

COMMONWEALTH OF MASSACHUSETTS

ADA ADVISORY

Anyone in need of special accommodations for the Town Meeting, please contact the Office of the Selectboard at 413-665-1400 by 3:00 pm on April 19, 2023, in order that reasonable accommodations may be made.

FRANKLIN SS:

To any of the Constables in the Town of Deerfield, in the County of Franklin,

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 at seven o'clock in the evening on Monday, April 24, 2023, at the Frontier Regional School on 113 North Main Street in the Village of South Deerfield, then and there to act upon the following articles:

ARTICLE 1 To see if the Town will vote the following articles:

A. Reports of Officers

To see if the Town will hear the reports of the Selectboard, the Deerfield School Committee, and all other Town officers, boards, committees, and commissions, or take any action relative thereto.

B. Elected Officials Compensation

To see if the Town will vote to establish the salaries and compensation of all elected officers of the Town as contained within the omnibus budget of the Town, for the Fiscal Year beginning July 1, 2023, or take any action relative thereto.

| OFFICIAL | REQUESTED | RECOMMENDED |
|--|------------------|--------------------|
| <i>Moderator, Annual Town Meeting</i> | \$ 300.00 | \$ 300.00 |
| <i>Moderator, Special Town Meeting (\$50/mtg.)</i> | \$ 100.00 | \$ 100.00 |
| <i>Selectboard, Chair</i> | \$ 6,000.00 | \$ 6,000.00 |
| <i>Selectboard, Associate Members (2)</i> | \$ 5,000.00 | \$ 5,000.00 |
| <i>Assessors, Chair</i> | \$ 4,000.00 | \$ 4,000.00 |
| <i>Assessors, Associate Members (2)</i> | \$ 3,500.00 | \$ 3,500.00 |
| <i>School Committee, Chair</i> | \$ 150.00 | \$ 150.00 |
| <i>School Committee, Assoc. Members (4)</i> | \$ 100.00 | \$ 100.00 |

C. Acknowledgement of Gifts

To see if the Town will vote to acknowledge the following monetary gifts made to the Town in appreciation of services rendered, that have been deposited by the Treasurer in the General or related Special Funds of the Town; and to acknowledge countless non-monetary gifts made to the Town by our non-profit partners or take any action relative thereto.

Monetary Gifts in appreciation for services rendered

The

| | |
|-------------------|-----------|
| Deerfield Academy | \$139,712 |
| Eaglebrook School | \$52,000 |
| Bement School | \$10,000 |
| Woolman Hill | \$4,543 |

Monetary pledges toward replacement of the Deerfield Elementary School Roof completed in 2016, paid over a 5 -to- 10-year period.

| | |
|--------------------|-----------|
| Deerfield Academy | \$105,000 |
| Eaglebrook School | \$75,000 |
| Historic Deerfield | \$25,000 |
| Bement School | \$20,000 |

Pledges received in the last 12 months

| | |
|-------------------|----------|
| Deerfield Academy | \$10,500 |
| Eaglebrook School | \$15,000 |
| Bement School | \$2,000 |

Monetary donation towards School Resource Officer Program the past 12 months

| | |
|-------------------|----------|
| Deerfield Academy | \$30,000 |
|-------------------|----------|

Town of Deerfield gratefully acknowledges countless non-monetary gifts made by all our non-profit partners during the last 12 months.

D. Library Interest

To see if the Town will vote to transfer the interest earned for the preceding year from the Dickinson Library Trust fund to the Tilton Library, and to Frontier Regional School for Library use, for the Fiscal Year beginning July 1, 2023, as referenced in this article, or take any action relative thereto.

Dickinson Library Trust Interest

| | |
|--|---------|
| Tilton Library for Library Use (85%) | \$1,278 |
| Frontier Regional School for Library use (15%) | \$225 |
| Total | \$1,503 |

E. Acceptance of Grants

To see if the Town will vote to authorize the Selectboard to apply for, accept and expend for specific purposes any monies provided by any Federal or State Grants or Programs which may be awarded to the Town, or take any action relative thereto.

