

**TOWN OF CHARLEMONT  
CHARLEMONT PLANNING BOARD  
APPLICATION FOR SPECIAL PERMIT**

DATE OF APPLICATION: Jan. 23, 2023

NAME OF APPLICANT: Jonathan Mirin and Godeliève Richard

MAILING ADDRESS OF APPLICANT: 224 Avery Brook Rd., Shelburne Falls, MA 01370

PHONE NUMBER: (413) 625 - 6569 EMAIL: jonathan@ptco.org

LOCATION OF PROPERTY: 225 Avery Brook Rd., Charlemont, MA 01370

PROPERTY IS IDENTIFIED AT REGISTRY OF DEEDS IN:

BOOK #: 6918

MAP #: 53

PAGE #: 180

PARCEL #: A

APPLICANT IS: OWNER, TENANT, LICENSEE, PROSPECTIVE PURCHASER, ETC.:

**Prospective purchaser with permission to use before purchase.**

NOTE: IF APPLICANT IS NOT OWNER, INCLUDE LETTER OF OWNER'S APPROVAL WITH APPLICATION.

REASON FOR REQUEST: **We are requesting permission to convert the barn into a theatre.**

DATE OF DENIAL BY BUILDING INSPECTOR:

APPLICABLE SECTION OF BUILDING/ZONING BY-LAW: **Article 3, Parking and Loading requirements, etc.** *32.3 in USE TABLE OTHER EDUCATIONAL USES NOT EXEMPTED FROM ZONING REGULATIONS*

APPLICANT'S SIGNATURE: \_\_\_\_\_

*G. Richard*

OWNER'S SIGNATURE, IF DIFFERENT: \_\_\_\_\_

*[Signature]*

APPLICANT MUST OBTAIN FROM THE ASSESSORS AND SUBMIT WITH THIS APPLICATION, A CERTIFIED LIST OF ALL ABUTTERS WITHIN THREE HUNDRED FEET (300') OF ALL PROPERTY LINES.

**\*APPLICANT WILL BE RESPONSIBLE FOR PAYMENT OF NEWSPAPER NOTICE.**

SEND COMPLETED FORMS TO:

CARLENE HAYDEN/CHARLEMONT PLANNING BOARD

P.O. BOX 465

CHARLEMONT, MA 01339

*Kathleen Reynolds*

DATE OF RECEIPT BY TOWN CLERK: 1/25/2023

**\*\*\*INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

Plot plans and floor plans attached.

Abutters list attached.

Check for \$90.00 Special Permit fee plus \$10.00 abutter notice fee included.

## Special Permit Application Submittal Requirements

- a) Proof of ownership of property, or written permission from owner;

*Permission enclosed.*

- b) Abutter's list from Assessor's Office of abutters within 300' of property line;

*Enclosed.*

- c) Description/ drawing of anticipated action;

*Piti Theatre wishes to convert the barn at 225 Avery Brook Rd. into a theatre for performances seating 50 people or less. The theater will be the centerpiece of what is envisioned as a center for ecology and the arts which includes hiking trails on 224 and 225 Avery Brook Rd. as well as gardens and an apiary @ 225 Avery Brook Rd.*

- d) Signage plan, with design and size and lighting;

*We are requesting permission for up to 64 square feet of signage divided into at least two signs. One sign will be two sided and hung from the roof of the barn. Another sign will be on the south side of the barn. The signs will be in the hand drawn style of current Piti Theatre logos (samples enclosed). There will be no fluorescent colors, flashing lights, etc. The sign lighting will be downwashed. Given that we are currently receiving community input about what they would like to see happen here via a survey @ [ptco.org](http://ptco.org), we have not chosen a name for the center as of the date of this submission.*

- e) Lighting design for grounds, lot and building;

*Lighting will include small lights along walkways outside the barn for evening events and downwashed lights on the barn roof. These lights will only be on when there is an evening performance. The theater will be emphasizing performances for families during the day.*

- f) Days and hours of operation requested;

*The hours of operation will vary. Activities like rehearsals and workshops may occur on any day of the week starting as early as 9 am. Performances will not go past 10:30 pm.*

- g) Parking Plan showing present and proposed parking locations;

*See diagram.*

- h) Screening-including fencing, vegetation, etc. between subject and abutting properties;

*There is extensive natural vegetation (trees, forest, etc). between the site and abutting properties with the exception of the property immediately to the north owned by Jacob Rheinheimer and Shana Totino who have given their permission for this activity.*

- i) Detailed Plot Plan, to scale, of anticipated action, including parking, traffic, setbacks, abutters and all dimensions;

*Plot plan and survey enclosed.*

- j) To scale drawings of floor plans and elevations;

*The floor plan of the inside of the barn will not change. Seating will be flexible, changing depending on the event. In other words, seating will be on folding chairs that can be rearranged in one large open space.*

- k) Topographical changes;

