

March 6, 2013

Present: Deb McMenemy, Steve Shatz, Chuck Gillett, Len Tisdale, Richard Bradway and Jorja Marsden

Len Tisdale informed the Selectmen that he and Mark would be going to a class relating to stream crossings and others would be going to an OSHA class. The Selectmen questioned how he determines who goes to what class. Len stated that when the classes are offered he would see who is interested or available to attend. Seasonal help will be needed and an announcement will be put on the website.

Attorney's Ken Shearn and David Hellman came before the Board to discuss the property located at 24 East Street. The property is a multi-family dwelling with 7 apartments. Attorneys Shearn and Hellman have come before the Board to request an extension of the existing special permit that was granted to the previous owner to maintain the non-conforming use of the building.

Steve explained that according to the bylaws- the Special Permit will lapse 2 years from the date of the decision if no work has been done on the property except for good cause as determined by the Special Granting Authority.

Steve asked the attorneys to give the Board their good cause for the extension to be granted.

Attorney Hellman explained that the previous owner and her husband became ill and neither of them were able to begin the construction that needed to be done in order to keep the Special Permit active pursuant to the Single Family Dwelling.

Steve made a motion that under the provisions of section 6.3.10 that good cause has been shown for the extension of the special permit granted to Linda and David Heinrich dated December 20, 2005 for an additional year under the condition that the single family dwelling be demolished by June 30th 2013. Deb seconded the motion. The vote to extend the special permit for one year was unanimous.

Next on the agenda Ned Baldwin, Building Inspector, came to talk about Elm Court. Ned gave an overview about what has been going on with Elm Court. Chuck Cardillo, Fire Chief, has told Elm Court that they need to make upgrades in order to bring the building up to Fire Code before the rooms can be occupied. Ned and Chuckie have come up with a way to allow Elm Court to have certain weddings that have already been booked from now through June of this year. The Fire Department will have Fire Watch for these events and there are rules about certain parts of the building which can or cannot be used. However, in order to have more events they need to get the building up to code. The Board agrees that Ned can move forward with making an agreement with Elm Court.

Bob Berle and Attorney David Hellman representing Elm Court requested another amendment to the zoning bylaws for the Annual Town Meeting. They have redesigned the building to 50 feet tall and have changed the grade of the roof. The project will be moved to the north more so that it should not be as noticeable from the houses on the Stockbridge Bowl. Steve explained that the negativity at the meeting was not as much about Elm Court as it was about Desisto. There is no way to change the bylaw to exclude Desisto property. David and Bob are before the board to come up with a different Amendment regarding the Cottage Era Estate because the Town cannot vote on the same Article that was presented at the Special Town Meeting. One of the things that David suggested was changing the maximum height of the building from 60' to 50' and no more than one building can be added that meets the maximum height requirements. David has asked the Board to put it on the warrant instead of having to go get

signatures for a petition to be able to put it on the warrant for the Town Meeting. Steve asked David to formally submit a request of what they want to have on the Town Meeting warrant and that the Board would discuss it and let him know their decision

Rich Bradway has volunteered to create a new website for the Town. He explained to the Selectmen that he focused on three things for the website, to make it useable, organized and pleasant to the eye. Rich gave a visual presentation of the new website and the explained that everything can be customized. Also he showed them that the calendar can be organized specific to what the viewer wants to look up. If a meeting is recurring the website has an option to make it recurring so that it does not have to be added every time.

The Selectmen thanked Rich for all his hard work and asked him to come in on Monday March 25th to project the website on the screen so that residents know that it is in the works.

With no further business the meeting adjourned.

A true copy, ATTEST:

May 7, 2013

Present: Deb McMenemy, Steve Shatz, Chuck Gillett, Elaine Markham, representatives from Adelson and Company Neil Holden, Jay Bykofski, Charlie Murray, Jean Rousseau, Jim McMenemy, Keith Raftery, Holly Rhind and Jorja Marsden. After the Exit Audit Review, members of Council on Aging and the Fire Chief came to the meeting.

Representatives of the auditing firm of Adelson and Company presented the exit audit. Steve Shatz made a motion to accept the Audit Report as presented. Chuck seconded the motion. The vote was Deb-yes, Chuck-yes and Steve-yes.

