

Annual Town Meeting  
May 1, 2023

Moderator Sean J. Kealy called the meeting to order at 6:49PM in the auditorium of the Hanson Middle School with Robert Hayes, Franklin Milisi and Matthew Dyer appointed and sworn in to serve as tellers.

Town Counsel was Katherine Feodoroff from Blatman, Bobrowski & Mead.

The Pledge of Allegiance was recited by the Town Meeting and a moment of silence was observed in memory of Gail Gronlund, Ernest Jutras and Michael E. Wojdag.

A quorum was declared present with 278 voters in attendance. The Moderator, Sean Kealy announced that he would be using Town Meeting Time as the guide for the Town Meeting.

The Moderator asked for a motion to request the Town Meeting allow the Moderator to declare 2/3 and 9/10 majority of a voice vote. Motion was made by Sean Kealy and 2<sup>nd</sup> by Robert Hayes.

**Voted: Aye, voice.**

The Moderator had the Select Board and the Finance Committee introduce themselves to the Town Meeting. The Moderator recognized Select Board member, Jim Hickey and Fire Chief Jerry Thompson for their years of service to the Town of Hanson, as this will be Mr. Hickey's last Town Meeting on the Select Board and Chief Thompson is retiring. Robert O'Brien was welcomed as the new Hanson Fire Chief.

An announcement that the Annual Town Election will be held at the Hanson Middle School on May 20, 2023 with polling hours being 10:00 AM to 5:00 PM. In Person Early Voting hours will be held at the Town Hall from Monday, May 15<sup>th</sup> to Wednesday, May 17<sup>th</sup>.

The meeting was recessed at 6:50PM to open the Special Town Meeting and will reconvene upon the dissolution of the Special Town Meeting.

The meeting reconvened at 7:07PM.

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice hear reports of the various Town Officers, Committees, Special Committees, as printed in the Town Report.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal Year 2024 as permitted by Mass. General Laws, Chapter 44, Section 53F.**

**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:

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

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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to fix the Salary and Compensation of all paid Elected Officers and Committees of the Town as printed in the informational warrant.**

**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.

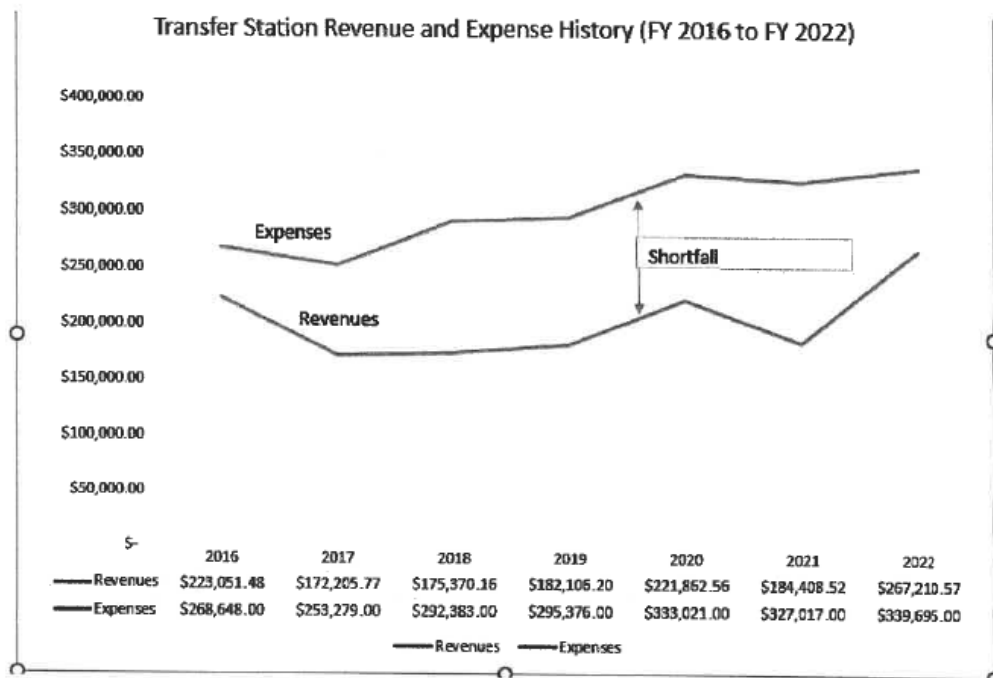
Proposed by the Board of Health

**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.

Finance Committee recommends.

