



**Town of Stockbridge  
Special Permit Application (6.1.2)**

(\$200 Application Fee plus the cost of publication of notice of public hearing and postage costs paid by applicant prior to hearing)

**Application for: Extension, Alteration, Reconstruction, or Change of Use of Nonconforming Structures, Uses and Lots per zoning bylaw section 6.1.2:**

Application is hereby made to the **Board of Selectmen** by:

Applicant (name): Steven Averbuch and Rachel Rivest

Applicant Signature: *Steven Averbuch Rachel Rivest*

Applicant Mailing Address: 24 Andrews Lane, Princeton, NJ 08540

Applicant phone and email: 610-659-3682 sdaverbuch@outlook.com

On the 12 day of July, 2022 for property shown on the Stockbridge

Assessors Map # 101, Lot # 27 Book 6953, Page 48, Zoning District R-2

Owner of property: Steven Averbuch and Rachel Rivest

Owner's signature: *Steven Averbuch Rachel Rivest*

Address of property: 36 Lake Drive

Mailing Address: Andrews Lane Princeton, NJ 08540

Description of property: 0.28 Acres with single family house, dock, septic and well

Residential

Present use of property: \_\_\_\_\_

Project Description: Demolition of chimney and entryway. Construction of two additions totaling 95 SF new

Appropriate Section of Zoning Bylaw: Roof area. New dock. 6.1.2

Describe the reason you believe that the lot and/or structure to be in nonconformance with the current Zoning Bylaw: i.e. lacks frontage, lacks area square footage, height of structure, infringement on setbacks:

Non-conforming lot in size, frontage and front and rear setbacks. Existing lot is 0.28 acres with 177 ft of frontage. Front setback is 23-ft existing, proposed is 25-ft. Rear setback is 15-ft and proposed is the same.

1. Attach six sets of scale drawings or prepared site plan with measurements showing the existing conditions and proposed changes, including location, size and height of proposed building.
2. Also attach six plot plans showing the locations of all structures and buildings with scaled measurements to all lot lines and between all structures,
3. along with a total of five copies of this application, **six complete sets of documents.**
4. Submit **digital plans** and application to: [selectmen@stockbridge-ma.gov](mailto:selectmen@stockbridge-ma.gov)

**All applications must be accompanied by seven complete sets of documents, all areas of the above form must be completed and submitted to the Town Clerk with the proper fee paid, or the application will be deemed to be incomplete and returned to the applicant.**



Special Permit Application  
for  
Steven Averbuch and Rachel Rivest

36 Lake Drive  
Stockbridge, MA 01262

July 2022



White Engineering, Inc.  
55 South Merriam Street  
Pittsfield, MA 01201  
(P) 413-443-8011  
(F) 413-443-8012  
sboomsma@whiteeng.com



Town of Stockbridge  
Special Permit Application  
Narrative

The Property is located in an R-2 zone district. Section 5.5 Table of Dimensional Requirements requires a minimum lot area of 87,120 square feet (2 acres). The lot is a pre-existing, non-conforming lot which was created pursuant to Survey prepared by Eliot C. Pease, Engineer dated 1950, and recorded in the Berkshire Middle District Registry of Deeds in Book 417C, Page 71 and containing 0.28 acres.

The existing conditions on site have an existing cottage with a total lot coverage of 9.4%. While the lot is pre-existing, non-conforming due to the acreage, the current cottage is pre-existing, non-conforming with respect to the front and rear yard setback. The R-2 zone requires a 40' front setback and the existing cottage is 23', the proposed entry is 25'. The required rear setback is 35' for R-2 zone, Existing and proposed is 15'. Section 5.5 Table of Dimensional Requirements for R-2 zone footnote (f) requires all structures to be 150' from Stockbridge Bowl. The existing cottage is 15' from Stockbridge Bowl and the proposed is no closer. The property is will have a new alternative technology septic system and has an existing private water supply well.

The applicant proposes to demolish the existing chimney and entryway (130 SF) and construct a new water tight entryway on piers (115 SF). An 80 SF utility room will be constructed on the south side of the house on piers. The new lot coverage will be 9.9%.

The applicant proposes a stone trench on the west side of the house to manage roof runoff and water from Lake Drive away from the house. This trench will discharge to a rain garden. Trees proposed to be taken down will be replaced 1:1 or 2:1 based on size. Additional wetland improvements are proposed along the shoreline including the removal of a wooden platform, invasive plant removal and wetland enhancement plantings.

The existing dock and platform will be removed. A new floating dock will be relocated to the south of the house. The dock will be accessed over a 14' long raised boardwalk type structure. The dock will be 25-ft from the property lines, less than 200-SF in size and less than 25-ft in length from mean highwater line.

#### REQUIRED FINDINGS FOR ISSUANCE OF A SPECIAL PERMIT UNDER SECTION 6.2

Pursuant to Section 6.1 of the Bylaw, the Select Board may grant a special permit for a change, extension, alteration or reconstruction of a pre-existing nonconforming structure or use to a substantially greater extent if such change, extension, alteration or reconstruction will not be in greater nonconformity with open space, yard and off-street parking requirements subject to a finding that in accordance with Chapter 40A of the General Laws, such change, extension, alteration or reconstruction will not be substantially more detrimental than the pre-existing nonconforming structure or use to the neighborhood.

1. The proposed house will not be in greater non-conformity with open space, yard and off-street parking requirements. As shown in the table above, the proposed house will conform with lot coverage requirements and provide greater setbacks to the side yard than the pre-existing non-conforming setback. There are no off-street parking requirements for single family homes and the site plan shows ample parking for the proposed house.



2. The proposed house will not be substantially more detrimental to the neighborhood than the existing non-conforming structure or use. Construction of a single family house is a by right use in the R-2 District and is in keeping with the neighborhood; the redesigned house will be no more non-conforming with all dimensional. The house is served by the private water well and alternative technology septic system; and the Applicant will provide adequate stormwater management.

#### FINDINGS UNDER SECTION 6.2.6

Under Section 6.3.6 of the Bylaw, the Select Board shall make findings that the proposed use meets the following general special permit criteria:

- a. *Is in compliance with all provision and requirements of the Bylaw, and in harmony with its general intent and purpose.*
- b. *Is essential or desirable to the public convenience or welfare at the proposed location;*
- c. *Will not be detrimental to adjacent uses or to the established or future character of the neighborhood;*
- d. *Will not create undue traffic congestion or unduly impair pedestrian safety;*
- e. *Will not overload any public water, drainage, or sewer system or any other municipal facility to such an extent that the proposed use of any existing use in the immediate areas or in any other areas of the town will be unduly subjected to the hazards affecting public health, safety or general welfare.*

As stated above and as shown on the Site Plans, construction of the redesigned single-family house is consistent with the uses in the neighborhood. The proposed construction will not obstruct an abutter's view, nor will it detract from the scenic qualities visible from Stockbridge Bowl. The use as a single-family house will not be detrimental to the adjacent residential uses and will be in keeping with the character of the neighborhood. Further, it will not create any undue traffic or impair pedestrian safety. The house will be served by the private water well; septic system; and the Applicant will implement adequate stormwater management and, therefore, the new house will not overload any public water, drainage, sewer, or municipal facility.

#### CONCLUSION

For the foregoing reasons, the Applicant respectfully requests this Board grant the special permit to allow the construction of two small additions to a single-family house on the Premises as shown on the plans as submitted.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

296-0528

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**A. General Information**

Please note:  
this form has  
been modified  
with added  
space to  
accommodate  
the Registry  
of Deeds  
Requirements

1. From: Stockbridge  
Conservation Commission
2. This issuance is for  
(check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Steve / Rachel

a. First Name

Averbuch / Rivest

b. Last Name

c. Organization

36 Lake Drive

d. Mailing Address

Stockbridge

e. City/Town

MA

f. State

01262

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

36 Lake Drive

a. Street Address

101

c. Assessors Map/Plat Number

Latitude and Longitude, if known:

Stockbridge

b. City/Town

27

d. Parcel/Lot Number

42.32729Nd

m

73.32677Wd

m

s

s







Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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296-0123

MassDEP File #

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**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):  
Berkshire Middle
- |           |  |
|-----------|--|
| a. County | b. Certificate Number (if registered land) |
| 6953      | 48   |
| c. Book   | d. Page                                    |
7. Dates:
- |                                |                               |                     |
|--------------------------------|-------------------------------|---------------------|
| 1 April 2022                   | 24 May 2022                   | 16 June 2022        |
| a. Date Notice of Intent Filed | b. Date Public Hearing Closed | c. Date of Issuance |
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):  
Proposed Planting Plan for Steven Averbuch / Rachel Rivest
- |                        |                          |
|------------------------|--------------------------|
| a. Plan Title          |                          |
| SK Design              | Matthew Puntin           |
| b. Prepared By         | c. Signed and Stamped by |
| 10 May 2022            | as noted                 |
| d. Final Revision Date | e. Scale                 |
- |                                      |         |
|--------------------------------------|---------|
| f. Additional Plan or Document Title | g. Date |
|--------------------------------------|---------|

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- |   |  |   |
|---|--|---|
| a. <input type="checkbox"/> Public Water Supply             | b. <input checked="" type="checkbox"/> Land Containing Shellfish | c. <input checked="" type="checkbox"/> Prevention of Pollution        |
| d. <input checked="" type="checkbox"/> Private Water Supply | e. <input type="checkbox"/> Fisheries                            | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input checked="" type="checkbox"/> Groundwater Supply   | h. <input checked="" type="checkbox"/> Storm Damage Prevention   | i. <input type="checkbox"/> Flood Control                             |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved subject to:**

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.





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**B. Findings (cont.)**

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a)                      a. linear feet

**Inland Resource Area Impacts:** Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u>                    </u> a. linear feet	<u>                    </u> b. linear feet	<u>                    </u> c. linear feet	<u>                    </u> d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	<u>8</u> a. square feet	<u>8</u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
6. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	<u>1</u> a. square feet	<u>1</u> b. square feet	<u>                    </u> c. square feet	<u>                    </u> d. square feet
	<u>                    </u> e. c/y dredged	<u>                    </u> f. c/y dredged		
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	<u>1</u> a. square feet	<u>1</u> b. square feet	<u>                    </u> c. square feet	<u>296</u> d. square feet
Cubic Feet Flood Storage	<u>                    </u> e. cubic feet	<u>                    </u> f. cubic feet	<u>                    </u> g. cubic feet	<u>                    </u> h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	<u>                    </u> a. square feet	<u>                    </u> b. square feet		
Cubic Feet Flood Storage	<u>                    </u> c. cubic feet	<u>                    </u> d. cubic feet	<u>                    </u> e. cubic feet	<u>                    </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u>                    </u> a. total sq. feet	<u>                    </u> b. total sq. feet		
Sq ft within 100 ft	<u>                    </u> c. square feet	<u>                    </u> d. square feet	<u>                    </u> e. square feet	<u>                    </u> f. square feet
Sq ft between 100-200 ft	<u>                    </u> g. square feet	<u>                    </u> h. square feet	<u>                    </u> i. square feet	<u>                    </u> j. square feet





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**B. Findings (cont.)**

**Coastal Resource Area Impacts:** Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. nourishment cu yd	d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet





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**B. Findings (cont.)**

\* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☐ Restoration/Enhancement \*:

a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

**C. General Conditions Under Massachusetts Wetlands Protection Act**

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. The work is a maintenance dredging project as provided for in the Act; or
  - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
  - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on \_\_\_\_\_ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.





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**C. General Conditions Under Massachusetts Wetlands Protection Act**

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,  

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]  
"File Number      296-0528 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.





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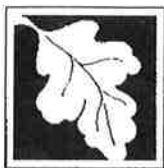
**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
  - (1) ☐ is subject to the Massachusetts Stormwater Standards
  - (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

**If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
  - i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
  - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
  - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;





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### C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.





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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

- g) The responsible party shall:
  - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

**A 75% survival rate of newly planted vegetation including trees is required after 3 years.**

- 20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

296-0528

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☐ No
2. The STOCKBRIDGE hereby finds (check one that applies):  
Conservation Commission

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Town of Stockbridge Wetlands Bylaw

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

The discharge or application of wastewater or any pollutant, fertilizers, pesticides or herbicides within 200' of the resource area is prohibited.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

