



MINUTES
Special Town Meeting
August 5, 2019
Commonwealth of Massachusetts
County of Hampden, ss.
Town of Blandford

The inhabitants of Blandford qualified to vote in elections and town affairs met at the Blandford Town Hall, One Russell Stage Road, Blandford, Massachusetts on Monday, August 5, 2019 at 7 P.M., then and thereto to act on the following matters:

ARTICLE 1: To see if the town will vote to appropriate from the FY20 Fire Department Expense account #015220.001 the sum of 271.97 to pay for previous fiscal years combined Invoices from Westfield Auto parts that were not included in any encumbrances; or take any other action relative thereto:

Invoice #8879-112714 for \$85.99 on 8/25/16

Invoice #8879-150314 for \$185.98 on 9/29/17

GRAND TOTAL = \$271.97

Articles 1 through 6:

Motion made and seconded

Motion to combine articles 1-6

Passed unanimously

ARTICLE 2: To see if the Town will vote to appropriate from the FY20 Police Expense account #015210.001 the sum of \$248.11 to pay for previous fiscal years combined invoices from Westfield Auto Parts that were not included in any encumbrances; or take any other action relative thereto:

- Invoice #8879-130957 for \$115.49 on 3/13/2017
- Invoice #8879-131789 for \$115.49 on 3/23/2017
- Invoice #8879-159110 for \$17.13 on 12/26/2017
- GRAND TOTAL = \$248.11

ARTICLE 3: To see if the Town will vote to appropriate from the FY20 Highway Repair new Roads account #015422.018 the sum of \$1,849.08 to pay for previous fiscal years combined invoices from Westfield Auto Parts that were not included in any encumbrances; or take any other action relative thereto:

- Invoice #8879-138549 for \$66.12 on 6/2/2017

- Invoice #8879-140656 for \$15.67 on 6/23/2017
- Invoice #8879-144654 for \$52.55 on 8/4/2017
- Invoice #8879-146024 for \$56.25 on 8/17/2017
- Invoice #8879-146523 for \$49.53 on 8/23/2017
- Invoice #8879-146632 for \$70.76 on 8/24/2017
- Invoice #8879-146744 for \$36.19 on 8/25/2017
- Invoice #8879-149106 for \$218.11 on 9/18/2017
- Invoice #8879-158277 for \$747.80 on 12/15/2017
- Invoice #8879-158783 for \$38.58 on 12/21/2017
- Invoice #8879-158812 for \$152.50 on 12/21/2017
- Invoice #8879-158860 for \$18.13 on 12/21/2017
- Invoice #8879-158878 for \$3.16 on 12/21/2017
- Invoice #8879-120140 for \$118.15 on 11/10/2016
- Invoice #8879-152413 for \$205.58 on 10/20/2017
- GRAND TOTAL = 1,849.08

ARTICLE 4: To see if the Town will vote to appropriate from the FY20 Highway Repair new Roads account #015422.018 the sum of \$179.44 to pay for previous fiscal years combined invoices from R.I. Baker Co. Inc. that were not included in any encumbrances; or take any other action relative thereto:

- Invoice #5089001 for \$-1.33 (credit) on 7/12/2017
- Invoice #5089212 for \$9.90 on 7/14/2017
- Invoice #5094847 for \$199 on 10/1/2017
- Invoice #5096335 for \$17.06 on 9/26/2017
- Invoice #5096620 for \$59.43 on 10/2/2017
- Invoice #5097583 for \$48.13 on 10/16/2017
- Invoice #5099049 for \$136.25 on 12/3/2017
- Invoice #5101407 for \$-487.20 (credit) on 12/11/2017
- Invoice #5110248 for \$198.20 on 6/13/2018
- GRAND TOTAL = \$179.44

ARTICLE 5: To see if the Town will vote to appropriate from the FY20 Old Town Hall Expense account #015193.000 the sum of \$192.92 to pay for previous fiscal year FY18 invoice from EverSource that were not included in any encumbrances; or take any other action relative thereto:

- EverSource Account: 5419 338 1902 for \$192.92 on 3/18/18

ARTICLE 6: To see if the Town will vote to appropriate from the FY20 Town Water Bills account #015192.010 the sum of \$1,197.40 to pay for previous fiscal year water bill from the Blandford Water Department that were not included in any encumbrances; or take any other action relative thereto.

ARTICLE 7: To see if the Town will vote to transfer from the FY20 Worker's Compensation account #015912.000 to the FY20 Town Insurance account #015192.009 the sum of \$1,349.00; or take any other action relative thereto.

ARTICLE 7 Passed unanimously

ARTICLE 8: To see if the Town will vote to transfer from the FY20 Group Insurance (Health) account #015914.000 to the FY20 Town Insurance account #015192.009 the sum of \$2,896.00; or take any other action relative thereto.

