

The Commonwealth of Massachusetts

Ashfield Special Town Meeting

On Monday, June 13, 2016 at 7:03pm a Special Town meeting was called to order by the Moderator at Ashfield Town Hall.

Moderator: Buz Eisenberg

Select Board: Todd Olanyk, Chair, Ron Coler, Vice-Chair, Thomas Carter.

Finance Committee: Ted Murray, Chair, Carl Satterfield, Mary Fitz-Gibbon, Carol Lebold, Melinda Gougeon

Town Clerk: Ann Dunne

Interim Town Administrator: Kayce Warren

In attendance: Michael Fitzgerald, Chair of the Planning Board
Judith Haupt, Chair of the Parks Commission
David Kulp, Chair of the Technology Committee

ARTICLE 1: Motion was made by Michael Fitzgerald and seconded by Tom Carter to amend the Ashfield Zoning Bylaws, to add an associate member to the Planning Board for purposes of acting on Special Permit Applications.

Add the following to Ashfield Zoning Bylaws, in.

Section VIII: Administration, Part E. Special Permit Granting Authority, as a new paragraph after existing paragraph:

Per M.G.L, Chapter 40A, Section 9, the Ashfield Planning Board, as Special Permit Granting Authority, shall have up to one associate member, who shall sit, when necessary, on the Board for the purpose of acting on Special Permit applications. This position will be filled by appointment by the Select Board upon recommendation of the Planning Board, and the term shall be for up to three (3) years.

Recommended by the Planning Board

No recommendation from the Finance Committee

Vote: YES: Unanimous 29 registered voters in attendance

NO: 0

Article 1 passed unanimously

ARTICLE 2: Motion was made by Michael Fitzgerald and seconded by Todd Olanyk to approve certain changes to the Telecommunication Facilities sections of the Ashfield Zoning Bylaws.

Add to Section II: Definitions (additions shown in *italics*)

Telecommunication Facilities: Includes towers, antennas, buildings, and accessory structures designed or modified to provide personal communication services, radio and television broadcast or reception, microwave communications, or similar communication services *that exceed the height dimensions as outlined in Section IV*. Not included are antennas used for personal television and radio reception or radio facilities actively used under an FCC (Federal Communications Commission) amateur radio license. *Antennas that do not exceed the dimensional requirements for residential buildings outlined in Section IV shall be allowed without a special permit.*

Add to Section VI: Use Regulations, F. Telecommunication Facilities

VI.F.2. Conditions:

- m. The applicant shall be prepared to install the most appropriate and up-to-date camouflage if it will lessen impacts on the neighborhood character.*
- n. Towers shall be set back 10x their height from existing public school buildings, boundaries of existing town-owned parks, and the Ashfield Plain Historic District.*
- o. Towers shall be set back 5x their height from existing residences and other existing buildings, unless a right-of-way is obtained from the landowner.*

VI.F.3. Special Permit Submittal Regulations, Telecommunication Facilities:

- h. If a NEPA study or any other impact study is required for FCC approval, then the results shall be submitted with the application.*
- i. Collocation on existing conforming structures shall not require a special permit so long as the antenna does not make the structure non-conforming.*
- j. Collocation on existing non-conforming structures shall not require a special permit so long as the antenna does not make the structure substantially more non-conforming.*

Recommended by the Planning Board

No recommendation from the Finance Committee

Michael explained the amendment and after some discussion -

Vote: YES: Unanimous NO: 0 30 registered voters in attendance

Article 2 passed unanimously

ARTICLE 3: Motion was made by Todd Olanyk and seconded by Ron Coler to vote to instruct the Select Board pursuant to MGL Chapter 41, Section 21, to place a ballot question for the Annual Meeting as follows;

“Shall the Town vote to have its Select Board act as the Municipal Light Board pursuant to MGL Chapter 164, Section 55?”

No recommendation from the Finance Committee

David Kulp, Chair of the Technology Committee explained the Municipal Light Board oversees telecommunications in the Town and suggested to table the motion as it does not change the current status. As currently the Select Board act in this capacity.

After lengthy discussion the motion was amended as follows.

Motion was amended to read as follows:

“to vote to instruct the Select Board pursuant to MGL Chapter 41, Section 21, to place a ballot question for the Annual Election held on the same date as the Annual Meeting as follows;

“Shall the Town vote to have its Select Board act as the Municipal Light Board pursuant to MGL Chapter 164, Section 55?”

Amended motion passed unanimously – 31 registered voters in attendance

Back to the main motion as amended:

Vote: YES: Majority NO: 1 Abstain: 0

Article 3 main motion as amended passed by majority vote.

ARTICLE 4: Motion was made by Tom Carter and seconded by Ron Coler to vote to transfer from Vocational Expense, or otherwise provide \$4,000 to the Information Technology Account.

Recommended by the Finance Committee (5-0-0)

Vote: YES: Unanimous NO: 0 Abstain: 0

Article 4 passed unanimously

ARTICLE 5: Motion was made by Ron Coler and seconded by Tom Carter to vote to transfer from Vocational Expense, or otherwise provide \$10,000 to fund a Fiscal Year 2016 appropriation shortage in the General Highway Expense Account,

Recommended by the Finance Committee (5-0-0)

Special recognition was given to David Newell – former Finance Committee member for all of his hard work on the Vocational School Budgets, allowing for the availability of surplus funds this fiscal year.

Vote: YES: Unanimous NO: 0 Abstain: 0

Article 5 passed unanimously

ARTICLE 6: Motion was made by Judith Haupt and seconded by Ron Coler to table this Article “To see if the Town will vote to transfer from Vocational Expense or otherwise provide \$4,000 to fund repairs to the Ashfield Lake Dock.

Recommended by the Finance Committee (5-0-0)

Judith explained the fund raising was successful and they have reached their financial goals.

Motion to table article 6 passed unanimously.

ARTICLE 7: Motion was made by Todd Olanyk and seconded by Ron Coler to vote to transfer from Vocational Expense, a sum of money up to \$10, 000 for a classification and compensation study.

Recommended by the Finance Committee (4-0-0)

Vote: YES: Unanimous NO: 0 Abstain: 0

Article7 passed unanimously

Motion to adjourn the meeting at 7:50pm passed unanimously

A True Copy: *Ann Dunne*

Attest: Ann Dunne, Town Clerk