296-0 528

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**E. Signatures**

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

6-16-22

1. Date of Issuance

4

2. Number of Signers

Stockbridge

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Ron Brouker

Printed Name

Joe DeGiorgis

Printed Name

John Hart

Printed Name

Charlotte Underwood-Miller

Printed Name

Jay Rhind

Printed Name

Jamie Minacci

Printed Name

Lisa Bozzuto

Printed Name

Printed Name

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date

6-16-22





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

## WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

296-0528

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

### F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.





**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

296-0 528

MassDEP File #

eDEP Transaction #

Stockbridge

City/Town

**G. Recording Information**

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Stockbridge

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Stockbridge

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Project Location

296-0

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Berkshire Middle

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

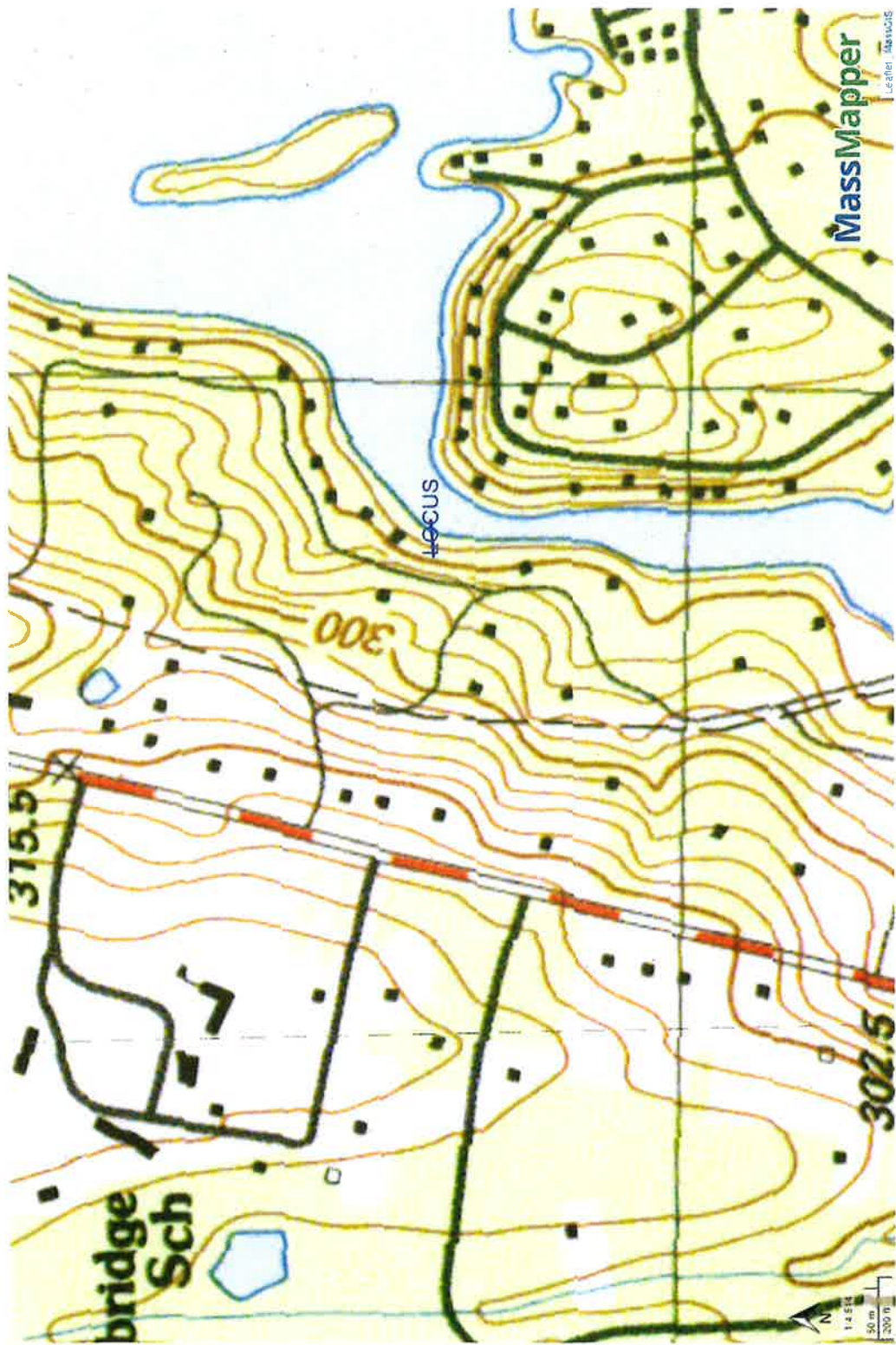


# MassMapper





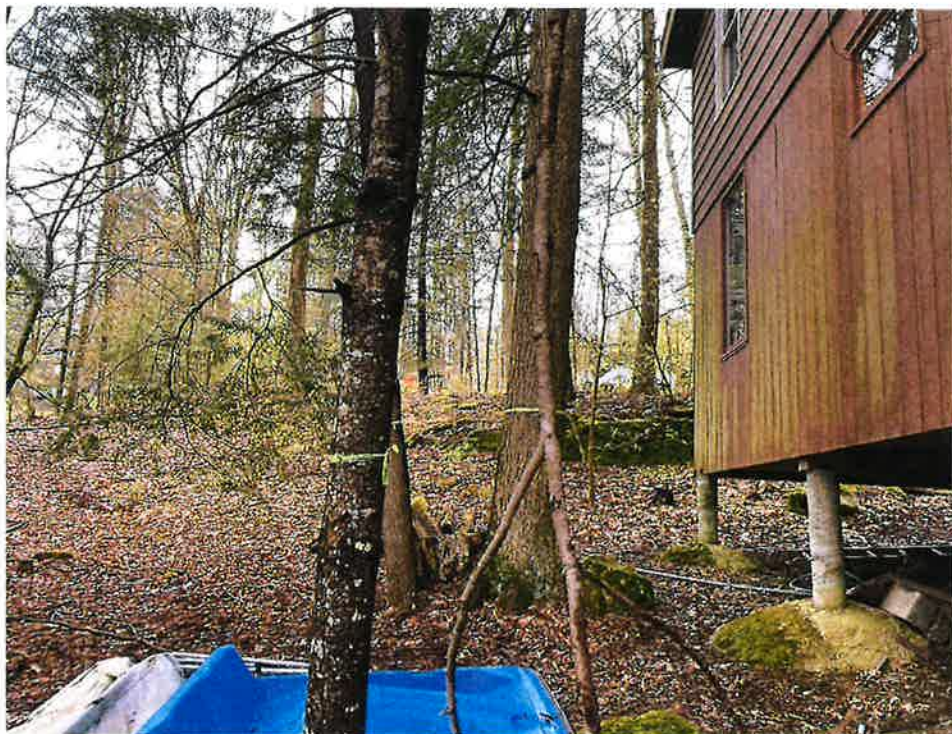








**PROPOSED SEPTIC LOCATION**



**PROPOSED UTILITY ROOM OFF OF HOUSE**





**PROPOSED RAIN GARDEN AND TREE PLANTING AREA**



**NEW DOCK LOCATION**



**STEVEN AVERBUCH  
RACHEL RIVEST**

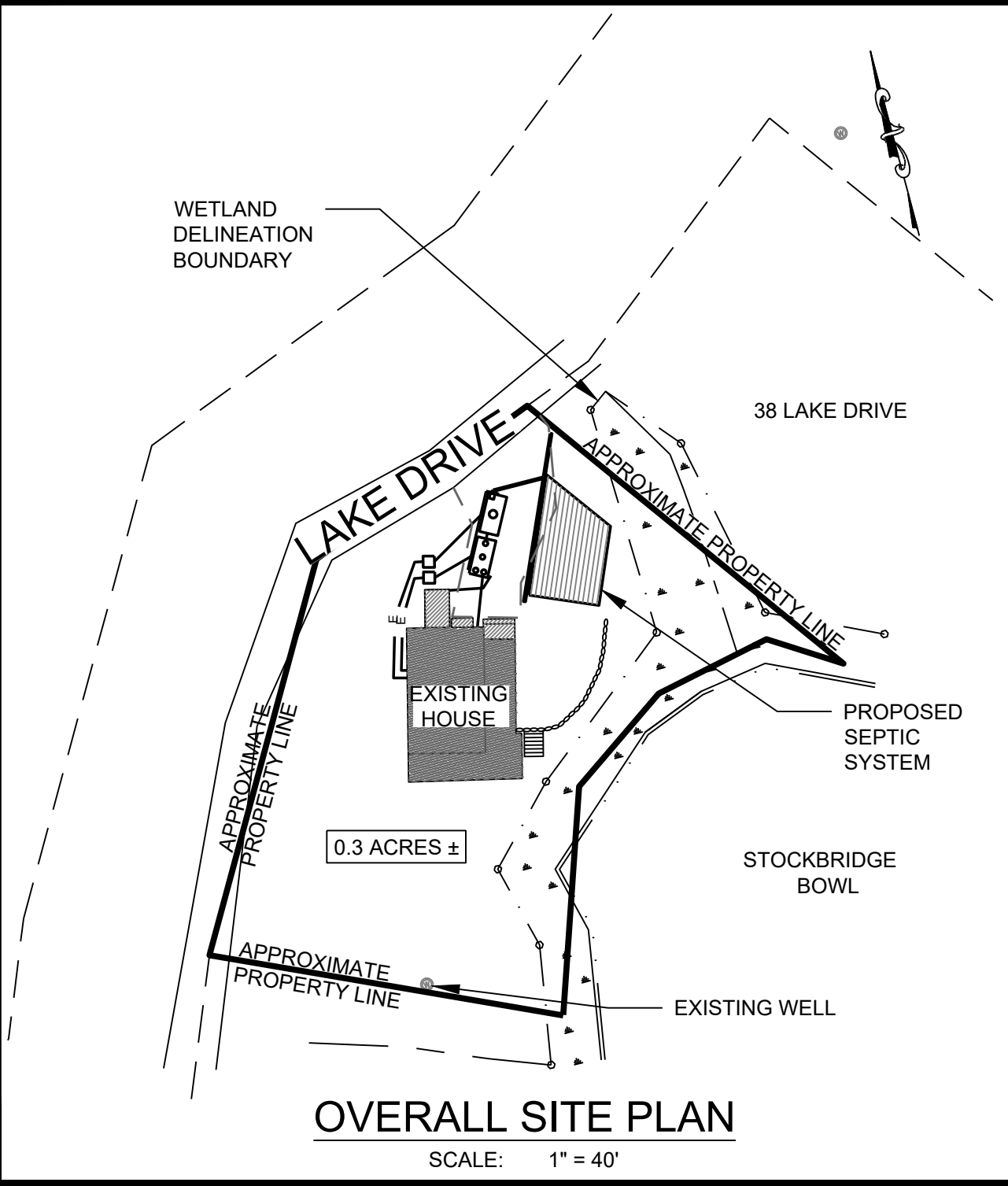
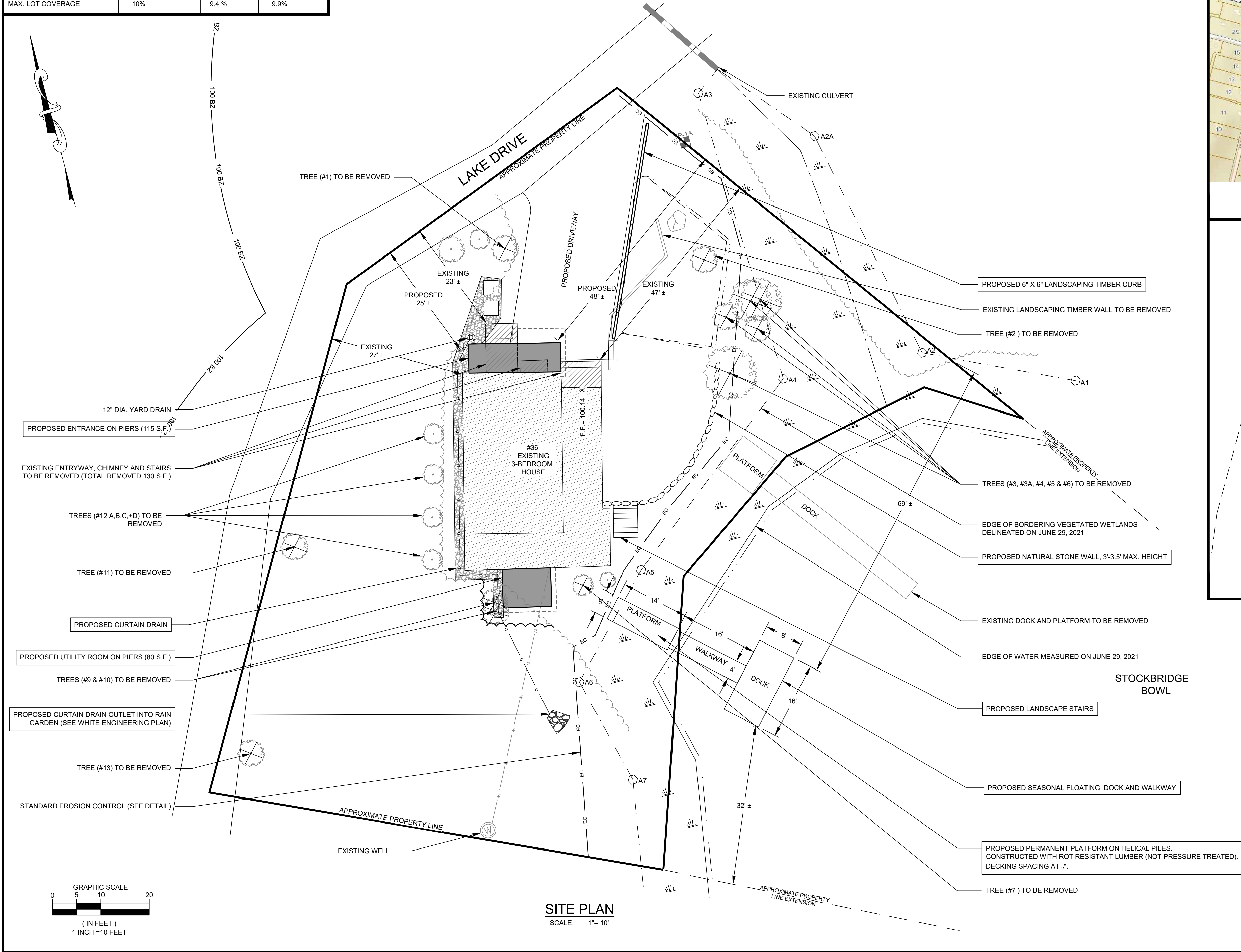
**36 LAKE DRIVE  
STOCKBRIDGE, MA**



**DOCK AND PLATFORM REMOVAL**



ZONING DIMENSIONAL REQUIREMENTS RESIDENCE R-2 ZONE			
	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	87,120 S.F.	13,442 ± S.F.	SAME
MIN. LOT WIDTH & FRONTAGE	250 FT	177 ± FT	SAME
MIN. LOT YARD			
FRONT	40 FT	23 ± FT	25 ± FT
SIDE	35 FT	47 ± FT	48 ± FT
REAR	35 FT	15 ± FT	SAME
MAX. BUILDING HEIGHT	2.5 STORIES/35 FT	2 STORIES	SAME
MAX. LOT COVERAGE	10%	9.4 %	9.9%



- NOTES:
- EXISTING CONDITIONS PLAN SURVEYED BY SK DESIGN GROUP, INC. ON JUNE 29, 2021.
  - SEE PROPOSED PLANTING PLAN BY WHITE ENGINEERING

SEWER DESIGN AND SITE PLAN  
PREPARED FOR:  
**AVERBACH & RIVES RESIDENCE**  
LOCATED AT:  
36 LAKE DRIVE  
STOCKBRIDGE, MA

**Design Group, Inc.**  
Civil Engineers • Surveyors • Consultants  
FEDERICO DRIVE • PITTSFIELD, MASSACHUSETTS 01201 • (413) 443-3377

**SITE PLAN**

SK DESIGN GROUP PROJECT #:  
**210080**

COMMONWEALTH OF MASSACHUSETTS  
MATTHEW D. PUNTING, P.E.  
CIVIL  
NO. 45069  
REGISTERED PROFESSIONAL ENGINEER

MATTHEW D. PUNTING, P.E.  
SK DESIGN GROUP  
LICENSE #45069  
PHONE: 413-443-3337

REVISION: MAY 10, 2022	
DRAWN BY: HLP	CHECKED BY: MDP
ORIG. DATE: FEB. 9, 2022	SHEET NO. 1
ISSUED FOR: Permit	OF 5
SCALE: As Noted	



A cross-sectional diagram illustrating the installation of a straw wattle for erosion control. The diagram shows a vertical straw wattle (8"-10" diameter) driven into the ground. A silt fence is attached to the top of the wattle. A wood stake is driven into the ground next to the wattle. A 1"x1" stake is driven into the ground next to the wattle. The wattle is anchored 6" into the ground. The diagram shows sediment-laden runoff entering from the right, passing through the wattle, and exiting as filtered runoff to the left. The area between the wattle and the ground is labeled 'COMPACTED SOIL TO PREVENT PIPING'. The ground surface is labeled 'SEDIMENT LADEN RUNOFF'. The ground below the surface is labeled 'FABRIC ANCHORED 6" MIN.'.

Labels in the diagram include:










- WOOD STAKE
- SILT FENCE
- STRAW WATTLE (8"-10" DIA.)
- COMPACTED SOIL TO PREVENT PIPING
- SEDIMENT LADEN RUNOFF
- 1"x1" STAKE
- FABRIC ANCHORED 6" MIN.
- FILTERED RUNOFF

<p><b>INVERTS:</b>  <b>BUILDING</b>              BUILDING B.F. = 100 ±              BUILDING INV. = 98</p> <p><b>PROPOSED SEPTIC TANK</b>              INV. IN = 97.00              INV. OUT = 96.75</p> <p><b>PROPOSED PUMP</b>              INV. IN = 96.50</p> <p><b>TOP FEED MANIFOLD</b>              ELEVATION = 98.83</p>	<p><b>NOTES :</b></p> <ol style="list-style-type: none"> <li>1. PIPE FROM BUILDING TO SEPTIC TANK MUST BE AT A MINIMUM OF 1.0%.</li> <li>2. PIPE FROM TANK TO D-BOX MUST BE AT MINIMUM OF 0.5%.</li> <li>3. INVERTS AT BUILDING OR TANK MAY BE ADJUSTED FOR FIELD CONDITIONS.</li> <li>4. CONSULT ENGINEER FOR PERMISSION TO MAKE CHANGES.</li> </ol>
--	---

NOTES:

1. EXISTING CONDITIONS PLAN SURVEYED BY SK DESIGN GROUP, INC. ON JUNE 29, 2021.

# LEGEND

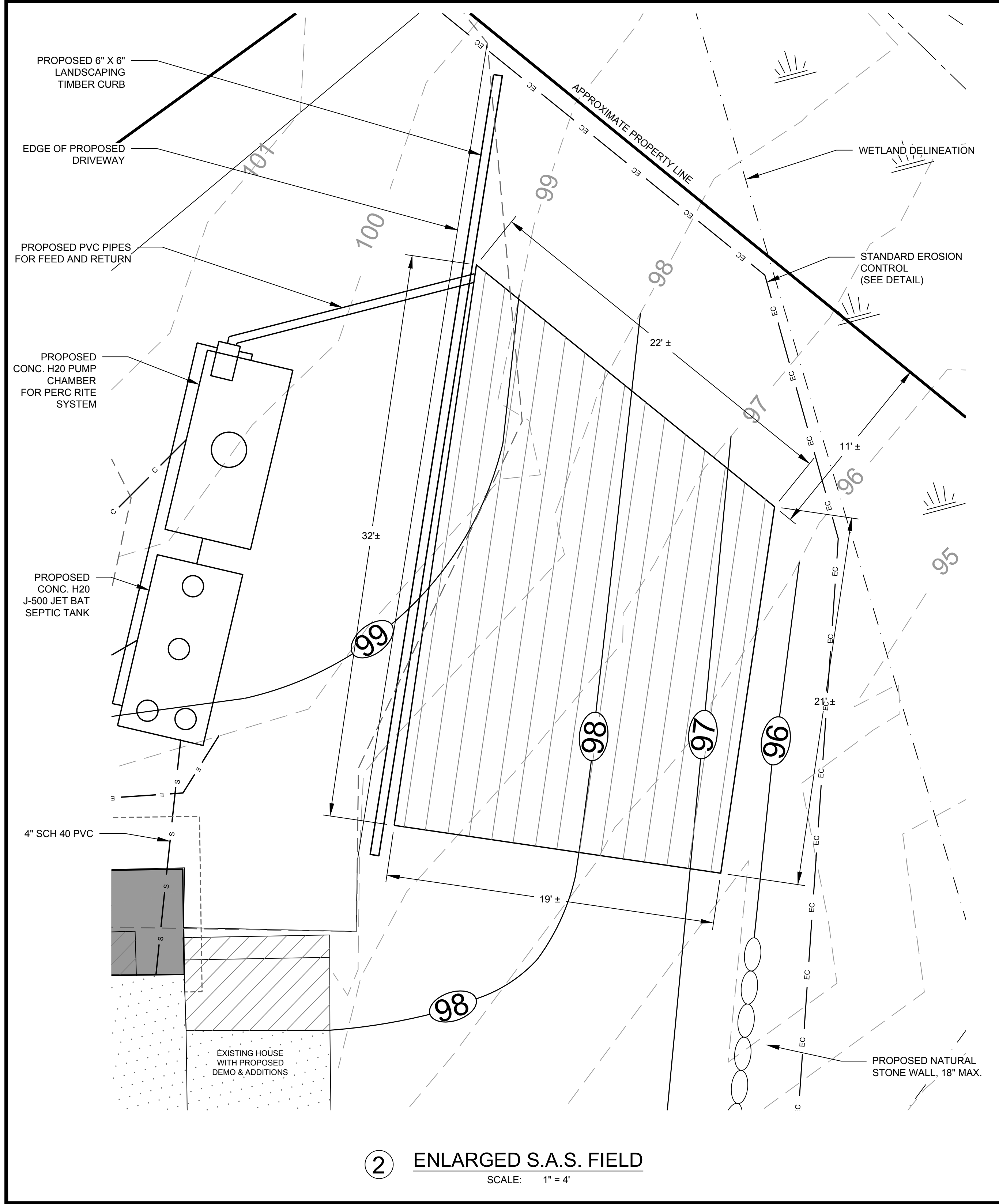
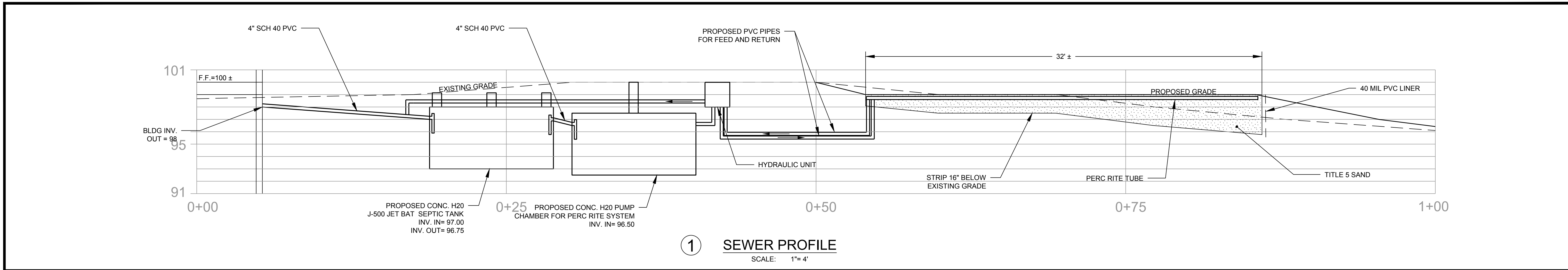
	APPROXIMATE PROPERTY LINE
	WETLAND DELINEATION BOUNDARY
	EXISTING CONTOUR
	EXISTING TREELINE
	EXISTING WATERLINE
	EXISTING SEWER
	PROPOSED SEWER
	PROPOSED WATERLINE
	PROPOSED CONTOUR

