

**SPECIAL TOWN MEETING
TOWN OF WHATELY
OCTOBER 27, 2011**

Pursuant to the within warrant a special meeting of the Town of Whately held at the Whately Elementary School at 273 Long Plain Road was called to order on Thursday, October 27, 2011 at 7:00 p.m. by Moderator Paul M. Fleuriel, Jr. Town Clerk, Lynn M. Sibley, read the Constable's return of the warrant. There were 36 voters in attendance.

Article 1. A motion was made and seconded regarding this article. The Planning Board made a presentation on why these particular zoning changes were being recommended by them.

After the presentation and some brief discussion, it was

Voted that the Town revise its existing Zoning Bylaws, Chapter 171 of the Code of the Town of Whately, by adopting a new Section 171-28.5. Solar Electric Generating Facilities and adopting changes to Section 171.8. Table of Use Regulations, Section 171-17. Site Plan Review and Section 171-37. Terms Defined related to the proposed Section 171.28.5 in the form available at Town Meeting labeled "Town Meeting Version" and dated October 25, 2011 as follows: (Additions are in italics and deletions are underlined and in brackets)

SECTION 171-28.5: Solar Electric Generating Facilities

A. Purpose

The purpose of this bylaw is to facilitate the creation of new Large-Scale Ground-Mounted Solar Electric Installations (see Section 171-37. Terms defined) by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on environmental, scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

(1) Applicability – The provisions set forth in this section shall apply to the construction, operation, repair and/or removal of Large-Scale Ground-Mounted Solar Electric Installations greater than 10 kW. Smaller scale (10 kW or less) ground mounted solar electric installations which are an accessory structure to an existing residential or non-residential use do not need to comply with this section, but require a building permit and must comply with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements and other provisions of Whately's Zoning Bylaws such as setback requirements.

Large-Scale Ground-Mounted Solar Electric Installations greater than 10 kW up to 500 kW that occupy no more than 2 acres of land proposed to be constructed in the Agricultural/Residential District 2, Commercial, Commercial-Industrial, or Industrial Zoning Districts are allowed by right but are subject to Site Plan Review (see Section 171-17) and the requirements of this section.

Large-Scale Ground-Mounted Solar Electric Installations which require a Special Permit and Site Plan Review in accordance with the Zoning Bylaws of the Town of Whately in addition to meeting the requirements of this section are as follows:

- (a) an installation larger than 500 kW; or
- (b) an installation occupying more than 2 acres of land on one or more adjacent parcels in common ownership (including those separated by a roadway) in the Agricultural Residential 2, Commercial, Commercial-Industrial or Industrial Zoning Districts.

This section also pertains to physical modifications that materially alter the type, configuration, or size of Large-Scale Ground-Mounted Solar Electric installations or related equipment.

All buildings and fixtures forming part of a solar electric installation shall be constructed in accordance with the Massachusetts State Building Code.

B. General Requirements for all Large Scale Solar Ground-Mounted Solar Electric Installations

The following requirements are common to all Large-Scale Ground-Mounted Solar Electric installations.

(1) Compliance with Laws and Regulations

The construction and operation of all Large-Scale Ground-Mounted Solar Electric Installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar electric installation shall be constructed in accordance with the Massachusetts State Building Code.

(2) Building Permit and Building Inspection

No Large-Scale Ground-Mounted Solar Electric Installations shall be constructed, installed or modified as provided in this section without first obtaining a building permit and paying any required fees.

C. Site Plan Review

Large-Scale Ground-Mounted Solar Electric Installations shall undergo Site Plan Review (see Section 171-17) by the Planning Board prior to construction, installation or modification as provided in this section.

(1) General

All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

(2) Required Documents

The project proponent shall provide the following documents in addition to or in coordination with those required for Site Plan Review (see Section 171-17):

(a) A site plan showing:

- i. Property lines, map and lot from the Assessor's records, and physical features, including roads and topography, for the project site;
- ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures including their height;
- iii. Locations of wetlands and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP)

- iv. Locations of Floodplains or inundation areas for moderate or high hazard dams;
 - v. Locations of local or National Historic Districts and Priority Heritage Landscapes;
 - vi. A list of any hazardous materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment, as appropriate;
 - vii. Blueprints or drawings of the solar electric installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
 - viii. A copy of an Interconnection Application filed with the utility including a one or three line electrical diagram detailing the solar electric installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
 - ix. Documentation of the major system components to be used, including the electric generating components, transmission systems, mounting system, inverter, etc.;
 - x. Documentation by an acoustical engineer of the noise levels projected to be generated by the installation;
 - xi. Name, address, and contact information for proposed system installer;
 - xii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
 - xiii. The name, contact information and signature of any agents representing the project proponent; and
 - xiv. Documentation of actual or prospective access and control of the project site;
 - xv. Provision of water including that needed for fire protection; and
 - xvi. Existing trees 6" caliper or larger and shrubs.
- (b) An operation and maintenance plan (see Section 171-28.5 E.);
- (c) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- (d) Proof of liability insurance; and
- (e) Description of financial surety that satisfies Section 171-28.5 K.

D. Site Control

The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar electric installation.

E. Operation & Maintenance Plan

The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Electric Installation, which shall include measures for maintaining safe access to the installation, storm water and vegetation controls, as well as general procedures for operational maintenance of the installation.

F. Utility Notification

No Large-Scale Ground-Mounted Solar Electric Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar electric installation owner or operator's intent to install an interconnected facility. Off-grid systems shall be exempt from this requirement.

G. Dimension and Height Requirements

(1) Setbacks For Large-Scale Ground-Mounted Solar Electric Installations, front, side and rear setbacks shall be as follows:

- (a) Front yard: The front yard depth shall not be less than 50 feet.
- (b) Side yard: Each side yard shall have a depth of at least 35 feet.
- (c) Rear yard: The rear yard depth shall not be less than 35 feet.