F.) Selectboard Contract Authority

To see if the Town, in accordance with G.L c. 30B §12(b) will vote to authorize the Selectboard to negotiate and enter into contracts with vendors as they deem necessary or beneficial, for a term of no more than five (5) years, or take any action relative thereto.

G. Assessors Contract Authority

To see if the Town, in accordance with G.L c. 30B §12(b) will vote to authorize the Board of Assessors to negotiate and enter into contracts with vendors as they deem necessary or beneficial, for a term of no more than five (5) years, or take any action relative thereto.

ARTICLE 2 To see if the Town will vote to transfer from Free Cash the following Special Appropriations as a consent article:

A. Reserve Fund Appropriation

The sum of **\$120,000** for the Reserve Fund of the Town in accordance with G.L. c.40 §6 for the Fiscal Year beginning July 1, 2023;

B. OPEB Liability Trust Fund Appropriation

The sum of **\$39,308** for the Other Post-Employment Benefits (OPEB) Liability Trust Fund for the Fiscal Year beginning July 1, 2023;

C. Out of District Placement (Vocational Education) Appropriation

The sum of **\$160,000** for the tuition and transportation expenses of students to the Smith Vocational and Agricultural High School for the Fiscal Year beginning July 1, 2023;

Or take any action relative thereto.

ARTICLE 3 To see if the Town will vote to fix the maximum amount that may be spent for the Fiscal Year beginning July 1, 2023, for the revolving funds established in the Deerfield General Bylaws, c. 20 §20-3, Departmental Revolving Funds for certain departments, boards, committees, agencies or officers in accordance with G.L. c.44 §53E½, as referenced in this article, or take any action relative thereto.

| FUND | SPENDING LIMIT |
|----------------------|----------------|
| Recycling | \$20,000.00 |
| Parks and Recreation | \$75,000.00 |
| Planning | \$25,000.00 |

ARTICLE 4 To see if the Town will adopt a Classification-Compensation Plan per the Deerfield General Bylaws c.35, Personnel, Article III, Classification-Compensation Plan, for the Fiscal Year beginning July 1, 2023, as referenced in this article, or take any action relative thereto.

