

The Commonwealth of Massachusetts

FRANKLIN SS.

To any of the Constables of the Town of Ashfield in County of Franklin,

GREETINGS.

In the name of **The Commonwealth of Massachusetts**, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the TOWN HALL in said Ashfield on **MONDAY the EIGHTH day of AUGUST 2022**, at **SEVEN O’CLOCK (7:00)** in the evening, then and there to act on the following articles:

ARTICLE 1: Regional School Agreement – Elementary Schools

To see if the Town will vote to amend the MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT by **striking** the following language contained in **Section III (B) – Pupils Entitled to Attend Regional Elementary Schools**:

The pre-K-12 Member Towns are defined as Ashfield, Buckland, Colrain, Plainfield, Heath, and Shelburne. Subject to the provisions of this section, it is intended that elementary students residing in the member towns of Ashfield, Buckland, Colrain, Plainfield and Shelburne will receive their education in facilities located in the District and will be assigned as follows: Ashfield and Plainfield residents to Sanderson Academy; Colrain residents to Colrain Central School; and Buckland and Shelburne residents to Buckland Shelburne Elementary School. Elementary students residing in Heath will receive their education in the Hawlemont Regional School District pursuant to a tuition agreement between the Mohawk Trail Regional School District and the Hawlemont Regional School District through no longer than June 30, 2023. During the period of such tuition agreement, the Town of Heath shall seek in good faith to negotiate with the Hawlemont Regional School District regarding joinder of the Town of Heath into the Hawlemont Regional School District for elementary education. The tuition agreement shall constitute a binding financial obligation of the District. Heath may withdraw from the Mohawk Trail Regional School District for grades PK-6 in accordance with the “Withdrawal” section of this Agreement. Heath shall remain responsible for its outstanding indebtedness, if any, including but not limited to OPEB, to the Mohawk Trail Regional School District despite such withdrawal in accordance with the terms of the Regional Agreement.

If, upon the expiration of such tuition agreement, as may be extended, Heath and the Hawlemont Regional School District have failed to reach agreement as to the joinder of Heath into the Hawlemont Regional School District, elementary students residing in Heath will receive their education in facilities located in the Mohawk Trail Regional School District, the specific location(s) to be decided as provided herein. The Mohawk Trail Regional School Committee will offer at least two (2) facilities located in the District as options for educating the elementary students of Heath and the Heath members of the Committee will determine which one (1) facility to recommend to the Committee for the placement of all Heath resident elementary students. No facility will be approved by the Committee without the affirmative votes of both Heath Committee representatives, provided however that in the event of a tie vote between such Heath representatives, or in the event that there are vacancies in the

positions of Heath representatives, a majority vote of the Committee will prevail. The determination must occur no later than November 1st of the school year prior to the change.

and replacing said language with the following:

The pre-K-12 Member Towns are defined as Ashfield, Buckland, Colrain, Plainfield, Heath, and Shelburne. Subject to the provisions of this section, it is intended that elementary students residing in the member towns of Ashfield, Buckland, Colrain, Heath, Plainfield and Shelburne will receive their education in facilities located in the District and will be assigned as follows: Ashfield and Plainfield residents to Sanderson Academy; Colrain and Heath residents to Colrain Central School; and Buckland and Shelburne residents to Buckland Shelburne Elementary School.

Explanation: This article was postponed at the Annual Town Meeting as Articles 2-4 were not included in the warrant due to a clerical error. As all four articles are related, it was felt that it would be best to vote on them at the same time rather than at two separate meetings. This amendment changes the agreement so that students from Heath will be entitled to attend the Colrain Central School.

Proposed by the Mohawk Trail Regional School Committee
Majority Vote Required

ARTICLE 2: Regional School Agreement – Capital Costs

To see if the Town will vote to amend the MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT by **striking** the following language contained in **Section IV (E) – Apportionment of Capital Costs Grades pre-K–6:**

(3) The Heath Elementary School Building shall be returned to the Town of Heath on July 1, 2017, and the Lease between the parties shall terminate as of said date. In exchange for termination of the lease, the District shall pay to the Town of Heath a total sum of \$240,000.00, such payment to be made in no fewer than three (3) annual installments. The amounts and timing of such installments shall be as agreed upon in writing by the School Committee and the Town of Heath, provided however that the final installment shall be due no later than June 30, 2020. Any outstanding debt payments associated with the Heath Elementary School shall remain the responsibility of the Town of Heath, and the Town of Heath shall continue to be assessed for said debt in accordance with the terms of this Agreement.

(4) Capital costs representing payments of principal and interest on bonds, notes or other obligations as issued by the Committee to finance expenses in the nature of capital outlay for the purpose of construction at the site of, or reconstruction to, the Colrain Central School or upon any premises as may be leased to the Mohawk Trail Regional School District by the Town of Colrain, shall be borne by the Town of Colrain.

(5) Nothing in this section shall be construed to prevent the member towns from amending this Agreement and modifying and/or altering the above designated schedules of apportionment of capital costs in the event subsequent school construction or reconstruction results in a change of grade level or town assignments to the District schools.

and replacing said language with the following:

(3) Colrain, Heath

Effective commencing with Fiscal Year 2023, new capital costs incurred by the committee and associated with grades pre-Kindergarten to six, inclusive, of the District school or schools serving the pupils from the Towns of Colrain and Heath shall be apportioned to the Towns of Colrain and Heath as follows:

To Colrain: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one percent calculated as follows: By (1), computing the ratio which the sum of the enrollments of pupils at the Colrain Center School, resident in the Town of Colrain as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at said district school, resident in the Towns of Heath and Colrain, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation); and by (2) expressing such ratio as a percentage. Until five years of data becomes available, the most recent years of data shall be used to determine said ratio.

To Heath: A portion of the total of all principal and interest on bonds, notes or other obligations as issued by the Committee on or after July 1, 2022 consistent with the above, expressed as a percentage of the total to the nearest one-hundredth of one percent calculated as follows: By (1), computing ratio which the sum of the enrollments of pupils at the Colrain Central School, resident in the Town of Heath, as determined by the census of pupils at said district school each October 1 for the five most recent years, bears to the sum of enrollments of pupils at the said district school, resident in the Towns of Colrain and Heath, as determined by the census of pupils each October 1 for the five most recent years (note: pre-K enrollment will be included in the calculation); and by (2) expressing such ratio as a percentage. Until five years of data becomes available, the most recent years of data shall be used to determine said ratio.

(4) The Heath Elementary School Building was returned to the Town of Heath on July 1, 2017, and the Lease between the parties terminated as of said date. In exchange for termination of the lease, the District paid to the Town of Heath a total sum of \$240,000.00. Any outstanding debt payments associated with the Heath Elementary School shall remain the responsibility of the Town of Heath, and the Town of Heath shall continue to be assessed for said debt in accordance with the terms of this Agreement.

(5) Capital costs representing payments of principal and interest on bonds, notes or other obligations as issued by the Committee to finance expenses in the nature of capital outlay for the purpose of construction at the site of, or reconstruction to, the Colrain Central School or upon any premises as may be leased to the Mohawk Trail Regional School District by the Town of Colrain, shall be borne by the Towns of Colrain and Heath, as provided in Section E. (3), above.

