

TOWN OF WASHINGTON

Berkshire, S.S.

To either of the Constables of the Town of Washington in the County of Berkshire:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet in the Washington Town Hall at 8 Summit Hill Road on May 10, 2023 at 7:00 p.m., then and there to act on the following articles, to wit:

Article 1: To see if the Town will vote to accept the following proposed zoning bylaw with respect to Accessory Dwelling Units to wit.

Section 6.7 Accessory Dwelling Units

6.7.1. Purpose:

- A. Create more housing options for town residents.
- B. Provide homeowners with a separate space for family, companionship, security, or service providers.
- C. Maintain the single-family character of the town.
- D. Create options for those residents who wish to downsize and remain comfortably on their property.
- E. Provide homeowners with an opportunity for supplemental income.

6.7.2 Definitions:

- A. Accessory Dwelling Unit (or “ADU”): a residential living unit on the same parcel as a single-family or two-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, or a unit that is part of an expanded or remodeled primary dwelling.
- B. Attached Accessory Dwelling Unit: an ADU which shares wall-to-wall or any permanent roof attachment such as a breezeway with an existing residential unit.
- C. Detached Accessory Dwelling Unit: an ADU which does not share common walls or roofing with an existing residential unit.
- D. Detached Existing Structure: an accessory structure existing as of the date of a proposal for conversion to an ADU (such as a shed, garage, barn, etc.) which does not share common walls or roofing with an existing residential unit.

6.7.3. Applicability:

Notwithstanding any restrictions contained in Section 5.1 of the zoning bylaw:

- A. An Accessory Dwelling Unit within, or attached to, any single or two-family dwelling or in a detached existing structure shall be authorized as of right, provided that the requirements listed in section 6.7.3.C of the zoning bylaw are met.
- B. A newly constructed detached Accessory Dwelling Unit to any single or two-family dwelling shall be subject to a special permit. At a minimum, the ADU shall be subject

to the requirements listed in Section 6.7.3.C of the zoning bylaw, as well as the following findings made by the special permit granting authority:

1. Is in compliance with all provisions and requirements of this bylaw; and in harmony with its general intent and purpose.
2. Will not be detrimental to adjacent uses, the natural environment, or to the established or future character of the neighborhood.
3. Will not create undue traffic congestion or unduly impair pedestrian safety.
4. Will not adversely alter drainage patterns or rates of flow on adjacent properties or pose any risk of hazard to the public health, safety, or general welfare on adjacent properties or elsewhere in Town.

C. Accessory Dwelling Unit Requirements:

1. ADUs may not be in separate ownership from the main residence.
2. Maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress.
3. A total of one (1) Accessory Dwelling Unit shall be allowed on a residential lot under Section 6.7.3.A or 6.7.3.B of the zoning bylaw.
4. A total of two (2) Accessory Dwelling Units can only be sought as a combination of one (1) attached and one (1) detached ADU by special permit approval, subject to the requirements of this Section and the findings listed under Section 6.7.3.B.1 through 4 of the zoning bylaw.
5. A detached ADU subject to Section 6.7.3.B of the zoning bylaw shall not be visible from the public right-of-way if located between the main dwelling and the street where frontage is located. If the structure is or will potentially be visible, the Planning Board may waive this requirement as part of the issuance of a special permit under Section 6.7.3.B if it deems the proposal otherwise conforms with the intent of the zoning bylaw and will not result in any significant adverse impacts.
6. No Accessory Dwelling Unit may be constructed without prior approval of a Building Permit.
7. The gross floor area of a detached Accessory Dwelling Unit shall be no larger in floor area than 1/2 of the floor area of the principal dwelling or 900 square feet, whichever is smaller (stairwell access, porches, patios, shall not be included in the computation).
8. An addition or remodel to an original dwelling is permitted, provided that the Accessory Dwelling Unit shall be clearly a subordinate part of the dwelling with any addition being not more than 1/3 of the floor area of the principal dwelling or 900 square feet, whichever is smaller (excluding unfinished attic and basement, garage, porch, patio).
9. An existing accessory structure or portion thereof may be converted to an Accessory Dwelling Unit as long as the converted portion is no larger than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller.
10. The siting of an ADU in an existing nonconforming primary or secondary structure shall be subject to a special permit under Section 6.7.3.B and 6.1.3 of the zoning bylaw.