Motion appropriately made and seconded

ARTICLE 8 Passed unanimously

ARTICLE 9: To see if the Town will vote to appropriate from the FY20 Vocational Education account #015301.000 the sum of \$16,592.52 to pay for previous FY19 invoice from Westfield Technical Academy; or take other action relative thereto.

Article amended: To see if the Town will vote to transfer from stabilization the sum of \$43,150.54 to pay for previous FY19 \$16,592.52 invoice from Westfield Technical Academy; or take other action relative thereto.

Amendment appropriately moved and seconded and passed unanimously.

Article 9 as amended passed unanimously

ARTICLE 10: To see if the Town will vote to appropriate from the FY20 Gateway Reg. School Dist. account #015300.000 the sum of \$4,480.37 to pay for previous fiscal year MA Diesel Excise Tax to Roberts Energy that was not included in any encumbrances; or take any other action relative thereto.

ARTICLE 10: Motion appropriately made and seconded to table; unanimous vote

ARTICLE 11: To see if the Town will vote to appropriate from the Stabilization account the sum of \$160,000 to purchase a John Deere 544L Loader Vehicle for the Highway Department; or take any other action relative thereto.

Article 11: amended to read:

To see if the town will vote to transfer from Stabilization account the sum of \$100,00. to purchase a John Deere 544L loader vehicle for the Highway Department or take any other action relative thereto.

ARTICLE 11: appropriately made and seconded as amended; Passed unanimously

ARTICLE 12: To see if the Town will vote to amend the Zoning By-laws, SECTION IV: PROVISIONS FOR DISTRICTS, subsection 4.1 RESIDENTIAL DISTRICT, category 4.1.1.6, letter (a), by deleting the language "(a) Occupation is carried on primarily by members of the family with no more than two outside employees" contained therein, and re-lettering the remaining provisions accordingly, so as to read as follows; or take any other action relative thereto.

"4.1.1.6 In appropriate cases, for uses which are not specifically prohibited or already require a Special Permit from another Board, and with appropriate safeguards, the Board of Appeals may grant special permits for the following accessory uses:

~~(a) Occupation is carried on primarily by members of the family with no more than two outside employees.~~

~~(ah) No display of goods or advertising outside except for a sign not more than 2 square feet.~~

~~(he) Location of standing signs. Minimum distance from public right of way, twelve (12) feet from intersection, twenty-five (25) feet.~~

~~(ed) Such occupations shall include but not be limited to Architect, Hairdresser, Art Gallery, Interior Designer, Boutique, Laundress, Craft Shop, Real Estate Dressmaker, Carpenter, Home Manufacturing, Painter, Plumber, and Electrician.~~

~~(de) Office for the practice, by a resident, of a recognized profession, i.e. doctor, dentist lawyer."~~

ARTICLE 12: Motion made and seconded to change the wording, Passed unanimously

ARTICLE 13: To see if the Town will vote to amend the Zoning By-laws, SECTION IV: PROVISIONS FOR DISTRICTS, subsection 4.1 RESIDENTIAL DISTRICT, category 4.1.1.6, letter (e), by deleting the language "by a resident" as contained therein, so as to read as follows; or take any other action relative thereto.

"(e) Office for the practice, ~~by a resident~~ of a recognized profession, i.e. doctor, dentist, lawyer."

Article 13: Motion made and seconded to change wording; Passed unanimously

ARTICLE 14: To see if the Town will vote to amend the Zoning By-laws, SECTION IV: PROVISIONS FOR DISTRICTS, subsection 4.1 RESIDENTIAL DISTRICT, category 4.2.1.9, by deleting language "Board of Selectmen" contained therein and inserting in place thereof "Zoning Board of Appeals", so as to read as follows; or take any other action relative thereto.

"4.2.1.9 Any additional use, which is not specifically prohibited or already requires a Special Permit from another Board, for which the ~~Board of Selectmen~~ Zoning Board of Appeals may grant permission."

ARTICLE 14: Motion made and seconded; article passed unanimously

ARTICLE 15: To see if the Town will vote to amend the Zoning By-laws, SECTION V: ADMINISTRATION & SIGNS, subsection 5.2 SIGNS, category 5.2.9, by deleting language "two (2) square feet" contained therein and inserting in place thereof "six (6) square feet", so as to read as follows; or take any other action relative thereto.

"5.2.9 In residential areas, signs are permitted only with specific permission from the Board of Appeals. In this area, signs shall be ~~two (2) square feet~~ six (6) square feet maximum. Location of standing signs – minimum distance from public right of way, twelve (12) feet – from intersection twenty-five (25) feet."

ARTICLE 15: voted unanimously to return to Planning Board for further consideration on size.

ARTICLE 16: To see if the Town will vote to amend the Zoning By-laws, SECTION V: ADMINISTRATION & SIGNS, subsection 5.2 SIGNS, category 5.2.1, by deleting language "(except in residential zone, see Section 10.2.9)" contained therein and inserting in place thereof "in all districts", so as to read as follows; or take any other action relative thereto.

