

**TOWN OF WILLIAMSTOWN
ANNUAL TOWN MEETING
FISCAL YEAR
JULY 1, 2021 to JUNE 30, 2022
COMMONWEALTH OF MASSACHUSETTS**

Berkshire, ss:

To either of the Constables of the Town of Williamstown, in the 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 Williamstown qualified to vote in elections and Town affairs to meet at Farley-Lamb Field in the Weston Athletic Complex, Latham and Meacham Streets, in said Williamstown on TUESDAY, THE EIGHTH DAY OF JUNE 2021 AT SIX O'CLOCK P.M. for the following purpose:

To act on all Articles of this warrant.

REPORTS OF TOWN COMMITTEES
Consent

Article 1. To see if the Town will vote to accept the reports of the Select Board, the Town Manager, and all other officers and committees, and act thereon.

TO APPLY UNRESERVED FUND BALANCE TO REDUCE THE TAX RATE

Article 2. To see if the Town will vote to transfer and appropriate the sum of \$230,000 from the General Fund Unreserved Fund Balance to reduce the tax rate, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to transfer and appropriate the sum of \$230,000 from the General Fund Unreserved Fund Balance to reduce the tax rate.

The Select Board unanimously recommends the adoption of this article.

The Town customarily applies excess receipts and unused appropriations of the previous fiscal year (Unreserved Fund Balance a/k/a "Free Cash") to reduce the tax rate.

APPROPRIATION FOR DEBT SERVICE

Article 3. To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$683,687.50 or any other sum, to pay interest and maturing debt, or take any other action in relation thereto.

| <i>Purpose</i> | <i>Year Borrowed</i> | <i>Years Left</i> | <i>Total Outstanding 7/1/21</i> | <i>FY2022 Principal and Interest</i> |
|-------------------|----------------------|-------------------|---------------------------------|--------------------------------------|
| Elementary School | 2005 | 4 | \$785,000 | \$219,700.00 |
| Police Station | 2018 | 17 | \$4,340,000 | \$342,987.50 |
| Cable Mills | 2015 | 4 | \$440,000 | \$121,000.00 |

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$252,687.50 from taxation, \$121,000 be appropriated from the Community Preservation Fund and \$310,000 be appropriated from the Unreserved Fund balance.

The Community Preservation Committee unanimously recommends the adoption of this article.

The Select Board unanimously recommends the adoption of this article.

Each of the above items is a bond issue the Town has committed to repay over the number of years remaining as indicated.

CAPITAL IMPROVEMENT PROGRAM

Article 4. To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$1,132,000 or any other sum, for the following capital expenditures, or take any other action in relation thereto.

| <i>Item</i> | <i>Department</i> | <i>Amount</i> |
|---|-------------------|--------------------|
| Hart Landfill - Engineering Services | Public Works | \$ 30,000 |
| Hoosac River - Bank Erosion Control | Public Works | \$ 203,000 |
| Replace Trk 5 - Single Axle Dump | Highway | \$ 178,000 |
| Replace Trk 23 - Dump Truck/plow/sander | Highway | \$ 83,000 |
| Sidewalk Plow (additional)* | Highway | \$ 156,000 |
| Subtotal | | \$650,000 |
| Inflow & Infiltration Reduction | Sewer | \$300,000 |
| Cold Spring Lift Stations | Sewer | \$80,000 |
| Replace 2001 mechanical sewer rodder | Sewer | \$70,000 |
| Subtotal | | \$450,000 |
| Replace 2009 Scada System | Water | \$17,000 |
| Chlorine analyzers | Water | \$15,000 |
| Subtotal | | \$32,000 |
| Total Capital | | \$1,132,000 |

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$494,000 from taxation, that \$156,000 be transferred from

the Stabilization Fund, that \$450,000 be transferred from Estimated Sewer Receipts and that \$32,000 be transferred from Estimated Water Receipts.

The Select Board unanimously recommends the adoption of this article.

Highway Department and Public Works items are funded by the property tax. Sewer and Water Department items are funded by user fees. The \$156,000 transfer from Stabilization Fund for the cost of the Highway Department sidewalk plow requires a $\frac{2}{3}$ vote.

