



**Annual Town Meeting  
May 7, 2024  
Norris School  
34 Pomeroy Meadow Rd, Southamptn, MA**

This Annual Town Meeting. was quite different this year, the Assistant was sworn in to take minutes temporarily as the Town Clerk due to Lucille A Dalton being out on medical as stated by the moderator. The Moderator, Robert Floyd, opened the meeting at 7:00pm with a quorum present. There were according to the count 162 present. The workers were Susan Seybolt, Elizabeth Grasty, Patricia Izatt.( there may be some names missing due to no info given)..

After the pledge of allegiance, which was led by Karl Kuehner, a brief moment of silence, welcome message, and reading a disclosure statement, Mr. Moderator proceeded to read the warrant, and return the warrant. He announced that the town meeting was being televised and livestreamed.

Mr. Moderator read an introduction to town meeting guidelines.

Mr. Moderator then called for a motion for Article 1.

**Article 1** Christine Fowles motioned, and Jon Lumbrá seconded to see if the Town will vote to transfer/appropriate an amount totaling \$350,387.00 to the Operational Stabilization Fund account to replenish what was used in the FY 2024 budget process for the Hampshire Regional School Assessment Account from Free Cash; or take any other action relative thereto.

**Article 1: passed unanimously**

**Article 2:** Joy Piper motioned, and Jon Lumbrá seconded to see if the Town will vote to transfer/appropriate \$50,358 to the Capital Stabilization Fund; said sum to be taken from Free Cash; or take any other action relative thereto. The amount was different as listed in the handout as noted by the moderator the amount to **\$180,966.30**

**Article 2: passed unanimously**

**Article 3:** Dan Lavalley motioned Jon Lumbra seconded to see if the Town will vote to transfer/appropriate \$50,358 to the Capital Stabilization Fund; said sum to be taken from Free Cash; or take any other action relative thereto. The amount was different then in the handout the amount presented in town meeting was **\$361,932.60**

**Article 3: passed unanimously**

**Article 4:** Stephen Thor Johnson motioned and Jon Lumbra seconded to see if the Town will vote to transfer/appropriate **\$16,786.00** to the Other Post-Employment Benefits (OPEB) account; said sum to be taken from Free Cash; or take any other action relative thereto. The amount motioned to be presented in the meeting was **\$60,322.10** different from the handout at meeting.

**Article 4 passed unanimously**

**Article 5:** Jon Lumbra motioned Stephen Thor Johnson seconded to see if the Town will vote to authorize the Hampshire Regional High School to establish a Capital Project Stabilization Fund in accordance with Chapter 71, Section 16G1/2 of the Massachusetts General Laws, or take any other action in the matter. The aggregate amount in the fund at any time shall not exceed five per cent of the combined equalized valuations of the member municipalities.

**Article 5 passes unanimously**

**Article 6:** Jon Lumbra motioned Stephen Thor Johnson seconded to see if the Town will vote to transfer the sum of \$109,243 from the Capital Stabilization Fund to fund the purchase of ADA Doors, Library Light Replacement, Norris Resurfacing of Gym Floors, Library Septic Pump, Norris Structural Building, Library Flooring, Highway Roof Repairs, HVAC Mini-Split; or take any other action relative thereto.

**Article 6 passes unanimously meeting 2/3 majority**

**Article 7:** Stephen Thor Johnson motioned Jon Lumbra seconded to see if the Town will vote to fix salaries of all elected officials for the Fiscal Year 2025 for the period for July 1, 2024 to June 30, 2025, and further, to raise and appropriate twenty-one million, one hundred seventy-seven, three hundred thirty dollars (\$21,177,330) monies as identified in the Town's Annual Operating Budget from taxation, \$17,500 from WPAT loan, \$250,000 from Ambulance Fees, \$127,968.04 from operational stabilization as attached, for Fiscal Year 2025; or take any other action relative thereto. The Total Budget was **\$21,048,703.72. see attached handout.**

**General Government-passes unanimously**

**Public Safety – passes unanimously**

**Education – passes unanimously**

**Public Works- passes unanimously**

**Health and Human Services- passes unanimously**

**Culture and Recreation-passes unanimously**

**Employee Benefits- passes unanimously**

**Debt Service Principal-passes unanimously**

**Debt Service Interest- passes unanimously**

**Article 7 – See Above**

**Article 8:** Dan LaValley motioned Jon Lumbra seconded to see if the Town will vote to raise and appropriate or transfer from available funds to operate the Water Enterprise, according to the following budget:

**Salaries & Wages \$284,132.20**

**Operating Expenses \$267,356.24**

**Capital Outlay \$35,000.00**

**Indirect Costs \$159,000**

**Debt Services \$294,000**

**Total \$880,488.44**

And that be raised from Water Enterprise Revenues, from retained earnings, and be appropriated in General Fund (Indirect Costs);

or take any other action relative thereto.