The Budget meeting began with the review of the Council on Aging budget. Elaine went over the computer budget and requested that we think about putting the electricity all under one line amount except for the Water and Sewer. The Fire Departments budget and special article request were reviewed.

A true copy, ATTEST:

May 8, 2013

Present: Deb McMenemy, Steve Shatz, Chuck Gillett, Leonard Tisdale, Mark Viola, Lindy Searing and Jorja Marsden

Steve made a motion to enter into Executive Session at 7:30 a.m. for the purpose discussing a personnel complaint. Chuck seconded the motion. The vote to go into Executive Session was Deb-yes; Chuck-yes; and Steve-yes.

Chuck made a motion to go out of Executive Session at 8:30 and to adjourn the meeting. Steve seconded the motion. The vote was Deb-yes, Steve-yes, and Chuck-yes.

A true copy, ATTEST:

March 11, 2013

Present: Deb McMenemy, Steve Shatz, Chuck Gillett, Linda Miller-5 Town Cable Chr., John Mucha-Time Warner, Government Relations, Karin Passmore-CTSB, and Jorja Marsden

Deb welcomed everyone to the meeting.

Representative Linda Miller from Time Warner Cable and John Mucha from Time Warner have been working to negotiate a new Agreement. Linda explained that this is a renewal of the contract and that there were some things that were reviewed and changed.

The main objectives for the negotiations were to clarify language and remove ambiguities. Most of the issues and complaints that happened were because of certain sections not being clearly defined. They wanted to remove as much of the grey area as possible.

The second objective was to get the most advantageous terms possible for subscribers and CTSB. CTSB gets technical assistance and funding from the Time Warner Agreement.

The third objective was to make sure that even though the Agreement is for 10 years on the three year anniversary and the six year anniversary the contract will be looked at and possibly changed due to technical and industry standards advancements.

Linda began to give an overview of what has been changed:

Section 1. Definitions – there have been some added and some removed. One of the Definitions that has been added for Stockbridge was the definition of a private road and that they will be handled more as a shared driveway rather than a road. This will not necessarily make the hookup fee cheaper but it could in the long run make things cheaper.

Other important definition changes are that Standard cable installation is now clearly defined and the word Town is a specific Town and the word Towns refers to all Five Towns involved.

Section 2.8 The language was tightened about abandonment so that the Towns will not be held liable if anything was left and needed to be removed the liability will be on Time Warner Cable.

Section 3.2 the distance between the cable plant and the home which is included in the standard cable connection service has always been 200 feet. Beyond the standard installation the subscriber would have to pay. The distance has been extended to 250 feet. This section also clearly defines the way line extensions will be treated and presents a simple, understandable formula for cost sharing should that be necessary, and as well as custom installations.

Jorja said that the Cable plant is one of the definitions that Stockbridge is asking to have put in the definitions area.

Section 5.6 Increases annual support for CTSB by redefining how "Gross Revenue" is calculated, and it provides a mechanism with which future capital needs that may occur during the duration of this agreement can be met. This includes advertising income and not just subscriber income.

Section 5.7 Time Warner will provide up front capital funding in the amount of \$212,000 for new equipment instead of \$50,000.00 to CTSB to make any technical equipment upgrade.

Deb asked where the \$212,000 figure came from. The manufactures no longer support their equipment and most of the equipment needs to be replaced. CTSB will be moving at some point because they need a larger studio.

Section 6.1 Helps assure that if Time Warner Cable needs to move, they will remain having a local facility. Definition is such as local being defined to remain within one of the Five Towns. Steve said that Local is not actually defined and that the next part of the section states that Time Warner can close their office and all they have to do is give notice. Linda said that she will get to the part where the Town's have control over the Agreement.

Section 6.12 Clarifies subscriber responsibility should there be a voluntary disconnect. Once a person calls to disconnect service they are no longer being billed. They will only have to pay what they have already used.

Section 7.5 Provides for full review of all aspects of the agreement at its 3rd and 6th anniversaries and also opens the door for renegotiating of terms at those intervals, or if needed, at any time with the agreement of both parties.

Steve questioned the validity of this section and wants to know what would happen if there was a sale of the Company. There is no way of resolving disputes short of going to court. Steve says that there needs to be a dispute resolution in this contract. Steve would like to know if there is a grouping choice option for subscribers. John explained that it is not allowed and currently the contracts with the networks require Time Warner Cable to group the networks together. The FCC has been looking into things. Steve said that any further concerns that he had with the Agreement he was going to write up and send to Linda Miller.