| Grade | Position | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 | Step 10 | Step 11 | Step 12 |
|----------|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|
| A | | | | | | | | | | | | | |
| | Landfill Attendants | 17.51 | 17.95 | 18.40 | 18.86 | 19.33 | 19.81 | 20.31 | 20.82 | 21.34 | 21.87 | 22.42 | 22.98 |
| | Library Assistant(s) | 17.51 | 17.95 | 18.40 | 18.86 | 19.33 | 19.81 | 20.31 | 20.82 | 21.34 | 21.87 | 22.42 | 22.98 |
| B | | | | | | | | | | | | | |
| | Adult Circulation | 20.14 | 20.64 | 21.16 | 21.69 | 22.23 | 22.79 | 23.36 | 23.94 | 24.54 | 25.15 | 25.78 | 26.42 |
| | Circulation & Technical Services Assistant(s) | 20.14 | 20.64 | 21.16 | 21.69 | 22.23 | 22.79 | 23.36 | 23.94 | 24.54 | 25.15 | 25.78 | 26.42 |
| | Program Coordinator ❖ | 20.14 | 20.64 | 21.16 | 21.69 | 22.23 | 22.79 | 23.36 | 23.94 | 24.54 | 25.15 | 25.78 | 26.42 |
| C | | | | | | | | | | | | | |
| | Head of Adult Services | 23.16 | 23.74 | 24.33 | 24.94 | 25.56 | 26.20 | 26.86 | 27.53 | 28.22 | 28.93 | 29.65 | 30.39 |
| | Head of Young Adult Services | 23.16 | 23.74 | 24.33 | 24.94 | 25.56 | 26.20 | 26.86 | 27.53 | 28.22 | 28.93 | 29.65 | 30.39 |
| | Operator-in-Training | 23.16 | 23.74 | 24.33 | 24.94 | 25.56 | 26.20 | 26.86 | 27.53 | 28.22 | 28.93 | 29.65 | 30.39 |
| | Outreach Coordinator ❖ | 23.16 | 23.74 | 24.33 | 24.94 | 25.56 | 26.20 | 26.86 | 27.53 | 28.22 | 28.93 | 29.65 | 30.39 |
| | Administrative Assistant(s) | 23.16 | 23.74 | 24.33 | 24.94 | 25.56 | 26.20 | 26.86 | 27.53 | 28.22 | 28.93 | 29.65 | 30.39 |
| | EMT-Basic(s) ⌘ | 23.16 | 23.74 | 24.33 | 24.94 | 25.56 | 26.20 | 26.86 | 27.53 | 28.22 | 28.93 | 29.65 | 30.39 |
| | Assistant Town Clerk | 23.16 | 23.74 | 24.33 | 24.94 | 25.56 | 26.20 | 26.86 | 27.53 | 28.22 | 28.93 | 29.65 | 30.39 |
| D | | | | | | | | | | | | | |
| | Children's Librarian | 26.63 | 27.30 | 27.98 | 28.68 | 29.40 | 30.14 | 30.89 | 31.66 | 32.45 | 33.26 | 34.09 | 34.94 |
| | Advanced EMT ⌘ | 26.63 | 27.30 | 27.98 | 28.68 | 29.40 | 30.14 | 30.89 | 31.66 | 32.45 | 33.26 | 34.09 | 34.94 |
| | Operator(s) - Sewer | 26.63 | 27.30 | 27.98 | 28.68 | 29.40 | 30.14 | 30.89 | 31.66 | 32.45 | 33.26 | 34.09 | 34.94 |
| E | | | | | | | | | | | | | |
| | Paramedic(s) ⌘ | 30.62 | 31.39 | 32.17 | 32.97 | 33.79 | 34.63 | 35.50 | 36.39 | 37.30 | 38.23 | 39.19 | 40.17 |
| | Senior Center Director ❖ | 30.62 | 31.39 | 32.17 | 32.97 | 33.79 | 34.63 | 35.50 | 36.39 | 37.30 | 38.23 | 39.19 | 40.17 |
| | Assistant to Board of Assessors | 30.62 | 31.39 | 32.17 | 32.97 | 33.79 | 34.63 | 35.50 | 36.39 | 37.30 | 38.23 | 39.19 | 40.17 |
| | Assistant Treasurer/Collector | 30.62 | 31.39 | 32.17 | 32.97 | 33.79 | 34.63 | 35.50 | 36.39 | 37.30 | 38.23 | 39.19 | 40.17 |
| | Recreation Director | 30.62 | 31.39 | 32.17 | 32.97 | 33.79 | 34.63 | 35.50 | 36.39 | 37.30 | 38.23 | 39.19 | 40.17 |
| F | | | | | | | | | | | | | |
| | Health Agent | 35.21 | 36.09 | 36.99 | 37.91 | 38.86 | 39.83 | 40.83 | 41.85 | 42.90 | 43.97 | 45.07 | 46.20 |
| | EMS Deputy Chief ⌘ | 35.21 | 36.09 | 36.99 | 37.91 | 38.86 | 39.83 | 40.83 | 41.85 | 42.90 | 43.97 | 45.07 | 46.20 |
| | Asst Town Administrator | 35.21 | 36.09 | 36.99 | 37.91 | 38.86 | 39.83 | 40.83 | 41.85 | 42.90 | 43.97 | 45.07 | 46.20 |
| | Chief WWTP Operator | 35.21 | 36.09 | 36.99 | 37.91 | 38.86 | 39.83 | 40.83 | 41.85 | 42.90 | 43.97 | 45.07 | 46.20 |
| | Library Director | 35.21 | 36.09 | 36.99 | 37.91 | 38.86 | 39.83 | 40.83 | 41.85 | 42.90 | 43.97 | 45.07 | 46.20 |
| | Planning/Econ Develop Coordinator | 35.21 | 36.09 | 36.99 | 37.91 | 38.86 | 39.83 | 40.83 | 41.85 | 42.90 | 43.97 | 45.07 | 46.20 |
| | Asst Public Works Supt | 35.21 | 36.09 | 36.99 | 37.91 | 38.86 | 39.83 | 40.83 | 41.85 | 42.90 | 43.97 | 45.07 | 46.20 |