**Article 8 passes unanimously**

**Article 9:** Joy Piper motioned and Christine Fowles seconded to see if the Town will vote to raise and appropriate or transfer from available funds) to operate the Transfer Station Enterprise according to the following budget:

**Wages \$41,156.00**

**Operating Expenses \$165,215.00**

**Environmental Compliance \$11,500.00**

**Indirect Costs \$19,975.00**

**Total \$237,846.00**

And that be raised from Transfer Station Enterprise Revenues to be taken from retained earnings and to be appropriated in General Fund (Indirect Costs):

**Article 9 passes unanimously**

**Article 10:** Christine Fowles motioned to take no action Joy Piper seconded on this article it was originally to see if the Town will vote to authorize the Select Board to acquire, by gift, purchase, eminent domain or otherwise, a certain parcel of land, with any improvements thereon, located at 89 Clark Street, consisting of 7.24 acres, more or less, and being Assessor's Map 28, Lot 7B, for the site of a Senior Center, said acquisition to be funded by monies donated by the Estate of David Parson and, further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisition and other acts authorized herein, upon such terms and conditions as the Select Board may deem appropriate; or take any other action relative thereto.

**Article 10 Vote to take no action passes unanimously**

**Article 11:** Joy Piper motioned and Jon Lumbrá to see if the Town will vote to authorize the Select Board to acquire, by purchase, gift, and/or eminent domain, on such terms and conditions as the Select Board deems in the best interest of the Town, property located off College Highway, containing 52 acres, more or less, identified as Assessors' Parcels Map 19-141, Map 19-144 and Map 24-15, being the property described in a deed recorded with the Hampshire Registry of Deeds in Book 14641, Page 304, for general municipal purposes, including, without limitation, for \_\_\_\_\_ and other uses, further, to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the acquisition of said property and costs incidental or related thereto, and authorize the Treasurer, with the approval of the Select Board, to borrow all or a portion of said sum under G.L. Chapter 44, Section 7 or any other enabling authority and to issue bonds or notes of the Town therefor, provided, however, that the appropriation authorized hereunder shall be contingent upon approval by the voters of a ballot question to exclude the amounts to pay for the bonds or notes authorized for this purpose from the provisions of Proposition 2½, so called, and, further, to authorize the Select Board to execute any and all documents and take all other action necessary or convenient to accomplish the foregoing; or take any other action relative thereto.

**Article 11 A paper vote was taken and the results were 124 yes to 6 no**

**Article 12:** Dan LaValley motioned and Jon Lumbra seconded to see if the Town will vote to transfer an amount totaling \$44,000 from the Police Wages account to Police Operating Budget accounts as listed below;

\$20,000 Police Wages Account to Police Expense Account Overtime

\$24,000 Police Wages Account to Police Overtime Account Overtime

Said sums to come from the FY 2024 accounts listed above; or take any other action relative thereto.

**Article 12 passes unanimously**

**Article 13** Stephen Thor Johnson motioned and Jon Lumbra seconded to see if the Town will transfer a total of \$43,600 from EMT Wages to an account Assistance to Firefighters Grant Match, for the acquisition of a tanker truck (\$22,400) and SCBA (\$11,200) units for the Fire Department if the Town receives one or both grants or take any action relative thereto.

\$43,600 EMT Wages Assistance Grant Match Grant Match

Said sums to come from the FY 2024 accounts listed above; or take any other action relative thereto.

**Article 13: passes unanimously**

**Article 14:** Jon Lumbra motioned and Christine Fowles seconded to see if the Town will vote to transfer an amount totaling \$3,500 from the Group Health Insurance account to Town Hall accounts as listed below;

\$3,500 Group Health Insurance to Town Hall Maintenance

Said sums to come from the FY 2024 accounts listed above: or take any other action relative thereto.