(6) Nothing in this section shall be construed to prevent the member towns from amending this Agreement and modifying and/or altering the above designated schedules of apportionment of capital costs in the event subsequent school construction or reconstruction results in a change of grade level or town assignments to the District schools.

Explanation: This article was not included on the annual town meeting warrant due to a clerical error. This amendment would change the agreement so that Heath is paying a portion of Colrain's capital expenses as students are now attending that school.

Proposed by the Mohawk Trail Regional School Committee
Majority Vote Required

ARTICLE 3: Regional School Agreement – Effective Date

To see if the Town will vote to amend the MOHAWK TRAIL REGIONAL SCHOOL DISTRICT – REGIONAL DISTRICT AGREEMENT by **striking** the following language contained in **Section XV Effective Date**:

This amended Agreement shall take full effect in accordance with its terms on July 1, 2018 and shall supersede the prior District Agreement, including any prior amendments.

and replacing said language with the following:

This amended Agreement shall take full effect in accordance with its terms on July 1, 2022 and shall supersede the prior District Agreement, including any prior amendments.

Explanation: This article was not included on the annual town meeting warrant due to a clerical error. This amendment would change the agreement so that the new effective date of the amended agreement would be July 1, 2022.

Proposed by the Mohawk Trail Regional School Committee
Majority Vote Required

ARTICLE 4: Colrain School Borrowing

To see if the town will vote to allow the Mohawk Trail Regional School District to borrow a sum of money, not to exceed \$278,400, for work at the Colrain Central School in Colrain, Massachusetts, to include rebuilding or resurfacing of parking lots and certain walkways, and brick masonry repairs and repointing, and including costs incidental thereto, which purpose of the projects will materially extend the useful life of the school and preserve the asset capable of supporting the required educational program. Said sum is to be expended under the approval of the School Committee's Building Subcommittee, and to meet said appropriation, the District Treasurer, with the approval of the Chair, is authorized to borrow said sum under MGL Ch. 44 or any other enabling authority, or take any action related thereto.

Explanation: This article was not included on the annual town meeting warrant due to a clerical error. This article allows for the district to borrow funds for capital work on the Colrain School, which will be paid for through capital assessments to Heath and Colrain.

Proposed by the Mohawk Trail Regional School Committee
Majority Vote Required

ARTICLE 5: ARPA Appropriation

To see if the town will vote to authorize the Select Board to use the sum of \$100,000 from the remaining American Rescue Plan Act (ARPA) funds for the Ashfield Lake Dam Project, or take any action relative thereto.

Explanation: By using these federal funds, the town will need to borrow less to complete the Lake Dam Project and can pay it back in a shorter time. If approved, the town will have approximately \$400,000 left in ARPA funds to appropriate by the end of 2024.

Proposed by the Select Board
Majority Vote Required

ARTICLE 6: Solar Bylaw Amendment

To see if the Town will vote to amend the Ashfield Zoning Bylaws, Section VI, Subsection I "Large Scale Ground-Mounted Photovoltaic (PV) Facility" by deleting the entirety of that subsection and replacing it with the following:

Part I - Ground-Mounted Photovoltaic Facilities

Purpose, Applicability, and Administration

1. Purpose

The purpose of this Bylaw is to facilitate and appropriately regulate the responsible development of Ground-Mounted Photovoltaic Facilities (GMPVFs) in the Town of Ashfield by providing minimum standards for the placement, design, construction, operation, monitoring, modification and removal of such GMPVFs that support the goal of the Commonwealth of Massachusetts; to generate clean energy and reduce carbon emissions while also addressing the responsibility of the

Town of Ashfield to protect public health and safety; to protect and preserve the scenic, natural and historic resources of Ashfield; to minimize undesirable impacts on abutting residential property and neighborhoods; and to provide assurance of adequate financial resources for the eventual decommissioning of such systems.

2. Applicability

The provisions set forth in this Bylaw for the construction, operation, maintenance/repair, and decommissioning of GMPVFs are divided into three Sections (see Table 1, below). The rated nameplate capacities and areas used to determine the scale of the GMPVFs are the totals for a lot and for adjacent lots under the same ownership. This Bylaw does **not** apply to photovoltaic systems mounted on structures whose primary purpose is other than supporting the photovoltaic system (e.g. homes; barns).

Section 4 applies to small scale 40 kW or less DC rated nameplate capacity GMPVFs. A facility covered by this Section is referred to as a Small-Scale Ground Mounted Photovoltaic Facility (SSGMPVF).

Section 5 applies to GMPVFs of more than 40 kW and no more than 300 kW DC rated nameplate capacity and that occupy less than one and one half (1.5) acres including land covered by the solar cell array and auxiliary equipment such as inverters, batteries, etc. A facility covered by this Section is referred to as a Medium-Scale Ground Mounted Photovoltaic Facility (MSGMPVF)

Section 6 applies to GMPVFs of more than 300 kW DC rated nameplate capacity and/or that occupy one and one half (1.5) acres to ten (10) acres including land covered by the solar cell array and auxiliary equipment such as inverters, batteries, etc. A facility covered by this Section is referred to as a Large-Scale Ground Mounted Photovoltaic Facility (LSGMPVF).

Table 1

Section	Designation	DC Rated Name Plate Capacity	Area	Permit Application Requirement
4	Small-Scale Ground Mounted Photovoltaic Facility (SSGMPVF)	40 kW or less	<1.5 acres	As of right, with Building Permit – (basic) application submitted to Building Commissioner
5	Medium-Scale Ground Mounted Photovoltaic Facility (MSGMPVF)	greater than 40 kW and no more than 300kW	<1.5 acres	As of right, with Building Permit – (expanded) application submitted to Building Commissioner
6	Large-Scale Ground Mounted Photovoltaic Facility (LSGMPVF)	greater than 300 kW	1.5 to 10 acres	Special Permit – application submitted to Planning Board

3. Administration and Enforcement

3.1 Ownership

The ownership of the GMPVF and parties responsible for the compliance with this bylaw and state and federal regulations shall be identified during the application process. This information shall be kept up to date after any approval; any changes must be provided to the Building Commissioner (for any SSGMPVF or MSGMPVF) and the Building Commissioner, Planning Board and Select Board (for any LSGMPVF) within fourteen (14) days of their occurrence. This provision shall

remain in effect through the construction, operation, and decommissioning of the GMPVF. Any new owners and operators must agree to abide by the conditions of the permit.

3.2 Enforcement

Violations of the requirements established for the GMPVF shall be treated in accordance with Section VIII.B of the Ashfield Zoning Bylaws.

3.3 Separability

If any provision of this Bylaw is held invalid by a court of competent jurisdiction, the remainder of this Bylaw shall not be affected thereby.

4. Small Scale Ground-Mounted Photovoltaic Facilities (SSGMPVF)

4.1 Applicability

This Section applies to smaller scale (i.e. 40 kW DC rated nameplate capacity or less) GMPVFs that occupy less than one and one half (1.5) acres on one (1) or more adjacent parcels in common ownership including land covered by the solar cell array and auxiliary equipment such as inverters, batteries, etc. A SSGMPVF is allowed by right, but must comply with the requirements of the Ashfield Zoning Bylaws.