GRAPHIC SCALE

( IN FEET )  
1 INCH = 10 FEET

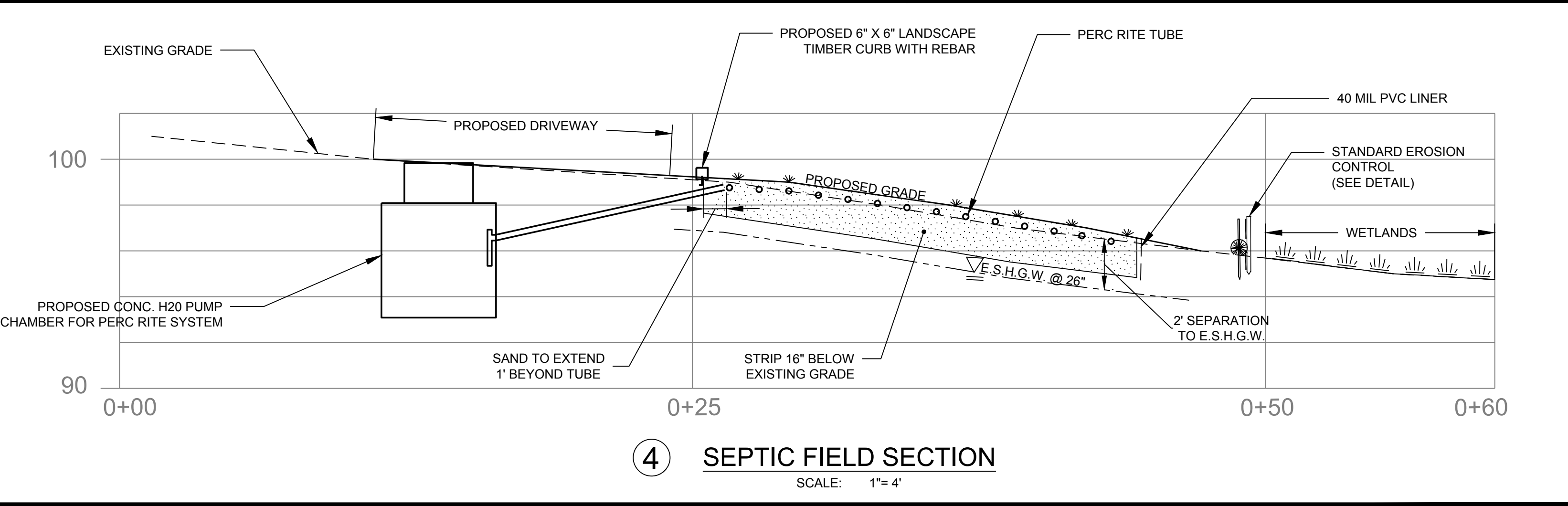


G:\SK DESIGN GROUP\2021\210080 Pilot-36 Lake Dr. Stockbridge-Septic & Dock\Drawings\Construction\210080 SITE PLAN (5-10-2022).dwg  
Plotted On: Tuesday, March 24, 2022 - 8:06am  
User Name: jphoton



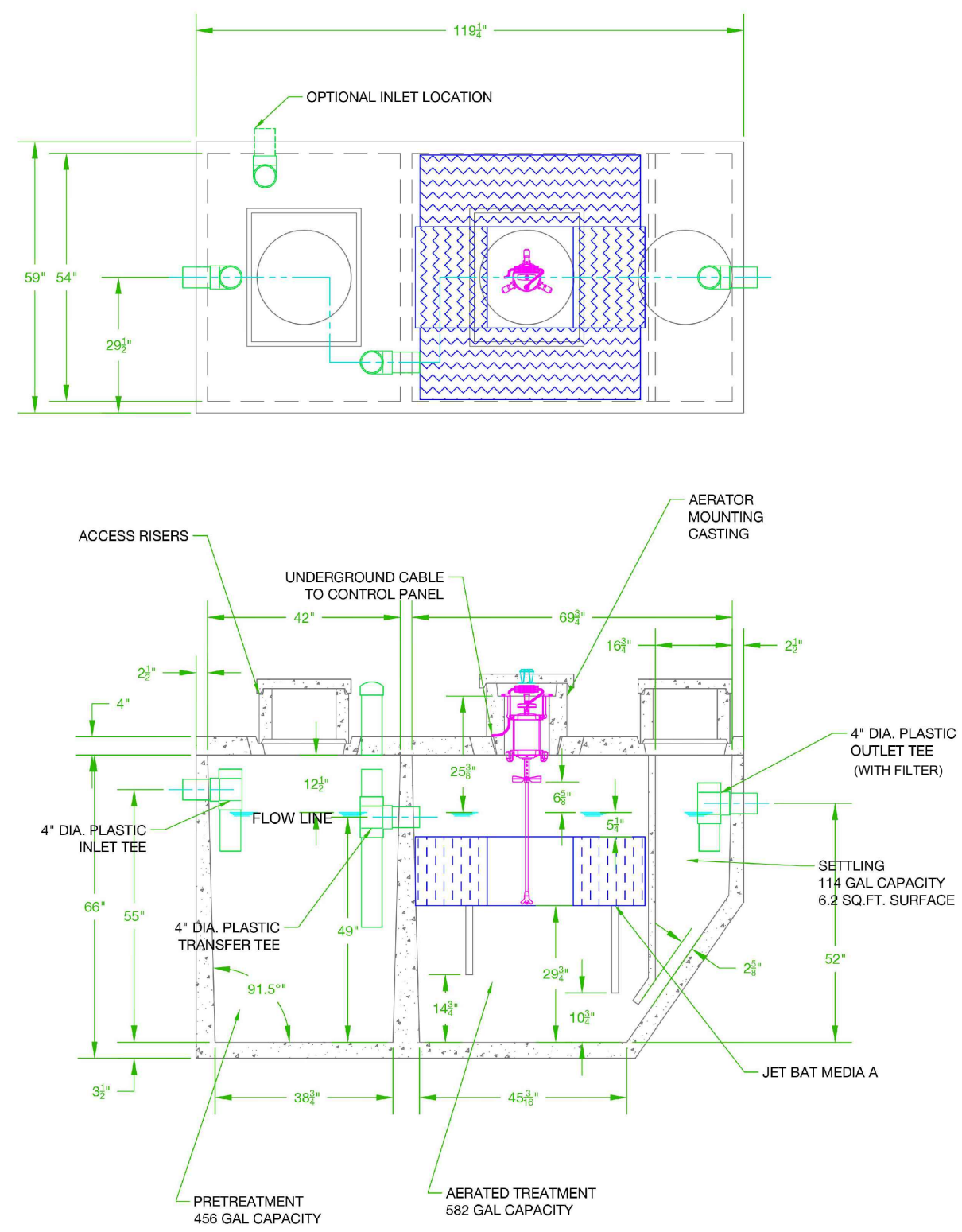
1 SEWER PROFILE  
SCALE: 1"= 4'

- DESIGN NOTES  
FOLLOW ALL TITLE 5 (310 CMR 15.000) REGULATIONS
1. PERCOLATION RATE  
ALTERNATIVE TO PERC TEST WITH LOADING RATE OF 30 GPD/S.F.  
TESTING PERFORMED BY MIKE PARSONS ON 4/26/2021. WITNESSED BY JIM WILUSZ.
- | TP-1 DEPTH | HORIZON | TEXTURE | COLOR     | CONSIST. | STRUCTURE | REDOX % | COURSE FRAGMENTS |
|------------|---------|---------|-----------|----------|-----------|---------|------------------|
| 0"-16"     | Afill   | SL      | ---       | FRIABLE  | CRUMB     | >5%     | ---              |
| 16"-26"    | B       | SL      | 10 YR 4/6 | FRIABLE  | CRUMB     | ---     | ---              |
| 26"-64"    | C       | FSL     | 2.5 Y 4/3 | FIRM     | MASSIVE   | ---     | ---              |
- ESTIMATED SEASONAL HIGH GROUNDWATER (ESHGW): 26"  
STANDING WATER IN HOLE: 60"  
WEEPING FROM PIT FACE: 36"
2. SEPTIC TANK  
SEE DETAILS FOR JET BAT J-500 TANK.
3. PUMP CHAMBER  
SEE DETAILS FOR PERC RITE SYSTEM
4. DESIGN FLOW  
EXISTING 3 BEDROOM HOUSE. DESIGN FOR 3 BEDROOMS  
110 GALLONS PER DAY/BEDROOM \* 3 BEDROOMS = 330 GPD  
NO GARBAGE GRINDER ALLOWED
5. SOIL ABSORPTION SYSTEM (S.A.S.)  
EFFLUENT LOADING RATE - 0.33 GPD / SQUARE FOOT
- 330 GPD  
0.33 GPD/S.F. = 1,000 SQUARE FEET. OF LEACHING AREA REQUIRED. UNDER LOCAL UPGRADE APPROVAL,  
USE 50% REDUCTION OF LEACHING AREA.
- INSTALL BED OF SAND FOR PERC RITE SYSTEM AT 500 S.F. TOTAL.
6. WATER SUPPLY  
EXISTING HOUSE SERVICED BY PRIVATE WELL.
7. CONSTRUCTION STAKEOUT  
CONTRACTOR MAY CONTACT ENGINEER FOR STAKEOUT OF SYSTEM.
8. SYSTEM INSPECTION  
CONTRACTOR MUST NOTIFY ENGINEER 48 HOURS IN ADVANCE TO FACILITATE INSPECTION.
9. LOCAL UPGRADE APPROVAL  
15.405 (1) (B) REDUCTION OF SETBACK FROM S.A.S..  
15.405 (1) (E) REDUCTION OF SETBACK FROM B.V.W. TO 6 FEET.  
15.405 (1) (H) REDUCTION IN SEPARATION TO HIGH GROUNDWATER TO 2 FEET.  
15.405 (1) (I) PERFORMED SIEVE ANALYSIS INSTEAD OF SECOND TEST PIT.
10. VARIANCES REQUESTED  
NONE.
11. NOTIFY "DIGSAFE"  
PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR MUST VERIFY LOCATION OF UTILITIES AND SUBSURFACE STRUCTURES IN THE FIELD. CONSTRUCTION PERMIT MUST BE OBTAINED FROM BOARD OF HEALTH PRIOR TO INSTALLATION.
12. NO DISCHARGE OF BACKWASH OF WATER PURIFICATION OF FILTRATION DEVICES IS ALLOWED.
13. CONTRACTOR AND OWNER SHALL BE AWARE OF THE WETLANDS PROTECTION ACT.
- 3 SEPTIC DESIGN NOTES  
SCALE: 1"= 1'



4 SEPTIC FIELD SECTION  
SCALE: 1"= 4'



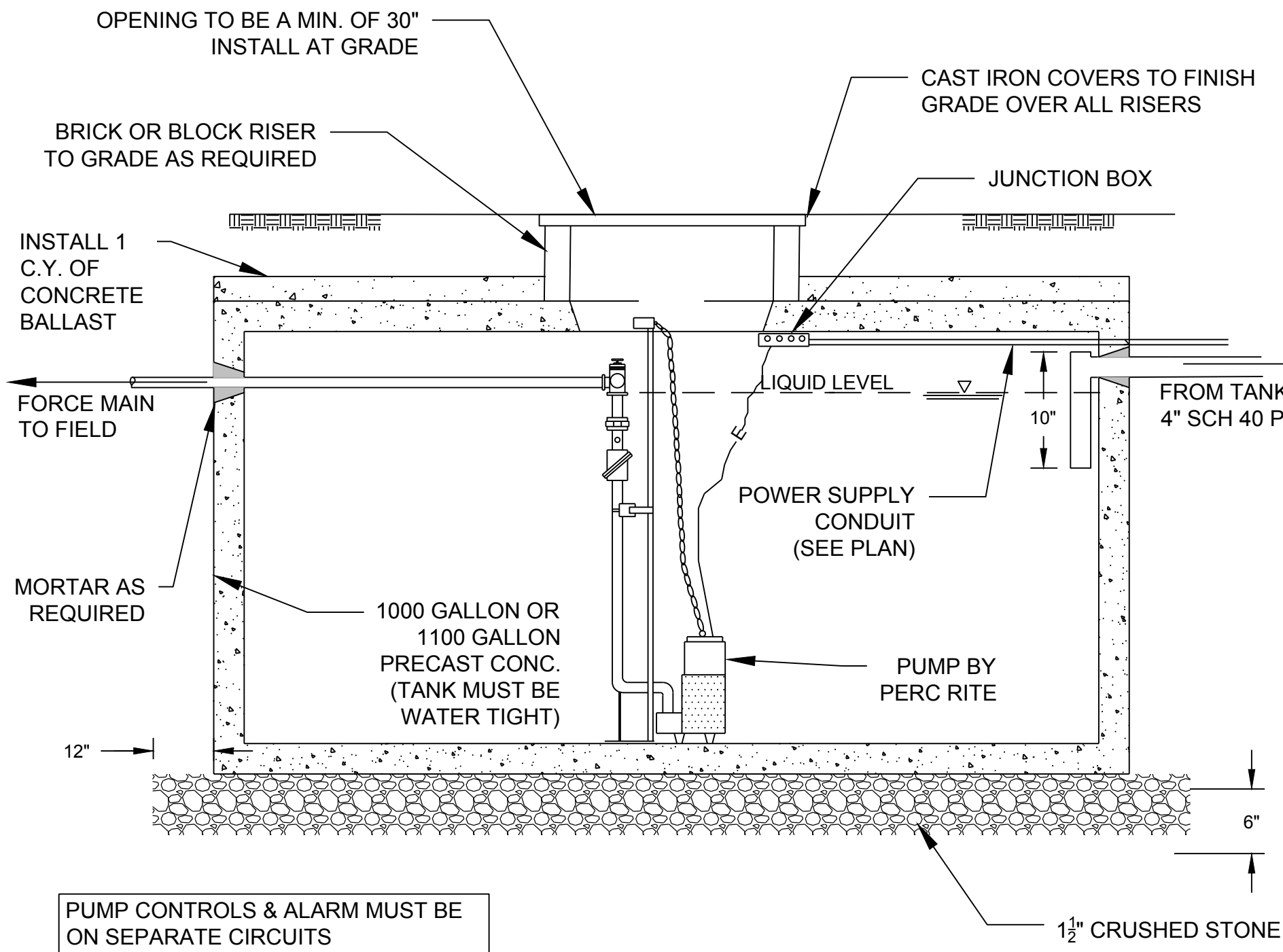


- NOTES:
1. AERATOR MODEL 700LL MUST BE USED IN CONTINUOUS OPERATION
  2. DEVELOP RISERS TO GRADE OR WITHIN 12\"/>
  3. PLASTIC RISERS CAST INTO THE TANK LID MAY BE USED IN PLACE OF CONCRETE RISERS

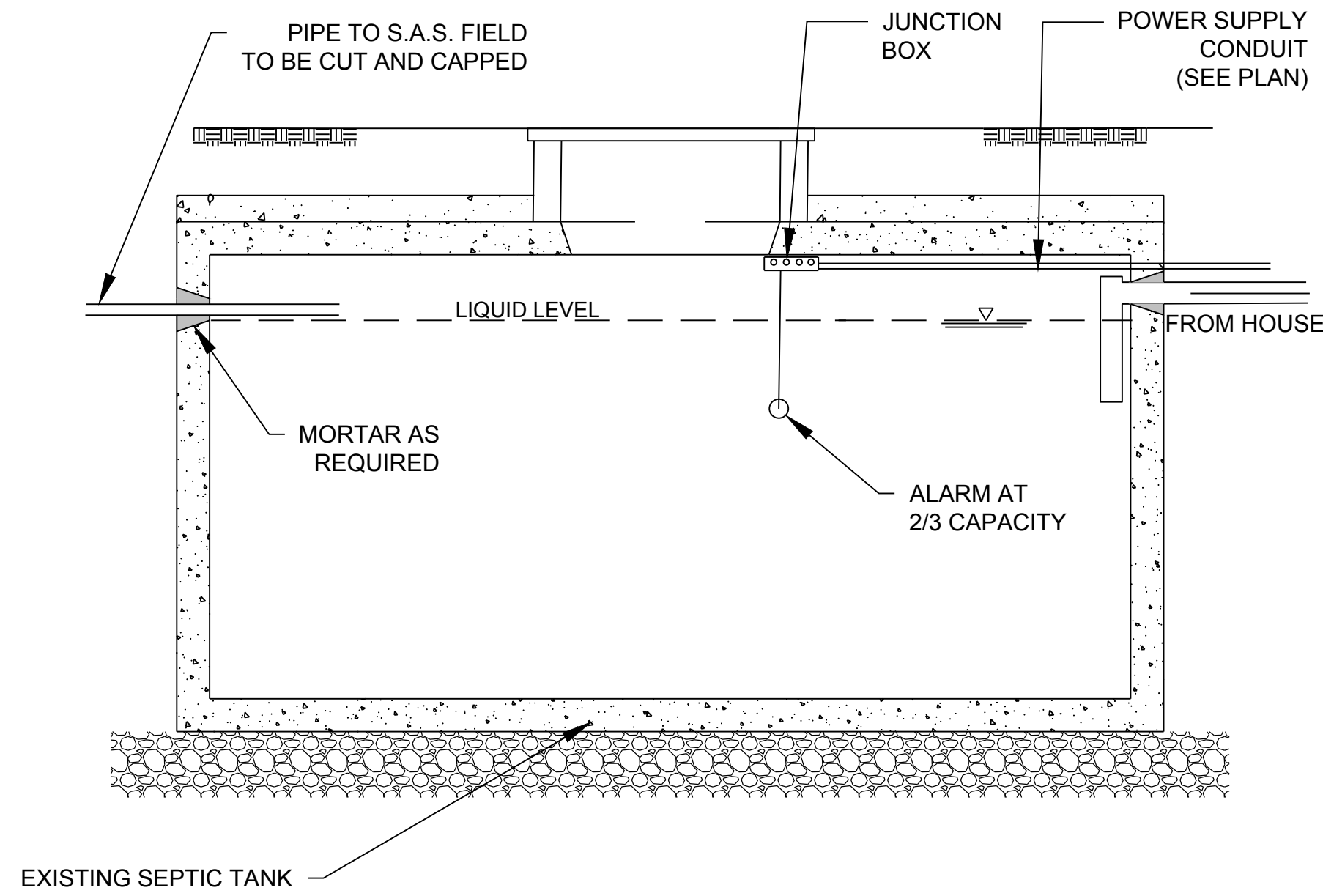
SK DESIGN GROUP NOTE:  
1. INSTALL BALLAST PER MANUFACTURER SPECIFICATIONS. MIN. OF 1 C.Y. OF CONCRETE

140718/1411 REDRAWN	IN J K I
REVIEW DATE	DATE
DESCRIPTION	DESCRIPTION
Jet	Jet
Wastewater Treatment Solutions	Wastewater Treatment Solutions
Founded on Innovation. Anchored by Service.	Founded on Innovation. Anchored by Service.
TITLE	SIZE
J-500 RESIDENTIAL WWT	11-20
ONE PIECE TANK CASTING	C
USED ON:	MATERIAL:
PROPRIETARY PROPERTY: THIS DRAWING IS THE PROPERTY OF JET INC. AND MAY NOT BE REPRODUCED, COPIED OR USED WITHOUT WRITTEN PERMISSION.	UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS ARE IN INCHES
	NOMINAL: # 400
	FRACTIONAL: # 164
	SQUARE: # 1
	DRAWING NUMBER
	J-500
	REV. -

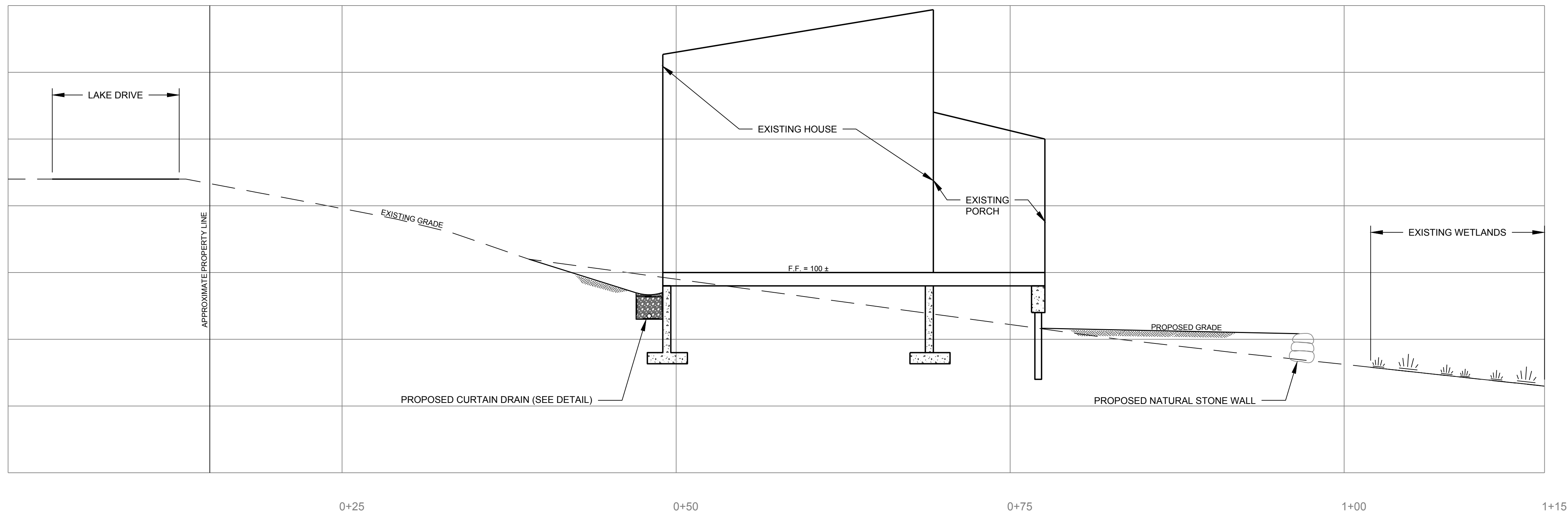
① JET BAT J-500 TANK DETAIL  
SCALE: N.T.S.