SEWER DEPARTMENT

Article 5. To see if the Town will vote to appropriate from Estimated Sewer Receipts the sum of \$1,055,446.01 or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Sewer Department, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to appropriate the sum of \$713,242.80 from Estimated Sewer Receipts and the sum of \$342,203.21 from Sewer Fund Unreserved Fund Balance.

The Select Board unanimously recommends the adoption of this article.

The sewer rate will remain unchanged from the previous year. The Sewer Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation.

WATER DEPARTMENT

Article 6. To see if the Town will vote to appropriate from Estimated Water Receipts the sum of \$996,021.82 or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Water Department, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to appropriate the sum of \$730,375.00 from Estimated Water Receipts and the sum of \$265,646.82 from Water Fund Unreserved Fund Balance.

The Select Board unanimously recommends the adoption of this article.

The water rate will remain unchanged. The Water Department is an Enterprise Fund. All expenses of the Department are paid by user fees, not taxation.

WATER RATE

Article 7. To see if the Town will, in accordance with § 7, Chapter 606 of the Acts and Resolves of 1941, vote to approve a municipal water rate of \$3.70 per 100 cubic feet of water as fixed by the Select Board at their meeting of April 26, 2021 to be effective July 1, 2021, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to approve a municipal water rate of \$3.70 per 100 cubic feet.

The Select Board unanimously recommends the adoption of this article.

This is unchanged from the previous year.

TRANSFER STATION DEPARTMENT

Article 8. To see if the Town will vote to appropriate from Estimated Transfer Station Receipts or other available funds the sum of \$252,848.67 or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Transfer Station Department, including costs of public trash removal or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to appropriate the sum of \$232,848.67 from Estimated Transfer Station Receipts and \$20,000 from general taxation.

The Select Board unanimously recommends the adoption of this article.

CHAPTER 90 HIGHWAY FUNDS

Article 9. To see if the Town will vote to raise and appropriate from Chapter 90 funds that are, or may become, available to the Town during the fiscal year for Capital Projects, and to authorize the Treasurer to borrow such amounts in anticipation of reimbursement by the Commonwealth, or take any other action in relation thereto.

The Finance Committee unanimously recommends the adoption of this article.

The Select Board unanimously recommends the adoption of this article.

Chapter 90 funds are distributed by the State for approved highway projects. The Town is required to spend the money before being reimbursed by the state. Since the Town cannot spend money it does not have, this article authorizes the Treasurer to borrow money in anticipation of receiving the Chapter 90 reimbursement from the Commonwealth.

FINANCE COMMITTEE RESERVE FUND

Article 10. To see if the Town will vote to transfer from the General Fund Unreserved Fund Balance the sum of \$175,000 for the Finance Committee Reserve Fund, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to transfer the sum of \$175,000 from Unreserved Fund Balance for the Finance Committee Reserve Fund.

The Select Board unanimously recommends the adoption of this article.

The Reserve Fund is established under G.L. c. 40 § 6 to provide for extraordinary or unforeseen expenditures authorized by the Finance Committee.

TO FUND OTHER POST EMPLOYMENT BENEFITS

Article 11. To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$50,000 to the Other Post Employment Benefits Liability Trust Fund, established under the provisions of M.G.L. Chapter 32B, Section 20, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to transfer the sum of \$46,729.04 from Unreserved Fund Balance; that \$2,300.36 be appropriated from Estimated Water Receipts; that \$782.27 be appropriated from Estimated Sewer Receipts; and that \$188.33 be appropriated from Estimated Transfer Station Receipts to the OPEB Trust Fund.

The Select Board unanimously recommends the adoption of this article.

Last year's appropriation of \$50,000 continued the process to put the Town on a pay-as-you-go basis for Other Post-Employment Benefits, primarily health insurance for retirees. This funding is important to maintain our Aa1 bond rating.

APPROPRIATION TO COMPENSATED BALANCES RESERVE FUND

Article 12. To see if the Town will vote to transfer from the General Fund Unreserved Fund Balance the sum of \$150,000 to the Compensated Balances Reserve Fund, established under the provisions of M.G.L. Chapter 40, Section 13D, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to transfer the sum of \$150,000 from Unreserved Fund Balance to Compensated Balances Reserve Fund.

The Select Board unanimously recommends the adoption of this article.

This appropriation sets aside funds to meet our legal obligation to pay accrued employee benefits upon separation from the Town's employment.