4.2 General Requirements

4.2.1 Compliance with Laws, Ordinances and Regulations

4.2.1.1 The construction and operation of all SSGMPVF 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 SSGMPVF shall be constructed in accordance with the State Building Code. Any discharges of liquids and airborne discharges must comply with state and federal regulations.

4.2.1.2 All appurtenant structures to SSGMPVF shall be subject to all applicable Sections of the Ashfield Zoning Bylaws, including the additional requirements listed in this Section.

4.2.2 Building Permit, Building Inspection

No SSGMPVF shall be constructed, installed, or modified without first obtaining a building permit. Operating of the facility shall not be allowed until the facility has been inspected and found to conform to all applicable codes and regulations, and the conditions of the building permit.

4.2.3 Visual Impact

Any SSGMPVF shall be designed, sited and constructed to minimize adverse visual impacts on public ways and abutters. Methods to accomplish this requirement may include orientation, buffering and best use of existing terrain.

4.3 Dimensional and Setback Requirements

4.3.1 Maximum Height

The maximum height above grade of the SSGMPVF shall be eighteen (18) feet at its tallest setting if located twenty-five (25) feet to fifty (50) feet from the nearest property line or public way; and up to a maximum height of twenty-one (21) feet if pole mounted and located more than fifty (50) feet from the nearest property line or public way.

4.3.2 Setback and Width

The minimum setback of the SSGMPVF shall be twenty-five (25) feet from any property line or public way. The total maximum width of any portion of a SSGMPVF shall be no greater than the distance from the nearest property line or public way. As an example, a single 25-foot wide array may be placed twenty-five (25) feet from the property line. Two additional 25-foot wide arrays may be placed behind the first array fifty (50) feet from the property line or public way. Any applicant who cannot meet the above setback requirements may request a variance from the Zoning Board of Appeals.

4.4 Application Contents

The Building Commissioner shall determine the application materials required to obtain a building permit for a SSGMPVF.

5. Medium Scale Ground Mounted Photovoltaic Facilities (MSGMPVF)

5.1 Applicability

5.1.1 The provisions set forth in this Section shall apply to the construction, operation, and/or repair of MSGMPVF, i.e. facilities with more than 40 kW and no more than 300 kW DC rated nameplate capacity that occupy less than one and one half (1.5) acres on one (1) or more adjacent parcels in common ownership including land covered by the solar cell array and auxiliary equipment such as inverters, batteries, etc. A MSGMPVF is allowed by right, but must comply with the requirements of the Ashfield Zoning Bylaws, including the additional requirements listed in this Section.

5.1.2 This Section also pertains to physical modifications that materially alter the type, configuration, or size of these MSGMPVF or related equipment.

5.2 General Requirements

5.2.1 Compliance with Laws, Ordinances and Regulations

5.2.1.1 The construction and operation of all MSGMPVF 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 MSGMPVF shall be constructed in accordance with the State Building Code. All discharges of liquids and airborne discharges must comply with state and federal regulations.

5.2.1.2 All appurtenant structures to MSGMPVF shall be subject to all applicable Sections of the Ashfield Zoning Bylaws.

5.2.2 Building Permit, Building Inspection

No MSGMPVF shall be constructed, installed, or modified without first obtaining a building permit. Operating of the facility shall not be allowed until the facility has been inspected and found to conform to applicable codes and regulations, and the conditions of the building permit.

5.2.3 Building Permit Application – Requirements for Expanded Application

5.2.3.1 The Applicant shall provide the following documents to the Building Commissioner to obtain a permit for a MSGMPVF.

(a) A Project Description including:

- i. Any building and electrical permit applications;
- ii. General description of the proposed facility;

- iii. Documentation of the major system components to be used, including the electric generating components, energy storage components, transmission systems, mounting system, inverter, etc.;
- iv. Electrical diagram detailing the MSGMPVF, associated components, and electrical interconnection methods, with all utility-compliant and National Electrical Code-compliant disconnects and overcurrent devices;
- v. Fire protection systems for electrical equipment including batteries;
- 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. A description of any potential liquid and airborne releases and provision to insure such releases meet state and federal regulations;
- viii. Name, address, and contact information for proposed system installer; and
- ix. Blueprints or drawings of the MSGMPVF, signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts and showing the proposed layout of the system including poles and above ground wires, if any, for the interconnection to the utility, location of equipment and construction staging areas, and location type and height of lighting fixtures.

(b) A Site Plan that shows the following:

- i. Property lines and physical features including roads and topography, easements and rights-of-way, and existing utilities (including any underground utilities) on 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, rivers and Priority Habitat Areas, Estimated Habitats of Rare Wildlife, and Natural Communities as defined by the Natural Heritage & Endangered Species Program (NHESP) and BioMap 2 or its current successor;
- iv. Locations of floodplains, and inundation areas for moderate or high hazard dams;
- v. A locus plan showing the distance from the proposed MSGMPVF to the areas listed in the National Register of Historic Places as well as the distance from Town boundaries;
- vi. Emergency services plan showing access for fire trucks and any other features required by the Fire Department.

(c) Signed approval of the plans by Emergency Services and the Conservation Commission.

(d) Any approvals required by MassWildlife.

5.2.4 Visual Impact

Any MSGMPVF shall be designed, sited and constructed to minimize adverse visual impacts on public ways and abutters. Methods to accomplish this requirement may include orientation, buffering and best use of existing terrain.

5.2.5 Utility Connection

No staging, site clearing and construction of a MSGMPVF shall be permitted until evidence has been provided to the Building Commissioner that the utility company that operates the

electrical grid where the installation is to be located has approved the MSGMPVF Owner and/or Operator's intent to install an interconnected photovoltaic generator and that the utility can and will connect the proposed generator into its power grid. Off-grid systems shall be exempt from this requirement.

5.3 Siting, Performance, and Design Requirements

5.3.1 Maximum Height

The maximum height above grade of the MSGMPVF shall be eighteen (18) feet when rack mounted and twenty-one (21) feet when pole mounted.

5.3.2 MSGMPVF Front, Side and Rear Setbacks

Setbacks shall be measured from the outer edge of the disturbed area to the nearest property line or public way as follows:

- (a) Front yard: The front yard setback shall not be less than one hundred (100) feet;
- (b) Side yard: Each side yard setback shall not be less than one hundred (100) feet;
- (c) Rear yard: The rear yard setback shall not be less than one hundred (100) feet;
- (d) Other facilities: Any MSGMPVF shall not be less than three hundred (300) feet from any existing MSGMPVF or LSGMPVF.

Any applicant who cannot meet the above setback requirements may request a variance from the Zoning Board of Appeals.

5.3.3 Lighting

Lighting of all parts of the MSGMPVF, including appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Lighting of the MSGMPVF shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution. All lighting shall comply with International Dark Sky Standards FSA Certification Requirements. There shall be no illumination without personnel on site. Lighting of a MSGMPVF shall be consistent with local, state and federal laws.

