

## SPECIAL AND ANNUAL TOWN MEETING MINUTES

May 2, 2017

The Special and Annual Town Meetings were held on May 2, 2017. We had 322 voters and 24 visitors attend. Moderator, John Barrett, announced there was a quorum present. The Moderator asked those in attendance to please stand for the Pledge of Allegiance which was led by Boy Scouts Malcolm Palmer and Noah Uphold of Troop 81.

The Moderator requested all visitors and non-voters to sit in the front rows. The practice has been to allow visitors to speak unless there is an objections from the floor, however, as Moderator I do reserve the right to allow the visitor to speak if I feel the visitor has pertinent information to the article on the floor.

At this point the Moderator introduced himself, the Town Clerk Kathleen Spofford, the Selectmen, Cindy King, Sue Lisio and Chairman Gordon Clark, the Town Administrator James Kreidler and Town Counsel Brian Riley. He went on to introduce the Finance Committee members who were present: Donna Pinkerton, Jerilyn Bozicas, Sam Grant and Andrea Wood.

The Moderator reviewed some of the rules followed at Town Meeting. If you want to speak, wait until you are recognized, raise your hand and I will call on you. After you have been called upon, wait for the microphone, then state your name and address. Please direct all comments and questions to the chair. All motions must be in writing and brought to the Town Clerk. If a matter has been voted on tonight, to be reconsidered tonight would take a majority vote, but if the meeting goes into a second night, to be reconsidered would take a 9/10 vote. If a vote count is questioned by (7) seven people, the counters will be called otherwise the count is by my determination and I may call the counters forward. If there is a question of procedure, please rise and say "point of order, Mr. Moderator", you will be called on to make your point. In order to do this you, may interrupt the speaker. Point of privilege is to point out things like you can't hear or you are having an issue being able to participate. One other point is a motion to move the question. When this motion is made, it cuts off all debate, it is not debatable, that motion must be voted on to proceed with the discussion or to end the discussion and vote on the motion on the floor. If someone makes a motion to move the question too early, I may rule out of order and allow the discussion to continue.

The Moderator requested the reading of the warrant, which was done by the Town Clerk.

The overflow area was opened. Gene Rauhala was elected Deputy Moderator by the floor and placed in the overflow area in Meeting Room 2. The Deputy Moderator and counters were sworn in.

The Town Meeting was called to order at 7:02 p.m.

I move that the town meeting proceed to the special town meeting.

**Read by:** Jane Jackson

**Voted:** Passed unanimously

The Special Town Meeting was called to order at 7:04 p.m. The reading of the Special Town Meeting Warrant was read by the Town Clerk.

### **ARTICLE 1**

I move to transfer from free cash in the treasury the sum of **\$2,700.00** for the purpose of paying longevity due to a retiring employee.

**READ BY:** Jane Jackson

**VOTED:** Passed Unanimously

## **ARTICLE 2**

I move to transfer from available funds in the treasury the sum of **\$2,000.00** for the purpose of paying the overlap for the program coordinator position at the Council on Aging Senior Center.

**READ BY:** Jane Jackson

**VOTED:** Passed Unanimously

## **ARTICLE 3**

I move to transfer from free cash the sum of **\$172,000.00** for the purpose of offsetting the FY17 Snow and Ice Deficits under the provisions of Massachusetts General Laws Chapter 44, Section 31D.

**READ BY:** Cindy King

**VOTED:** Passed Unanimously

## **ARTICLE 4**

I move to transfer **\$262,265.32** from Special Revenue Access and Technical (Comcast) account to the Receipts Reserved PEG Access Account per instruction of the Department of Revenue.

**READ BY:** Sue Lisio

**VOTED:** Passed Unanimously

## **ARTICLE 5**

I move that the town vote to amend Chapter 138 of the General Bylaws for the Town of Townsend to add the following language which appear in italics:

§138-5

### **RULES AND REGULATIONS**

The Conservation Commission may issue, after due notice and public hearing, rules and regulations to effectuate the purposes of this by-law. <sup>[1]</sup> However, failure by the Commission to issue such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this by-law.

