



Select Board

21 State Line Road, West Stockbridge, Mass. 01266-0525

Tel. (413) 232-0300 x319

Fax. (413) 232-7195

E-mail: admin@weststockbridge-ma.gov

Select Board Meeting Minutes February 14, 2022

Quorum present: Eric Shimelonis, Select Board Chair and Members Roger Kavanagh, Kathleen Keresey and Marie Ryan, Town Administrator.

Eric called the meeting to order at 6:00 PM and listed Select Board members present.

Approval of Minutes:

Eric made a motion, seconded by Kathleen, to approve the minutes from January 13, 18, 28 and 31st, 2022 as well as February 1, 2022.

Roll call vote:

Roger Yes

Kathleen Yes

Eric Yes

All minutes are approved.

Town Administrator Update:

Marie has been working with Roger, Joe Roy and Building Inspector Brian DuVal to review all the General Bylaws, which has been a time-consuming task. She suggests that the Board consider holding a Special Town Meeting in the future to approve the new bylaw updates, so that they are not rushed to make the deadlines for the Annual Town Meeting. She suggested that a possible Special Town Meeting could include all the General Bylaw updates as well as the changes to the Bylaws where the Select Board is the Special Permit Granting Authority, and possibly the Noise Bylaw.

Noise Bylaw Draft – Eric Shimelonis

Kathleen thanked Eric for all his work on this draft. She expressed her concern that the public has not been able to read through the draft and comment on it. She feels that the draft reflects decibel levels

are too restrictive and could negatively impact the businesses in the downtown area. Eric reiterated his hope that the current draft goes out for public review as soon as possible, which can happen only after the Board reaches consensus on this starting draft.

Kathleen would like to review some research to see what other towns have in their bylaws in regards to decibel levels and see if they are less restrictive. She feels the levels set in the draft bylaw could have significant negative consequences for local businesses. Eric clarified that though nighttime levels are rather restrictive, the daytime levels in this draft represent the less restrictive range of levels customary in noise ordinances throughout the state.

Roger had a few items to discuss in regards to the draft. He asked whether Chapter 185, under definitions, should include language about the Village Center Overlay District. He is not sure it will affect any of the decibel levels since it is also within the commercial district but feels that it should be checked. He then had a question about Chapter 185 Section 2 (1). He asked who will be doing the sound measurement training and who will be getting trained. Eric responded that the bylaw will state that the Police Chief and Police Department are the ones who will be trained to take the measurements as per Massachusetts General Law (MGL). They will be trained, possibly by, a firm that specializes in this area. Eric also noted that he will need to add that information into the draft. Roger asked if this bylaw will completely replace Chapter 185, and Eric responded yes.

Roger stated this draft is silent on the process of collecting the measurements and enforcement. He would like to see a process in place and not for this process to be at the discretion of the Officer taking the measurements. Eric will research a process for taking the measurements and enforcement to be included it in the draft.

Roger and Kathleen requested that this draft be aggressively put out into the public for comment and review as soon as possible to try to include this as an article on the Annual Town Meeting warrant. Eric asked the Board if a new draft with the additions discussed would bring us to a consensus on a public draft. All agreed. Eric committed to submitting the new draft tomorrow morning for review by the Board, followed by immediate public release.

Zoning Correction/Changes for Annual Town Meeting 2022 – Planning Board Request

The Board received a letter from Planning Board Chair, Dana Bixby requesting the Select Board to accept and refer two changes to the Zoning Bylaws and for the Planning Board to proceed with holding a public hearing as required by Massachusetts General Law. The following were the changes that are referred to in the letter from Dana;

1. Correct the number of days for ZBA decisions from 120 to 100 in section 7.6
2. Delete the second sentence of section 11.1.1

Eric made a motion, seconded by Kathleen, to accept and refer these two Zoning Bylaw changes to the Planning Board and instruct them to proceed with a public hearing.

Roll call vote:

Roger Yes

Kathleen Yes

Eric Yes

Motion Passed.

Special Permit Granting Authority – Roger Kavanagh

Roger suggested the Board have a joint meeting with the Planning Board to discuss each item where the Select Board is the Special Permit Granting Authority and make a collective agreement on any changes. He feels that this does not need to be rushed to try to get it ready for the Annual Town Meeting. These changes can be a slow process that could become an article for a Special Town Meeting in the future. Eric and Kathleen agreed.

Select Board Speak:

Roger reminded the Board that the due date for their Town Administrator evaluation is Tuesday. He would like to get them all back to compile the results so the Board can have a special meeting to review them with Marie.

Kathleen would like to have the Board discuss the grant opportunities for the Town to be included as an agenda item in the future. She said there are many grants out there that the Town could benefit from but we need to figure out a process to get them submitted. She suggested the Board brainstorm in the meantime for a discussion at a future meeting.

Citizen Speak:

John Masiero told the Board that Berkshire Natural Resources would like to ask for permission to use Town property on Samantha Lane for a hiking trail. Berkshire Natural Resources also has property in that area and would like to connect it through a hiking trail. Eric asked that John get some information for the Board and they can add this as an agenda item for the next meeting. John said that Berkshire Natural Resources informed him that if the Town would consider this idea, they would outline the details in a letter. This letter would be a proposal for the Board to review. John suggested that this process would also include a public input meeting for abutters comments.

Eric made a motion to adjourn at 6:59 PM, seconded by Roger.

Roll call vote;

Roger Yes

Kathleen Yes

Eric Yes

Meeting adjourned.

Respectfully submitted,

Marie Y. Ryan

Town Administrator

Documents:

-Minutes from January 13, 18, 28, & 31st and February 1, 2022

-Annual Entertainment License application – 5 Albany Road Cafe

-Draft of Noise Bylaw

-Letter from Planning Board in regards to Zoning Changes for 2022 ATM

-List of Special Permit Granting Authority for Select Board