5.3.4 Noise

Noise generated by a MSGMPVF, including cooling fans, inverters, associated equipment and machinery shall conform at a minimum to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10. In addition, no noise, or sound from the Facility shall be normally perceptible more than fifty (50) feet from the Facility premises property line. The Facility shall be considered in violation of this bylaw if the source increases the sound level by more than 10 dB(A) above ambient, or 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 more than three (3) decibels. These criteria are to be satisfied at the MSGMPVF property line and at the nearest inhabited residence beyond the property line.

Ambient is defined as the background A-weighted sound level that is exceeded ninety percent (90%) of the time during equipment operation times, as measured prior to operation of the facility, unless established by other means with consent of the DEP.

Noise reduction shall be considered and incorporated as needed during the design phase of the installation including the location of the noise generator, shielding, noise cancellation, filtering, and noise suppression.

5.3.5 Signage and Emergency Services

5.3.5.1 A sign consistent with Section III.C of the Ashfield Zoning Bylaws shall be required to identify the Owner and/or Operator and provide a 24-hour emergency contact phone number. The sign shall be located in a position approved by Town Emergency Services. A MSGMPVF shall not be used for displaying any advertising.

5.3.5.2 The MSGMPVF Owner and/or Operator shall coordinate with local Emergency Services in developing an emergency response plan. A sign showing the location of system shutdown features shall be provided in a position approved by Town Emergency Services. All means of shutting down the MSGMPVF shall be clearly marked.

6. Large Scale Ground Mounted Photovoltaic Facilities (LSGMPVF)

6.1 Applicability

6.1.1 This Section applies to any GMPVF larger than 300 kW – or occupying one-and-one-half (1.5) acres to ten (10) acres in common ownership including land covered by the solar cell array and auxiliary equipment such as inverters, batteries, etc. Any such GMPVF shall be designated a Large-Scale Ground Mounted Photovoltaic Facility (LSGMPVF). Any LSGMPVF, in addition to being in compliance with this Section, requires a Special Permit in accordance with the Ashfield Zoning Bylaws.

6.1.2 Special Permits for LSGMPVF shall comply with Section VII of the Ashfield Zoning Bylaws. Where conflicts between this Bylaw and Section VII of The Ashfield Zoning Bylaws occur, the more stringent requirement shall apply.

6.1.3 This Section also pertains to physical modifications that materially alter the type, configuration, or size of a LSGMPVF or related equipment.

6.2 General Requirements

6.2.1 No photovoltaic facility shall exceed ten (10) acres, including land covered by the solar cell array and auxiliary equipment such as inverters, batteries, etc.

6.2.2 Compliance with Laws, Ordinances and Regulations

6.2.2.1 The construction and operation of all LSGMPVF 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 LSGMPVF shall be constructed in accordance with the State Building Code. All discharges of liquids and airborne discharges must comply with state and federal regulations.

6.2.2.2 All appurtenant structures to LSGMPVF shall be subject to all applicable Sections of the Ashfield Zoning Bylaws.

6.2.3 Building Permit, Building Inspection and Consultants

6.2.3.1 Once a special permit has been granted, no LSGMPVF shall be constructed, installed, or modified without first obtaining a building permit. Operation of the facility shall not be allowed until the facility has been inspected and found to conform to applicable codes and regulations, and the conditions of the building permit and the special permit.

6.2.3.2 The Planning Board may engage an independent consultant or consultants, at the Applicant's expense, to review the Applicant's designs and site plans for the LSMGPVF, pursuant to M.G.L. Chapter 44, Section 53G.

6.2.4 Visual Impact

Any LSGMPVF shall be sited, designed and constructed to minimize and mitigate adverse visual impacts to the maximum extent that is practical, including providing vegetative buffer, preserving natural vegetation, blending in equipment with the surroundings, and adding landscaping to provide an effective visual barrier to screen the facility from the view of abutting residential properties. Glare and reflection effects must meet the requirements of Subsection 6.4.3.5, below. For any LSGMPVF a Visual Impact Assessment per Subsection 6.3(h), below, shall be submitted for review.

6.2.5 Utility Connection

No staging, site clearing and construction of a LSGMPVF shall be permitted until evidence has been provided to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has approved the LSGMPVF Owner's and/or Operator's intent to install an interconnected photovoltaic generator, and that the utility can and will connect the proposed generator into their power grid. Off-grid systems shall be exempt from this requirement.

6.3 Application Contents

The Applicant shall provide the following documents.

(a) A Project Description including:

- i. General description of the proposed facility;
 - ii. Description of features that will allow the proposed facility to meet the requirements called for in subsequent subsections of this Bylaw;
 - iii. Documentation of the major system components to be used, including the electric generating components, energy storage components, transmission systems, mounting system, inverter, etc.;
 - iv. Electrical diagram detailing the LSGMPVF, associated components, and electrical interconnection methods, with all utility-compliant and National Electrical Code-compliant disconnects and overcurrent devices;
 - v. Fire protection systems for electrical equipment including batteries;
 - 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. A description of all liquid and airborne releases and provision to insure such releases meet state and federal regulations;
 - viii. Name, address, and contact information for proposed system installer;
 - ix. Name, address, phone number and signature of the Applicant as well as all co-Applicants, if any, and property Owner(s);
 - x. The name, contact information and signature of any agents representing the Applicant;
- and

xi. Chain of ownership, complete to the top tier decision making and ultimately responsible parties.

(b) A Site Plan that shows the following:

i. Property lines and physical features including roads and topography, easements and rights-of-way, and existing utilities (including any underground utilities) on 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, rivers and Priority Habitat Areas, Estimated Habitats of Rare Wildlife, and Natural Communities as defined by the Natural Heritage & Endangered Species Program (NHESP) and BioMap 2 or its current successor;

iv. Locations of floodplains, and inundation areas for moderate or high hazard dams;

v. Locations of National Register Districts;

vi. Location of all existing trails, woods roads, stone walls, and historic features;

vii. A buffer, screening and landscape plan as required in Subsection 6.4.3.2;

viii. Location and approximate height of tree cover on the site at the time of application filing;

ix. Blueprints or drawings of the LSGMPVF, signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts and showing the proposed layout of the system including poles and above ground wires, if any, for the interconnection to the utility, location of equipment and construction staging areas, and location type and height of lighting fixtures;

x. A locus plan showing the distance from the proposed LSGMPVF to the Ashfield Town boundaries; and

xi. Emergency services plan showing vehicular access and any other required features.

(c) Proof of sufficient liability insurance.

(d) Description of financial surety that satisfies Subsection 6.7.3.

(e) Signed approval of the plans by Emergency Services and the Conservation Commission.

(f) Any approvals required by MassWildlife.

(g) The results of a sound survey taken to measure ambient sound levels at the LSGMPVF property line and at the nearest inhabited residence beyond the property line prior to construction and operation of the LSGMPVF. Ambient is defined as the background A-weighted sound level that is exceeded ninety percent (90%) of the time during equipment operation times that is measured prior to operation of the LSGMPVF.

(h) Visual Impact Assessment of the proposed LSGMPVF.