| G | | | | | | | | | | | | | |
|-----------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--|
| Public Works Superintendent | 38.73 | 39.70 | 40.69 | 41.71 | 42.75 | 43.82 | 44.92 | 46.04 | 47.19 | 48.37 | 49.58 | 50.82 | |
| Town Clerk | 38.73 | 39.70 | 40.69 | 41.71 | 42.75 | 43.82 | 44.92 | 46.04 | 47.19 | 48.37 | 49.58 | 50.82 | |
| Treasurer/Collector | 38.73 | 39.70 | 40.69 | 41.71 | 42.75 | 43.82 | 44.92 | 46.04 | 47.19 | 48.37 | 49.58 | 50.82 | |
| Building Commissioner | 38.73 | 39.70 | 40.69 | 41.71 | 42.75 | 43.82 | 44.92 | 46.04 | 47.19 | 48.37 | 49.58 | 50.82 | |
| EMS Chief ☼ | 38.73 | 39.70 | 40.69 | 41.71 | 42.75 | 43.82 | 44.92 | 46.04 | 47.19 | 48.37 | 49.58 | 50.82 | |

| LONGEVITY | 10-14 Yrs \$200 | 15-19 Yrs \$300 | 20-24 Yrs \$400 | 25+ Yrs \$500 |
|------------------|------------------------|------------------------|------------------------|----------------------|
|------------------|------------------------|------------------------|------------------------|----------------------|

☼ South County Emergency Medical Services employees

❖ South County Senior Center employees

ARTICLE 5 To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to fund a Fiscal Year 2023 shortfall related to Snow and Ice Removal Expenses, or take any action relative thereto.

ARTICLE 6 To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money for general municipal purposes and services to operate the Town for the Fiscal Year commencing July 1, 2023. Such amounts are designated under Requests in the Omnibus Budget as shown in the Report of the Finance Committee for the Fiscal Year beginning July 1, 2023, and may be decreased but not increased, or take any action relative thereto.

ARTICLE 7 To see if the Town will vote to raise and appropriate, take from available funds, or otherwise provide the sum of **\$100,000** to replace the tennis courts for the Frontier Regional School District for the Fiscal Year beginning July 1, 2023, or take any other action in relation thereto.

| Allocated Costs | |
|-----------------|---------------------|
| Conway | \$16,463.41 |
| Deerfield | \$48,693.38 |
| Sunderland | \$23,432.06 |
| Whately | \$11,411.15 |
| Total | \$100,000.00 |

This article was voted on and supported by the 4-town Frontier Capital Improvement Committee made up of members of both Select Board and School Committee Members from each town. Additionally, the School Committee voted and approved this project at the January 10, 2023 school committee meeting.

ARTICLE 8 To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to operate the Sewer Enterprise Fund for the Fiscal Year beginning July 1, 2023, in accordance with the provisions of G.L. c.44, §53F½, such amount to be funded from enterprise revenue and retained earnings, as referenced in this article, or take any action relative thereto.

