

**Town Meeting Informational Warrant
&
Article Recommendations**

May 1, 2023 ANNUAL TOWN MEETING

Hanson Middle School
111 Liberty Street, Hanson, MA
6:30pm



Prepared by the Town Administrator, Lisa M. Green, Esquire
and Executive Assistant, Lynn M. McDowell

at the direction of the Select Board



COMMONWEALTH OF MASSACHUSETTS
TOWN OF HANSON
WARRANT FOR May 1, 2023 ANNUAL TOWN MEETING

April 13, 2023

To the Voters at the Town of Hanson May Annual Town Meeting:

The enclosed is an informational copy of the warrant for the May 1, 2023 Annual Town Meeting for your convenience during the Town Meeting.

This informational warrant provides you with the most current information on each article, including explanations and recommendations. I hope that this will assist you during the meeting.

The legal warrant was posted on the 13 of April, 2023 by the Constable of the Town of Hanson, in accordance with state law.

Cordially,

Lisa M. Green, Esquire
Town Administrator



COMMONWEALTH OF MASSACHUSETTS
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MAY ANNUAL TOWN MEETING

PLYMOUTH, SS.

To either of the Constables of the Town of Hanson, in the County of Plymouth

GREETINGS,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hanson, qualified to vote in Town affairs, and elections, to meet in the Auditorium of the Hanson Middle School, 111 Liberty Street in said Hanson on **Monday the first day of May 1, 2023** at 6:30 o'clock in the evening, to act on the following articles, to wit:

ARTICLE 1: To hear reports of the various Town Officers, Committees, Special Committees, and act thereon.

Proposed by the Select Board

Explanation: The Reports voted on are those published in the 2022 Town Report.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 2: To see if the Town will authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2024 as permitted by Mass. General Laws, Chapter 44, Section 53F; or take any other action in relation thereto.

Proposed by the Treasurer/Collector

Explanation: This article allows the Treasurer/Collector to maintain accounts using credits instead of money to pay for banking charges.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 3: To see if the Town will vote to fix the Salary and Compensation of all paid Elected Officers and Committees of the Town as follows:

	<u>FY23</u>	<u>FY24</u>
Town Clerk	\$75,639.00	\$77,630.00



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or take any other action in relation thereto.

Proposed by the Town Administrator

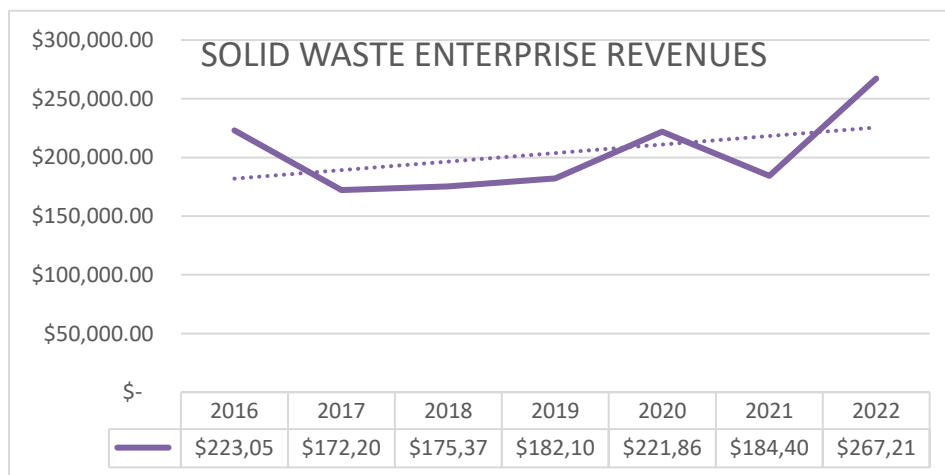
Explanation: This article sets the salary limits for all elected officials. Article 5 funds the salaries.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 4: To see if the Town will revoke the provisions of Chapter 44, §53F1/2 of the Massachusetts General Laws, ceasing the Hanson Transfer Station as an enterprise fund effective Fiscal Year 2024; or take any other action in relation thereto.

Proposed by the Board of Health

Explanation: The Transfer Station is no longer self-sustaining as an Enterprise Fund. The cost to operate the Transfer Station has consistently and increasingly exceeded the revenue from stickers, bags, and trip tickets year over year. When the Enterprise Fund was instituted in 2014, China was accepting recycling at no cost to the municipality. Since 2017 when China ceased accepting recyclables, the cost to dispose of recyclables has been added to the cost to operate the Transfer Station. More recently, due to inflationary impact, disposal and hauling costs have increased and fuel charges have been instituted. These increases are in addition to wage, indirect costs, and utility increases. Absent substantial increases to user fees, the Enterprise Fund model is not able to sustain the operation of the Transfer Station. As such, Transfer Station revenue will now be directed to the General Fund.





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***Recommendation: Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend***

ARTICLE 5: To determine what sums of money the Town will raise and appropriate by taxation, transfer from free cash, transfer from Town Ambulance Funds, Water Department Revenue, Water Surplus, Title V Special Revenue Fund, MWPAT Loan Repayments Receipts Reserved for Appropriation, Conservation Notice of Intent Fund, Overlay Surplus, and Fund Balance Reserved for Reduction of Future Excluded Debt, to defray charges and expenses of the Town, including Debt and Interest, and to provide for a reserve fund for the **2024 Fiscal Year**; or take any other action in relation thereto.

Proposed by the Select Board

Explanation: This article refers to the FY24 Annual Budget Lines as presented in the Informational Warrant.

***Recommendation: Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend***



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General & Water Funds - Fiscal Year 2024							
					Fiscal Year 2024		
			FY2022	FY2023	Department	Finance Committee	
Line #			ACTUAL	BUDGET	Request	Recommends	Funding source(s)



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General & Water Funds - Fiscal Year 2024							
					Fiscal Year 2024		
			FY2022	FY2023	Department	Finance Committee	
Line #			ACTUAL	BUDGET	Request	Recommends	Funding source(s)
	215	COMMUNICATIONS					
38		Salaries	-	-	-	-	Taxation
39		Expenses	29,483	36,200	238,400	238,400	Taxation
	220	FIRE & AMBULANCE					
40		Salaries	2,104,607	2,282,882	2,355,459	2,355,459	\$1,680,459 Taxation
							\$675,000 Ambulance Rcpts Fund
41		Expenses	199,594	235,530	229,030	229,030	\$179,030 Taxation
							\$50,000 Ambulance Rcpts Fund
42		Capital Outlay	-	-	-	-	Taxation
	241	BUILDING INSPECTION					
43		Salaries	116,316	131,478	129,421	129,421	Taxation
44		Expenses	14,142	7,400	10,145	10,145	Taxation
	242	GAS INSPECTION					
45		Salaries	2,533	7,378	6,700	6,700	Taxation
46		Expenses	-	-	200	200	
	243	PLUMBING INSPECTION					
47		Salaries	3,749	7,378	6,700	6,700	Taxation
48		Expenses	-	-	200	200	
	244	WEIGHTS & MEASURES					
49		Salaries	3,667	3,740	3,815	3,815	Taxation
50		Expenses	170	300	327	327	Taxation
	245	WIRING INSPECTION					
51		Salaries	11,449	22,660	21,200	21,200	Taxation
52		Expenses	-	-	200	200	
	292	ANIMAL CONTROL					
53		Salaries	19,380	20,163	20,566	20,566	Taxation
54		Expenses	-	5,100	5,100	5,100	Taxation
	294	TREE WARDEN					
55		Salaries	3,307	3,370	3,438	3,438	Taxation
56		Expenses	19,995	25,000	25,000	25,000	Taxation
		Subtotal, PUBLIC SAFETY	5,345,093	5,877,880	6,385,951	6,261,951	
				9.97%	8.64%	6.53%	
		EDUCATION:					
	300	WHITMAN-HANSON REGIONAL					
57		Operating Assessment	12,646,118	13,245,052	14,101,618	13,907,233	\$13,707,233 taxation
							\$200,000 Free cash
58		Transportation Assessment	117,956	55,234	52,672	52,672	Taxation
59		Debt Assessment	495,294	481,913	483,722	483,722	\$375,722 Taxation
							\$108,000 Free Cash
60	330	SOUTH SHORE REGIONAL TECH	1,228,076	1,182,596	1,164,846	1,164,846	Taxation
61	340	NORFOLK/BRISTOL AGRICULTURAL	74,408	105,000	296,130	213,330	Taxation
		Subtotal, EDUCATION	14,561,851	15,069,795	16,098,988	15,821,803	
				3.49%	6.83%	4.99%	
		PUBLIC WORKS:					
	420	HIGHWAY					
62		Salaries	510,060	591,632	607,469	604,469	Taxation
63		Expenses	245,045	257,840	303,650	338,650	Taxation
64		Snow & Ice	432,837	300,000	330,000	300,000	Taxation
65		Street Sweeping	37,852	45,000	45,000	-	
	424	TOWN-WIDE FUEL					
66		Expenses	118,887	150,000	160,000	160,000	Taxation
	430	SOLID WASTE					
67		Salaries	111,563	125,752	166,515	116,515	Taxation
68		Expenses	187,567	229,000	262,300	212,300	Taxation
		Subtotal, PUBLIC WORKS	1,643,811	1,699,224	1,874,934	1,731,934	
				3.37%	10.34%	1.92%	



General & Water Funds - Fiscal Year 2024							
					Fiscal Year 2024		
			FY2022 ACTUAL	FY2023 BUDGET	Department Request	Finance Committee Recommends	
Line #							Funding source(s)



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ARTICLE 6: To see if the Town will vote to raise and appropriate the following sums of money to operate the Transfer Station during fiscal year 2024, under the provisions of M.G.L. Chapter 44, Section 53F ½.

Estimated Revenues	<u>FY23</u>	<u>FY24</u>
Item	Amount	Amount
Program Receipts (fees)	\$239,752	\$200,000
Retained Earnings	\$165,000	\$ 0
Taxation	\$ 0	\$128,815
Total Budgeted Revenues:	\$404,752	\$328,815

Estimated Expenses:	<u>FY23</u>	<u>FY24</u>	
Item	Amount	Amount	
Salaries	\$125,752	\$116,115	Taxation
		\$200,000	Receipts
Expenses	\$229,000	\$12,300	Taxation
Indirect Costs	\$ 50,000	\$ 0	
Total Budgeted Expenses:	\$404,752	\$328,415	

or take any other action in relation thereto.

Proposed by the Board of Health

Explanation: This article will be passed over if Article 4 passes; however, if Article 4 fails, the Transfer Station will require a budget within the confines of G.L. c. 44, §53F1/2. The total cost of operating the Transfer Station is \$328,415. A portion of the Salaries \$116,115 and expenses \$12,300 will be paid from general taxation.

Recommendation: *Select Board voted 5-0 to Not Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 7: To see if the town will vote to raise and appropriate and/or transfer the sum of \$35,000 from Computer Services to be added to the Technology Department's budget to hire a part-time Information Technology Assistant for 19 hours per week; or take any other action relative thereto.

Proposed by the Select Board/Wage and Personnel

Explanation: The funds will help secure a part-time Information Technology Assistant for the Technology Department to assist with the daily IT operations of the Town

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Not Recommend



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ARTICLE 8: To determine whether the Town will transfer from ARPA available sums, a sum of money for the purpose of paying the Town's assessed share of the Fiscal Year 2024 operating budget of the Whitman-Hanson Regional School District; or take any other action in relation thereto.

Explanation: This article refers to the Whitman Hanson Regional School Operational Assessment. The Town will be using ARPA funding, detailing the school budget as voted by the School Committee vs the Town of Hanson Select Board and Finance Committee recommendations.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 9: To see if the Town will vote to authorize the Select Board to accept and enter into a contract for the expenditure of any allocated or to be allocated funds by the Commonwealth and/or County pursuant to Mass. General Laws Ch. 90, for the construction, reconstruction and improvements of Town accepted roads. Said sum of money to be expended under the direction of the Highway Director; or take any other action in relation thereto.

Proposed by the Select Board

Explanation: This article is a requirement of the Commonwealth of Massachusetts for the Town of Hanson to accept state funding, including Chapter 90 funding for accepted roadways. This article authorizes the use of funds which will be 100% reimbursed by the Commonwealth of Massachusetts. The budget approved each fiscal year by the legislature and governor establishes the total funding available for Chapter 90 local transportation aid for that year. These funds are then apportioned to the 351 Massachusetts towns and cities.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 10: To see if the Town will vote to set the spending limits of the Town's revolving accounts in accordance with Hanson General By-law Article 2 – 9 Section 3 as follows:

<u>Fund</u>	<u>Spending Limit</u>
Assessors	\$ 1,500
Parks & Fields	\$10,000
Library	\$ 7,000
Senior Center Programs	\$ 2,500
Senior Center Fees	\$95,000
Conservation Comm.	\$ 7,500
Nathaniel Thomas Mill	\$ 1,500

or take any other action in relation thereto.



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Proposed by the Select Board

Explanation: This article sets the spending limits for the revolving the annual revolving accounts.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 2-9
FINANCIAL

- Sec 1A. At the end of the fiscal year all unexpended or unencumbered balances contained in the budget voted for that same fiscal year shall be transferred to the account of Excess and Deficiency.
- Sec 1B. In the case of appropriations voted by the Town other than budget appropriations, e.g. by separate article approval, all unexpended or unencumbered balances remaining at the conclusion of the fiscal year within which voted, shall be transferred to the account of Excess and Deficiency unless otherwise stipulated in the vote creating the appropriation or, if determined by the Town Accountant and the Department Head involved, that the intent for which the appropriation was created has not been fulfilled.
- Sec 1C. No appropriation existing at the time of the approval of this section shall be affected.
- Sec 2A. It shall be the duty of the several Boards, Committees, Commissions and Officers of the Town to submit to the Town Collector, without delay, all accounts due the Town with all available information in relation thereto.
- Sec 2B. The Board of Selectmen shall take action with respect to all uncollected accounts as they deem in the best interests of the Town.
- Sec 3A. Purpose. This by-law establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of these programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E1/2.
- Sec 3B. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:
- (a) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund, (except for those employed as school bus drivers).
 - (b) No liability shall be incurred in excess of the available balance of the fund.
 - (c) The total amount spent during a fiscal year shall not exceed the amount authorized by Town meeting on or before July 1 of that fiscal year, or any



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increased amount of that authorization that is later approved during that fiscal year by the select board and finance committee.

- Sec 3C. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.
- Sec. 3D. Procedures and Reports. Except as provided in General Laws Chapter 44, §53E1/2 and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and . custody of Town monies and the expenditure and payment of Town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Town accountant auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town Accountant auditor provides the department, board, committee agency or officer on appropriations made for its use.
- Sec 3E. Authorized Revolving Funds. The Table establishes:
- a. Each revolving fund authorized for use by a town department, board, committee, agency or officer
 - b. The department or agency head, board, committee or officer authorized to spend for each fund.
 - c. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the town accountant.
 - d. The expenses of the program or activity for which each fund may be used,
 - e. Any restrictions or conditions on expenditure from each fund,
 - f. Any reporting or other requirements that apply to each fund, and
 - g. The fiscal years each fund shall operate under this by-law.