Motion: Sean Kealy

Second: Joseph Weeks



Bruce Young spoke and gave some history on the pay as you throw program stating that it has never been self-sustaining except for last year when the Town sold the stickers and the enterprise fund was established knowing that the Town would have to supplement the program with Free Cash or taxation. This same Article was defeated back in 2020. Mr. Young asked the Town Meeting to once again defeat this Article and raise the fees for the Transfer Station to keep the enterprise fund.

Michael Dugan, Chair of the Finance Committee explained that the Committee recommended this Article because revoking the Enterprise Fund is a simpler way to fund the Transfer Station. With Retained Earnings you cannot spend that money within that fiscal year. The fees for recycling, solid waste removal and hauling keep increasing, by putting the earnings into the General Fund and funding the Transfer Station through Free Cash and taxation will be more transparent.

Melissa Pinnetti, Chair of the Board of Health, stated that this Article is not about closing the Transfer Station. The Board of Health has been trying to look into all different ways to keep it running, with opening up the swap shop, grant money and joining South Shore Recycling.

**VOTED Aye, voice to 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.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

Steve McKinnon questioned why the Town was using Free Cash, a onetime fund for operating expenses, this is going to make our budget for next year even harder to fund.

**VOTED Aye, voice the following FY 2024 Budget Appropriations**

(The source of funding is raise and appropriate, by taxation, unless otherwise noted)

**FY 2024**

**GENERAL GOVERNMENT:**

**122 SELECTBOARD/ADMINISTRATION**

1. Salaries	\$ 224,604
2. Expenses	56,800
3. Capital Outlay	0

**131 FINANCE COMMITTEE**

4. Salaries	1,500
5. Expenses	450
6. Reserve Fund	125,000

**135 ACCOUNTANT**

7. Salaries	130,360
8. Expenses	2,125
9. Audit	40,000

**141 ASSESSORS**

10. Salaries	159,634
	50,000 Overlay Surplus
11. Expenses	7,510

**145 TREASURER/COLLECTOR**

12. Salaries	243,108
13. Expenses	16,750
14. MWPAT Admin Expenses	5,000 MWPAT Title

V Int.

