

STOCKBRIDGE SELECT BOARD MEETING MINUTES
Thursday, October 27, 2022
6:30 p.m.
ZOOM MEETING - TOWN OFFICES, 50 MAIN STREET

Present:

Patrick White, Chuck Cardillo, Jamie Minacci and Mike Canales

Call to Order:

Patrick called the meeting to order.

Special Permit Hearing

Patrick made a motion to open the hearing to consider the application for special permit for public hearing for Cedar for property at 56 Mahkeenac Road and waive the reading of the notice and incorporate the notice into the minutes of the hearing. Chuck seconded. Aye Jamie, Aye Chuck, Aye Patrick.

Patrick read: The following procedures will be followed:

- a) Testimony will be limited to the issues directly related to the subject matter.
- b) Only one person will be permitted to speak at a time.
- c) All discussion will go through the chair.
- d) All parties will conduct themselves civilly.
- e) Arguments between parties will not be permitted

Notice:

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

Notice is hereby given that the Board of Selectmen, acting as a Special Permit Granting Authority, will hold a public hearing at the Stockbridge Town Offices and via Zoom Meeting, on Thursday, October 27, 2022 at 6:30 p.m. to consider the application for the property of Philip Marc Cedar & Meryl Newman-Cedar located at 56 Mahkeenac Road. The applicant is requesting authorization, pursuant to Section 6.1.2 of the Zoning Bylaws to allow the extension, alteration reconstruction or change of use of a nonconforming single-family dwelling. The property is in an R-4 zone. The application is filed in the Town Clerk's Office where it can be reviewed.

Patrick White,
Chairman

The Berkshire Eagle
October 5, 2022

The Berkshire Eagle
October 12, 2022

Brent White from White Engineering spoke on behalf of the applicant. The application is for a modification to a pre-existing non conformity. The property is pre-existing, non-conforming with respect to lot size and setbacks. The nature of the addition is for the addition of an elevator for the applicant's use. All requirements are met and will not be detrimental to the neighborhood. Patrick asked if anyone from the public wished to speak.

Hearing none, Patrick moved that they close the evidentiary portion of the hearing and move to deliberation by the Board. Chuck seconded. Aye Chuck, Aye Jamie, Aye Patrick.

The Board did not have any issues with the application.

Chuck made a motion that they accept the special permit. Jamie seconded. Aye Patrick, Aye Chuck, Aye Jamie.

Continuation of Special Permit Hearing for the property of FINNERTY FRANCES K C/O JIM FINNERTY located at 1 Goodrich Street.
No one was present to represent the request.

Water & Sewer invitation

Patrick let the Board know that he spoke with Don Schneyer who asked Patrick to come to their meeting next week to discuss looking at the sewer expansion plan in order for the Town to be in the position to apply for federal infrastructure grants.

White Pines Condominium Association - Limited Common Area Agreement

Bill Martin of Martin and Oliveira was present to speak on behalf of the White Pines Association pursuant to the special permits granted. He asked that the Building Inspector have the authority to grant building permits for permits that reflect minimis modifications; up to 500 square feet; per unit, per owner. Modifications cannot occur without an internal review process and trustees of the Association. Jamie asked if people would then enclose the additions and make them living space. Mr. Martin said that it would not be allowed without a building permit. Mike said that this was reviewed by Town Counsel. The decision in front of the Board would be the Board to say it is not a substantial change and could be done without the need to modify the special permit; if allowed by right. It is the decision of the Board to decide if this is a modest increase that is insubstantial and not require a modification. The current owners are under the jurisdiction of the Association and the Town. Patrick asked about the perpetuity of this agreement. Mike added that legal counsel said that the Board could provide some guidance on what type of expansion would be allowed by right and what would require modification. Chuck had no issue. Patrick was incline to support it also but said the Planning Board chair would like to put this on their agenda for November 15th and have a chance to express their thoughts. Gail Stillman said that she has been waiting all summer to add her deck. It was decided to let it go to the Planning Board before a decision is made and add this to their first agenda after November 15th(December 8th). Mike said he would work with Ned on this.

Pilot Committee Update

Tom Stokes, co-chair of the committee said they have been working for five years on the project and are eager to complete it. The purpose of the committee is to come up with a recommendation for the Board of Selectmen to institute a PILOT Program in Stockbridge. It does not need a Town vote. It would set a

protocol of guidelines for non-for-profits. The committee feels that it is worth pursuing. In the Boston PILOT program, non-profits pay half of what they would normally pay as tax payers; half of this for taxes and half in form of public services provided to the Town. This is not a required payment. The committee is interested in getting second home owner input as well as that of the citizens and the non-profits. They are looking to wrap up their work this fiscal year and present it to the Board of Selectmen.

