

Town of Southwick, Massachusetts

454 College Highway, Southwick, MA 01077

Special Town Meeting Warrant December 6, 2016

*****NOTE: THIS DOCUMENT REPRESENTS THE ACTUAL WARRANT SIGNED BY THE BOARD OF SELECTMEN AND POSTED BY THE CONSTABLE AT SOUTHWICK TOWN HALL, SOUTHWICK POST OFFICE AND SOUTHWICK PUBLIC LIBRARY.*****

SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

Tuesday, December 6, 2016

6:30 p.m.

Special Town Meeting, Tuesday, December 6, 2016, 6:30 p.m. at the Southwick Regional School, 93 Feeding Hills Road, in the Auditorium.

HAMPDEN SS. To either of the Constables of the Town of Southwick in the County of Hampden:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town qualified to vote in elections and town affairs to meet and assemble at the SOUTHWICK REGIONAL SCHOOL AUDITORIUM ON Tuesday, December 6, 2016 at 6:30 p.m. then and there for the Special Town Meeting and to act on the following articles:

ARTICLE 1: To see if the Town will appropriate \$950,000.00 or any other amount to pay costs of designing and constructing sewers in the Congamond Road area, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

MOTION: That the sum of \$950,000.00 is appropriated to pay costs of designing and constructing sewers in the Congamond Road area, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c.44, s. 7(1), s. 8(15), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The Selectmen, and any other appropriate officials of the Town, are authorized to assess betterments to recover all or any portion of the costs of this project, and further, such officials are also authorized to apply for and accept any forms of financial assistance that may be available to the Town on account of this project from the United States Rural Development Administration, the Massachusetts Clean Water Trust, MassWorks, or any other funding source. The amount authorized to be borrowed pursuant to this vote shall be reduced to the extent of any grants or gifts received by the Town on account of this project.

Requested Sewer Implementation Committee,
DPW and Select Board

ARTICLE 2: To see if the town will vote to appropriate and transfer from available funds the sum of \$53,520.00 for the following salary and operational accounts:

Building/Grounds Supervisor	\$ 7,000.00
Town Hall Part time	\$ 5,000.00
Highway Full Time	\$24,000.00
EMT/FF Full Time	\$ 2,000.00

EMT/FF overtime	\$ 200.00
EMT/FF Officer in Charge	\$ 3,420.00
EMT Volunteer Stipend	\$ 900.00
EMT/FF Holiday Coverage	\$ 1,000.00
Town Accountant Salary	\$ 8,000.00
Election and Registration (early voting)	\$ 2,000.00

Or take any other action relative thereto.

Requested by the Select Board

ARTICLE 3: To see if the town will vote to appropriate and transfer from available funds the sum of \$15,000.00 for the Fire Department Apparatus Study or take any other action relative thereto.

Requested by the Fire Chief
and Select Board

ARTICLE 4: To see if the Town will vote to amend the Code of the Town of Southwick, Article VI, § 185-17 Business Restricted Zone BR to delete the current text in its entirety and replace it with the following; and further to authorize non substantive changes to the lettering and numbering of the Code of the Town of Southwick to be consistent with of the Code of the Town Southwick:

“§ 185-17 Business Restricted Zone BR.

A. Permitted uses:

- (1) Bank. [Amended STM 11-30-1999 by Art. 10]
- (2) Signs in conjunction with the above use, subject to the provisions of Article VI, § 185-29, herein.
- (3) Off-street parking and loading, subject to the requirements of Article VI, § 185-30, herein.
- (4) Accessory uses customarily incident to any use permitted herein.
- (5) Any accessory use for an existing residence including barns, breezeways, garages, swimming pools and tool sheds shall be permitted without special procedure.
- (6) Existing businesses may enlarge up to 1,000 square feet or 10%, whichever is greater, without special permit procedure.

B. Special Permit uses:

- (1) All uses permitted in Article IV, § 185-16, Business Zone B, subject to a special permit from the Planning Board.
- (2) Photovoltaic systems – Large scale, ground mounted photovoltaic systems shall require both a Special Permit and site plan approval, as set forth in § 185-23.2. For small scale, ground mounted photovoltaic systems, a Site Plan approval is required, as set forth in § 185-23.2.
- (3) Any new structure(s) or alteration of existing structure that proposes a mixture of uses permitted in Article IV, § 185-16, Business Zone B, and residential use, subject to a special permit from the Planning Board.

C. Height, area, yard and minimum floor area requirements shall conform to Article V, Height and Area Requirements.

D. Design standards. The following standards will be required for any project requiring a Special Permit or modification of an existing Special Permit and shall be shown in plans required in section E.

- (1) In designing and building all structures and alterations thereto, a good faith attempt shall be made by the Planning Board and the applicant to meet the design requirements of the Town of Southwick Design Guideline Handbook, if commercially reasonable.
- (2) The Planning Board and the applicant shall attempt to have reasonably consistent architectural elements in the structures, and any alterations thereto, to provide continuity in accordance with the Town of Southwick Design Guidelines Handbook. Building designs with large expanses of undifferentiated facades and long plain wall sections shall be discouraged. All exterior building elevations on the front and street facing side shall be designed so as to avoid or minimize

large expanses of blank walls on the front and street facing side. In order to assure conformance with this requirement, exterior elevations must be reviewed and approved as a part of the overall final plan process by the Planning Board.