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FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	AUTHORITY TO USE OF FUNDS	FISCAL YEARS
Assessors	Counter Sales of Maps	Board of Assessors	Purchase and Maintenance of maps including GIS	Fiscal Year 2018 and subsequent years
Parks & Fields	Recycling, rental fees, repair reimbursement & donations	Parks & Fields	Parks & Fields maintenance and equipment	Fiscal Year 2018 and subsequent years
Library	Fines, Fees and Copier Charges	Board of Library	Library operations, Copier, Purchase, maintenance, repairs & supplies. Printer Supplies. Replacement of lost or damaged books	Fiscal Year 2018 and subsequent years
Senior Center Programs	Events, programs and Education Seminars	Director of Elder Affairs	Senior Center Operations Events, programs, seminar training and reimbursement	Fiscal Year 2018 and subsequent years
Senior Center Fees	Program Fees	Director of Elder Affairs	Supportive day care program	Fiscal Year 2018 and subsequent years
Conservation Commission	Wetlands Fees	Conservation Commission	Engineering, surveying, legal & environmental consulting and expenses related to the administration and enforcement of the Town of Hanson Wetland Protection Bylaw 3-13 and the Rules & Regulations related thereto	Fiscal Year 2018 and subsequent years
Nathaniel Thomas Mill	Rental Fees	Conservation Commission	Maintenance & Repairs of building and grounds	Fiscal Year 2018 and subsequent years

ARTICLE 11: To see if the Town will vote to amend the Wage and Personnel Bylaws, Article 2 - 12, Classification and Compensation by deleting Sections 11A through 11E in its entirety and inserting the new Sections 11A through 11E as follows:

SECTION 11 A: PROFESSIONAL POSITIONS

	10/3/2022	7/1/2023
A Director of Elder Affairs	35,000 to 75,000	35,000 to 75,000
B Town Accountant	45,000 to 75,000	45,000 to 95,000
Town Accountant – Part-Time hourly rate	24.00 to 41.00	24.00 to 41.00
C Inspector of Buildings – Full-time Salary	51,700 to 75,000	51,700 to 75,000
Inspector of Buildings – Part-time hourly rate	35.00 to 45.00	35.00 to 45.00
D Health Agent	40,000 to 70,000	40,000 to 70,000
E Conservation Agent – Full Time	35,000 to 89,000	35,000 to 89,000



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	Conservation Agent – Part-time hourly rate	28.00 to 45.00	28.00 to 45.00
F	Library Director	70,000 to 90,000	70,000 to 90,000
G	Town Planner	45,000 to 90,000	45,000 to 90,000
H	Town Planner/Conservation Agent	45,000 to 75,000	45,000 to 75,000
I	Informational Technology Director	60,000 to 115,000	60,000 to 115,000
J	Recreation Director **	30,000 to 50,000	30,000 to 50,000
K	Grant Writer/ Procurement Administrator	50,000 to 70,000	50,000 to 70,000

SECTION 11 B: ADMINISTRATIVE AND/OR FULL TIME

		10/3/2022	7/1/2023
A	Executive Assistant	17.00 to 34.00	28.00 to 38.00
B	Assistant to Police Chief	18.00 to 40.00	18.00 to 40.00
C	<i>Veterans' Agent ~ Annual salary</i>	7,000 to 33,000	<i>55,000 to 62,000</i>
D	Reference Librarian	22.00 to 31.00	22.00 to 31.00
E	Youth Services Librarian	22.00 to 31.00	22.00 to 31.00
F	Animal Control Officer ~ Annual Salary	17,000 to 28,000	17,000 to 28,000
G	Van Drivers/Aide *	15.00 to 17.00	15.00 to 17.00
H	Social Day Care Coordinator *	15.00 to 21.00	15.00 to 21.00
I	Camp Kiwanee Caretaker **	15.00 to 25.00	15.00 to 25.00
J	Youth Services Associate	18.00 to 24.00	18.00 to 24.00
K	<i>Library/Senior Center Custodian</i>	18.00 to 24.00	<i>22.00 to 26.00</i>
L	<i>Facilities Manager</i>	20,000 to 45,000	<i>70,000 to 80,000</i>

SECTION 11 C: PART TIME POSITIONS

		10/3/2022	7/1/2023
A	Assistant Inspector of Building	22.00 to 30.00	22.00 to 30.00
B	Gas Inspector	22.00 to 30.00	22.00 to 30.00
C	Plumbing Inspector	22.00 to 30.00	22.00 to 30.00
D	Wiring Inspector	22.00 to 30.00	22.00 to 30.00
E	Civil Defense Director ~ Annual Salary	900 to 1,300 yr.	900 to 1,300 yr.
F	Police Matron	18.00 to 30.00	18.00 to 30.00
G	Outreach/Seniors *	15.00 to 22.00	15.00 to 22.00
H	Assistant Coordinator *	15.00 to 22.00	15.00 to 22.00
I	Volunteer Services Intergenerational Coordinator*	15.00 to 19.00	15.00 to 19.00
J	Senior Center Support Staff *	15.00 to 17.00	15.00 to 17.00



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K	Back-up Van Driver *	15.00 to 17.00	15.00 to 17.00
L	Animal Inspector	1,000 to 1,600	1,000 to 1,600
M	Election Clerk	15.00 to 17.00	15.00 to 17.00
N	Election Officer	15.00 to 17.00	15.00 to 17.00
O	Election Warden	15.00 to 17.00	15.00 to 17.00
P	Registrar of Voters	15.00 to 17.00	15.00 to 17.00
	Assistant Caretaker **	15.00 to 25.00	15.00 to 25.00
R	Sealer of Weights & Measurers ~ Annual Salary	2,500 to 3,500 yr.	2,500 to 3,500 yr.
S	Milk Inspector	150 to 300 yr.	150 to 300 yr.
T	Assistant Veterans Agent	15.00 to 15.00	15.00 to 15.00
U	Committee Clerical/Administrative Support Staff	15.00 to 15.00	15.00 to 15.00
V	Emergency Clerical Labor	15.00 to 15.00	15.00 to 15.00
W	Transfer Station Attendant	15.00 to 21.00	15.00 to 21.00
X	Camp Kiwanee Event Coordinator	15.00 to 25.00	15.00 to 25.00
Y	Facilities Manager Part Time Hourly Rate	15.00 to 25.00	15.00 to 25.00
Z	Public Buildings Custodian	18.00 to 24.00	18.00 to 24.00
AA	Assistant Health Agent	15.00 to 22.00	15.00 to 22.00
BB	Student Police Officer	25.00 to 40.00	25.00 to 40.00
CC	Part-time Police Officers/Special Police Officers	25.00 to 90.00	25.00 to 90.00
DD	Civilian Traffic Control Agent	25.00 to 90.00	25.00 to 90.00
EE	<i>Information Technology Assistant</i>		28.00 to 35.00
FF	<i>Select Board Part-time Administrative Assistant to the Town Administrator and Select Board</i>		17.00 to 34.00

SECTION 11 D: SEASONAL POSITIONS **

	10/3/2022	7/1/2023
A Beach Director	15.00 to 25.00	15.00 to 25.00
B Water Safety Instructor	15.00 to 25.00	15.00 to 25.00
C Lifeguards	15.00 to 25.00	15.00 to 25.00
D Boat Coordinator	15.00 to 16.00	15.00 to 16.00
E Boating Instructor	15.00 to 20.00	15.00 to 20.00
F Concession Worker	15.00 to 16.00	15.00 to 16.00
G Recreation Assistant	15.00 to 16.00	15.00 to 16.00
H Security/Gate Attendants	15.00 to 16.00	15.00 to 16.00

* Positions are funded through the Multi-Service Senior Center's revolving account or grants

** Positions are funded through the Recreation Commission's Enterprise Fund.



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SECTION 11 E: CALL FIREFIGHTERS/OFFICERS

Position	Start 10/3/22	10 yrs.	15 yrs.	20 yrs.	25 yrs.
Call Firefighter in training	\$16.00	0	0	0	0
Probationary Firefighter	\$18.00	0	0	0	0
Call Firefighter	\$22.00	+ 2%	+2%	+2%	+ 2%
Call Fire Lieutenant	\$24.00	+2 %	+ 2%	+ 2%	+ 2%

\$500.00 stipend will be paid in June of each fiscal year to those call firefighters who successfully complete and maintain the certification of an EMT recognized by the State and approved by the Fire Chief. Paramedics will receive a \$1,000.00 stipend or take any other action in relation thereto.

Proposed by the Select Board

Explanation: The changes to the Compensation Plan are in ***bold italicized*** text. The changes include the creation of a part-time Informational Technology Assistant position and a part-time Administrative Assistant in the Select Board's office position, and the adjustment of salary ranges to reflect full time status for the following positions: Veterans' Agent, Library/Senior Center Custodian and Facilities Manager.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 12: To see if the Town will vote to raise and appropriate the following sums of money to operate the Recreation Department during fiscal year 2024, under the provisions of M.G.L. Chapter 44, Section 53F ½; or take any other action in relation thereto.

Estimated Revenues	<u>FY24</u>
Item	Amount
Program Receipts (fees)	\$268,488
Retained Earnings	\$45,512
Taxation	<u>\$ 0</u>
Total Budgeted Revenues:	\$314,000

Estimated Expenses	<u>FY 24 Budget</u>
Item	
Salaries	\$131,700
Expenses	\$150,800
Debt Service	\$0
Indirect Costs	<u>\$ 31,500</u>
Total Budgeted Expenses:	\$314,000

Proposed by the Camp Kiwanee Commission



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Explanation: These budget request amounts for FY24 as voted by the Camp Kiwanee Commission for the operation and maintenance of Camp Kiwanee.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 13: To see if the Town will vote to request that the Town of Hanson Planning Board consider adopting amendments to the Hanson Subdivision Control Rules and Regulations regarding the placement of stormwater retention areas in underground chambers where site conditions allow and require conformity with all state stormwater guidelines in place at the time; or to take any other action in relation thereto.

Proposed by Planning Board

Explanation: This non-binding article requests that the Planning Board consider certain amendments of its rules and regulations. A “Retention Area” is a form of stormwater management and treatment. Retention areas function by retaining stormwater and then allowing said stormwater to infiltrate into the existing soil beneath them. The Planning Board will review all local and state regulations and best engineering practices during the next revision of the Hanson Subdivision Control Rules and Regulations to determine if underground chambers are the most feasible and economical option.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 14: To see if the Town will vote to amend Article 3-3 of the General Bylaw of the Town of Hanson, by adding a new subsection 2C., a copy of which is on file with the Town Clerk, regarding the regulation of the demolition and disposal of inground pools; or take any other action in relation thereto.

Proposed by the Planning Board

Explanation: Neither the current general bylaw nor the state building code provides guidance on the demolition and proper disposal of inground pools. The amendment will provide the necessary regulations for contractors working within the Town of Hanson to follow. The amendment contains similar language used in other municipalities.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Defer to Town Meeting



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ARTICLE 15: To see if the Town will vote to adopt the Capital Improvement Matrix as presented by the Capital Improvement Committee; or take any other action in relation thereto.

Proposed by the Capital Improvement Committee
and the Select Board

Explanation: This is the annual article which approves the Capital Improvement matrix for the next fiscal year as presented in the Informational Warrant.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 16: To see if the Town will vote to transfer from Free Cash, the sum of \$25,000 to build the stand and re-install the water wheel on the Nathaniel Thomas Mill, located on Liberty Street; or take any other action in relation thereto.

Proposed by the Nathaniel Thomas Mill Committee

Explanation When the original funding was received for the replacement of the wheel, the stand was thought be in good condition. Once the wheel was removed, the stand had significant rot. The funds are necessary to rebuild the stand and attach the wheel to the rebuilt stand.

Recommendation: *Select Board voted 5-0 to Place; 4 to Defer to Town Meeting, 1 Opposed*
Finance Committee voted 3-1 to Not Recommend

ARTICLE 17: To see if the Town will vote to appropriate or reserve from Fiscal Year 2024 Community Preservation Fund estimated annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2024, with each item to be considered a separate appropriation:

Appropriations:

From FY 2024 estimated revenues for Committee Administrative Expenses 10,000

Reserves:

From FY 2024 estimated revenues for Historic Resource Reserve	\$ 65,600
From FY 2024 estimated revenues for Community Housing Reserve	\$ 65,600
From FY 2024 estimated revenues for Open Space Reserve	\$ 65,600
From FY 2024 estimated revenues for Budgeted Reserve	\$426,400

or take any other action in relation thereto.



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Proposed by the Community Preservation Committee

Explanation: This article ensures that Hanson's Community Preservation Accounts are compliant with the Community Preservation Act which requires that a certain portion of the CPA funds be set aside for open space projects, community housing projects, historical projects, and recreation projects. In addition, it sets aside money for the administrative expenses of the Community Preservation Committee.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 18: To see if the Town will vote to transfer from Community Preservation Open Space Reserve \$3,653.22 for the purpose of placing a Conservation Restriction on the Sleeper Property located at 0 Maquan Street; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The Sleeper property was acquired for Open Space through a combination of Community Preservation Act funds and a state grant. The Community Preservation Act requires that any land acquired with Community Preservation Act funds (whether in part or entirely) must have a Conservation Restriction placed upon it. This Conservation Restriction requires monitoring that certain conditions are met on the property. Wildlands Trust has agreed to help the Town of Hanson to comply with the Community reservation Act by accepting a Conservation Restriction on the parcel at 0 Maquan Street (a/k/a Sleeper Property) and performing the required monitoring duties. To perform that service, they require a total fee of \$11,070.38. \$3,653.22 of this fee will be paid for using Community Preservation Act funds and the remaining amount will be paid for using the Conservation Fund.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 19: To see if the Town will vote to transfer \$8,565 from the Community Preservation Historic Resources Reserve for the purposes of restoring scrolls of an 1857 Linen Map of the towns that constitute Plymouth County; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The Town of Hanson was gifted an 1857 Linen Map on scrolls of the towns that make up Plymouth County. The Town of Hanson Assessor, Lee Gamache, and the 200th Anniversary Committee, along with the Historical commission would like to have the map restored and framed to preserve for future reference and historical purposes.



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***Recommendation: Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend***

ARTICLE 20: To see if the Town will vote to appropriate \$65,000 from the Undesignated Community Preservation Fund to purchase and erect a new playground area for Cranberry Cove, including installation, laying foundation and purchasing equipment, and attendant expenses allowable under the CPC guidelines; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The historic Cranberry Cove has been in need of a renovation for quite some time. The cove is the only public swimming hole in the Town of Hanson. This project will be elect a playground on the south side of the cove. Providing the citizen of Hanson more recreation opportunities.

***Recommendation: Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend***

ARTICLE 21: To see if the Town will vote to transfer \$35,000 from the Community Preservation Open Space Reserve for the purpose of restoring some of the landscaping at Camp Kiwanee's Cranberry Cove and renovations to the Bathhouse; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: This project is a part of an ongoing effort to restore and rejuvenate cranberry cove, the only public waterfront recreation in the town of Hanson. This landscaping will bring back the natural settings of the cove and work to make cranberry cove once again the spot to be within Hanson. This proposal will include the landscaping design and implementation of the beach along with other renovations of the Bathhouse.

***Recommendation: Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend***

ARTICLE 22: To see if the town will vote to transfer \$1,500 from Free Cash for the Economic Development Committee outreach program for Hanson businesses and to conduct outreach to bring businesses to Hanson; or take any other action in relation thereto.

Proposed by the Economic Development Committee

Explanation: The Hanson Economic Development Committee will be conducting an outreach program by sending informational letters to existing Town of Hanson business as well as attracting new businesses to Hanson.



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Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 23: To see if the town will vote to reduce the interest rate to 2% from 5% which is applicable to tax deferral and recovery agreements entered into pursuant to G.L. c 59, § 5, Clause 41A, which provides for a property tax deferral for certain qualified seniors, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2023; or take any other action in relation thereto.

Proposed by the Board of Assessors

Explanation: Town Meeting voters will now be able to establish an alternative lower interest rate to apply to property tax deferrals. Any changes in the rate would need to be voted no later than July 1 of the fiscal year to which the tax relates. The Assessors are recommending an interest rate of 2% for property tax deferrals, commencing with taxes deferred in fiscal 2024. The current rate is 5%.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 24: To see if the town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c. 59, §5, Clause 41A from \$20,000 to \$40,000. Such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2023; or take any other action in relation thereto.

Proposed by the Board of Assessors

Explanation: This is a Local Option to increase the Gross Receipts a property owner may have from all sources of income from \$20,000 to \$40,000 in order to qualify for Property Tax Deferral Clause 41A Exemption

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 25: To see if the Town will vote to transfer \$22,000 from Free Cash for the purchase of sixteen (16) Ballistic Vests with carriers; or take any other action in relation thereto.