Jorja let Linda and John know that the Selectmen just received the changes for the Agreement from Town Counsel right before the meeting so they are seeing it for the first time as well.

Deb said that Stockbridge needed to check with their Insurance carrier and make sure that the insurance section is in compliance with the Towns Insurance. Deb also mentioned that our Town Counsel was questioning the amount of the \$10,000 performance bond.

Linda said that the \$10,000 was in the previous contract and that it was part of the negotiating however the agreed upon amount ended up staying the same. Steve asked if there was a removal bond, the Town requires them with cell towers.

Another comment from Town Counsel was on page 8 under standard cable installation. Town Counsel wants to know who determines what the "acceptable signal quality is and how?" Linda said that Time Warner is bound by FCC regulations for this.

There are definitions that Town Counsel added under definitions to have a definition inserted. Linda explained that they need to go to the other 4 Towns and will have to consolidate the additions and see what other Towns agree with.

Deb asked Linda to tell the viewer's why they should become part of the Five Town Cable Advisory Committee since Stockbridge needs a representative. Stockbridge is not represented by anyone. All you have to do is go to Jorja and tell her you want to be part of the committee and the Selectmen will appoint you. It is only four meetings a year and it does not take much to stay committed.

Deb thanked both Linda and John for coming in. Steve wanted to note for the record the silent applause from the Camera Person.

Next on the agenda is a request to allow the extension of the special permit for the Singhs at 4 East Street formerly Stockbridge Motors. A Special Permit Act that has been passed allows a special permit to be extended for four years. Town Counsel has not sent anything back regarding this and Steve would like to wait to vote on it. Steve is not sure what they are asking for whether it's just to say the Town acknowledges the extension or if it is something else.

Next on the Agenda was Hazardous Waste Program. Steve made a motion for the Town to remain a part of the Southern Berkshire County Regional Household Hazardous Waste collection program. Chuck seconded the motion. The vote was unanimous.

With no further business to discuss, Deb made a motion to adjourn the meeting. Steve seconded the motion. The vote to adjourn was unanimous.

A true copy, ATTEST:

March 13, 2013

Present: Deb McMenamy, Steve Shatz, Chuck Gillett, Chief Richard Wilcox, Ned Baldwin and Jorja Marsden

Rick Wilcox, Chief of Police, came in to discuss the possibility of having a Bike and Fly August 17th. They would go up 183 into West Stockbridge and back. Early in the day not overly concerned. It is a ride not a race. Stockbridge is at the end of the ride. Rick has a concern with the fact that since it isn't a timed event then perhaps there may be people trickling through all day. Rick said he was going to call and get more information but he wanted to check with the Selectmen to see if they are ok with the bike ride or

not. Steve said that he was ok with it as long as there is notification to drivers because it is a dangerous drive when you put bikes on the road.

Rick said he would talk to the person in charge and let him know he spoke with the Selectmen and will give him the conditions in which he can have the bike ride.

The letter from Shawn Leary regarding 4 East Street was just for a letter of eligibility that states that the Special Permit is automatically renewed and she just wants something in writing that says that this is in fact true. The Selectmen signed the letter and Jorja said she would pass it on to the Planning Board for their signature.

It was thought that we should continue being a part of the Berkshire County Mosquito Control. The Selectmen agreed but Deb asked what happens if someone doesn't want the spray. Jorja explained that they can call and let them know they do not want the spray and they will not spray in front of their house. Deb signed the contract. Deb and the other Selectmen felt that it was a good project and helped each of the properties concerning the West Nile Virus.

The Selectmen spoke about personnel issues.

Diane Pearlman with the Berkshire Film and Media Commission would like to shoot the entering Stockbridge sign and in front of Red Lion Inn and in Hancock for their clothing commercial. She is also a member of a non-profit organization called Berkshire-Pulse a dance Company. They are looking for a new space and was wondering what the plan was for the Old Town Hall building. The Selectmen stated that it was not available at this time. Ned needs to go down there and get more Building Permits. Storage of Books for the library in the building should not be happening since the building is not up to code and not sprinklered. Jorja just wanted to give a heads up that Ned might have an issue once he goes down there.