Monument Mountain parcel discussion

Patrick noted that longtime resident Clover Swann passed and there has been some discussions with her family expressing that the land be preserved. Other organizations, such as Mass Wildlife, BNRC, Stockbridge Land Trust and the Laurel Hill Association, have also expressed interest. Mary Berle, 2 Sky Farm Road, stated that her family has been neighbors for three generations and she spoke to how remarkable the 355 acres are. She gave a brief history of the property and said that BNRC, the Trustees and Mass Wildlife are interested in preserving the parts of the mountain. There are three 8-acre additional parcels that are not a part of this parcel. Rich Bradway, Stockbridge Land Trust President, spoke to Clover's dedication to the land. He said that the Land Trust is setting up a campaign for donations to help them assist where they can. Beth Mills, BNRC, spoke to the importance of the land with the scenic values, the richness of the habitat and connectivity to climate resiliency and wildlife movement. They are very interested in supporting the effort and lend their expertise in the conservation of the land. Mike said that the land is currently in Chapter Land, set to expire in 2024 and the Town has the right of first refusal within 120 days.

Chime Tower Award

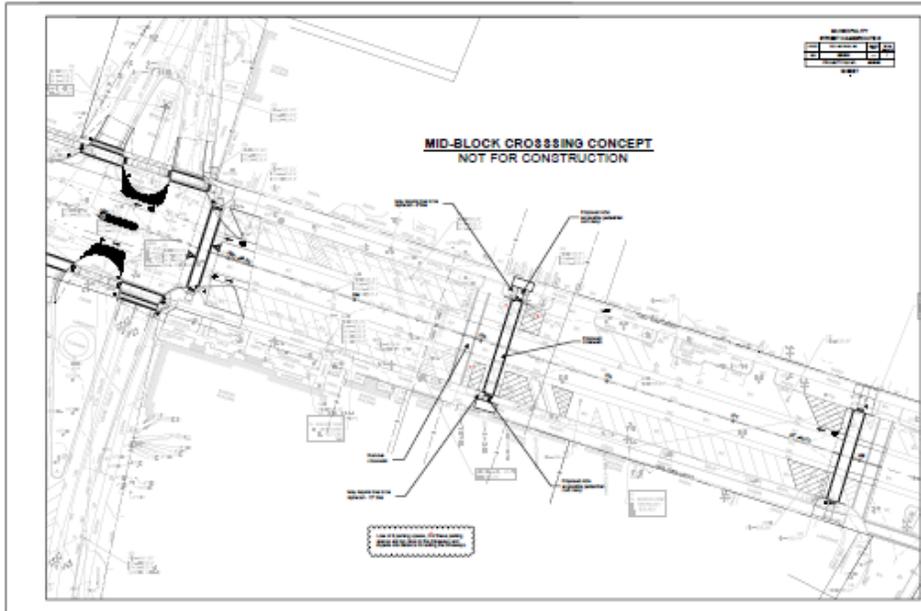
Mike said that the Chime Tower bids went out for restoration of the musical instrument part under a 30B project. One bid was received from Verdin for \$195,175 for the restoration. Mike asked the Board to authorize the agreement with Verdin for the repair of the racking system and the bells. Chuck made a motion to allow Mike to award the project to Verdin. Aye Jamie, Aye Chuck, Aye Patrick.

Housatonic Water Works discussion

Jamie was concerned that the Town has about 20 Stockbridge residents who receive water from the Housatonic Water Co. If any residents have concerns, please contact Town Hall with them.

Intersection discussion and update

Mike said that after the meeting there were concerns with removing the mid cross walk. Van submitted the diagram below showing moving the mid-crosswalk as opposed to removal.



Mike said that to move it over they would lose 7 parking spots but possibly adding parking in front of the visitor's booth by removing the bump out; adding additional parking. Chuck said that with feedback received about the mid crosswalk, this was a good compromise. The full Board agreed. ARPA funds could be used for the added work.

Housing Trust – Update

Patrick said they needed to reappoint Lis Wheeler to a two-year term as three-year terms are not allowed. Patrick made a motion that they appoint Lis Wheeler to a two-year term. Jamie seconded; all were in favor. Patrick said that he would be happy to serve for one year. Jamie made a motion that they appoint Patrick White as the representative of the Select Board. Chuck seconded; Jamie and Chuck were in agreement.

Building Use Policy Discussion

Mike said that building use had been closed to outside groups during COVID. He said they would like to have a policy for the gym and meeting rooms including rules and charges. He suggested tier one being no charge to Town departments, Town boards and Committees. Tier two would be \$25/hour for public schools, non-profit organizations and Town groups. This fee could be waived for programs or events that are open to the public. The third tier would be for, for-profit groups or out of town groups looking to use the facilities charged at \$50/hour. If a group is limiting the use for their private group, they would be charged \$25/hour or per session. He said wanted feedback and guidance from the Board and the public. Keelyn Harris, a volunteer youth soccer coach, said that they are looking for a space. She said that they may not have the funds to pay for the room but that they are a closed group. Patrick said that there are resident's costs to using the building. Mike said he would work on it and bring back a draft policy.

Take action on minutes for August 11th, August 25th, September 8th, September 22nd and October 13, 2022. Chuck made a motion they accept the minutes. Jamie seconded; all were in favor.

Public Comment

Michael Roisman said that he gave Michael Canales a petition with 136 signatures for the Select Board to seriously consider and formally vote for the RTE.

Adjournment:

With no further business, Patrick adjourned the meeting.

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