Proposed by the Police Department

Explanation: These funds will be used to replace twenty Ballistic Vests. The current vests are five years old and have reached the end of their useful life.



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Recommendation: *Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend*

ARTICLE 26: To see if the Town will vote to transfer from Free Cash or raise and appropriate \$7,500.00 to treat invasive phragmites at Smitty's Bog; or take any other action in relation thereto.

Proposed by the Conservation Commission

Explanation: Phragmites have invaded the Smitty's Bog Reserve and threaten to spread throughout this important resource area. The Town's agreement with the federal USDA/NRCS requires that this reserve's ecosystem be maintained in good health for the continued enjoyment of future users. A wetlands specialist will be engaged to treat the invasive weed in an effort to eradicate it at this site.

Recommendation: *Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend*

ARTICLE 27: To see if the Town will vote to transfer from Free Cash \$20,000 to replenish the Conservation Fund; or take any other action in relation thereto.

Proposed by the Conservation Commission

Explanation: The Conservation Fund supports the Commission's efforts to carry out its care and custody responsibilities for open space and recreation areas. These efforts include trail building and maintenance; provision of signage, notices, and other information; property enhancements such as mowing, invasive vegetation removal, and site clean-up; wildlife habitat and stream improvements; removal of encroachments; establishment of bounds and survey recordings; and equipment rental as necessary to support these activities.

Recommendation: *Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend*

ARTICLE 28: To see if the Town will vote to transfer the sum of \$10,800 from free cash for sealing and painting of the Garage Shop Roof; or take any other action in relation thereto.

Proposed by the Highway Department

Explanation: The rear Shop/Garage Roof has been leaking for many years, it was studied in the 2014 Hanson Facilities review and was reported as follows: "Metal repair garage: The existing metal roof is leaking and is in need of replacement. Remove and



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replace the roof in its entirety. Estimated cost of replacement \$200,000.00". This article is a much less substantial investment in this obsolete building, providing necessary relief until the long-term solution to a new Highway Facility is realized. The current condition of the roof however, needs to be addressed as soon as possible.

***Recommendation: Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend***

ARTICLE 29: To see if the Town will vote to transfer from ARPA the sum of \$30,000 to retain the services of a qualified firm to provide an assessment for environmental and hazardous materials at the Highway Department site located at 797 Indian Head Street and land surveying services to determine and establish the existing property lines at that site; or take any other action in relation thereto.

Proposed by the Planning Board

Explanation: The Town is in process of studying the conditions at the existing Highway Department location to assess the possibility of constructing a new Highway Department building. The site assessment would determine existing soil conditions within areas of a future building. Additionally, the current deed and title information is poorly written and vague. The services of a land surveyor are required to research and establish the existing property lines by instrument survey on the ground. Once completed, this will provide vital information in determining the best course of action for the site.

***Recommendation: Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Recommend***

ARTICLE 30: To see if the Town will vote to transfer from American Rescue Plan Act (ARPA) the sums of money in the amounts and for the Capital Improvements and purchases printed below:

Line	Department	Item	AMOUNT	Capital Improvement Recommendation	Funding Source
1	Fire	Protective Clothing	\$ 98,500	3-0	ARPA
2	Highway	Unit 6 f350 1 Ton with Sander	\$ 140,000	3-0	ARPA
3	Highway	Unit C1 2500 HD pickup truck	\$ 75,000	3-0	ARPA
	TOTAL		\$ 313,500		

or take any other action in relation thereto.



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Proposed by the Capital Improvement Committee

Explanation: The items listed below are proposed by the Capital Improvement Committee after having met and discussed with the Town's department heads.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Recommend

ARTICLE 31: To see if the Town will approve the amended South Shore Regional Vocational School District Regional Agreement which is on file in the Town Clerk's office; or take any other action in relation thereto.

Proposed by the South Shore Regional Vocational School Committee

Explanation: The regional agreement, last updated in 2018 is being updated primarily to include the Town of Marshfield as a member of the Regional School District, which would take effect July 1, 2024. Other changes to the agreement are outlined in the agreement on file.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee decided to obtain the copy of the agreement from the Town Clerk to review for financial impact and make a final recommendation just prior to TM

ARTICLE 32: To see if the Town will vote to approve an amendment to Section VI, Use Regulations, of the Hanson Zoning Bylaws, on file with the Town Clerk, as recommended by the Hanson Planning Board on February 27, 2023; or take any other action in relation thereto.

Proposed by the Planning Board

Explanation: Sections of the use regulations have been updated to provide clarification and to address issues raised by citizens and departments within town to address the following: (1) Upland requirements (clarification); (2) Setback requirements from two streets. (Updated based on concerns raised by various departments).

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Defer to Town Meeting

Explanation: 1. Section VI – Use Regulations (Amendments)

A. AGRICULTURAL-RECREATION DISTRICT:



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This District is intended to protect the public health and safety, to protect persons and property against hazards of flood water inundation and unsuitable and unhealthy development of unsuitable soils, swamp land, marsh land and water courses; to protect the balance of nature, including the habitat for birds, wildlife, and plants essential to the survival of man; to conserve and increase the amenities of the Town, natural conditions and open spaces for education, recreation, agriculture, and the general welfare.

The Watershed and Wetland Areas are included in this District to facilitate the adequate protection of the natural storage capacity of the watershed, to protect, preserve and maintain the water table and water recharge areas, to protect and preserve the marshes, bogs, ponds, watercourses and their adjoining wetlands, to protect the Town's significant environmental features by reducing the sources and possibilities of pollution, sedimentation and destruction of water bodies.

The following Agriculture-Recreation Districts are added to the Zoning Map:

AR-1 All that land along or sloping toward Poor Meadow Brook lying beyond two hundred (200) feet southerly of the center line of Main Street and beyond two hundred (200) feet westerly of the center line of Elm Street that is at or below fifty-five (55) feet Mean Sea Level (MSL).

AR-2 All that land adjacent to or sloping toward Oldham Pond lying northeasterly of the center line of Lakeside Road, westerly of the Town of Hanson Boundary line and southwesterly of the existing Agriculture-Recreation District that is at or below seventy (70) feet MSL line, beyond two hundred (200) feet westerly of the center line of Pearl Street, and beyond two hundred (200) feet southwesterly of the center line of Brook Street that is at or below seventy (70) feet MSL.

AR-3 All that land beyond two hundred (200) feet easterly of the center line of Indian Head Street, northerly of the center line of an unnamed road immediately north of Indian Head Pond, and lying beyond two hundred (200) feet southerly of the center line of Maquan Street that is at or below eighty (80) feet MSL, as well as that land westerly of Maquan Pond lying beyond two hundred (200) feet southerly of the center line of Maquan Street and beyond two hundred (200) feet easterly of the center line of Indian Head Street that is at or below ninety (90) feet MSL.

AR-4 All that land adjacent to or sloping toward Indian Head Pond and beyond two hundred (200) feet easterly of the center line of Indian Head Street, that is at or below seventy (70) feet MSL.

AR-5 All that land lying beyond two hundred (200) feet northeasterly of the center line of the New York, New Haven, and Hartford Railroad tracks, beyond two hundred (200) feet easterly of the center line of Pleasant Street, beyond two hundred (200) feet westerly of the center line of Monponsett Street and beyond two hundred (200) feet southerly of the center line of South Street that is at or below seventy (70) feet MSL.



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AR-6 All that land lying beyond two hundred (200) feet easterly of the center line of Monponsett Street, beyond two hundred (200) feet northeasterly of the center line of the New York, New Haven, and Hartford Railroad tracks, southwesterly of the Town of Hanson boundary line, and beyond two hundred (200) feet southerly of the center line of South Street that is at or below seventy (70) feet MSL.

AR-7 Town of Hanson Conservation property lying Southerly of E. Washington Street, westerly of State Street northerly, of Brook Street and easterly of Indian Head Brook.

AR-8 Town of Hanson property purchased for water purposes lying easterly of Franklin Street, northerly of Main Street, southwesterly of the New York, New Haven, and Hartford Railroad tracks and southerly of the Town of Hanson property purchased for industrial purposes. (10/1982)

1. Uses permitted.

- a. Conservation areas for water, water supply, plants and wildlife, and dams' necessary for achieving this purpose.
- b. Farming and horticulture, including raising, harvesting and storing crops, truck gardening, cranberry bogs, grazing and the raising of poultry
- c. Orchards, nurseries, forests and tree farms.
- d. Single-family detached dwellings with one of the uses permitted in paragraph a-c above.

2. Minimum Lot Area in Square Feet

Agricultural/Recreation-40,000 square feet with 36,000 square feet of **contiguous** uplands.

*At least ninety (90) percent of the minimum lot size required shall be **contiguous** upland (i.e., not a bank, bog, dune, marsh, swamp or wet meadow under the Mass. General Law, Chapter 131, Section 40.

3. Minimum Frontage in Feet

Agricultural/Recreation- 175 feet

*Measured at the street line. Where a lot has frontage on two (2) streets only one-half (1/2) of the linear distance on the curve at the intersection shall be computed as frontage on any street. Both frontages shall meet the requirements of minimum lot frontage.

Width of all lots shall at least meet the minimum frontage for a depth of one hundred (100) feet.

4. Minimum Setback Requirements in Feet

Agricultural/Recreation – Front: 50 feet Side: 25 feet Rear 50 feet

*In the case of lot having frontage on more than one (1) street, the front yard requirements

shall apply to ~~all one abutting streets on which not less than the required frontage exists the lot has frontage.~~ **The proposed structure shall meet the side yard setback for the second street.** In all cases, the front yard requirement shall be measured from the street right-of-way to the nearest building line.



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*A detached accessory building may be erected in the rear or side yard at least twenty (20) feet from the lot line. (10/1987) **See Section VII (C) -0 Accessory Buildings**

5. Maximum Total Gross Coverage

Agriculture/Recreation - 10%

*Maximum coverage of land, including structures, parking and service areas, all paved areas, storage and disposal areas, etc.

6. Uses permitted by special permit granted by the Board of Appeals as provided in Section VIII.D.

- a. Picnic areas, day camps, overnight camps, recreation and any non- commercial open-air recreation use, including golf courses, parks (but not an amusement park), boating, fishing, hunting (where legally permitted), marinas and landings, provided that there are adequate provisions for disposal of waste products and for parking. Storage buildings required in connection with these uses shall be located subject to the same provisions which apply to farm buildings, except that small buildings for the sale of fishing supplies or in connection with a marina may be located below the appliance contour line in accordance with Section V, paragraph c, swimming pools and related accessories. (10/1979)
- b. Restaurants, provided that their use is in connection with a permitted use and that adequate parking areas are provided, as required in Section VII D, and further provided that any such building be located subject to the same conditions as apply to farm buildings.
- c. Country clubs or other membership clubs, provided that any buildings in connection therewith are located subject to the same conditions as apply to farm buildings.
- d. Single-family detached dwellings.
- e. Tourist camps and overnight camps where structures are used for shelter.
- f. Accessory uses.
Any use determined to be of similar character to the permitted uses of this district and to the intent of this district, said determination to be made by the Board of Appeals following petition of the land owner or owners.

7. Uses not permitted.

- a. The storage or disposal of hazardous wastes, as defined by the Hazardous Waste Regulations promulgated under the Provisions of Section 27(8) and 52 of Chapter 21 of the General Laws.
- b. Draining, excavation or dredging, or removal or relocation of loam, peat, sand, gravel, soil, or other mineral substance except accessory to work permitted as of right or by Special Permit.
- c. The storage or disposal of any soil, loam, peat, sand, gravel,



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rock or other mineral substance, refuse, trash, rubbish, debris or dredged soil.

- d. The storage or disposal of materials used for snow and ice control including treated sand, salt and other deicing chemicals.

8. Compliance with Wetlands Protection Act.

This section does not excuse any person of the necessity of complying with the Wetlands Protection Act (Massachusetts General Laws, Chapter 131, Section 40) as administered by the Hanson Conservation Commission. (10/1982)

B. RESIDENCE A AND RESIDENCE AA DISTRICTS:

The Residence A and Residence AA Districts are intended as districts for rural, residential and non-commercial uses.

1. Uses permitted.

- a. Uses a, band c permitted in an Agricultural-Recreation District, Par. A1.
- b. Single-family detached dwellings.
- c. Boarding houses or Rooming Houses for not more than four (4) persons provided that the house is also occupied as a private residence.
- d. Public and parochial schools, hospitals, playgrounds, churches or parish houses.
- e. Fields, pastures, woodlots, greenhouses and farms as permitted in the Agricultural-Recreation District, except that piggeries shall not be located in this district.
- f. Display and sale or offering for sale of farm produce and related products provided that the major portion of the produce is raised within the Town, and provided that no stand for such sale is located within twenty-five feet (25') of a Street line, and provision is made for off-street parking in accord with Section VII D.
- g. Accessory uses, including normal accessory uses as private garages, storage sheds, tennis courts, swimming pools, cabanas for swimming pools, and a structure approved by Civil Defense authorities and designed for use by the inhabitants, employees or customers of the property to which it is accessory and used for shelter from natural disaster or war. (10/2005)

2. Minimum Lot Area in Square Feet

Residence AA-40,000 square feet with 36,000 square feet of contiguous uplands.

Residence A- 30,000 square feet with 27,000 square feet of contiguous uplands.

*At least ninety (90) percent of the minimum lot size required shall be contiguous upland

(i.e., not a bank, bog, dune, marsh, swamp or wet meadow under the Mass. General Law, Chapter 131, Section 40.

3. Minimum Frontage in Feet

Residence AA - 175 feet

Residence A- 150 feet



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*Measured at the street line. Where a lot has frontage on two (2) streets only one-half (1/2) of the linear distance on the curve at the intersection shall be computed as frontage on any street. Both frontages shall meet the requirements of minimum lot frontage. Width of all lots shall at least meet the minimum frontage for a depth of one hundred feet (100').

4. Minimum Setback Requirements in Feet

Residence AA - Front: 50 feet; Side: 25 feet; Rear: 50 feet

Residence A - Front: 50 feet; Side: 20 feet; Rear: 40 feet

*In the case of lot having frontage on more than one (1) street, the front yard requirements shall apply to all one abutting street on which not less than the required frontage exists the lot has frontage. The proposed structure shall meet the side yard setback for the second street. In all cases, the front yard requirement shall be measured from the street right-of-way to the nearest building line.

*A detached accessory building may be erected in the rear or side yard at least twenty (20) feet from the lot line. (10/1987).

See Section VII(C) - Accessory Buildings

5. Maximum Total Gross Coverage

Residence AA - 30%

Residence A - 30%

*Maximum coverage of land, including structures, parking and service areas, all paved areas, storage and disposal areas, etc.

*Except ten (10) percent for uses a-d and f of Section VI, paragraph B2.

