

TOWN OF MONSON
SPECIAL TOWN MEETING WARRANT



MONDAY, MAY 9, 2016
GRANITE VALLEY MIDDLE SCHOOL

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

TOWN OF MONSON

SPECIAL TOWN WARRANT

To any of the Constables of the Town of Monson in said county:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn all the inhabitants of the Town of Monson qualified to vote in Elections and Town affairs to meet in the Granite Valley Middle School on Thompson Street on Monday, May 9, 2016, A.D. at 7:00 p.m. to act upon the following articles:

ARTICLE 1:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate a sum of money from the Health Insurance Town Share Account to the OPEB Trust Account, or take any other action relative thereto.

Explanation: This transfer funds the Other Post-Employment Benefits (OPEB) account for retired Town of Monson employees. Post-employment benefits include health insurance.

Recommendation:

Finance Committee Recommends, and I Move the Town Vote (F.C.R.I.M.T.V.) to transfer and appropriate \$33,004.76 from the Health Insurance Town Share Account to the OPEB Trust Account.

ARTICLE 2:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Town Planners Salary line item account, or take any other action relative thereto.

Explanation: General accounting error leaving the account short of funds.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$190.00 from the Health Insurance Town Share Account to the Town Planners Salary Account.

ARTICLE 3:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Town Treasurers Salary Account, or take any other action relative thereto.

Explanation: The Board of Selectmen voted to make this position 40 hour per week to account for the added work load of Human Resource responsibilities.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$2000.00 from the Health Insurance Town Share Account to the Town Treasurers Salary Account.

ARTICLE 4:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Town Accountant's Salary Account, or take any other action relative thereto.

Explanation: Due to the hiring and training process of the Town Accountant this account will be short of funds.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$1800.00 from the Health Insurance Town Share Account to the Town Accountant's Salary Account.

ARTICLE 5:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Veteran's Benefits Account, or take any other action relative thereto.

Explanation: The Town of Monson is now supporting additional veterans which were not on veterans' programs at the time the annual budget was developed. The Town will need additional funds to continue benefits for these veterans.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$9000.00 from the Health Insurance Town Share Account to the Veteran's Benefits Account.

ARTICLE 6:

Submitted by: Highway Surveyor

To see if the Town will vote to transfer and appropriate the sum of \$7,000 from the Highway Road Machinery Account to the General Highways and Bridges Account, or take any other action relative thereto.

Explanation: The Highway Road Machinery Account is utilized primarily for the repair of equipment. This year the need for repair has been less than anticipated. The General Highways and Bridges Account is utilized for repair of public roads. Due to increased cost associated with road repair the unallocated money for repairs will be used for road improvements.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$7000.00 from the Highway Road Machinery Account to the General Highways and Bridges Account.

ARTICLE 7:

Submitted by: Town Administrator

To see if the town will vote to transfer and appropriate a sum of money from available funds to the Legal Department Budget, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to pass over this article.

ARTICLE 8:

Submitted by: Fire Chief

To see if the Town will vote to transfer and appropriate a sum of money, from available funds to the Fire Salary and Wages Account, or take any other action relative thereto.

Explanation: Due to higher than anticipated requests for emergency response the Fire Salary and Wages Account will need to be supplemented.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$25,000.00 from the Health Insurance Town Share Account to the Fire Salary and Wages Account.

ARTICLE 9:

Submitted by: Water and Sewer Commissioners

To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Free Cash for pavement repairs at Bunyan Road Station, or take any other action relative thereto.

Explanation: The sum of \$3,800 is being requested for pavement repairs to entrance at Bunyan Road Station.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$3,800.00 from the Water Enterprise Free Cash Account to the Water Enterprise Operating Account.

ARTICLE 10:

Submitted by: Water and Sewer Commissioners

To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Free Cash for pump station control valve modifications, or take any other action relative thereto.

Explanation: The sum of \$5,500 is being requested for pump station control valve modifications and the purchase of a hydrant relieve valve.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$5,500.00 from the Water Enterprise Free Cash Account to the Water Enterprise Operating Account.