REVOLVING FUND SPENDING LIMIT

Article 13. To see if the Town will vote to set annual spending limits for revolving funds for the Fiscal Year July 1, 2021 to June 30, 2022, under the provisions of Massachusetts General Law chapter 44, §53E½.

| Revolving Fund | Authorized to Expend | Revenue Source | Use of Fund | Spending Limit |
|-----------------------|-----------------------------|--|----------------------------------|-----------------------|
| Inspection Services | Building Commissioner | Inspection Fees: Gas, Plumbing, Electrical | Salaries/ Expenses | \$75,000 |
| Public Library | Library Trustees | Fees and Fines | Supplies, Services and Equipment | \$25,000 |

The Finance Committee unanimously recommends the adoption of this article.

The Select Board unanimously recommends the adoption of this article.

GENERAL GOVERNMENT

Article 14. To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$8,670,658.07 or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the several Town Departments, namely:

The Finance Committee unanimously recommends the Town vote to raise and appropriate \$8,446,654.07 from taxation; that \$117,081 be appropriated from Estimated Water Receipts; that \$82,219 be appropriated from Estimated Sewer Receipts; that \$9,704 be appropriated from Cemetery Perpetual Care Trust Fund; and that \$15,000 be appropriated from the Sherman Burbank Memorial Trust.

The Select Board unanimously recommends the adoption of this article.

The General Government appropriation is a 5.6% increase over the current year. This is anticipated to be allocated with \$323,916 to Executive Departments, \$3,285,482.37 to Administration and Finance, \$424,274.64 to Community Development, \$1,526,464.64 to Public Safety, \$2,187,550.49 to Public Works and \$922,969.93 to Human Services.

MOUNT GREYLOCK REGIONAL SCHOOL DISTRICT

Article 15. To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$12,346,994.08 or any other sum, being Williamstown’s share of the Mount Greylock Regional School District FY22 budget, or take any other action in relation thereto.

Note: This is an Omnibus Budget, i.e. Town Meeting may vote only a total amount.

| | <i>FY2021</i> | <i>FY2022</i> |
|-------------------------|---------------------|------------------------|
| Operating Assessment | \$10,801,659 | \$11,315,860.08 |
| Capital Assessment | \$ 1,311,764 | \$ 1,031,134.00 |
| Total Assessment | \$12,113,423 | \$12,346,994.08 |

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$12,346,994.08 from taxation.

The Select Board unanimously recommends the adoption of this article.

The Williamstown assessment is a combined budget of the Elementary School and Mt. Greylock High School due to regionalization. The capital assessment includes debt repayment for the high school renovation as approved in March 2016, and excluded from the levy limit. This bond was for a term of 30 years. The portion of operating assessment attributable to Williamstown Elementary School is \$5,746,228.68 and the portion attributable to Mount Greylock Regional School is \$5,569,631.40.

NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT

Article 16. To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$267,287 or any other sum, being Williamstown’s share of the Northern Berkshire Vocational Regional School District FY22 budget, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$267,287 from taxation.

The Select Board unanimously recommends the adoption of this article.

Note: This is an Omnibus Budget, i.e. Town Meeting may vote only a total amount.

The Williamstown assessment is a 2.64% decrease from FY21. This reflects one time use of \$23,264 of state ESSER II (Covid related) funds.

WILLIAMSTOWN CHAMBER OF COMMERCE

Article 17. To see if the Town will vote pursuant to M.G.L. Chapter 40, Section 6A to raise and appropriate the sum of \$45,000 for the Williamstown Chamber of Commerce to advertise the Town's resources, advantages, and attractions, in accordance with the application submitted to and recommended by the Finance Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$45,000 for the Williamstown Chamber of Commerce.

The Select Board unanimously recommends the adoption of this article.

The appropriation for the Chamber of Commerce is intended to promote tourism.

WILLIAMSTOWN YOUTH CENTER

Article 18. To see if the Town will vote to raise and appropriate the sum of \$77,000 for the Williamstown Youth Center to provide youth recreation services, in accordance with the application submitted to and recommended by the Finance Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$77,000 to support the Williamstown Youth Center.

The Select Board unanimously recommends the adoption of this article.

The Youth Center appropriation is unchanged from the current year.