*None.*

- l) All existing and proposed structures;

*The Barn at 225 Avery Brook Rd. and the house owned by Jonathan Mirin and Godeliève Richard at 224 Avery Brook Rd. are the only existing structures. There are no proposed structures at this time.*

- m) Lot dimensions;

*See survey.*

- n) Setbacks from:
  - a. all lot lines
  - b. roadways
  - c. streams
  - d. bodies of water;

*See survey.*

- o) Street names;

*Avery Brook Rd.*

- p) Locations of wells;

*We will be offering bottled water for all public events until a well is sited and drilled on Parcel A at 225 Avery Brook Rd.*

- q) Locations of septic system(s);

*We will rent Porta potties until a septic system is installed.*

- r) Structures on adjacent properties;

***Residences on adjacent properties of 225 Avery Brook Rd:***

*224 Avery Brook Rd, 199 Avery Brook Rd.*

***Residences on adjacent properties of 224 Avery Brook Rd:***

*225 Avery Brook Rd., 96 Avery Brook Rd., 199 Avery Brook Rd., 176 Avery Brook Rd., 200 Avery Brook Rd.*

- s) Any other information pertinent to the application.

*Thank you for your consideration! You can get a sense of Piti Theatre's work in our area of the last 15 years @ [ptco.org](http://ptco.org)*

*Piti (pronounced "PEA-tea") is an ancient Indian (Pali) word translatable as "joy" or "rapture." Piti's mission is to plant seeds of joy, sustainability and justice in hearts, minds and communities. Our local programming is dedicated to engaging underserved rural communities across Franklin County.*

Sample Piti Theatre Logos





**Site**

Plans:  
Jan 22, 2023

Piti Theatre - 225 Avery Brook Road  
Charlemont, MA

TOWN OF CHARLEMONT  
PER ZONING MAP - 225 AVERY BROOK ROAD IS RURAL  
RESIDENTIAL DISTRICT ZONING (RR) - WITH MINIMUM LOT  
FRONTAGE 150 FEET, FRONT IN FEET = 50 FEET, SIDE AND  
REAR 25 FEET.

1  
Site

SITE PLAN - PROPOSED CONDITIONS - WITH SITE SURVEY  
SCALE: 1" = 20'-0"



LOCATION PLAN CHARLEMONT, MASSACHUSETTS NO SCALE

FOR REGISTRY USE ONLY

LOCUS IS LAND OF  
 JACOB WENDELL RHEINHEIMER  
 & SHANA RAE TOTINO  
 BOOK 6918 PAGE 180  
 TAX MAP 53 LOT 9  
 TOTAL AREA = 48± ACRES

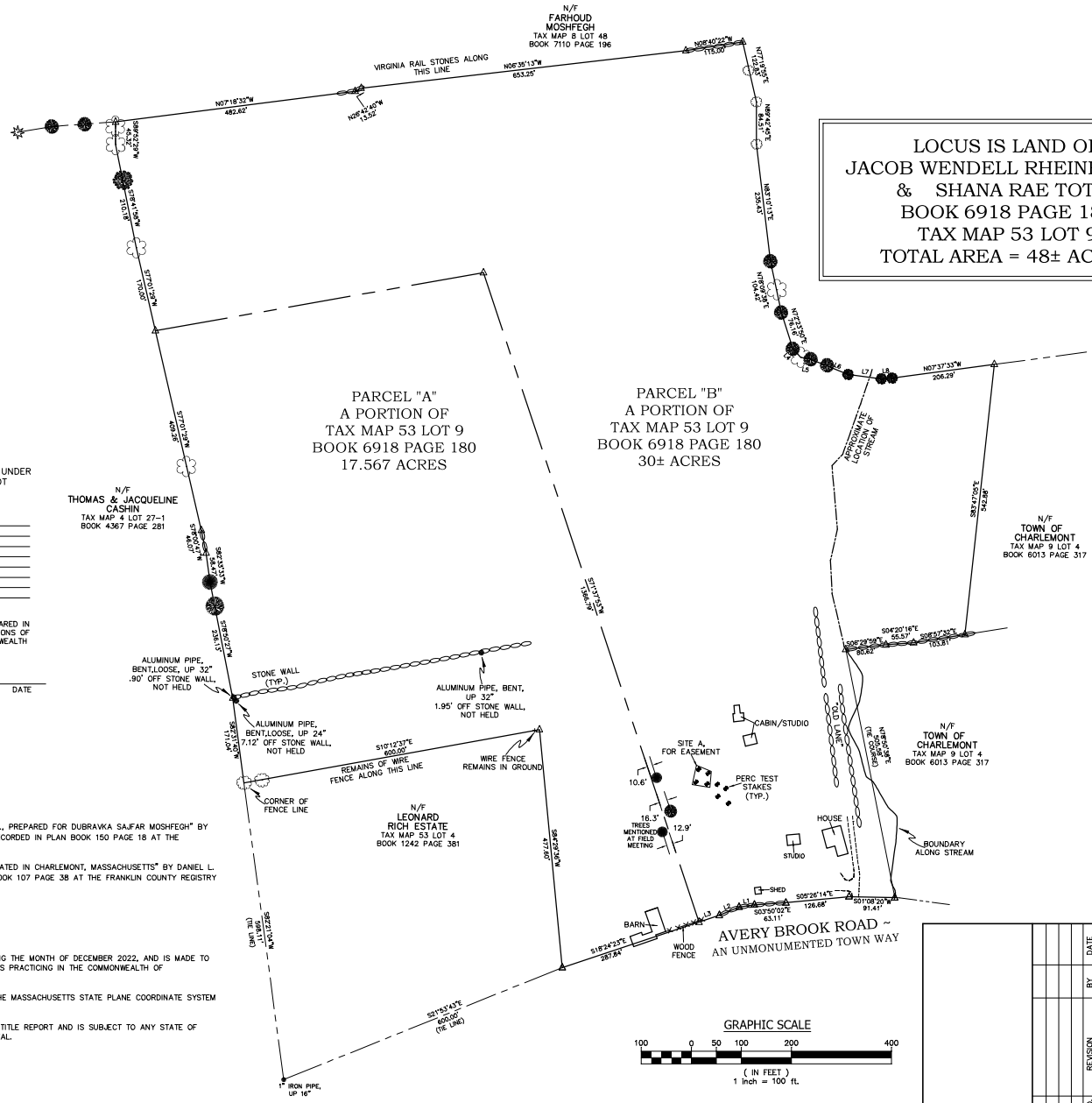
**CERTIFICATION**  
 APPROVAL BY THE PLANNING BOARD UNDER THE SUBDIVISION CONTROL LAW IS NOT REQUIRED.  
 CUMMINGTON PLANNING BOARD  
 DATES: \_\_\_\_\_  
 SIGNED: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