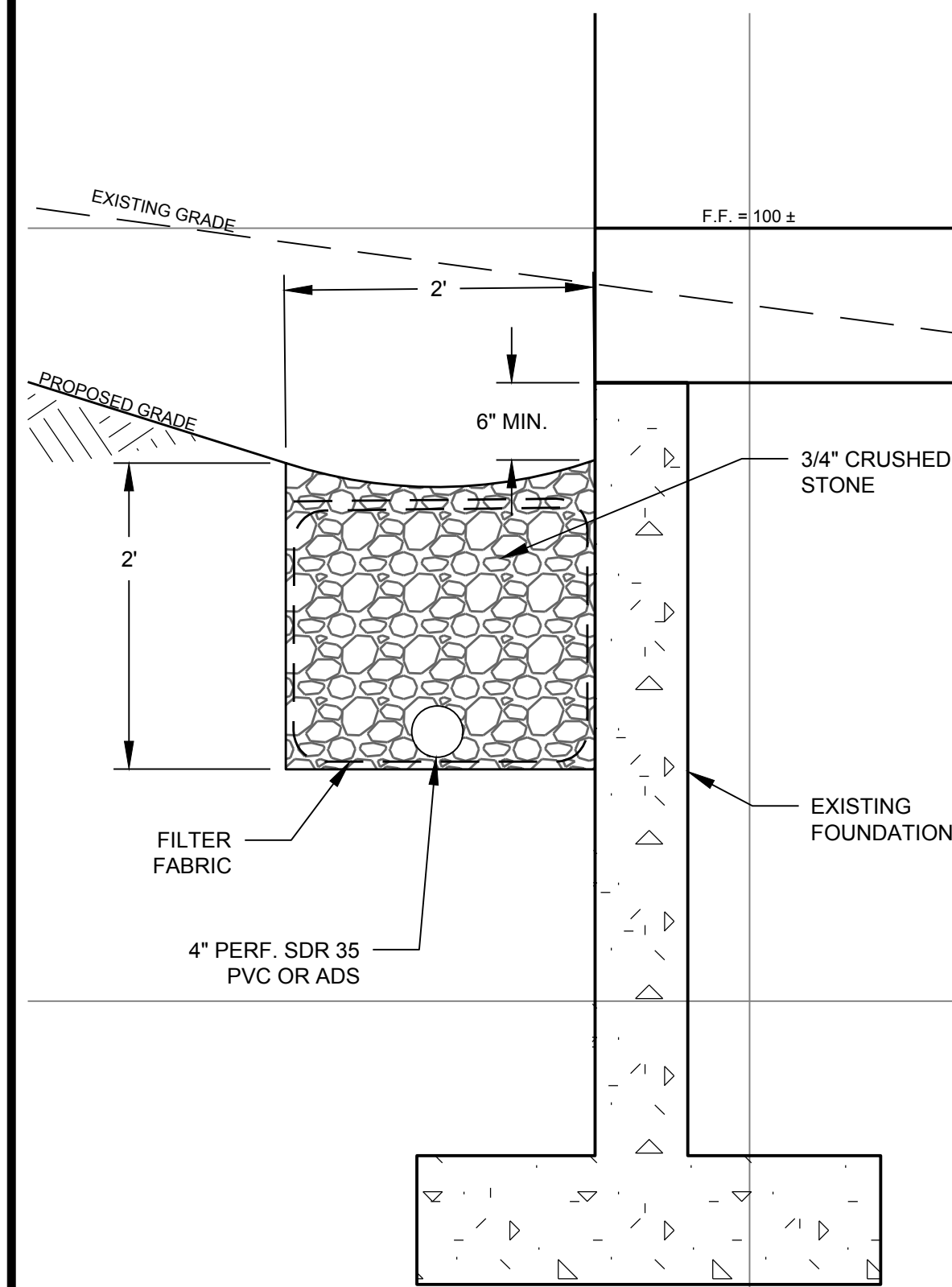
② SECTION: PUMP CHAMBER  
SCALE: N.T.S.



③ SECTION: TIGHT TANK  
SCALE: N.T.S.



④ SITE PROFILE  
SCALE: 1" = 5'



⑤ DETAIL: CURTAIN DRAIN  
SCALE: 1" = 1'

SEWER DESIGN AND SITE PLAN  
PREPARED FOR:  
**AVERBUCH & RIVEST RESIDENCE**  
LOCATED AT:  
36 LAKE DRIVE  
STOCKBRIDGE, MA

**Design Group, Inc.**  
Civil Engineers • Surveyors • Consultants  
2 FERRIS DRIVE • PITTSFIELD, MASSACHUSETTS 01201 • (413) 443-3337

PLAN DESCRIPTION:  
**DETAILS**

SK DESIGN GROUP PROJECT #:  
**210080**

COMMONWEALTH OF MASSACHUSETTS  
MATTHEW D. PUNTIN  
CIVIL  
NO. 48069  
REGISTERED PROFESSIONAL ENGINEER  
MATTHEW D. PUNTIN, P.E.  
SK DESIGN GROUP  
LICENSE #48069  
PHONE: 413-443-3337

REVISION:  
MAY 10, 2022

DRAWN BY: HLP	CHECKED BY: MDP
ORIG. DATE: FEB. 9, 2022	SHEET NO. 4
ISSUED FOR: Permit	of 5
SCALE: As Noted	













**Town of Stockbridge  
Special Permit Application (Other than 6.1.2)**

(\$200 Application Fee plus the cost of publication of notice of public hearing and postage costs paid by applicant prior to hearing)

Application for: **Other than Zoning Bylaw section 6.1.2**

Application is hereby made to the **Board of Selectmen** by:

Applicant (name): Front Yard, LLC

Applicant Signature: Carl Nicholas Christ, Attorney for Applicant

Applicant Mailing Address: 1200 17<sup>th</sup> St., Suite 1850, Denver, CO 80202

Applicant phone and email: (303) 573-4155; (413) 528-4800 x2

On the 22 day of July, 2022 for property shown on the Stockbridge

Assessors Map # 3, Lot # 4 Book 4994, Page 229, Zoning District R4

Owner of property: Front Yard, LLC

Owner's signature: Carl Nicholas Christ, Attorney for Applicant

Address of property: 310 Old Stockbridge Rd.

Mailing Address: 1200 17<sup>th</sup> St., Suite 1850, Denver, CO 80202

Description of property: See attached Extension Request

Present use of property: See attached Extension Request

Project Description: See attached Extension Request

Appropriate Section of Zoning Bylaw: See attached Extension Request.

1. Attach six sets of scale drawings with measurements showing the existing conditions and proposed changes.
2. Also attach six plot plans showing the locations of all structures and buildings with scaled measurements to all lot lines and between all structures,
3. along with a total of five copies of this application.
4. Submit digital plans and application to: [selectmen@stockbridge-ma.gov](mailto:selectmen@stockbridge-ma.gov)

**All applications must be accompanied by seven complete sets of documents, all areas of the above form must be completed and submitted to the Town Clerk with the proper fee paid, or the application will be deemed to be incomplete and returned to the applicant.**



HELLMAN SHEARN & ARIENTI LLP  
ATTORNEYS AT LAW

C. Nicholas Arienti  
Ethan S. Klepetar

342 Main Street  
Great Barrington, Massachusetts 01230  
Telephone (413) 528-4800  
Facsimile (413) 528-9988  
[www.hellmanshearn.com](http://www.hellmanshearn.com)

**VIA HAND DELIVERY**

July 22, 2022

Stockbridge Board of Selectmen  
Stockbridge Town Offices  
50 Main Street  
Stockbridge, MA 01262

RE: **Request for Extension of Special Permit**  
Front Yard LLC, 310 Old Stockbridge Road, Stockbridge and Lenox, MA

Dear Members of the Board:

On behalf of my client, Front Yard, LLC ("Front Yard"), I hereby submit this request to the Stockbridge Board of Selectmen (the "Board") for a two-year extension of the Special Permit first issued to Front Yard by the Town of Stockbridge on September 10, 2014 ("Stockbridge Special Permit"), initially extended for two years by this Board in May 2016 pending the appeal of Front Yard's special permit granted by the Lenox Zoning Board of Appeals in July 2015 (the "Lenox Special Permit"), and further extended in 2016, 2018, 2019 and 2020.

The Stockbridge Special Permit authorized a renovation and hotel wing addition at 310 Old Stockbridge Road ("Elm Court") as a Cottage Era Estate Resort on the Stockbridge portion of the Elm Court property, which comprises 87 acres of the 90-acre estate. Front Yard then filed an application for a special permit with the Lenox Zoning Board of Appeals on December 29, 2014, for access to the Cottage Era Estate Resort through the 3 acre Lenox portion of the property, which comprises all of the property's frontage.

Soon after issuance of the Lenox Special Permit a Notice of Appeal was filed on August 3, 2015, with the Massachusetts Land Court pursuant to G.L. c. 40A, Section 17 (the "Appeal"). A decision by the Land Court upholding the Lenox Special Permit and denying the Appeal was not issued until July 17, 2017, which decision was further appealed to the Massachusetts Appeals Court. The appeal to the Appeals Court was subsequently disposed of by Stipulation of Dismissal with prejudice on November 10, 2017.

Section 6.3.10 of the Zoning Bylaw of the Town of Stockbridge (the "Bylaw"), titled "Expiration of a Special Permit", provides in pertinent part that "[a] special permit shall lapse two (2) years from the date of decision if a substantial use or construction has not begun under the permit by such date,



except for good cause as determined by the special permit granting authority.” The Bylaw is substantially consistent with G.L. c. 40A, Section 9 (the “Statute”), which provides at paragraph 14 that “[z]oning ordinances or by-laws shall provide that a special permit granted under this section shall lapse within a specified period of time, not more than three years, which shall not include such time required to pursue or await the determination of an appeal referred to in section seventeen, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.” It is noteworthy that the period of time that must pass prior to lapse under the Statute was only recently extended from 2 years- consistent with the Bylaw, to a 3 year period, by the Legislature, in order to allow additional time to prepare for performance prior to commencement of construction pursuant to a special permit.

The Bylaw does not define or provide what may constitute “good cause”. However, good cause has been construed in situations where a legal or practical impediment to the use of a permit exists. See Ware Real Estate, LLC v. Town of Ware, 81 Mass. App. Ct. 1120, fur. app. rev. den. 462 Mass. 1104 (2012) (for text of decision, 2012 WL 751739) (Rule 1:28 Decision)(three year period spent obtaining other necessary approvals supported zoning board’s finding of good cause to extend Lapse Period). See also Woods v. Newton, 351 Mass. 98, 103-04 (1966) (under prior version of Zoning Enabling Act, where injunction barred construction under special permit, Lapse Period extended).

Front Yard acquired the Stockbridge Special Permit on September 10, 2014 and diligently applied for the Lenox Special Permit on December 29, 2014. The Lenox Special Permit was finally granted on July 14, 2015, but the appeal of the Lenox Special Permit on August 3, 2015 presented both legal and practical impediments to use of the Stockbridge Special Permit as Front Yard did not have legal access to the Stockbridge portion of the property in order to realize the benefit of the permitted use. A decision of the Appeal upholding the Lenox Special Permit was not issued by the Massachusetts Land Court until July 17, 2017, which decision was further appealed to the Massachusetts Appeals Court. The appeal to the Mass. Appeals Court was disposed of by Stipulation of Dismissal with prejudice on November 10, 2017.

Over the course of the past two years, the COVID-19 pandemic has continued to severely impact the commercial construction lending market in nearly all facets. Not only has access to commercial real estate credit (lending) continued to be very limited, primarily because until recently there remained limited ability to generate business income, in turn restricting the availability and flow of credit (loans) from lenders, but in addition the recent and dramatic rising interest rate environment has made the ability to secure feasible loan terms extremely difficult. These detrimental effects of the pandemic have only exacerbated the already exorbitantly high cost of construction materials to levels that were never imagined, further delaying the ability to secure project financing during this period of time. In sum, the pandemic has continued to impact and delay Front Yard’s efforts to secure financing for the Elm Court hospitality project. While there is no indication at this time when the market will ease there is hope that a reduction of inflation will reduce construction costs somewhat in the near term. Nevertheless, Front Yard continues to seek various means of project financing in order to bring the proposed project to fruition. Due to the unknown duration of the impacts recited above, Front Yard seeks a 2 year extension of the Stockbridge Special Permit, which will allow it to continue to more effectively plan, coordinate and of course finance construction of the project by 2024.



Thank you for your assistance with this matter.

Very truly yours,

HELLMAN SHEARN & ARIENTI LLP

  
C. Nicholas Arienti, Esq.

Cc: Chris Heep, Esq.  
Adam Hawthorne, Front Yard, LLC



---

**From:** Barney Edmonds <barney.edmonds@gmail.com>  
**Sent:** Tuesday, August 9, 2022 3:43 PM  
**To:** Selectmen; Canales, Michael  
**Subject:** Elm Court Special Permit Extension

Good afternoon Jamie, Chuck, and Patrick --

We understand Amstar is interested in seeking another Special Permit *extension* for their Elm Court property.

As part of your deliberations, Julie and I would like to call your attention to the Old Stockbridge Road Neighborhood Association website – [osnra.org](https://osnra.org).

Our website raises questions about the scale, scope and size of this project and its impact on the character of our neighborhood,

We hope you can make some time to review a few of the letters, news articles, plans and photos, and editorials which challenge the appropriateness of this resort development in the middle of our R-4 zone.

We are not Nimby's. Note on the first page of the website our effort to welcome responsible development to the neighborhood —

"The neighborhood would of course extend a warm and grateful welcome to a new owner willing to undertake a responsible and environmentally sensitive renovation and restoration of the estate. If that is only feasible/sustainable within a vastly reduced footprint for the rambling pile at its heart, so be it! As we have stated from day one, we would also welcome and support a limited residential development such as Winden Hill or Bishop Estate.

***We urge any potential buyer or investor to approach the neighborhood in a spirit of open and respectful dialogue, keeping in mind that we are an established & closely-knit neighborhood looking to retain the special qualities and historic character of Old Stockbridge Road."***

Also know that the current Special Permit is unclear about limiting or denying any additional future resort build-out ... or other housing or commercial developments. We strongly suggest contacting Town Counsel for an interpretation independent from their attorney's assessment.

As you might imagine, over the years we have tried to keep tabs on Amstar.

It is no longer the same company that bought Elm Court in 2012.

Ten years ago...



- Amstar posted assets under management (AUM) of over three billion dollars. In their last public statement (posted four years ago in 2017), they claimed AUM of only \$1.1 billion. The amount of real estate they own *today* is unknown.
- Amstar owned almost four dozen properties here in the United States and internationally in Russia, Turkey, Poland, Ukraine and elsewhere. Today, they own only fifteen.
- Amstar had eight or nine hotels in their "hospitality" portfolio. They soon sold off their two Travaasa resorts (Austin and Maui) and now, other than Elm Court (still empty), they only own the down-market Eaglewood Resort (with an average room rate of \$200) located near O'Hare airport in suburban Chicago.
- Amstar came to the Berkshires, boasting of having "very deep pockets" and of being one of the few developers capable of restoring Elm Court's former glory. *But* only if they could attach a Marriott look-alike 96-room, four-story hotel to the mansion.

Recently we have talked with neighbors and abutters about the Elm Court special permit extension, and have a few questions for the developer:

Who is in charge of this project at Amstar? Will that person be present to answer questions about the specifics of their business model and marketing strategy?

What evidence can be submitted in support of the statement that this is actually an investable project? How will large projects like Miraval at Cranwell and the extensive renovation at Blantyre impact Amstar's business strategy ... and future outlook?

Why do they think a project unable to attract capital at a time of historically low interest rates, and an economy flooded with liquidity during Covid, can *now* attract capital in a context of rapidly rising rates ... and tighter credit?

On Amstar's [greenteamgmt.com](http://greenteamgmt.com) website,) Elm Court "project highlights" focus on "land *entitlements* secured for a resort renovation/expansion." However, Amstar mentions nothing about moving *forward* ... nor the *temporal* nature of their so-called "entitlements." It seems to us Amstar wants to sell this property ASAP.

We also believe any new buyer should be required to go through the permitting process from the beginning, given the dramatic changes in the Berkshire hospitality industry and overall economy since the original permit was issued ... and given the fact that we have a new Select Board with members who did not adjudicate the initial Special Permit nor have a chance to hear the arguments from both sides.

Please keep in mind there are important reasons Special Permits come with time limits. A Special Permit is just that ... SPECIAL. It's not necessary for every building, garage, project, or renovation ... but only when the applicant wants to modify, circumvent, re-interpret, or try to ignore existing zoning bylaws. If Front Yard fails to get yet another extension, the Special Permit is automatically withdrawn. Of course they do not *need* a Special Permit to sell their property.