### **Article 14 passes unanimously**

**Article 15:** Jon Lumbrá motioned and Dan LaValley seconded To see if the Town will vote to transfer an amount totaling \$15,000 from the Assistant Accountant Wages account to Town Hall IT Services as listed below;

\$15,000 Assistant Accountant Wage to Town Hall IT Services Upgrade WIFI

Said sums to come from the FY 2024 accounts listed above; or take any other action relative thereto.

### **Article 15 passes unanimously**

**Article 16:** Stephen Thor Johnson motioned and Jon Lumbrá seconded to see if the Town will vote to transfer an amount totaling \$4,090.57 from the Assistant Accountant account to Town Administrator Salary account as listed below;

\$4,090.57 Assistant Accountant to Town Administrator Salary Salary

Said sums to come from the FY 2024 accounts listed above: or take any other action relative thereto.

### **Article 16 passes unanimously**

**Article 17:** Dan Lavalley motioned and Christine Fowles seconded to see if the Town will vote to accept and assign an eCODE 360 number to a new bylaw entitled Nuisance/Peace and Quiet which reads as follows (Speaker: By-law Committee): PROPOSED NEW BYLAW: NUISANCE/PEACE and QUIET Sec.

1. Purpose This bylaw is enacted to protect, preserve, and promote the safety, health, welfare, peace and quiet of the citizens of Southampton through the reduction, control, and prevention of loud and excessive noise, or any noise which disturbs the reasonable comfort, repose, health, peace or safety of reasonable persons of ordinary sensitivity. Excessive noise is prohibited in the town of Southampton between the hours of 9PM and 6AM Sec. 2. Definitions. The following terms will have the meanings indicated below: Plainly Audible – Any sound from a source regulated by this bylaw that can be detected above routine or normal ambient background noise by unaided human hearing. For example, if music is playing, the words or instrumentation is discernable; or if a conversation is occurring, the words and context of a conversation can be understood. Sound Amplification System – Any fixed or portable system to operate or amplify sound including, but not limited to, radio, television, stereo, record player, cassette tape player, compact disk player, digital music player, ‘boom box’ or loudspeaker. Excessive Noise - Any noise which emanates from any building, boat, structure,

vehicle, premises or any sound amplification system which has a volume that is plainly audible from aforementioned locations in which or from which it originates is considered to be loud, disturbing, injurious, unnecessary and unlawful. Sec 3. Violations. Excessive noise is prohibited in the town of Southampton between the hours of 9PM and 6AM. It shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any excessive noise as defined above. The following acts are determined to be loud, disturbing, injurious, unnecessary, and unlawful noises, in violation of this section, but this enumeration shall not be exclusive, namely: Excessive noise produced by motor vehicle, motorcycle, dirt bikes and all-terrain vehicles (ATVs) by their horns, engines or exhaust systems; Excessively amplified audio systems, originating from a residence, motor vehicle, or any other source, and including, but not limited to, radios, other audio systems, televisions, musical instruments, loud speakers, recorders, or other electronic sound producing devices in such a manner or with volume at any time or place as to annoy or disturb the reasonable quiet, comfort or repose of persons in any type of residence or in any office or of any persons in the vicinity. Noise from idling truck. No person shall operate an engine of any standing motor vehicle with a weight in excess of 10,000 pounds gross vehicle weight (GVW) for a period in excess of ten (10) minutes when such vehicle is parked on a residential property or on a street or way abutting a residential property, except where such vehicle is standing within a completely enclosed structure. This section shall not apply to delivery or pickup vehicles that require the operation of the engine to unload or load their cargo or equipment. Continuous shouting, singing or other loud noises on the public streets or with volume at any time or place as to annoy or disturb the reasonable quiet, comfort or repose of persons in any type of residents or in any office or of any persons in the vicinity; and 10 Domestic animal noises that cause frequent or long-continued noise which shall disturb the reasonable comfort or repose of any person. Sec. 4. Exceptions. The following shall be excepted from the application of the Nuisance/Peace and Quiet Bylaw: Emergency vehicles. Any police or fire vehicle or any ambulance while engaged in necessary emergency response, public safety or law enforcement responsibilities. Highway and public utility maintenance vehicles. Necessary storm preparation, snow removal, power outages, street sweeping, excavation of, or repairs to, bridges, streets or highways, or any public utility installation by or on behalf of the Town, or any public utility or any agency of the Commonwealth. Public address systems. The reasonable use of amplifiers or loudspeakers for public addresses is noncommercial in nature and for the purpose of providing important information to the public. This includes systems used at sanctioned sporting events, fairs, parades, music festivals, concerts or other public events as authorized by the Select Board. Agriculture-related. Noises resulting from any farm animals or activities of any agricultural operation protected by the right to farm by-law. Generators and pumps operating during emergencies and power outages. Snowplows, snowblowers operating outside the timeframe stated in this