*Strict compliance with these rules and regulations may be waived when, in the judgment of the Commission, such action is in the public interest, and is consistent with the intent and purpose of the Bylaw. Any request for a Waiver must be submitted to the Commission in writing. The Waiver(s) shall be presented at the time of filing. The Applicant shall include in the writing a statement of why the waiver is requested; why the requested waiver is in the public interest; and why the waiver is consistent with the intent and purpose of the Bylaw. For projects within the Squannassit Area of Critical Environmental Concern (ACEC), the minimum vegetated buffer of naturally occurring plant material may be waived only in the public interest.*

<sup>[1]</sup> *Editor's Note: See CH. 150, Conservation Commission, Art. 1, Wetlands Regulations.*

§138-7

### **DEFINITIONS**

(c)

For projects within the Squannassit Area of Critical Environmental Concern (ACEC), on undisturbed 35 feet wide vegetated buffer of naturally occurring plant material along all wetlands and water bodies.

**READ BY:** Veronica Kell

**VOTED:** The motion did not carry.

**The Special Election was dissolved and the Annual Election was reopened at 8:02 pm.**

### **ARTICLE 1**

I move to authorize the Board of Selectmen to appoint all Town Officers unless other provisions are made by Massachusetts General Law, by Town Charter, or by vote of the Town.

**READ BY:** Gordon Clark

**VOTED:** Counted vote: Ayes 121. No 114. Passed by majority.

### **ARTICLE 2**

I move to hear reports of any Committees, Boards, Commissions, etc.

**READ BY:** Cindy King

**VOTED:** Passed Unanimously

### **ARTICLE 3**

I move to choose Michael Marchand, Pamela Haman and Kenneth Gerken to serve as members of the James H. Tucker Fund in accordance with the bequest, for the sole purpose to keep the curbing, grave stones, and monuments in good order.

**READ BY:** Sue Lisio

**VOTED:** Passed Unanimously

### **ARTICLE 4**

I move that the Town vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to: (1) establish the following revolving funds for Fiscal Year 2018 and further to establish fiscal year spending limits as set forth below; and (2) amend the General By-laws by inserting a new by-law establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

#### **Section 104 Revolving Funds.**

- A. There are hereby established in the Town of Townsend pursuant to the provisions of G.L. c.44, §53E½, the following Revolving Funds, from which the specified department head, board, committee, or officer may incur liabilities against and spend monies from without appropriation in accordance with the limitations set forth in this by-law.
- B. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.

- C. No liability shall be incurred in excess of the available balance of the fund.
- D. The total amount spent during a fiscal year shall not exceed the amount authorized by Annual Town Meeting or any increase therein as may later be authorized by the Board of Selectmen and Finance Committee in accordance with G.L. c.44, §53E½.
- E. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the General Fund.
- F. Authorized Revolving Funds

	REVOLVING FUND	AUTHORITY TO SPEND FUND	REVENUE SOURCES	USE OF FUNDS
1	Recycling	Board of Health	Collection of recyclables	Operating costs associated with recycling
2	Recreation Programs	Recreation Commission	Recreation programs	Operating costs associated with programming
3	Facilities Maintenance	Town Administrator	Fees from Meeting Hall rental	Operating costs of the Meeting Hall
4	Cemetery	Cemetery and Parks Commission	Fees from burials	Operating and capital costs for cemeteries
5	Fire Alarm	Fire Chief	Fire alarm fees	Operating and capital costs for the fire alarm system
6	Animal Care Program	Animal Control Officer	Fees for emergency care of animals	Expenses for injured or abandoned animals
7	Inspectional Services	Building Commissioner	Fees from North Middlesex Regional High School project	Expenses for inspections re: the NMRHS project
8	Fire/EMS	Fire Chief	Fees from community events/fire watch	Expenses associated with Fire/EMS services

- G. Procedures and Reports. Except as provided in General Laws Chapter 44, §53E½ and this by-law, all applicable state and local laws and regulations that govern the receipt, custody, expenditure and payment of town funds shall apply to the use of revolving funds established and authorized by this by-law.