Thanking you for your time and consideration,

Barney and Julie Edmonds  
316 Old Stockbridge Rd.



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**From:** Patrick White  
**Sent:** Tuesday, August 16, 2022 1:02 PM  
**To:** bliptzin@aol.com; Patrick White; Selectmen; Gwen Miller; Barney Edmonds  
**Cc:** Canales, Michael  
**Subject:** Re: Elm Court is asking for another extension for their Special Permit

Hi all, I have no problem with sending my contact information, however the email you should use is: pwhite@stockbridge-ma.gov

Please also note, the selectmen@stockbridge-ma.gov also reaches me, so putting both in is redundant.

We have a records retention law in this state and I would prefer communication go through our email server, which is set up to accommodate this requirement.

Patrick White  
Chair, Board of Selectmen

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**From:** bliptzin@aol.com <bliptzin@aol.com>  
**Sent:** Tuesday, August 16, 2022 12:43 PM  
**To:** Patrick White; Selectmen; Gwen Miller; Barney Edmonds  
**Subject:** Fw: Elm Court is asking for another extension for their Special Permit

This development seems way out of line with the residential character of Stockbridge or Lenox in our neighborhood. We urge both towns to turn down the extension.  
Ben Liptzin, Full-Time resident  
6 Emerson Lane  
Stockbridge

Sent from the all new AOL app for iOS

Begin forwarded message:

On Tuesday, August 16, 2022, 12:09 PM, Barney Edmonds <barney.edmonds@gmail.com> wrote:  
Good morning, all!

Patrick White, the new Chair of the Stockbridge Select Board, is eager to hear from full- and part-time residents about their views on granting Front Yard (Amstar) another extension for their Special Permit.



The Permit would keep alive their plan for a four-story, 96-room Annex Hotel attached to a 15,000 square foot spa all connected to the 55,000 square foot Elm Court mansion. Their resort plan calls for building(s) of more than 110,000 square feet.

Without the extension, their plan goes away but they can, of course, still sell the mansion and/or build a dozen or so houses on four acre lots. They could still transform Elm Court itself into a hotel or inn something like Blantyre or Wheatleigh (without the Annex and Spa).

If you believe the Front Yard plan brings out-of-scale commercial development to Old Stockbridge Road (essentially a residential neighborhood) and would damage the character of Stockbridge itself, here's your opportunity to speak out.

The Stockbridge Select Board will discuss their application for yet another extension at their meeting on 8/25 at 6:30 at Town Hall and on Zoom.

The Lenox ZBA (Zoning Board of Appeals and Special Permit-granting authority in Lenox) will meet this Thursday, 8/17 at 7PM in the Lenox Town Hall.

Both Towns must approve the extension for the Special Permit (granted in 2014 and 2015) to remain in place.

Please take a few minutes and write an email about your thoughts and questions and send to Patrick White—[ptwo2118@gmail.com](mailto:ptwo2118@gmail.com) and to—[selectmen@townofstockbridge.com](mailto:selectmen@townofstockbridge.com).

Please also copy Gwen Miller, Town Planner and secretary of the Lenox ZBA—[gmliller@townoflenox.com](mailto:gmliller@townoflenox.com)

And, if available, please try and attend one or both of these important meetings.

Barney and Julie Edmonds for the Old Stockbridge Road Neighborhood Association  
[osrna.org](http://osrna.org)



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**From:** Stuart Hirshfield <shirshfield1@gmail.com>  
**Sent:** Tuesday, August 16, 2022 3:10 PM  
**To:** Patrick White; Selectmen; Selectmen  
**Cc:** gmiller@townoflenox.com  
**Subject:** Elm Court Special Permit Extension

Dear Patrick and Members of the Select Board,

Susie and I are full-time residents of Stockbridge. We have long been concerned about proposed large-scale commercial developments in town. We oppose the granting to Front Yard of another extension for their Special Permit to build a 96 room hotel annex, spa and other buildings of more than 110,000 square feet. This potential commercial development is far out-of-scale in Stockbridge, particularly in a residential neighborhood and will forever damage the character of Stockbridge itself. We are sure there are less onerous ways to develop the Elm Court property that will not be so negatively transformative for the neighborhood and Town and still provide a profitable outcome for Front Yard or their transferees.

Respectfully,

Stuart and Susie Hirshfield  
6 Meadow Rd  
Stockbridge, MA 01262



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**From:** Patrick White <ptw02118@gmail.com>  
**Sent:** Tuesday, August 16, 2022 3:47 PM  
**To:** Selectmen; Canales, Michael  
**Subject:** Fwd: Front Yard (Amstar) extension for special permit

FYI

----- Forwarded message -----

**From:** David Bloomgarden <DavidBloomgarden@msn.com>  
**Date:** Tue, Aug 16, 2022 at 3:28 PM  
**Subject:** Front Yard (Amstar) extension for special permit  
**To:** [ptw02118@gmail.com](mailto:ptw02118@gmail.com) <[ptw02118@gmail.com](mailto:ptw02118@gmail.com)>  
**Cc:** Jane Bloomgarden <[jwillbloom@gmail.com](mailto:jwillbloom@gmail.com)>, David Bloomgarden <[davidbloomgarden@msn.com](mailto:davidbloomgarden@msn.com)>

Patrick White, Chairman of the Stockbridge Select Board

I am writing as a resident of Stockbridge as my wife, and I are at 4 Stone Hill Road which abuts the Elm Court property. We have had a home at this location since July 2000 (22 years).

We are troubled and concerned to hear that Front Yard (Amstar) is seeking to have a further extension on its permit granted several years ago. The entire project should be further reviewed in the context of changes that have occurred in both Lenox and Stockbridge. It is one thing to preserve and protect the Elm Court Mansion but to have a 4 story 96 room Annex Hotel and to have that attached to a 15,000 square foot spa seems to be unwieldy in the current town as it exists now.

I personally feel that the traffic on Old Stockbridge Road would tremendously effect the character and quality of life in the community. I feel that the extension of the permit does not address the many issues that were previously raised and feel in fairness to all that the concept and enormity of the project needs to be reviewed and scaled back not simply given a rubber stamp. To simply "renew" the previously granted extension to their permit seems totally unreasonable, unfair and indifferent to the views of the people in the community so many years after the permit was initially granted.

The world, the community and the environs of Lenox / Stockbridge have changed. Simply granting an extension to the prior permit does not seem right now that the year is 2022. A review and modification of that permit is in order, not a rubber stamp.

Sincerely  
David and Jane Bloomgarden



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**From:** Carol Grossman <carolbgrossman@gmail.com>  
**Sent:** Tuesday, August 16, 2022 11:51 PM  
**To:** ptw02118@gmail.com; Selectmen  
**Cc:** gmiller@townoflenox.com  
**Subject:** Frontyard LLC request for extension of Special Permit at 310 Old Stockbridge Road

Re: Request of Frontyard LLC for extension of Special Permit at 310 Old Stockbridge Rd in Lenox and Stockbridge MA

I am Carol H B Grossman who owns and resides part time at 227 Old Stockbridge Rd in Lenox MA. I am considered a legal abutter of 310 Old Stockbridge Rd and received a notice from the Town of Lenox regarding a ZBA Public Hearing on August 17, 2022 regarding the above referenced request. I have not received a notice from the Town of Stockbridge for the meeting scheduled for 8/25/22 but perhaps that is a US Mails issue. I hope that is the reason.

I write to express my concerns about and opposition to the Frontyard LLC request:

Traffic - A 112 room commercial hotel 4 stories high will create heavy traffic on a residential road with no shoulders, hills and curves . Drivers unfamiliar with the road will be tempted to speed and cause accidents. Traffic on a summer weekend will be backed up and difficult. It will not be safe for my grandchildren or any resident to ride a bicycle or walk on the road as they do now with dogs and family members together walking.

When a car exits Elm Court now at night its headlights shine directly into my dining room and kitchen. I shake at the thought of 112 headlights coming and going on a busy weekend.

Noise - When the Berles owned this property and had outdoor weddings on the property I was not able to sit outside on my porch at the back of my house because of the noise. The Town of Lenox has told Frontyard that all the events for a wedding would be counted as one event and the proposed resort would be allowed 3 such events per weekend with an average noise decibel allowed calculated over many hours. It means that those of us living close to Elm Court will be shaking inside of our homes until the quiet hours to give them their average. My understanding is that Stockbridge and Lenox have the same requirements in this regard.

Property values/real estate taxes - Our property values will decline (no one wants to live across the street from a 112 room commercial hotel) and the success of this proposed hotel in a crowded market is certainly unknown, therefore its contribution to your tax base is unknown. When our property values decline we will expect and are entitled to a substantial cut in our real estate taxes.

Frontyard LLC has sold its other hotel/resort properties. When they bought Elm Court it was to be the third in a group of resort properties. Now only Elm Court remains. The firm has no experience in constructing or managing resorts. (It seems the firm's website no longer exists.) It purchased existing properties in Hawaii and Austin TX which they dressed up and quickly sold. These properties were already operational. They have no experience in New England. They have recently tried to sell the property indicating they were not interested in actually building the hotel. Have the Selectmen or the ZBA members seen the real plans including the mechanicals - the plans that are needed for a construction company to make a bid - the plans that are expensive to commission for Elm Court? They need these plans to get bids in order to get the loan for construction. Have they done this?

How do they plan to get financing when rates are rising and materials in short supply and rising in price? They have had since 2016 to build and during that time Miraval was built, Blantyre started and will soon complete expansion, a Courtyard by Marriot was built and a Hilton Garden Inn behind Guido's. I question Frontyard's true plans and believe this project is one they will try to flip before ever building and need this extension to do that.



I urge the Selectmen of Stockbridge and the members of the ZBA of Lenox to refuse this extension.

Thank you for listening to the concerns of your citizens.



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**From:** Carolyn Corby <corbycarolyn@gmail.com>  
**Sent:** Wednesday, August 17, 2022 11:15 AM  
**To:** gmiller@townoflenox.com; ptw02118@gmail.com; Selectmen  
**Subject:** Elm Court

Mr. White, I have been a resident of Old Stockbridge Road and just one house removed from Elm Court to the north. For years we enjoyed the relative peace and quiet of our residential neighborhood. I have been opposed to the expansion of Elm Court since its original planning. A resort and hotel of the proposed scope is inappropriate for a two lane residential street. Perhaps Desisto can accommodate their needs, or is route 183 too residential as the neighbors professed when a local entity wanted to put in condos. A sixty seat public restaurant is just absurd for our neighborhood. On the other hand, I would not be opposed to a boutique hotel with a sixty seat restaurant for their guests. Another consideration to any expansion is the impending drought conditions sure to reach the Berkshires in the very near future. Money is of little importance when the water is gone. The proposal for Elm Court is extremely near sighted in my opinion, although I must say, I highly doubt our neighborhood's opinions matter very much given the previous Board's decision. I can only hope you have become better neighbors in the few years that have passed since the last time. Thanks for your consideration.

Carolyn Corby, Lenox



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**From:** MAXWELL GATES <linandson@aol.com>  
**Sent:** Wednesday, August 17, 2022 5:26 PM  
**To:** ptw02118@gmail.com; Selectmen  
**Cc:** gmiller@townoflenox.com  
**Subject:** Elm Court Special Permit Extension

Dear Patrick and members of the Select Board, We are part time residents of Lenox and live across from Elm Court. We oppose the granting to Front Yard of another extension for their Special Permit to build a 96 room hotel annex, spa, and public restaurant. We feel that this type of property does not belong in a residential neighborhood and will damage the character of both Lenox and Stockbridge. The property has been allowed to deteriorate; there is a barn opposite our property that is ready to collapse and the lawns of Elm Court are strewn with dead fallen trees, and piles of branches and cut wood. At the very least the owner should be responsible for better maintenance of the property and any approval should include this contingency.

Linda and Sonny Gates  
301 Old Stockbridge Road  
Lenox

and oil

Sent from my iPad



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**From:** Patrick White  
**Sent:** Wednesday, August 17, 2022 11:32 AM  
**To:** Carol Grossman; Selectmen  
**Cc:** gmiller@townoflenox.com  
**Subject:** Re: Frontyard LLC request for extension of Special Permit at 310 Old Stockbridge Road

Thank you, Carol.

Patrick White  
Chair, Board of Selectmen

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From: Carol Grossman <carolbgrossman@gmail.com>  
Sent: Tuesday, August 16, 2022 11:51 PM  
To: ptw02118@gmail.com; Selectmen  
Cc: gmiller@townoflenox.com  
Subject: Frontyard LLC request for extension of Special Permit at 310 Old Stockbridge Road

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When a car exits Elm Court now at night its headlights shine directly into my dining room and kitchen. I shake at the thought of 112 headlights coming and going on a busy weekend.

**Noise** - When the Berles owned this property and had outdoor weddings on the property I was not able to sit outside on my porch at the back of my house because of the noise. The Town of Lenox has told Frontyard that all the events for a wedding would be counted as one event and the proposed resort would be allowed 3 such events per weekend with an average noise decibel allowed calculated over many hours. It means that those of us living close to Elm Court will be shaking inside of our homes until the quiet hours to give them their average. My understanding is that Stockbridge and Lenox have the same requirements in this regard.

**Property values/real estate taxes** - Our property values will decline (no one wants to live across the street from a 112 room commercial hotel) and the success of this proposed hotel in a crowded market is certainly unknown, therefore its contribution to your tax base is unknown. When our property values decline we will expect and are entitled to a substantial cut in our real estate taxes.



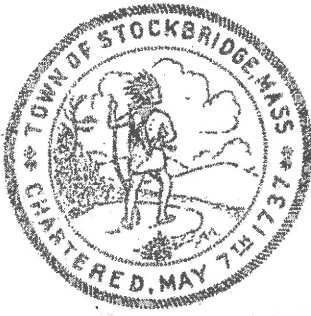
Frontyard LLC has sold its other hotel/resort properties. When they bought Elm Court it was to be the third in a group of resort properties. Now only Elm Court remains. The firm has no experience in constructing or managing resorts. (It seems the firm's website no longer exists.) It purchased existing properties in Hawaii and Austin TX which they dressed up and quickly sold. These properties were already operational. They have no experience in New England. They have recently tried to sell the property indicating they were not interested in actually building the hotel. Have the Selectmen or the ZBA members seen the real plans including the mechanicals - the plans that are needed for a construction company to make a bid - the plans that are expensive to commission for Elm Court? They need these plans to get bids in order to get the loan for construction. Have they done this?

How do they plan to get financing when rates are rising and materials in short supply and rising in price? They have had since 2016 to build and during that time Miraval was built, Blantyre started and will soon complete expansion, a Courtyard by Marriot was built and a Hilton Garden Inn behind Guido's. I question Frontyard's true plans and believe this project is one they will try to flip before ever building and need this extension to do that.

I urge the Selectmen of Stockbridge and the members of the ZBA of Lenox to refuse this extension.

Thank you for listening to the concerns of your citizens.





# Town of Stockbridge

## APPLICATION FOR SPECIAL ONE DAY ALCOHOLIC BEVERAGE LICENSE

Application Fee: \$30.00

Original signed application must be submitted  
to the Board of Selectmen at least one month prior to the event.

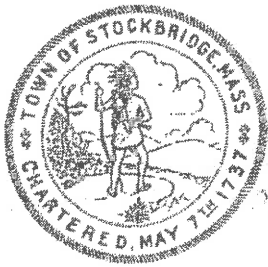
### Event Information:

Applicant: Chesterwood Date: 9/3/22  
Address of Applicant: PO Box 827, 4 Williamsville Rd, Stockbridge, MA 01262  
Phone: 413-298-3579 Email: Chesterwood@savingplaces.org  
Location of Event (address): 4 Williamsville Rd, Stockbridge, MA 01262  
Description of premise: (i.e. museum, garden, estate): historic site  
Type of Event (i.e. exhibit opening, fundraiser, wedding): wedding  
Estimated number of Attendees: 100-120  
Type of Beverages: ☒ All Alcoholic ☐ Wines and Malt Only  
(Not-for-profit only)  
Date of Event: 9/3/22 Hours of Event: 5 PM to 11 PM

Copy of card issued by bartending course stating that the individual is a Certified Bartender

No special licensee may sell any alcoholic beverage other than those purchased from a licensee under M.G.L. c. 138 §§ 18, 19, 19B, or 19C or from a holder of a special permit to sell issued under M.G.L. c. 138 § 22A. Special licensees **CANNOT** purchase alcoholic beverages from a package store. A list of approved sellers can be found at <https://www.mass.gov/service-details/apply-for-a-special-license-or-permit-abcc>





# Town of Stockbridge

50 MAIN STREET, P.O. BOX 417  
STOCKBRIDGE, MASSACHUSETTS 01262-0417  
TELEPHONE 413-298-4170  
FAX 413-298-4344

## General License Application

Please check all boxes that apply:

Fee Enclosed: ☒

☒ Alcohol      ☒ New      ☐ Renewal      ☐ Annual      ☐ Seasonal      ☒ One Day  
   ☐ Wine & Malt      ☒ All Alcohol

☐ Restaurant (Common Victualler)      ☐ Entertainment (please see form attached)

☐ Retail      ☐ Bed & Breakfast      ☐ Inn      ☒ Other

Chesterwood

9/3/22

Applicant

Date

Chesterwood/National Trust for Historic Preservation

Business Name

DBA (if different)

PO Box 827

413-298-3579

Chesterwood@savingplaces.org

Street Address/PO Box

Telephone Email

Stockbridge, MA 01262

City/Town State Zip

The licensed premises, activity, or equipment shall be located at the following address:

4 Williamsville Rd

This license is requested for the following expected hours of operation and days of the week.