The required setback areas should not be included in the 2 acre maximum calculation for By-Right solar electric installations (see Section 171-28.5 A.).

(2) Appurtenant Structures

All appurtenant structures to Large-Scale Ground-Mounted Solar Electric Installations shall be subject to regulations concerning the bulk and height of structures, lot area, and setbacks as specified in Section 171-28.5 G., open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be screened from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

(3) Height of Structures

The height of any structure associated with a Large-Scale Ground-Mounted Solar Electric Installation shall not exceed 35 feet.

H. Design and Performance Standards

(1) Lighting

Lighting of solar electric installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Lighting of the solar electric installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

(2) Signage

Signs on Large-Scale Ground-Mounted Solar Electric Installations shall comply with Whately's sign bylaw, Section 171-14. A sign consistent with Whately's sign bylaw shall be required to identify the owner and provide a 24-hour emergency contact phone number.

Solar electric installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar electric installation.

(3) Utility Connections

Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar electric installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider.

Electrical transformers for utility interconnections may be above ground if required by the utility provider.

(4) Roads

Access roads shall be constructed to minimize grading, removal of stone walls or trees and minimize impacts to environmental or historic resources.

(5) Control of Vegetation

Herbicides may not be used to control vegetation at the solar electric installation. Mowing, grazing or using geotextile materials underneath the solar array are possible alternatives.

(6) Hazardous Materials

Hazardous materials stored, used, or generated on site shall not exceed the amount for a Very Small Quantity Generator of Hazardous Waste as defined by the DEP pursuant to MassDEP regulations 310 CMR 30.000 and shall meet all requirements of the DEP including storage of hazardous materials in a building with an impervious floor that is not adjacent to any floor drains to prevent discharge to the outdoor environment. If hazardous materials are utilized within the solar electric equipment then impervious containment areas capable of controlling any release to the environment and to prevent potential contamination of groundwater are required.

(7) Noise

Noise generated by Large-Scale Ground-Mounted Solar Electric Installations and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10. A source of sound will be considered in violation of said regulations if the source:

- a. increases the broadband sound level by more than 10 db(A) above ambient; or
- b. produces a "pure tone" condition, when an octave band center frequency sound pressure level exceeds the two (2) adjacent center frequency sound pressure levels by three (3) decibels or more.

Said criteria are measured both at the property line and at the nearest inhabited residence. "Ambient" is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment hours, unless established by other means with the consent of the DEP. Noise generated shall further comply with Section 171-15 B (1) of the Town of Whately bylaws.

(8) Impact on Agricultural and Environmentally Sensitive Land

The facility shall be designed to minimize impacts to agricultural and environmentally sensitive land and to be compatible with continued agricultural use of the land whenever possible.

(9) Drainage

The design shall minimize the use of concrete and other impervious materials to the greatest extent possible.

(10) Screening

Large-Scale Ground-Mounted Solar Electric Installations shall be screened from view by a minimum fifteen (15) foot wide staggered and grouped planting of shrubs and small trees. Such plantings shall use native plants and a mix of deciduous and evergreen species and may be located within the setback area.

I. Safety and Environmental Standards

(1) Emergency Services

The Large-Scale Ground-Mounted Solar Electric Installations owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar electric installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

(2) Land Clearing, Soil Erosion and Habitat Impacts

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Electric Installation or otherwise prescribed by applicable laws, regulations, and bylaws. Such installations shall not occur on any slopes greater than 15% in order to minimize erosion.

J. Monitoring, Maintenance and Reporting

(1) Solar Electric Installation Conditions

The Large-Scale Ground-Mounted Solar Electric Installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Management Director. The owner or operator shall be responsible for the cost of maintaining the solar electric installation and any access road(s).

(2) Modifications

All material modifications to a solar electric installation made after issuance of the required building permit shall require approval by the Planning Board.

(3) Annual Reporting

The owner or operator of the installation shall submit an Annual Report which certifies compliance with the requirements of this bylaw and their approved site plan including control of vegetation, noise standards, and adequacy of road access. The Annual Report shall also provide information on the maintenance completed during the course of the year and the amount of electricity generated by the facility. The Annual Report shall be submitted to the Select Board, Planning Board, Fire Chief, Emergency Management Director, Building Inspector, Board of Health and Conservation Commission (if Wetlands Permit was issued) no later than 45 days after the end of the calendar year.

K. Abandonment or Decommissioning

(1) Removal Requirements

Any large-scale ground-mounted solar electric installation which has reached the end of its useful life or has been abandoned consistent with Section 171-28.5 K. of this bylaw shall be removed. The owner or operator shall physically remove the installation within 150 days of abandonment or the proposed date of decommissioning and if not the town retains the right, after the receipt of an appropriate court order, to enter and remove an abandoned, hazardous or decommissioned Large-Scale Ground-Mounted Solar Electric Generating Installation. As

a condition of Site Plan or Special Permit approval, an applicant shall agree to allow entry to remove an abandoned or decommissioned installation. The cost for the removal will be charged to the property owner in accordance with the provisions of M.G.L. 139, Section 3A as a tax lien on the property. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all Large-Scale Ground-Mounted Solar Electric Installations, structures, equipment, security barriers and transmission lines from the site, including any materials used to limit vegetation.
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(2) Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar electric installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the Large-Scale Ground-Mounted Solar Electric Installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may enter the property and physically remove the installation.

(3) Financial Surety

Proponents of Large-Scale Ground-Mounted Solar Electric Installations shall provide a form of surety, either through escrow account, bond or other form of surety approved by the Planning Board to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent and the Town. Such surety will not be required for municipal or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

~ 171-8. Table of Use Regulations.