RICHARD A. ROBERGE, P.L.S. DATE \_\_\_\_\_

PARCEL "A"  
 A PORTION OF  
 TAX MAP 53 LOT 9  
 BOOK 6918 PAGE 180  
 17.567 ACRES

PARCEL "B"  
 A PORTION OF  
 TAX MAP 53 LOT 9  
 BOOK 6918 PAGE 180  
 30± ACRES



LINE TABLE

LINE	BEARING	DISTANCE
L1	S10°24'15"E	105.70
L2	S10°24'15"E	122.97
L3	S10°24'15"E	124.70
L4	N12°27'12"E	233.02
L5	N12°27'12"E	124.70
L6	N24°18'15"E	80.00
L7	N24°18'15"E	80.00
L8	N03°57'30"W	21.44

LEGEND

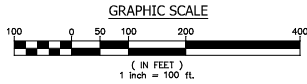
—	PROPERTY LINE
- - -	ABUTTER LINE
▲	UNMARKED POINT
●	CAPPED REBAR SET
⊙	TREES WITH WIRE OR BLAZES

**MAP REFERENCES**

- "PLAN OF LAND IN CHARLEMONT (FRANKLIN CO.), MA., PREPARED FOR DUBRAVKA SAJFAR MOSHFEH" BY HILLTOWN LAND SURVEYS, DATED 12/27/22021 AND RECORDED IN PLAN BOOK 150 PAGE 18 AT THE FRANKLIN COUNTY REGISTRY OF DEEDS.
- "PLAN OF LAND SURVEYED FOR ALAN H. BOOTH LOCATED IN CHARLEMONT, MASSACHUSETTS" BY DANIEL L. WERNER, DATED 7/25/2001 AND RECORDED IN PLAN BOOK 107 PAGE 38 AT THE FRANKLIN COUNTY REGISTRY OF DEEDS.

**NOTES**

- THIS PLAN IS BASED ON A SURVEY PERFORMED DURING THE MONTH OF DECEMBER 2022, AND IS MADE TO THE STANDARD CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN THE COMMONWEALTH OF MASSACHUSETTS. (M.G.L.250 CMR 6.00)
- THE BEARINGS ON THIS PLAN ARE REFERENCED TO THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (M.S.P.C.S.).
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY STATE OF FACTS THAT AN UP-TO-DATE TITLE REPORT MIGHT REVEAL.
- WINTER CONDITIONS PRESENT DURING SURVEY.



REV.	REVISION	BY	DATE

PLAN OF LAND IN  
 CHARLEMONT (FRANKLIN CO.), MA  
 PREPARED FOR  
 JACOB WENDELL RHEINHEIMER &  
 SHANA TOTINO

HILLTOWN LAND SURVEYS  
 26 MAIN STREET  
 CUMMINGTON, MA 01026  
 (413) 634-0244

C 0022

DATE 12/14/22 SCALE 1"=100' PROJ. WENDELL SHEET 1 OF 1