6. Uses permitted by special permit granted by the Board of Appeals as provided in Section VIII.D.

- a. Museums, Private schools, Nursery schools, and Colleges with or without Dormitory facilities, including dance, photographic, and music studios, provided adequate off-street parking areas in accord with Section VII D are provided and there is no external change of appearance of any dwelling converted for such use except as required by Massachusetts law.
- b. Cemeteries, Hospitals, Sanitariums or other Medical Institutions, including Medical and Dental Laboratories, Nursing Homes, Rest Homes or Charitable Institutions.
- c. Telephone Exchange Buildings, Radio Stations, and utility structures, provided there are no service yards except for required parking.
- d. Conversion of a single-family dwelling existing at the time of the adoption of Zoning by Town of Hanson to a two-family structure provided that:
 - 1) the exterior appearance of the structure is not altered;
 - 2) the lot on which the structure is located contains at least 40,000sq ft.
- e. Funeral homes, mortuaries and crematories.
- f. Home Occupations such as dressmaking, home cooking, repair of portable equipment or appliances, real estate agent, arts and crafts, selling antiques, and computer based businesses, but not including convalescent or nursing



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home, tourist home, motor vehicle sales or similar establishments offering services to the general public may be engaged in as an accessory use of a dwelling by a resident of that dwelling, upon issuance of a Special Permit by the Board of Appeals pursuant to Section VIII.D, and upon conformance with all of the following conditions: (10/2005)

- 1) The occupation shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
 - 2) No more than twenty-five (25) percent of the floor area of the residence shall be used for the purpose of the home occupation, or more than fifty (50) percent of the combined floor area of the residence and any accessory structures used in the home occupation. Day care facilities licensed under the provisions of M.G.L.A. Ch. 28A, §.10 shall be exempt from this limitation.
 - 3) The home occupation shall be accommodated within an existing structure without extension thereof
 - 4) Not more than two persons not a member of the household shall be employed on the premises in the home occupation.
 - 5) Except for a permitted sign, there shall be no exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.
 - 6) No offensive noise, vibrations, smoke, dust, odors, heat, or glare shall be produced detectable without instruments off of the premises.
 - 7) Traffic generated by the home occupation shall not significantly increase volumes normally expected in the residential neighborhood.
 - 8) Parking generated shall be accommodated off-street.
- g. An in-law apartment is a housekeeping unit with a common means of egress and separate sleeping, cooking, and sanitary facilities that is contained within the structure of a single family dwelling. The intent of this provision is to provide dwelling units for persons who are related to the owner/occupant(s) of existing single family dwellings either by blood or marriage which may be allowed under the following conditions:
- 1) The owner(s) must occupy either the principal residence or the in-law apartment.
 - 2) There shall be not more than one in-law apartment within a single-family dwelling.
 - 3) The in-law apartment shall be designed so that the appearance of the structure remains that of a one-family dwelling, subject further to the following conditions:
 - a. The in-law apartment shall be a maximum of nine



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hundred (900) square feet unless the unit is contained within the existing footprint or structure and shall conform to all applicable requirements of the zoning district.

- b.** Any additional entrance shall be located on the side or in the rear of the dwelling.
 - c.** The principal residence and the in-law apartment shall be serviced and monitored by common gas, electric and water meters.
 - d.** There shall be provided at least two (2) off-street parking spaces for the main dwelling and at least one (1) off-street parking space for the in-law apartment.
- 4)** A single family dwelling with an in-law apartment shall terminate upon any of the following events:
 - a.** Sale of the premises .
 - b.** Residence by any person other than a family member related by blood or marriage in either the main dwelling or in-law apartment.
 - c.** Violation of any of the special permit restrictions imposed by the Board of Appeals
- 5)** No in-law apartment shall be permitted prior to the issuance of a special permit by the Board of Appeals and a Building Permit by the Building Inspector. Upon receiving a special permit, the new owner(s) must file on subject property a Declaration of Covenants at the Plymouth County Registry of Deeds . The Declaration shall state that the right to rent a temporary in-law apartment ceases upon transfer of title. No building permit for an in-law apartment may be issued until a time-stamped copy of said recorded Declaration is provided to the Board of Appeals.
- 6)** When a structure which has received a special permit for an in-law apartment is sold, the new owner(s), if they wish to continue to exercise the special permit, must, within ninety (90) days of the sale, apply to the Board of Appeals for a new special permit issued in their name stating that they will occupy one of the dwelling units in the structure as their permanent/primary residence, and shall conform to all of the criteria and conditions for in-law apartments and the approved special permit.
 - a.** Any use determined to be of similar character to the permitted uses of this district and to the intent of the district, said determination to be made by the Board of Appeals following petition of the land owner or owners. (10/2007)



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C. RESIDENCE B DISTRICT:

The Residence B District is intended for residential and non-commercial uses.

1. Uses permitted:

All uses permitted *in* Residence A District, Section B-1.

2. Minimum Lot Area in Square Feet

Residence B - 30,000 square feet with 27,000 square feet of uplands

*At least ninety (90) percent of the minimum lot size required shall be **contiguous** upland (i.e., not a bank, bog, dune, marsh, swamp or wet meadow under the Mass. General Law, Chapter 131, Section 40.

*Except ten (10) acres for uses a and b of Section VI, paragraph B2.

*Except 60,000 square feet for the first four (4) units plus 5,000 square feet for each additional unit for each building permitted by Section VI, paragraph C2b.

3. Minimum Frontage in Feet

Residence B - 150 feet

*Except three hundred (300) feet for the first building and twenty-five feet (25') for each additional building permitted by Section VI, paragraph C2b.

*Measured at the street line. Where a lot has frontage on two (2) streets only one-half (1/2) of the linear distance on the curve at the intersection shall be computed as frontage on any street. Both frontages shall meet the requirements of minimum lot frontage. Width of all lots shall at least meet the minimum frontage for a depth of one hundred (100) feet.

4. Minimum Setback Requirements in Feet

Residence B - Front 50 feet; Side: 20 feet; Rear: 40 feet

*In the case of lot having frontage on more than one (1) street the front yard requirements shall apply to **all one abutting street on which not less than the required frontage exists the lot has frontage. The proposed structure shall meet the side yard setback for the second street.** In all cases, the front yard requirement shall be measured from the street right-of-way to the nearest building line.

*A detached accessory building may be erected in the rear or side yard at least twenty (20) feet from the lot line. (10/1987). **See Section VII(C) - Accessory Buildings**

*Except fifty (50) feet for each building permitted by Section VI, Paragraph C2b.

5. Maximum Total Gross Coverage

Residence B - 30%



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*Except ten (10) percent for uses a- d and f of Section VI, paragraph B2.

*Except forty (40) percent for uses of Section VI, paragraph C2b.

*Maximum coverage of land, including structures, parking and service areas, all paved areas, storage and disposal areas, etc.

Uses permitted by special permit granted by the Board of Appeals as provided in Section VIII.D.

- a. All uses permitted in Residence A District, Section B-2.
- b. Structures containing more than one (1) but not more than eight (8) dwelling units provided that:
 1. Each dwelling unit shall have two (2) exposures.
 2. Each dwelling unit shall have two (2) separate exits.
 3. All off-street parking areas as required under Section VII D shall be **in** the rear of buildings.
 4. Each structure shall be connected to Town water.
 5. A site plan prepared in accordance with the provisions of Section VII F has been submitted to and been approved by the Board of Appeals.
 6. If there is more than one (1) such structure on a lot of record, there shall be at least forty feet (40') between each structure.
 7. Demolition of existing historic structures, as designated in the "Bay Circuit/Open Space Plan, Hanson, Massachusetts, "Table 1, Hanson Historic Sites, pages 5-6 and accompanying map, by IEP, Inc., dated January, 1988 shall not be permitted in order to construct a new multi- family structure.
- c. Professional office in accord with provisions of paragraphs 2b, 3, and 4 above.
- d. Funeral homes, mortuaries and crematories.

D. BUSINESS DISTRICT:

The Business District is intended to provide consumer goods and services.

1. **Uses permitted, subject to site plan approval** as provided in Section VII.F., where such use does not have, as may be determined by the Zoning Board of Appeals, any of the following qualities or attributes:
 - 10 or more required parking spaces;
 - any wastewater disposal system requiring a permit from the Massachusetts Department of Environmental Quality Engineering under 310 CMR 15.02, as may be amended;
 - aggregate building footprint(s) (excluding driveways and required parking areas) in excess of 5000 sq. ft.;
 - generation, as certified by a recognized traffic engineer, of more



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than 50 traffic trips per day;

- any use or storage of hazardous materials, as defined in Section VLF., in excess of that normally associated with household use. In the event that such proposed use does have attributes that equal or exceed one or more of the thresholds set forth above, the requirements of Section VI.D.2 shall apply.
- a. Retail store or service establishment, the principal activity of which shall be the offering of goods or services at retail within the building.
- b. Business or professional offices or banks.
- c. Restaurants, membership clubs.
- d. Parking areas or garages for use of employees, customers, or visitors, subject to design standards in Section VII D.
- e. Public, religious or denominational schools, hospitals, churches and religious buildings or uses.
- f. Theaters, museums, bowling alleys and other commercial amusement provided all business is conducted within the structure.
- g. Gasoline service stations provided that:
 - 1. Repairs shall be limited to minor repairs and adjustments unless conducted in a building.
 - 2. There shall be no storage of motor vehicles, appliances and equipment on the premises other than those in process of repair or awaiting delivery or in an enclosed structure.
- h. Motels and hotels.
- i. Accessory buildings and uses
- j. Signs as provided in Section VII E.
- k. Licensed Kennels, by special permit of the Appeal Boards.
- l. Salesrooms and yards for automobiles (10/1979).
- m. Body Art Establishments, including but not limited to tattooing and body piercing. (05/2001)

2. Minimum Lot Area in Square Feet

Business - 44,000 square feet with 39,600 square feet of uplands

*At least ninety (90) percent of the minimum lot size required shall be **contiguous** upland (i.e., not a bank, bog, dune, marsh, swamp or wet meadow under the Mass. General Law, Chapter 131, Section 40).

3. Minimum Frontage in Feet Business - 150 feet

*Measured at the street line. Where a lot has frontage on two (2) streets only one-half (1/2) of the linear distance on the curve at the intersection shall be computed as frontage on any street. Both frontages shall meet the requirements of minimum lot frontage. Width of all lots shall at least meet the minimum frontage for a depth of one hundred (100) feet.

4. Minimum Setback Requirements In Feet Business



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Front: 50 feet; Side: 15 feet; Rear: 15 feet

*In the case of lot having frontage on more than one (1) street the front yard requirements shall apply to all streets on which the lot has frontage. In all cases, the front yard requirement shall be measured from the street right-of-way to the nearest building line.

*A detached accessory building may be erected in the rear or side yard at least twenty (20) feet from the lot line. (10/1987)

See Section VII(C) - Accessory Buildings.

*In Business and Commercial/Industrial Zones, setbacks are exclusive of buffer area. Buffer areas shall be measured from the lot line. Yard requirements shall be measured from the buffer line, or in the case of no buffer requirements, from the lot line.

*Except fifty (50) feet for each building permitted by Section VI, paragraph C2b.

5. Minimum Percent Building Coverage Business - 15%

6. Minimum Total Gross Coverage Business - 60%

*Maximum coverage of land, including structures, parking and service areas, all paved areas, storage and disposal areas, etc.

7. Uses permitted by special permit granted by the Board of Appeals as provided in Section VIII.D.:

- a. Any use set forth in Section VI.D.1.a- 1, which meets or exceeds any of the thresholds established in Section VI.D.1

E. COMMERCIAL-INDUSTRIAL DISTRICT:

The Commercial-Industrial District is intended for use by research laboratories, office buildings and light industries which are compatible with a low-density, rural residential community.

J. Uses permitted, subject to site plan approval as provided in Section VII.F., where such use does not have, as may be determined by the Zoning Board of Appeals, any of the following qualities or attributes:

- 10 more required parking spaces;
 - any wastewater disposal system requiring a permit from the Massachusetts Department of Environmental Quality Engineering under 310 CMR 15.02, as may be amended;
 - aggregate building footprint(s) (excluding driveways and required parking areas) in excess of 5000 sq. ft.;
 - generation, as certified by a recognized traffic engineer, of more than 50 traffic trips per day;
 - any use or storage of hazardous materials, as defined in Section VI.F., in excess of that normally associated with household use.
- 2. In the event that such proposed use does have attributes that equal or exceed one or more of the thresholds set forth above the requirements of Section VI.E.2 shall apply.**



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- a. Research laboratories with incidental assembly or test manufacture.
- b. Uses a, b, c, d, and h permitted in Business District, Paragraph D-1.
- c. Manufacturing enterprises, provided that such activities will not be offensive, injurious, or noxious because of sewerage and refuse, vibration, smoke or gas, fumes, dust or dirt, odors, danger of combustion or unsightliness.
- d. Building materials salesrooms, salesrooms and yards for automobiles, bicycles, boats, farm implements, and similar equipment, terminals, utility structures, contractors' yards, storage warehouses, yards and buildings and wholesale distribution plants.
- e. Printing, publishing and commercial photographic establishments, medical or dental laboratories, subject to the restrictions in paragraph c and d above.
- f. Cafeterias for employees and other normal accessory uses, when contained in the same structure as a permitted use.
- g. Theaters, halls, bowling alleys, skating rinks, marinas, clubs and other places of amusement or assembly.
- h. Licensed Kennels, by special permit of the Appeal Board.

3. Minimum Lot Area in Square Feet

Commercial/Industrial District: 44,000 square feet with 39,600 square feet of uplands

*At least ninety (90) percent of the minimum lot size required shall be contiguous upland (i.e., not a bank, bog, dune, marsh, swamp or wet meadow under the Mass_ General Law, Chapter 131, Section 40).

4. Minimum Frontage in Feet

Commercial/Industrial District - 200 feet

*Measured at the street line. Where a lot has frontage on two (2) streets only one-half (1/2) of the linear distance on the curve at the intersection shall be computed as frontage on any street. Both frontages shall meet the requirements of minimum lot frontage. Width of all lots shall at least meet the minimum frontage for a depth of one hundred (100) feet.

5. Minimum Setback Requirements in Feet

Commercial/Industrial - Front: 50 feet Side: 25 feet Rear: 25 feet

*In the case of lot having frontage on more than one (1) street the front yard requirements shall apply to all abutting streets on which the lot has frontage. In all cases, the front yard requirement shall be measured from the street right-of-way to the nearest building line.

*A detached accessory building may be erected in the rear or side yard at least twenty (20) feet from the lot line. (10/1987). See Section VII(c) - Accessory Bldg

* In Business and Commercial/Industrial Zones, setbacks are exclusive of buffer area. Buffer areas shall be measured from the lot line. Yard



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requirements shall be measured from the buffer line, or in the case of no buffer requirements, from the lot line.

6. Maximum Total Gross Coverage

Commercial/Industrial - 60%

*Maximum coverage of land, including structures, parking and service areas, all paved areas, storage and disposal areas, etc.

7. Uses permitted by special permit granted by the Board of Appeals, in accordance with Section VI.E.3:

- a. Any use set forth in Section VI.E.1.a - h, which meets or exceeds any of the thresholds established in Section VI.E.1.

8. Conditions for Approval:

a. Building construction:

All buildings shall be of construction prescribed in the Building Code of the Town of Hanson.

b. Odor, dust and smoke:

No such emissions shall be discernible beyond the property line or, in the case of an industrial park development, or of multiple use of the property, beyond one hundred feet (100') of the building generating the emission, except that in no case shall the discharge from any source exceed the following limits:

1. Smoke measured at the point of discharge into the air shall not exceed a density of No. 1 on the Ringlemen Smoke Chart as published by the U.S. Bureau of Mines, except that a smoke of a density not darker than No. 2 on the Ringlemen Chart may be emitted for not more than three (3) minutes in any one (1) hour.
2. Lime dust, as CaO, measured at the property line of any lot on which the activity creates such dust, shall not exceed ten (10) micrograms

End of revisions to this section of bylaw



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A. **FLEXIBLE ZONING BYLAW/SPECIAL DISTRICT**

(10/1998)

The flexible zone district of this bylaw is intended to provide for a mixture of residential, agricultural, business, commercial and industrial, and mixed uses provided such use does not detract from the livability and aesthetic qualities of the environment:

1. **Uses permitted:**

- a. Conservation areas for water, water supply, plants and wildlife, and dams' necessary for achieving this purpose.
- b. Fanning and horticulture, including raising, harvesting and storing crops, truck gardening, cranberry bogs, grazing, poultry raising, fields, pastures, woodlots, and greenhouses, except that piggeries shall not be located in this district.
- c. Orchards, nurseries, forests and tree farms.
- d. Display and sale or offering for sale of farm produce and related products provided that the major portion of the produce is raised within the Town, and provided that no stand for such sale is located within twenty-five feet (25') of a street line, and provision is made for off-street parking in accord with Section VII D.
- e. Single-family detached dwellings.
- f. Boarding houses or Rooming Houses for not more than four (4) persons, provided that the house is also occupied as a private residence.
- g. Accessory uses, including normal accessory uses as private garages, storage sheds, tennis courts, swimming pools, cabanas for swimming pools, summer houses, and a structure approved by Civil Defense authorities and designed for use by the inhabitants, employees or customers of the property to which it is accessory and used for shelter from natural disaster or war.