| | |
|------------------------------|---------------------------|
| <u>Revenues</u> | |
| <i>User and Hookup Fees</i> | \$ 1,890,731 |
| <i>Retained Earnings</i> | \$ 250,000 |
| <i>Investment Income</i> | \$ 2,000 |
| <i>Total Revenues</i> | <i>\$2,142,731</i> |

| | |
|--|---------------------------|
| <u>Expenses</u> | |
| <i>Salaries/Wages</i> | \$ 435,366 |
| <i>Operating Expenses</i> | \$ 742,700 |
| <i>Debt Service</i> | \$ 846,065 |
| <i>Indirect Costs</i> | \$ 77,600 |
| <i>Operational Reserve</i> | \$ 41,000 |
| <i>Total Enterprise Fund Expenses</i> | <i>\$2,142,731</i> |

ARTICLE 9 To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to operate the South County Emergency Medical Services (SCEMS) Enterprise Fund for the Fiscal Year beginning July 1, 2023, in accordance with the provisions of G.L. c.44, §53F½, such amount to be funded from enterprise revenue and the Town’s Free Cash, or take any action relative thereto.

ARTICLE 10 To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to fund the Capital Improvements Plan for the Fiscal Year beginning July 1, 2023, or take any action relative thereto.

ARTICLE 11 To see if the Town will act on the recommendations of the Community Preservation Committee for the Community Preservation Fund budget for the Fiscal Year beginning July 1, 2023, with each item to be considered a separate appropriation, or take any action relative thereto.

Community Preservation Reserve Balances as of June 30, 2022:

| | |
|--------------------------------|-------------|
| Reserve for Open Space | \$25,000 |
| Reserve for Historic Resources | \$33,525 |
| Reserve for Community Housing | \$559,455 |
| Undesignated Fund Balance | \$1,144,297 |

ARTICLE 12 To see if the Town will vote to amend the Town Meeting vote of April 29, 2019, Article 16, by deleting the words “Any appropriation shall be contingent upon a permanent deed restriction in compliance with the Massachusetts Historical Commission recommendations on said property for present and future owners being recorded at the Massachusetts Registry of Deeds.” and replacing it with **“Any appropriation shall be contingent upon a historical preservation deed restriction on said property for present and future owners being recorded at the Franklin County, Massachusetts Registry of Deeds and which may be done in two steps and when finalized will be perpetual. The release of funds may be made following the initial recording of the restriction”**, or take any action relative thereto.

ARTICLE 13 To see if the town will vote, pursuant to Massachusetts General Laws c. 71, §16 G ½ to establish a Capital Stabilization Fund for the Frontier Regional School District or take any other action relative thereto.

This article allows for the creation of a capital stabilization fund, which may be funded not just with town assessments but also with funds from other sources, such as School Choice and E&D, which is the school’s version of Free Cash. A yes vote would mean that the town authorizes the Frontier Regional School District to create a capital stabilization fund. Money can only be spent from the capital stabilization fund if ⅔ of the School Committee approves.

ARTICLE 14 To see if the Town will vote to accept the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2023, and create the Opioid Settlement Stabilization Fund to be established under Massachusetts General Laws Chapter 40, Section 5B, effective for fiscal year 2024 beginning on July 1, 2023 for the purposes of using Opioid Settlement money received by the Town for Opioid Use Disorder (“OUD”) Treatment; Support Programs for People with OUD in Treatment and Recovery; Connects to Care for People with or at risk of developing OUD; Harm Reduction efforts to prevent overdoses deaths or other opioid related harms; Support of diversion and deflection programs and strategies for criminal-justice-involved persons with OUD; Support of Pregnant or Parenting Women And Their Families, Including Babies With Neonatal Abstinence Syndrome; To Prevent Misuse of Opioids And Implement Prevention Education or take any other action relative thereto.

Quantum vote: Two-thirds (2/3) Majority

ARTICLE 15 To see if the Town will dedicate all or a percentage, which may not be less than 25 percent, of the Opioid Settlements to the Opioid Settlement Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for fiscal year 2024 beginning on July 1, 2023; or take any other action relative thereto.