**151 LEGAL SERVICES**

15. Expenses	135,000
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**155 INFORMATION TECHNOLOGY**

16. Salaries	108,000
17. Expenses	172,000

#### 161 TOWN CLERK

18. Salaries	144,629
19. Expenses	5,055

#### 162 ELECTIONS

20. Salaries	15,360
21. Expenses	15,427

#### 163 BOARD OF REGISTRARS

22. Salaries	8,730
23. Expenses	1,782

#### 171 CONSERVATION COMMISSION

24. Salaries	107,603
	12,750 Wetlands Protection
25. Expenses	10,235

#### 175 PLANNING BOARD

26. Salaries	111,100
27. Expenses	4,900

#### 176 APPEALS BOARD

28. Salaries	41,361
29. Expenses	750

#### 180 MUNICIPAL COMMITTEES

30. Expenses	0
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#### 190 POSTAGE

31. Expenses	40,000
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## 192 MUNICIPAL BUILDINGS

32. Salaries	59,854
33. Expenses	51,000

## 196 UTILITIES

34. Expenses	147,000
<b>SUBTOTAL GENERAL GOVERNMENT</b>	<b><u>2,255,377</u></b>

## **PUBLIC SAFETY:**

### 210 POLICE

35. Salaries	2,819,250
36. Expenses	314,800
37. Capital Outlay	72,000 Free Cash

### 215 COMMUNICATIONS

38. Salaries	0
39. Expenses	238,400

### 220 FIRE & AMBULANCE

40. Salaries	1,680,459
	675,000 Ambulance
Fund	
41. Expenses	179,030
	50,000 Ambulance
Fund	
42. Capital Outlay	0

### 241 BUILDING INSPECTION

43. Salaries	129,421
44. Expenses	10,145

### 242 GAS INSPECTION

45. Salaries	6,700
46. Expenses	200

243 PLUMBING INSPECTION

47. Salaries	6,700
48. Expenses	200

244 WEIGHTS & MEASURES

49. Salaries	3,815
50. Expenses	327

245 WIRING INSPECTION

51. Salaries	21,200
52. Expenses	200

292 ANIMAL CONTROL

53. Salaries	20,566
54. Expenses	5,100

294 TREE WARDEN

55. Salaries	3,438
56. Expenses	25,000

**SUBTOTAL PUBLIC SAFETY**

**6,261,951**

**EDUCATION:**

300 WHITMAN-HANSON REGIONAL

57. Operating Assessment	13,707,233
	200,000 Free Cash

58. Transportation Assessment	52,672
59. Debt Assessment	398,269
	85,453 Free Cash

60. 330 SOUTH SHORE REGIONAL TECH	1,164,846
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61.	340 NORFOLK AGRICULTURAL	213,330
	<b>SUBTOTAL, EDUCATION</b>	<b>15,821,803</b>

**PUBLIC WORKS:**

410 ENGINEERING

61.5 Expenses	0
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420 HIGHWAY

62. Salaries	604,469
63. Expenses	338,650
64. Snow & Ice	300,000
65. Street Sweeping	0

424 TOWN-WIDE FUEL

66. Expenses	160,000
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430 SOLID WASTE

67. Salaries	116,515
68. Expenses	212,300

<b>SUBTOTAL, PUBLIC WORKS</b>	<b>1,731,934</b>
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**HUMAN SERVICES:**

511 BOARD OF HEALTH

69. Salaries	128,590
70. Expenses	11,325
71. VNA Services	5,600

541 COUNCIL ON AGING

72. Salaries	147,258
73. Expenses	12,000
74. VNA Services	6,800

543 VETERANS

75. Salaries	60,000
76. Expenses	3,000
77. Assistance	42,000

544 CARE OF SOLDIERS GRAVES

78. Expenses	2,000
<b>SUBTOTAL, HUMAN SERVICES</b>	<b>418,573</b>

**CULTURE & RECREATION:**

610 LIBRARY

80. Salaries	371,533
81. Expenses	155,160

650 PARK & FIELDS

82. Expenses	25,000
83. 692 PATRIOTIC OBSERVANCE COMM	2,000

**SUBTOTAL, CULTURE & RECREATION 553,693**

**FIXED COSTS:**

710 DEBT SERVICE

84. Principal	359,164
Title V	140,000 MWPAT
85. Interest	41,893
Title V Int.	7,250 MWPAT
Premium	1,392 Bond
86. 911 PLYMOUTH COUNTY RETIREMENT	2,108,120
87. 913 UNEMPLOYMENT COMPENSATION	30,000

88. 914 GROUP INSURANCE 2,205,000

89. 945 RISK MANAGEMENT 305,000  
SUBTOTAL, FIXED COSTS 5,197,819

SUB TOTAL \$32,241,150

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**WATER:**

90. Salaries 588,377 Water Revenue  
91. Expenses 540,475 Water Revenue  
92. Debt Service 462,550 Water Revenue  
93. Indirect Cost 331,950 Water Revenue  
SUBTOTAL, WATER 1,923,352

**TOTAL – ALL BUDGETS - GRAND TOTAL \$ 34,164,502**

**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.

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

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

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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to Pass Over Article 6.**

**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

Finance Committee does not recommend.

Motion: Sean Kealy  
Second: Robert Hayes

Bruce Young questioned why this Article was being voted on before the Town Meeting vote was held to create this position. The Moderator then moved Article 7 aside until after the Town Meeting voted on Article 11 and then Article 7 was voted on.

Steve McKinnon question the necessity of this position. Town Administrator, Lisa Green spoke for this Article and position stating that our IT Department is only one person and the work load keeps expanding.