A. The following Table of Use Regulations is hereby adopted as part of this Zoning Bylaw. The following code shall apply:

Y = Yes, the use is permitted by right in that zoning district.

N = No, the use is not permitted in that zoning district.

SP = The use is allowed in that zoning district only after a special permit has been granted.

* = Site Plan Review required (See Section 171.17 for other uses requiring Site Plan Review)[added ATM 4-27-2010, Art 11] B

¹The Table of Use Regulations shall be as follows: [Amended ATM 4-27-2010, Art 11]

Principal Use	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
Residential Use					
Single-family detached dwellings	Y	Y	Y	N	N
2-Family detached dwellings (see~171-20)	SP	SP	SP	N	N
Multifamily dwelling units (apartments, townhouses and condominiums, if in compliance with ~171-20)	SP	SP	SP	N	N
Converted single-family dwellings (see ~171-21)	SP	SP	SP	N	N
Lodging houses or boardinghouses (not part of a residential dwelling)	SP	SP	SP	SP	SP
Congregate Elderly Housing Facilities (see ~171-23)	SP	SP	SP	N	N
Open Space/Cluster Residential Subdivision Developments (see ~171-25)[amended ATM 4-27-10]	Y*	Y*	Y*	N	N
Flexible Residential Development (see ~171-24.2)[added ATM 4-27-10]	Y*	Y*	Y*	N	N
Accessory Apartment (see definitions) [added ATM 4-27-10]	SP	SP	SP	N	N
Agricultural Uses					
Farm, orchard, nursery, market garden, forestry, sugarhouse, greenhouse or other use of land for agricultural, horticultural, floricultural or viticultural production. The use may include retail sale of agricultural products, provided that the major portion of those products have been produced on the premises.	Y	Y	Y	Y	Y
Year-round commercial greenhouses, salesrooms or stands for wholesale or retail sale of horticultural products on 5 acres or more.	Y	Y	Y	Y	Y
Except for commercial piggeries or poultry, the raising or keeping of commercial or noncommercial domestic animals	Y	Y	Y	Y	Y
Year-round commercial greenhouses, salesrooms or stands for wholesale or retail sale of horticultural products, commercial poultry or piggeries on lots of less than 5 acres.	SP	SP	SP	SP	SP
Reservations, wildlife preserves or other conservation areas	Y	Y	Y	Y	Y

¹ Editor's Note: Former Subsection B, dealing with uses not listed, was repealed by 2-5-1991 STM, Art. 2. Said Article also redesignated former Subsection D as this Subsection B.

Accessory Uses	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
Tourist homes/bed-and-breakfast establishments (see ~ 171-22)	SP	SP	SP	SP	SP
Home occupations (see ~ 171-11)	Y	Y	Y	Y	Y
Amateur radio towers or antennas (see ~171-28.3)	SP	SP	SP	SP	SP
Community Facilities					
Churches or other religious organizations	Y	Y	Y	Y	Y
Hospitals/nursing homes	SP	SP	SP	SP	SP
Educational uses exempted from zoning regulation under the Zoning Act, MGL C. 40A, ~ 3	Y	Y	Y	Y	Y
Other educational uses	SP	SP	SP	SP	SP
Municipal or nonprofit cemeteries	SP	SP	SP	SP	SP
Membership lodges or clubs (nonprofit)	SP	SP	Y	SP	SP
[Water-powered or wind-powered generators, up to 80 megawatts]	[SP]	[SP]	[SP]	[SP]	[SP]
[Other power plants]	[N]	[N]	[N]	[N]	[N]
Public utility service stations or facilities, radio or television stations or transmitting facilities, railroad or bus depots or other public utility or communications uses	SP	SP	SP	SP	SP
Municipal administration, fire, police or library buildings	SP	SP	SP	SP	SP
Other municipal or governmental uses	SP	SP	SP	SP	SP
Public Parks, playgrounds or other public recreational facilities	Y	Y	Y	Y	Y
Commercial Uses					
Hotels/motels/inns (on public water only)	SP	SP	SP	SP	SP
Eat-in restaurants, bars or lounges for serving food or drinks inside the building [amended ATM 4-27-10, Art 11]	SP	N	SP	SP	SP
Take-out or drive-in food services	N	N	SP	SP	SP
Professional and business offices, including but not limited to medical, legal, banking, insurance and real estate, unless qualifying as a home occupation (see ~ 171-11)	N	N	Y	Y	SP
Retail establishments or developments where all sales, display and storage of merchandise is within the building, with a floor area of 10,000 square feet or less	N	N	SP	SP	SP

Commercial Uses (cont.)	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
Retail establishments or developments where all sales, display and storage of merchandise is within the building, with a floor area greater than 10,000 square feet	N	N	N	N	N
Personal and consumer service establishments	N	N	Y	SP	SP
Dry-cleaning establishments or Laundromats	N	N	N	N	N
Car Washes	N	N	N	N	N
Gas stations, sales of motor vehicle fuel or storage and sale of other fuels	N	N	N	N	N
Automotive repair and servicing shops	N	N	SP	SP	SP
Automobiles, vehicles, boats or equipment sales/service	N	N	SP	SP	SP
Veterinary hospital where all animals are kept inside a permanent building	SP	SP	SP	SP	SP
Service and repair shops for appliances, small equipment, office and household items and other similar products, unless Qualifying as a home occupation (see ~ 171-11)	N	N	Y	Y	SP
Business service and supply service establishments (i.e., automobile parts, office equipment, maintenance service), contractors, tradesperson shops or craft workshops conducted entirely within a building, unless qualifying as a home occupation (see ~ 171-11)	N	N	Y	Y	SP
Indoor commercial recreation, including but not limited to bowling alleys and theaters	N	N	SP	SP	SP
Craft workshops involving the use of hazardous materials, where all work is to be conducted within a building	N	N	SP	SP	SP
Newspaper or job-printing establishments	N	N	Y	Y	Y
Outdoor commercial recreation, including but not limited to camping areas and golf courses	SP	SP	SP	SP	SP
Open storage of feed, raw materials, finished goods, lumber or building supplies for commercial sale	N	N	SP	SP	SP
Adult Entertainment	N	N	N	N	N
Earth Removal	SP	SP	SP	SP	SP
Light Industrial Uses					
Warehouses, wholesale trade and distribution, bulk storage or the storage of materials, merchandise, products or equipment, provided that the use is within an enclosed building and is not hazardous	N	N	SP	SP	Y

