

ANNUAL TOWN MEETING WARRANT

Town of Sheffield Commonwealth of Massachusetts

Berkshire, ss

To the Constables of the Town of Sheffield in said County of Berkshire, *Greeting:*

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Sheffield, qualified to vote in Town affairs, to meet in the auditorium of the Mount Everett Regional High School, 491 Berkshire School Road in Sheffield on Monday, May 6, 2024 at 6:00 P.M. for the following purposes:

ARTICLE 1: To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums of money as listed below, and as may be amended, necessary to defray the expenses of the Town for Fiscal Year 2025, or take any other action relative thereto.

Moderator.....	\$ 300	Energy.....	\$159,300
Select Board.....	\$272,912	Board of Health.....	\$ 49,085
Board of Assessors.....	\$145,375	Public Health.....	\$ 4,000
Treasurer/Collector.....	\$131,702	Council on Aging.....	\$154,686
Town Clerk.....	\$106,788	Veteran Benefits.....	\$ 95,000
Elections & Registration.....	\$ 22,700	Library.....	\$292,166
Conservation Commission.....	\$ 14,412	Historical Commission.....	\$ 500
Planning Board.....	\$ 5,050	Memorial Day.....	\$ 1,200
Commission on Disabilities.....	\$ 300	American Legion.....	\$ 2,400
Zoning Board of Appeals.....	\$ 1,500	Care of Soldier's Graves.....	\$ 1,400
Town Buildings & Grounds.....	\$160,955	Ashley Falls Historic Dist. Comm.....	\$ 250
Town Report & Communications	\$ 6,500	Agricultural Commission.....	\$ 1,000
Legal Services.....	\$ 35,000	Interest on Loans.....	\$ 1
Dispatch Services.....	\$ 12,279	Berkshire County Retirement.....	\$334,831
Police Department.....	\$723,716	Worker's Compensation.....	\$ 25,200
Fire Department.....	\$115,650	Insurance & Bonding.....	\$ 84,000
Inspectional Services.....	\$115,641	Group Health (32B) Insurance.....	\$500,000
Fire Hydrants.....	\$ 31,000	Employer Medicare.....	\$ 31,000
Animal Control.....	\$ 15,500	Emergency Medical Services.....	\$ 89,355
Highway Department.....	\$474,741	Unemployment Compensation....	\$ 5,000
Snow Removal.....	\$275,893		

ARTICLE 2: To see if the Town will vote to fix the compensation of the following elected officers of the Town for Fiscal Year 2025, as required by Chapter 41, Section 108 and Chapter 71, Section 52 of the General Laws: Moderator, \$300; Selectmen, Chairman \$3,210; Selectmen, two members at \$2,675 each; Southern Berkshire Regional School District School Committee, 4 members at \$500 each; or take any other action relative thereto.

ARTICLE 3: To see if the Town will vote to approve the Southern Berkshire Regional School District Operating and Transportation Budget for Fiscal Year 2025 and vote to raise and appropriate \$7,894,867 to pay the Town's assessed share of that budget, or take any other action relative thereto.

ARTICLE 4: To see if the Town will vote to approve the Southern Berkshire Regional School District Roof and Boiler Debt for Fiscal Year 2025, and vote to raise and appropriate \$ 171,032 to pay the Town's assessed share of that debt, or take any other action relative thereto.

ARTICLE 5: To see if the Town will vote to approve the Southern Berkshire Regional School District Capital Budget for Fiscal Year 2025, and vote to raise and appropriate \$175,282 to pay the Town's assessed share of that budget, or take any other action relative thereto.

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds \$55,000 to pay for vocational education tuition in Fiscal Year 2025, or take any other action relative thereto.

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds \$196,750 for the disposal and management of solid waste, and to authorize the Board of Selectmen to take any action to effectuate the purpose of the article, including but not limited to entering into agreements in excess of three years for such solid waste disposal and management, or take any other action relative thereto.

ARTICLE 8: To see if the Town will vote to accept funds being provided by the Commonwealth of Massachusetts under the provisions of Chapter 90 of the General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges, or take any other action relative thereto.

ARTICLE 9: To see if the Town will vote to authorize the appointment of members of the Board of Selectmen to any office or position under its supervision at no additional compensation in accordance with the provisions of Chapter 268A, Section 21A of the General Laws, or take any other action relative thereto.