The Visual Impact Assessment shall include methods such as viewshed analysis, field verification, visual simulation and line of sight studies including ground truthing to determine the potential project visibility, particularly from abutting properties. Such assessment shall produce a map showing all areas within a three (3) mile radius of the installation where the installation can be seen and where it cannot be seen. With input from the Planning Board or its designee, the applicant shall assess the visual impacts in critical

areas of concern using additional tools such as renderings, and/or two- or three-dimensional visualizations, as necessary. The Visual Impact Assessment shall describe the visible components of the proposed project, identify key views for visual assessment, assess the potential project visibility, illustrate the appearance of the proposed project, and identify potential mitigation measures to minimize visibility to abutters and deleterious effects on viewsheds. The Visual Impact Assessment shall be taken into account when reviewing for compliance with subsection 6.4.3 – Visual Impact.

(i) Stormwater Management Design Description and Plan.

This document must be submitted with the stamp and signature of a Registered Professional Engineer who is licensed in the Commonwealth of Massachusetts. The Stormwater Management Design Description and Plan shall fully describe the project in drawings, narrative, and calculations, and shall demonstrate that the system and plan can satisfy the requirements specified in subsection 6.4.4.2 below. The plan shall include:

- i. The site's existing and proposed topography;
- ii. All areas of the site designated as protected open space;
- iii. A description and delineation of existing stormwater conveyances, impoundments, environmental resources on or adjacent to the site into which stormwater flows;
- iv. A delineation of 100-year flood plains, if applicable;
- v. Estimated seasonal high groundwater elevation in areas to be used for stormwater retention, detention, or infiltration;
- vi. Existing and proposed vegetation and ground surfaces with runoff coefficients for each;
- vii. A drainage area map showing pre- and post-construction water shed boundaries, drainage area and stormwater flow paths, including municipal drainage system flows, at a scale that enables verification of supporting calculations;
- viii. A recharge analysis that calculates pre- and post-construction annual groundwater recharge rates on the parcel;
- ix. A description and drawings of all components of the proposed stormwater management system; and
- x. Soils information from test pits performed at the location of proposed stormwater management facilities, including soil descriptions, depth to seasonal high groundwater and depth to bedrock. Soils information shall be based on site test pits logged by a Massachusetts Certified Soil Evaluator.

6.4 Siting, Performance, and Design Requirements

6.4.1 Setbacks

6.4.1.1 LSGMPVF front, side and rear setbacks – measured from the outer edge of the disturbed area – shall be as follows.

- (a) Front yard: The front yard setback shall not be less than one hundred fifty (150) feet;
- (b) Side yard: Each side yard setback shall not be less than one hundred (100) feet;
- (c) Rear yard: The rear yard setback shall not be less than one hundred (100) feet;

(d) Historic areas: The LSGMPVF shall not be located within one-quarter (1/4) mile from any area shown in the Ashfield Plain Register District map, (see Attachment A);

(e) Other facilities: LSGMPVF shall not be less than three hundred (300) feet from any existing MSGMPVF and/or LSGMPVF.

6.4.1.2 Any Applicant that cannot meet the above setback requirements may request a waiver to be issued at the discretion of the Planning Board. To receive a waiver for setbacks the Applicant shall submit a written request to the Planning Board for review at the time of application. The Planning Board may ask for additional materials, including plans for extra screening or other mitigation to compensate for an insufficient setback.

6.4.2 Slope

LSGMPVF sites shall not exceed a ten percent (10%) grade prior to or subsequent to any grading, filling, or other re-contouring. The Applicant may request a waiver to relax this requirement up to a fifteen percent (15%) grade, provided that the Applicant can demonstrate that the installation of a GMPVF on such a slope will not result in an unacceptable visual impact or increased erosion. The results of clearing forests on the slope must be considered in evaluating erosion. The Planning Board may, at the Applicant's expense, hire a consultant to review and make recommendations concerning the Applicant's request for a waiver.

6.4.3 Visual Impact

6.4.3.1 System Siting and Design

LSGMPVF system siting and design, including buffers and screening, shall protect scenic vistas and viewsheds from residential uses and public roadways. For any LSGMPVF, results of the visual impact assessment called for in subsection 6.3(h) shall be taken into account when reviewing the facility for compliance with this paragraph and with subsection 6.2.4 of this Bylaw.

6.4.3.2 Screening

(a) A LSGMPVF shall be effectively screened year-round from all abutting properties. Except for vehicular and pedestrian access routes and permitted signs, setback areas shall be modified only for additional screening. Where existing vegetation in the setbacks is insufficient to achieve year-round screening, additional screening shall be provided including, but not limited to, planting of dense vegetation and/or making use of natural ground elevations – all depending on site specific conditions. Tree cutting within the required setback area shall not be permitted if it reduces the effectiveness of the year-round screening.

(b) If additional plantings are required for screening, a planting plan shall be submitted, subject to the approval of the Planning Board, meeting the following requirements:

i. All types, sizes and locations of materials used shall be identified.

ii. Trees shall be a minimum of six (6) feet in height at installation, and shrubs a minimum of three (3) feet in height at installation. All plants shall be staggered so as to fill the setback area and keep the arrays from view year-round.

iii. A diversity of non-invasive plant species (specifically excluding plants listed in the most recent "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of Agricultural Resources) shall be used for screening and erosion control. Priority shall be given to native plants, with consideration for impacts of climate change on proposed species.

iv. At least fifty percent (50%) of the plantings shall consist of evergreens and shall be spaced to provide effective screening in the setback area, at a spacing of eight (8) foot centers.

v. The Owner and/or Operator shall maintain vegetative screen plantings for the life of the facility, including replacement of any dead or unhealthy plants.

(c) Installation of vegetative screen-plantings shall be fully completed prior to connection of the facility.

6.4.3.3 Lighting

Lighting of all parts of the LSGMPVF, including appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Lighting of the LSGMPVF shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution. All lighting shall comply with International Dark Sky Standards FSA Certification Requirements. There shall be no illumination without personnel on site. Lighting of a LSGMPVF shall be consistent with local, state and federal laws.

6.4.3.4 Heights

The height of the photovoltaic array – as part of a LSGMPVF – shall not exceed eighteen (18) feet above finish grade when rack mounted and shall not exceed twenty-one (21) feet above finish grade when pole mounted. The Planning Board may vary the height requirement to facilitate agricultural activity within the Facility. Other structures associated with the LSGMPVF shall conform to the relevant sections of the Ashfield Zoning Bylaws.

6.4.3.5 Glare and Reflection

The design of the LSGMPVF shall prevent reflected solar radiation or glare from becoming a public nuisance or hazard to adjacent buildings, roadways, or properties. Designs may include, but not be limited to, deliberate placement and arrangement on the site, anti-reflective materials, solar glare modeling, and screening.

6.4.4 Environmental Requirements

6.4.4.1 Siting

LSGMPVF shall not be located in or within one hundred (100) feet of Priority Habitat Areas, Estimated Habitats of Rare Wildlife, and Natural Communities; or Priority Habitat, Core Habitat or Critical Natural Landscape, as defined by the Natural Heritage & Endangered Species Program (NHESP) and BioMap 2, or its current successor.