SAND SPRINGS RECREATIONAL CENTER

Article 19. To see if the Town will vote to raise and appropriate the sum of \$19,000 for the Sand Springs Recreational Center to provide recreation services for Williamstown residents, in accordance with the application submitted to and recommended by the Finance Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$19,000 to support Sand Springs Recreational Center.

The Select Board unanimously recommends the adoption of this article.

This appropriation is at the level funded in FY19 and FY20.

WILLIAMSTOWN COMMUNITY PRESCHOOL

Article 20. To see if the Town will vote to raise and appropriate the sum of \$50,000 for the Williamstown Community Preschool to provide preschool services for Williamstown residents, in accordance with the application submitted to and recommended by the Finance Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$50,000 to support Williamstown Community Preschool.

The Select Board unanimously recommends the adoption of this article.

This is a new request.

COMMUNITY PRESERVATION – COMMITTEE EXPENSES

Article 21. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2021 Community Preservation budget, and to appropriate from the Community Preservation Fund FY 2022 estimated annual revenues the sum of \$5,000 to meet the administrative expenses of the Community Preservation Committee for Fiscal Year 2022 or take any other action in relation thereto.

The Community Preservation Committee unanimously recommends the adoption of this article.

The Finance Committee unanimously recommends the adoption of this article.

The Select Board unanimously recommends the adoption of this article.

COMMUNITY PRESERVATION – AFFORDABLE HOUSING

Article 22. To see if the Town will vote to appropriate from the Community Preservation Fund FY 2022 estimated annual revenues, for affordable housing purposes, under the Community Preservation Act, the sum of **\$218,722.50** to fund a grant to the Williamstown Affordable Housing Trust in unrestricted funds for initiatives and programs related to furthering affordable housing in Williamstown, including support of Northern Berkshire Habitat for Humanity of at least \$40,000 and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate, or take any other action in relation thereto.

The Finance Committee recommends by a vote of 8 - 0 - 1 the Town vote to appropriate \$200,000 from the Community Preservation Fund and to release and

re-appropriate \$18,722.50 previously appropriated to the Affordable Housing Trust for a restricted purpose by Article 22 of the 2018 Annual Town Meeting.

The Community Preservation Committee unanimously recommends the adoption of this article.

The Select Board recommends by a vote of 4 - 0 - 1 the adoption of this article.

COMMUNITY PRESERVATION – HISTORIC PRESERVATION

Article 23. To see if the Town will vote to appropriate from the Community Preservation Fund FY 2022 estimated annual revenues, for historic preservation purposes, under the Community Preservation Act, the sum of **\$50,000**, which funds shall revert to the CPA fund if not expended by June 30, 2023, to fund a grant to the Williamstown Historical Museum for preservation of the Dolan-Jenks Barn in accordance with the application submitted to and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate and to authorize the Select Board to accept property interests as may be appropriate, or take any other action in relation thereto.

The Community Preservation Committee unanimously recommends the adoption of this article.

The Finance Committee unanimously recommends the adoption of this article.

The Select Board unanimously recommends the adoption of this article.

COMMUNITY PRESERVATION – OPEN SPACE

Article 24. To see if the Town will vote to appropriate from the Community Preservation Fund FY 2022 estimated annual revenues, for open space purposes, under the Community Preservation Act, the sum of **\$56,000**, which funds shall revert to the CPA fund if not expended by June 30, 2022, to fund a grant to the Williamstown Rural Lands Foundation for a portion of the local share of the Commonwealth of Massachusetts' purchase of an Agricultural Preservation Restriction for approximately 18 acres of agricultural property in accordance with the application submitted to and recommended by the Community Preservation Committee, and to authorize the Town Manager to enter into a grant agreement with the organization upon such terms and conditions as may be appropriate and to authorize the Select Board to accept property interests as may be appropriate, or take any other action in relation thereto.

The Finance Committee unanimously recommends the adoption of this article.

The Community Preservation Committee recommends the adoption of this article by a vote of 5 - 3 - 0.

The Select Board recommends by a vote of 4 - 1 - 0 the adoption of this article.

MASTER PLAN UPDATE

Article 25. To see if the Town will vote to raise and appropriate the sum of \$100,000 for the costs and services related to updating Williamstown's Master Plan, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to transfer the sum of \$100,000 from Unreserved Fund Balance for this purpose.