Quantum vote: Two-thirds (2/3) Majority

ARTICLE 16 To see if the Town will vote to amend Deerfield General Bylaw, c.48, §48-1, as follows (cross through deletion and underline and bold new):

The Annual Town Meeting shall be held on the ~~last Monday of April~~ **third Saturday of May** in each year. The Meeting will be at ~~7:00 p.m.~~ **9:00 a.m.** for the consideration of all lawful business and Town affairs that may properly come before the Meeting. The Meeting will then adjourn to **no earlier than** the ~~first Monday in May~~ **following Tuesday** at 10:00 a.m. with the polls to close at 8:00 p.m. for the election of such officers and the determination of such matters as by law are required to be elected or determined by ballot, or take any action relative thereto.

ARTICLE 17 To see if the Town will vote to amend chapter 48 of the Town of Deerfield General Bylaws as follows:

Section 48-1 shall be amended by adding the following paragraph at the end of the current language (cross through deletion and underline and bold new):

A Special Town Meeting shall be held at 9:00 a.m. on the fourth Saturday of October in each year. The Selectboard may vote at least fourteen days before the Special Town Meeting to cancel the meeting if no business requires consideration.

Or take any action relative thereto.

ARTICLE 18 To see if the Town will vote to accept G.L. c. 41 §110A, to authorize the Town Clerk's office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for the purpose of calculating the time frame for filing matters in that office; or take any action relative thereto.

ARTICLE 19 To see if the Town will vote to amend the Deerfield Zoning Bylaws, c.179, delete §2244 in its entirety and to add a new section §3900; to amend §2230, Use Regulation Schedule, and to amend §3100 as follows:

3900. ACCESSORY APARTMENTS

3910. Purpose. The purpose of the Accessory Apartment bylaw is to:

1. Provide homeowners with a means of obtaining, through tenants in Accessory Apartments, rental income, companionship, security, and

services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.

2. Make rental housing units available to households who might otherwise have difficulty finding homes within the town, and to meet the needs of smaller households, both young and old.
3. Protect stability, property values, and the residential character of a neighborhood by ensuring that Accessory Apartments are installed only in owner-occupied houses and under such additional conditions as may be appropriate to further the purposes of this bylaw.

3920. Definitions. The words and phrases below shall be defined, for purposes of this bylaw, Section 3900, as follows:

Accessory Dwelling Unit or Accessory Apartment: a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) 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; (ii) is not larger in floor area than 900 square feet, excluding unfinished attic and basement, garage and porch; and (iii) is subject to such additional restrictions as may be imposed herein. In no case will the ADU be larger than the principal dwelling.

Building, Attached: A building having any portion of one or more walls in common with an adjacent building.

Building, Detached: A free standing structure on a permanent foundation with no walls in common with the principal dwelling.

Floor Area: The finished area of above grade floors in a residential structure, excluding unfinished areas with ceiling heights less than seven (7) feet and attics, unfinished areas of unheated space and attached or detached garages. As used in these by-laws, the term “finished area” shall mean the heated enclosed area within a Dwelling Unit that is suitable for year-round use, embodying walls, floors, and ceilings that are similar to the rest of the area within the Dwelling Unit.

Principal dwelling: A building providing the principal residential use for the lot on which it is located. For residentially zoned lots, such a building would be a dwelling.

3930. Accessory Apartment Standards.

3931. Owner Occupied dwellings with Accessory Apartments Allowed By Right.

Accessory Apartments that are contained within the existing structure of the primary single-family dwelling unit shall be allowed by-right.

3932. Accessory Apartments Allowed by Special Permit.

The Planning Board may authorize a Special Permit for the following:

1. Accessory Apartments that are attached to the existing primary single-family dwelling unit, but that require structural modifications larger than the existing footprint of the primary single-family dwelling unit, in all districts.
2. Accessory Apartments in a detached structure on a permanent foundation on the same lot as a primary single-family dwelling unit.