11. The construction of the Accessory Dwelling Unit shall conform to all applicable standards in the State Sanitary, Building and other applicable codes required for a residential dwelling.
12. ADUs will follow the rules for residential structures for setbacks, lot coverage, etc. conforming to Section 5.1 of the zoning bylaw.
13. Vehicles may only be parked in driveways or in parking areas located no closer to the street than the structure containing the ADU.

Article 2: To see if the Town will vote to accept the following proposed zoning bylaw with respect to Short-term Rental of Residential Properties to wit.

6.8. SHORT-TERM RENTAL OF RESIDENTIAL PROPERTIES

6.8.1. Purpose Short-Term Rentals (STRs) as defined in this section are allowed for residential properties in accordance with the regulations below. These regulations exist to promote and support the town as an attractive travel destination, and seek to:

- A. Provide a range of accommodations for town visitors and guests.
- B. Preserve and protect the single-family residential character of the town.
- C. Provide residents with an opportunity for supplemental income from their properties to better afford to reside in Town, maintain their properties, and contribute to the community.

6.8.2. Definition: Short-Term Rental: an owner-occupied or non-owner occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment, where:

- A. at least 1 room or unit is rented to an occupant or sub-occupant;
- B. all accommodations are reserved in advance; and,
- C. an occupant maintains tenancy for 31 or less calendar days.

6.8.3 Applicability:

A. Owner occupied dwelling units or property

1. Up to two bedrooms in an owner occupied dwelling unit may be rented year-round byright provided that the dwelling unit is owner occupied at the time of the rental.
2. A separate attached or detached dwelling unit located on a property with an owner occupied dwelling unit at the time of the rental may be rented year-round by-right.

B. Non-owner occupied property

1. An entire dwelling unit may be rented up to 150 days per calendar year by right.
2. An entire dwelling unit may be rented for an additional 50 days (up to 200 days in total) per calendar year by Special Permit.

6.8.4. Requirements:

A. During the Short-Term Rental use

1. All overnight parking must be within the property's driveway or garage.

2. Events that include tents or amplified music or which would customarily require a license or permit are not allowed.
- B.** Signs advertising the Short-Term Rental are not allowed.
 - C.** Operators of Short-Term Rentals must register annually with the Town and the Massachusetts Department of Revenue (DOR).
 - D.** A certificate of registration must be clearly posted on the exterior of the Short-Term Rental unit at all times.
 - E.** Short-term rental properties will be subject to the Massachusetts state room occupancy excise tax as per Massachusetts General Law c. 64G, §3.
 - F.** A Short-Term Rental is not allowed on any property with outstanding violations of the Building Code, Fire Code, Board of Health, or Town General Bylaws

Article 3: To see if the Selectmen shall be an agent for the Town in defense of any suits for, and on behalf of the Town, and to adjust all claims for damage against the Town, and to choose an agent, or pass any vote thereon.

Article 4: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Select Board, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2023 and ending June 30, 2024, and to issue a note or notes therefore payable within one year, in accordance with Section 17, Chapter 44 of the General Laws, also temporary loans under Provision 6A, Chapter 44 of the General Laws.

Article 5: To see if the Town will vote to fix the annual salary and compensation of all elected officers of the Town as provided by Section 108, Chapter 41 of the General Laws, as amended, all salaries to be effective as of July 1, 2023:

a. Town Clerk -----	\$9,802.00
b. Selectmen - Chairperson-----	\$2,735.00
c. Select Board – Chairperson Stipend-----	\$ 500.00
d. Selectmen - Clerk-----	\$2,735.00
e. Selectmen – 3 rd Member-----	\$2,735.00
f. Moderator-----	\$ 85.00

Article 6: To see if the Town will vote to raise and appropriate the sum of \$18,592.00 for Elected Officers' salaries.