5-11 PM, 9/3/2022

Describe activity in the space below details of the license you're applying for (include any floor plan, if necessary):

Wedding in an outdoor setting under a large 2-3 post tent



*I certify that I will be responsible for the proper observance of the Laws Governing the dispensing of such alcoholic beverages and hereby swear under the pains and penalties of perjury that the information I have given is true to the best of my knowledge and belief.*

  
Signature

7/18/22  
Date

### **RULES AND INSTRUCTIONS FOR ONE-DAY ALCOHOLIC BEVERAGES LICENSE APPLICATION**

- Along with a completed and signed application, the following information is required in order for the Selectmen to vote on your request:
  - Copy of card issued by bartending course stating that the individual is a Certified Bartender
  - Applicant needs to provide proof of insurance at least 10 days prior to the event.
- Applications shall be submitted at least 30 days prior to the event with a \$30.00 fee for each one-day license being requested which must be submitted with the application (made payable to the Town of Stockbridge)
- Once acted upon by the Board of Selectmen, a license will be produced which may then be picked up at the Selectmen's Office in the Town Hall.
- There shall be no self-service of any alcoholic beverages.  
Event participants are PROHIBITED from bringing their own alcoholic beverages to the event and CANNOT purchase alcoholic beverages from a package store.  
A list of approved sellers can be found at <https://www.mass.gov/service-details/apply-for-a-special-license-or-permit-abcc>

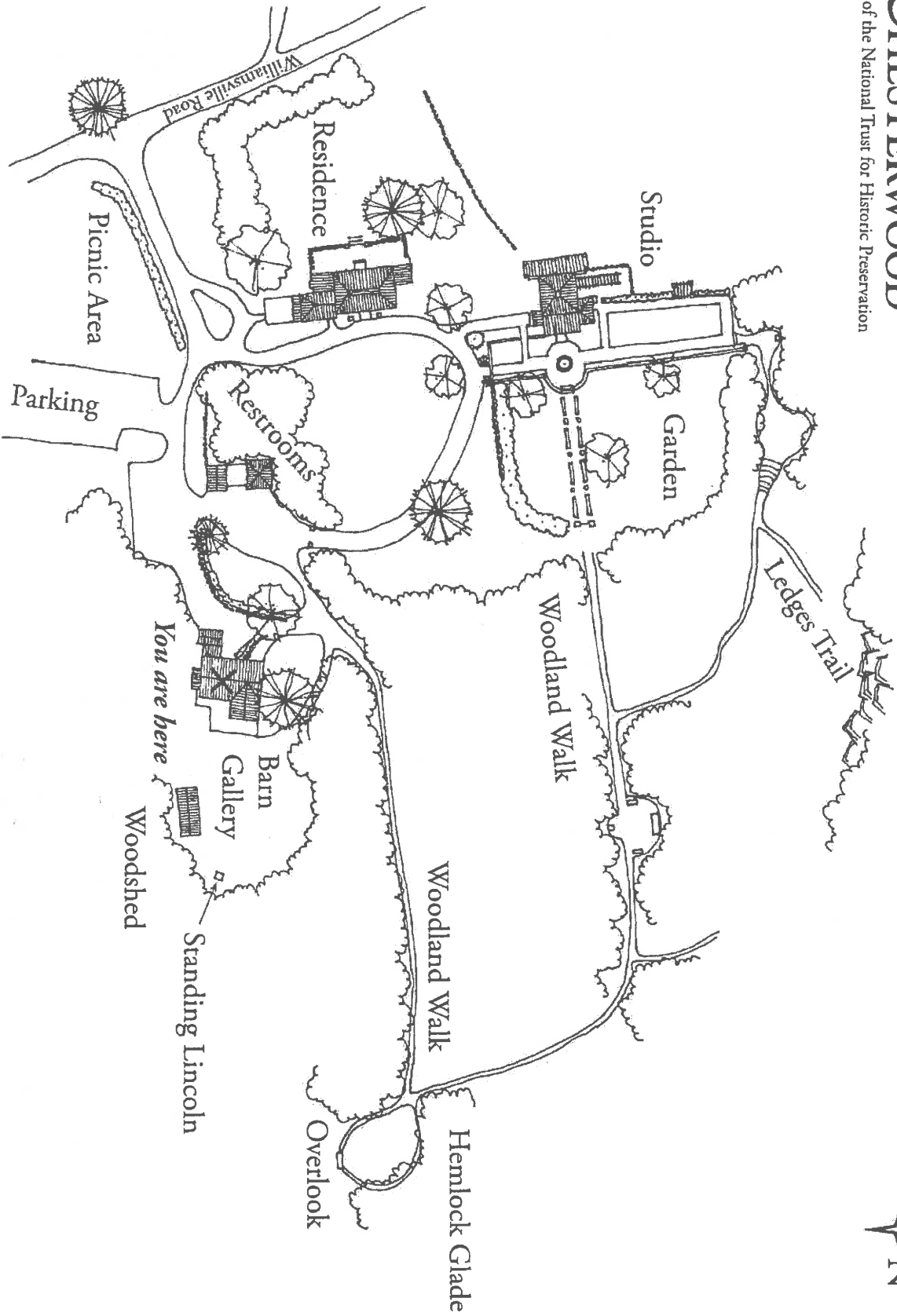
Please refer to the Town of Stockbridge Alcoholic Beverage License Policies and the ABCC (<https://www.mass.gov/orgs/alcoholic-beverages-control-commission>) for complete rules and regulations.





# CHESTERWOOD

A Site of the National Trust for Historic Preservation







# Town of Stockbridge

## APPLICATION FOR SPECIAL ONE DAY ALCOHOLIC BEVERAGE LICENSE

Application Fee: \$30.00

Original signed application must be submitted  
to the Board of Selectmen at least one month prior to the event.

### Event Information:

Applicant: Pan-Mass Challenge Date: 6-27-22  
Address of Applicant: 77 4th Ave Needham, MA 02474  
Phone: 508 873 2661 Email: SLynn@PMC.org  
Location of Event (address): Camp Mahkeenac 6 Hawthorn Rd  
Description of premise: (i.e. museum, garden, estate): Boys Summer Camp  
Type of Event (i.e. exhibit opening, fundraiser, wedding): Bike-a-thon Fundraiser  
Estimated number of Attendees: 500  
Type of Beverages: All Alcoholic Wines and Malt Only  
(Not-for-profit only)  
Date of Event: 9-30-22 Hours of Event: 3:00 PM to 10:00 PM

Copy of card issued by bartending course stating that the individual is a Certified Bartender

No special licensee may sell any alcoholic beverage other than those purchased from a licensee under M.G.L. c. 138 §§ 18, 19, 19B, or 19C or from a holder of a special permit to sell issued under M.G.L. c. 138 § 22A. Special licensees **CANNOT** purchase alcoholic beverages from a package store. A list of approved sellers can be found at <https://www.mass.gov/service-details/apply-for-a-special-license-or-permit-abcc>



*I certify that I will be responsible for the proper observance of the Laws Governing the dispensing of such alcoholic beverages and hereby swear under the pains and penalties of perjury that the information I have given is true to the best of my knowledge and belief.*

Signature

Date

### **RULES AND INSTRUCTIONS FOR ONE-DAY ALCOHOLIC BEVERAGES LICENSE APPLICATION**

- Along with a completed and signed application, the following information is required in order for the Selectmen to vote on your request:
  - Copy of card issued by bartending course stating that the individual is a Certified Bartender
  - Applicant needs to provide proof of insurance at least 10 days prior to the event.
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# Town of Stockbridge

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to the Board of Selectmen at least one month prior to the event.

### Event Information:

Applicant: Pan-Mass Challenge Date: 6-27-22

Address of Applicant: 77 4th Ave Needham, MA 02494

Phone: 508 873 0661 Email: glyn@pmc.org

Location of Event (address): Camp Mahkeen Nak

Description of premise: (i.e. museum, garden, estate): Summer Camp

Type of Event (i.e. exhibit opening, fundraiser, wedding): Bikeathon Fundraiser

Estimated number of Attendees: 500

Type of Beverages: All Alcoholic Wines and Malt Only  
(Not-for-profit only)

Date of Event: 10-1-22 Hours of Event: 12:00 PM to 10:00 PM

Copy of card issued by bartending course stating that the individual is a Certified  
Bartender

No special licensee may sell any alcoholic beverage other than those purchased from a licensee under M.G.L. c. 138 §§ 18, 19, 19B, or 19C or from a holder of a special permit to sell issued under M.G.L. c. 138 § 22A. Special licensees **CANNOT** purchase alcoholic beverages from a package store. A list of approved sellers can be found at <https://www.mass.gov/service-details/apply-for-a-special-license-or-permit-abcc>



*I certify that I will be responsible for the proper observance of the Laws Governing the dispensing of such alcoholic beverages and hereby swear under the pains and penalties of perjury that the information I have given is true to the best of my knowledge and belief.*

Signature

Date

### **RULES AND INSTRUCTIONS FOR ONE-DAY ALCOHOLIC BEVERAGES LICENSE APPLICATION**

- Along with a completed and signed application, the following information is required in order for the Selectmen to vote on your request:
  - Copy of card issued by bartending course stating that the individual is a Certified Bartender
  - Applicant needs to provide proof of insurance at least 10 days prior to the event.
- Applications shall be submitted at least 30 days prior to the event with a \$30.00 fee for each one-day license being requested which must be submitted with the application (made payable to the Town of Stockbridge)
- Once acted upon by the Board of Selectmen, a license will be produced which may then be picked up at the Selectmen's Office in the Town Hall.
- There shall be no self-service of any alcoholic beverages.  
Event participants are **PROHIBITED** from bringing their own alcoholic beverages to the event and **CANNOT** purchase alcoholic beverages from a package store.  
A list of approved sellers can be found at <https://www.mass.gov/service-details/apply-for-a-special-license-or-permit-abcc>

Please refer to the Town of Stockbridge Alcoholic Beverage License Policies and the ABCC (<https://www.mass.gov/orgs/alcoholic-beverages-control-commission>) for complete rules and regulations.





## PMC Unpaved Fact Sheet

### About PMC Unpaved:

PMC Unpaved is a new one-day charitable gravel bike-a-thon that will take place in Massachusetts' Berkshires on Saturday, October 1, 2022. Off-road cycling has increased in popularity in recent years, particularly through the pandemic, and the [Pan-Mass Challenge](#) (PMC) is excited to deliver a new type of fundraising ride for its community and beyond. As a 'spoke in the wheel' of the organization's yearly fundraising campaign, PMC Unpaved will bring together up to 500 new and existing PMC riders for a fun and challenging off-road cycling experience to raise money for Dana-Farber Cancer Institute (Dana-Farber).

PMC Unpaved will include two off-road gravel routes, 30- and 50-mile options (dubbed "The Raven" and "The Eagle," respectively), allowing riders of varying ability to participate in the PMC's mission. As with all PMC cycling events, 100% of every rider-raised dollar from PMC Unpaved will directly benefit lifesaving cancer research and treatment as part of the PMC's 2022 gift to Dana-Farber. In 2022, the PMC has a fundraising goal of \$66 million.

For those interested in participating in PMC Unpaved, registration opened to the public on Tuesday, May 3. There is a non-refundable registration fee ranging from \$150-200 and a \$1,500 fundraising minimum for all riders. Participants who have raised at least \$3,000 will be recognized as 'Summit Fundraisers' and receive special acknowledgement. All fundraising minimums must be met by November 1, 2022.

To learn more about PMC Unpaved and to register for this year's event, visit [Unpaved.org](https://unpaved.org).

### Where:

Camp Mah-Kee-Nac, [6 Hawthorne Rd, Lenox, MA 01240](#)

### When:

Saturday, October 1, 2022

- Rider Check-In and Entertainment will take place on Friday, September 30, 2022
- Rider Registration opened Tuesday, May 3, 2022

### Contact:

For questions around participating, fundraising or volunteering, contact Bill Alfano, [alfano@pmc.org](mailto:alfano@pmc.org)

For media inquiries around PMC Unpaved, contact Aameara Harb, [Aameara.Harb@porternovelli.com](mailto:Aameara.Harb@porternovelli.com)





Michael Canales  
Town Administrator  
Town of Stockbridge  
50 Main Street  
Stockbridge, MA 01262

August 17, 2022

Dear Michael,

Please accept this letter as authorization by MAHKEENAC OPERATING CO LLC, dba Camp Mah-Kee-Nac for the application of both an Event/Alcohol Permit and Entertainment Permit by Glynn Hawley of Pan-Mass Challenge ("PMC") for events on-site at 6 Hawthorne Road, Stockbridge, MA 01262, September 30, 2022 through October 2, 2022.

Per our agreement with PMC, assuming the receipt of adequate insurance coverage and the necessary permits from the Town of Stockbridge, Camp will allow alcohol service and consumption as approved by the permit, in and around the area of the Dining Hall ("CAFETERIA BLD" on attached facility map).

Additionally, Camp is providing parking for the PMC on Camp's Woodshop Lot (Accessible), Upper Staff Lot and our Upper Sports Fields.

Finally, addressing trash, PMC will be utilizing Camp's compactor and recycling containers leased by Camp through Valley. The compactor will be emptied prior to the PMC arrival on September 30, 2022 and will be collected and disposed the week of October 3, 2022.

If there is any additional information needed from Camp Mah-Kee-Nac, please feel free to contact me at 413-446-9892.

Thanking you in advance,

Kevin Lilley  
Associate Director

cc. Glynn Hawley - Operations Director, Pan-Mass Challenge

## **CAMP MAH-KEE-NAC**

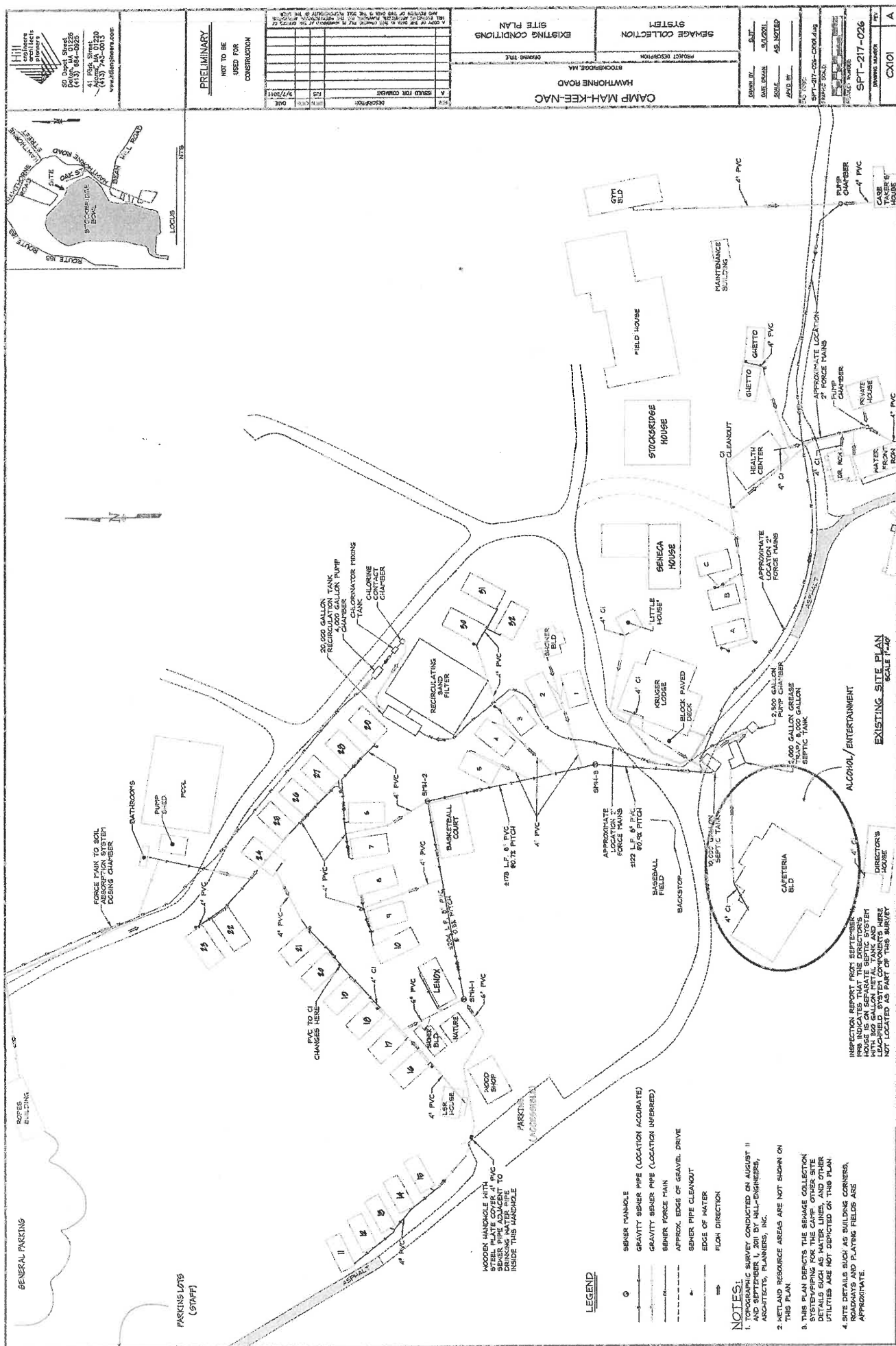
### **SUMMER**

6 Hawthorne Road  
Lenox, MA 01240

### **WINTER**

2321 Chestnut Ave  
Ardmore, PA 19003









## Town of Stockbridge

50 Main Street, P.O. Box 417  
Stockbridge, Massachusetts 01262-0417  
Telephone: 413-298-4170

### Board of Selectmen

### APPLICATION FOR SPECIAL ONE DAY ALCOHOLIC BEVERAGE LICENSE

**Application Fee: \$30.00**

Upon receipt of this completed application, payment and required documentation, your application will be processed. This application must be received 30 days prior to the event. Please note that submission of this application should in no way be construed as final approval or confirmation of your request. Final approval will require sign-off by the Select Board.

#### Event Information:

##### **Applicant Information:**

Applicant: Zucchini's Restaurant Date: 8/27/22  
Address of Applicant: 1331 North St., Pittsfield, MA 01201  
Phone: 413-442-2777 Email: Zucchinis.accts@gmail.com

Is applicant for the Entertainment License the owner of premises? \_\_\_\_ Yes X NO\*

\* If applicant is not the owner of the premises, please attach a notarized letter from property owner giving permission for such entertainment to take place.

Location / Name of Establishment: Chesterwood  
Address of proposed entertainment: 4 Williamsville Rd. Stockbridge, MA 01262  
Manager/Owner: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

##### **Description of the premises to be used (ie, 1<sup>st</sup> floor, patio, indoors, outdoors, etc.)**

Outdoors

**Description of location: (i.e.museum, garden, estate):** Garden/Estate



**Floor Plan:** Attach a floor plan showing:

Dimensioned area of licensed premises;  
Proposed location of bars or service area;  
Seats or bench areas, secured and/or moveable; and  
Entrances and exits

**Attach written plan for the control of litter**

**Type of Event** (i.e. exhibit opening, fundraiser, wedding): Wedding

**Date of Event:** 8/27/22

**Event Start Time:** 4:00pm

**Event End Time:** 11:00pm

**Type of Beverages:** All Alcoholic \_\_\_\_\_ Wines and Malt Only X  
(Not-for-profit only)

**Number of attendees expected:** 100 ( if >250 persons, applicant must notify Chief of Police)

No special licensee may sell any alcoholic beverage other than those purchased from a licensee under M.G.L. c. 138 §§ 18, 19, 19B, or 19C or from a holder of a special permit to sell issued under M.G.L. c. 138 § 22A. Event participants are PROHIBITED from bringing their own alcoholic beverages to the event and Special licensees CANNOT purchase alcoholic beverages from a package store. A list of approved sellers can be found at

<https://www.mass.gov/service-details/apply-for-a-special-license-or-permit-abcc>

Please refer to the Town of Stockbridge Alcoholic Beverage License Policies and the ABCC

(<https://www.mass.gov/orgs/alcoholic-beverages-control-commission> ) for complete rules and regulations.



