

**SELECT BOARD MEETING MINUTES**  
**Thursday, July 18, 2019**  
**6:30 p.m.**  
**TOWN OFFICES, 50 MAIN STREET**

**Present:**

Terry Flynn, Chuck Cardillo, and Roxanne McCaffrey

**Call to Order:**

Terry called the meeting to order.

**Agenda:**

The first item on the agenda was to approve the bid for Sludge removal for the Waste Water Treatment Plant.

Terry made a motion that the Board enter into contract with Waste Water Services, Inc. for sludge removal and disposal services for FY2020 through FY2022 in the amount of \$0.128 per gallon. Chuck seconded; all were in favor.

Next on the agenda was a special permit.

Terry made a motion to open the public hearing concerning a special permit application for demolition and construction at 1 Oak Street, Stockbridge, MA and that the reading of the notice be waived and incorporated into the minutes. Chuck seconded; all were in favor.

BOARD OF SELECTMEN  
TOWN OF STOCKBRIDGE  
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, at 6:30 p.m. on Thursday, July 18, 2019 to consider the application of Steven M. Silver for property located at 1 Oak Street. 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 and the Selectmen's Office. The application can be reviewed in either office during normal business hours.

Terry Flynn,  
Chairman

The Berkshire Eagle  
June 26, 2019

The Berkshire Eagle  
July 3, 2019

Zac Culbreth representing Steven Silver spoke on the application, the demolition of the existing cottage and rebuild a new single-story residence on the property. The shed would be relocated on the property and the setbacks lines will not be changed but the foot print is different and larger than the existing but within the intensity regulations as listed in the bylaw.

Terry read into the record the following letter from the Director of Camp Mah-Kee-Nac:

Members of the Board:

We are writing to you regarding the above-named special permit application. As the Board is well-aware, Camp Mah-Kee-Nac is a direct abutter to the parcel located at 1 Oak Street. We believe that the work contemplated under this application could have a negative impact on our property and the property of neighboring homeowners. Our specific concerns are as follows:

1. Well/Water Supply - The camp is a DEP regulated Public Water Supply (PWS# 1283010). We are concerned about the proximity of construction, potential pier work, septic upgrades, etc. that might impact our well.
2. Septic/Title V - Is a new septic system being built, and if so, where will it be located relative to the property lines and the lake shore?
3. Construction Timing/Road Access - Oak Street is an emergency access road for the camp so any work on the property should be timed in accordance with our camp schedule to ensure that the road is accessible for the duration of our operating season.
4. Road Restoration Post Completion - With the movement in and out of large equipment, we would like assurances that Oak Street will be returned to its pre-construction condition.
5. Storm Water Run-Off - We expect that conditions will be set so that the proper procedures for managing storm water -run-off are in place.
6. End use of the Structure - What is the intent for the use of the new construction? The house was previously used as a short-term rental, and we had a number of encroachments from renters onto camp property seeking to use the advertised "waterfront access." We believe the applicant should clearly state whether it is his intention to offer the property as a short-term rental. Otherwise, is the new construction intended to be resold as an improved property, or is the property intended to act as a vacation house for the owner?
7. Extent of Clearing Trees/Vegetation from the property - To what extent does the application envision the removal of trees and vegetation, and what conditions will be imposed for replication of removed vegetation?

Mr. Culbreth stated that they had spoken with the camp director the concerns were addressed. Kevin Lily the associate director and the team felt very comfortable with the answers to their concerns and their largest concern is the well/water supply. Attorney Gail Garrett also spoke about the improvements which were actually being made to the current property. It was assured that there would be no road closure during construction.

With no further comments Terry made a motion that the Board grant the special permit for demolition and construction for 1 Oak Street based on the finding that it is not substantially more detrimental to the neighborhood. Roxanne seconded; all were in favor. Terry made a motion to close the public hearing. Chuck seconded; all were in favor.

Next on the agenda, Terry made a motion to send a thank you letter to Kripalu for their payment in lieu of taxes to the Town. Chuck seconded; all were in favor.

Terry made a motion to approve two one-day alcohol licenses for the Norman Rockwell Museum. Roxanne seconded; all were in favor.

Next, Terry made a motion that the Select Board approved a reserve fund transfer of \$5,913.52 to pay for Glendale Solar Cell Prop. Expense Over-runs. Chuck seconded; all were in favor.