2. **Minimum Lot Area in Square Feet**

Flexible Zone: 35,000 square feet with 31,500 square feet of uplands

*At least eighty (80) percent of the minimum lot size required shall be **contiguous** upland (i.e., not a bank, bog, dune, marsh, swamp or wet meadow under the Mass. General Law, Chapter 131, Section 40.

3. **Minimum Frontage in Feet**

Flexible Zone: 150 feet

*Measured at the street line. Where a lot has frontage on two (2) streets only one-half (1/2) of the linear distance on the curve at the intersection shall be computed as frontage on any street. Both frontages shall meet the requirements of minimum lot frontage. Width of all lots shall at least meet the minimum frontage for a depth of one hundred (100) feet.

4. **Minimum Setback, Requirements in Feet**

Flexible Zone: Front: 35 feet

Side: 20 feet

Rear: 15 feet

*In the case of lot having frontage on more than one (1) street the front yard requirements shall requirements shall apply to all **one abutting street on which not less than the required frontage exists**. In all cases, the front yard requirement shall be measured from the street right-of-way to the nearest building line.

*A detached accessory building may be erected in the rear or side yard at least twenty (20) feet from the lot line. (10/1987). **See Section VII(c)-Accessory Building**.

*The minimum front yard shall be thirty-five (35) feet from lot line or the average of the front set back of the buildings on lots on the same side of the street and within three hundred (300) feet of the subject lot, which front yard setback line shall be less .



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5. Maximum Total Gross Coverage

Flexible Zone: 75%

*Maximum coverage of land, including structures, parking and service areas, all paved areas, storage and disposal areas, etc.

Uses permitted by special permit granted by the Board of Appeals as provided in Section

VIII. D.

- a. Professional office, Funeral homes, and mortuaries.
- b. Retail store or service establishment, the principal activity of which shall be the offering of goods or services at retail within the building.
- c. Restaurants, membership clubs.
- d. Parking areas or garages for use of employees, customers, or visitors, subject to design standards in Section VII D.
- e. (Disapproved by the Attorney General)
- f. (Omitted by intention)
- g. (Omitted by intention)
- h. Theaters, museums, and bowling alleys.
- i. Gasoline servicestations provided that:
 - 1. Repairs shall be limited to minor repairs and adjustments unless conducted in a building.
 - 2. There shall be no storage of motor vehicles, appliances and equipment on the premises other than those in process of repair or awaiting delivery or in an enclosed structure.
- j. Motels, hotels and bed and breakfast establishments.
- k. Salesrooms and yards for automobiles.
- l. Picnic areas, day camps, overnight camps, recreation and any non-commercial open-air recreation use, including golf courses, parks (but not an amusement park), boating, fishing, hunting (where legally permitted).
- m. Marinas and landings provided that there are adequate provisions for disposal of waste products and for parking. Storage buildings required in connection with these uses shall be located subject to the same provisions which apply to farm buildings, except that small buildings for the sale of fishing supplies or in connection with a marina may be located below the appliance contour line in accordance with Section V, paragraph c, swimming pools and related accessories.
- n. Restaurants, provided that their use is in connection with a permitted use and that adequate parking areas are provided.
- o. Country clubs or other membership clubs.
- p. (Disapproved by the Attorney General)



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- q. Tourist camps and overnight camps where structures are used for shelter.
- r. Commercial amusements provided all business is conducted within the structure.
- s. Licensed Kennels, by special permit of the Appeal Board.
- t. Structures containing more than one (1) but not more than eight (8) dwelling units provided that:
 - 1. Each dwelling unit shall have two (2) exposures.
 - 2. Each dwelling unit shall have two (2) separate exits.
 - 3. All off-street parking areas as required under Section VII D shall be in the rear of buildings.
 - 4. Each structure shall be connected to Town water.
 - 5. A site plan prepared in accordance with the provisions of Section VII F has been submitted to and been approved by the Board of Appeals.
 - 6. If there is more than one (1) such structure on a lot of record, there shall be at least forty feet (40') between each structure.
 - 7. Demolition of existing historic structures, as designated in the "Bay Circuit/Open Space Plan, Hanson, Massachusetts," Table 1, Hanson Historic Sites, pages 5-6 and accompanying map, by IEP, Inc., dated January, 1988 shall not be permitted in order to construct a new multi-family structure.

Any use determined to be of similar character to the permitted uses of this district and to the intent of this district, said determination to be made by the Board of Appeals following petition of the land owner or owners.

Additional Uses Allowed By Special Permit

In the flexible zone district, the following uses may be allowed by special permit:

Uses permitted:

- a. Mixed use in one (1) structure (*i.e.* residence & business).
- b. Assisted living residence at a limit of six (6) in one structure.

Density Requirements:

- a. The minimum lot size for all structures shall be 35,000 square feet. At least eighty (80) percent of the minimum lot size shall be upland (*i.e.*, not a bank, bog, dune, marsh, swamp or wet meadow under the Massachusetts General Law, Chapter 131, Section 40).
- b. The minimum frontage in feet for all structures shall be 150 feet measured at the street line. Where a lot has frontage on two streets only one-half of the linear distance on the curve at the intersection shall be computed as frontage on any street. Both frontages shall meet the requirements of minimum lot frontage for a depth of one hundred (100) feet.
- c. The minimum front yard shall be thirty-five (35) feet from lot line or the average of the front set back of the buildings on lots on the same side of the street and within three hundred (300) feet of the subject lot, which front yard set back line shall be less.
- d. The minimum side yard shall be twenty (20) feet from the lot line.
- e. The minimum rear yard shall be fifteen (15) feet from the lot line.
- f. The maximum percent building coverage shall be twenty (20) percent



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- g. The maximum total gross coverage shall be seventy-five (75) percent

Parking Requirements

Throughout this zone, where there is parking for eight (8) or more vehicles, sixty (60) percent of the number of spaces shall be to the rear of the main structure on the lot, provided this requirement may be altered by the Board of Appeals in the manner set forth here-in-below at subparagraph "j."

The requirements for off-street parking and loading areas shall be as specified below for specific uses. These requirements shall be met in the case of all new construction, including expansions, additions, or changes of use. Where applicable, such parking areas shall be noted on a required Site

Plan under Section VII.FD of this By-Law. Where stipulated, "~~net~~ Gross floor area" shall mean ~~usable~~ floor space, exclusive of enclosed or inaccessible floor areas. In applying for a building or occupancy permit, the applicant must demonstrate that the following minimums will be met for the new demand without counting existing parking:

- a. **Dwellings:** Two (2) spaces per dwelling unit, garage space inclusive.
- b. **Motels, hotels, lodging houses:** One (1) space per guest unit plus one (1) additional space per eight (8) guest units or fraction thereof, plus one (1) space for each employee on the largest shift.
- c. **Retail stores, offices., municipal offices, banks:** One (1) space per one hundred fifty (150) square feet of ~~net~~ gross floor area.
- d. **Motor vehicle service station or repair or body shop:** Three (3) spaces for each service bay plus one (1) space per employee on the largest shift.
- e. **Industrial or wholesale:** A minimum of five (5) spaces, plus one (1) space for each 2,000 sq. ft. ~~net~~ gross floor area for the first 20,000 sq. ft., plus one (1) space for each additional ~~10,000~~ 1,000 sq. ft of ~~net~~ gross floor area, plus one (1) space per employee on the largest shift.
- f. **Places of assembly, restaurants:** One (1) space per three (3) seats, or one (1) space per twelve (12) square feet of seating area, whichever is greater.
- g. **Hospitals:** One (1) space per bed.
- b. **Nursing homes:** One (1) space per each two (2) beds, plus one (1) space per employee on the largest shift.
- i. **Bowling alleys:** Four (4) spaces per lane.
- j. **All others, including shared parking:** As determined by the Board of Appeals only upon its written determination that the proposed use will not have adverse effects on either the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The determination shall include consideration of each of the following:
 - 1.) Social, economic, or community needs which are served by the proposal;
 - 2.) Traffic flow and safety;
 - 3.) Adequacy of utilities and other public services;
 - 4.) Neighborhood character and social structures;
 - 5.) Impacts of the natural environment;



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- 6.) Potential fiscal impact.
2. **Design of Off-Street Parking and Loading Spaces shall meet the requirements specified below:**
- a. **Location:**
Required parking shall be either on the same premises as the activity it serves, or on a separate parcel if said parcel is located within three hundred (300) feet of the building's major entrance, and if not separated by a state-numbered highway, and if in a zoning district allowing the activity it serves.
- b. **Backing:**
All parking areas shall be designed and located so that their use does not involve vehicles backing onto a public way. This shall not apply to residential uses.
- c. ~~For all required off street parking spaces, open or enclosed, each three hundred (300) square feet of net standing and maneuvering area shall be considered one (1) space. All such parking spaces shall be designed so as to provide a twelve foot (12') clear space adjacent to each building.~~ **Off street parking spaces shall conform to Section VII (2).** All required parking spaces shall be provided with unobstructed access to and from a street and shall be properly maintained in such a manner as to permit them to be used at all times. All required parking spaces shall be located on the same lot as the use with which such spaces are connected or, in the case of unenclosed spaces, within two hundred (200) feet of the lot, except that two (2) or more businesses may jointly provide the required spaces on one (1) or more of their lots. The number of spaces in any such joint facilities shall at least equal the total number required under the provisions of this Section for their individual uses.
- d. Required off-street parking and loading spaces shall not hereafter be reduced, nor shall one be counted as or substituted for the other.
- e. Whenever off-street parking in Business or Commercial-Industrial Districts is required in accordance with Section VII D, there shall be an area at least twenty feet (20') deep between the street line and the balance of the lot which shall be separated from the street and the balance of the lot by a curb which shall encompass an area that shall be seeded and landscaped except at an access. Such access



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shall be at least twenty feet (20') wide and at least one hundred twenty feet (120') center to center apart and further provided that there shall be only one(1) access if the street frontage is two hundred (200) feet or less. If the street frontage is greater, additional accesses may be allowed in the ratio of one (1) such access for each additional two hundred (200) feet or portion thereof of frontage.

- f. Except in the case of parking spaces provided for dwellings, requirements for paving off-street parking and loading areas shall be determined by the Planning Board.
- g. Except in the case of parking spaces provided for single-family dwellings, off-street parking and loading areas used after sundown shall be illuminated with illumination so arranged so as not to shine directly on abutting properties or on streets.
- h. Entrance cuts to be made onto a traveled way shall be designed by the Planning Board after consultation with the State DPW Engineers as required, Police Chief, and Highway Surveyor
- i. For Parking areas of fifteen (15) cars or more, the following requirements shall apply:
 - 1. Parking lots for fifteen (15) or more cars shall be screened from any residential use or district which is abutting or separated from it only by a street. Screening shall be by a four (4) foot planting strip maintained with densely planted shrubs, or by a fence of not less than four (4) feet in height, and shall be landscaped as required below.
 - 2. Parking lots for fifteen (15) or more cars shall contain or be bordered

End of revisions to this section of bylaw



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ARTICLE 33: To see if the Town will vote to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI.1, Detached Accessory Apartment, on file with the Town Clerk, as recommended by the Hanson Planning Board on February 27, 2023; or take any other action in relation thereto.

Proposed by the Planning Board

Explanation: This section authorizing the provision of detached accessory dwelling apartments is intended to: (1) Increase the number of small dwelling units available in the Town; (2) Increase the range of choice of housing accommodations; (3) Encourage greater diversity of population with particular attention to young adults and senior citizens; and (4) Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's one-family neighborhoods.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Defer to Town Meeting

Section VI.1 – Detached Accessory Apartments (New Bylaw):

This section authorizing the provision of detached accessory dwelling apartments is intended to:

- Increase the number of small dwelling units available in the Town;
- Increase the range of choice of housing accommodations;
- Encourage greater diversity of population with particular attention to young adults and senior citizens; and
- Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's one-family neighborhoods.

6.1. - Detached Accessory Apartments.

A. - Definitions.

1. Detached Accessory Apartment: A detached accessory apartment that is located on the same lot as a single-family dwelling and that is located in a detached accessory structure (i.e. garage, barn, carriage house). Sheds, greenhouses, chicken coops, may not be utilized for a detached accessory apartment. Detached Accessory Apartments may be allowed within Residence A, AA and B Districts only.

B. - Purpose.

The purposes of this detached accessory apartment section is to:

1. Encourage a more balanced and diverse population and income mix.



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2. Provide older homeowners with a means of obtaining, through tenants in accessory apartments, rental income, companionship, security and services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
3. Make housing units available to moderate-income households that might otherwise have difficulty finding homes within the Town.
4. Protect stability, property values and the single-family residential character of a neighborhood.

C. - The Special Permit Granting Authority (SPGA) may authorize a detached accessory apartment in accordance with the provisions of Section VIII.D, provided that the following standards and criteria are also met:

- (1) The apartment will be a complete, separate dwelling unit from the primary dwelling unit, and has its own means of egress.
- (2) Only one detached accessory apartment will be created on any lot.
- (3) No more than four (4) persons shall occupy the accessory apartment.
- (4) The owner(s) of the single-family house with which the accessory apartment is associated shall occupy at least one of the dwelling units on their year-round premises. The owner must occupy the structure full time for a minimum of 18 months over a twenty-four-month period. When the owner(s) are not present, the unit they occupy may not be rented and shall remain vacant.
- (5) The accessory apartment shall be designed so that the appearance of the building remains that of a one-family residence or a component of a functioning garage.
- (6) The accessory apartment shall be clearly subordinate to the single-family dwelling. It shall be no greater than 900 total square feet and shall have no more than two bedrooms.
- (7) At least three permanent off-street parking spaces shall be available for use by the owner-occupant(s) and tenant(s). These parking spaces shall be screened from ways and adjacent or abutting properties. Screening may consist of dense, hardy evergreen plantings, earthen berms, wall or tight fence, complemented by evergreen plantings or other decorative elements.
- (8) The construction of any accessory apartment must be in conformity with State Building Code requirements. Proposed detached accessory dwelling units must meet all existing setback requirements for single family houses in the zone in which they are to be located.
- (9) Before a special building permit can be obtained for an accessory apartment, the owner must obtain approval or confirmation from the Board of Health to ensure that the well and existing sewage disposal system are adequate for the proposed accessory apartment.
- (10) Proposed accessory apartment structures must meet MGL c. 131, s 40, the Wetlands Protection Act when applicable.
- (11) In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the Zoning Board of Appeals may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.



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D. Application procedure.

1. The procedure for the submission and approval of a site plan and/or special permit for an accessory apartment shall be the same as prescribed in the site plan section VII(G) of this bylaw and/or the special permit section VIII.D of the bylaw. A special permit application, site plan application, or building permit application for an accessory apartment shall include a notarized letter of application from the owner(s) stating that he/she/they will occupy one of the dwelling units on the premises.
2. Transfer of ownership of a dwelling with an accessory apartment. When a structure which has received approval for an accessory apartment is sold, the new owner, if he/she/they wish to continue to exercise the use, must, within 30 days of the sale, submit a notarized letter to the Building Inspector stating that he/she/they will occupy one of the dwelling units in the structure as his/her/their permanent/primary residence and shall conform to all of the criteria and conditions for accessory apartments and the approved site plan and/or special permit. (The foregoing sentence shall appear as a condition on any site plan and/or special permit that is issued under this chapter.). In the event that a transferee does not submit such confirming letter, the Building Commissioner the Special permit may be deemed to have lapsed.