Next on the Agenda was the Old Town Hall and discussion on what the next step is. Town Counsel has the opinion that the land that was leased in 1902 is owned by the Town due to decided case law of leases with no term. In the lease there was a peppercorn which was proof of rent. The condition that the Building would no longer be used as a Town Hall expired 50 years ago. Chuck asked if the Church had dropped the ball and did not renew something 50 years ago. Steve explained that the Church could have renewed its Right of Reverter for 20 year periods but never did. The land is there with zoning constraints and is in the R-2 zone and the land in front of the building is R-C. There is no easement for the church to pass across the town property. The reason the Old Town Hall Re-Use Committee was formed was to try to find an alternate use of the building that would not result in the demolition of the building and would be a viable use for the building. The Committee has come to the conclusion that they did not want to deal with the legal issues of the negotiations regarding parking and easements . The Committee went on to try to find a viable use for the building and decided to deal with the past later. Now the committee is saying that there is no viable use for the building. The committee has not been able to negotiate a parking issue.

The next steps would be to decide what the Town wants to do with the building. The alternatives that Steve concludes are for the Town are to continue to mothball the building for the cost to heat and maintain it; Demolish the building and grass it over; go out to auction to have someone buy it; or give the Church the building back. Chuck asked if it would be good to have an agreement with the Church

that shows the Church what is going to happen with the building. Steve suggested they tell the church that the Town has been advised by Town Counsel that they own the building and if they disagree with the Town they could go to land court. The use will be determined but it cannot be predicted due to the economy. If the Church decides they do not want to fight it then perhaps the Town goes to Town Meeting asking to grant an easement to the Church with the provision that they drop all claims to owning the property.

Chuck said that he will speak to Margaret Hornick, Church Moderator, and let her know what is going on and to try to schedule a meeting to discuss this in early April.

Ned discussed with the Selectmen what Elm Court wants to do. They want to operate without having the Certificate of Occupancy. Chuck asked how long it would take to do all the work to be able to get a Certificate of Occupancy. Ned said that in his mind if everything took twice as long it would still all be done in the fall. Ned feels that letting them do their events that are already scheduled is fair as long as it is done with fire watch and that they are not allowed to book any future events until they have their Certificate of Occupancy. Steve said that they need to have a signed contract saying that they will not be able to book anymore events until the work is completed and that the current events that are still being allowed need to have the fire watch done. Ned said they don't even have a working hydrant so they will need to get the hydrant working so they can have the fire protection available for their scheduled events.

Chuck told the Board that he will not be available on Thursdays for the rest of the budget meetings but that he is available any other time to be able to vote on the budgets to be able to move them forward. Jorja said that was fine and that there were not going to be many more meetings as everything needs to be wrapped up by April 1st.

With no further business the meeting adjourned.

A true copy, ATTEST:

March 14, 2013

Present: Chuck Gillett, Holly Rhind, Mary Boyce, Craig Berger, Neil Holden, Jean Rousseau Charlie Murray, Keith Raftery, Don Schneyer, Michael Buffoni, Tony Campetti and Jorja Marsden

The Finance Committee reviewed the Sewer and Water Departments budgets

A true copy, ATTEST:

March 20, 2013

Present: Deb McMenamy, Steve Shatz, Chuck Gillett, Len Tisdale, and Jorja Marsden,

Lenny talked about the Jane Kasten property and the problems with drainage they are having during rain storms. The problems started when the Moffatt property across the street had about 2 acres of their property cleared. The water now overflows into her yard and goes into her garage which is pitched towards the back so the water pools. Her garage needs a new foundation. She says that the garage was built on Town Property at least 15 years ago, she says that she has a right of use for it but the garage should be the Town's issue. The Town had put in a retaining wall which has collapsed. It needs to re-support the retaining wall and then pour a foundation to support it. Jorja will look into the minutes to see if it is the Town responsibility to fix her garage and will check with Ray.

Chuck asked when quotes for paving will start coming in. Len explained that the quotes come in a couple months before the paving in order to get the most accurate amount due to escalation of asphalt prices. Mike Kulig should do a control for parking spaces. Len said that he would ask Mike to do the control once the Bike Path has been approved. The Board says that since Church Street and West Main Street is not being done then perhaps there does not need to be a discussion. Chuck says that there either needs to be a warrant article or no discussion at all. It should not be an informal discussion. It was decided that the Bike Path on Main Street would not be brought up at the Town Meeting.

