

PRESS RELEASE

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Great Barrington to Rewrite Zoning Code

The Planning Board has begun to overhaul the Town's zoning bylaw, which has often been criticized to be poorly organized and in some cases out of date. The Board has advocated for an open public process towards a complete recodification of the bylaw into a more condensed and readable format.

The Planning Board began a strategic review of the bylaw in early 2008, with the assistance of the Berkshire Regional Planning Commission. This summer, at a July 2009 joint meeting of the Board of Selectmen and the Planning Board, the boards discussed the scope of the work, and the Selectmen directed the Town Manager to engage a consultant to facilitate the work. A consultant budget of \$23,000 was approved at town meeting last year.

Town Manager Kevin O'Donnell said, "This is not about rezoning Great Barrington. This is meant to fix what we have, not make major policy decisions where we throw the baby out with the bathwater." Mr. O'Donnell added that rewriting the zoning bylaw is also one of the Selectmen's strategic planning priorities, and that the Town Planner and Building Inspector have been regularly discussing the workings of bylaw since the Planner came on board early last spring. "I've directed them to work with the Planning Board and its consultant. Our goal is to present a revised bylaw for a public hearing in early 2010 and then for a vote at the May 2010 annual town meeting."

The Town also wants to invite citizens to attend meetings and participate. Mr. O'Donnell said, "We don't want to do this behind closed doors. We're inviting everyone and all of our Boards to be vested in the process. That's the only way we can get a strong bylaw passed next year."

"This is a very important process, and our consultant Mark Bobrowski is an expert land use attorney who has literally written the book on Massachusetts zoning law," said Donald Goranson, Chairman of the Planning Board. "He will be guiding us, helping identify critical items that need revision and updating, and presenting us with options on how to reorganize the document."

Town Planner Chris Rembold noted that the existing bylaw has been amended over the years, but it has not been systematically checked for internal consistency and enforceability. Mr. Goranson added, "What we have is an amalgamation of years of work, so it consists of additions upon additions. This sometimes makes it difficult to interpret."

Mr. Rembold, in citing some of the issues to be resolved, including "too many footnotes to count, regulations within definitions, and definitions all throughout the document," said, "We'll make sure we get the details right, and Mark (Bobrowski) will ensure that the result is something that is up-to-date, organized, and in keeping with current state law."

Drafts will be developed in the fall after a series of topical meetings. Mr. Rembold added, "In each draft we'll be able to see what has been changed, moved, added, and deleted. It's all above board." Upcoming meetings will be held September 2, September 22, and October 7, all at 7:00PM.

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