And, further, to establish the following spending limit for such funds for Fiscal Year 2018:

1. Recycling = \$20,000
2. Recreation Programs = \$52,000
3. Facilities Maintenance = \$4,000
4. Cemetery = \$28,000
5. Fire Alarm = \$4,000
6. Animal Care Program = \$1,000
7. Inspectional Services = \$75,000
8. Fire /EMS = \$5,000
9. Police = \$80,000
10. Conservation = \$20,000

**READ BY:** Cindy King

**VOTED:** Passed by Majority

#### **ARTICLE 5**

I move to raise and appropriate and transfer from other available funds\* in the treasury, such sums that may be necessary to defray the charges and expenses of the Town for Fiscal Year 2018 pursuant to a detailed budget totaling **\$21,212,817.09**.

<b>*OTHER AVAILABLE FUNDS</b>	
School Resource Officer Fund	80,000
Wetlands Protection Fund	5,721
WTRR Receipts Reserved	2,900
Ambulance Receipts Reserved	300,000
Cemetery Sale of Lots Receipts	5,000
Recreation Receipts Reserved	14,317
PEGG Access Receipts Reserved	125,000
Septic Title 5 Loan	27,538
<b>TOTAL</b>	<b>560,476</b>

**READ BY:** Gordon Clark

**VOTED:** Passed by majority

#### **ARTICLE 6**

I move to fix the salaries and compensation of all elected Officers of the Town as provided by Massachusetts General Laws Chapter 41, Section 108, as amended, and as appropriated in this warrant.

**READ BY:** Sue Lisio

**VOTED:** Passed Unanimously

## **ARTICLE 7**

I move to appropriate the sum of **\$936,684.00** to operate the Water Department for Fiscal Year 2018 and that **\$703,359.00** of this sum come from Water Enterprise Fund revenues for direct departmental expenses and, in order to fund the cost of indirect inter-municipal expenses, that **\$233,325.00** of this sum be appropriated in the general fund and funded from enterprise revenues, or take any other action in relation thereto.

**READ BY:** Paul Rafuse

**VOTED:** Passed Unanimously

## **ARTICLE 8**

I move to approve the borrowing by the North Middlesex Regional School District (the “District”) of **\$210,000.00** a portion of the amount originally authorized to be borrowed to pay costs of the District’s High School Project (the “Project”), which amount is no longer needed to complete the Project, to pay costs of designing and renovating an existing maintenance garage facility located on the site of the Project, including the payment of all costs incidental and related thereto. The costs of this additional Project element are the sole responsibility of the District and are not eligible for reimbursement from the MSBA.

**READ BY:** Gordon Clark

**VOTED:** Passed by Majority

## **ARTICLE 9**

I move to approve the borrowing by the North Middlesex Regional School District (the “District”) of \$1,800,000.00 a portion of the amount originally authorized to be borrowed to pay costs of the District’s High School Project (the “Project”), which amount is no longer needed to complete the Project, to pay costs of designing and constructing a new artificial turf field to be located on the site of the Project, including the payment of all costs incidental and related thereto. The costs of this additional Project element are the sole responsibility of the District and are not eligible for reimbursement from the MSBA.

**READ BY:** Cindy King

**VOTED:** Passed by Majority

## **ARTICLE 10**

### **Approval of Hawthorne Brook Middle School Project**

I move that the Town will approve the **\$4,109,125.00** borrowing authorized by the North Middlesex Regional School District, for the purpose of paying costs of a window, door, minor structural repairs and leaks and HVAC replacement project at Hawthorne Brook Middle School, located at 64 Brookline Road, Townsend, Massachusetts, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee; that the Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-seven and eleven hundredths percent (57.11%) of eligible, approved project costs, as determined by the MSBA, or (2) the total

maximum grant amount determined by the MSBA; provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 1/2); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA or take any other action relative thereto.