Jorja informed the Selectmen that the Informational Booth on Main Street has been taken over by the Town. It is a small booth with informational racks. Once the Blue Bird non-profit organization that owned it is dissolved it may be a possibility to take it down. The Town is currently paying to have it insured and paying \$148.00 for heat. The Selectmen like having the information booth. Jorja explained that the town needs to budget for the booth and that the booth needs some repairs such as a new roof, new coat of paints, new windowsill, and the door needs to be fixed. Jorja suggested that if there is still money left in the 4% Committee, perhaps they can use the money to be able to fix the booth.

Next on the agenda was an email from Leonard Schiller who is selling his property on 30 East Street. He is writing regarding the Cell Company Towers and the required Bond. The Town never received a bond to remove the cell tower and the Company never came back after five years like they are supposed to according to the Town Bylaws. Ray wanted to know if the Board wanted to make a decision now or if the Board would rather wait for Steve to decide if the Selectmen should impose the owners of the cell towers that they must pay their portion of the Bond that was required according to their special permit which has since expired. Chuck wants to know who is in charge of making sure that the bonds were actually paid. Deb said that if it is a condition of a special permit it would have been the Selectmen but if it is just a Bylaw requirement it should have been Ned enforcing it as the enforcement officer. Deb said that there are two options, one to have Ned enforce the bond requirement since it is a bylaw. The other option would be to have Town Counsel write a letter to the Cell Tower Company saying they are in violation of the zoning bylaw and that they need to make payment on the Bond that was originally required when they were granted the special permit. The second option could be an issue since the Cell Tower Company who put up the Tower has been sold two or three times since the Special Permit was granted. Deb and Chuck decided that they do not feel comfortable making a decision at this time. Chuck said that it is important to make sure that there is a bond so that when things like this happen the homeowner does not get stuck with removing an abandoned cell Tower off of their property. The Bylaw states that if the Cell Tower Companies are making any changes then they need to come before the Selectmen and amend their special Permit.

Chuck feels that the Selectmen should follow Phil Heller's request to require the Cell Tower Company to get a removal bond issued to the Town. However, before they do that it needs to be decided if the Special Permit according to the old Town Bylaws have in fact lapsed which means there is no enforcement ability for a Special Permit that no longer exists.

Chuck would like to postpone a decision until Steve gets back and to see what Ray says would be an appropriate course of action. Also to see how to get in touch with the people who originally applied for the Special Permit. Jorja said that she would speak with Ray.

Jorja gave two packets of information to the Selectmen for them to review; one that may help with the process of finding a new Police Chief; and one that gave examples of performance evaluations.

The Annual Town Meeting Warrant Articles and Budget were reviewed. The Selectmen reviewed the recommendations made by the Finance Board. For the Fire Department, the Board approved the hose and disapproved the air packs and money aside for another Fire Truck. Deb asked if there were grants available to apply for to get funding for air packs. Deb would like to ask the Fire Chief to look into grants that are available. The Selectmen agreed with the Finance Board. The request to purchase a chipper for the Highway will be removed. The Police Cruiser has been approved. Articles 13-20 were approved. Article 21 was Subject to approval at Budget workshop however Deb and Chuck decided to remove the article from the warrant all together.

Article 19 was approved. Stockbridge Bowl would like \$25,000.00 Finance Board would only like to approve \$10,000.00 of it. They have been given \$50,000 for the past few years from the CPC. This year however, they are only getting \$40,000.00 from the CPC. The Selectmen would like to meet with the Finance Committee and see why they made that decision for the Stockbridge Bowl Association. Jorja said she would let the Finance Committee know that the Selectmen would like to have a discussion regarding the Stockbridge Bowl Association, Zebra Mussel Committee, and the Bird House Building.

Jorja asked the Selectmen about Permit Fees for building, plumbing, electrical which need to be voted on at Town Meeting. The problem is that the Building Department now has to issue new permits for Sheet Metal with a new fee but he cannot add a fee unless we go to the Town Meeting. Jorja asked if we could put a generic article on the warrant that says the Board of Selectmen will set the fees.

