

STOCKBRIDGE SELECT BOARD MEETING MINUTES
Thursday, April 22, 2021
6:30 p.m.
ZOOM MEETING - TOWN OFFICES, 50 MAIN STREET

Present:

Chuck Cardillo, Roxanne McCaffrey, Patrick White and Mike Canales

Call to Order:

Chuck called the meeting to order.

First on the agenda was a Special Permit Hearing to consider the application of Donna M. Wolfe & Jeffrey C. Heisler for property located at 3 Housatonnuck Road. Chuck waived the reading of the legal ad. Attorney Robbins spoke on the application. She said that the property is pre-existing non-conforming in respect to frontage, acreage, and both side yard setbacks. The proposed is a 5-foot x 6-foot addition to the back bathroom. It will be no more non-conforming and complies with section 6.1.2. With no comments from the public, Chuck made a motion to close the hearing. Roxanne seconded; all were in favor. Chuck made a motion that the Board approve this special permit. Patrick seconded. Vote: Roxanne aye, Chuck aye, Patrick aye.

Next was a Special Permit Hearing to consider the application of David L. & Ann-Marie Mintz for property located at 19 Lakeview Drive. Attorney Robbins spoke on the application and noted that the Mintzs had been before the Conservation Commission and the Planning Board. The project is non-conforming in regard to front yard setback, acreage and side yard setbacks. The proposal is to demolish the existing structure and reconstruct a new two-story dwelling that will not create any new non conformities. Along with David Potter, Attorney Robbins reviewed the plans. Chuck waived the reading of the legal notice. Nancy Gilbert questioned the new foot print in terms of size and it exceeds the coverage by being a bit larger. With no further questions, Chuck made a motion to close the public hearing. Roxanne seconded; all were in approval. Chuck made a motion to approve the special permit. Roxanne seconded. Vote: Roxanne aye, Chuck aye, Patrick aye.

Next was a Special Permit Hearing to consider the application of Joseph Short & McCaela Donovan for property located at 15 Mahkeenac Heights Road. Chuck made a motion to waive the reading of the legal notice. Roxanne seconded; all were in favor. Chuck opened the hearing for Joseph Short & McCaela Donovan for property located at 15 Mahkeenac Heights Road. Attorney Glover spoke on the application and stated that this is a single family,

single story home that is non-conforming in terms of lot area, frontage, North side setback and back setback. It is conforming to the height and South side setback, lot coverage and lot area ratio. The proposed change was to remove the porch and deck. The deck was already demolished with an issued permit. In their place they would like to construct a single-story addition to include living space and a screened porch. The proposed construction decreases the non-conformity on the North side, rear and slightly decreases the lot coverage. Attorney Glover reviewed the site plans and Joe Short shared details of the construction. With no questions from the public, Chuck made a motion to close the hearing. Roxanne seconded; all were in favor. Chuck made a motion to accept the special permit for 15 Mahkeenac Heights Road. Roxane seconded. Vote: Roxanne aye, Chuck aye, Patrick aye.

The Board next acted on appointments for Accountant Search Committee. Mike said that the members are Jay Bikofsky, Jorja Marsden, Christine Rasmussen, Bronley Boyd and Mike. Chuck made a motion that they appoint the members that Mike read to the search committee. Roxanne seconded; all were in favor.

Mike gave an update on the Larrywaug Bridge bid opening and Maxymillian was the low bidder at \$1,350,537.04. The bid has been reviewed by engineering and they have recommended awarding Maxymillian. He added that they are approximately \$175,000 short with remaining funds for this project. On May 1st funds can be moved as reserve account transfers. With the Board's approval, the Finance Committee will meet next Wednesday for their approval and then award the contract. This would however leave no money available over the construction season for change orders and he therefore would like to set aside 10% from free cash for bridge repairs. Chuck made a motion to have Mike accept the bid for Maxymillian to finish the bridge. Roxanne seconded; all were in favor. Chuck made a motion to give Mike permission to transfer the monies into the appropriate account for the bridges. Roxanne seconded: all were in favor. The deadline on the bridge construction is October 31st.

Mike requested approval for another reserve account transfer for funds to finish out this year's Rest of the River; transfer of \$7,000 from the reserve account. Chuck made a motion that they allow Mike to transfer the money for the Rest of the River for legal costs. Roxanne seconded; all were in favor.

Next was an update from Greg Wellencamp and Michael Nathan on the Stockbridge Bowl dredging project. Greg said that there are three areas to be permitted for dredging which are silted in: from the island south to the diversion pipe (outlet), the area by the Town beach and the causeway inlet,

approximately 13 acres. The occupancy of an endangered snail and potential habit areas has created restrictions. The dredging allowed would amount to the extraction of 56,000 cubic yards. The initial plan by GZA would have the silt removed by dredging. Three areas would be required to deposit the extracted silt to then be trucked to Bullard Woods; three private properties have offered their residences. GZA is now giving pricing on this plan and alternatively with one dredging company moving it all via pumping from barge to barge to Bullard Woods. At this point it is determining the costs and if over budget they will look for more funding. Greg said that at this point, Natural Heritage is ok with the plan. Michael Nathan stated that the importance of this process cannot be overstated. He read a short article from the Berkshire Eagle and gave a brief background. Hugh Page stated concern for the roads if trucking all of the material is decided on. Chuck said that repair costs would be added into the project. Chuck stated that the Board is very dedicated to the lake and the project.