**READ BY:** Susan Robbins

**VOTED:** Passed by Majority

#### **ARTICLE 11A**

I move that the Town hereby approve the \$8,977,987.00 borrowing authorized by the North Middlesex Regional School District, for the purpose of paying costs of the Varnum Brook Elementary School roof, window and HVAC replacement project, located at 10 Hollis Street, Pepperell, Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-seven and eleven hundredths percent (57.11%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 1/2); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

**READ BY:** Randee Rusch

**VOTED:** Passed by Majority

#### **ARTICLE 11B**

I Move to see if the Town will approve the \$4,570,277.00 borrowing authorized by the North Middlesex Regional School District, for the purpose of paying costs of roofing, siding, HVAC and interior repairs at the Squannacook Early Childhood Center, located at 66 Brookline Road Townsend, Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-seven and eleven hundredths percent (57.11%) of eligible, approved project costs, as

determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 ½); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

**READ BY:** William Hackler  
**VOTED:** Passed by Majority

**Motion to adjourn the Town Meeting to May 9, 2017 at 7:00 pm at Memorial Hall was made and seconded. The meeting was adjourned at 11:25 p.m.**

**Town Meeting was reconvened on May 9, 2017. The meeting was called to order at 7:00 pm by the Moderator with 210 voters and 12 visitors present.**

### **ARTICLE 12**

I move to pass over this article.

(Article 12 read as follows: To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury, the sum of \$\_\_\_\_\_for the purpose of supplementing the stabilization fund, as allowed under MGL Chapter 40, Section 5B; or take any other action in relation thereto.)

**READ BY:** Sue Lisio  
**VOTE:** Passed by majority to pass over this article.

### **ARTICLE 13**

I move to pass over this article.

(Article 13 read as follows: To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_for the purpose of supplementing the stabilization fund, as allowed under MGL Chapter 40, Section 5B; or take any other action in relation thereto.

**READ BY:** Gordon Clark  
**VOTED:** Passed unanimously to pass over this article.

### **ARTICLE 14**

I move to implement the FY18 Capital plan as adopted by the Capital Planning Committee as follows:

-Transfer from capital stabilization:

• Cemetery and Parks	Used Single Wheel 1 Ton Truck	\$15,000
• Highway	Truck Mounted Ground Speed Spreader Control	\$46,000
• Highway	Roadside Repairs	\$100,000
• Police Department	Body Armor	\$25,000
• Police Department	Exterior Paint and Repair Police Station	\$35,000
• Fire EMS	Replace Automatic External Defibrillators	<u>\$23,950</u>
		<b>\$244,950 TOTAL</b>

-To borrow:



• Fire EMS	Replace Tanker 1	\$490,000
• FIRE EMS	West Townsend Station Const. Supplemental	<u>\$750,000</u>
		\$1,240,000 TOTAL
		(up to)

and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$1,240,000 pursuant to the provision of G.L. c.44, §§7 or 8, or any other enabling authority, and issue bonds and notes therefor.

-To transfer from Ambulance Receipts Reserved for Appropriation:

• ALS Equipment Replacement	\$56,900
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-To transfer from Water Enterprise System Enhancement Account:

• Main Street Cleaning	\$50,000
• Update Water Masterplan	\$50,000
• Main Line Gate Valve Replacement	\$60,000
• Meadow Rd Main Replacement	<u>\$110,000</u>
	\$270,000 TOTAL

**READ BY:** Cindy King

**Motion was made and seconded to divide this article into four (4) separate votes.**

**VOTE:** Passed by Majority to divide the article into four (4) separate votes.

**VOTE:** Passed Unanimously to transfer from Capital Stabilization the sum of \$244,900 for various items listed above.

**VOTE:** Passed Unanimously to authorize to borrow for Fire/EMS a total up to \$1,240,000 to replace Tanker 1 and West Townsend Station Constructions Supplemental costs.