A true copy, ATTEST:

March 25, 2013

Present: Deb McMenemy, Steve Shatz, Chuck Gillett, Richard Bradway, CTSB and Jorja Marsden .

Rich Bradway, Stockbridge resident, who has volunteered to create a new website for the Town. Rich explained that the main things that he looked at was how the information is organized, presented (pleasing to the eye and easy to use) and easy to update. Rich gave a visual presentation of the Town website to the Selectmen. Since Word Press is a free web hosting site Rich has set up many security features so that no outside person can add or change the content of our site. He also used responsive design because if people look at it through an I-phone or a Tablet there is the capability for the users to still see the content on the site. A couple of new items that Rich added are an option to make templates to send out emails for important website updates and links for the Community so that people can see

what is in the Town. Rich told the Board that it will be very fast and easy to switch over to the new site and that once Danielle and Jorja approve the content of the website he will switch it over. The website will be up before the Town Meeting. Deb thanked Rich for all the hard work that he has put into the site and told him that it looks wonderful.

Next on the Agenda is to vote to close the warrant Monday April 1st. Chuck made a motion to close the warrant as of 4p.m. Monday April 1st. Deb seconded the motion. The vote was unanimous.

Deb made an announcement in memory of Bill Selke who passed away recently. Deb said that he was one of the many great residents who lived in Stockbridge. He was on the Planning Board and the Housing Authority. He brought Pine Woods, affordable housing, to Stockbridge, he was one of the people who helped bring the regional school district together and helped with Monument Mountain being built and then was a substitute Science teacher at the school. He was a man of boundless energy and skills and Deb said that he will be missed and she would like to send condolences to his family.

Chuck motioned to adjourn Deb seconded the motion. The vote to adjourn was unanimous.

A true copy, ATTEST:

March 27, 2013

Present: Deb McMenemy, Chuck Gillett, Michael Buffoni, Attorney David Hellman, Peter Curtin and Jorja Marsden

Mike Buffoni, Water Superintendent discussed mapping changes for the protection of the Water Shed. Ray says that it needs to be presented at a public hearing with the Planning Board which will only be able to be done on May 7th which is the date of the Cottage Era Bylaw public hearing. If it is not done in time for this Town Meeting it can wait for another year. The tributary would be Zone A. The 1995 map shows it as Zone A but the next year it showed that it was in a different Zone. The State and the local DEP will be doing a GPS study to see where the Map should show the Tributary. Michael wants to make sure they can turn the mapping around so that it would be a win win situation for both the Town and the DEP. Michael will see if it is a possibility to have the maps back to him by the end of April.

Mike discussed a possible easement at 12 Quiet Knoll. There is 100.75 feet along the cul-de-sac which is all brush along the hemlocks, near the 113 acres that the Town owns where the new storage tanks would be. The Town would put a 20-30 foot wide driveway through the woods and would plant trees so that it would not be as noticeable to the neighbors. Stewart Kelso lives at 12 Quiet Knoll Road however; he sold the property to the bank.

Jorja told the Board and Mike that Town Counsel has said that depending on what the legislation was when the Stockbridge Water Company evolved, it may be possible to buy land without going to Town Meeting. Mike said that property values on Quiet Knoll are very high, if the Water Department was to buy 1 acre of land from the Lemolini's it would be over \$100,000.00 Jorja asked Mike hypothetically if it would be beneficial to have the entire 2.5 acres including the house which is a tear down. Mike said it

would be beneficial for the Town and the neighbors and then they could use the existing driveway and wouldn't have to create one through the woods.

Chuck suggested that since the bank owns the property the Town should make contact with them and see what, if any, possibilities there are for getting part or all of the property at 12 Quiet Knoll.

Mike said that instead of saying the easement is for the Tanks only, which might raise an issue regarding a feasibility study, the easement could be presented as an easement for logging operations on the back side of the lake. Deb said that it would be a good way to present it since Logging generates income for the Town. Jorja said she would speak with Tom Harrington and see if he could get in touch with the Bank and see if there are any options before anything gets put on the warrant for Town Meeting.