Article 7: To see if the Town will vote to raise and appropriate the sum of \$209,081.56 for general government accounts to be appropriated as follows:

a. Reserve Account -----	\$20,000.00
b. Town Counsel Yearly Retainer -----	\$ 6,000.00
c. Legal Expenses -----	\$ 3,000.00
d. Administrative Assistant Salary -----	\$19,956.00
e. Selectmen's Expenses -----	\$ 2,000.00
f. Website and Digital Communication-----	\$ 2,122.00
g. Planning Board Expenses -----	\$ 500.00
h. Berkshire Regional Planning Commission-----	\$ 420.56
i. Assessors - Chairperson-----	\$ 4,574.00

j. Assessors - Clerk-----	\$ 4,117.00
k. Assessors – Third Member-----	\$ 3,300.00
l. Assessors Expenses-----	\$ 2,000.00
m. Appraisal Services (504 Pubic Utilities)-----	\$ 2,000.00
n. Consultant Services for Revaluation-----	\$15,000.00
o. Assessors' Computer Services -----	\$ 4,019.00
p. Tax Map Maintenance-----	\$ 4,000.00
q. Appointed Treasurer Salary-----	\$16,125.00
r. Treasurer's Expenses -----	\$ 3,200.00
s. Treasurer's Tax Title Expense -----	\$ 5,000.00
t. Interest and Issuance on Short-Term Notes-----	\$ 3,000.00
u. Insurance (Workman's Comp. & general property)----	\$19,800.00
v. Medicare Taxes for Town Employees-----	\$ 6,247.00
w. Auditing Expenses-----	\$ 6,000.00
x. Accounting Officer Salary -----	\$19,565.00
y. Accounting Officer Expenses-----	\$ 400.00
z. Accounting Software (Vadar)-----	\$ 3,575.00
aa. Appointed Tax Collector Salary-----	\$17,146.00
bb. Assistant Tax Collector's Salary -----	\$ 2,365.00
cc. Tax Collector Certification Stipend-----	\$ 1,000.00
dd. Tax Collector's Expenses -----	\$ 4,500.00
ee. Tax Collector's Tax Title Expenses -----	\$ 2,000.00
ff. Town Clerk's Expenses -----	\$ 3,500.00
gg. Clerk of Board of Registrars-----	\$ 100.00
hh. Computer Support – Accessible Voting-----	\$ 1,200.00
ii. Records Preservation Account -----	\$ 0.00
jj. Town Reports -----	\$ 500.00
kk. Finance Committee Expenses -----	\$ 150.00
ll. Conservation Commission-----	\$ 250.00
mm. Conservation Commission Training-----	\$ 150.00
nn. Zoning Enforcement Officer's Expense Account-----	\$ 200.00
oo. Zoning Board of Appeals Expenses-----	\$ 100.00

Article 8: To see if the Town will vote, pursuant to the provisions of Section 4A of Chapter 40 of the Massachusetts General Laws, to authorize the Board of Selectmen to enter into an inter-municipal agreement with other cities, towns, and political subdivisions for the group purchasing of supplies, commodities, and services that the town is authorized by law to purchase, and to raise and appropriate the sum of \$800.00 as the town's share of the expenses for the administration of the Berkshire Regional Group Purchasing Program for Fiscal Year 2024.

Article 9: To see if the Town will vote to raise and appropriate the sum of \$103,937.00 for Capital Costs of the Central Berkshire Regional School District to be appropriated as follows:

a. Becket-Washington School (Debt Exclusion) FY25----	\$25,896.00
b. Wahconah Regional High School – Doors, FY29-----	\$ 3,739.00
c. WRHS Building Project (Debt Exclusion), FY47-----	\$74,302.00

Article 10: To see if the Town will vote to approve the Central Berkshire Regional School District budget for the 2024 fiscal year, as adopted on March 9, 2023, by two thirds vote of the Regional School Committee, and to raise and appropriate the sum of \$746,093.00 for the operation of the Central Berkshire Regional School District to be appropriated as follows:

a. Required Local Contribution-----	\$534,695.00
b. Transportation Assessment-----	\$ 20,093.00
c. Basic Budget Balance-----	\$191,305.00

Article 11: To see if the Town will vote to raise and appropriate the sum of \$178,269.00 for Vocational Education accounts to be appropriated as follows:

a. Vocational Education Tuition-----	\$118,989.00
b. Vocational Education Bus Operator-----	\$ 26,420.00
c. Vocational Education Transportation Contract Services	\$ 28,950.00
d. Vocational Education Bus Maintenance-----	\$ 3,000.00
e. Vocational Education Vehicle Insurance-----	\$ 910.00