bylaw due to an unexpected weather event and/or for access to a home or business. Noise associated with homeowner or contractor work is allowed between 6AM and 9PM on weekdays. Any fire or burglar alarm or other emergency signaling device, provided that such device is arranged to shut off automatically after not more than thirty (30) minutes of operation. Any noise produced by domestic or agricultural equipment such as, but not limited to, lawn mowers, tractors, trash removal, power saws and snow blowers, used exclusively in the construction, maintenance or repair of building or grounds between the hours of 7AM and 9PM, provided that such equipment be operated with a working muffler and/or a sound reduction device while in use. Outdoor entertainment, such as, but not limited to, pool parties, sporting events, holiday, or other celebrations, between the hours of 7:00 AM and 10:00 PM. Sec. 5. Temporary Exemptions to the application of the Nuisance/Peace and Quiet Bylaw under the following Special Conditions:” A Permit to operate construction equipment outside the hours specified above and in excess of the noise levels specified may be issued upon determination of reasonable necessity by the Building Commissioner. Such permit shall be valid for not more than three (3) days from the time of issue. Emergency repair due to flood, fire, snow/ice or other catastrophe may be carried out prior to a permit being issued if such work is necessary for the general welfare or to avoid further catastrophe. Such work must cease, however, upon demand of the enforcing authority. 11 The enforcing authority may delay enforcement of any provisions of this section for such reasonable time as may be required to modify any equipment which does not comply with the regulations. Sec. 6. Enforcement Provisions. Any police department, fire department, building commissioner/inspector or their designee acting within their jurisdictional area is hereby authorized under this by-law by the Town of Southampton to enforce. Noncompliance with this Town approved bylaw is subject to non-criminal ticketing per violation; \$25 for first offense; \$50 for second offense; and, \$100 for the 3rd and all subsequent offenses as established under the Non-Criminal Violation Fine/Penalty Schedule (Chap 203 (F)).

Summary: This addition to the by-laws will define and restrict excessive noise within the Town between certain hours. It would also update and modify the enforcement of the by-law. Motion: Move that the Town vote to insert a new Article entitled “Nuisance/Peace and Quiet,” as set forth in Article 17 of the Warrant for the May 7, 2024 Annual Town Meeting, into the Town’s General By-laws, and renumber the subsequent sections of the General By-laws accordingly.

**Article 17 a paper vote was taken 69 yay 39 nays passes by majority**

**Article 18:** Joy Piper motioned and Christine Fowles seconded to see if the Town will vote to accept and assign an eCODE 360 number to a new bylaw entitled Board of Registrars which reads as follows (Speaker: By-law Committee): Purpose Every city and town must have a board of registrars or election commission whose responsibilities are provided for by state law and which include but are not limited



to registering voters, making local listings of residents, preparing voting lists, certifying signatures on nomination papers and petitions, investigating objections and challenges to local nomination papers, certifying absent voter applications, administering election recounts, and overseeing voter residency challenges.