Light Industrial Uses (cont.)	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
Printing, publishing or data processing	N	N	SP	SP	Y
Enclosed assembly, bottling, packaging or finishing plants of nonhazardous materials	N	N	SP	SP	Y
Research and development facilities not involving hazardous materials	N	N	N	N	SP
Other light industrial uses not involving the use of hazardous materials as a principal activity, provided that the use will not be offensive, injurious, noxious or hazardous	N	N	SP	SP	SP
Any industrial or commercial uses which involve the discharge of process wastewater to the ground, except wastewater from personal hygiene and food [Amended 2-5-1991 STM, Art. 2]	N	N	N	N	N
Automobile salvage or junkyards	N	N	N	N	N
Burial, incineration, storage, disposal, collection and treatment of low, medium and high levels of radioactive wastes (see ~ 171-28)	N	N	N	N	N
Permanent sawmills	SP	SP	SP	SP	SP
Temporary sawmills	SP	SP	Y	Y	Y
<i>Ground Mounted Solar Power Generating Facilities greater than 10 kW¹ up to 500 kW that occupy no more than 2 acres and meet the requirements of Section 171-28.5</i>	N	Y*	Y*	Y*	Y*
<i>Ground Mounted Solar Power Generating Facilities greater than 500 kW or occupying more than 2 acres that meet the requirements of Section 171-28.5</i>	N	SP*	SP*	SP*	SP*
<i>Water-powered or wind-powered generators, up to 80 megawatts</i>	SP	SP	SP	SP	SP
<i>Other power plants</i>	N	N	N	N	N
Nonresidential uses [Added 5-7-1991 ATM, Art. 24]					
Nonresidential uses which manufacture, process, store or dispose of hazardous wastes, except for agricultural uses, in amounts exceeding the minimum threshold amount requiring compliance with Department of Environmental Protection hazardous waste regulation 310 CMR 30	N	N	N	SP	SP

Nonresidential uses (cont.) [Added 5-7-1991 ATM, Art. 24]	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
Nonresidential uses, except for agricultural uses, which involve hazardous materials, including but not limited to trucking or busing terminals; golf courses; slaughterhouses; or wood preserving, furniture stripping and refinishing operations	N	N	N	SP	SP
Solid waste landfills, dumps and salvage yards	N	N	N	N	N
Outdoor storage of pesticides	N	N	N	N	N
The commercial dumping of snow contaminated by salt or deicing chemicals	N	N	N	N	N
Stump Dump	SP	SP	SP	SP	SP
Other principal uses where the physical appearance, operation, parking requirements, and traffic impacts closely resemble a use permitted by right or special permit and which shall not have a detrimental impact on adjacent or nearby uses	SP	SP	SP	SP	SP

I – Ground Mounted Solar Power Generating facilities of 10kW or less which are an accessory use to a residential or non-residential use are allowed “by right”. Roof mounted solar power generating facilities are allowed “by-right”.

C. All uses allowed by right or special permit, other than single-family residences, uses and accessory structures, shall require site plan review in accordance with ~ 171-17 of this chapter.

D. Uses allowed in the Planned Industrial District shall be as specified in the Planned Industrial District Regulations, ~ 171-28.1 of this chapter. [Added 2-5-1991 STM, Art. 2]. [Please note that there are currently no areas in Whately which are zoned for Planned Industrial District].

~ 171-17. Site plan review and review of large developments.

A. Site plan review.

(1) Purpose. The purpose of site plan review is to further the purpose of this chapter and to ensure that new development is designed in a manner which reasonably protects the visual, environmental and aesthetic qualities of the neighborhood and the town.

(2) Projects requiring site plan review. Any residential, commercial, industrial or institutional use allowed by right or special permit in any district, including subdivisions, shall require site plan review, except that single-family dwellings on individual lots and normal agricultural uses are exempt. *Site plan review of a Large-Scale Ground-Mounted Solar Installation is subject to the requirements of Section 171-28.5 as well as those of this Section, ~171-17.*

(3) Procedures.

(a) An applicant for site plan review shall file a completed application with the Planning Board, at a regularly scheduled meeting. The application shall include six copies each of an

application form, site plan and any narrative documents as necessary. The Planning Board Chairperson shall acknowledge receipt of the plans by signing and dating the application form. A copy of the completed application shall be filed with the Town Clerk by the applicant. The Planning Board shall transmit copies of the application to appropriate Town Boards and municipal officials. This may include the Special Permit Granting Authority if a Special Permit has also been applied for, the Conservation Commission, the Zoning Board of Appeals, the Board of Health, the Historical Commission, the Highway Superintendent, the Fire Chief or the Building Inspector. These Town Boards and municipal officials shall have 45 days from the date the completed application is received from the Planning Board to report to the Planning Board their findings and recommendations. Failure to report in the allotted time shall constitute approval of the application submitted by that Board or municipal official.

(b) The Planning Board shall hold a public hearing within 65 days after the filing of an application and shall take final action on an application for site plan approval within 90 days of the public hearing. Notice and posting of the public hearing shall comply with the provisions of the Zoning Act, MGL C. 40A, ~ 11, regarding notice for public hearings.

