

**Commonwealth of Massachusetts
Town of Alford
Fire House
86 North Egremont Road
Alford, Massachusetts 01230
SPECIAL TOWN MEETING
November 19, 2024 6PM**

Berkshire ss:

TO: Timothy Ortwein/Peter Schoeffer

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Alford, qualified to vote in Town affairs, to meet at the Alford Fire Station, a.k.a. the Fire House, at 86 North Egremont Road, on Tuesday, November 19, 2024 at 6PM to vote on the following articles:

Article 1. To see if the Town will vote to transfer from Free Cash the sum of \$20,000.00 for new appraisal software for the Assessing Department or to take any other action relative thereto.

Article 2. To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause Fifty-fourth, and establish the minimum value of personal property subject to taxation at \$2,000.00; or to take any other action relative thereto.

Article 3. To see if the Town will vote to transfer from Free Cash the sum of \$1,500.00 to pay the salary of the Assistant Town Treasurer/Collector; or to take any other action relative thereto.

Article 4. To see if the Town will vote to transfer from Free Cash the sum of \$15,000.00 to repair the cupola and to complete any related repairs on the Town Hall; or to take any other action relative thereto.

Article 5. To see if the Town will appropriate the sum of \$2,000,000.00 or any other amount, to pay costs of the following improvements to Town facilities:

<u>Project</u>	<u>Estimated Cost</u>
Renovation of 9 Alford Road	\$500,000
Fire Station Renovation	250,000
ADA Ramp – Town Offices	500,000
ADA Improvements – Town Hall	250,000
ADA Improvements – Town Offices	100,000
Highway Garage Improvements	100,000
Related Engineering, Design and Escalation Costs	300,000

and to determine whether this appropriation shall be met by borrowing or otherwise provided; or to take any other action relative thereto.

Article 6. To see if the Town will vote to transfer from Free Cash the sum of \$20,000.00 for a financial audit; or to take any other action relative thereto.

Article 7. To see if the Town will vote to amend the Town of Alford Zoning By-Law so as to bring it into compliance with certain provisions of the Affordable Homes Act, being Chapter 150 of the Acts of 2024, specifically those provisions relative to so-called accessory dwelling units, or ADUs, as follows:

- (i) by deleting from Section 2, entitled “DEFINITIONS,” Subsection 2.2, also entitled “Definitions,” the definition of “ACCESSORY APARTMENT,” and substituting the following therefor:

ACCESSORY DWELLING UNIT (ADU): An attached or detached dwelling unit that is accessory to a principal single-family dwelling unit and is as defined by G.L. c. 40A, § 1A, except as otherwise provided in Section 8.5 of this Zoning By-Law;

and

- (ii) by deleting from Section 2, entitled “ACCESSORY USES AND STRUCTURES,” Subsection 4.2, entitled “Table of Accessory Use Regulations,” and thus from said Table, being Appendix B to the Zoning By-Law, Item 11 therein, relative to “Accessory apartment[s],” including Subparts (a) through (g) thereto, and substituting the following therefor:

Accessory Use	Use Permitted?
11. No more than one (1) accessory dwelling unit, or ADU, pursuant to and subject to the requirements of Section 8.5 of this Zoning By-Law	Yes

and

- (iii) by adding a new Section 8.5, entitled “Accessory Dwelling Units,” as follows:

8.5 Accessory Dwelling Units (ADUs)

8.5.1 By Right. A single accessory dwelling unit shall be allowed by right, subject to such other requirements as are contained in, and which constitute reasonable regulation under, this Section 8.5.

8.5.2 Site Plan Review Required. No accessory dwelling unit shall be constructed or occupied without application for and receipt of site plan approval in advance thereof, in accordance with Section 10.4 of this Zoning By-Law. The

Planning Board may request reasonable modification(s) to the site plan for an accessory dwelling unit; and, further, may impose reasonable conditions that are not inconsistent with this Zoning By-Law or the provisions of G.L. c. 40A, § 3.

8.5.3 Use Regulations. The following regulations apply to the use of any structure as or for an accessory dwelling unit:

- a. Use of land or structure(s) for an accessory dwelling unit does not require owner occupancy of either the principal single-family dwelling unit or the accessory dwelling unit.
- b. Nothing herein shall be deemed to waive or otherwise deviate from 310 CMR 15.000, *et seq.*, a.k.a. Title 5 of the State Environmental Code. Compliance therewith is and shall be a precondition to use or occupancy of any accessory dwelling unit.
- c. No accessory dwelling unit shall be used as a short-term rental, as defined by G.L. c. 64G, § 1, and by Section 8.4 of this By-Law.

8.5.4 Dimensional Requirements. The following dimensional standards shall apply to all accessory dwelling units:

- a. An accessory dwelling unit shall be not larger in gross floor area than one-half ($\frac{1}{2}$) the gross floor area of the principal dwelling or 900 square feet, whichever is smaller.
- b. Accessory dwelling units shall comply the dimensional regulations contained in Section 6 of this Zoning By-Law,

expressly including the Table of Dimensional Requirements incorporated therein.

8.5.5 Parking. At least one (1) off-street parking space shall be provided for an accessory dwelling unit; provided, however, that the construction of a garage as appurtenant to an accessory dwelling unit shall require application for and issuance of a special permit by the Planning Board in accordance with Section 10.3 of this Zoning By-Law.

8.5.6 Relationship to Nonconformities. If an accessory dwelling unit is proposed as an addition to, or conversion of a portion of, a pre-existing, non-conforming principal single-family dwelling unit, the provisions of Section 5 of this Zoning By-Law shall apply, insofar as applicable; provided, however, that the review of and action on any special permit required thereunder shall not consider, nor shall any ensuing decision condition, the accessory dwelling unit use itself.

and

- (iv) by amending Section 10.4, entitled “Site Plan Review in Overlay Districts and for Certain Single or Two Family Dwellings”: (a) by deleting from said title the phrase “in Overlay Districts and for Certain Single or Two Family Dwellings”; and (b) by adding to Subsection 10.4.1 thereof, entitled “Applicability,” a new further Subsection (d), as follows: “(d) Accessory dwelling units”;

or to take any other action relative thereto.

(Submitted by the Planning Board)

Article 8. To see if the Town will vote to further amend the Town of Alford Zoning By-Law relative to so-called accessory dwelling units, or ADUs, by deleting from the new Section 8.5, entitled "Accessory Dwelling Units," adopted by vote on the preceding Article, Subsection 8.5.4, entitled "Dimensional Requirements," Item a, the phrase "one-half ($\frac{1}{2}$) the gross floor area of the principal dwelling or 900 square feet, whichever is smaller" and substituting therefor the phrase "eighty percent (80%) of the gross floor area of the principal dwelling or 900 square feet, whichever is smaller"; or to take any other action relative thereto.

(Submitted by the Planning Board)

And you are required to serve this Warrant with your doings thereon to the Clerk of said Town on or before the time of said Meeting.

POSTED:

DATE: _____

Constable

SELECT BOARD

Charles F. Ketchen

Peter Puciloski

Bruce B. Schreiber