

STOCKBRIDGE SELECT BOARD MEETING MINUTES
Thursday, August 20, 2020
9:00 a.m.
TOWN OFFICES, 50 MAIN STREET

Present:

Chuck Cardillo, Roxanne McCaffrey, Patrick White and Mark Webber

Call to Order:

Chuck called the meeting to order.

First on the agenda was to take action on minutes for July 23rd and July 30th meetings. Chuck made a motion to accept the minutes for the two meetings. Roxanne seconded; all were in favor.

Next was a Special Permit hearing for Gregory P. and Nancy C. Gorgone for property at 31 Park Street. The Gorgones were present and spoke to replacing their front steps. Chuck said that he saw nothing out of the ordinary. Chuck asked for public comment on the permit. Pat Flinn, an abutter stated that she approved the plans. Chuck made a motion that the Board approve the special permit for 31 Park Street. Patrick seconded. Vote: Roxanne: I, Chuck: I, Patrick: I.

Next was the Special Permit hearing for J.D. Realty Trust C/O Patricia Button for property at 9 Main Street. Chuck made a motion to open the hearing, Roxanne seconded: all were in favor.

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, at 9:00 a.m. on Thursday, August 20, 2020 to consider the application of JCD Realty Trust C/O Patricia A. Button for property located at 9 Main 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-C zone.

Persons wishing to access this public hearing via zoom should consult the posted Agenda for instructions and access codes.

The application is filed in the Town Clerk's Office and the Selectmen's Office from where a digital copy of the application can be requested.

Ernest J. Cardillo,
Chairman

Pam Sandler, architect for the project representing Derrick Witt reviewed the existing floor plan on shared screen. She identified the existing lot and where the work is proposed to be done at the back of the house. They are increasing the footprint of a preexisting non-conforming structure and will be no closer to lot line than it is currently. She showed and reviewed the zoning chart and noted that the lot is non-conforming in every single way. Pam noted that they have been to the Historical Commission. The existing garage will be demolished, a new garage added, a first floor added which will be an extension of the existing kitchen, and a second-floor expansion of the bedroom and bathroom. Pam reviewed the floor plans. She added that they are not really increasing the non-conformity of the house, if anything they are pulling it further away from the lot line in the tightest location. Chuck said that they had a letter from the abutter at 7 West Main Street and he read it with questions: "1) Does 7 Main Street property line still go through part of this house, see attached picture. 2) Since the setbacks are non-conforming, we would like the property staked and a stamped copy of a certified survey to replace the survey that has a note on the site copy stating: Survey tie courses and abutter lines are not property lines being validated by this survey. 3) How do they propose to do the construction without using the 7 Main Street Property?" Signed by Jennifer Carmichael and Christopher White.

Chuck asked with being only two feet from the property line, how were they going to do excavation and the construction without being on the neighbor's property? Pam responded that they could use one sided forms for the foundation but will need to sit down and talk with them. She said that they are using a laid-back contractor who will bend over backwards to please the next-door neighbors; only having issues with putting siding on and installing the windows. Pam restated that they will need to meet with the neighbors and come up with some way to work with the tight property line. Chris White, a general partner and trustee of the property, spoke and requested a survey as photos from the Town show their property line going through 9 Main Street's house. Pam said that the Town's survey, not sure which one they are looking at but the Town map is not correct at all, it does not even show the property with the house on it. She said that the submitted survey is a registered survey. They will flag, mark anything to appease them to make them feel more comfortable, but the Town maps are not correct. Chris again asked for a certified survey and Pam said that this one was, indicating the seal. Chris did not understand why it said it is not official. Pam said that she would make sure that he gets a