6.4.4.2 Stormwater Management System and Plan

For any LSGMPVF a stormwater system and plan shall be provided and adhered to such that all post-development stormwater, up to and including a 50-year return frequency 24-hour storm, shall be retained on the parcel containing the LSGMPVF and infiltrated into the soil through low impact development, retention and infiltration basins. The design shall address the effects of alterations to the site including clearing of vegetation and the immediate and long term effects of rain washing off impermeable surfaces of photovoltaic arrays and associated structures, and collecting as runoff rather than reaching the ground directly as diffuse rainwater.

Emergency overflows for storms in excess of the 50-year return frequency may be permitted, provided it is demonstrated that no flooding or damage would be caused by the overflow. Attenuation of the discharge may be required as needed, as determined by the Planning Board.

6.4.4.3 Ecological Requirements

(a) Land Clearing

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the installation. Existing root structures, flat gravel areas, and topsoil shall be maintained to the maximum extent practicable.

(b) Control of Vegetation

The Applicant shall consider alternatives to the use of licensed and registered herbicides for control of vegetation such as mowing, pasturing, or the use of crushed rock or geo-textile materials installed underneath the solar array.

(c) Open Areas

The disturbed area not covered by photovoltaic panels or forest shall be seeded with a pollinator mix and maintained as bird and insect habitat. Mowing is to be the minimum required to prevent unwanted growth. Alternative vegetation or cover options may be proposed by the Applicant in consideration of soil type and quality, and/or agricultural use, subject to the approval of the Planning Board.

(d) Topsoil

Except for well drained, stable gravel, six (6) inches of topsoil shall be applied to areas stripped of topsoil during contouring or other site preparation. Wherever practicable the Contractor shall re-use sufficient on-site topsoil from excavated areas to establish a vegetative cover that blends disturbed areas into the surrounding landscape when the work on the project is completed. Topsoil shall not be imported unless there is a demonstrated engineering need, and such imports must be approved by the Planning Board prior to any introduction, with particular attention paid to preventing importation of invasive species. No topsoil may be removed from the site. Provision shall be made to stabilize any topsoil banks or berms.

6.4.4.4 Hazardous Material

(a) 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 Department of Environmental Protection (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 LSGMPVF electric equipment, impervious containment areas capable of preventing any release to the environment and preventing contamination of groundwater are required.

(b) Liquid Discharges

All liquid discharges from the facility must comply with applicable state and federal regulations.

(c) Airborne Discharges

All airborne discharges from the facility must comply with applicable state and federal regulations.

6.4.4.5 Noise

Noise generated by a LSGMPVF, including cooling fans, inverters, associated equipment and machinery shall conform at a minimum to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10. In addition, no noise, or sound from the Facility shall be normally perceptible more than fifty (50) feet from the Facility premises property line. The Facility shall be considered in violation of this bylaw if the source increases the sound level by more than 10 dB (A) above ambient, or 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 more than three (3) decibels. These criteria are to be satisfied at the LSGMPVF property line and at the nearest inhabited residence beyond the property line.

Noise reduction shall be considered and incorporated as needed during the design phase of the installation including the location of the noise generator, shielding, noise cancellation, filtering, and noise suppression.

6.4.5 Safety Requirements

6.4.5.1 Emergency Services

The LSGMPVF Owner and/or Operator shall provide a copy of the project summary, electrical diagram, site plan and any other blueprints or drawings to the Ashfield Fire Chief. The Owner and/or Operator shall coordinate with local Emergency Services in developing an emergency response plan. A sign showing the location of system shutdown features shall be provided in a position approved by Town Emergency Services. All means of shutting down the LSGMPVF shall be clearly marked. The Owner and/or Operator shall identify to the Planning Board and Select Board a responsible person to promptly answer inquiries from the public, town, state, and federal officials and agencies throughout the life of the LSGMPVF.

6.4.5.2 Signage

A sign consistent with Section III.C of the Ashfield Zoning Bylaws shall be required to identify the Owner and/or Operator and provide a 24-hour emergency contact phone number. The sign shall be located in a position approved by Town Emergency Services. A LSGMPVF shall not be used for displaying any advertising.

6.4.6 Utility Connection

All utility connections from the LSGMPVF to existing overhead utilities shall be underground, unless the utility determines, in consultation with the Planning Board, that it is unsafe or not feasible. Electrical transformers for utility interconnections may be above ground, if required by the utility provider.

6.5 Construction

6.5.1. Site Control and Construction Monitoring

6.5.1.1 Site Control

The Applicant shall provide documentation to demonstrate legal access to and control over the proposed site sufficient to allow for the construction and operation of the proposed LSGMPVF. If the Applicant will be leasing the proposed site, the property owner of the site shall be required to sign the application as a co-applicant, to submit written consent to be a co-holder of the Special Permit if granted by the Planning Board.

6.5.1.2 Construction Monitoring

(a) Notice

Written notice shall be sent by certified mail to the Planning Board advising the Board that construction of the approved LSGMPVF will commence no sooner than fourteen (14) days from the date that such notice is mailed.

(b) Monitoring

During construction of the LSGMPVF the Owner and/or Operator shall allow the Town of Ashfield and its designees, representatives, and agents, the right to access the Property for site visits of the premises, to evaluate and enforce, if required, compliance with the terms of the Special Permit.

The Planning Board, Building and Electrical Inspectors, and – if appropriate – Conservation Commission members, shall be allowed access to the site throughout construction. For any LSGMPVF the Planning Board may hire, at the Applicant's expense, a third-party inspector, selected by and acting under the direction of the Planning Board or its agents, to monitor compliance with all terms, approvals and conditions during the construction of the LSGMPVF pursuant to M.G.L. Chapter 44, Section 53G.

(c) Delineation of Limit of Work

For any LSGMPVF, prior to any site disturbance and construction, the limits of work shown on the site plan shall be surveyed and clearly marked by a Professional Land Surveyor at the Applicant's expense. Upon completion of the survey, the Professional Land Surveyor shall verify in writing to the Planning Board that the limit of work, as shown on the approved application, has been established on the site.

6.5.1.3 Soil Compaction

Best Management Practices shall be employed during construction to minimize soil compaction.

6.5.2 Noise

The noise generated during construction of the Facility shall comply with the provisions of the MassDEP Division of Air Quality Noise Regulations (310 CMR 7.10), as amended, or the provisions of subsection 6.4.4.5 of this Bylaw, whichever are more restrictive. This subsection also applies to vehicles making deliveries to the site.

Exemption from the standards established in this subsection may be granted by the Planning Board during the construction stages of the LSGMPVF for cause shown and upon written agreement between the Owner and/or Operator and the Planning Board. However, any such exceeding of the noise standards shall not be allowed between the hours of 7:00 p.m. and 7:00 a.m.

6.5.3 Stormwater Management

To ensure proper containment and stabilization of the site during the construction phase, a Construction-Phase Stormwater Management Plan to control construction-related impacts including erosion, sedimentation, other pollutant sources, and soil compaction during construction and land disturbance activities shall be developed and implemented. Such plan shall be suitable to document compliance with Standard 8 of the Massachusetts Stormwater Handbook. This plan may be subject to review by an independent consultant hired by the Planning Board at the Applicant's expense pursuant to M.G.L. Chapter 44, Section 53G.