(05/2023)

ARTICLE 34: To see if the Town will vote to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI(O), Battery Storage Farms, on file with the Town Clerk, as recommended by the Hanson Planning Board on February 27, 2023; or take any other action in relation thereto.

Proposed by the Planning Board

Explanation: This Battery Energy Storage System Law is adopted to advance and protect the public health, safety, welfare, and quality of life of The Town of Hanson by creating regulations for the installation and use of battery energy storage systems, with the following objectives: (1) to provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of Battery Energy Storage Systems (BESS); (2) to ensure compatible land uses in the vicinity of the areas affected by Battery Energy Storage Systems; (3) to mitigate the impacts of Battery Energy Storage Systems on the environmental resources and other protected resources; (4) to create synergy between battery energy storage system development and the August 2018 Commonwealth of Massachusetts Act to Advance Clean Energy that established the Clean Peak Standard Energy Storage System.

Recommendation: *Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Defer to Town Meeting*



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BATTERY ENERGY STORAGE SYSTEMS:

1. Statement of Purpose:

This Battery Energy Storage System Law is adopted to advance and protect the public health, safety, welfare, and quality of life of The Town of Hanson by creating regulations for the installation and use of battery energy storage systems, with the following objectives:

- A. To provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of battery energy storage systems;
- B. To ensure compatible land uses in the vicinity of the areas affected by battery energy storage systems;
- C. To mitigate the impacts of battery energy storage systems on environmental resources and other protected resources; and
- D. To create synergy between battery energy storage system development and the August 2018 Commonwealth of Massachusetts Act to Advance Clean Energy that established the Clean Peak Standard Energy Storage System.

2. Definitions:

Battery Storage Energy Systems

ANSI: American National Standards Institute

BATTERY(IES): A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE MANAGEMENT SYSTEM: An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

BATTERY ENERGY STORAGE SYSTEM: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows:

- A. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.



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CELL: The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

COMMISSIONING: A systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

DEDICATED-USE BUILDING: A building that is built for the primary intention of housing battery energy storage system equipment, is classified as Group F-1 occupancy as defined in the International Building Code, and complies with the following:

1. The building's only use is battery energy storage, energy generation, and other electrical grid- related operations.
2. No other occupancy types are permitted in the building.
3. Occupants in the rooms and areas containing battery energy storage systems are limited to personnel that operate, maintain, service, test, and repair the battery energy storage system and other energy systems.
4. Administrative and support personnel are permitted in areas within the buildings that do not contain battery energy storage system, provided the following:
 - a. The areas do not occupy more than ten [10] percent of the building area of the story in which they are located.
 - b. A means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing battery energy storage systems or other energy system equipment.

NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL):

A U.S. Department of Labor designation recognizing a private sector organization to perform certification for certain products to ensure that they meet the requirements of both the construction and general industry OSHA electrical standards.

NEC: National Electric Code.

NFPA: National Fire Protection Association.

NON-DEDICATED-USE BUILDING: All buildings that contain a battery energy storage system and do not comply with the dedicated-use building requirements.

NON-PARTICIPATING PROPERTY: Any property that is not a participating property.

NON-PARTICIPATING RESIDENCE: Any residence located on non-participating property.



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PARTICIPATING PROPERTY: A battery energy storage system host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the battery energy storage system owner (or affiliate) regardless of whether any part of a battery energy storage system is constructed on the property.

3. - Applicability:

1. The requirements of this by-law shall apply to all battery energy storage systems permitted, installed, or modified in the Town of Hanson after the effective date of this by-law, excluding general maintenance and repair.
2. Battery energy storage systems constructed or installed prior to the effective date of this by-law shall not be required to meet the requirements of this by-law.
3. Modifications to, retrofits or replacements of an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this by-law.

4. - General Requirements:

- A. A building permit and an electrical permit shall be required for installation of all battery energy storage systems.
- B. All battery energy storage systems, all Dedicated Use Buildings, and all other buildings or structures that (1) contain or are otherwise associated with a battery energy storage system and (2) subject to The Town of Hanson by-laws.

5. - Prohibition on Tier 1 Battery Energy Storage Systems:

Tier 1 Battery Energy Storage Systems are defined as those that have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology. As of the date of passage of this bylaw, inadequate standards exist to ensure the protection of public health and safety in the event that such system shall fail. Accordingly, Tier 1 Battery Energy Storage Systems shall be prohibited in the Town of Hanson. This prohibition shall be effective from the date of passage of this bylaw and for two years following such date, such period to be utilized to allow further study of such systems and the development of appropriate standards and regulations with respect thereto. In the event that this Bylaw is not amended by such date, the Permitting requirements for Tier I systems shall be in accordance with the requirements set forth for Tier 2 systems, as noted below.

6. - Permitting Requirements for Tier 2 Battery Energy Storage Systems:

Tier 2 Battery Energy Storage Systems are defined as those that have an aggregate energy capacity greater than **600kWh** or are comprised of more than one storage



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battery technology in a room or enclosed area. Tier 2 Battery Energy Storage Systems are permitted through the issuance of a Special Permit within the Battery Energy Storage System Overlay Zoning District, and shall be subject to the site plan application requirements set forth in this Section as well as Section 3.17.3, MCOB Site Plan Review and Section 3.18, Site Plan Review, as applicable.

- A. Site plan application. For a Tier 2 Battery Energy Storage System requiring a Special Permit, site plan approval shall be required as indicated in the preceding paragraph. Any site plan application shall include the following information:
- 1) Property lines and physical features, including roads, for the project site.
 - 2) Proposed changes to the landscape of the site, grading, vegetation clearing and planting,
 - 3) Exterior lighting, and screening vegetation or structures.
 - 4) A one- or three-line electrical diagram detailing the battery energy storage system layout, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.
 - 5) A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
 - 6) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the battery energy storage system. Such information of the final system installer shall be submitted prior to the issuance of building permit.
 - 7) Name, address, phone number, and signature of the project Applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the battery energy storage system.
 - 8) Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Town of Hanson by-laws and the requirements of 527 CMR 1.00.
 - 9) Operation and Maintenance Manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information.
 - 10) Erosion and sediment control and storm water management plans prepared to Massachusetts Department of Environmental Protection standards, if applicable, and to such standards as may be established by the Planning Board.



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- 11) A Noise Analysis that includes documentation by an acoustical engineer of the noise levels projected to be generated by both the installation and operations of the facilities as required in Section 7(E).
- 12) Prior to the issuance of the building permit or final approval by the Planning Board, but not required as part of the application, engineering documents must be signed and sealed by a Massachusetts Licensed Professional Engineer.

7. - Design Standards:

- A. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
- B. Signage.
 1. The signage shall be in compliance with ANSI Z535, and Section 3.9 of the Athol Zoning Bylaw, and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and 24-hour emergency contact information, including reach-back phone number.
 2. As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations
- C. **Lighting.** Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties. All lighting shall comply with International Dark Sky Standards FSA Certification Requirements.
- D. **Vegetation and tree-cutting.** Areas within 20 feet on each side of Tier 2 Battery Energy Storage Systems shall be cleared of combustible vegetation and other combustible growth, unless a greater distance is required by the Fire Department. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted to be exempt provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible.
- E. **Noise.** Noise generated by battery storage energy systems and associated equipment such as air conditioners, cooling fans, inverters, and other 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 and 3.8.1.1 of the Hanson Zoning Bylaw.



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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.

Applicants may submit equipment and component manufacturers' noise ratings to demonstrate compliance. The applicant may be required to provide Operating Sound Pressure Level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard.

8. Decommissioning:

- A. ***Decommissioning Plan.*** The applicant shall submit a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal from the facility. The decommissioning plan shall include:
1. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 3. The anticipated life of the battery energy storage system;
 4. The estimated decommissioning costs and how said estimate was determined;
 5. The method of ensuring that funds will be available for decommissioning and restoration;
 6. The method by which the decommissioning cost will be kept current;
 7. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
 8. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- B. ***Decommissioning Fund.*** The owner and/or operator of the energy storage system, shall continuously maintain a fund or bond payable to The Town of Hanson, in a form approved by The Town of Hanson for the removal of the battery energy storage system, in an amount to be determined by The Town of Hanson, for the period of the life of the facility. All costs of the financial security shall be borne by the applicant.
- C. An inspection of the completed decommissioned area shall be reviewed by the Planning Boards Peer Review Engineer before the Board approves the decommissioning work in accordance with the Decommissioning Plan. The



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owner and/or operator shall pay for the cost of this review with such payment being provided by the owner and/or operator prior to the Peer Reviewing Engineer undertaking said review.

- D. ***Emergency Operations Plan.*** The applicant shall provide a copy of the Battery Storage Energy Systems' Emergency Operations Plan (EOP) to the Hanson Fire and Police Departments upon filing of the Special Permit Application. Each Department shall review, as part of their review provided under Section 3.18.7(4) and (5), and provide a recommendation to the BPCD. The BPCD shall approve the EOP as part of the issuance of the Battery Storage Special Permit. The approved copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The EOP shall include the following information:
- 1) Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
 - 2) Procedures for inspection and testing of associated alarms, interlocks, and controls.
 - 3) Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
 - 4) Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire
 - 5) Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required
 - 6) Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
 - 7) Other procedures as determined necessary by The Town of Hanson to provide for the safety of occupants, neighboring properties, and emergency responders.
 - 8) Procedures and schedules for conducting drills of these procedures and



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for training local first responders on the contents of the plan and appropriate response procedures.

9) Special Permit Standards:

- A. **Setbacks.** Tier 2 Battery Energy Storage Systems shall have a minimum setback of 200 feet from the front yard and 75 feet from the side and rear yards.
- B. **Height.** Tier 2 Battery Energy Storage Systems shall comply with the building height limitations for principal structures of the underlying zoning district.
- C. **Fencing Requirements.** Tier 2 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a 7.5-foot-high fence that shall be placed 6 inches off the ground to allow migration of wildlife with man gates installed that are to be self-closing and self-latching to prevent unauthorized access unless housed in a dedicated-use building and not interfering with ventilation or exhaust ports. In addition, each man gate shall have an Emergency Access System Knox padlock or box at each gate and access is to be maintained for easy opening by Fire and Rescue personnel.
- D. **Screening and Visibility.** Tier 2 Battery Energy Storage Systems shall have views minimized to the extent reasonably practicable from adjacent properties using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area and not interfering with ventilation or exhaust ports.
- E. **Ownership Changes.** If the owner of the battery energy storage system changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the battery energy storage system shall notify the Zoning Enforcement Officer of such change in ownership or operator within [30] days of the ownership change. A new owner or operator must provide such notification to the Zoning Enforcement Officer in writing. The special use permit and all other local approvals for the battery energy storage system would be void if a new owner or operator fails to provide written notification to the Zoning Enforcement Officer in the required timeframe. Reinstatement of a void special use permit will be subject to the same review and approval processes for new applications under this Local Law.

10) Safety:



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- A. System Certification. Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for battery energy storage systems and Equipment) with subcomponents meeting each of the following standards as applicable:
- 1) UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
 - 2) UL 1642 (Standard for Lithium Batteries),
 - 3) UL 1741 or UL 62109 (Inverters and Power Converters),
 - 4) Certified under the applicable electrical, building, and fire prevention codes as required.
 - 5) Alternatively, Field evaluation by an approved testing laboratory for compliance with UL 9540 and applicable codes, regulations and safety standards may be used to meet system certification requirements.
- B. Site Access. Battery energy storage systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained and secured in accordance with Section 8(C), including snow removal at a level acceptable to the local fire department.
- C. Battery energy storage systems, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

11) Abandonment

The battery energy storage system shall be considered abandoned when it ceases to operate consistently for six months. If the owner and/or operator fails to comply with decommissioning upon any abandonment, The Town of Hanson may, at its discretion, enter the property and utilize the available bond and/or security for the removal of a Tier 2 Battery Energy Storage System and restoration of the site in accordance with the decommissioning plan. The Board of Planning and Community Development may allow an additional six-month period for the battery storage system to not be considered abandoned upon request of the owner and/or operator, based upon a good cause determination by the Board to grant such an extension.

12) Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

ARTICLE 35: To see if the Town will vote to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI(N), Medium and Small Ground Mounted Solar Arrays, on file with the Town Clerk, as recommended by the Hanson Planning Board on February 27, 2023; or take any other action in relation thereto.

Proposed by the Planning Board



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Explanation: The purpose of this by-law amendment is to promote the creation of new large, medium and small-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

Recommendation: *Select Board voted 5-0 to Recommend
Finance Committee voted 4-0 to Defer to Town Meeting*

Section VI

N. ~~LARGE SCALE~~ GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS (05/2017)

1. Purpose

The purpose of this by-law is to promote the creation of new large, medium and small-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of large, medium and small-scale ground-mounted solar photovoltaic installations.

2. Applicability

This section applies to large, medium and small-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

3. Definitions

As-of-Right Siting: As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development may be subject to site plan review to determine conformance with local zoning ordinances or by-laws. Projects cannot be prohibited, but can be reasonably regulated by the building inspector where necessary to protect the public health, safety or welfare, consistent with G.L. c.40A, Section 3 and this By-law.

Building Inspector: The inspector of buildings, building commissioner, or local inspector, or person or board designated by local ordinance or by-law charged with the enforcement of the zoning ordinance.



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Building Permit: A construction permit issued by an authorized building inspector; the building permit evidences that the project is consistent with the state and federal building codes as well as local zoning by-laws, including those governing ground-mounted large-scale solar photovoltaic installations

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater) and is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250kW DC.

Medium-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that occupies more than 1,750 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 10 - 250 kW DC).

On-Site Solar Photovoltaic Installation: A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur

Photovoltaic System (also referred to as Photovoltaic Installation): A solar energy system that converts solar energy directly into electricity.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Site Plan Review: Review by the Site Plan Review Authority to determine conformance with local zoning ordinances or by-laws. After approval, any modification to the approved plan requires review and approval by the Site Plan Review Authority.

Site Plan Review Authority: For purposes of this by-law, Site Plan Review Authority refers to the Town of Hanson Planning Board.

Setback: A setback shall be measured from the property line to the area of disturbance of the existing conditions for the purpose of constructing a solar facility.

Small-Scale Ground-Mounted Solar Photovoltaic Installation: A Solar photovoltaic that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10kW DC or less).

Solar Access: The access of a solar energy system to direct sunlight.

Solar Collector: A device, structure or part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electronical energy.



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Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Zoning Enforcement Authority: The person or board charged with enforcing the zoning ordinances or by-laws.

4. General Requirements for all Large-Scale Solar Power Generation Installations

The following requirements are common to all solar photovoltaic installations to be sited in designated locations.

a. Compliance with Laws, Ordinances and Regulations

The construction and operation of all large-scale solar photovoltaic 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 photovoltaic installation shall be constructed in accordance with the State Building Code.

b. Building Permit and Building Inspection

No large-scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

c. Minimum Lot Size:

1. Large-Scale solar photovoltaic installations: The minimum lot size shall be 5 acres for projects located within the Agricultural - Recreation, Residential A, Residential AA and Residential B zoning districts. The minimum lot size shall be 2 acres for projects located within the Business, Commercial - Industrial and Flexible Use Zoning Districts.
2. Medium-Scale solar photovoltaic installations: The minimum lot size shall be 3 acres for projects located within the Agricultural - Recreation, Residential A, Residential AA and Residential B zoning districts. The minimum lot size shall be 2 acres for projects located within the Business, Commercial - Industrial and Flexible Use Zoning Districts.
3. Small-Scale solar photovoltaic installations: The minimum lot size shall be 30,000 Square Feet (0.68 acres) for projects located within the Agricultural - Recreation, Residential A, Residential AA and Residential B zoning districts. The minimum lot size shall be 25,000 Square Feet (0.80 acres) for projects located within the Business, Commercial - Industrial and Flexible Use Zoning Districts. Lots with less than 30,000 square foot minimum should utilize roof mounted solar energy systems whenever possible. A Special Permit may be obtained from the SPGA for small ground mounted solar array when roof mounted systems cannot be utilized.

a. Siting Preferences:

All scale solar photovoltaic installations should minimize the significant loss of land and natural resources, including farm and forest land when possible. Rooftop siting as well as Locations in industrial and commercial districts or vacant disturbed land is preferred to prevent significant tree cutting.