registered, stamped survey. When asked, Pam said that the Town maps on line are totally incorrect. Jennifer Carmichael said that the picture is from google maps and it shows their property line (7 Main) going through the house. Jennifer also noted that on the submitted site plan it says that: "survey tie courses and abutter lines are not property lines being validated by this survey." She questioned what this means and Pam said that she would find out everything for them but the survey was done to specifically show where the house and line are. She also stated that Google Map is totally incorrect. She said that they will make sure it is totally tied, flagged for them, whatever will make them feel more comfortable with this process. Chris added validated. Chris asked about the setbacks at a foot and a half and the need to work on their property needs to be worked out and Pam said it was up to the Selectmen on how they like to approach it but was willing to work with them and bring the contractor up. She added that she wanted everyone to feel comfortable with this. Chuck said that at this point he would like to continue the permit until they can work with the neighbors, get an agreement one way or the other and as they will be on the neighbor's property doing the construction. Chris said that they still want a validated survey. Chuck said that the Board needs a validated survey and an agreement between the two parties on the access to the White's property, as it is very invasive to their property. Chris said that he felt it was fair. Pam said they would have the validated survey by the end of the next day and she would arrange for her contractor to meet with everyone together. Chuck made a motion to continue the hearing until a further date. The date will be set once everything is figured out. Roxanne seconded. All were in favor. I Chuck, I Roxanne, I Patrick.

Next was a Hearing on New Annual All Alcoholic Beverages General On-Premises License Application for The Norman Rockwell Museum at Stockbridge, Inc. located at 9 Glendale Road.

Notice:

BOARD OF SELECTMEN
TOWN OF STOCKBRIDGE
PUBLIC HEARING
PLEASE TAKE NOTICE:

The Stockbridge Board of Selectmen will conduct a public hearing on Thursday, August 20, 2020 at 9:00 a.m. via Remote Zoom Meeting to hear on a new All Alcoholic Beverages General On-Premises License Application under M.G.L. c.138, §12, submitted by The Norman Rockwell Museum at Stockbridge, Inc., with Michael T. Duffy as the proposed Manager of Record for premises located at 9 Glendale Road. This meeting is open to the public who are encouraged to attend. Please consult the posted agenda for instructions and access codes.

Ernest J. Cardillo,
Chairman

08/05/2020 The Berkshire Eagle

Jill Gellert, Chief Operating officer of the Norman Rockwell Museum said that their intention is to add the option of serving and selling alcohol at their Runaway Café on the museum back terrace and to serve alcohol at their donor events, exhibition openings, program receptions and such. Chuck asked their times of operation. Jill said the museum is open 10:00 am to 5:00 pm. Chuck asked for times of the alcohol events. Jill said for the operating hours for the terrace café are when the museum is open and exhibition openings after hours, say 5:00 pm to 8:00 pm or 5:00 pm to 9:00 pm and perhaps evening events that never typically run past 11:00 pm. Often they will have a program at 3:00 pm to 5:00 pm or 5:00 pm to 7:00 pm. Jill added that they have done these over the years with one day permits. Chuck asked if there were time limits placed on other establishments. Chuck asked if it needed to be signed off that day and Jill responded that it would be appreciated. Chuck said that he would agree with an end time of 11:00 pm. Vicki Donohue said that under the ABCC rules once they have an annual, they cannot obtain a special one day to extend hours. Chuck asked if they had an annual entertainment license and what the restrictions were and Jill believed that it only followed the Town's outdoor music limitations. Patrick asked how many events they had until midnight in the past and Jill said possibly two to six, mostly weddings. Patrick said he had no issue with midnight but that it should be the same for all non-profits. Vicki Donohue stated that it could be a stipulation that they remain in compliance with the existing entertainment license, it would be fine and would be covered with that for noise. It was believed that that hour was 11:00 pm. They would like alcohol service to be until 12:00. Chuck made a motion that the Board continue this until next Thursday at the 6:30 pm meeting. Roxanne seconded. I Roxanne, I Patrick, I Chuck; all were in favor.

Next on the agenda was the Historical Commission with the Soldier's Monument update. Peter Williams from the Historical Commission was present and gave a broad background. In 2018 the Town hired Amanda's firm, Cultural Heritage Conservation, to do a general assessment of the condition of the Civil War Monument, created in 1866, which sits on the green of Pine and Main. Amanda Trienens continued with a screen share of images of the monument and its conditions as described in her November 2018 report. The biggest concern found was the crack in the lamination associated with salts and water leaking. The previous patch work was separating. Amanda also noted a public safety issue with the sheets of obelisk face stones wanting to fall off the monument. Original carvings on the south front face are also threatened. The repair needs to be mocked up and she would like to preserve as much historic material as possible in the repair, especially the carvings. The mock up would be to repair one face of the monument and see how successful the repair; if successful they would go forward with that option of repair for the entire monument. Chuck asked what the structural integrity of the monument was currently. Amanda said that she did not do test pits around it, it's not leaning or at an angle, but she has a line item for an engineer to be involved in the process so that it can be accessed as well. Patrick said that \$50,000 was