**VOTE:** Passed Unanimously to transfer \$56,900 from Ambulance receipts reserved for appropriation for ALS equipment replacement.

**VOTE:** Passed Unanimously to transfer from Water Enterprise System Enhancement Account the sum of \$270,000 for Main Street cleaning, update water masterplan, main line gate valve replacement and Meadow Rd main replacement.

### **ARTICLE 15**

I move to transfer from free cash the sum of **\$100,000.00** for the purpose of paying off debt.

**READ BY:** Sue Lisio

**VOTED:** Passed Unanimously

### **ARTICLE 16**

I move to transfer from the Ambulance Receipts Reserved for Appropriation Account the sum of **\$67,870.00** for the purpose paying the second installment for the completely outfitted and equipped ambulance for the Fire-EMS Department.

**READ BY:** Gordon Clark

**VOTED:** Passed Unanimously

### **ARTICLE 17**

I move to transfer from free cash, the sum of **\$175,000.00** for the purpose of funding equipment, upgrades, and repairs to the Town's public safety communications infrastructure system.

**READ BY:** Cindy King

**VOTED:** Passed by Majority

### **ARTICLE 18**

I move to transfer from Water Enterprise Retained Earnings, the sum of **\$469,000.00** for the purpose of funding the complete restoration of the Fitchburg Road water storage tank and for all other costs incidental and related thereto.

**READ BY:** Nathan Mattila

**VOTED:** Passed by Majority

### **ARTICLE 19**

I move to pass over this article.

(Article 19 read as follows: To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury, the sum of **\$\_\_\_\_\_** for the purpose of funding road improvements, or take any other action in relation thereto.

**READ BY:** Sue Lisio

**VOTED:** Passed by Majority

### **ARTICLE 20**

I move that the Town vote to accept the provisions of Massachusetts General Laws Chapter 41, Section 69B, which would give the Board of Water Commissioners exclusive charge and control of the Water Department, subject to all lawful by-laws and to such instructions, rules and regulations as the Town may from time to time impose by its vote.

**READ BY:** Nathan Mattila

**VOTED:** Passed by Majority

### **ARTICLE 21**

I move to accept the provisions of Massachusetts General Law Chapter 40, section 8J: Disability Commission; powers and duties; members; terms.

**READ BY:** Cindy King

**VOTED:** Passed by majority

## **ARTICLE 23**

I move to replace §145-36 with the following bylaw:

### **§145- 36 Accessory Apartments**

#### **A. Purpose.**

For the purpose of (a) providing small additional dwelling units to be occupied without adding to the number of buildings in the Town, or substantially altering the appearance of the Town, (b) providing alternative housing options; and (c) enabling owners of single-family dwellings larger than required for their present needs to share space and the burdens of home ownership.