Next on the Agenda was David Hellman for Elm Court/ Travassa in regards to what had happened at the Special Town Meeting. David presented a revised proposed amendment to the Cottage Estate Era Bylaw that he would like the Board to sponsor. The 60 feet became 50 feet which will now make the building invisible from the road – the roof line will not even be able to be seen. A big concern with the residents was about Desisto property and what would be done there. A way to help with the concerns about Desisto would be to make a requirement that in order to get the height waiver from the allowed 35 foot height to the maximum 50 foot requirement, the new building it must be connected to an existing building; and also that the new building footprint cannot be any larger than the existing building. David also said that they added the wording that a new building may not be applied to more than one structure.

David read the new amendment to the selectmen as it will be presented at Town Meeting:

Any special permit issued pursuant to this section may authorize an addition to the principal structure located on the Cottage Era Estate, as such principal structure existed on May 20, 2002, or a new structure that is connected to the principal structure by an enclosed connector, to exceed the applicable Maximum Building Height specified in Section 5.5 by three (3) feet for every fifty (50) feet (prorated) that such addition or new structure is horizontally distant from the closest point of any lot line, up to a maximum of four (4) stories but not to exceed fifty (50) feet; provided, however that the elevation above sea level of the roof of the addition or new structure at its highest point shall not exceed the elevation above sea level of the highest point of the roof of such principal structure, as it existed on such date; and, provided further that any waiver of the Maximum Building Height pursuant to this paragraph may be applied to not more than one addition or new structure on the entire Cottage Era Estate. No special permit issued pursuant to this section may authorize an addition or new structure that contains a gross floor area larger than that of the principal structure, as it existed on May 20, 2002.

Deb asked about the term "resort" as it was an issue at the Special Town Meeting. David explained that by using the term "Resort" is makes marketing much easier and gave the example that Elm Court Resort sounds much more attractive than Elm Court Hotel. David also explained that all the term does is combine all allowed uses under the Zoning Bylaws into one allowed use.

Chuck says that he agreed that the Board should sponsor the Article and that some of the positive feedback should come from some of the residents. Chuck also suggested that if there is a visual that shows there is no way to see the addition from the road that would be advantageous to Davids case.

Jorja said that the definition of "Resort" should be added under 6.6.2 and not put it under general definitions. David agreed and said that he would switch the article to add 6.6.2 (h) and add the resort definition to only be defined under Cottage Era Bylaw and not anywhere else.

Deb and Chuck agreed that the board will sponsor the Article.

The Selectmen agreed that the Zebra Mussel Committee should be a Town Committee. Deb requested that Jorja call George to inform him. The Committee has been doing a great job in the mission to keep invasive species from the lake.

Attorney Phil Heller on behalf of Lenny Schiller property owner at 30 East Street requests the Board to write to the Cell Tower owners and say they need to come back to apply for a new Special Permit since theirs lapsed. Leonard Schiller says that the lawyer for the new owner has said they want the new special permit and they want a bond. This discussion has been postponed until Steve Shatz returns.

The Selectmen discussed the sign request for the Congregational Church. Deb feels that advertising Sunday services is over kill obviously there will be a service on Easter Sunday. Deb and Chuck asked Jorja to call the Church and let them know that they can have their Easter Service sign, however in the future the Selectmen will not allow sign permits for any Sunday or accepted Liturgical Services which also includes Christmas Eve and that the signs cannot be put up until there are at least two signatures on the sign permit.

Peter Curtin came in to ask if he could get more money if he needed it to be able to cut down some dead trees on Town property near the Lions Gate by Tanglewood. The trees need to be taken down before Tanglewood opens in the middle of June. The Selectmen gave Peter the approval to cut down the trees and that if more money is needed then it will be taken out of the reserve fund.

With no further business the meeting adjourned.

A true copy, ATTEST:

March 29, 2013

Present: Deb McMenemy, Chuck Gillett, Jim McMenemy, Charlie Murray, Neil Holden, Keith Raftery, Jay Bykofsky, Neil Holden, Shirley Blanchard, Cris Raymond and Jorja Marsden

Shirley Blanchard and Cris Raymond requested that the Town place a warrant article for \$25,000 for the May Town Meeting. In the past years the Town had been contributing \$10 to 15 thousand each year. The dredging project is the next project which will be officially starting soon with the hiring of an engineer. It was noted as with any money request, the Finance Committee does not vote to accept or deny the request but will discuss it at their meeting.

A true copy, ATTEST: