

# Town of Southwick, Massachusetts

454 College Highway, Southwick, MA 01077

## Special Town Meeting Warrant, Novemeber 16, 2010

**\*\*\*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  
November 16, 2010  
6:30 p.m.**

Special Town Meeting, Tuesday, November 16th, 2010, 6:30 p.m. at the Southwick Tolland Regional High School, Feedings 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-TOLLAND REGIONAL HIGH SCHOOL AUDITORIUM ON Tuesday, November 16th, 2010 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 vote to appropriate and transfer the sum of \$99,500.00 from the FY2011 Community Preservation Unreserved Funds for a 20% local match towards the purchase of an Agricultural Preservation Restriction of 61+- acres of farmland along the southerly side of Granville Road. The APR is valued at \$497,500.00. The State of Massachusetts APR Program is paying \$398,000.00. Project Site Hampden County Registry of Deeds, Book 11108, Page 581, known as part of Assessors Map 78, Parcel 12 owned by JAYDUB, LLC, recorded at the Hampden County Registry of Deeds, or take any other action relative thereto.

**"MOTION:** To see if the Town will vote to appropriate the sum of \$99,500.00 in accordance with the recommendation of the Community Preservation Committee."

Requested by Community Preservation Committee

**ARTICLE 2.** To see if the Town of Southwick will vote to accept the provisions of M.G.L. c. 138, §33B, as amended, in its entirety, or take any other action relative thereto.

Requested by Board of Selectmen

**ARTICLE 3.** To see if the Town will vote to amend Chapter 185 Zoning, ARTICLE VI, § 185-16 A. (9) of the Code of the Town of Southwick by deleting the words "Board of Appeals" and substituting "Planning Board" in its place, or take any other action relative thereto.

Requested by the Planning Board and Board of Selectmen

**ARTICLE 4.** To see if the Town will vote to amend Chapter 185 Zoning, ARTICLE VI, § 185 -18 A. (8) of the Code of the Town of Southwick by deleting the words "if authorized by the Board of Appeals", or take any other action relative thereto.

Requested by the Planning Board and Board of Selectmen

**ARTICLE 5.** To see if the Town will vote to amend Chapter 185 Zoning, ARTICLE VI, § 185-31 A. of the Code of the Town of Southwick by deleting the words "Appeals Board" and substituting "Planning Board" in its place, or take any other action relative thereto.

Requested by the Planning Board and Board of Selectmen

**ARTICLE 6.** To see if the Town will vote to amend Chapter 185, Zoning, ARTICLE VI, § 185-31 B. of the Code of the Town of Southwick by deleting the entire section, or take any other action relative thereto.

Requested by the Planning Board and Board of Selectmen

**ARTICLE 7.** To see if the Town will vote to amend Chapter 185, Zoning, ARTICLE VI, § 185-32 of the Code of the Town of Southwick as follows:

**Current §185-32:**

"A trailer, excluding mobile homes, may be stored by its owner in the rear yard of a lot occupied by him as his permanent residence, but no trailer may be occupied or used for sleeping, living, cooking or carrying on a business in any district in the Town of Southwick, unless authorized by the Board of Appeals and a permit issued by the Board of Health. No trailer parks or trailer camps of any type (two or more) shall be allowed in any district in the Town of Southwick except as provided for in Article VI, §185-34, entitled "Commercial recreation."

**Proposed Amended §185-32:**

"A trailer, excluding mobile homes, may be stored by its owner in the rear yard of a lot occupied by him as his permanent residence, but no trailer may be occupied or used for sleeping, living, cooking or carrying on a business in any district in the Town of Southwick, unless authorized by the **Building Inspector** and a permit issued by the Board of Health. **In the event of a casualty the Building Inspector and the Board of Health may issue separate permits under this section for a maximum of twenty-four months to allow the permit holder to rebuild; provided, however, that the trailer may not be occupied or used for sleeping, living, or cooking without the issuance of both permits. In cases of hardship, the Building Inspector and the Board of Health at their reasonable discretion may extend the permit for up to six months at a time to allow the permit holder to complete rebuilding and obtain a certificate of occupancy for the structure damaged or destroyed by a casualty. In the case of a trailer to be used for carrying on a business under this section, including a trailer used for storage of inventory or merchandise, the Building Inspector may issue successive permits in appropriate cases for up to 365 days provided there is sufficient area for loading and unloading, parking and the trailer can meet any set back requirements of the zoning district and the merchandise or inventory to be stored is not of a hazardous material or a fire hazard and such inventory or merchandise can be sold in the zoning district as a matter of right.** No trailer parks or trailer camps of any type (two or more) shall be allowed in any district in the Town of Southwick except as provided for in Article VI, §185-34, entitled "Commercial recreation."

Proposed amendments are shown by bold, italics and underlined.

Or take any other action relative thereto

Requested by the Planning Board and Board of Selectmen

**ARTICLE 8.** To see if the Town will vote to accept as Town ways, North Pond Road and Alcove Road as shown on the lot layout plan entitled "Lot Layout Definitive Subdivision Plan North Pond Views, Southwick, Mass. For Northeast Land Development Trust, Inc. Owner, Ecotec Environmental Associates, Inc....Scale 1" = 50' Date Sept. 1998" which plan is recorded in the Registry of Deeds for the County of Hampden in Book of Plans 311, Pages 109 and 110; and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift certain easements including an easement to use said streets for all purposes for which public ways are used in the Town of Southwick and to accept a Stormwater Drain Easement as shown on said Plan Book 311, Pages 109 and 110; or to take any other action relative thereto.

Requested by the NE Land Development Trust, Inc.

Given under our hands at said Southwick this 29th day of October the year of the Lord two thousand and ten.

BOARD OF SELECTMEN

Arthur G. Pinell, Chairman

David A. St. Pierre, Vice Chairman

Nicholas Boldyga, 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 fourteen (14) days before the date thereof, as within directed.

Constable of Southwick, MA  
Kelly Magni

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A TRUE COPY ATTEST:

TOWN CLERK, SOUTHWICK, MA  
Michelle L. Hill, Town Clerk

POSTED: TOWN HALL, POST OFFICE, AND LIBRARY