ARTICLE 10: To see if the Town will vote to authorize the Board of Health to employ any of its members as Title 5 and Perc Test Witnesses for Septic System Inspections, and Sanitation Inspections under its supervision in accordance with G.L. c. 268A, Section 21A for Fiscal Year 2025 and to set the salary for those positions at \$60 per Title V Inspections and \$125 per Perc Tests in accordance with the provisions of G.L. c. 41, Section 4A, or take any other action relative thereto.

ARTICLE 11: To see if the Town will vote to authorize the Treasurer/Collector to sell, with the approval of the Board of Selectmen, any parcel or parcels of real estate which have been or may be acquired through the foreclosure of tax title, or take any other action relative thereto.

ARTICLE 12: To see if the Town will vote to raise and appropriate, or transfer from available funds, \$77,000 to provide for extraordinary or unforeseen expenditures under the provisions of Chapter 40, Section 6 of the General Laws, known as the Reserve Fund, or take any other action relative thereto.

ARTICLE 13: To see if the Town will vote to raise and appropriate or transfer from available funds \$750 to the Emergency Response Fund, or take any other action relative thereto.

ARTICLE 14: To see if the Town will vote to raise and appropriate \$10,000 to compensate firefighters for training, or take any other action relative thereto.

ARTICLE 15: To see if the Town will vote to raise and appropriate \$20,000 for financial services, including but not limited to audits, or take any other action relative thereto.

ARTICLE 16: To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to establish Fiscal Year 2025 spending limits for the revolving funds as set forth below:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Plumbing Inspector	\$25,000
Gas Inspector	\$15,000
Electrical Inspector	\$25,000
Fire Safety Inspector	\$20,000
Board of Health	\$25,000
Senior Transportation	\$15,000
Senior Center Programming	\$10,000
Tax Title Fees	\$10,000

Or take any other action relative thereto.

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer from available funds \$239,190 to purchase and equip 2 trucks for the Highway Department, including any incidental and related costs and expenses, or take any other action relative thereto.

ARTICLE 18: To see if the Town will vote to transfer the sum of \$25,000 from the Solid Waste Enterprise Fund for recycling programs/repairs at the Transfer Station, including any incidental and related costs and expenses, or take any other action relative thereto.

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available funds \$5,000 for repairs to Town owned cemeteries, including any incidental and related costs and expenses, or take any other action relative thereto.

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$106,973 for the fourth year payment of a fire truck lease purchase financing agreement; or take any other action relative thereto.

ARTICLE 21: To see if the Town will vote to raise and appropriate or transfer from available funds \$100,000 to the Fire Truck Stabilization Fund, or take any other action relative thereto.

ARTICLE 22: To see if the Town will vote to raise and appropriate or transfer from available funds \$125,000 for Town building repairs, improvements, equipping and furnishings to include but not be limited to the Town Hall, Library, Senior Center and Police Station, including any design and engineering costs and other costs and expenses incidental and related thereto, or take any other action relative thereto.

ARTICLE 23: To see if the Town will vote to raise and appropriate or transfer from available funds \$25,000 to purchase information technology hardware, software, and services, including any incidental or related costs and expenses, and to authorize the Board of Selectmen to take any action to effectuate the purpose of the article, including but not limited to entering into agreements in excess of three years, or take any other action relative thereto.

ARTICLE 24: To see if the Town will vote to raise and appropriate or transfer from available funds \$85,000 to purchase and equip truck hoses for the Fire Department, including any incidental and related costs and expenses, or take any other action relative thereto.

ARTICLE 25: To see if the Town will vote to raise and appropriate or transfer from available funds \$12,000 to purchase voter clickers and related equipment for Town Meeting, including any incidental and related costs and expenses, or take any other action relative thereto.

ARTICLE 26: To see if the Town will vote to raise and appropriate or transfer from available funds \$30,000 for a tree management program, including any incidental and related costs and expenses, or take any other action relative thereto.

ARTICLE 27: To see if the Town will vote to raise and appropriate or transfer from available funds \$200,000 to replace the Village Green sidewalks, including design and engineering costs and any incidental and related costs and expenses, or take any other action relative thereto.

ARTICLE 28: To see if the Town will vote in accordance with the provisions of Chapter 77 of the Acts of 2023 to rescind the vote taken under Article 29 of the May 1, 2023 Annual Town Meeting creating a Special Opioid Settlement Stabilization Fund and dedicating 100% of the opioid litigation settlement funds received by the Town to such fund pursuant to G.L. c. 40, §5B; and further to transfer the sum of \$6,350.11 from the Special Opioid Settlement Stabilization Fund to a special revenue fund approved by the Director of Accounts pursuant to said Chapter 77, and for such funds henceforth received to be placed in such special revenue fund, to be expended without further appropriation for all of the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents; or take any other action related thereto.