**VOTED Aye, voice to transfer \$35,000 from IT Expenses to IT Salaries to hire a part-time Information Technology Assistant for 19 hours per week.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to Pass Over Article 8.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to authorize the Select Board to accept and enter into a contract for the expenditure of any allocation or to be allocated funds by the Commonwealth and/or County pursuant to M.G.L. Chapter 90 for the construction, reconstruction, and improvements of Town roads.**

**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><i>Fund</i></u>	<u><i>Spending Limit</i></u>
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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.

Proposed by the Select Board

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

Finance Committee recommends.

Motion: Sean Kealy

Second: Robert Hayes

**VOTED Aye, voice to set the spending limits of the Town's revolving accounts in accordance with Hanson General By-law Article 2 – 9 Section 3 as printed in the informational warrant.**

**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**

	<b>10/3/2022</b>	<b>7/1/2023</b>
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
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	<b>28.00 to 38.00</b>
B	Assistant to Police Chief	18.00 to 40.00	18.00 to 40.00
C	<b><i>Veterans' Agent ~ Annual salary</i></b>	7,000 to 33,000	<b>55,000 to 62,000</b>
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	<b><i>Library/Senior Center Custodian</i></b>	18.00 to 24.00	<b>22.00 to 26.00</b>
L	<b><i>Facilities Manager</i></b>	20,000 to 45,000	<b>70,000 to 80,000</b>

#### 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
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>		<i>28.00 to 35.00</i>
FF	<i>Select Board Part-time Administrative Assistant to the Town Administrator and Select Board</i>		<i>17.00 to 34.00</i>

#### 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.

#### 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 Boar'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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice 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 printed in the informational warrant.**

**ARTICLE 12:** To see of 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.

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

<b>Estimated Expenses</b>	<b><u>FY 24 Budget</u></b>
<b>Item</b>	
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

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

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to raise and appropriate the sums of money to operate the Recreation Department during fiscal year 2024, under the provisions of M.G.L. Chapter 44, Section 53F ½ as printed in the informational warrant.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

There was some discussion on which is better, underground chambers or regular retention areas.

**VOTED Aye, voice 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.**

**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.

Finance Committee defer to Town Meeting.

Motion: Sean Kealy

Second: Robert Hayes

### **Article 3-3: Residential Swimming Pools**

#### **Sec. 2C. - Inground Pool Demolition Regulations**

Under the authority of MGL c. 111, s. 122, and Section 3-3 of the Hanson General Bylaws, the following requirements must be observed by individual persons or corporations providing services to demolish in-ground swimming pools.

1. - Prior to demolition of an in-ground pool, a demolition permit must be obtained from the Hanson Building Department.

The Owner of the property where the pool is situated must provide a site plan and information for a contractor to perform the demolition work to the Hanson Building Department, or schedule a meeting with them. Once approved by the Building Inspector, the contractor may proceed with the demolition process. If plans for demolition are not approved by the Hanson Building Department, the applicant may appeal the decision to the Hanson Zoning Board of Appeals in accordance with MGL c.40A s.13 and the Hanson Zoning Bylaw Section VIII(A)(8) prior to demolition of the pool.

2. - The pool must be drained to an approved location and all pool construction materials including concrete or Gunite, fiberglass, liner, re-bar, and related pool construction elements must be removed from the site to a State approved construction waste facility. No drained pool water shall be directed to any wetland resource area or water body (i.e. pond, brook, river, stream).
3. - The area where the pool was sited must then be filled with clean fill, (i.e., uncontaminated soil), which then should be compacted in order to prevent future settlement. No clay, silty clay or organic soils may be used, except for up to 12 inches of topsoil for grass planting at the top of the excavation. No debris, vegetation, or

waste materials may be buried with the required clean soil fill.