Next were appointments to the Agricultural Forestry Commission. Applicants were Matt Boudreau, Erik Rasmussen, Shelby Marshall, Lisa Bozutto. Patrick made a motion that they appoint Erik, Matt and Lisa to the Agricultural Forestry Commission and appoint Shelby to be an alternate. Roxanne seconded. All were in favor. Chuck stated that he would like to be the Select Board liaison to the committee.

Town Meeting Warrant/Bylaws:

Bylaws (Non -zoning)

Wildlife Feeding Bylaw: Chief Fennelly said that this bylaw is a needed ordinance in Town as the bears pose a danger, especially in the downtown area. Darrell said that he worked with Mass Wildlife and Stockbridge has the largest concentration of bears in the Commonwealth. He said that no where in the bylaw does it state that you cannot have a bird feeder. It is meant to limit attractants, particularly dumpsters. Patrick suggested not enumerating the fines in the bylaw. Mike said that they could and yearly do a fine's schedule yearly.

Lisa Thorne was present to discuss the Talbot Center reopening. Patrick said that they were hopeful to open on Memorial Day weekend. To be ready they need a volunteer list and a step repair. Hugh said that Ned would need to be involved. Lisa said that they do need a few more volunteers to cover Mondays, Thursdays and Saturdays, beginning the Saturday of Memorial Day weekend. People can contact Lisa at 298-3261 or lthorne3@verizon.net. Lisa questioned

parking and Chuck suggested that Lisa meets with Hugh at the site. Mike said that he is looking into the Sherriff's Office for painting the building this summer and Hugh would check to make sure that the power is on. Lisa also questioned COVID regulations and Mike said that they would discuss where things stand as they get closer to the opening date. Chuck made a motion to set a date of the Saturday of Memorial Day weekend to open the Talbott Center. Roxanne seconded; all were in favor.

Dog & Kennel Bylaw: Roxanne felt that this was all set aside from questioning if the 'dog under control' section should remain as it covers dog restraint. Chuck felt that leashes should be require on streets and suggested adding: on a public way, dogs should be on a leash. Mike said that he understood and would look into language options.

House Numbering: This bylaw was complete.

SBSC Bylaw: This bylaw was complete.

Right to Farm Bylaw: This bylaw was complete.

Short Term Rental Bylaw: Roxanne said that along with being in the General Bylaws it needs to be added to the Zoning Bylaws table of usage and has been forwarded to the Planning Board.

Mike noted that these will all be posted on the Town website.

Articles: The Beachwood Article, Local Tax Option Article, and Housing Trust Article are all set and on the Warrant. Mike noted that the Mosquito Control opt Out Article changed and is a vote of the Select Board but has to be done by May 15th, hold a public hearing and submit an alternate mosquito control plan. Mike said that he is working on this with the Board of Health.

Funding Articles: Chuck said that the Park Street Pump Station could go on the Warrant. Chuck said that he would like to meet with the Planning Board on the Planning Board Consultant article; how is the money being spent and what future spending will be used on. Mike said that he would like to hold a joint meeting and know what is on the Warrant by May 13th. Bill Vogt, Planning Board chair agreed to hold the joint meeting at the Planning Board's May 4th regular meeting. It was discussed and agreed to move the Intersection article to a fall meeting.

Next was Patrick asking for permission to solicit donation from Matsui for Dinoteferon. He said that this recommended treatment is not one often used for

this purpose but he felt he could possibly be able to solicit some free product. Roxanne and Chuck asked what this treatment is for and Patrick said it was for Ice Glen. Roxanne said that the treatment was not decided on, only the inventory. It was decided to table this discussion.

Next, Patrick discussed creatin a gift account for Ice Glen. Chuck made a motion that they set up an Ice Glen gift account. All were in approval.

Patrick thanked the Highway Department and Mike for the Butler Bridge rail repair.

Mike next gave an update on the harvesting plan for 2021 summer season. Mike said that there still needed to be an answer on the double path. Roxanne said that it had been answered. They have not yet received an answer from the DEP. Mike shared a map of the Stockbridge Bowl. It indicates the three areas where harvesting cannot be done because of the milfoil. Patrick questioned the need for two harvesters when only cutting 10 acres. Mike said that they will look into it.

The Board took action on one-day all- alcohol license for Berkshire Botanical Gardens for: May 1, 2021, 5-7 p.m. - Exhibit Opening; May 28, 2021, 5-11 p.m. - Rehearsal dinner; May 29, 2021, 4-11 p.m. – Wedding; June 11, 2021, 5-7 p.m. - Exhibit Opening; June 12, 2021, 4-11 p.m. – Wedding; June 26, 2021, 4-11 p.m. – Wedding. Chuck made a motion to approve the alcohol licenses for the dates of May 1st, May 28th, May 29th, June 11th, June 12th, and June 26th for the Berkshire Botanical Gardens. Chuck seconded; all were in favor.

Adjournment:

With no further business, Chuck adjourned the meeting.