### CHECK LIST FOR ONE-DAY ALCOHOLIC BEVERAGES LICENSE APPLICATION

- ☒ completed and signed application submitted at least 30 days prior to the event
- ☒ \$30.00 fee for each one-day license being requested (made payable to the Town of Stockbridge)
- ☒ Copy of Certified Bartender card
- ☒ Proof of Liquor Liability Insurance
- ☒ Floor Plan
- ☒ Parking Plan
- ☒ Control of Litter Plan

*I certify that I will be responsible for the proper observance of the Laws Governing the dispensing of such alcoholic beverages and hereby swear under the pains and penalties of perjury that the information I have given is true to the best of my knowledge and belief.*

Lynne Soldato, Owner

8/19/22

Signature

Date

#### Office Use Only:

Date Received: \_\_\_\_\_

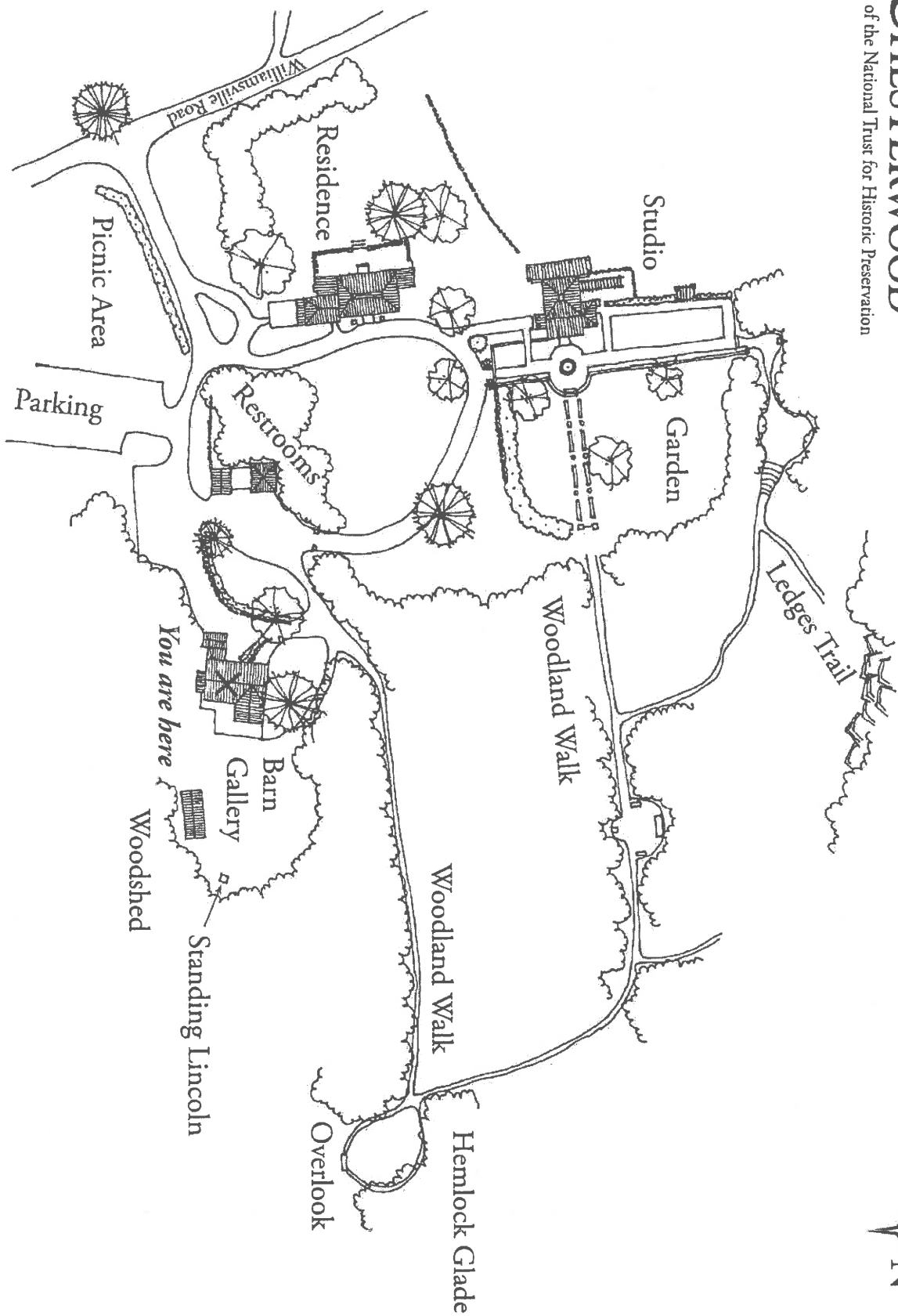
Payment Received:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Written Approval if required:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Floor Plan Received:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Liquor Liability Insurance Received:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Parking Plan:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Control of Litter Plan Received	YES <input type="checkbox"/>	NO <input type="checkbox"/>
			Copy of Certified Bartender Card:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
License Approval:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Permit Issued:	_____	





# CHESTERWOOD

A Site of the National Trust for Historic Preservation





# Affordable Housing Board

Don Eaton <deaton2007@gmail.com>

Tue 5/24/2022 11:48 AM

To: Selectmen <Selectmen@stockbridge-ma.gov>;

Hello,

Thanks to Patrick for fielding my phone call last week regarding my interest in working on behalf of the Town of Stockbridge on the Affordable Housing Committee.

I heard it mentioned at the town meeting.

My wife and I are homeowners at 44 Church St and have been residents in town for 4 years. I work in Lee as a commercial insurance broker for Toole Agency and serve on the BOD for the C.D.C.S.B <https://cdcsb.org/who-we-are/board-staff/>. Like everyone, I am interested in the future of our nation and believe that working to improve the quality of living in the community that I live in is the best place to start.

Please let me know if you are interested in taking me up on my offer to volunteer my time and if you have any concerns or questions that I can answer for you.

Best,

**Don Eaton**  
**Stockbridge, MA**  
**(413) 717-1644**









**Don Eaton, Clerk** Don is an account director at Toole Insurance Agency in Lee. Professionally, he works with clients in the construction and other related sectors in Massachusetts and Eastern New York, and holds the Certified Insurance Counselor and Construction Risk Insurance Specialist designations. In his personal time, he has devoted many years to volunteerism and philanthropy and currently serves as a deacon for the Congregational Church in Stockbridge. Don has a keen interest in affordable housing and is dedicated to supporting small businesses. He joined the CDCSB Board with the intent to serve on the Economic Development subcommittees and working closely with the organization's new Small Business Technical Assistance Program.







# Janet Ackerman Volunteering to Help with New Project

Janet Ackerman <janet.ackerman24@gmail.com>

Sat 7/9/2022 6:14 PM

To: Selectmen <Selectmen@stockbridge-ma.gov>;

 1 attachment

Janet H Ackerman 070922.doc;

Dear Select Board,

I am aware that the Select Board passed a motion to fund a new Housing Production Plan, and I totally support that effort. I would like to contribute to the effort by joining the Board of the Affordable Housing Trust Fund. I'm enclosing my resume, so you can see what experience I have that might be relevant to such an endeavor.

We are long-time Stockbridge residents (we've owned our home here since 2003), and Larry, my husband, has family roots here dating back to 1951!

I look forward to meeting each of you!  
Jan Ackerman







## **Janet H. Ackerman**

10 Arrow Head Road  
Westport, Connecticut 06880  
(203) 216-2909 mobile phone

10 Averic Road  
Stockbridge, Mass. 01262  
Janet.Ackerman24@gmail.com

### Experience

(2006 – present)      **Weill Cornell Medical College**

#### *Consultant to the Executive Vice Provost*

Led and/or participated in numerous financial and facilities planning projects, including research facilities, student housing, faculty recruitment, and overall financial planning. Involved in education planning (e.g. Prep. for the Association of American Medical Colleges (AAMC) reaccreditation review, Joint MS/MBA degree, MD curriculum revisions, etc.). Served as interim head of Capital Planning.

(1976 – 2006)      **Yale University**

#### *Associate Vice President for Finance and Procurement (1989 to 2006)*

Directed the financial operations of the University, including managing the planning, budgeting, controller, treasury services, debt-financing and federal research funding activities. Responsible for the procurement operations (1996 - 2002) and the internal audit department (1992 - 93). Key member of the management team of the Institution with assets then over \$16 billion and an operating budget of \$1.8 billion. Managed a staff of 150 (5 direct).

- Developed the University's long-term financial plans to accomplish significant growth, maintain its aging facilities and operate within a balanced budget.
- Negotiated agreements with the federal Office of Management and Budget (OMB) regarding over \$500 million of federal research grant funding.
- Launched and co-led an \$80 million project to replace the financial, procurement, and human resource systems.
- Restructured the debt portfolio, securing an upgrade to AAA/Aaa and expense savings over \$2 million annually.
- Provided leadership in financial strategy and negotiations with both labor unions. Participated in negotiations.

#### *Assistant Vice President (1984 to 1989)*

*Asst. Budget Dir. > Budget Dir. > Director of Budget & Planning (1976 to 1984)*

(1974 to 1976)      **The Boston Consulting Group**

*Consultant*



Education

- |      |   |
|------|---|
| 1974 | <b>Carnegie-Mellon University</b><br>Master of Science in Industrial Administration                                   |
| 1972 | <b>Carnegie-Mellon University</b><br>Bachelor of Science in Mathematics   |
| 1971 | <b>University of Manchester</b> , Manchester, England<br>Visiting Student in Honours Mathematics (Junior Year Abroad) |



# Stockbridge Affordable Housing Trust Board

Ranne Warner <rpwarner@riverfrontloftsri.com>

Wed 6/15/2022 10:39 AM

To: Selectmen <Selectmen@stockbridge-ma.gov>;

 1 attachment

Ranne P. Warner Biography - 6.15.22.doc;

Dear Board of Selectmen,

At the Town Meeting last month, Mr. White announced that the Town was seeking members for Affordable Housing Trust Board, which is to be established. I would be interested in serving on that Board.

I have had extensive experience as a market rate real estate developer in both the residential and commercial sectors for over 30 years and have served on the Executive Committee of Wainwright Bank Board of Directors in Boston for 23 years. In that position I was responsible for approving all loans over \$1 million. The Bank was extremely active in providing loans to Social Justice organizations, specifically to the Affordable Housing Community in the Boston area.

My husband and I purchased our home in Stockbridge in 2018 and became permanent residents in 2019. Attached is my biography for your consideration.

Respectfully submitted,

*Ranne P. Warner*

Lake Cottage, LLC  
53 Interlaken Rd.  
Stockbridge, MA 01262  
617 680-2888  
[rpwarner@riverfrontloftsri.com](mailto:rpwarner@riverfrontloftsri.com)







**RANNE P. WARNER**  
**A REAL ESTATE DEVELOPER**

53 INTERLAKEN ROAD  
STOCKBRIDGE, MA 01262  
[rpwarner@riverfrontloftsri.com](mailto:rpwarner@riverfrontloftsri.com)  
Mobile: 617 680-2888



Ranne P. Warner is a successful real estate developer with over 25 years of experience in developing institutional-quality office, industrial and luxury multi-family residential buildings from conception, financing and construction through marketing to operation and the ultimate asset sale. She has experienced several business cycles, solving problems creatively and managing the process with extraordinary style and attention to detail. Ms. Warner has successfully developed and managed properties that lease quickly, achieve premium valuations, sell with exceptional returns and maximize partner investments. Her strength is problem solving.

**EDUCATION**

- ◆ **Harvard University Graduate School of Business Administration** **Cambridge, MA**  
MBA Master of Business Administration with Distinction.  
James Thomas Chirurg Fellowship.
- ◆ **University of Missouri School of Journalism** **Columbia, MO**  
BJ Bachelor of Journalism in Advertising.

**REAL ESTATE DEVELOPMENT EXPERIENCE**

**Experienced in all phases of development.** For over 30 years, Ms. Warner has been an entrepreneurial real estate developer, active at the local, national, and international levels. She has extensive experience in all phases of real estate development, including site identification and acquisition, development strategy, permitting and zoning, finance, construction, marketing, leasing, property management, and sales for new buildings and adaptive reuse/historic preservation projects.

- ◆ **Historic Preservation Residential Restoration**  
**53 Interlaken Road, Stockbridge, MA**  
**30 Hancock Street, Lexington, MA**  
**87 Myrtle Street, Beacon Hill, Boston, MA**  
Ms. Warner managed the redevelopment of these historic private residences, which were all in national Historic Districts, listed on the National Register of Historic Places. All residences required complete restoration and modernization.
- ◆ **Luxury condominium development - Zeckendorf Development, LLC**  
**18 Gramercy Park South, New York, New York. Project Director**  
Ms. Warner managed the re-development of this classic 1920's historic building. Designed by Robert A.M. Stern Architects and located on Manhattan's only private park, the building has 16 gracious residences.



***15 Central Park West, New York, New York***

Ms. Warner managed the completion of this world-class condominium project for the Sponsor -- Zeckendorf Development, Goldman Sachs and Eastgate Realty. Responsibilities include successful completion of subcontractor work, securing the Permanent Certificate of Occupancy (PCO) and Sponsor communications with owners and all Sponsor members.

◆ ***Multi-family Residential Development/Urban Revitalization – Blackstone Exchange LLC - President***

In 2001 Ms. Warner formed Blackstone Exchange LLC to purchase and convert two historic textile mills on the Blackstone River in Pawtucket, Rhode Island into 59 live-work artist loft condominiums. Reviewed by the *New York Times*, this successful project has attracted significant new investment to downtown Pawtucket, helping to revitalize this depressed mill town. For her contributions to the city, Ms. Warner was recognized as the Pawtucket Foundation “Person of the Year” in 2005. [www.riverfrontloftsri.com](http://www.riverfrontloftsri.com).

◆ ***Commercial Office, R&D and Industrial Development- Centros Properties USA – President***

In 1980, Ms. Warner founded Centros Properties USA in partnership with two London developers. With considerable entrepreneurial skill, she built the firm's portfolio in the US from \$0 to \$140 million in value in over one-half million square feet of first-class institutional-quality office, R&D and industrial properties. In a short time, Ms. Warner earned a reputation for creating some of the most exciting, best-designed and well-managed properties. She has become an industry leader, known for attention to detail, high-quality buildings and service to her tenants.

The properties developed and managed by Ms. Warner are both new construction and historic preservation projects. These range from high-tech, suburban office buildings to the preservation of a turn-of-the-century, neo-classical building in Boston's financial district which optimized the value by capitalizing the air rights value through the addition of a sensitive, two-story addition.

- ◆ ***Building Green.*** Ms. Warner was an early adapter in developing environmentally sensitive properties by creating buildings designed to the highest energy efficiency standards and whenever possible utilizing materials made from recycled or renewable resources. She has been a pioneer in attempting to incorporate economical alternative energy sources in her buildings. Sound land planning and a focus on creating walkable communities are hallmarks of her development strategies. Revitalizing our inner cities through adaptive reuse and historic preservation is a personal passion.

- ◆ ***Financing.*** Ms. Warner's projects have been financed by sophisticated financial institutions:

JP Morgan Chase	Bank Rhode Island
Prudential Insurance	Bank Boston
Travelers Insurance	Fleet Bank
Dean Witter Realty	

- ◆ ***Tenants.*** Ms. Warner's buildings have attracted the nation's most respected companies:

McDonald's	Del Monte
Merck & Co	Prime Computer
Colgate-Palmolive	Metropolitan Life
A.G. Edwards & Sons	Codex Corporation
PUMA USA	



## Biography of Ranne P. Warner

- ◆ **Marketing and Sales.** Ms. Warner has personally negotiated leases totaling nearly 700,000 square feet of office, retail and R&D space and the sale of \$140 million of first class office and residential buildings.

## REAL ESTATE CONSULTING

### ***Ranne P. Warner and Company - Owner***

Ms. Warner also maintains a real estate consulting firm advising companies on the selection, leasing and design of their real estate. Assignments include the corporate headquarters for:

Ernst and Young Center for Business Innovation  
Bright Horizons/Family Solutions  
Bosch wholly owned subsidiary, Airflow Manufacturing

## REAL ESTATE INVESTMENT FUND MANAGEMENT

Prior to forming Centros, Ms. Warner worked with Commercial Union Properties, the London property group of Commercial Union Assurance, developing its investment fund to purchase U.S. commercial income-producing property.

## ADVERTISING AND PUBLIC RELATIONS

In New York City Ms. Warner worked as an account executive on corporate and consumer products accounts, including Proctor and Gamble, at:

Benton & Bowles  
Marsteller Advertising  
Burson-Marsteller Public Relations

## LEADER IN PROFESSIONAL REAL ESTATE ORGANIZATIONS

Ms. Warner has been a leader in professional real estate organizations both nationally and in Boston.

- ◆ ***ULI Urban Land Institute*** ***Washington, D.C.***  
Active member for over 20 years serving on numerous Councils and Committees.  
**UDMUC** - Urban Development/Mixed Use Council – Silver Chair  
**CRC** – Commercial/Retail Development Council Vice Chair  
**IOPC** - Industrial and Office Parks Vice Chair  
**IC** -International Council – founding member Vice Chair  
**ICC** - Inner City Council. Member  
International Committee Member  
Advisory Services Committee Member  
Advisory Services Panels Served on 8 panels  
Research Committee Member  
Growth Management Task Force Co-Chair
- ◆ ***WX New York Women Executives in Real Estate.*** ***New York, NY***  
An invitation-only association of senior-level women leaders actively engaged in the commercial real estate industry in New York.
- ◆ ***NEWIRE New England Women in Real Estate Founder & First President*** ***Boston, MA.***  
The professional organization for New England women in real estate. Currently 500 members.



## Biography of Ranne P. Warner

- ◆ **NAIOP National Association of Industrial and Office Parks**  
**First Woman President of Boston Chapter** **Boston, MA**  
Founding member of Boston chapter, now one of largest  
and most active in US.
- ◆ **BOMA Building Owners and Managers Association** **Boston, MA**  
**First Woman President of Boston chapter**
- ◆ **Greater Boston Real Estate Board of Directors**      **Director** **Boston, MA**

## CORPORATE BOARD MEMBERSHIPS

- ◆ **Wainwright Bank**      **Director and Member of Executive Committee** **Boston, MA**  
Since the bank's inception in 1987 until it was sold in November, 2010,  
Ms. Warner served on the Board of this NASDAQ-listed  
commercial bank, which provided both retail and private banking  
services. The bank has received national recognition for its activities  
focused on social justice lending and investing.
- ◆ **Allmerica Investment Trust**      **Trustee** **Worcester, MA**  
For 22 years Ms. Warner served as Trustee for the \$8 billion  
invested in 15 stock and bond mutual funds that serviced the  
annuities sold and managed by Allmerica Financial Services.  
These funds were sold to Goldman Sachs in 2006.  
Investment Operations Committee      Member  
Governance Committee      Chair

## NON-PROFIT BOARD MEMBERSHIPS

Ms. Warner has served on numerous non-profit boards for professional, academic, historic preservation, religious and cultural organizations.