(c) No building permits for projects requiring site plan review shall be issued until the Planning Board has approved the site plan or unless the required time period for taking action on a site plan has lapsed without action from the Planning Board.

(d) The Planning Board may adopt and from time to time amend regulations for the submission and approval of site plans.

(e) The Planning Board may waive any of the requirements for site plan submittal and approval if the simplicity or scale of the project warrants such action. The Planning Board may also request any additional information it should need to render a decision.

(f) The Planning Board may expedite the procedure for reviewing site plans for simple projects by holding the public hearing and taking action on the site plan as soon as possible after the filing of an application for site plan review.

(g) Site plan review shall judge the appropriateness of the design of a project. Any question to the appropriateness of the use shall be governed by the Table of Use Regulations or the special permit review process.

(h) For large or complex projects, the Reviewing Board shall have the right to retain a registered professional engineer, planner, designer or other professional to advise the Board regarding any or all aspects of the site plan. The applicant shall be responsible for the costs of such advice.

(i) Written Site Plan Review decisions shall be filed with the Town Clerk.

(4) Submittal requirements.

(a) All site plans shall be prepared by a registered architect, landscape architect or professional engineer.

(b) All site plans shall be on standard sheets of 24 inches by 36 inches and shall be prepared at a sufficient scale to show:

[1] The location and boundaries of the lot, adjacent streets or ways and the location and owners' names of all adjacent properties.

[2] Existing and proposed topography, including contours, the location of wetlands, streams, water bodies, drainage swales, areas subject to flooding, unique natural and cultural land features including critical habitat areas identified by the Natural Heritage and Endangered Species Program, wildlife corridors and greenbelt areas identified in the Whately Open Space and Recreation Plan (OSRP), and Priority Heritage Landscapes identified in the Whately Heritage Landscape Inventory Reconnaissance Report (June 2009) and scenic and historic resource areas identified in the OSRP. [Amended ATM 4-27-2010, Art. 11]

[3] Existing and proposed structures, including dimensions and proposed lot lines and proposed orientation of building to maximize solar gain and energy conservation. [Amended ATM 4-27-2010, Art. 11]

[4] The location of proposed public and private ways, parking and loading areas, driveways, walkways, access and egress points. [Amended ATM 4-27-2010, Art. 11]

[5] The location and a description of all proposed septic systems, registered “perc” tests, water supply, storm drainage systems, utilities and refuse- and other waste-disposal methods. [Amended ATM 4-27-2010, Art. 11]

[6] Proposed landscape features, including the location and a description of screening, fencing and plantings including non-invasive species.[Amended ATM 4-27-2010, Art. 11]

[7] The location, dimensions, height and characteristics of proposed signs.

[8] The location and a description of proposed open space or recreation areas and the location of prime farmland soils or soils of state or local importance, active farmland or prime forestland soils. [Amended ATM 4-27-2010, Art. 11]

[9] [Added 5-7-1991 ATM, Art. 20] If the applicant is proposing a use which will use, manufacture, process, store, involve or dispose of hazardous wastes or materials, the following information must be submitted as well:

[a] A complete list of chemicals, pesticides, fuels and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use.

[b] Those businesses using or storing such hazardous materials shall file a hazardous materials management plan with the Planning Board, Board of Health and Fire Chief, which shall include:

[i] Provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage or vandalism, including spill containment and cleanup procedures.

[ii] Provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces.

[iii] Evidence of compliance with the regulations of the Massachusetts Hazardous Waste Management Act, 310 CMR 30.

[c] Drainage recharge features and provisions to prevent loss of recharge.

(c) The applicant shall also submit the following information:

[1] Measures to prevent pollution of surface and ground water, increased runoff, changes in groundwater levels and flooding.

[2] Design features which will integrate the proposed development into the existing landscape, maintain neighborhood character, enhance aesthetic assets and screen objectionable features from neighbors and roadways.

[3] Control measures to prevent erosion and sedimentation and the sequence of grading and construction activities, installation of control measures and final stabilization of the site.

[4] Estimated average daily and peak-hour vehicle trips to be generated by the site and traffic flow patterns for both vehicles and pedestrians, showing adequate access to and from the site and adequate circulation within the site.

[5] Measures to minimize impacts to existing farmland, and agricultural soils classified as prime farmland soils or soils of state or local importance. [Added ATM 4-27-2010, Art. 11]

[6] Measures to minimize impacts to prime forestland, critical habitat areas, and wildlife corridors. [Added ATM 4-27-2010, Art. 11]

[7] Measures to minimize impacts to Priority Heritage Landscapes and scenic and historic resources identified in the OSRP. [Added ATM 4-27-2010, Art. 11]

[8] Other information the Planning Board may reasonably request in order to make a decision. [Added ATM 4-27-2010, Art. 11]

(5) Site plan approval. Site plans shall be approved if the Planning Board determines that the site plan satisfactorily complies with the following design criteria where applicable:

(a) The development shall be integrated into the existing terrain and surrounding landscape and shall include measures to minimize impacts to natural, cultural and scenic resources identified in the site plan. Building sites shall, to the extent feasible: [Amended ATM 4-27-2010, Art. 11]

[1] Minimize use of wetlands, steep slopes and hilltops.

[2] Minimize obstruction of scenic views from publicly accessible locations.

[3] Preserve important or unique natural, scenic or historical features. [Amended ATM 4-27-2010, Art. 11]

[4] Minimize tree, vegetation and soil removal.

[5] Minimize grade changes.