Article 12: To see if the Town will vote to raise and appropriate the sum of \$ 671,552.00 for the Highway Department to be appropriated as follows:

a. Salaries -----	\$180,960.00
b. Winter Road Overtime-----	\$ 19,233.00
c. Non-Winter Overtime-----	\$ 6,074.00
d. Summer Help-----	\$ 6,400.00
e. Road & Bridge Maintenance-----	\$ 80,000.00
f. Winter Snow & Ice Removal-----	\$105,000.00
g. Engineering Consultation-----	\$ 8,100.00
h. Tree Work-----	\$ 15,000.00
i. Fuel-----	\$ 30,000.00
j. Machinery Repair-----	\$ 27,000.00
k. General Maintenance, Tools & Supplies-----	\$ 38,000.00
l. Highway Department Operating Expenses-----	\$ 18,000.00
m. Highway Equipment Insurance-----	\$ 16,268.00
n. Health, Dental, Life Insurance (town share)-----	\$ 70,700.00
o. Berkshire County Retirement-----	\$ 50,817.00

Article 13: To see if the Town will appropriate \$400,000 for the purchase of a replacement heavy-duty plow truck with wing and sander, including the payment of all costs incidental and related thereto, and that to meet this appropriation the Treasurer, with the approval of the Select Board, shall be authorized to borrow said amount under and pursuant to Chapter 44 Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Article 14: To see if the Town will vote to raise and appropriate the sum of \$73,142.31 for health and safety accounts to be appropriated as follows:

a. Becket Fire Department – fire protection -----	\$ 16,557.00
b. Becket Firemen’s Association -----	\$ 250.00
c. Fire Chief’s Expenses-----	\$ 150.00

d. Police Salary-----	\$ 15,000.00
e. Police Department Expenses -----	\$ 4,000.00
f. Police Department Telecommunication-----	\$ 3,500.00
g. Police and Fire Department Insurance-----	\$ 8,512.00
h. Enhanced 911 -----	\$ 10,813.31
i. Animal Control Officer Reimbursements -----	\$ 800.00
j. Animal Control Officer Expenses -----	\$ 250.00
k. Board of Health Expenses -----	\$ 1,500.00
l. Health Agent (Berkshire Public Health Alliance)-----	\$ 4,500.00
m. Public Health Nurse-----	\$ 2,310.00
n. Building Inspector Salary -----	\$ 5,000.00

Article 15: To see if the Town will vote to raise and appropriate the sum of \$20,751.00 for services to the Washington community to be appropriated as follows:

a. Sons and Daughters Reunion -----	\$ 600.00
b. Historical Commission -----	\$ 400.00
c. Veteran's Aid -----	\$ 1,000.00
d. Veteran's Services Inter-Municipal Agreement-----	\$ 1,250.00
e. Council on Aging -----	\$ 1,500.00
f. Donation to the Becket Athenaeum Operating-----	\$ 9,721.00
g. Donation to the Becket Athenaeum Capital-----	\$ 2,000.00
h. Washington TRACKS -----	\$ 3,000.00
i. Becket Beach-----	\$ 1,280.00

Article 16: To see if the Town will vote to raise and appropriate the sum of \$46,752.00 for operation of the Solid Waste Transfer Station to be appropriated as follows:

a. Operating Expenses-----	\$35,000.00
b. Attendant Labor-----	\$10,252.00
c. Facility Maintenance-----	\$ 1,500.00

Article 17: To see if the Town will vote to raise and appropriate the sum of \$ 112,963.00 to pay notes and interest due on the following:

a. Culverts, FY33-----	\$36,968.00
b. 5500 Plow & Sander, FY23-----	\$ 0.00
c. Last-Mile Fiber Network, FY34 (debt exclusion)-----	\$75,995.00

Article 18: To see if the Town will vote to raise and appropriate the sum of \$ 32,612.00 for the following buildings, grounds, and equipment accounts:

a. Town Buildings Operating Expenses-----	\$14,000.00
b. Town Hall Repair and Maintenance-----	\$ 6,000.00
c. Custodian Reimbursement-----	\$ 3,763.00
d. Maintenance Coordinator Reimbursement-----	\$ 699.00
e. Town Office Equipment and Support-----	\$ 3,000.00
f. Town Offices Supplies and Services-----	\$ 1,000.00
g. Historical Properties Repairs and Maintenance-----	\$ 1,650.00
h. Town Park-----	\$ 2,500.00