Composition Pursuant to MGL c. 51, § 15, the Board of Registrars (“Board”) will be comprised of four members: three (3) appointed by the Select Board each for three (3) year terms. The Town Clerk shall serve as the fourth and ex officio member. Membership must include representatives from the two leading political parties (Republican and Democratic) with no more than two members of each of those parties and may also include unenrolled resident(s). As the terms of the registrar(s) expire, or a vacancy occurs on the Board of Registrars, the Select Board shall appoint their successor(s) in the manner provided for in MGL c. 51, § 15. Every appointment shall be made by the Select Board from a list to be submitted to them by the town committee of the political party/parties from which the position is to be filled. The names of candidates on said lists from the respective political party/parties shall include the names of three enrolled members of such party, selected by a majority vote at a duly called meeting, at which a quorum of the town committee is present. Unenrolled residents may submit applications to the Select Board and/or its designee for consideration to fill a vacancy on the Board of Registers. 12 If the Chair of the respective town committee has not submitted such a list to the Select Board within fortyfive (45) days after being notified of a vacancy by certified mail, the Select Board shall make the appointment without reference to any such list. Qualifications Must be a registered voter in Southampton and, if a member of a party, must be registered continuously in specified party for two years prior to the appointment. May hold no other office in the town, state, or federal government; certain exceptions are provided for by law; Must be willing to subscribe an oath to faithfully perform the duties of a registrar; May not serve as chair, treasurer, or other principal officer of any political committee Responsibilities The Board of Registrars’ duties are set forth in state law and include, without limitation, as follows. The Board oversees the voter registration process and maintenance of voter registration records. When probable cause or sufficient grounds exists therefor, in accordance with the provisions of MGL c. 51, §§ 47B, 48, the Board may summon voters to appear before the Board for a hearing about the qualifications of a registered voter. The Board is responsible to certify signatures on nomination papers and petitions. Registrars meet after general elections to count returned ballots from overseas voters, if any. The Board presides over election recounts and assist the Town Clerk in preparing local election calendars. Meetings are held monthly and, as needed, in accordance with general election requirements. The Board may hold additional voter registration sessions outside of normal office hours. They may be called upon to address voter related issues in the Clerk’s Office on election day. Agendas and minutes are available for Board of Registrars meetings, consistent with the provisions of the Open Meeting Law, MGL c. 30A, §§ 18-25. Summary: This by-

law would establish a Board of Registrars according to Massachusetts General Laws. The composition and duties are reflected in the changes and would mirror what is appropriate under the guidance of the Commonwealth. Motion: Move that the Town vote to insert a new Article entitled “Board of Registrars By-law,” as set forth in Article 18 of the Warrant for the May 7, 2024 Annual Town Meeting, into the Town’s General By-laws, and renumber the subsequent sections of the General By-laws accordingly.

### **Article 18 passes unanimously**

**Article 19:** Christine Fowles motioned and Jon Lumbra seconded to see if the Town will vote to change the town bylaw entitled The Keeping of Unregistered Vehicles, by renumbering it per eCODE 360, amending the existing language as noted below, deleting existing language with a strikethrough and replacing it with new language shown in boldface text which reads as follows (Speaker: By-law Committee): 13 ARTICLE XI The Keeping of Unregistered Motor Vehicles Sec. 1. The keeping of more than one unregistered motor vehicle, assembled or disassembled, except a person licensed under General Laws, Chapter 140, Section 59, on any premises shall not be permitted, unless said motor vehicles are stored within an enclosed building. Sec. 2. A special permit to keep more than one unregistered motor vehicle on any premises not within an enclosed building may be granted by the Selectboard if it finds that such keeping: In harmony with the general purpose and intent of this by-law, Will not adversely affect the neighborhood, and Will not be a nuisance. Sec. 3 All such permits granted shall limit the number of unregistered motor vehicles to be kept on the premises by the permit holder, shall not run with the land, and shall be limited to a reasonable length of time. Sec. 4. This article shall not apply to motor vehicles, which are designed and used for farming. Sec. 5. Whoever violates any provisions of the article of the by-law shall be liable to a penalty of ten (\$10.00) dollars per day of violation; commencing ten (10) days following the date of receipt of written notice from the Select Board. Proposed Amended Article XI: Unregistered Vehicles Sec. 1. The purpose of this bylaw is to provide a mechanism for regulating, subject to reasonable and appropriate controls, the storage of unregistered vehicles within the Town of Southampton. The bylaw simultaneously protects and preserves the residential atmosphere of the Town. Sec. 2. Exemptions: This chapter shall not apply to: Motor vehicles or trailers in operating condition, registered pursuant to MGL c. 90, § 2. Farm vehicles. A single recreational vehicle or a single camping, boat or utility trailer in operating condition, which is being registered seasonally. Sec. 3. Definitions: VEHICLE: Any motor vehicle defined as such in MGL c. 90, § 1, requiring registration pursuant to MGL c. 90, § 2 to be operated on a public way. FARM VEHICLES: Motor vehicles or trailers used exclusively and specifically by a farmer, as defined in MGL c. 90, § 1. GARAGE: A building, designed and constructed for the storage of motor vehicles, for which a permit is required to