ARTICLE 11:

Submitted by: Water and Sewer Commissioners

To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Free Cash to establish a Water Enterprise Pipe Crossing Rehab Capital Account, or take any other action relative thereto.

Explanation: The sum of \$50,000 is being requested for transfer from the Water Enterprise Free

Cash for the purposes of engineering and construction costs related to replacing rotted hanger rods and brackets and missing pipe insulation on the water mains that cross over bridges throughout the Town.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$50,000 from the Water Enterprise Free Cash Account to the Water Enterprise Pipe Crossing Capital Account.

ARTICLE 12:

Submitted by: Finance Director

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money with which to meet bills of previous years, or take any other action relative thereto.

Explanation: This article pays a bill from FY 2015 to Morton Salt. The Town argued successfully for a reduction of cost due to a failure to perform the duties expressed in a contract. After liquidated damages the Town owes \$902.50.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$902.50 from the Health Insurance Town Share Account to the Prior Years Bill Account.

ARTICLE 13:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Selectmen's Wages Account, or take any other action relative thereto.

Explanation: This article is necessary due to an oversight in the budgeting process.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$400.00 from the Health Insurance Town Share Account to the Selectmen's Wages Account.

ARTICLE 14:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Board of Health Salaries Account, or take any other actions relative thereto.

Explanation: This article will fund the position of Health Inspector for the remainder of FY 2016. The shortfall is due to unanticipated operational needs.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$150.00 from the Health Insurance Town Share Account to the Board of Health Salaries Account.

ARTICLE 15:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Council on Aging Salaries Account, or take any other actions relative thereto.

Explanation: This article is necessary due to an increase in hours.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$1400.00 from the Health Insurance Town Share Account to the Council on Aging Salaries Account.

ARTICLE 16:

Submitted by: Finance Director

To see if the Town will vote to transfer and appropriate from available funds a sum of money to the Parks and Recreation Pool Salaries Account, or take any other actions relative thereto.

Explanation: This article is necessary due to an oversight in the budgeting process.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$1900.00 from the Health Insurance Town Share Account to the Parks and Recreation Pool Salaries Account.

ARTICLE 17:

Submitted by: Planning Board

To see if the Town will vote to amend its Zoning Bylaws by deleting the current Section **5.23.3 Locations** in its entirety, and replacing it with the following and further that the Town authorize nonsubstantive changes to the lettering and numbering of the Zoning Bylaw so that it is consistent:

Section 6.23.3 Location

Large Scale Ground Mounted Photovoltaic Installations shall be allowed by right with site plan review on all parcels of land in all Districts, subject to the following minimum lot size requirements, based on the nameplate capacity of the installation:

Array Size (KW, DC)	Minimum Lot Size Required
250 to 650 KW, DC	5 Acres
Over 650 to 1,500 KW, DC	10 Acres
Over 1,500 to 3,000 KW, DC	20 Acres
Over 3,000 KW, DC	50 Acres

Or take any other action relative thereto.

Explanation: The proposed Zoning amendment will provide various minimum lot sizes based

on the amount of kilowatts produced by the solar project as illustrated in the table. The current Bylaw language states that all projects greater than 250kW require a parcel of at least 50 acres. The proposal also strikes language stating that the parcel for the project be in one ownership and transmission lines must be on or abutting the property.

Recommendation:

F.C.R.I.M.T.V. to amend the Monson Zoning Bylaws by deleting the current Section 5.23.3 Locations in its entirety, and replace it with the aforementioned language as written.

ARTICLE 18:

Submitted by: Planning Board

To see if the Town will vote to amend its Zoning Bylaws by deleting the following section to the **Town of Monson Schedule of Use Regulations (Table 1)** and further that the Town authorize nonsubstantive changes to the lettering and numbering of the Zoning Bylaw so that it is consistent:

RV RR CC GC CR I RL WSP FPD

Dwellings & housekeeping facilities

for employees and non-paying SP/ZBA guests of owner or lessee in accessory building

Or take any other action relative thereto.