#### **B. Procedures.**

1. Accessory apartments may be allowed in the Residential A and B, Downtown Commercial, Neighborhood Commercial, Outlying Commercial Districts by-right the lot is more than two (2) acres.
2. Accessory apartments may be allowed in the Residential A and B, Downtown Commercial, Neighborhood Commercial, Outlying Commercial Districts on lots less than two (2) acres by Special Permit §145-65.
3. All Accessory Apartments shall adhere to the following conditions:
  - (a) A plot plan of the existing dwelling unit and proposed accessory apartment shall be submitted to the Building Inspector and the Board of Health, showing the location of the building on the lot, the proposed accessory apartment, location of any septic system and required parking.
  - (b) The property in which the accessory apartment is located shall be owned under a single deed.
  - (c) The owner of the premises must occupy one of the units, except for temporary absences.
  - (d) Not more than one accessory apartment shall be established on a lot, and must be attached or within the primary dwelling.
  - (e) The footprint of the structure in which the accessory apartment is to be located shall not be increased by more than 800 square feet and shall retain the appearance of a single-family structure. The primary dwelling and the accessory apartment shall each be an independent living unit, each containing a kitchen and bath and a minimum of one bedroom or bedroom living area. Any such increase in the footprint shall not exacerbate an existing nonconformity nor create a new nonconformity and should still meet the dimensional requirements of a single-family home.
  - (f) Sufficient and appropriate area for at least one additional parking space shall be provided by the owner to serve the accessory apartment. Said parking space shall be constructed of materials consistent with the existing driveway and, to prevent on-street parking, shall have vehicular access to the driveway, all as set forth in §145-24.
  - (g) No occupancy permit shall be granted without the accessory apartment conformance to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Townsend Board of Health.
  - (h) Any accessory apartments intended for occupancy by a person with a disability shall be subject to the provisions of MGL C. 40A, § 3.
4. Accessory apartments shall be permitted within existing out buildings with the following provisions met:
  - (a) The lot is at least two (2) acres in size.
  - (b) The external appearance of the structure in which the accessory apartment is to be located shall not be significantly altered from the appearance the existing structure.
  - (c) The footprint of the structure in which the accessory apartment is to be located shall not be increased.
  - (d) The accessory unit shall not exceed 800 square feet. The primary dwelling and the accessory apartment shall each be an independent living unit, each containing a kitchen and bath and a minimum of one bedroom or bedroom living area.

- (e) A plot plan of the existing dwelling unit and proposed accessory apartment shall be submitted to the Building Inspector and the Board of Health, showing the location of the building on the lot, the proposed accessory apartment, location of any septic system and required parking.
  - (f) The property in which the accessory apartment is located shall be owned under a single deed.
  - (g) The owner of the premises must occupy one of the units, except for temporary absences.
  - (h) Not more than one accessory apartment shall be established on a lot.
  - (i) Sufficient and appropriate area for at least one additional parking space shall be provided by the owner to serve the accessory apartment. Said parking space shall be constructed of materials consistent with the existing driveway and, to prevent on-street parking, shall have vehicular access to the driveway, all as set forth in §145-24.
  - (j) No occupancy permit shall be granted without the accessory apartment conformance to the provisions of Title V of the State Sanitary Code, 310 CMR 15.00, and applicable regulations of the Townsend Board of Health.
  - (k) Any accessory apartments intended for occupancy by a person with a disability shall be subject to the provisions of MGL C. 40A, § 3.
5. Any Accessory Apartment, by right or by Special Permit, shall be required to certify every five (5) years that the original conditions are in effect.

**READ BY:** Lance McNally

**VOTED:** Standing count: 83 Yes and 58 No, motion does not carry 2/3 vote.

### **ARTICLE 23**

I move to take no action on Article 23.

(Article 23 read as follows: To see if the Town will vote to amend §145-47 Open Space Multifamily Development Bylaw to include 55+ communities by adding the following underlined language to the bylaw, or take any other action in relation thereto:

D. Permitted uses.

- (1) Detached single-family dwellings, as defined, including all accessory uses allowed appurtenant thereto;
- (2) Two-family dwellings including all accessory uses allowed appurtenant thereto;
- (3) Apartment/multifamily building with six or fewer units per structure;
- (4) Uses permitted within the common open space as described in this section;
- (5) Recreational facilities for OSMD purposes.
- (6) 55+ Developments with six or fewer units per structure

And amend the table to include:

#### **Table of Minimum Requirements**

##### **Zoning District RA, RB**

##### **Single-Family Dwellings**

	<b>With Town Water</b>	<b>Without Town Water</b>
Minimum lot area	20,000 sq. ft.	48,000 sq. ft.
Minimum lot frontage	35 ft.	35 ft.

##### **Two-Family Dwellings**

	<b>With Town Water</b>	<b>Without Town Water</b>
Minimum lot area	30,000 sq. ft.	60,000 sq. ft.

## Zoning District RA, RB

## Apartment/Multifamily Dwellings & 55+ Developments

**READ BY:** Lance McNally

Sue Lisio made a motion to dissolve Town Meeting. The motion was seconded.

The Town Meeting was dissolved at 9:20 p.m.