- 4.- Prior to filling of the pool area, an inspector from the Hanson Building Department or their designee must be notified to ensure that the proper provision of non-engineered backfill/ clean fill prior to deposition in the hole and compaction of the filled area.
- 5.- Documentation of the as built conditions of the site post-construction, prepared by a Massachusetts Registered Professional Engineer must be submitted to the Hanson Building Department and approved for building records.
- 6.- The applicant must contact Dig-Safe 72 hours prior to performing any excavation work and will protect the open hole at all times during the construction process. The location of the septic system and any site utilities shall be determined prior to the commencement of work and shown on the submitted site plan. The hole where the pool was situated cannot be left unattended for any reason. The applicant shall review all Massachusetts trench safety laws and requirements prior to the removal of any fencing protecting the existing pool or excavation work.
- 7.- Failure to comply with these regulations may result in fines against the individual or contractor based on the Town of Hanson General Bylaw Article 3-3, Sec.2C.

**VOTED Aye, voice to amend Article 3-3 of the General Bylaw of the Town of Hanson, by adding a new subsection 2C, regarding the regulation of the demolition and disposal of inground pools, as printed in the informational warrant.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to adopt the Capital Improvement Matrix as presented by the Capital Improvement Committee as printed in the matrix handout.**

**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.

Finance Committee does not recommend.

Motion: Sean Kealy  
Second: Robert Hayes.

Steve McKinnon stated that this Article is a “want” not a “need” and now is not the time to spend money on this. James Hickey felt that if we wait and fix the wheel later, it will cost that much more. Frank Milisi suggested that the Committee should charge more than \$45/day and help pay for the wheel.

**VOTED Aye 61, Nay 123, to transfer \$25,000 from Free Cash to build the stand and re-install the water wheel on the Nathaniel Thomas Mill, located on Liberty Street.**

**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.

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.

Finance Committee recommends.

Motion: Sean Kealy

Second: Robert Hayes

**VOTED Aye, voice 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 as printed in the informational warrant.**

**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.

Finance Committee recommends.

Motion: Sean Kealy

Second: Joseph Weeks

**VOTED Aye, voice 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.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Joseph Weeks

**VOTED Aye, voice 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.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

Matthew Dyer suggested that the new playground should go up on the potential park at High Street, where everyone in Town would have access to it.

Frank Milisi, from the Camp Kiwanee Commission explained that the playground would only be open to the public during the summertime when Cranberry Cove is open and only available to people who have purchased a beach pass.

Motion by Kathleen Dipasqua-Egan, Second by Wesley Blauss to Table Article 20

**VOTED Aye, voice to Table Article 20.**

**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.

Finance Committee recommends.

Motion: Sean Kealy

Second: Kathleen Dipasqua-Egan

**VOTED Aye, voice 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.**

**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.

Finance Committee recommends.

Motion: Sean Kealy

Second: Robert Hayes



**VOTED Aye, voice 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.**

**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%.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice 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.**

**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

Finance Committee recommends.

Motion: Sean Kealy

Second: Robert Hayes

**VOTED Aye, voice 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.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to transfer \$22,000 from Free Cash for the purchase of sixteen (16) Ballistic Vests with carriers.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

Phil Clemmons from the Conservation Commission spoke regarding the treatment, that they would be using selective cutting as well as an herbicide that has been well tested.

**VOTED Aye, voice to transfer from Free Cash \$7,500.00 to treat invasive phragmites at Smitty's Bog.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to transfer from Free Cash \$20,000 to replenish the Conservation Fund.**

**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 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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to transfer the sum of \$10,800 from free cash for sealing and painting of the Garage Shop Roof.**

**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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to transfer from ARPA (American Rescue Plan Act) 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 as more fully described in the informational warrant.**

**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
	<b>TOTAL</b>		<b>\$ 313,500</b>		

or take any other action in relation thereto.

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.

Finance Committee recommends.

Motion: Sean Kealy  
Second: Robert Hayes

**VOTED Aye, voice to transfer from American Rescue Plan Act (ARPA) the sums of money in the amounts and for the Capital Improvements and purchases printed in the informational warrant.**

**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.

Finance Committee recommend.

Motion: Sean Kealy  
Second: Joseph Weeks

**VOTED Aye, voice to approve the amended South Shore Regional Vocational School District Regional Agreement as printed in the handout.**

**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).

Finance Committee defer to Town Meeting.