appropriated and the budget for the mock up is \$10,000. Amanda said that the entire construction repair, if the mock up is successful, is far less than replacement. The Board was in agreement on the repair. Patrick asked for questions from the public. Terry Flynn extended thanks to Amanda for the great work she has done. Patrick made a motion that the Select Board approve the development and presentation of the final plan and funding package; spending \$12,000 out of the \$50,000 appropriated. Chuck seconded; all were in favor.

Next, Patrick lead discussion on the Town website design. Patrick said that the Town has an ongoing contract with Mungy Studios. Tom Sharpe and his wife Susanna run the company, the design they provided is paid for monthly over three years and the Town now qualifies for an update for functionality or changes in the design. Patrick had considerations for a more modern template, calendar at a larger font, easier to read and to make more things show up in more places, making them easier to find; such as minutes and agendas. He said they are considering adding a simple page for each committee and board. Patrick converted the bylaws to a searchable document that could be added to the website once reviewed. He also said he would like to create a page to promote residential ownership; to make a case for people to consider Stockbridge as a place to buy a home and a great place to live. Roxanne said that she would need to think about this as it is a Town website to share information with residents, not necessarily a marketing forum. She added that the Chamber of Commerce is a logical place for that kind of marketing effort. She felt that Mungy Studios should be working closely with Theresa as she has the most interaction with the website and updating. Clearly making it more legible and user friendly is needed but Roxanne was concerned with ever Board and Committee having they own page; who would be maintaining them? She also asked if there would be an increase in cost. Patrick agreed that when marketing to visitors, visitor orientated websites are appropriate, but he wanted to make a case for moving and living here. Roxanne said if that were a page highlighted with photographs, along with the facts of who we are, she would have no issue with it. Chuck agreed. Patrick asked what the objection was to putting the best face on our community to try to encourage people who are looking to move to a more rural area to consider Stockbridge. Roxanne said that they need to make sure it will not cost additional funds to make changes but agreed to making it more readable and searchable. Nicole from Parks and Rec said that some pages should be added to see statuses of the beach and parks which would decrease phone calls to the Town Offices. Nicole said that nothing would be added until approved by Mark and Theresa but Roxanne was concerned with over time, who maintains the pages. Nicole said that they created their own Face Book page to get information out. Patrick said to decide what information is important for residents such as beach closings and then look at increasing hours if necessary. Roxanne said that this is what CodeRed is used for. Roxanne suggested that this be taken up by the Town Administrator with what has value, what will make it more usable and more

user friendly, but the big question would be who will maintain this and the cost to it. Patrick said that the three-year agreement with Mungy is up in September and he just wanted to get ahead of this as it is mid-August. Roxanne said she did not disagree but that it is an administrative function fundamentally. Chuck said that Mark and Mike can set up a meeting with Tom and go over the details as the next step. Mark added that this is a government website and there is a fine line between promoting the Town. With individual pages, it becomes a situation of oversight and control and more so pertaining to coordination of items. Patrick added that he understands the traditional roll of websites but doing little things that cost us nothing to promote ourselves to get more people to live here and raise their families here, we should take advantage of.

As Tom Coote was not in attendance, he will be added to next week's agenda.

Chuck said that pertaining to special permits, he felt that they should step back and look at how they are done. He would like to look into plans going to Ned, the Building Inspector, Ned signing off and stamping the plans; then the same set of plans go to Historical, they sign off, continues to Con Com, Planning Board, and so forth. He noted that there have been issues where plans had changed through the process. What goes to the Zoning Board also needs to be discussed. Chuck suggested sitting down with Mike and come up with a process.

Mark asked what were their concerns with the year-end transfers which was an agenda item the previous meeting. Chuck asked why some were over, as the \$200,000 over for Highway and the Fire Department. Mark said that he will give them a memo on it and put it on next week's meeting.

Adjournment:

With no further business, Chuck made a motion to adjourn. Roxanne seconded; all were in favor.