erect or construct. For the purposes of this chapter, the term "garage" does not include any structure whose exterior walls and/or roof are made of tarpaulin-type material. 14 OPERATING CONDITION: Capable of being used in its existing condition for the purpose for which it was designed. NOT IN OPERATING CONDITION: Not capable of being used as such in its existing condition by reason of being damaged or dismantled or failing to contain parts necessary for operation. TRAILER: Any vehicle or object on wheels defined as such in MGL c. 90, § 1. VEHICLE COVER: A cover designed specifically for the purpose of covering motor vehicles or trailers. For purposes of this chapter, a general-purpose tarpaulin shall not be considered a vehicle cover, if stored within public view. Sec. 4. Storage of more than one unregistered/non-operating vehicle or trailer. No property owner, or any other person, may store or permit to be stored more than one unregistered motor vehicle or trailer or more than one registered vehicle not in operating condition on said property owner's premises unless: The vehicles are stored in a garage; A permit to store more than one unregistered vehicle or more than one registered vehicle not in operating condition is granted by the Building Commissioner/Inspector. The property owner or person in control of the property holds a Class I or Class III license for the sale of motor vehicles or trailers issued pursuant to MGL c. 140, § 57 to § 69. Any motor vehicle or trailer or major parts thereof, whether registered or unregistered, stored pursuant to this section that are not in operating condition shall, if visible from any public street or way, or from any abutting property, be covered with a vehicle cover. Any farm vehicles used for replacement parts/repair should be kept to a reasonable number to avoid adversely impacting the neighborhood. Sec. 5. A special permit to keep more than one unregistered motor vehicle on any premises, not within an enclosed building, may be granted by the Building Inspector/Commissioner after conducting an inspection and investigation of the property in question, if s/he finds that such keeping: a. Will not adversely affect the neighborhood, and b. Will not be a nuisance. All such permits are non-transferable and shall limit the number of unregistered motor vehicles to be kept on the premises by the permit holder and shall be limited to six months. Sec. 6. Enforcement: The provisions of this bylaw shall be enforced by the Building Commissioner/Inspector, Police Department and/or a prosecuting officer of the Town Police Department who will issue a written notice of violation. The Building Commissioner/Inspector shall be responsible for maintenance of records pertaining to violations and penalties imposed hereunder. Sec. 7. Once a written violation notice is issued, the owner and/or person or entity in control of the property shall have 30 days to correct the violation without penalty. Penalties will go into effect on the 31st day of the violation. 15 Sec. 8. Violations and penalties. Whoever violates any provision of this bylaw by maintaining unregistered vehicles may be penalized by noncriminal disposition fines as provided in Non-criminal Disposition Procedures and Fines (Chap. 203-3F), MGL c. 40, § 21D. Each thirty (30) day period during which a violation continues shall constitute a separate offense. Sec 9. Existing unregistered vehicles. Any property owner, or any other

person with the permission of the property owner, who, at the time this bylaw takes effect, is in violation of any section(s) of this bylaw shall have 180 days to come into compliance. Summary: This updated amendment to the existing by-law for unregistered vehicles would further clarify and define the storage and use of unregistered vehicles. Motion: Move that the Town amend Article XI of the Town's General Bylaws, entitled "The Keeping of Unregistered Motor Vehicles" by amending the existing language as noted, deleting existing language where noted and replacing it with the new language as shown, as set forth in Article 19 of the Warrant for the May 7, 2024 Annual Town Meeting.