Motion: Sean Kealy  
Second: Joseph Weeks

Stephane Pasco questioned what the Article was about. Joe Campbell, Planning Board Chair explained that it is a reclassification of uplands and setback requirements. Sharon Tavares asked which departments raised issues with this bylaw. Mr. Campbell explained that the Land Use Boards requested the changes. There was discussion that the Article has typo's within it.

Motion by Robert Hayes, Second by James Hickey to withdraw Article 32

**VOTED Aye, voice to withdraw Article 32.**

**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.

Finance Committee defer to Town Meeting.

Motion: Sean Kealy  
Second: Robert Hayes

### **Section VI.1 – Detached Accessory Apartments**

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.
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 zoning 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.

**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)

Lee Gamache, Assessor/Appraiser spoke in favor of this Article, that it would help the residence that would like to have family members live with them.

**VOTED Aye, voice declared 2/3's by Moderator to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI.1, Detached Accessory Apartment, as recommended by the Hanson Planning Board on February 27, 2023 as printed in the informational warrant.**

**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.

Finance Committee defer to Town Meeting.

Motion: Sean Kealy  
Second: Robert Hayes

## **O. 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.

**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.

**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, in adequate 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 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.

- 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.

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 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 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:**

- 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.

**VOTED Aye, voice declared 2/3's by Moderator to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI (O), Battery Storage Farms, as recommended by the Hanson Planning Board on February 27, 2023 as printed in the informational warrant.**

**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

**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.

Finance Committee defer to Town Meeting.

Motion: Sean Kealy

Second: Robert Hayes

## 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.

**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.

**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 sola 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.

## 5. Site Plan Review:

Site Plan Review shall be required for all Large and Medium-Small 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.**

## 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.



## **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 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 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 inquiries 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 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.

**VOTED Aye, voice declared 2/3's by Moderator to approve an amendment of the Hanson Zoning Bylaws to add a new section, Section VI (N), Medium and Small Ground Mounted Solar Arrays, as recommended by the Hanson Planning Board on February 27, 2023 as printed in the informational warrant.**

**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.

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.

Finance Committee defer to Town Meeting.

Motion: Sean Kealy  
Second: Joseph Weeks

## **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 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:
- 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 within 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 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

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

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.

**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	0	1	1	2	3	1

Recreation						
Research Laboratories						

- 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 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.

**VOTED Aye, voice declared 2/3's by Moderator 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, as recommended by the Hanson Planning Board on February 27, 2023 and as printed in the informational warrant.**

**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.

Finance Committee defer to Town Meeting.

Motion: Sean Kealy  
Second: Robert Hayes

**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 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.
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.**
  - 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 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 1/2 ~~3~~ inches of binder course, 1 1/2 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.

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.

**VOTED Aye, voice declared 2/3's by Moderator vote to approve an amendment to Section XII, Adequate Access Determination, of the Hanson Zoning Bylaws, as recommended by the Hanson Planning Board on February 27, 2023 and as printed in the informational warrant.**

**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.

Citizens' Petition proposed by Sandra Crawford, et al.

Motion: Cheryl Damon  
Second: Sandra Crawford

The Moderator clarified that this Citizen's Petition Article and the next on Article 39 both had more than 20 signatures on the petitions. Sandra Crawford spoke about the history of this subdivision and how the developer and the past Planning Boards did not do their due diligence to have the streets in this subdivision accepted as public ways.

**VOTED Aye, voice declared 2/3's by Moderator 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 transfer from Free Cash the amount of \$10,000, accept gifts for 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.**

**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 Metacomet, 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 400<sup>th</sup> 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 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.

Motion: Marianne DiMascio  
Second: Robert Hayes

There was a lot of discussion both for and against this Article with a hand count being needed to determine the vote.

**VOTED Aye 71, Nay 48 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 as printed in the warrant.**

**Voted Aye, voice to adjourn the meeting Motion: Arlene Dias, Second: Sean Kealy at 10:08PM**

**A true copy of the vote, Attest:**

**Elizabeth Sloan, CMC, CMMC  
Town Clerk**