"5.2.1 Maximum size: 6 square feet ~~except in residential zone, see Section 10.2.9).~~"

ARTICLE 16: voted unanimously to return to Planning Board for further consideration.

ARTICLE 17: To see if the Town will vote to amend the Zoning By-laws, SECTION V: ADMINISTRATION & SIGNS, subsection 5.3 TRAILERS, by inserting a new category 5.3.5 with language stating, "5.3.5 Shipping containers are allowed for storage by special permit only. Any container must be free of lead paint, and be certified as such by the Board of Health"; or take any other action relative thereto.

Article 17

Motion to amend

Motion made and seconded

Passed unanimously

ARTICLE 18: To see if the Town will vote to amend the Zoning By-laws, SECTION V: ADMINISTRATION & SIGNS, subsection 5.5 BOARD OF APPEALS, category 5.5.3 PUBLIC HEARINGS and NOTICE, by deleting the language "certified mail" contained therein and inserting in place thereof "USPS mail", so as to read as follows; or take any other action relative thereto.

"5.5.3 Public Hearing Notice: In the case of every appeal made to said Board and every application for permit or variance made to it under the provisions of this Bylaw, the Board of Appeals shall hold a public

hearing to consider the appeal or application in question and shall cause a notice thereof to be published in a newspaper of general circulation in the Town of Blandford not less than fourteen (14) days before the date set for said hearing and shall cause a copy of the notice to be sent by ~~certified mail-USPS mail~~ to all abutting land owners as shown by the records of the Assessors of the Town of Blandford and to any other person or persons who, in the opinion of the Board of Appeals, may be interested in said application or appeal."

Article 18

Motion to amend

Motion made and seconded

Passed unanimously

ARTICLE 19: To see if the Town will vote to amend the Zoning By-laws, SECTION V: ADMINISTRATION & SIGNS, subsection 5.6 APPEALS TO SUPERIOR COURT by deleting the language "5.6 APPEALS TO SUPERIOR COURT" contained therein and inserting in place thereof "5.6 APPEALS TO HOUSING COURT"; or take any other action relative thereto.

Article 19

Motion to amend

Passed Unanimously

ARTICLE 20: To see if the Town will vote to amend the Zoning By-laws by adding a new SECTION XVI: TEMPORARY MORATORIUM ON THE CONSTRUCTION OF GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS, as follows or take any other action relative thereto.

"SECTION XVI: TEMPORARY MORATORIUM ON THE CONSTRUCTION OF GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS

16.1 Authority and Purpose

The Town of Blandford currently has four approved ground mounted solar photovoltaic installations, commonly referred to as "solar farms", completed or under construction, and another two that are in the permitting process. Many of these projects have involved large scale clear cutting of trees and ground vegetation and several have been located in close proximity to abutting residential neighborhoods.

Pursuant to the Zoning By-law, ground mounted solar photovoltaic installations are allowed pursuant to site plan review and special permit in the Agricultural zoning district in the Town. That bylaw, however, has proved inadequate for protecting the Town's environmental resources and mitigating other negative effects of large-scale ground mounted solar facilities on the Town. Further, the unexpected high demand for large-scale ground mounted solar installation sites has demonstrated the potential for rapidly changing the face of the Town, thereby raising novel legal, planning, and economic issues and creating an urgent need to review the current regulation of this use. The Town needs time to consider and study the future implications and impact of ground mounted solar photovoltaic installations developments upon the Town as a whole, as well as the consistency of the already completed solar facilities with the Town's current and future planning goals. Imposition of a temporary moratorium on

ground mounted solar photovoltaic installations will allow sufficient time to assess these issues and amend the Zoning By-law to address the impact of these facilities on the Town's environmental resources and its planning goals.

16.2 Temporary Moratorium.

*For the reasons set forth above and notwithstanding any other provision of the Zoning By-law to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for ground mounted solar photovoltaic installations. The moratorium shall be in effect through **June 30, 2020** or the date on which the Town adopts amendments to the Zoning By-law concerning ground mounted solar photovoltaic installations, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to study, review, analyze and address what revisions to the Zoning By-law relative to ground mounted solar photovoltaic installations are needed or desirable to allow for and regulate such use consistent with protecting the Town's environmental resources and furthering its planning goals. This moratorium shall not apply to those ground mounted solar photovoltaic systems which may be permitted pursuant to complete site plan review and special permit applications filed prior to the first publication of notice of the public hearing for this bylaw required by G.L. c.40A, §5."*

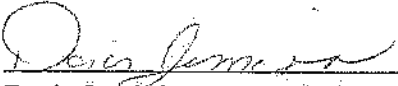
ARTICLE 20: Motion made and seconded to return article to Planning Board; motion failed

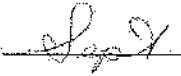
Motion made and seconded to change the date from June 30 to January 1;

Motion failed

Original **ARTIACLE 20** passed by two-thirds vote as declared by Moderator

A TRUE COPY ATTEST


Doris Jemolo, Town Clerk

 5, 2019
Date