ARTICLE 29: To see if the Town will vote to reduce the number of members on the Conservation Commission from 5 members to 3 members in accordance with the provisions of G.L. c. 40, sec. 8C; or take any other action related thereto.

ARTICLE 30: To see if the Town will vote to amend Section 4.2.1 Table of Dimensional Regulations of the Sheffield Zoning By-Laws as follows, or take any other action thereto:

1. Change the Minimum Front Setback from 100 feet to 40 feet and Minimum Rear & Side Setback from 75 feet to 20 feet for lots in the General Business District, as set forth below with **bold struck through language** deleted and **bold italicized language** inserted therein.

4.2.1 Table of Dimensional Regulations. The Table of Dimensional Regulations describes the minimum lot area requirements, minimum frontage requirements, minimum front setback requirements, minimum rear and side setback requirements, maximum lot coverage requirements and maximum building height requirements in each of the zoning districts.

Table of Dimensional Regulations

DISTRICT	Minimum Lot Area	Minimum Frontage	Minimum Front	Minimum Rear & Side	Maximum Lot	Maximum Building
Rural	one acre	100 feet	40 feet	20 feet	25%	35 feet
Rural with public water	one-half acre	100 feet	40 feet	20 feet	25%	35 feet
Village Center	one-half acre	50 feet	20 feet	10 feet	75%	35 feet
Commercial	one acre	100 feet	100 feet 40 feet	75 feet 20 feet	50%	35 feet
General Business	four acres	200 feet	40 feet 40 feet	20 feet 20 feet	50%	35 feet

- The structure must be less than the maximum building height on at least one side of the structure, however no portion of the building may be greater than 150% of the stipulated maximum building height.
- Refer to Section 7.1.9.6 for the height of a tower under Section 7.1.
- Refer to Section 8.1 for additional dimensional regulations and restrictions applicable to the Adult Entertainment Overlay District.
- Refer to Section 8.2 for additional dimensional regulations and restrictions applicable to the Flood Hazard Zone.
- Refer to Section 8.3 for additional dimensional regulations and restrictions applicable to Zone I and Zone II of the Water Supply Protection District.

ARTICLE 31: To see if the Town will vote to amend Section 3.0 Use Regulations and Section 10.0 Definitions of the Sheffield Zoning By-Laws as follows, or take any other action thereto:

1. In Section 3.1.3, Table of Use Regulations, Section G. Accessory Uses, delete existing G.6 in its entirety and insert in place thereof a new G.6 and insert thereafter a new G.7, as set

forth in **bold italicized language** below, and renumber subsequent provisions of G. Accessory Uses sequentially thereafter.

Table of Use Regulations - Town of Sheffield Zoning By-laws					
R = Rural District, VC = Village Center District, C = Commercial District, GB = General Business District					
Y = Permitted by right, N = Prohibited, PB = Special Permit / Planning Board, ZBA = Special Permit / Zoning Board of Appeals, SB = Special Permit / Board of Selectmen					
Any structure or use of premises not herein expressly permitted is hereby prohibited. All uses are subject to dimensional requirements established in Section 4.					
Principal Use	District				Notes
	R	VC	C	GB	
G. Accessory Uses					Refer to Section 3.2, Accessory Uses or Structures
1. Accessory use, unless otherwise specified	Y	Y	Y	Y	Refer to Section 10, definitions.
2. Accessory structure	Y	Y	Y	Y	Refer to Section 3.2.5.
3. Accessory single-family dwelling unit/ Village Center District	N	Y	N	N	Refer to Section 3.2.6.
4. Accessory single-family dwelling / Commercial District	N	N	PB	N	Refer to Section 3.2.7. Refer to Section 9.4 for Special Permit requirements.
5. Accessory single-family dwelling unit/General Business District	N	N	N	PB	Refer to Section 3.2.8. Refer to Section 9.4 for Special Permit requirements.
6. Accessory Dwelling Units / attached or detached sited in existing accessory structures	Y	Y	Y	Y	Refer to Section 3.2.9
7. Accessory Dwelling Units / detached in new accessory structures	PB	PB	PB	PB	Refer to Section 3.2.9. Refer to Section 9.4 for Special Permit Requirements.

- Delete Section 3.2.9, Accessory Apartments, in its entirety and insert in place thereof new Section 3.2.9, Accessory Dwelling Units, as set forth in **bold italicized language** below.