(3) The total footprint of all structures and impervious surfaces shall not exceed 75% of the total tract of land being developed or altered, unless the existing structures and impervious surfaces currently exceed this limit, in which case the total footprint may not be increased.

(4) Landscape planting, including trees, shrubs, grass or ground cover, shall be provided and permanently maintained by the owner in the area required for setback from property and street lines, to the satisfaction of the Planning Board. All existing natural growth shall be preserved where practicable. Where a property in the Business Restricted Zone abuts a property in the Residence Zone on the side or rear, a dense planting at least 30 feet in width shall be provided. The Planning Board may require more extensive plantings or opaque fencing if unusual conditions demand more screening or noise abatement.

(5) Amenities, such as benches, sidewalks, covered refuse cans/bins, planters, bike racks, etc., may be required by the Planning Board.

(6) Proposed mixed uses shall minimize visual and functional conflicts between business and residential uses, keeping the integrity of the underlying Business Restricted Zone BR.

(7) To maintain the intent of the Business Restricted Zone BR, any residential uses allowed as a part of a mixed use development shall be located above the floor/street level of the building or in the first floor portions of the building that do not front the street or have access on the street frontage.

E. Site plan approval.

(1) Before any building permits may be issued or before any construction of any building or land improvement, a site plan shall be submitted to the Planning Board. The site plan shall be signed by a registered engineer, land surveyor or a landscape architect.

[Amended ATM 4-15-1980 by Art. 40; ATM 5-19-2015 by Art. 24]

(2) The Planning Board shall hold a public hearing to review the site plan and may impose reasonable conditions that the Planning Board determines are necessary to conform with the intent of this bylaw.

(3) The site plan may be submitted to the Board of Health for its review and recommendations to the Planning Board. Such comments and recommendations by the Board of Health shall be transmitted to the Planning Board and be made a part of the record of such public hearing.

(4) The application to the Planning Board shall be accompanied by six copies of a site plan.

(5) The site plan shall include (a) existing boundaries of the lot or parcel, (b) exterior elevations of all existing and proposed structure(s), (c) existing topography and proposed grading, (d) proposed drainage, lighting, facilities with data for sewage, refuse and waste disposal, landscaping, parking, driveways, access ways and sidewalks, and amenities, such as benches, sidewalks, covered refuse cans/bins, planters, bike racks, etc., and (e) other uses and open spaces.

(6) No building permit shall be issued in the Business Restricted Zone BR except in accordance with the approved site plan."

Or take any other action relative thereto.

Requested by the Planning Board

ARTICLE 5: To see if the Town will vote to amend the Code of the Town of Southwick, Article VI, § 185-29(c) Definitions to delete the current definition of AGRICULTURAL SIGN in its entirety and replace it with the following; and further to amend Table 6.1, Table 6.2 and Table 6.5 of the Code of the Town of Southwick to incorporate the new amended definition set forth below; and further to authorize nonsubstantive changes to the lettering and numbering of the Code of the Town of Southwick to be consistent with of the Code of the Town Southwick:

AGRICULTURAL AND RECREATIONAL SIGNS:

A free standing sign advertising farm business and/or agricultural products and/or agricultural recreation and/or commercial recreation (see Table 6.1, Table 6.2 and Table 6.5)

Requested by the Planning Board

ARTICLE 6: To see if the Town will vote to authorize the Board of Selectmen to enter into a lease for the for property known as the Old Library located at 475 College Highway as more fully described in a deed recorded in the Hampden County Registry of Deeds in Book 2599, Page 428 for a term not to exceed twenty-five (25) years and further to authorize the Select Board to negotiate the terms of said lease, subject to approval by Town Counsel, and after compliance with M.G.L. c. 30B and any other relevant provisions of the General Laws and, or take any other action relative thereto.

Requested by the Select Board

ARTICLE 7: To see if the Town will vote to accept the provisions of M.G.L. c. 41, Section 110A which provides as follows:

“Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.”

Or take any other action relative thereto.

Requested by the Town Clerk
and Select Board

Given under our hands at said Southwick this 18th day of November the year of the Lord two thousand and sixteen.

SELECT BOARD

Russell S. Fox, Chairman

Doug Moglin, Vice-Chairman

Joseph J. Deedy, Clerk

HAMPDEN SS.,

Pursuant to the within warrant I have notified and warned the inhabitants of the Town of Southwick by posting up attested copies of the same three (3) public places in said Town at least fourteen (14) days before the date thereof, as within directed.

Constable of Southwick, MA

William Terry

A TRUE COPY

ATTEST:

TOWN CLERK, SOUTHWICK, MA

Jessica Menzone, Assistant Town Clerk

POSTED: TOWN HALL, POST OFFICE, AND LIBRARY