[6] Minimize impacts to farmland and prime farmland soils or soils of state or local importance. [Added ATM 4-27-2010, Art. 11]

[7] Maximize solar orientation for energy conservation or generation. [Added ATM 4-27-2010, Art. 11]

(b) Architectural style is flexible but shall be compatible with the character and scale of buildings in the vicinity through the use of building materials, screening, breaks in roof and wall lines and other architectural techniques. Variation in detail, form and siting shall be used to provide visual interest and to avoid monotony.

(c) Proposed buildings shall relate harmoniously to each other with adequate light, air, circulation and separation between buildings.

(d) The plan shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways.

(e) The site plan shall show adequate measures to prevent pollution of surface or ground water, to minimize erosion and sedimentation and to prevent increasing potential for flooding.

(f) Drainage shall be designed so that runoff shall not be increased, groundwater recharge is maximized and neighboring properties will not be adversely affected. Surface water on paved surfaces shall be collected at intervals so that it will not create puddles and obstruct the flow of vehicular or pedestrian traffic.

(g) Electric, telephone, cable television and other such utilities shall be underground where physically and environmentally feasible.

(h) Exposed storage areas, machinery, service areas, truck loading areas, utility buildings and structures and other unsightly uses shall be set back or screened from the neighbor's view.

(i) The site plan shall comply with any zoning requirements for parking, loading, dimensions, environmental performance standards and all other provisions of this chapter. Before approval of a site plan, the Reviewing Board may request that the applicant make modifications in the proposed design of the project to ensure that the above criteria are met.

B. Review of large developments.

(1) Review required. Wherever any development is proposed, that is allowed by right or special permit according to Section 171-8 Table of Use regulations, in which the total enclosed floor area is over 10,000 square feet, or any development which will require the subdivision of a parcel of land into 10 or more lots, whether a subdivision or not, or the creation of 10 or more dwelling units within one year is proposed, said development shall require the submission of an impact statement to the Planning Board before a building permit is issued. This review will follow the process described below and is required in addition to other requirements of this chapter. The review is designed to prepare the town for the possible impact of a large development and to allow it to recommend modifications calculated to reduce that impact.

(2) Site plans and impact statements.

(a) A detailed site plan of the subdivision or development shall be prepared in accordance with the submittal requirements of the site plan review or special permit sections of this chapter.

(b) The site plan must be accompanied by an impact statement which details the probable effects of the subdivision or development on the following aspects of concern to the town:

- [1] Attendance at public schools.
- [2] Increases in vehicular traffic.
- [3] Changes in the number of legal residences.
- [4] Provision of housing for town residents and for persons of low and moderate income.
- [5] Increases in municipal services.
- [6] Load on public utilities or future demand for them.
- [7] Public safety.
- [8] Changes in tax revenue.
- [9] Changes in surface drainage.
- [10] Increased consumption of groundwater.
- [11] Increased refuse disposal.
- [12] Pollution of water and air.
- [13] Land erosion or loss of tree cover or farmland or farmland soils.
[Amended ATM 4-27-2010, Art. 11]
- [14] Disturbance of other aspects of the natural ecology.
- [15] Blocking of views.
- [16] Harmony with the character of surrounding development.
- [17] Impact on historic, natural, cultural or scenic resources.
[Amended ATM 4-27-2010, Art. 11]

(3) Review process.

(a) The Planning Board will review both the site plan and the impact statement, giving weight to the factors in Subsection B(2) above, as they affect the future of the town and of the neighborhood adjacent to the site. It may ask for further information where necessary to review the application adequately and may make recommendations for modifications to the development as it thinks

proper to protect the town. Approval must be granted, however, if all other provisions of this chapter are met.

(b) One copy of an impact statement submitted to the Planning Board as required by Section 171-17.B. Review of large developments, shall forthwith be forwarded to the Zoning Board of Appeals for its review. The Zoning Board of Appeals shall submit an advisory report to the Planning Board within 45 days from the date of application. Failure to respond within 45 days shall be deemed a lack of objection by the Zoning Board of Appeals. The Planning Board shall consider the Zoning Board of Appeals comments in its decision regarding the review of large developments.

~ 171-37. Terms defined.

As used in this chapter, the following terms shall have the meanings indicated:

ABANDONMENT -- The cessation of a non-conforming use or structure as indicated by the visible or otherwise indicated intention to discontinue a non-conforming use or structure.

ACCESSORY APARTMENT -- An additional dwelling unit consisting of no more than four rooms and no more than 800 square feet of living area in a pre-existing single-family home. An Accessory Apartment may also be located in a pre-existing accessory structure such as a garage or barn provided there is no expansion of square footage of the accessory structure. The Accessory Apartment shall be occupied by no more than two people. The owner of the property shall permanently occupy the principal or accessory residence. Adequate off-street parking shall be provided and parking shall be to the side or rear of the principal structure to the maximum extent possible. [Added ATM 4-27-2010, Art. 12]

ACCESSORY BUILDING OR USE -- A subsidiary building not attached to any principal building, or a use customarily incidental to, and located on the same lot with the principal building or use.

CONGREGATE ELDERLY HOUSING -- A building or buildings arranged or used for the residence of persons age 55 or older, with some shared facilities and services.

CONTAMINATION or POLLUTION -- Any substance introduced to water which exceeds Massachusetts drinking water standards, guidelines or health advisories or any substance detected in quantities determined by the Department of Environmental Protection to negatively impact public health. [Added 5-7-1991 ATM, Art. 23]

DWELLING -- A building or portion of a building used exclusively for the residence of one or more families.

DWELLING UNIT -- A building or portion of a building providing separate and complete living facilities for one family.

FAMILY -- An individual residing in one dwelling unit, a group of persons related by blood, marriage or adoption or a group of not more than four individuals not so related residing in one dwelling unit.

