

Town of Southwick, Massachusetts

454 College Highway, Southwick, MA 01077

STM Warrant Explanations, November 16, 2010

SPECIAL TOWN MEETING
Warrant Article Explanations
COMMONWEALTH OF MASSACHUSETTS
November 16, 2010
6:30 p.m.

ARTICLE 1 EXPLANATION: The Community Preservation Committee is asking the voters of Southwick to transfer \$99,500.00 from Community Preservation money that has been collected and put into a fund exclusively for Community Preservation purposes to preserve 61 acres of farmland on Granville Road. The \$99,500.00 is the Town's 20% match that is required to take advantage of Massachusetts Department of Agricultural Resources "Agricultural Preservation Restriction" Program. This "APR" will preserve and ensure that this land remains as farmland in perpetuity.

Finance Committee Comment:

The Finance Committee supports the transfers of the individual reserves of the Community Preservation Fund as required by the laws that rule the Community Preservation Committee, which the Town of Southwick has agreed to.

If this article is not passed, it means that the land owner can ask for a zoning change and if granted, could potentially develop this land.

ARTICLE 2 EXPLANATION: In July a new State Law became effective to allow the sale of alcoholic beverages at on-premises establishments such as restaurants for Sundays and certain holidays. The Local Licensing Authority (in our case the Board of Selectmen) of any city or town which accepts this section may authorize licensees under MGL Ch. 138, Sec. 12 to sell alcoholic beverages between the hours of 10:00 a.m. and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday. This will allow the Board of Selectmen as the Liquor Licensing Authority to permit an opportunity for businesses who offer brunch menus to their customers.

ARTICLE 3 EXPLANATION: Changes the permit granting authority from the Board of Appeals to the Planning Board for filling stations and public garages. The purpose of this by-law is to have the special permit issued by the Planning Board who has more expertise on special permits than the Board of Appeals since most special permits are issued by the Planning Board. The Planning Board has a professional support staff to assist them in reviewing applications and assigning appropriate conditions.

ARTICLE 4 EXPLANATION: Eliminates the requirement of the permit from the Board of Appeals for processing or warehousing of tobacco in an industrial zone and allows processing or warehousing of tobacco as a matter of right with a site plan approval under the site plan approval by-law done by the Planning Board.

ARTICLE 5 EXPLANATION: Changes the responsibility for granting special permits for public garages and gasoline filling stations from the Board of Appeals to the Planning Board since the Planning Board has more expertise in issuing special permits. The overall intent of these changes in the zoning by-laws is to eliminate special permits by the Board of Appeals and make all special permits issued by the Planning Board.

ARTICLE 6 EXPLANATION: The purpose of is to eliminate the requirement of special permits for liquor establishments. The purpose of this by-law is to eliminate the duplication of hearings as liquor establishments currently require license hearings from the Board of Selectmen and require site plan approval from the Planning Board. Additionally it was felt that the restrictions contained in current Article 6, §185-31 B. pretty much eliminated the ability to plan additional liquor licenses in the Town of Southwick since the requirements

of the by-laws leave too few parcels in town which could possibly meet the requirements for location of liquor establishments.

ARTICLE 7 EXPLANATION: Eliminates the requirement of the Board of Appeals to issue trailer permits and moves the permission to grant trailers to the Building Inspector and the Board of Health. The article also sets forth time frames for the length of time the trailer may be on site without needing additional approvals. The by-law now also allows trailers the discretion of the Building Inspector for business and commercial uses recognizing the fact that many retail stores currently use temporary trailers for storage of additional merchandise.

ARTICLE 8 EXPLANATION: This article will accept the roads of the North Pond Road and Alcove Road as Town owned property carrying all the responsibilities of ownership, maintenance, and repair of the road surface and drainage system. The developer has met all the requirements of the Planning Board and the bonds have been released.