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5. **Site Plan Review:**

Site Plan Review shall be required for all Large and Medium-Scale ground mounted solar photovoltaic installations and for all Small-Scale ground mounted solar photovoltaic installations located within any Business or Commercial-Industrial districts by the Site Plan Review Authority and shall conform to the following:

a. General

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

b. Required Documents

Pursuant to the site plan review process, the project proponent shall provide the following documents:

- I. A site plan showing:
 - i. Property lines, setbacks, physical features, including roads, for the project site;
 - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
 - iii. Blueprints or drawings of the solar photovoltaic 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;
 - iv. One- or three-line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over-current devices;
 - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
 - vi. Name, address, and contact information for proposed system installer;
 - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
 - viii. The name, contact information and signature of any agents representing the project proponent;
 - ix. Drainage plans complying with all best management practices and storm water management guidelines.
- II. 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);
- III. Proof of liability insurance; and
- IV. Description of financial surety that satisfies Section 13.C.

The Site Plan Review Authority may waive documentary requirements or require additional materials as it deems appropriate.



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6. 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 photovoltaic installation.

7. Operation & Maintenance Plan

The project proponent shall submit a plan for the operation and maintenance of the large and medium-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

8. Utility Notification

No large and medium-scale ground-mounted solar photovoltaic installation shall be constructed until written evidence has been given to the Site Plan Review Authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement

9. Dimension and Density Requirements.

A. Setbacks

Placement of solar energy systems in front yards should be avoided if at all possible.

For ground-mounted solar photovoltaic installations, front, side and rear setbacks from the property line shall be as follows:

1. - Large-scale ground-mounted solar photovoltaic installations:

- A. **Front yard:** The front yard depth shall be at least one hundred (100) feet; fifty (50) feet of this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view.
- B. **Side yard:** Each side yard shall have a depth at least fifty (50) feet; this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view. Where the lot abuts a Conservation-Recreation or Residential district, the side yard setback requirement shall not be less than one hundred (100) feet.
- C. **Rear yard:** The rear yard depth shall be at least fifty (50) feet; this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view. Where the lot abuts a Conservation-Recreation or Residential district, the rear yard setback shall not be less than one hundred (100) feet.



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2. Medium-scale ground-mounted solar photovoltaic installations:

- D. **Front yard:** The front yard depth shall be at least fifty (50) feet; twenty-five (25) feet of this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view.
- E. **Side yard:** Each side shall have a depth at least twenty-five (25) feet; this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view. Where the lot abuts a Conservation-Recreation or Residential district, the side yard setback requirement shall not be less than fifty (50) feet.
- F. **Rear yard:** The rear yard depth shall be at least fifty (50) feet; setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view. Where the lot abuts a Conservation-Recreation or Residential district, the side yard setback requirement shall not be less than fifty (50) feet.

3. Small-scale ground-mounted solar photovoltaic installations:

- G. **Front yard:** The front yard depth shall be at least twenty-five (25); fifteen (15) feet of this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view.
- H. **Side yard:** Each side shall have a depth at least twenty (20) feet; ten (10) feet of this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view. When Small-Scale ground mounted photovoltaic installations are proposed within Business or Commercial-Industrial District and the lot abuts a Conservation-Recreation or Residential district, the side yard setback requirement shall not be less than one hundred (25) feet.
- I. **Rear yard:** The rear yard shall have a depth at least twenty (20) feet; ten (10) feet of this setback requirement shall be vegetated with evergreen plantings of a minimum height of six (6) feet with plant spacing to accomplish the requirement of shielding the array from view. When Small-Scale ground mounted photovoltaic installations are proposed within Business or Commercial-Industrial District and the lot abuts a Conservation-Recreation or Residential district, the rear yard setback requirement shall not be less than one hundred (25) feet.
- J. **Setback to Buildings:** Small-scale ground-mounted solar photovoltaic installations shall not be located within twenty (20) feet of the principle dwelling.
- K. **Height Requirement:** Installations should conform to all necessary height



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requirements within zoning districts where applicable.

B. Appurtenant Structures

All appurtenant structures to **large-scale** ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, 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 shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

10. Design Standards

a. Lighting

Lighting of solar photovoltaic 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. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution. The Planning Board may waive requirements for permanently installed lighting where necessary to prevent light pollution to neighboring properties.

b. Signage

Signs on large-scale **and medium-scale** ground-mounted solar photovoltaic installations shall comply with a municipality's sign by-law. A sign consistent with a municipality's sign by-law shall be required to identify the owner and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be arranged or used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

c. Utility Connections

Reasonable efforts, as determined by the Site Plan Review Authority, shall be made to place all utility connections from the solar photovoltaic 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.

11. Safety and Environmental Standards

a. Emergency Services

The large-scale **and medium-scale** solar photovoltaic installation 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



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cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquires throughout the life of the installation. Controlled access chain link fencing, a minimum of eight feet in height, shall be installed to prevent unauthorized access to the installation, including solar panels, appurtenant structures, equipment structures, storage facilities, transformers and substations and the like. A copy of the key to access the installation or an alternate arrangement shall be provided to the Hanson Police and Fire Departments for emergency purposes.

b. 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~~ all ground-mounted solar photovoltaic installations or otherwise prescribed by applicable laws, regulations, and by-laws. All plans may be subject to peer review by the Permit Granting Authority's consulting engineer.

12. Monitoring and Maintenance

a. Solar Photovoltaic Installation Conditions

The large-scale ~~and medium-scale~~ ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance should 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 Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

b. Modifications

All material modifications to a solar photovoltaic installation made after the issuance of the required building permit shall require approval by the Site Plan Review Authority.

13. Abandonment or Decommissioning

a. Removal Requirements

Any large-scale ~~or medium-scale~~ ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Section I 3.b of this by-law shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Site Plan Review Authority by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- I. Physical removal of all large-scale ~~or medium-scale~~ ground-mounted



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solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.

- II. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- III. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation or may hold funds to secure vegetation for one- or two-year growing seasons.

b. Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Site Plan Review Authority. If the owner or operator of the large- scale or medium-scale ground-mounted solar photovoltaic 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.

c. Financial Surety

Proponents of large-scale ground-mounted solar photovoltaic projects 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 installation and remediate the landscape, in an amount and form determined to be reasonable by the Site Plan Review Authority, but in no event to exceed more than 125percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the Permit Granting Authorities consulting engineer. Such surety will not be required for municipally - 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. The surety shall be bound by a suitable agreement that is subject to the review and approval of the Permit Granting Authority, in consultation with Town Counsel.

(05 /2023)

ARTICLE 36: To see if the Town will vote to approve amendments to the following sections of the Hanson Zoning Bylaws Section VII, Pork Chop & Hammerhead Lots, Section VII, Lot Access – Driveways, Section VII(C), Accessory Building, and Section VII(D), Off Street Parking and Loading Areas, on file with the Town Clerk, as recommended by the Hanson Planning Board on February 27, 2023; or take any other action in relation thereto.



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Proposed by the Planning Board

Explanation: The purpose of this by-law amendment is to provide clarification and additional regulation to the following areas: (1) Section VII – Pork Chop & Hammerhead Lots to be renamed as Estate or Retreat Lots, which would bring the bylaw in line with surrounding communities; (2) Section VII – Lot Access – Driveways, to allow only one driveway per dwelling lot for proposed construction activities; (3) Section VII(C) –To clarify existing Accessory Building, requirements regarding setbacks to property lines; (4) Section VII(D) – To clarify existing Off-Street Parking and Loading Areas requirements.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Defer to Town Meeting

SECTION VII

Development of Sites and Location of Buildings and Structures

A. Height Regulation:

1. The height of any building or structure shall not exceed forty (40) feet, as measured in accord with the Hanson Building Code.
2. Limitations of height shall not apply to spires, domes, steeples, radio towers, chimneys, broadcasting and television antennae, bulkheads, cooling towers, ventilators and other appurtenances usually carried above the roof, or to farm buildings, churches, municipal or institutional buildings, provided that, if the use requires a permit, one has been granted.
3. Heights permitted in paragraphs 1 and 2 above shall not exceed the limits permitted in Chapter 756 of the General Laws of 1960 and any more restrictive amendments thereto.

B. Area, Frontage, Yard and Floor Area Requirements:

No building shall be erected unless in conformity with the requirements on the Table of Dimensional Requirements: (10/2004)

Except that:

1. Eaves, sills, steps, cornices, belt cornices, fences, walls or uncovered patios and similar features may project into the specified yards, and provided that:
2. On a ~~corner~~ **corner** lot, in order to provide visibility unobstructed at intersections, no sign, fence, wall, tree, hedge or other vegetation, and no building or other structure more than three (3) feet above the established street grades, measured from a plane through the curb grades on height of the crown of the street, shall be erected, placed, or maintained within the area formed by the



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intersecting street lines and a straight line joining said street lines at points which are twenty-five (25) feet distant from the point of intersection, measured along said street lines.

3. Further, no yard, lot area, or other open space required for a building by this bylaw, shall, during the existence of such building, be occupied by or counted as open space for another such building. No lot area shall be so reduced or diminished so that the yards or other open space shall be smaller than prescribed by this bylaw.

B.1 - Estate/Retreat Lots:

1. The minimum required frontage may be reduced to forty (40) feet in a residential district according to the provisions of this section. Back lots with less than the required frontage, commonly known as “hammerhead” “Estate” or “Retreat” ~~“pork chop”~~ lots, shall be subject to the following requirements:
 - a. All setbacks shall be at least fifty (50) feet.
 - b. Each hammerhead Estate/Retreat lot must be serviced by its own separate driveway located in the access portion of the lot.
 - c. The width of the lot between the street line and the proposed building setback line shall be no less than forty (40) feet, which area shall be known as the *access portion* of the lot.
 - d. No *access portion* of another hammerhead Estate/Retreat lot shall be allowed to abut within that distance equal to the frontage requirement of the zoning district of the lots.
 - e. One (1) building for residential use shall be permitted and buildings shall comply with maximum percent coverage requirements.
 - f. The area of the lot exclusive of the *access portion* shall be twice that otherwise required in the applicable zoning district.
 - g. No more than ten (10) percent of the total number of lots in a definitive subdivision plan may be hammerhead Estate/Retreat, (rounded to the nearest lot). In the case of a definitive subdivision plan of less than ten lots, one (1) hammerhead lot shall be permitted (10/1998)
4. The Planning Board shall determine adequate access for that portion of a lot used as qualifying lot frontage and that frontage shall be the actual access for that lot for vehicles, water service and other normal uses of lot frontage. (05/2002)
5. A structure containing more than one dwelling unit shall have a minimum floor area of six hundred (600) square feet for each such unit. (10/1986)
6. **LOT ACCESS - DRIVEWAYS**
 - Driveways that are in excess of 150 feet in length that provide the principal means of vehicular access from a street to a one or two family residential structure shall be subject to the following regulations:



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- The driveway shall have a minimum width of 12 feet with a 2-foot clear zone on each side of the driveway. (16 feet overall)
- The driveway shall have an unobstructed vertical clearance of 13 feet, 6 inches.
- Driveways in excess of 250 feet in length shall be provided with an approved area for turning around fire apparatus.
- Driveways, including bridges and other supporting structure of driveways, must be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.
- The grade of the driveway may not exceed 10% at any point.
- One driveway access opening per lot allowed withing all residential districts. Driveway access permits shall be issued by the Hanson Highway superintendent. (05/2023)

C. Accessory Building:

1. A detached accessory building may be erected in the rear or side yard area at least ten (10) feet from the principal building in conformance with the yard requirements of the district in which it is located. An accessory building attached to its principal building shall be subject to the front, side and rear yard requirements applicable to the principal building (10/2015)
2. Detached Accessory structures or buildings with a footprint of two hundred (200) square feet or less may be located ten (10) feet from a rear or side property line but shall conform with front yard setback requirements.
3. For Detached Accessory structures (i.e. garages) located on a lot having frontage on more than one (1) street, the front yard requirements shall apply to one abutting street from which vehicular access to said structure is proposed. Proposed structure must meet side yard setback requirements for second street.
4. Detached Accessory structures and buildings shall be located on the same lot as the principal structure on the premises.

D. Off-Street Parking and Loading Areas:

1. **Requirements for off-street parking and loading areas** shall be as specified below for specific uses. These requirements shall be met in the case of all new construction, including expansions, additions, or changes of use. Where applicable, such parking areas shall be noted on a required Site Plan under Section VII.F of this By-Law. Where stipulated, "~~net gross~~ floor area" shall mean ~~usable~~ floor space, exclusive of enclosed or inaccessible floor areas. In applying for a building or occupancy permit, the applicant



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must demonstrate that the following minimums will be met for the new demand without counting existing parking:

- a. **Dwellings:** Two (2) spaces per dwelling unit, garage space inclusive.
- b. **Motels, hotels, lodging houses:** One (1) space per guest unit plus one (1) additional space per eight (8) guest units or fraction thereof, plus one (1) space for each employee on the largest shift.
- c. **Retail stores, offices, municipal offices, banks:** One (1) space per one hundred fifty (150) square feet of **net gross** floor area.
- d. **Motor vehicle service station or repair or body shop:** Three (3) spaces for each service bay plus one (1) space per employee on the largest shift.
- e. **Industrial or wholesale:** A minimum of five (5) spaces, plus one (1) space for each 2,000 sq. ft. **net gross** floor area for the first 20,000 sq. ft., plus one (1) space for each additional **10,000 1,000 sq. ft.** on **net gross** floor area, plus one (1) space per employee on the largest shift.
- f. **Places of assembly, restaurants:** One (1) space per three (3) seats, or one
(1) space per twelve (12) square feet of seating area, whichever is greater.
- g. **Hospitals:** One (1) space per bed.
- h. **Nursing homes:** One (1) space per each two (2) beds, plus one (1) space per employee on the largest shift.
- i. **Bowling alley:** Four (4) spaces per lane.
- j. **All others:** As determined by the Board of Appeals.

2. **Design of Off-Street Parking and Loading Spaces** shall meet the requirements specified below:

a. **Location:**

Required parking shall be either on the same premises as the activity it serves, or on a separate parcel if said parcel is located within three hundred (300) feet of the building's major entrance, and if not separated by a state- numbered highway, and if in a zoning district allowing the activity it serves.



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Angle of Parking (degrees) -	Stall Width (ft.)	Stall Depth (ft.)	Curb Length (ft.)	Aisle Width (ft.)
Parallel	9	9	20	12
30	9	17	18.5	12
45	9	19	12.75	13
60	9	19.75	10.5	18
90	9	18	18	24

- b. Minimum Dimensional Requirements for Parking Facilities:** The following Table establishes the minimum dimensions for parking lot design. Parking aisle requirements, as specified below, shall not apply to parking for single family and two family dwellings.
- c. Loading Requirements.** Each loading bay shall be not less than ten feet in width and thirty-five feet in length exclusive of drives and maneuvering space and all required bays, drives and maneuvering space shall be located entirely on the lot with direct access to the building intended to be served.
- d. Loading Design Requirements.** The following minimum requirements shall be provided off-street and on premises.