6.6 Operations

6.6.1 Maintenance and Site Access

The LSGMPVF Owner and/or Operator shall maintain the LSGMPVF and Stormwater Control or Management System in good condition. Maintenance shall include – but not be limited to – painting, structural repairs, maintenance of plantings, and integrity of security measures for the life of the LSGMPVF. Site access shall be maintained to a level acceptable to the Ashfield Fire Chief and Emergency Management Director. The Owner and/or Operator shall be responsible for the cost of maintaining the LSGMPVF and any access road(s) for the life of the project.

Systems, plantings, and equipment shall be maintained and operated such that the LSGMPVF continues to meet the requirements of this Bylaw.

6.6.2 Inspections

The Building Commissioner may require annual site visits for the purpose of ensuring safety requirements are being met. Fees for such visits shall be consistent with those established for such visits by the Franklin County Cooperative Inspection Program or its successor agencies and shall be paid by the Owner and/or Operator.

6.6.3 Annual Reporting

The Owner and/or Operator of the LSGMPVF shall submit an Annual Report that certifies compliance with the requirements of this Bylaw and their approved site plan including control and maintenance of vegetation, and adequacy of road access. The Annual Report shall also provide information on the current ownership and responsible parties for the LSGMPVF, the maintenance completed during the course of the year and the amount of electricity generated by the LSGMPVF, any major alterations to equipment or the site, and any events of environmental or safety concern. The report shall be submitted to the Planning Board, Select Board, Fire Chief, Emergency Management Director, Building Commissioner, Board of Health, and Conservation Commission (if a wetlands permit was issued) no later than forty-five (45) days after the end of the calendar year.

6.7 Decommissioning

6.7.1 Decommissioning Requirements

Any LSGMPVF that has ceased to operate – or has been abandoned, as consistent with subsection 6.7.2 – shall be decommissioned. The Owner and/or Operator shall notify the Planning Board and Building Commissioner by certified mail of the proposed date of cessation of operations and plans for decommissioning. The Owner and/or Operator shall begin the physical removal of the LSGMPVF no more than one hundred fifty (150) days after the date of cessation of operation and complete the decommissioning within one (1) year of the date of the cessation of operation. If the decommissioning is not completed by this date, the Town of Ashfield may treat the facility as abandoned and complete the decommissioning at the expense of the Owner and/or Operator.

Any panel removed from the LSGMPVF array, and any other equipment removed from service during the facility's operating life may not remain on the parcel for more than one (1) year.

Decommissioning shall consist of the following:

- (a) Physical removal of all LSGMPVF structures, equipment, security barriers and transmission lines from the site;

(b) Disposal of all solid and hazardous waste, in accordance with local, state, and federal waste disposal regulations; and

(c) Stabilization or re-vegetation of the site, as necessary, to minimize erosion. The Owner and/or Operator may leave landscaping, below-grade construction and driveways if this can be shown to minimize erosion and disruption to vegetation. Any site that was deforested for the LSGMPVF shall be remediated to encourage a return to a condition consistent with residential/agricultural use. The cost of plant replacement shall be incorporated into the financial surety stipulated in Subsection 6.7.3.

6.7.2 Cessation of Operations and Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the LSGMPVF shall be considered to have ceased operation when it fails to produce energy in the amount of at least twenty percent (20%) of its design energy output for more than one (1) year without the written consent of the Building Commissioner. If the owner/operator fails to begin decommissioning the LSGMPVF within one hundred fifty (150) days of its cessation operation, the facility will be deemed abandoned.

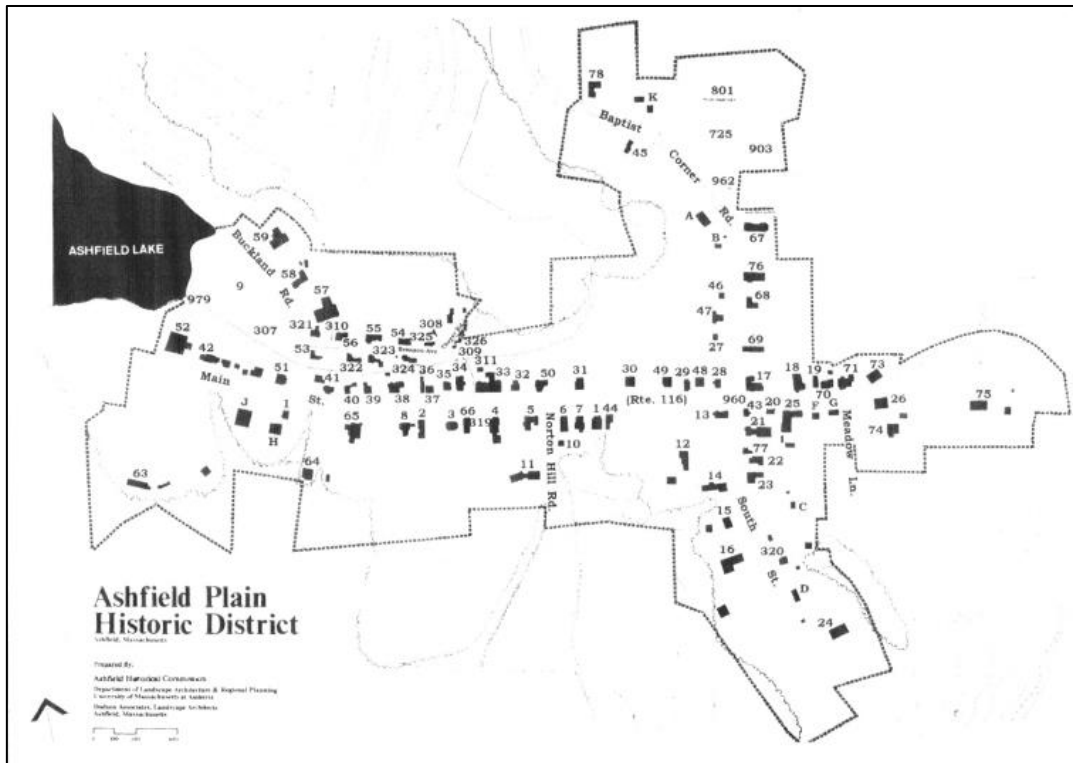
6.7.3 Financial Surety

6.7.3.1 Applicants of LSGMPVF shall provide a form of surety – either through escrow account, bond or otherwise – to cover the cost of removal, in the event the Town must remove the LSGMPVF and remediate the landscape. If the Owner and/or Operator fails to remove the LSGMPVF in accordance with the requirements of this section within one hundred fifty (150) days after either abandonment or the proposed date of decommissioning, the Town shall have the right, to the extent authorized by law, to enter the property and physically remove the system at the Owner's expense. As a condition of permit approval, the Owner and/or Operator and property owner shall agree to allow entry to remove an abandoned or decommissioned LSGMPVF. The cost for the removal will be drawn from the performance surety provided by the Applicant or charged to the property owner in accordance with the provisions of M.G.L. Chapter 139, Section 3A.

6.7.3.2 The amount and form of surety shall be determined by the Planning Board, but shall not exceed one hundred twenty-five percent (125%) of the cost of removal and compliance, with the additional requirements set forth herein, as determined by the Applicant and the Town. This surety may also be used to recover other debt to the Town that the Owner and/or Operator might owe at the time of decommissioning. The financial surety shall be maintained by the owner for the lifespan of the LSGMPVF, with annual certification notices from the surety company or bank for surety bonds submitted to the Planning Board and Select Board.