Explanation: The proposal will remove from the Zoning Bylaw’s Table of Uses the allowance of the use of an accessory building to house employees and non-paying guests through a Special Permit from the Zoning Board of Appeals. This use will no longer be permitted in the Town of Monson.

Recommendation:

*F.C.R.I.M.T.V. to amend the Monson Zoning Bylaws by deleting the aforementioned section to the **Town of Monson Schedule of Use Regulations (Table 1)**.*

ARTICLE 19:

Submitted by: Planning Board

To see if the Town will vote to amend its Zoning Bylaws by adding the following section to the **Town of Monson Schedule of Use Regulations (Table 1), Accessory Uses, Home Occupation** and further that the Town authorize nonsubstantive changes to the lettering and numbering of the Zoning Bylaw so that it is consistent:

f. All operations of the Home Occupation shall meet the performance standards listed in Section 5.1

Or take any other action relative thereto.

Explanation: All Home Occupations will be required to meet the Performance Standards as detailed in Section 5.1 of the Zoning Bylaw. The Performance Standards cover the following areas: Lighting, Noise, Odor, Storm Water Runoff, Erosion Control, Water Quality, Explosive Materials, Screening and Buffer Zones, and Landscaped Buffer Strip. Please see ***Attachment A*** for **Section 5.1** in its entirety.

Recommendation:

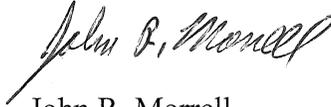
F.C.R.I.M.T.V. to amend the Monson Zoning Bylaws by adding the aforementioned section to the Town of Monson Schedule of Use Regulations (Table 1), Accessory Uses, Home Occupation.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 12th day of April, 2016.



Richard M. Smith, Chairman



John R. Morrell



Edward S. Harrison

MONSON BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

Pursuant to the within Warrant, I have notified and warned the legal voters of the Town of Monson by posting an attested copy of said Warrant in at least two places in said Monson fourteen days at least before the time appointed for holding the meeting aforesaid.

A true copy,

ATTEST:



Constable of Monson



Town Clerk

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ATTACHMENT A

5.1 PERFORMANCE STANDARDS FOR GENERAL AND CENTRAL COMMERCIAL AND INDUSTRIAL USES

5.1.1 Purpose and Applicability. The purpose of environmental performance standards is to ensure that any use allowed by right or Special Permit in any district is conducted in a manner which does not adversely affect the surrounding natural or human environment by creating a dangerous, injurious or objectionable condition. The following environmental controls shall be enforced by the building inspector and shall apply throughout the life of the use or structure.

5.1.2 Lighting

1. Any outdoor lighting fixture newly installed or replaced shall be shielded so that it does not produce a strong, direct light beyond the property boundaries.
2. No light shall be taller than twenty-five (25) feet.

5.1.3 Noise

1. Excessive noise at unreasonable hours shall be muffled so as not to be objectionable due to volume, frequency, shrillness or intermittence.
2. The maximum permissible sound pressure level of any continuous, regular or frequent source of sound produced by any use or activity shall not exceed the following limits at the property line of the sound source:

Source Pressure Level Limits Measured in dB(A's)

<u>District</u>	<u>7 a.m. - 10 p.m.</u>	<u>10 p.m. - 7 a.m.</u>
General & Central Commercial	65	60
Industrial	70	65
Residential	55	45

Sound pressure level shall be measured at all major lot lines, at a height of at least four (4) feet above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Standards Institute, ANSI SI.4-1961 "American Standards Specification for General Purpose Sound Level Meters". The instrument shall be set to the A-weighted response scale and the meter to slow response. Measurements shall be conducted in accordance with ANSI SI.2-1962 "American Standard meter for the Physical Measurements of Sound".