The Select Board unanimously recommends the adoption of this article.

Williamstown has historically done a new master plan approximately every 20 years, (1963, 1983, 2002). The current master plan is approaching 20 years old. Many things have changed over those two decades and it is time to take a fresh look at the direction of Williamstown. The timing is ideal with Williams underway on a strategic plan and 2020 Census data soon to be released. Massachusetts General Law makes Master Planning the responsibility of the Planning Board. In 2002 the Board appointed a Master Plan steering committee to oversee this work and supervise an outside consultant to run community visioning and input sessions and compile the document.

BOARD MEMBER STIPEND

Article 26. To see if the Town will vote to direct the Select Board to conduct a study into the feasibility of paying stipends or other such payments as may be determined to members of various Boards and Committees of the Town that are currently unpaid and to deliver a report about such a study prior to next year's Annual Meeting.

The Select Board recommends by a vote of 4 - 0 - 0 the adoption of this article.

STREETLIGHTS

Article 27. To see if the Town will vote to raise and appropriate the sum of \$265,000 for the purpose of converting streetlights to LED fixtures in order to reduce electricity consumption, or take any other action in relation thereto.

The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$265,000 from the Stabilization Fund for this purpose.

The Select Board unanimously recommends the adoption of this article.

This would cover the installation of new LED lighting at approximately 550 locations with streetlights, reducing estimated annual electricity usage from 300,000 kWh to 100,000. It is expected that the savings from this will pay for this project in three years. The use of the Stabilization Fund requires a $\frac{2}{3}$ vote in the affirmative.

**ZONING BYLAW AMENDMENT
MARIJUANA REGULATION AMENDMENTS**

Article 28. To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend §70-3.3A(2) Business Uses, by renaming the current marijuana related use categories, and modify permitting and zone categories as follows;

- *Marijuana retail* is replaced by *Marijuana Retailer*, all zone and permitting to remain as is.

Marijuana production facility is replaced by *Marijuana Cultivator*, to be permitted only in *Limited Industrial and Rural Residence 2 & 3*, and *Marijuana Product Manufacturer*, to be permitted only in *Limited Industrial*.

Amend §70-9.2 by deleting the definitions for MARIJUANA PRODUCTION FACILITY and MARIJUANA RETAILER and adding the following:

MARIJUANA CULTIVATOR - An entity licensed to cultivate, process and package Marijuana, and to Transfer Marijuana to other Marijuana Establishments as defined by 935 CMR 500, but not to Consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.

MARIJUANA PRODUCT MANUFACTURER - An entity licensed to obtain, compound, blend, extract, infuse or otherwise make or prepare a Cannabis or Marijuana Product, process and package Marijuana or Marijuana Products and to transfer these products to other Marijuana Establishments, but not to Consumers.

MARIJUANA RETAILER - An entity licensed to purchase, repackage, white label, and transport marijuana or marijuana product from Marijuana Establishments and to transfer or otherwise transfer this product to Marijuana Establishments and to sell to Consumers.

This article will realign the Town's definitions and legal terminology associated with all marijuana related land uses with the definitions and legal terminology used by both state statute and the Commonwealth's Cannabis Control Commission (CCC). When the Town passed initial regulations in 2017 the CCC and its enabling legislation did not yet exist. This article makes no changes to how these land uses are regulated in the community or where they are allowed. It only aligns town regulation with state regulations.

The Planning Board unanimously recommends that Town Meeting adopt this article.

The Select Board unanimously recommends the adoption of this article.

**ZONING BYLAW AMENDMENT
MARIJUANA CULTIVATORS**

Article 29. To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend §70-3.3A(2) Business Uses & §70-3.3B Accessory Uses by amending the section on marijuana cultivators to create new use categories for types of marijuana cultivators and marijuana microbusinesses as follows.

| ZONING DISTRICTS | RR 1 | RR 2 RR 3 | GR | LB | VB | PB | LI | SG |
|-----------------------------------|---------|--------------------|----|----|----|----|----|----|
| § 70-3.3A(2) BUSINESS USES | | | | | | | | |
| <i>Marijuana Cultivator</i> | | | | | | | | |
| Indoor Cultivation | No | No | No | No | No | No | BA | No |
| Outdoor Cultivation | No | BA ⁶ | No | No | No | No | No | No |

Adding footnote ⁶5,000 square feet of canopy or less is permitted by right.