## **Article 19 Failed**

**Article 20:** Christine Fowles motioned Jon Lumbra seconded to see if Town Meeting will vote to amend the Code of Southampton in Chapter 275 - Zoning Bylaw in Table 1, Use Regulations by changing all references to "Use permitted by Special Permit from Zoning Board of Appeals" to "Use permitted by Special Permit from Planning Board" or any other action relative thereto. (Speaker: Planning Board) Summary: Table of Use Regulations Over the past 5-6 years, the Planning Board has been reviewing the Zoning Bylaw including the Table of Use Regulations. In 2021, this effort was folded into the eCODE codification effort. In conjunction with the Zoning Board of Appeals, the Planning Board had proposed to revise the Use Regulations to change all uses which required a Special Permit from the Zoning Board of Appeals to requiring a Special Permit from the Planning Board. Unfortunately, through miscommunication, these changes were not made in the codification effort. Thus, this article proposes making these changes to the Use Regulations Table. Existing Zoning Bylaw As presently written, the following uses currently require a Special Permit from the Zoning Board of Appeals: Residential Uses 1. Two-family dwelling in R-R and R-N districts 2. Multifamily dwelling in R-V and C-V districts 3. Elderly housing in R-V, C-V, and C-H districts 4. Permanent (over 60 days in any calendar year) mobile home or trailer (other than for storage; see accessory uses) in R-V and C-V districts 5. Temporary (up to 60 days in any calendar year) mobile home or trailer (other than for storage; see accessory uses) in R-R, R-N, and R-V districts Community Facilities 1. Cemetery in R-R, R-N, and R-V districts Proposed Changes in Zoning Bylaw If approved, the warrant article would change all of these uses to requiring a Special Permit from the Planning Board. Thus, for each of these uses, the notation would change from "ZB" to "PB" in Table 1 – Use Regulations: Residential Uses 1. Two-family dwelling in R-R and R-N districts 2. Multifamily dwelling in R-V and C-V districts 3. Elderly housing in R-V, C-V, and C-H districts 4. Permanent (over 60 days in any calendar year) mobile home or trailer (other than for storage; see accessory uses) in R-V and C-V districts 5. Temporary (up to 60 days in any calendar year) mobile home or trailer (other than for storage; see accessory uses) in R-R, R-N, and R-V districts Community Facilities 1. Cemetery in R-R, R-N, and

R-V districts Motion: Move that the Town vote to amend the Code of Southampton in Chapter 275 - Zoning Bylaw in Table 1, Use Regulations by changing all references to “Use permitted by Special Permit from Zoning Board of Appeals” to “Use permitted by Special Permit from Planning Board”.

**Article 20 passes unanimously meeting 2/3 majority**

**Article 21: Annual Community Preservation Program Budget**

Sierra Simmons motioned and Jon Lumra seconded to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year or take any other action relative thereto.

**Proposed Fiscal Year 2025 Community Preservation Budget**

The Community Preservation Committee recommends that the following amounts be appropriated or reserved from fiscal year 2025 community preservation fund revenues, unless otherwise specified, for fiscal year 2025 community preservation purposes with each item considered a separate appropriation:

Purpose Recommended Amount

**Appropriations**

Community Preservation \$7,500

Committee – Administrative Expenses

Bond payment for 68 Pomeroy Meadow Rd Land \$51,100

Budgeted Reserves \$322,060

Historic Resources \$47,58

**Article 21 passes unanimously**

**Article 22:** Sierra Simmons motioned and Jon Lumbra seconded To see if the town will vote to transfer the sum of \$23,000 from Community Preservation Act Funds to the Greenway Committee, said funds to be transferred from Community Preservation Surcharges–Undesignated Account for the purpose of matching grant funds from 2024 MassTrails Grant for Phase 3 of the Greenway bicycle and pedestrian path design, or take any other action relative thereto.

## **Article 22 passes unanimously**

**Article 23:** Sierra Simmons motioned and Jon Lumbra seconded to see if the town will vote to transfer the sum of \$24,500 from Community Preservation Act Funds to the Southampton Cemetery Commission for restoration and preservation of the Southampton Center Cemetery's previously damaged metal fence. Said funds to be transferred from Community Preservation Surcharges–Historic Preservation Account; or take any other action relative thereto.