GROUNDWATER -- All waters found beneath the surface of the ground. [Added 5-7-1991 ATM, Art. 23]

HAZARDOUS MATERIAL -- Any substance with such physical or infectious characteristics as to pose a potential hazard to existing or potential water supplies or to human health. "Hazardous materials" include, but are not limited to, toxic chemicals, heavy metals, radioactive or infectious wastes, acids and alkalis, pesticides, petroleum products, herbicides, organic solvents and thinners. [Added 5-7-1991 ATM, Art. 23]

HAZARDOUS WASTE -- Any waste material hazardous to human health or the environment as designated by the United States Environmental Protection Agency under 40 CFR 261 and the Regulations of the Massachusetts Hazardous Waste Management Act, MGL C. 21c. [Added 5-7-1991 ATM, Art. 23]

JUNK or SALVAGE YARD -- An open-air (not enclosed in a structure with an impermeable floor) land use which includes the abandonment, collection, processing, purchase, receipt, storage or sale of scrap or discarded goods, materials, machinery or other type of junk. Exceptions to this definition shall be recycling stations for glass, paper, plastic, aluminum, tin and other items as the Board of Health shall be deem to be recyclable and safe to the immediate environment, including groundwater; leaf and yard waste composting facilities; state-licensed transfer stations; and architectural component facilities. [Added 5-7-1991 ATM, Art. 23]

LARGE-SCALE GROUND-MOUNTED SOLAR ELECTRIC INSTALLATION -- A solar electric system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity greater than 10 kW.

LOT -- A parcel of land, with definite boundaries, described and recorded on a plan or deed in the Franklin County Registry of Deeds.

LOT COVERAGE -- The area of a lot occupied by structures, walkways, drives, parking or other impervious surfaces. [Added 2-5-1991 STM, Art. 6]

LOT FRONTAGE -- The portion of a lot coinciding with a street line, providing both rights of access and potential vehicular access across the lot line to a potential building site. The street upon which the lot has frontage must be determined by the Planning Board to provide adequate access to the premises under the provisions of the Subdivision Control Law and the Whately Subdivision Regulations.² The portion of a lot coinciding with a discontinued road or a road appearing only on paper does not constitute "frontage." Similarly, the portion of a lot coinciding with a road deemed by the Building Inspector, in consultation with the Planning Board, to be impassable does not provide "frontage." In determining whether or not a road is passable, the Building Inspector and the Planning Board shall consider such factors as: the condition of the road bed and the surface of the road, whether the road contains obstructions, whether the road is navigable by ordinary passenger vehicles, whether the road is navigable by emergency vehicles and other appropriate factors.

MOBILE HOME -- A movable or portable dwelling unit on a chassis, designed for connection to utilities when in use and designed with or without the necessity of a permanent foundation for year-round living.

MULTIFAMILY DWELLING -- A building containing more than two dwelling units and not classified as a one- or two-family dwelling.

²Editor's Note: See Ch. 234, Subdivision of Land.

PRINCIPAL USE -- The primary purpose for which land or a building is designed, arranged, maintained or occupied.

RATED NAMEPLATE CAPACITY -- The maximum rated output of electric power production of the Electric system in Alternating Current (AC) or Direct Current (DC).

SINGLE-FAMILY DWELLING -- A detached building containing one dwelling unit.

STRUCTURE -- Anything constructed or erected, the use of which requires a fixed location on the ground, including swimming pools having a capacity of four thousand (4,000) gallons or more and mobile homes. Satellite television or reception dishes shall be deemed "structures" and shall comply with applicable setback and other zoning requirements. Structures are subject to the height requirements of these zoning bylaws. [Added ATM 4-27-2010 Art. 12]

TRAILER OR RECREATIONAL VEHICLE -- A portable dwelling eligible to be registered and insured for highway use and designed to be used for travel, recreational and vacation use, but not for permanent residence; including equipment commonly called "travel trailers," pickup coaches or campers, motorized campers and tent trailers, and recreational vehicles, but not including mobile homes.

TWO-FAMILY DWELLING (DUPLEX) -- A detached building containing two dwelling units.

WAY, ROAD or STREET -- A public way; a way which the Town Clerk certifies is maintained and used as a public way; a way shown on an approved and endorsed subdivision plan in accordance with the Subdivision Control Law; or a way in existence at the time the Subdivision Control Law was adopted by the town. The way shall have, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic and utilities for the proposed use of the land abutting the way.

Passed 33 Yes and 0 No

Article 2. Upon motion made and seconded, it was

Voted to amend the Frontier Regional School District Agreement as follows:

Amendments to the Frontier Regional School District Agreement

Amend Section 1 of the Frontier Regional School District Agreement by deleting Section 1 A. – D.; replacing those paragraphs with the following paragraphs A. – C.; re-lettering paragraphs E to D, F to E, G to F and H to G: adding to the newly re-lettered paragraph D “The Selectboards of Deerfield and Sunderland shall appoint one member each to serve until the annual town elections next following the Amendment to the Regional School District Agreement.” and deleting paragraph H and replacing it with the following paragraph G.

Section I

The Regional District School Committee shall consist of eleven members: two each from Conway and Whately, three members from Sunderland and four members from Deerfield.

A. Composition

The Regional District School Committee, hereinafter referred to as the Committee, shall consist of eleven members: four from the Town of Deerfield, three from the Town of Sunderland, two from the Town of Whately and two from the Town of Conway. As hereinafter provided, four of the eleven members shall be appointed by the local school committees and seven shall be elected by the annual town elections.

B. Appointed Members

Immediately after each annual town election, the local school committee of each member town shall appoint from its own membership one member to serve on the Committee for a term of one year. An appointed members vote shall count as one vote cast on any issue.