6.7.3.3 The Applicant shall submit a fully inclusive estimate of the costs associated with removal and site restoration, as prepared by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts. The estimate shall include the cost of removal of underground construction unless the Planning Board deems it acceptable for below ground construction to remain in place. The amount shall be no less than ten percent (10%) of the expected construction costs – exclusive of photovoltaic panel purchase costs – and shall include a mechanism for calculating increased removal costs, due to inflation.

Attachment A



#	Historic Name	Date	#	Historic Name	Date	#	Historic Name	Date
Contributing Structures			Contributing Structures			Non-Contributing Structures (less than 50 years old)		
1	Town Hall:	1812	50	Fessenden-Henry House:	1899	A	R. Anderson	
2	Wing-Cranson House:	1845	51	Benjamin House:	c.1890	B	D. Craft	
3	Belding Memorial Library:	1914	52	Dupree Garage:	1928	C	D. Nye	
4	Crafts-Hargraves House:	1854	53	Collins-Parker House:	1870	D	R. Pease	
5	Knowlton-Bacon House:	1800	54	Reniff-Gibson Garage:	1880	E	C. Buck	
6	Elmer's Store:	c.1835	55	Howes-Jenkins House:	1880	F	D. Lesure	
7	Whitehead House:	1850	56	Stetson House:	1880	G	Post Office	
8	Sanderson House:	1798	57	Sanderson Academy:	1939	H	Telephone Company	
9	Belding Park Site:	1928	58	Braeman-Pease House:	1850	I	Short Stop Variety	
10	Curtis Studio-Packard:	1870	59	C.W. Ward House:	1909	J	J. Dickerson	
11	Norton House:	1793	63	Green Meadows:	1916	K	903 Veteran's Monument:	1980
12	Curtis House:	1902	64	Belding Stable and Garage:	1889			
13	St. John's Church:	1827-28	65	Georgianna-Adelphi:	1889			
14	Guilford House:	pre-1850	66	Crafts-Dige House:	1850			
15	Cook-Day House:	c.1825	67	Ranney-Isserman House:	1890			
16	Cook Jones-Feldman House:	c.1875	68	Hathway-Rillings House:	1910			
17	Ranney Block, Field Tavern:	1792	69	Shippee-Leonard:	1850			
18	Congregational Parsonage:	1870	70	Baptist Parsonage:	1886			
19	Grange Hall:	rebuilt 1869	71	Whitney House:	1853			
20	Nye House:	pre-1820	725	Congregational Church (first site)				
21	Nye-Lilly House:	1796	73	I.R. Jones-Darling House:	1833			
22	Elmer Magee House:	pre-1850	74	Vicarage-Cassidy House:	1913			
23	Seth Wait's Tavern:	1766	75	Five Acres (Lapping):	1900			
24	Mizzennop-Farragut:	1883	76	G. Ranney House:	1890			
25	Nye-Edwards House:	pre-1820	77	Nye Shop:	1850			
26	Percy House:	pre-1793	78	O'Malley House:	1897			
27	Plain School:	1881	307	Flower-Cook Mill Site				
28	Selah Norton House:	1793	309	Tobias-Bernaski House:	c.1900			
29	Ashfield Historical Museum:	1830	311	Hathway-Gardner Factory Site				
30	Congregational Church:	1856	319	First Site of Sanderson Academy				
31	White Homestead:	1794	320	Wylie-Dater House:	1931			
32	VanNess-Cordelli House:	c.1827	321	Howard-Pease House:	1915			
33	Ashfield House:	1830	323	Coughlin House:	1892			
34	Porter House:	1850	324	Graves-Colter House:	c.1900			
35	Henry-Keves Store:	1858	325	Anderson-Wiltanen House:	c.1900			
36	VanNess Tin Shop:	late 1800's	326	Guganig-Bennett:	post-1900			
37	Fred Lilly House:	1858	308	Fessenden Steps and Walk to Sanderson Academy				
38	Cady Howes House:	1880	310	Bronson's Steps and Walk to Sanderson Academy				
39	Sander-Dige-Ward House:	1825						
40	Coleman-Phillips House:	pre-1850						
41	Chet Bronson House:	c.1890						
42	Old Sanderson Academy:	c.1816						
43	Perris-Carter House:	c.1829						
44	Fire Station:	1900-77						
45	Craft House:	pre-1850						
46	Wes Hall House:	1871						
47	McFarland-Graves House:	c.1815						
48	Sandy Garage:	1927						
49	Smith-Buck House:	1906						
			Other Contributing Structures					
			801	Plain Cemetery				
			800	Curtis Watering Trough:	1907			
			902	Civil War Monument:	1917			
			979	Ashfield Lake Dam:	1879			



Proposed by the Planning Board
 2/3 Majority Vote Required

ARTICLE 7: Zoning Bylaw - Table of Contents

To see if the Town will vote to amend the Ashfield Zoning Bylaws Table of Contents by deleting the existing Table of Contents and inserting the following in its place:

TABLE OF CONTENTS

SECTION I: PURPOSE

SECTION II: DEFINITIONS

SECTION III: GENERAL REGULATIONS

- A - Pre-Existing Uses, Structures and Lots
- B - Conformance
- C - Sign Regulations
- D - Driveways

SECTION IV: DIMENSIONAL REQUIREMENTS

- A - Lot Size
- B - Setbacks
- C - Existing Dwellings
- D - Height Limits
- E - Back Lots
- F - Senior Citizens Housing

SECTION V: DISTRICTS

- A - Entire Town
- B - Flood Hazard District

SECTION VI: USE REGULATIONS

- A - Use Types
- B - Public Nuisances
- C - Additional Building Requirements
- D - Cottage Industries and Home Occupations
- E - Prohibited Uses
- F - Telecommunications Facilities
- G - Large Scale Industrial and Commercial Facilities (LSICF)
- H - Senior Citizens Housing
- I - Ground Mounted Photovoltaic Facilities (GMPVF)

SECTION VII: SPECIAL PERMIT

SECTION VIII: ADMINISTRATION

ASHFIELD TOWN BYLAWS

- A - Unregistered Motor Vehicles
- B - Stripping of Soil and Loam

Or act relative thereto.

Proposed by the Planning Board
2/3 Majority Vote Required

And you are directed to serve this Warrant, by posting up attested copies thereof at the ASHFIELD TOWN HALL and the ASHFIELD POST OFFICE in said Town, fourteen (14) days at least before the time of holding said meeting.

Hereof Fail Not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given this day under our hands this **18th** day of **July** in the year **Two Thousand and Twenty-Two**.

Thomas S. Carter, Chair

Todd M. Olanyk, Vice-Chair

Ashfield Select Board

Steven R. Gougeon, Member

A true copy. Attest: _____ Constable

Franklin, SS

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Ashfield by posting up attested copies of the same at the Ashfield Town Hall and the Ashfield Post Office

_____ days before the date of the meeting as within directed.

Constable of Ashfield

Date