Category of Use	Number of Loading Bays Required for New Structures by Gross Floor Area of Structure (x 1000 sq. ft.)					
	Less than 4	4-15	15-20	51-100	100-150	Next 150
Retail Trade Wholesale Storage Transportation Terminals Manufacturing Consumer Service Office Buildings	0	1	2	3	4	1
Multifamily Users Recreation Research Laboratories	0	1	1	2	3	1

- e. Special Permit.** The Zoning Board may, by special permit, reduce the requirements of this Section if specific site or public safety considerations warrant such a reduction and no substantial detriment shall result
- f. Backing:** All parking areas shall be designed and located so that their use does not involve vehicles backing onto a public way. This shall not apply to residential uses
- g.** For all required off street parking, open or enclosed, each three hundred (300) square feet of net standing and maneuvering are shall be considered one (1) space. All such parking spaces shall be designed so as to provide a twelve (12) foot clear space adjacent to each building. All required parking spaces shall be provided with



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unobstructed access to and from a street and shall be properly maintained in such a manner as to permit them to be used at all times. All required parking spaces shall be located on the same lot as the use with which such spaces are connected or, in the case of unenclosed spaces, within two hundred (200) feet of the lot, except that two (2) or more businesses may jointly provide the required spaces on one or more of their lots. The number of spaces in any such joint facilities shall at least equal the total number required under the provisions of this Section for their individual uses.

- h. Required off street parking and loading spaces shall not ~~hereafter be reduced, nor shall one~~ be counted as or substituted for the other.
- i. Whenever off -street parking in Business or Commercial-Industrial Districts is required in accordance with Section VII D, there shall be an area at least twenty (20) feet deep between the street line and the balance of the lot which shall be separated from the street and the balance of the lot by a curb which shall encompass an area that shall be seeded and landscaped except at an access. Such access shall be at least twenty (20) feet wide and at least one hundred twenty (120) feet center to center apart and further provided that there shall be only one (1) access if the street frontage is two hundred (200) feet or less. If the street frontage is greater, additional accesses may be allowed in the ratio of one (1) such access for each additional two hundred (200) feet or portion thereof of frontage.

End of revisions to this section of bylaw

ARTICLE 37: To see if the Town will vote to approve an amendment to Section XII, Adequate Access Determination, of the Hanson Zoning Bylaws, on file with the Town Clerk, as recommended by the Hanson Planning Board on February 27, 2023; or take any other action in relation thereto.

Proposed by the Planning Board

Explanation: The purpose of this by-law amendment is to provide clarification and additional regulation to the Adequate Access and Improvement to Private Ways bylaw.

Recommendation: *Select Board voted 5-0 to Recommend*
Finance Committee voted 4-0 to Defer to Town Meeting

DETERMINATION OF ADEQUATE ACCESS

(10/2007)

Purpose

- A. The purpose of this section is to set forth a procedure and standards by which the Planning Board may determine whether the access is adequate to one or more lots on a private way, so as to satisfy the frontage requirement of the Zoning By-Law. In addition, the procedures set forth in this section



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for improvements to a private way are designed to reduce the likelihood of drainage and erosion problems and ensure that improvements, when completed, result in a positive determination.

- B. A building permit may be issued by the Building Inspector when a lot has the required frontage on an accepted street. Otherwise, the Building Inspector shall not issue a building permit until the Planning Board has made a Positive Adequate Access Determination ("Positive Determination").

1. - **APPLICATION FOR ADEQUATE ACCESS:**

A- Submittal Requirements - Applicants for an Adequate Access Determination shall submit the following items to the Planning Board.
Incomplete applications may delay process.

- a. A ~~written request~~ **completed application** for an Adequate Access Determination signed by the landowner seeking the Determination. **Application, Checklist and filing Fee information may be obtained from the town website or the Planning Board office during normal business hours.**
- b. **Submit Eight (8) copies of the site plan and an electronic copy of plans and application (PDF) ~~or CAD~~**
- c. **A locus map which shows adjacent ways and is sufficient to locate the way and parcel.**
- d. **A completed Determination of Adequate Access Determination Checklist.**
- e. **A check made payable to the Town of Hanson for the required filing fee.**
- f. **A plan conforming to the requirements listed in Section I B below.**
- ~~g. The name of the private way on which a Determination is being sought.~~
- ~~h. The assessor's parcel number for the lot(s) for which a Determination is being sought.~~
- ~~i. A locus map which shows adjacent ways and is sufficient to locate the way and parcel.~~

Adequate Access Determination Plan Requirements – The following information must be shown on the accompanying plan to be considered as a complete applications.

An Adequate Access Plan at a scale of 1"=20' or greater prepared and wet stamped by a Massachusetts Registered Engineer and/or Surveyor or showing the following:

1. **The entire parcel of land in which adequate access is sought, including the number of existing and potential lots and total frontage along roadway (Show a detail for large tracts of land).**
2. **The name, width and type of roadway as it exists at time of application.**
3. **Existing resource areas as defined by the Wetlands Protection Act within 100 feet of proposed site access.**
4. **Existing drainage structures within the roadway (if any).**
5. **Existing topography at 1-foot intervals along roadway within 100 feet of site (not just access point) and from roadway to buildable portion of lot where proposed structure will be located.**
6. **Existing utilities located within roadway within 100 feet of site.**



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7. Existing obstructions along frontage of site if applicable (guardrails, fencing, etc.)
8. Existing roadway slope and roadway cross slope.
9. Proposed driveway access location and surface type.
10. Proposed structure location and total area of land disturbance.
11. Proposed site distance from access driveway along roadway in either direction.
12. Proposed driveway must meet Lot Access Standards listed under Section VII (7) of this bylaw slope and total length should meet the following standards:

Minimum driveway requirements:

(For driveways in excess of 150 feet in length)

Minimum driveway width shall be 12 feet with a 2 foot clear zone on each side of driveway for a total of 16 feet;

Driveway shall have an unobstructed vertical clearance of 13.5 feet;

Driveways in excess of 250 feet in length shall provide an area for the turning around of fire apparatus. (Approval from Planning Board and Fire Department Required.)

Driveways, including bridges and other supporting structures of driveways, must be designed by a Massachusetts Registered Structure Engineer and maintained to support loads of fire apparatus and shall be provide with an all weather driving surface.

The grade of the driveway may not exceed 10% at any point.

2. **Planning Board Procedure** - Upon receipt of a completed filing request for an Adequate Access Determination Application and associated fee, the Planning Board will schedule the request for its next available regularly scheduled meeting.
3. **Review Standards** - The Planning Board will consider the following criteria in determining whether a private way is of sufficient width, suitable grades and adequate construction to provide adequate access to the lot (s):
 - a. The roadway surface must should be a minimum width of fifteen (15) feet of bituminous concrete when possible or eighteen (18) feet of compacted gravel.
 - b. The condition of the existing roadway surface at the time of the application.
 - c. The adequacy of existing or need for proposed drainage along the roadway.
 - d. The number of existing and potential lots.
 - e. The slope of the roadway.
 - f. Vital access from roadway to buildable portion of lot.

The Planning Board may continue its consideration of the request to a later meeting, in order to obtain further information from the applicant and/or conduct a site visit. The Board's decision shall be based on the conditions that exist at the time the Adequate Access Determination is requested.

4. **Decision** - The Planning Board will vote to issue a positive or a negative Adequate Access Determination within sixty (60) days after the hearing is closed and the Board has completed its review of the request. The Board's decision will be issued in writing with reasons set forth and a copy shall be provided to the Building Inspector and Town Clerk.



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- a. **Positive Determination:** Applicants may be issued a building permit upon the issuance of a Positive Determination (provided that all other requirements for a building permit are met).
- b. **Negative Determination:** The Building Department shall not issue building permits when a Negative Determination is made by the Planning Board. Applicants receiving a negative determination may file an Improvements to Private Way Application in accordance with Section XII(2).
- c. Appeals of negative determination of the Planning Board shall be to the Zoning Board of Appeals, with any such appeal to be made in writing to the Town Clerk, within thirty days from the filing of the underlying negative determination.

IMPROVEMENTS TO PRIVATE WAYS:

If an applicant seeks to improve a private way prior to applying for a Determination, or has received a Negative Determination and seeks to correct the deficiencies in the private way that the Planning Board identified in its decision, the following review and approval procedure will be followed for considering an applicant's proposal to improve the private ways.

Submittal requirements - Applicants seeking to improve private ways shall submit the following materials to the Planning Board.

- i. Eight (8) sets of Road Construction Plans showing proposed improvements to the way at a scale of 1" = 40' or greater in plan and profile view signed by a Massachusetts registered professional engineer. Plans should meet the requirements provide information listed above in Section IB.
- ii. An estimate of the number of potential lots that could be served by the way based on existing zoning if a Positive Determination were issued.
- iii. An administrative fee and an escrow account to cover the costs of a review engineer in amounts to be determined by the Planning Board. An applicant may also be required to establish a bond depending upon the scope of the project.
- iv. A certified list of all abutters to the way that is being developed. If two (2) ways are being improved, all abutters to both ways must be notified. The applicant must notify the abutters by certified mail and provide the Planning Board with mailing green cards prior to hearing for verification.
- v. A signed statement whether or not the applicant intends to have the way accepted by the town once improvements have been completed and approved by the Planning Board.

Applicants may request a pre-application meeting with the Planning Board at a regularly scheduled meeting to discuss any appropriate proposed waivers and construction standards.

A. Public Hearing Requirements:

- i. The Planning Board shall conduct a public hearing on the proposed improvements



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- with notice provided at least fourteen (14) days **prior to the hearing** in a newspaper of local circulation. Applicants must pay the cost of advertising the public hearing.
- ii. The Planning Board shall request **written** comments from the Highway Department, Fire Department, Police Department, Conservation Commission, Water Department, Building Department and Board of Health. **These departments shall be requested to respond within fourteen (14) days of application submission.**

B. Review Standards - Based on site conditions, road improvements shall generally be constructed to the following minimum standards:

- i. **Pavement width** shall be a minimum of fifteen (15) feet and should be constructed as follows: **Three (3) Four and one half (4-1/2) inches** of bituminous concrete on a twelve (12) inch minimum gravel base (**1 ½ 3 inches** of binder course, 1 ½ inches of wearing course), **conforming to Roadway Paving standards set forth in Section 7.3.3 of the Hanson Subdivision Control Law**, or existing asphalt penetration that has shown its ability to withstand the traffic flow.
- ii. **Drainage** - Depending on topography and other site conditions, curbing, catch basins or other drainage structures may be required **within roadway and/or on site**. In all cases, appropriate provision for **stormwater** run-off shall be made so that it leads into a storm water drainage system, no **stormwater** will be directed onto any abutting property, and no erosion will result. **Stormwater design should meet current Stormwater Design Regulations.**
- iii. **Tapering**- Where necessary, newly constructed segments of an unaccepted way shall be "tapered back" to provide a safe transition to the cross section of the existing ways.
- iv. The Planning Board will consider comments received pursuant to Section 2(b) B **(ii)** in reviewing proposed road improvements.
- v. One or more of these conditions may be waived by the Planning Board, at its discretion, if the Planning Board determines that the requested waivers do not derogate from the intent of the Zoning Bylaw.

C. Decision - Following the public hearing, the Planning Board will determine that either:

- i. The plan may be approved because the proposed improvements will be sufficient to allow the Planning Board to issue a Positive Determination upon completion of the improvements;
- ii. The plan may be approved because the proposed improvements with modifications required by the Planning Board will be sufficient to allow the Planning Board to issue a Positive Determination upon completion of the improvements; or,
- iii. The plan **must may** be denied, because the proposed improvements will be insufficient **or do not meet Hanson Subdivision Control standards** to allow the Planning Board to issue a Positive Determination upon completion of the improvements.



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The Board shall have sixty (60) days after the public hearing is closed to issue a written decision. The Board's decision will be issued in writing with reasons set forth and a copy shall be provided to the Building Inspector and Town Clerk.

D. Appeals:

Appeals of the Planning Boards decision may be made in accordance with Massachusetts General Law Chapter 40A, Section 17.

E. Completion of Improvements:

- i. Prior to commencing construction, the applicant ~~will~~ may be required to pay for the cost of construction oversight by the Planning Board's designee if so determined by the board, said funds to be paid in accordance with G.L. c. 44, §53G.
- ii. After improvements are completed in accordance with approved plans and the Planning Board is so notified, the Planning Board shall issue a Positive Determination and shall notify the Building Department and the applicant in writing of its decision. Applicant must submit an As-built Plan prepared by a Massachusetts Registered Engineer for review and approval prior to receiving a Positive Determination.

ARTICLE 38: To see if the Town will vote to accept as a Town way, Alden Way, Gray Lane and Stringer Lane as laid out by the Select Board pursuant to G.L. c. 41 and c.82 as described in detail below and to authorize the Select Board to acquire by gift, purchase or by eminent domain as easement to use said streets for all purposes for which public ways are used in the Town of Hanson and all associated easements; and further, to raise and appropriate, transfer from available funds, accept gifts or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out this vote:

Alden Way, Gray Lane and Stringer Lane are shown on a plan entitled "Alden Way" in Hanson, Massachusetts prepared for Tedeschi Gray LTD dated April 22, 1997 Revised through July 19, 1997 by SITEC, Inc. which Plan is duly recorded with the Plymouth County Registry of Deed as Plan No, 803 of 1997 in Plan Book 40, pages 652-654.

Please see additional information listed in the Information Warrant.

Citizens' Petition proposed by Sandra Crawford, et al.



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ARTICLE 39: Resolution in support of Changing the State Flag & Seal of Massachusetts
Whereas the history of the Commonwealth of Massachusetts is replete with instances of conflict between the European Colonist and the Native Nations of the regions, who first extended the hand of friendship to the Colonist on their shores in 1620, and helped them to survive starvation during the settlers' first winter on their land;

Whereas members of the Native Nation for whom the Commonwealth of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, at Wessagusett (now Weymouth) in April of 1623, barely two years after the Pilgrims arrived;

Whereas the Colonial broadsword held by a white hand above the head of the Indigenous person on the Massachusetts Flag and Seal is modeled after Myles Standish's own broadsword, borrowed for that purpose from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

Whereas the belt binding the Native's cloak on the Flag and Seal is modeled after a belt worn by Metacomb, known to the English as King Philip, who was among the Indigenous leaders that resorted to a mutually destructive war in 1675-76 in defense of Native lands against Colonial encroachment;

Whereas the proportions of the body of the Indigenous person on the Flag and Seal were taken from the skeleton of an Indigenous person unearthed in Winthrop, the bow modeled after a bow taken from an Indigenous man shot and killed by a colonist in Sudbury in 1665, and the facial features taken from a photograph of an Ojibwe chief from Great Falls, Montana, considered by the illustrator to be a "fine specimen of an Indian," though not from Massachusetts;

Whereas the history of relations between Massachusetts since Colonial times and the Native Nations who continue to live within its borders includes the forced internment of thousands of so-called "praying Indians" on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in the winter of 1675, the enslavement of Indigenous people in Boston, Bermuda,

and the Caribbean Islands, the offering of 40 pounds sterling as bounty for the scalps of Indigenous men, women and children in Massachusetts beginning in 1686, increased to 100 pounds sterling for the scalps of Indigenous adult males by 1722, half that amount for Indigenous women and children;

Whereas Indigenous people were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that Colonial law was finally repealed;

Whereas the 400th anniversary for the landing of the Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate government policies of cultural



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destruction against Native Nations of this continent, occurred in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to an appreciation of the need for better relations between the descendants of the Colonial immigrants and the Native Nations of the Commonwealth;

Whereas the land area now known as the Town of Hanson, shares a rich Native history with modern tribal Nations such as the Massachusetts and the Wampanoag, who inhabited this area long before the first colonial settlers arrived in 1632;

Now, therefore, **BE IT RESOLVED** that the Town of Hanson hereby adopts this resolution in support of the work of the Special Commission on the Official Seal and Motto of the Commonwealth, established by a Resolve of the General Court in 2021 and appointed by the Governor to recommend changes to the current flag and seal of Massachusetts, and **in support of a new flag and seal for the Commonwealth** that may better reflect our aspirations for harmonious and respectful relations between all people who now call Massachusetts home. The town clerk shall forward a copy of this resolution to Sen. Michael Brady, Rep. David DeCoste, and Rep. Josh Cutler, with the request that they support the work of the aforementioned Special Commission and advocate for a new flag and seal for the Commonwealth.

Citizens' Petition proposed by Marianne DiMascio, et al.