Amend §70-9.2 by adding the following definitions;

MARIJUANA CULTIVATOR, INDOOR - An indoor cultivator means one that cultivates the growth of marijuana plants within a building through use of artificial light. An Indoor Marijuana Cultivator shall be entirely enclosed in a building and activity therein shall not be visible to a public way or adjacent properties. All indoor cultivators shall use artificial ventilation and filtering equipment to minimize the impact of odors on surrounding properties.

MARIJUANA CULTIVATOR, OUTDOOR - An outdoor cultivator means one that cultivates the growth of Cannabis without the use of artificial lighting in the Canopy area at any point in time. Artificial lighting is permissible only to maintain Immature or Vegetative Mother Plants.

Amend §70-7.2 by the creation of a new section (K);

K. Marijuana Establishments. Marijuana Establishments with the exception Marijuana Retailers, as described by this chapter, shall be allowed in accordance with § 70-3.3, Use Regulation Schedule and shall abide by the following development standards.

- (1) Expert Review: In reviewing applications for special permits the Zoning Board of Appeals reserves the right to hire an independent consultant(s) with experience in evaluating marijuana establishments or similar facilities on behalf of municipalities and whose services shall be paid for by the applicant(s).
- (2) Waste Management: Marijuana Establishments shall compost organic waste composed of or containing marijuana and marijuana products in accordance with applicable regulations of the Cannabis Control Commission, including, but not limited to 935 CMR 500.105(12). A waste management plan identifying all waste streams and method of disposal shall be submitted to the ZBA for review.
- (3) Nuisance: No use shall be allowed at a Marijuana Establishment which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive sound or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.
- (4) Indoor Marijuana Cultivators, Marijuana Product Manufacturers, and Marijuana Testing Facilities as defined by 70-9, shall abide by the following development standards.
 - a. Odor Control and Mitigation: A detailed plan to control and mitigate odors or emissions of any kind from exiting the proposed facility, using the Best Available Technology must be submitted. The plan must include Design and Specifications of all filtration technologies and equipment proposed to be implemented along with an action plan addressing the response to any emissions that may occur during the operation of the facility. If at any time during the ongoing operations of a duly licensed facility emissions or odors occur, the marijuana establishment will immediately correct such condition and inform the permit granting authority in writing of the measures taken to mitigate.
 - b. Renewable Energy Requirements: Applicants shall be required to integrate roof or ground mounted solar photovoltaic systems or an alternative renewable energy technology to provide at least 25 percent of the energy needs of the facility. The Zoning Board of Appeals may modify or waive this requirement based on site conditions or other considerations.
- (4) Outdoor Marijuana Cultivators as defined by 70-9, shall abide by the following development standards.
 - (a) Lot Area Requirement: All Outdoor Marijuana Cultivators shall be located on 5 or more acres of land.

- (b) Facility Setback Requirements: All Outdoor Marijuana Cultivators facilities, including all grow area fencing and security apparatus, shall be subject to 150 foot side and rear setbacks. Marijuana Cultivators licensed for 1 acre or less of canopy shall be set back 150 feet from all public ways. Marijuana Cultivators licensed for more than 1 acre of canopy shall be set back 200 feet from all public ways. No part of the facility as defined by the Massachusetts Cannabis Control Commission shall be located less than 500 feet from the closest point of any residential dwelling, not in common ownership with the applicant, in existence at the time of the operator's application to the Zoning Board of Appeals for a special permit.
- (c) Screening: All secure area fencing as required by the Massachusetts Cannabis Control Commission shall be screened from the public way and neighboring properties by site appropriate native vegetation. Vegetation shall be at 90% opacity and equal to the height of fencing within three years of planting. Any razor or barbed wire on required security shall not be visible from the public way or abutting property. All applicants shall submit a screening plan. The Zoning Board of Appeals may waive this requirement if topography or other site considerations produce adequate screening.
- (d) Lighting: All Outdoor Marijuana Cultivators shall meet the security requirements of 935 CMR 500 without the use of overnight visible outdoor lighting. Visible lighting on site shall be limited to that necessary to provide safe egress from buildings and parking as required by the Massachusetts State Building Code and/or the Cannabis Control Commission and shall be of full cut off Type 3 fixtures as defined by 70-5.4(D). All applicants shall submit a lighting plan as defined by 70-5.4(D) of this chapter to the Zoning Board of Appeals as part of their application.
- (e) Odor Dispersal Plan: All Outdoor Marijuana Cultivators shall utilize Best Available Technology which may include vegetative buffers to mitigate cannabis plant odors. Applicants shall submit a detailed odor dispersal plan to the Zoning Board of Appeals as part of their application.