Next Terry said that the Berkshire Hills Regional School District sent the Board a letter as follows:

At its meeting on Thursday, June 6, 2019, the Berkshire Hills Regional School District School Committee unanimously approved the following motion:

"The Berkshire Hills Regional School District School Committee ("BHRSDSC"), by and through its Chair, shall issue a written request to each of its member Towns, the Southern Berkshire Regional School District School Committee ("SBRSD") and each of SBRSD's member towns to form a Regional School District Planning Board pursuant to Massachusetts General Laws Chapter 71, Section 14, for the purpose of either forming, or consolidating into, a regional high school district to serve grades 9-12. The correspondence shall respectfully request a written response by July 31, 2019."

We ask that you please consider this motion at your next meeting and get back to us with your written response on or before July 31, 2019.

Terry made a motion that the Board send to the Berkshire Hills Regional School District School Committee a letter indicating their support of the motion they passed on June 6, 2019 to form a Regional School District Planning Board pursuant to Massachusetts General Laws Chapter 71, Section 14, with the Berkshire Hills Regional School District and Southern Berkshire Regional District member towns being represented. Chuck seconded; all were in favor.

**Public Comment:**

Nick Fredsall from Parks and Rec. stated that new signs were installed at the Town beach along with the new life guard stand. He said that they received a donation of \$3490.00 from the Laurel Hill Association for purchase of four new benches for Town parks and the Stockbridge Chamber of Commerce matched that donation for four additional benches. Nick asked that thank you letter be written for the donations. They are also ordering new grills for the beach and last week had new LED lights installed at the skate park. They also purchased two new soccer goals for the Park Street park. They have also hired a person to mow the soccer field on Park Street with budget funds.

Nick continued as a member of Laurel Hill and asked if the Association might be able to use the old trolley building on Park Street for storage. Terry said that they would look into it.

Patrick White invited one of the Selectmen to speak on Laurel Hill Day on August 10<sup>th</sup> at 2:00 p.m. Patrick would also like to be added to the agenda concerning the ordered harvester conveyer which is no longer wanted. Currently they are renting a second harvester and the suggestion is to purchase the second harvester. Terry said that they would put it on the agenda.

Terry next noted 'old business.' First, he stated that the four South Street bridge lamp posts were back up. Roxanne said that the handicap parking places have been re-painted although they will still be addressing ADH compliance on the signage. Roxanne also noted that the

Stockbridge Bowl testing showed encouraging results. Mike Buffoni and Mark Viola were trained on collections.

Kate Fletcher updated the Zoning Review Committee members as Garry Pitney, Jim Murray, Carl Sprague and Roxanne. Joel Russell, the planning consultant, is now focusing with the committee on accessory uses as well as large parcels with important resources. Joel will be setting up interviews in August with stake holders and community representatives, followed by a diagnostic report, discussion of report with the public, setting of priorities for implementation and action steps.

Terry gave an update on the second home meeting. Concerns were:

- Drainage & paving needs for Mahkeenac Heights and Indian Road. Terry spoke with Len and he will be meeting with some of the residents there.

- Update on improvements at Town Beach, including driveway, parking area, and more Kayak racks. Nick discussed issues with the kayak racks and use of the beach for boat launch by others, which is not permitted.

  - a second meeting was requested.

  - would like better communication and notification of 2<sup>nd</sup> homeowners of events and meetings

Roxanne gave an update on her meeting with MassDOT. They will limit their audit to only the fire station intersection. They said that the intersection was the Town's; they take jurisdiction at the bottom of the point of the island going south. Chief Fennelly observed that the arrows are faded and DOT responded that they are working on it. In response to the flashing yellow light on South Street; the old style would probably not be compliant but there are flashing beacon signs allowed and the most likely place would be where the speed limit decreases, on the south side of the bridge. In terms of Glendale Middle Road speeding complaints, a patrol car is monitoring the road.

Terry said that in terms of the chime tower, following a meeting Lindy came up with a way to correct issues and is currently working on getting it operational. They will also be looking at long term care.

Concerning the old town hall roof repair, a contract has been signed and repair should begin soon.

**Adjournment:**

With no further business, Terry adjourned the meeting.