3. Sound levels specified shall not be exceeded for more than 15 minutes in any one day, except for temporary construction or maintenance work, agricultural activity, timber harvesting, traffic or railway noise, church bells, emergency warning devices, parades or other similar special circumstances.
4. No person shall engage in or cause very loud construction activities on a site abutting residential use between the hours of 10 p.m. of one day and 7 a.m. of the following day.

5.1.4 Odor. No use shall be permitted to produce excessive, offensive or harmful odors, fumes, dust or vibration perceptible without instruments for more than 15 minutes in any one day at any location more than 200 feet from the boundaries of the originating premises, except for temporary construction or maintenance work, agricultural activity, parades or similar special circumstances.

5.1.5 Storm Water Runoff. In those areas not served by storm drains, the rate of surface water run-off from a site shall not increase after construction. If needed to meet this requirement and to maximize groundwater recharge, increased runoff from impervious surfaces shall be recharged on site by being diverted to vegetated surfaces for infiltration or through the use of detention ponds. Dry wells shall be used only where other methods are and shall require oil, grease and sediment traps to facilitate removal of contaminants.

5.1.6 Erosion Control. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree removal and any grade changes shall be in keeping with the general appearance of neighboring developed areas. These regulations are intended to supplement the Wetlands Protection Act. Erosion of soil and sedimentation of streams and water bodies shall be minimized by using the following erosion control practices:

1. The duration of exposure of disturbed areas due to stripping of vegetation, soil removal, and regarding shall be kept to a minimum.
2. During construction, temporary vegetation and/or mulching shall be used to protect exposed areas from erosion. Until a disturbed area is permanently stabilized, sediment in runoff water shall be trapped by using staked haybales or sedimentation traps.
3. Permanent erosion control and vegetative measures shall be in accordance with the erosion/sedimentation/vegetative practices recommended by the Soil Conservation Service.
4. All slopes exceeding 15% resulting from site grading shall be either covered with 4 inches of topsoil and planted with a vegetative cover sufficient to prevent erosion or be stabilized by a retaining wall.
5. Dust control shall be used during grading operations if the grading is to occur within 200 feet of an occupied residence or place of business. Dust control methods may consist of grading fine soils on calm days only or dampening the ground with water.

5.1.7 Water Quality. All outdoor storage facilities for fuel, hazardous materials or wastes, and potentially harmful raw materials shall be located within an impervious, diked containment area adequate to hold the total volume of liquid kept within the storage area.

5.1.8 Explosive Materials. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are located in anchored tanks at least seventy-five (75) feet from any lot line, town way or interior roadway or 40 feet from lot line for underground tanks; plus all relevant federal and state regulations shall also be met. Propane gas tanks in 100 lb. cylinders (or smaller) shall be exempt from these safety regulations.

5.1.9 Screening and Buffer Zones. Exposed storage areas, exposed machinery installation, sand and gravel extraction operations and areas used for the storage or collection of discarded automobiles, auto parts metal or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to eliminate their adverse impact on surrounding properties (a dense evergreen hedge 6 feet or more in height). All such plantings shall be maintained as an effective visual screen; plants, which die, shall be replaced within one growing season. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and be maintained in good condition.

5.1.10 Landscaped Buffer Strip. A landscaped buffer strip is intended to provide in a reasonable time a visual barrier between different land uses. Except for vehicular and pedestrian passways, the area shall be used only for an interplanting of deciduous and evergreen trees and shrubs, with lawn or other suitable and appropriate ground cover. Suitable existing growth may be incorporated into the planting. Where considered appropriate in the judgment of the permit granting authority, walls and fences may be used in lieu of plantings. a planting plan showing the types, sizes and locations of material to be used shall be subject to the approval of the permit granting authority. The permit granting authority may waive the requirements of the visual barrier where it deems it advisable, for example, where a street is the dividing line between different land uses. Proper maintenance of a required landscaped buffer strip shall be the responsibility of the owner, and shall be a condition of conformance with the Zoning Bylaw. The buffer strip shall be sufficient to mitigate any noise and/or dust that may arise during the construction phase of the development or that may result from the normal daily operation of the development.