This article will establish strict regulations for both indoor and outdoor cannabis cultivation. Both are currently allowed in Williamstown without special development standards unique to this particular use.

The Planning Board recommends that Town Meeting adopt this article by a vote of 4 to 1.

The Select Board does not recommend the adoption of this article by a vote of 1 - 4.

**ZONING BYLAW AMENDMENT
REMOVAL OF LIMITED INDUSTRIAL FROM EASTLAWN CEMETERY**

Article 30. To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend the Williamstown Zoning Map by rezoning the portions of Assessor's Parcels 121 – 88 & 99 General Residence from the present Limited Industrial.

This article will rezone an area of Eastlawn Cemetery and Clover Hill Farm from Industrial to Residential. This is largely a map correction. The area is zoned industrial as a holdover from an earlier era when all of Water Street was industrially zoned and this land was envisioned for a small industrial park per the 1963 Master Plan. This zoning is no longer in line with the long term vision of the Town.

The Planning Board unanimously recommends that Town Meeting adopt this article.

The Select Board recommends by a vote of 4 - 0 - 0 the adoption of this article.

**ZONING BYLAW AMENDMENT
EXTENSION OF LIMITED BUSINESS DISTRICT**

Article 31. To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend the Williamstown Zoning Map by rezoning the portions of Assessor's Parcels 119-112, 112-105, & 102-14 Limited Business from the present General Residence.

This article will rezone two business properties that are currently non conforming uses. The properties in question are 248 Cole Avenue (119-112) (former Leo's Luncheonette and LaPlante Appliance) and 25 Main Street (112-105, & 102-14) (former Dion Money Management and Country Peddler) Each building was on the market during 2020 and each building's non conforming zoning status led to prospective buyers facing difficulties in re-purposing the commercial space. Rezoning these parcels to the Limited Business designation, which each are currently adjacent to, will prevent them from becoming underutilized properties in the future.

The Planning Board unanimously recommends that Town Meeting adopt this article.

The Select Board unanimously recommends the adoption of this article.

LAND OWNER REQUEST ZONING BYLAW AMENDMENT

Article 32. To see if the Town will vote to amend the Williamstown Zoning By-Laws, §70 of the Code of the Town of Williamstown as follows:

Amend §70-3.3A(2) to permit Self Storage by right in the Limited Industrial District and including a new use category “cultivation and processing of retail and wholesale aggregate, soil and nursery stock” allowed by right in the Limited Industrial District and not allowed in other districts.

The Select Board unanimously recommends the adoption of this article.

MUNICIPAL LIGHT PLANT

Article 33. To see if the Town will vote to authorize the Select Board to take all necessary and appropriate action to establish and to maintain, in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, including without limitation the operation of a telecommunication system and any related services, or to take any other action relative thereto.

This is the second step of a multi-meeting approval process, with the first part approved at last year’s Town Meeting. A Municipal Light Plant is the form of government organization used by towns that provide their own broadband service. If Williamstown decides that entering this market is viable and appropriate, then a subsequent Town Meeting will be asked to fund and organize such an operation if it were to be approved.

*This is a **ballot vote** and requires $\frac{2}{3}$ voting in the affirmative.*

The Select Board unanimously recommends the adoption of this article.