Article 19: To see if the Town will vote to raise and appropriate the sum of \$ 50,044.00 for the following compensation for a part-time Shared Town Administrator:

- a. Town Administrator – Shared Services (1st year) ----- \$40,000.00
- b. Town Administrator Benefits----- \$10,044.00

Article 20: To see if the Town will appropriate from Free Cash the sum of \$15,000.00 to remove diseased ash trees that present a liability along Town roads and public ways.

Article 21: To see if the Town will appropriate from Free Cash the sum of \$3,570.00 to complete the refurbishing of the Saint Andrews Chapel stained-glass windows.

Article 22: To see if the Town will appropriate from Free Cash the sum of \$20,000.00 to develop additional cemetery space within Town.

Article 23: To see if the Town will appropriate from Free Cash the sum of \$10,000.00 to pursue an easement to access Saint Andrew’s Chapel.

Article 24: To see if the Town will appropriate from Free Cash the sum of \$4,500.00 to make repairs to the Old Town Hall and Saint Andrew’s Chapel.

Article 25: To see if the Town will appropriate from Free Cash the sum of \$8,020.00 to make repairs to the Town Hall.

Article 26: To see if the Town will appropriate from Free Cash the sum of \$3,000.00 to provide local matching funds for a Planning Assistance Grant from the Executive Office of Energy and Environmental Affairs to conduct a review of the Town’s zoning bylaws.

Article 27: To see if the Town will appropriate from Free Cash the sum of \$3,000.00 to get an appraisal of Virginia Lakes Unit 2 town-owned properties for the purposes of disposition under Ch 30B Section 16.

Article 28: To see if the Town will transfer the sum of \$20,000 from Free Cash into the Stabilization Account.

Article 29: To see if the Town will transfer the sum of \$20,000.00 from Free Cash to reduce the FY24 tax rate.

Article 30: To see if the Town will vote to set the limit on the total amount that can be expended from each of the town’s established revolving funds, in accordance with General Laws Chapter 44 Section 53E½, as follows:

- a. Electrical Inspector: Expenditures not to exceed \$2,500.00
- b. Gas & Plumbing Inspector: Expenditures not to exceed \$2,000.00
- c. Fire Inspector: Expenditures not to exceed \$2,000.00
- d. St. Andrew’s Chapel Rentals and Maintenance: Expenditures not to exceed \$4,000.00
- e. Washington Town Park: Expenditures not to exceed \$6,000.00
- f. Washington Council on Aging Donations: Expenditures not to exceed \$2,000.00

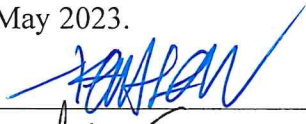
- g. Washington Historical Commission: Expenditures not to exceed \$2,000.00
- h. Tax-Title Fees & Charges: Expenditures not to exceed \$7,000
- i. Becket Beach Fund: Expenditures not to exceed \$3,500

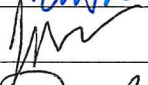
Article 31: To see if the Town will choose all other Town Officers not required by law to be chosen by ballot: 2 Field Drivers, 2 Fence Viewers, 1 Surveyor of Lumber, 1 Measurer of Wood and Bark, 1 Sexton, and 1 Assistant Sexton. All nominations for the above-mentioned officers to be made from the floor.

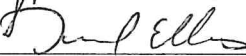
You are hereby directed to serve this warrant by posting attested copies hereof at each of the usual places for posting attested warrants of such nature seven days at least before the time and place of said meeting.

Hereof fail not to make due return of this warrant with doings thereof to the Town Clerk at the time and place of holding said meeting.

Given under our hands this 1st day of May 2023.

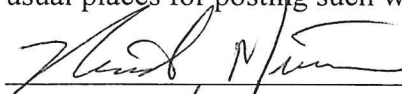






Selectmen
of
Washington

I hereby certify that I have served this warrant by posting attested copies hereof at each of the usual places for posting such warrants.



Constable

5/1/23

A True Copy Attest

Date of Posting/Return of Service

jh 05/01/2023