby given that the Board of Selectmen, acting as a Special Permit Granting Authority, will hold a public hearing at the Stockbridge Town Offices and via Zoom Meeting, on Thursday, December 14, 2023 at 6:30 p.m. to consider the application for the property of David and Ruth Epstein located at 17 Mahkeenac Terrace. The applicant is requesting authorization, pursuant to Section 6.1.2 of the Zoning Bylaws to allow the extension, alteration reconstruction or change of use of a nonconforming single-family dwelling. The property is in an R-2 zone.

The application is filed in the Town Clerk's Office where it can be reviewed.

Ernest Cardillo,  
Chairman

The Berkshire Eagle  
November 22, 2023

The Berkshire Eagle  
November 29, 2023

Chuck read the procedure to be followed for the hearing. Attorney Alex Glover presented the Epstein's plan to add a 113 sq. foot wooden deck, unenclosed, safety lighting, no roof, and supported by a single six-foot post. An order of conditions was obtained from Conservation and an LPOD from the Planning Board. The property is nonconforming in terms of size and frontage; preexisting non-conforming status. This is not creating a new non-conformity.

Patrick spoke to the “access lighting” toward the door noted in the application. It was explained that it was to be facing down and pointing towards the door for safety. Attorney Glover said that it is not meant to illuminate the area. The Applicants said that it was just an entry light. Kate Fletcher, Chair of the Planning Board, commented on the lighting bylaw, suggested following it and read the bylaw.

No one spoke in favor or opposition to the application.

Attorney Glover proposed the Board grant the permit conditioned with lights as described, with two lights for entry, downward facing.

Chuck moved to close the evidentiary portion of the hearing and move to deliberation by the board. Jamie seconded; Aye Patrick, Aye Chuck, Aye Jamie. Patrick made a motion to approve with the condition that Attorney Glover just proposed. Chuck seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Hearing on application for All Alcoholic Beverages, General on Premise, Hotel License Application under M.G.L. c.138, §12 for Coco Lulu Hospitality Inc., DBA The Inn at Stockbridge located at 30 East Street

Chuck made a motion to open the hearing for All Alcoholic Beverages, General on Premise, Hotel License Application under M.G.L. c.138, §12 for Coco Lulu Hospitality Inc., DBA The Inn at Stockbridge located at 30 East Street. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Attorney Grace Enchill and Attorney Lori Robbins presented the application for Coco Lulu Hospitality, DBA The Inn at Stockbridge. Attorney Enchill reviewed the license application and proposed premises. After discussion of hours and entertainment. Chuck made a motion to approve. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie. Chuck made a motion to close the public hearing. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Hearing Pursuant to section 4.10 of the Town of Stockbridge's Short-Term Rental Bylaw, for 7 Hawthorne Road to determine the continued operation of the property as a short-term rental within the Town of Stockbridge.

Chuck read the above. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Mike Canales, representing the Town, brought to the attention of the Board, a continued violation of the short-term rental bylaw in regards to 17 Hawthorne Road; specifically for the advertisement that has at multiple times stated over the limited six persons allowed. There have been enough violations that the Board may want to consider what action they may want to take as far as improper advertisement of greater occupancy of what its septic system allows. Howard Eisler, property owner, said that they did change to 6 adults but has now added that it sleeps eight. He reasoned that it is a misunderstanding and even though it says that it sleeps eight, you cannot book for eight adults. Jamie said that his advertising is misleading. Mr. Eisler said that it has not been rented. Mike listed the violations and violation notices from the Town. Mike added that this is three strikes. Chuck asked if anyone wished to speak to the violation. Steven Stern, 4 Emmerson Lane, stated that the bylaw states ‘people’ not adults. He added that the property was on VBRO and Airbnb. The Board

could decide to not allow, allow with conditions or allow the property to be an Airbnb. Chuck felt that as the third offense; he made the motion to deny. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie. The renewal was denied. Chuck made a motion to close the public hearing. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Take action on Change of Officers/Directors/LLC Managers for the Stockbridge Golf Club

Chuck made a motion that they approve the change of managers. Patrick seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Take action on Change of Officers/Directors/LLC Managers for The Trustees of Reservations, DBA Naumkeag

Chuck made a motion to approve. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Annual Alcohol and Entertainment License Renewals

Chuck made a motion to accept all the applications for annual alcohol and entertainment. Patrick seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Request to include the Stockbridge Land Trust in the annual report

Chuck made a motion to accept this. Jamie seconded; all were in favor.

Report about the public boat ramp usage

Gary Kleinerman submitted an informational report on boat launches for the Board to review.

Dept. of Fish & Game interest in acquiring property for open space

A letter was included so that the Board is aware of it. Chuck made a motion that they send a letter of support of their endeavor.

Take action on minutes of October 6th, October 26th and November 11th

Patrick made a motion to approve. Jamie seconded; all were in favor.

Paint stewardship bill – presentation

Tom Irwin, resident of Dalton and a member of the Dalton Waste Management and Recycle Committee was tasked with decreasing the total waste going to their landfill. A Paint Stewardship program begins addressing the solid waste issue. Irwin was before the Board to ask that they consider passing a resolution in favor of the Paint Stewardship Bill that is before the legislature. The Paint Stewardship program will allow residents to discard unwanted liquid Latex and Oil-based paints without cost at participating paint retail stores. The Board members were all in favor and Mike offered to go on line and complete the endorsement form. Chuck made a motion that they have Mike draft and complete the endorsement. All were in favor.

### Program and Project Reports

Mike stated that the horse trough has been removed for restoration and will return in the spring. The Fountain Committee is working with Verne Tower on the project. Kate Fletcher thanked Hugh Page for all his help removing the trough. A cover was suggested for the trough in the future along with plantings. The cat and dog fountain should be returned in the spring. Paving will resume in spring, prior to Memorial Day and the new crosswalks will be painted in spring.

The Town should have a full count of all short-term rentals in Stockbridge from the consultant very soon. The Senior Work-Off program is up and running.

There are positions with the COA.

The salt shed is the final stages of design. The Tuckerman Bridge is being submitted for it's Chapter 85 review and the second Averic Road Bridge will as well. Patrick added that they are moving ahead with the shared service of the Building Inspectors. Mike said that it is up and running but they only have two of the four positions currently filled.

### Rest of the River discussion of transportation options

Mike presented a draft letter being proposed from the five towns regarding rail transport for the Housatonic Rest of River Cleanup Plan. Patrick felt it should be posted and would like to give Michael permission, if no substantial change, to send this at the earliest convenience, with a February 1 deadline for a comment period. Chuck seconded. They decided to wait until the 28<sup>th</sup> for comments.

Chuck read: Executive Session: To discuss strategy with respect to collective bargaining with the DPW union, and the Chair declares that an open meeting may have a detrimental effect on the bargaining of the public body and they will not be coming back into open session. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Please see <https://ctsbtv.org/government-channel-1303/> to view the full meeting.