## **Article 23 passes unanimously**

**Article 24:** Sierra Simmons motioned and Jon Lumbra seconded to see if the Town will vote to acquire, by purchase, gift, eminent domain or otherwise, a conservation restriction on a parcel of land located on Fomer Road, Southampton, said parcel containing 25 acres, more or less, and being Tax Map 27, Lot 4, or upon such portion of said property as the Select Board and/or Conservation Commission determines to be in the best interests of the Town, so long as said acquisition is supported by an appraisal, said conservation restriction to be under the care, custody, management and control of the Conservation Commission pursuant to G.L. c. 40, §8C; and, further, to fund said acquisition, transfer the sum of \$250,000 from the Community Preservation Surcharges – Undesignated Account, together with the sum of \$20,000 previously appropriated for this purpose at the December 5, 2023 Special Town Meeting, the remainder of the funds for said acquisition to be donated to the Town from private and/or nonmunicipal sources; provided, however, that such funds shall not be expended unless the Town secures the amount of \$900,000, or such lesser amount to fully fund the acquisition, from private and/or non-municipal sources, including, but not limited to, from the Massachusetts Division of Conservation Services through a Landscape Partnership Grant, donations and/or any other grants or reimbursement programs in any way connected with the scope of this Article, which funds so received shall be used to repay the sum transferred from the Community Preservation Surcharges – Undesignated Account; and, further, to authorize the Select Board and/or the Conservation Commission to apply for any and all grants or reimbursements and to enter into any and all agreements and execute any and all instruments as may be necessary or convenient to carry 19 out the purposes of this Article; or take any other action relative thereto. (Speaker: Community Preservation Committee) Summary: This funding transfer would appropriate \$ 250,000 through the Community Preservation Fund Surcharges – Undesignated Account for the Town's portion of the purchase for an easement restriction. Motion: Move that the Town vote to acquire, by purchase, gift, eminent domain or otherwise, a conservation restriction on a parcel of land located on Fomer Road, Southampton, said parcel containing 25 acres, more or less, and being Tax Map 27, Lot 4, or upon such portion of said property as the Select Board and/or

Conservation Commission determines to be in the best interests of the Town, so long as said acquisition is supported by an appraisal, said conservation restriction to be under the care, custody, management and control of the Conservation Commission pursuant to G.L. c. 40, §8C; and, further, to fund said acquisition, transfer the sum of \$250,000 from the Community Preservation Surcharges – Undesignated Account.

**Article 24 passes unanimously**

**Article 25:** Jon Lumbra motioned and Dan LaValley seconded to see if the town will vote to amend the general by-laws of the town by adding a new section to §35-11 to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, §53E1/2, or take any other action relative thereto.

Add:

Program or Purpose Representative or Board Authorized to Spend Funds  
Department Receipts

Health Inspections Board of Health Health Inspection receipts

**Article 25 passes by 2/3 majority**

**Article 26:** Jon Lumbra motioned and Dan LaValley seconded to see if the town will vote to set the Revolving Fund FY 2025 spending limits for such funds as follows, or take any other action relative thereto:

Program or Purpose Use of Fund FY 25 Spending Limit

Conservation Operating Expenses/Admin. Expenses \$10,000

Conservation Forestry Oversight and Management of the Conservation Areas including forestry land \$20,000

Council on Aging Van Payment for Operation of COA Van \$31,000

Dog Licensing & Control Expenses Related to Admin. Of Licenses & Dog Control \$8,000

Electrical Inspections Payment for Electrical Inspection services \$20,000

Fire Department

(Brush Services) Fire Chief to purchase brush firefighting equipment \$10,000

Park Commission Operating Expenses/Admin Expenses \$10,000

Planning Board Admin. Expenses \$10,000

Planning Board Consultant Costs \$15,000

Plumbing Inspections Payment for Plumbing inspection services \$20,000

Tax Title Tax Title related costs \$10,000

Weights & Measures Weights & Measures Fees \$5,000

Zoning Board of

Appeals ZBA Expenditures \$5,000

If approved, the Town shall set the spending limit for the Board of Health revolving fund as follows:

Health Department Inspectional Services \$60,000

**Article 26 passes by majority**

**Motion to adjourn made by Jon Lumbra at 9pm. All were in favor**

**Speakers and handouts were given out at meeting**

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## **DISCLOSURE**

**A true copy of the minutes of the meeting, written and published via Town video by the Town Clerk. The minutes were taken by the Assistant Town Clerk and may have a different version by her notes taken. The Annual Town Meeting can be reviewed, VIA You Tube, Easthampton Media, or The Southampton Website.**

**Attest:**

**Lucille A Dalton,  
Town Clerk  
Town of Southampton**