3.2.9 Accessory Dwelling Units

3.2.9.1 Purpose.

- Create new housing opportunities and diversify the Town's housing stock.
- Provide homeowners with a means of obtaining rental income, companionship, security and/or services, thereby enabling them to stay more comfortably in their homes.
- Preserve community character while meeting the Town's housing objectives.

3.2.9.2 Definitions

Accessory Dwelling Unit (ADU): a subordinate dwelling unit, whether in an accessory building or within the same building as the principal building or structure, with provisions for independent cooking, living, sanitation, and sleeping.

Attached Accessory Dwelling Unit: an ADU which shares a wall or any permanent roof attachment, such as a breezeway, with a principal building or structure.

Detached Accessory Dwelling Unit: an ADU which does not share common walls or roofing with a principal building or structure.

3.2.9.3 Permitted Use - ADUs that are 1) sited within or attached to a principal building or structure, or, 2) created in an existing detached accessory structure, are permitted by-right in all Zoning Districts. ADUs allowable by-right are subject to the requirements set forth in Section 3.2.9.5.

3.2.9.4 Special Permit Use - A detached ADU within a newly constructed accessory structure is allowable by Special Permit from the Planning Board. ADUs requiring a special permit are subject to the requirements set forth in Section 3.2.9.5.

3.2.9.5 Accessory Dwelling Unit Standards.

1. An ADU shall not be created in separate ownership from the principal building or structure.

2. An ADU shall not be utilized as a short term rental per the definitions of a "short term rental" and "occupancy" of a short term rental under MGL Ch. 64G, Section 1.

3. An ADU shall be no larger than 900 gross square feet. This number shall exclude stairwell access, unfinished attic and basement space, garage, porch, or patio.

4. An addition or remodel to an original dwelling in order to create the ADU is permitted, provided that the ADU shall be clearly a subordinate part of the dwelling with any addition being not more than 900 square feet (excluding stairwell access, unfinished attic and basement space, garage, porch, or patio).

5. A total of two ADUs may be sited on one property by-right in the following configuration: one attached unit to a principal building or structure and one detached unit within an existing accessory structure. If an applicant seeks more than two accessory ADUs or in a different configuration than what is permissible by-right, the Planning Board may grant a Special permit for such use.

6. More than two ADUs shall be allowed in relationship to agriculture uses as defined in MGL Ch. 128, Sec 1A, provided such ADUs are solely used for employees of the agricultural use.

7. ADUs are not subject to the increased frontage and lot area requirements for the purposes of creating more than one residential unit as noted in Section 4.2.2.

8. The construction of the ADU shall conform to all applicable standards in the State Sanitary, Building, and other applicable codes required for a residential dwelling.

9. An ADU shall maintain a separate entrance either: 1) from the outside by way of a separate entrance or, 2) through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress.

10. An applicant must illustrate capacity for one (1) off-street parking space per ADU. Vehicles may only be parked in driveways or in parking areas located no closer to the street

than the front building setback line. The Planning Board may grant relief from this requirement through a Special Permit.

3. Delete the definition of Accessory Apartment in Section 10.

ARTICLE 32: To see if the Town will accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act (the "Act"), by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space and community housing that is acquired or created as provided under said Act; that the amount of such surcharge on real property shall be 1% of the annual real estate tax levy against real property commencing in fiscal year 2026; and that the Town hereby accepts the following exemptions from such surcharge permitted under Section 3(e) of said Act: (1) property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the Town, as defined in Section 2 of said Act; (2) \$100,000 of the value of each taxable parcel of residential real property; (3) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said Chapter 59; or to take any other action relative thereto.

You are directed to serve this Warrant by posting an attested copy in seven public places in the Town, not less than seven days before the date of said meeting.

Hereof Fail not, and make return of this Warrant to the Town Clerk, with your doings thereon, at or before the time of said meeting.

Given under our hands and the Seal of the Town of Sheffield this 18th day of April in the year of our Lord Two Thousand and Twenty Four.

BOARD OF SELECTMEN:

		
Robert C. Kilmer, Jr.	Nadine A. Hawver	Rene C. Wood

Date:

In obedience to the within Warrant, I have notified and warned the inhabitants of the Town of Sheffield qualified to vote in Town or State Elections and Primaries by posting seven attested copies of said warrant in seven public places at least fourteen days prior to said election.

ATTEST:


TOWN CLERK


CONSTABLE

4/18/24
DATE