CITIZENS PETITION - NET ZERO RESOLUTION

Article 34:

WHEREAS, Massachusetts has adopted a net zero greenhouse gas (GHG) emissions goal, as outlined in the 2008 Global Warming Solutions Act and updated in subsequent plans and legislation; and

WHEREAS, The Town of Williamstown is one of over 270 cities and towns across the Commonwealth that have committed to reducing municipal energy use as part of the Green Communities Program; and

WHEREAS, A net zero community gets as much energy from clean energy sources as it uses, usually from a combination of energy efficiency, local clean energy production, and purchasing renewable energy; and

WHEREAS, More than 30 communities in Massachusetts have or are in the process of adopting greenhouse gas emissions reduction goals and comprehensive, cost-effective plans to achieve these goals; and

WHEREAS, The Williamstown Select Board adopted community-wide greenhouse gas emissions reduction goals in 2001, Town Meeting passed a resolution to reduce greenhouse gas emissions in 2008, and the 2002 Master Plan incorporated renewable energy and net zero waste goals; and

WHEREAS, The Town of Williamstown and its residents and businesses have been taking actions to promote clean energy, reduce carbon emissions, and increase resilience including: installing municipal solar arrays; supporting private and public renewable energy installations; procuring electric vehicles and installing electric vehicle charging stations; opting for increased renewable energy in the municipal electricity aggregation; promoting residential and commercial energy efficiency programs; requiring reusable and non-polystyrene shopping bags and take-out food containers; and initiating steps to convert to LED streetlights, among other efforts; and

WHEREAS, Williamstown and many Massachusetts communities are already experiencing the impacts of a changing climate, including rising temperatures, increased frequency and severity of storms and flooding, increased health risks from vector-borne diseases and excessive heat events, and many of these impacts disproportionately impact lower income households and communities of color; and

WHEREAS, The state's centralized energy system and transit infrastructure is becoming more vulnerable to climate-related risks like storms and extreme temperatures; and

WHEREAS, Williamstown has participated in a Municipal Vulnerability Preparedness Program and incorporated impacts of Climate Change into the development of a Williamstown Multi-Hazard Mitigation Plan; and

WHEREAS, Net Zero communities adopt multi-pronged strategies including energy efficiency, renewable energy, zero waste, and nature-based solutions to CO₂ removal, such as the protection and restoration of forests, wetlands and other ecosystems; and

WHEREAS the pathway to Net Zero Energy Community advances a transition to clean energy in six sectors including electric power; transportation; heating and cooling of buildings; industrial processes; and natural gas distribution and service; and

WHEREAS, The transition to a Net Zero community brings many potential benefits, including improved health, cleaner air and water, short and long-term cost savings, the creation of clean energy and energy efficiency jobs, and the ability to retain more of our energy dollars in the local economy; and

WHEREAS, As residents of the Town of Williamstown, we recognize our responsibility, individually and collectively, to participate in the global effort to reduce the impact of climate change by reducing our greenhouse gas emissions locally.

WHEREAS the Commonwealth of Massachusetts has committed to achieving net-zero GHG emissions by 2050 and developing a road map.

NOW THEREFORE be it resolved that the Town of Williamstown pursue a **Net Zero greenhouse gas (GHG) emissions goal** committing to achieving net-zero GHG emissions by 2050 and **develop and begin implementing a comprehensive climate action plan** by 2023 in collaboration with the community whereby we:

- (a) Take action to support clean, efficient, affordable, renewable technologies and approaches to heating, cooling and powering our homes and businesses; fueling our vehicles; minimizing and disposing of waste; and other activities to achieve a Net Zero GHG emissions goal;
- (b) Include consideration of our Net Zero GHG emissions goal and climate change impacts in all municipal decisions and planning and procurement activities;
- (c) Take action to prepare for the impacts of a changing climate;
- (d) Ensure that our climate actions recognize the needs of vulnerable members of our community and are inclusive and equitable.

The Select Board recommends adoption of this article by a vote of 4 - 0 - 1.

And you are hereby directed to serve this Warrant by posting attested copies thereof in four or more public places, as well as the United States Post Office within the Town. Hereof fail not and make return of this Warrant, with your doings to the Town Clerk on or before the time set for holding said meeting.

Williamstown Select Board

Date: May 10, 2021

Jane Patton, chair
Andrew Hogeland, vice-chair
Hugh Daley

Anne O'Connor
Jeffrey Thomas

Approved by roll call vote at noticed Zoom meeting of Select Board, May 10, 2021.

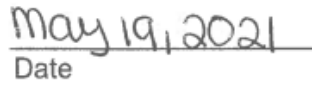
Annual Town Meeting - June 8, 2021

Berkshire, ss:

May 19, 2021

I hereby certify that I have posted attested copies of the above Warrant in four public places in the Town of Williamstown, and the Post Office at least seven days before said Annual Town Meeting.


Constable


Date