- ◆ **Independent Director's Council**      **Founding Board Member** **Washington D. C.**  
National organization representing independent mutual  
fund board directors.  
Executive Committee      Member  
Policy Committee      Member  
12(b)-1 Task Force      Chair
- ◆ **Harvard University Real Estate Academic Initiative** **Cambridge, MA**  
**Alumni Advisory Board Member**  
University-wide initiative conducting interdisciplinary real  
estate research, educational seminars and student outreach.



## Biography of Ranne P. Warner

- ◆ ***Historic New England (formerly SPNEA - Society for the Preservation of New England Antiquities)***  
New England's largest and oldest preservation organization, owns, manages and interprets 23 historic properties and extensive furniture and decorative arts collections.  
President of the Board  
Secretary of the Board  
Property Committee, Chair  
Investment Committee

***Trustee*** ***Boston, MA***
  
- ◆ ***Historic Boston Inc. Trustee and currently Bd. Of Advisors***  
Historic preservation revolving fund that purchases, owns and develops important historic properties in Boston.

***Boston, MA***
  
- ◆ ***Boston Foundation for Architecture***

***Trustee*** ***Boston, MA***
  
- ◆ ***Harvard Business School Alumni Association***

***Director*** ***Boston, MA***
  
- ◆ ***First Night***  
Founding organization that developed the arts-based community-wide celebration on New Year's Eve

***Director*** ***Boston, MA***
  
- ◆ ***King's Chapel Assistant Treasurer, Vestry Member***  
Founded in 1639, this historic Christian Unitarian church is featured on the Freedom Trail.

***Boston, MA***
  
- ◆ ***Massachusetts Women's Forum – Founding Member***  
International organization recognizing the accomplishments of senior executive woman.

***Boston, MA***
  
- ◆ ***International Women's Forum - New York Chapter***  
The international organization of senior women leaders in business, the arts and major non-profit organizations

***New York, NY***
  
- ◆ ***Women's Leadership Initiative Board John F. Kennedy School of Government Harvard University Founding Director***

***Cambridge, MA***
  
- ◆ ***Grow Smart Rhode Island Board Director***  
A statewide organization dedicated to promoting sound growth policies and enlightened land-use management strategies in RI cities, suburbs and rural areas.

***Providence, RI***
  
- ◆ ***Preserve Rhode Island***  
Statewide historic preservation and advocacy organization.  
Board of Directors - Board Member  
Advocacy Committee - Chair

***Providence, RI***
  
- ◆ ***INFORM Incorporator and Founding Board Member***  
Corporate social responsibility research firm.

***New York, NY***



Biography of Ranne P. Warner  
**CIVIC WORK**

- ◆ *Greater Boston Chamber of Commerce, Board of Directors* *Boston, MA*
- ◆ *Boston Municipal Research Bureau,  
Director/Member of Executive Committee* *Boston, MA*  
Watchdog organization for the Boston municipal government.
- ◆ *Massachusetts Management Task Force.* *Boston, MA*  
Appointed by Governor Dukakis to study the State's 1990  
budgetary crisis and recommend solutions and remedial action plan.
- ◆ *Massachusetts Blueprint 2000 project Chair, Employment Committee* *Boston, MA*  
Lt. Governor Evelyn Murphy's project to develop statewide  
blueprint for economic development.

**BOOKS, ARTICLES AND LECTURES**

- ◆ *New Profits from Old Buildings.* McGraw-Hill *New York, NY*  
Utilizing case studies showcasing successful reuse of historic  
buildings by corporations, this book was a landmark study  
in the early years of the historic preservation movement.  
Funding was provided by the National Endowment for the Arts, the  
Rockefeller Family Fund and Chase Manhattan Bank.
- ◆ *Harvard Business Review and Real Estate Review.* *Cambridge, MA*  
Articles on historic preservation and real estate investment analysis.
- ◆ *Consumerism: A New and Growing Force in Business* *New York, NY*  
Published by Burson-Marsteller Associates.
- ◆ *Lectures:*
  - *Harvard Business School* *Cambridge, MA*
  - *Harvard Kennedy School of Government* *Cambridge, MA*
  - *Massachusetts Institute of Technology Real Estate Program* *Cambridge, MA*
  - *Wharton Business School* *Philadelphia, PA*



Renée Fidz  
P.O. Box 1046  
Stockbridge, MA 01262

July 20, 2022

To Whom It May Concern:

I would be honored to be considered as a member of the Affordable Housing Trust Fund Board. I have long been involved in community initiatives, spending all of my adult life as a not for profit professional, working for organizations such as the Roosevelt Institute, Transportation Alternatives, Brooklyn Arts Council, the Biomimicry Institute, and many more.

During my tenure at Transportation Alternatives, the organization had an enduring presence at community board meetings, advocating for more pedestrian plazas, green spaces, and safer streets in New York City. Similarly, the Roosevelt Institute organized youth to advocate for legislation to ensure fairer economic circumstances for average working Americans. These experiences were a window into the community process, and I learned how change happens from the bottom up.

I have devoted my life to missions that empower ordinary individuals. I am currently an active volunteer with Lee Community Gardens, which grows, tends, and harvests fresh, organic vegetables and delivers it to a nearby senior center, in addition to providing other programs to connect youth to gardening.

I have always been an environmentalist and a nature lover. In addition to my work for not for profits, I have also studied herbalism and wilderness survival. Working towards reconnecting people with nature is one of my greatest passions.

By becoming a member of the Affordable Housing Trust Fund Board, my hope is to advocate for more eco-friendly, affordable housing options in the Berkshires, particularly for younger to middle-aged working professionals. Bringing a younger and more diverse population to the Berkshires could invigorate the economy and ignite more of a community feel to this area, which has long been dominated by "AirBnB-ification" and expensive retreats. I also have a special interest in creating more pathways to home ownership for single women.

I have researched unique housing options such as cooperatives, tiny home villages, and eco-villages, in addition to visiting several successful models utilizing these frameworks all over the world. I am prepared to present information and advocate for the development of eco-friendly, affordable housing in Stockbridge and other surrounding areas.

If you have any further questions or concerns about my candidacy, feel free to contact me directly at (908) 208-6709, or by email at [reneefidz@gmail.com](mailto:reneefidz@gmail.com). I look forward to working with you to create positive change in the Berkshires!

Sincerely,



Renée Fidz









## ABOUT RENEE FIDZ

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My work is heart-felt, unique, bold and intuitive. I specialize in work for organizations that are mission-oriented and focused on social good and raising consciousness, steadily fine-tuning a craft of creating compelling pieces that activate communities.

## EXPERIENCE

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### **BIOMIMICRY INSTITUTE | Remote | Ongoing since 2019**

**WEB AND DESIGN MANAGER.** I have worked on a wide range of projects including logo and branding design projects, responsive web and email design, building and launching websites using Wordpress, package and social media graphic design, writing, editing and proofreading. [biomimicry.org](http://biomimicry.org)

### **BUCKMINSTER FULLER INSTITUTE | Remote | 2017-2019**

**GRAPHIC DESIGN CONSULTANT.** Various visual design projects for the Institute, including print materials for a fundraising dinner and working on redesigning the BFI Challenge website. [bfi.org](http://bfi.org)

### **ROOSEVELT INSTITUTE | New York, New York | 2015 - 2017**

**GRAPHIC DESIGN CONSULTANT.** Art direction and design of the all of Institute's communications across multiple platforms, including printed invitations, reports, donation appeals, email campaigns and websites. Working with the Institute, along with Free Range (a studio based in DC) on a new visual identity and website, which launched in October of 2015. [rooseveltinstitute.org](http://rooseveltinstitute.org)

### **TRANSPORTATION ALTERNATIVES | New York, New York | 2010-2015**

**WEB AND DESIGN DIRECTOR.** Oversaw and art directed all major design and web development projects on both print and online platforms and ensured brand consistency. Designed print collateral, apparel, responsive emails and websites. Built interactive assets (donation forms, surveys, event registration forms) that connected to our CRM and constituent database. A hybrid role that required skills in both management of consultants, freelancers and teams and technical / artistic implementation of graphic design and web projects. [transalt.org](http://transalt.org)

### **BROOKLYN ARTS COUNCIL (BAC) | Brooklyn, New York | 2007-2009**

**GRAPHICS AND COMMUNICATIONS ASSOCIATE.** Responsible for designing communications, both online and in print, for BAC arts programming and services. Designed logos, print materials, emails and web graphics. [brooklynartscouncil.org](http://brooklynartscouncil.org)

## EDUCATION

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### **BOSTON UNIVERSITY | Boston, Massachusetts | graduated May '05**

Bachelor of Science in Communications with a concentration in visual design.

### **NEW YORK UNIVERSITY | New York, New York | Jan - May '06, Mar - May '13**

Continuing studies and professional development in visual design, motion graphics and web design.

## SKILLS

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**DESIGN / TECHNICAL:** Adobe Photoshop, Illustrator, InDesign, Lightroom, AfterEffects (Creative Cloud), Drupal, Wordpress, Skipso, Google Analytics, Google AdWords, Google Tag Manager, Luminate CRM, NEON CRM, GitHub, Box, Trello, Slack, Asana, MailChimp, Funraise, Classy, Squarespace, Give Lively, Sketch, Final Cut Pro, Avid Xpress, Microsoft Office Suite. Print / web / motion graphic design, conceptual development, branding and identity, layout, typography, print production, photo editing, writing and editing, video production and editing, HTML5, CSS3, A/B testing, responsive web and email design and development, modular design, information architecture, user experience, user interface and interaction design, usability and site performance testing, preparing retina graphics, creating style guides and pattern libraries. Project management, including agile / scrum methodology, team management.







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**From:** Patrick White  
**Sent:** Friday, August 19, 2022 3:14 PM  
**To:** Selectmen; Canales, Michael  
**Subject:** Fw: Affordable Housing Committee

FYI

Patrick White  
Chair, Board of Selectmen

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**From:** Selina Lamb <slamb@bpagents.com>  
**Sent:** Sunday, July 31, 2022 8:57 PM  
**To:** Patrick White  
**Subject:** Affordable Housing Committee

Dear Patrick,  
I'd like to help with the affordable housing committee. For background, the LinkedIn profile is a live link.  
If you'd like to meet or speak by phone, please let me know.  
With best regards,  
Selina Lamb  
413 329 0435

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**LISTINGS**

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**LinkedIN**

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**From:** Patrick White  
**Sent:** Friday, August 19, 2022 3:15 PM  
**To:** Selectmen; Canales, Michael  
**Subject:** Affordable Housing/Other Candidates

No formal submissions from Jay Bikofsky, Lis Wheeler (selected by Planning Board) or Select Boards, however, they also were not asked to.

Patrick White  
Chair, Board of Selectmen







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**From:** Patrick White  
**Sent:** Friday, August 19, 2022 3:11 PM  
**To:** Selectmen; Canales, Michael  
**Subject:** Fw: Application to serve on the Affordable Housing Trust  
**Attachments:** Mills resume Jan 2021.pages

Patrick White  
Chair, Board of Selectmen

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**From:** Mark Mills <mmills1060@yahoo.com>  
**Sent:** Monday, August 8, 2022 12:49 PM  
**To:** Selectmen  
**Subject:** Application to serve on the Affordable Housing Trust

Dear Select Board Members... I am writing to apply for a position on the new Affordable Housing Trust. I am currently an alternate on the Zoning Board of Appeals. I purchased my home at 15 Cherry Street 20 years ago and have lived here full time since 2014.

Last year I ran unsuccessfully for the Planning Board, with housing a major issue in my campaign. I believe the town should look for ways the share the wonderful bounty of our community with others who work and live in Berkshire County. The future of our town will be enhanced if we can attract some younger Berkshire based families to Stockbridge. The Affordable Housing Trust may be the most effective way to accomplish that goal.

I have an extensive background in communications, having completed a 50 year journalism career in radio and television with a focus on business and financial reporting. I am co-author of a book on financial planning for the baby boom generation. My communication skills may be useful when the Affordable Housing Trust is ready to explain its initiatives to the citizenry.

Thank you for your consideration. A full resume is attached.

Sincerely,

Mark Mills  
15 Cherry Street







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**From:** Jamie Minacci  
**Sent:** Tuesday, August 23, 2022 4:39 PM  
**To:** Selectmen  
**Cc:** 'Jay Bikofsky'  
**Subject:** FW: Copy of Resume.docx  
**Attachments:** Copy of Resume.docx; ATT00001.txt

-----Original Message-----

From: Jamie M <jamieminacci@gmail.com>  
Sent: Tuesday, August 23, 2022 4:32 PM  
To: Jamie Minacci <jminacci@stockbridge-ma.gov>  
Subject: Copy of Resume.docx

Dear Patrick and Michael,

I believe I have sent my email of interest to you, a while back; on July 16th, 2022. (I can forward my original email) I would like to be considered for the Select Board Member spot.  
Thank you for your time and consideration on this matter.

Sincerely,  
Jamie Minacci



Jamie M. Minacci  
413.717.2052

Post Office Box 1471  
Stockbridge, Massachusetts 01262  
[jamieminacci@gmail.com](mailto:jamieminacci@gmail.com)

**Education:**

Salve Regina University  
100 Ochre Point Avenue  
Newport, Rhode Island 02840  
Elementary Education

Central Michigan University  
1200 S. Franklin Street  
Mount Pleasant, Michigan 48859  
Public Health Education, B.A.A.

Eta Sigma Gamma, Health Sciences Honorary, Vice President of Research, awarded national award for research at Ball State University

**Internship:**

McLaren Central Michigan Hospital  
1221 South Drive  
Mount Pleasant, Michigan 48858  
Health Education Department

**Experience:**

LISC Americorp Member  
Corporation for National and Community Service  
250 E. Street, SW.  
Washington, D.C. 20525  
Rural LISC, Justin Birch  
Site placement;  
Community Development Corporation of South Berkshire  
40 Railroad Street, Suite # 8  
Great Barrington, Massachusetts 01230  
Timothy Geller, Executive Director, Supervisor

Town of Great Barrington  
Office of Town Manager  
Town Hall, 334 Main Street  
Great Barrington, Massachusetts 01230  
Mr. M. Pruhenski, Town Manager



Recording secretary of Selectboard, Zoning Boards & Finance Committee

Town of Lenox

Lenox Public Schools

6 Walker Street

Lenox, Massachusetts 01240

Mr. William Cameron, Superintendent

Morris Elementary School, Instructional Paraprofessional/ Special Needs/ RBT

Co-taught 4th Grade

Hevreh of Southern Berkshire,

Reform Judaism Synagogue

270 State Road

Great Barrington, Massachusetts 01230

Rabbi J. Gordon, Education Director

Hebrew Skills Teacher, 4th grade

Austen Riggs Center

25 Main Street

Stockbridge, Massachusetts 01262

Austin Riggs Nursery School

Ilana Siegel, Director (past)/ Ms. Sarah Muil, Director (current)

Preschool teacher, EEC.Certificate

Berkshire Hills Regional School District

50 Main Street, Town Hall

Stockbridge, Massachusetts 01262

Dr. Peter Dillon, Superintendent

Muddy Brook Elementary School, Administration & Special Education

Shakespeare & Company

70 Kemble Street

Lenox, Massachusetts 01240

Mr. Nick Puma, Esq. & CEO

Executive Assistant to CEO & Arden Institute Administrator

#### **Committees & Boards:**

Town of Stockbridge

50 Main Street

Stockbridge, Massachusetts

Selectboard member

Berkshire Regional Transportation Advisory Board (BRTA)



1 Columbus Avenue, Suite 201  
Pittsfield, Massachusetts 01201  
Mr. Robert Malnati, BRTA Administrator  
Stockbridge Representative, appointment by Stockbridge Selectboard

Conservation Commission  
Town of Stockbridge  
Stockbridge Town Hall  
Stockbridge, Massachusetts 01262  
Mr. Ron Brouker, Chairman  
Committee member, appointment by Stockbridge Selectboard

Great Barrington Regional Transportation Advisory Committee  
Town Manager, Mr. Mark Pruhenski  
Town Hall, 334 Main Street  
Great Barrington, Massachusetts 01230  
Mr. Tate Coleman, Chairman  
Stockbridge Representative/ South County, Vice Chair

Stockbridge Town Democratic Committee  
Stockbridge Town Hall  
Stockbridge, Massachusetts 01230  
Secretary

**Volunteer Contributions:**

Kripalu Center For Yoga & Health  
57 Interlaken Road  
Stockbridge, Massachusetts 01262  
Guest Services  
Ms. Erika Pultorak, Guest Services Supervisor  
Front Desk Support

Jacob's Pillow Dance Festival  
358 George Carter Road  
Becket, Massachusetts 01223  
(U. S. National Register of Historic Places & U.S. National Historic Landmark District)  
Ms. Eve Butler, Volunteer Coordinator  
Usher volunteer

IS183 Art School of the Berkshires  
Citizen's Hall, 13 Willard Hill Road  
Stockbridge, Massachusetts 01262  
Ms. Lucie Cataldo, Executive Director



Co-Chair for Gala Committee and After School Art Teacher in low income schools



HELLMAN SHEARN & ARIENTI LLP  
ATTORNEYS AT LAW

C. Nicholas Arienti  
Ethan S. Klepetar

342 Main Street  
Great Barrington, Massachusetts 01230  
Telephone (413) 528-4800  
Facsimile (413) 528-9988  
[www.hellmanshearn.com](http://www.hellmanshearn.com)

**VIA EMAIL DELIVERY**

August 23, 2022

Stockbridge Board of Selectmen  
Stockbridge Town Offices  
50 Main Street  
Stockbridge, MA 01262

RE: **Request for Extension of Special Permit**  
Front Yard LLC, 310 Old Stockbridge Road, Stockbridge and Lenox, MA

Dear Members of the Board:

On behalf of my client, Front Yard, LLC ("Front Yard"), the application for Extension of Special Permit, dated July 22, 2022, pertaining to the property at 310 Old Stockbridge Road as referenced above, is hereby withdrawn. Accordingly, please remove this matter from consideration at your upcoming meeting.

Thank you for your assistance with this matter.

Very truly yours,

HELLMAN SHEARN & ARIENTI LLP



C. Nicholas Arienti, Esq.

Cc: Terri Iemolini, Town Clerk [clerk@townofstockbridge.com](mailto:clerk@townofstockbridge.com)