C. Elected Members

Of the seven elected members, there shall be three from the Town of Deerfield, two from the Town of Sunderland and one from each of the Towns of Conway and Whately. At the annual town elections next following the Amendment to the Regional School District Agreement, the Town of Deerfield shall elect one additional member to serve on the Committee for a term that will stagger the terms of the elected members; and the Town of Sunderland shall elect one additional member to serve for a term that will stagger the terms of the elected members. Thereafter, at every succeeding annual town election when a member town is required to elect a member, each such town shall elect such member to serve for a term of three years.

An elected member's vote shall be weighted so that each member's vote represents the towns population as a percentage of the population of the whole district divided by the number of elected members from that Town. The calculations for weighted votes shall be based on the United States census and recalculated when new census figures are reported.

Delete paragraph D. Interim Committee

D. Change E to D. Vacancies and add final sentence

If a vacancy occurs among the appointed members, the local school committee of the member town involved shall appoint a member from its own membership to serve for the remainder of the unexpired term. If a vacancy occurs among the elected members, the selectmen of the member town involved shall appoint a member to serve until the next annual town election, at which election a successor shall be elected to serve for the remainder of the unexpired term, if any. The Selectboards of Deerfield and Sunderland shall appoint one member each to serve until the annual town elections next following the Amendment to the Regional School District Agreement.

E. Change F. Organization to E. Organization

F. Change G. Powers and Duties to F. Powers and Duties

G. Change H. Quorum to G. Quorum and replace with the following:

G. Quorum

A quorum for the transaction of business shall be a majority of the committee and greater than 50% of the weighted vote membership, but a number less than a majority may adjourn any meeting. Passage of any measure shall require a majority of the committee and greater than 50% of the weighted vote as counted.

Passed 26 Yes to 1 No

Article 3. Upon motion made and seconded, it was

Voted that the town approve the “Agreement for Payment in Lieu of Taxes for Personal Property (Only) Between the Town of Whately, Massachusetts and Whately Solar LLC dated October 11, 2011 in accordance with G.L. c.59, §38H (Acts of 1997 Chapter 164, Section 71(b), as amended.

Passed Unanimously

Article 4. Upon motion made and seconded, it was

Voted that the Town transfer from Free Cash to the Emergency Mill River Stabilization Account 001-450-5840 the sum of \$7,000 for the continued design phase of a project to protect the Whately Water Department wells from erosion from the Mill River.

Passed Unanimously

Article 5. Upon motion made and seconded, it was

Voted that the Town transfer from Free Cash to the Council on Aging Account 001-541-5400 the sum of \$500 for costs related to a survey of Deerfield, Sunderland and Whately senior residents.

Passed Unanimously

Article 6. Upon motion made and seconded, it was

Voted that the Town transfer from Free Cash to the Legal Expense Account 001-151-5400 the sum of \$5,000 to cover legal costs incurred by the town.

Passed Unanimously

Article 7. Upon motion made and seconded, it was

Voted that the Town accept the layout as a public Town way the way connecting Sandy Lane (Industrial Drive) and Fairview Way, as laid out by order of the Board of Selectmen, as shown on the plan entitled “Definitive Plan of Whately Industrial Park, Whately, MA Prepared for Alan E. Sanderson, Alan E. Sanderson, Jr., Bradley T. Sanderson”, dated September 13, 1995 prepared by Robert B. Rose & Associates and recorded in the Franklin County Registry of Deeds at Book 3107, Page 51, and described on that plan as “temporary cul-de-sac easement”, said way beginning at a concrete bound at the northwesterly corner of the way herein described; thence N 83°38’ 00” E a distance of 158.72 feet to a point; thence on a curve to the right having a radius of 70.00 feet an arch length of 222.15 feet to a concrete bound; thence on a curve to the left having a radius of 20.00 feet an arc length of 29.19 feet to the concrete bound at the point of beginning, copies of which order and plan were filed with the Town Clerk not later than seven days prior to this vote, and to authorize the Board of Selectmen to acquire easements for all purposes for which public ways are used in the Town of Whately within such layout(s), by gift, purchase or eminent domain; and further to rescind the vote taken under Article 22 of the Annual Town Meeting on April 30, 2008 and continued to May 1, 2008.

Passed Unanimously

Article 8. Upon motion made and seconded, it was

Voted that the Town accept easements by gift upon such terms and conditions as the Selectboard deems to be in the best interests of the Town to pass and repass over the two parcels at the end of Poplar Hill Road, shown on the "Plan of Land in Whately, Massachusetts, Prepared for Smith College" by The Berkshire Design Group, Inc., dated 8/25/11, revised 10/11/2011, beginning at a point at the northeasterly end of Poplar Hill Road, thence

S. 89° 37' 54" W. a distance of 22.65 feet to a point, thence continuing
S. 89° 37' 54" W. a distance of 10.00 feet to a point, thence
N. 01° 02' 46" E. a distance of 117.94 feet along land of Peter D. Crisci, to a point, thence
N. 87° 25' 34" W. a distance of 11.09 feet to a point, thence
N. 00° 11' 54" W. a distance of 42.00 feet to a point, thence
S. 89° 25' 34" E. a distance of 22.00 feet to a point, thence continuing
S. 87° 25' 34" E. a distance of 27.41 feet to a point, thence
S. 02° 46' 18" W. along land of The Trustees of The Smith College a distance of 158.17 feet to the place of beginning.

Containing 2,080 square feet, more or less of the land of Peter D. Crisci in a deed recorded in the Franklin Registry of Deeds in Book 2166 Page 165; and 3,972 square feet, more or less of the land of The Trustees of The Smith College in a deed recorded in the Franklin Registry of Deeds in Book 1139 Page 469."

Passed Unanimously

Announcement was made that the Master Plan Forum would continue after the meeting. There being no further business to come before this meeting, it was adjourned without date at 8:50 p.m.

A true record,

Attest:

Lynn M. Sibley, Town Clerk