3933. All Accessory Apartments allowed by Special Permit must meet the standards in Sections 3934-3940.

3934. Standards for All Accessory Apartments. Any Accessory Apartment in an owner-occupied, single-family dwelling, whether allowed by-right or by Special Permit, shall meet the following standards and criteria:

1. The apartment will be a complete, separate housekeeping unit that functions as a separate unit from the original unit.
2. Only one apartment will be created on a single-family lot.
3. When expansion of the principal dwelling is required to accommodate the Accessory Apartment, the principal dwelling and addition must comply with set back and maximum lot coverage requirements for its district. Accessory Apartments in detached structures (new or existing) must comply with set back and maximum lot coverage requirements for its district.
4. In a residence with an Accessory Apartment, only one unit can be rented.
5. The Accessory Apartment shall be designed so that the appearance of the building remains that of a one-family residence as much as feasibly possible. The Accessory Apartment shall maintain a separate entrance, which shall be located on the side or rear of the building, or shall be combined into single front entryway, leading to an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress. Any exterior changes made must conform with the single-family character of the neighborhood.
6. An Accessory Apartment addition to the original building is permitted provided that the addition does not increase the floor area or volume of the original building by more than 900 square feet, (excluding unfinished attic and basement, garage, and porch). The Accessory Apartment, whether within a single-family dwelling or in a detached structure, shall be clearly a subordinate part of the principal-family dwelling.
7. The Accessory Apartment shall have no more than 2 bedrooms.
8. At least three off-street parking spaces are required, for use by the owner-occupant(s) and renters. Parking spaces shall be located to the side or the rear of the structure, to the extent feasible. No parking within side or rear setbacks.
9. For dwellings to be served by on-site septic system, the owner must obtain written approval from the Board of Health before a building permit can be obtained. This is to ensure that the existing sewage disposal system is

adequate for the proposed Accessory Apartment.

10. The construction of any Accessory Apartment must be in conformity with the State Building Code requirements.
11. The Accessory Apartment is not to be used for short term rentals (rentals for less than thirty (30) days).
12. The Building Commissioner shall administer and enforce the provisions of this section.

3940. Special Permit Application Procedure.

3941. Special Permit Procedures. The procedure for the submission and approval of a Special Permit for an Accessory Apartment shall be the same as prescribed in the Section 5300. Special Permits, except it shall include a notarized letter of application from the owner(s) stating that he/she will occupy one of the dwelling units on the premises. A non-refundable fee shall be included with the application for an Accessory Apartment to cover the cost of processing the application and code inspections. The applicant shall also be responsible for the cost of legal notices. As part of the public hearing process, parties of interest, as defined in M.G.L. Chapter 40A, Sec. 11 must be notified.

3942. Accessible Units. To provide for the development of accessible housing units, the Planning Board will allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility, for example, in the creation of a separate entrance.

3950. Transfer of Ownership of a Principal Dwelling with an Accessory Apartment Approved by Special Permit.

When a property with an Accessory Apartment is sold, the new owner(s), if they wish to continue operations of the Accessory Apartment, they must, within thirty (30) days of the sale, submit a notarized letter to the Building Commissioner stating that they wish to continue to exercise the permit in compliance with this bylaw. This statement shall be listed as a condition on any Permits which are issued under this Section. Notarized letters must be recorded in the Franklin County Registry of Deeds, with documentation of the recording provided to the Building Commissioner, prior to occupancy of the Accessory Apartment.

3960. Termination of Accessory Apartment Use.

1. The Accessory Apartment unit use shall terminate immediately upon any violation of any term or condition of this bylaw that the owner fails to cure, upon thirty (30) days written notice from the date the notice is mailed to the applicant/owner and to the occupants at the dwelling address by certified mail, return receipt requested.
2. Duty of Owner Upon Termination:
 - i. The owner shall discontinue the use of the Accessory Apartment as a separate dwelling unit.

- ii. The kitchen facilities of the Accessory Apartment shall be removed unless determined by the Building Commissioner to be incidental and subordinate as an accessory use of the principal dwelling.
- iii. Any additional exterior entrance constructed to provide access to the Accessory Apartment shall be permanently closed unless the Building Commission provides a waiver. The owner shall permit an inspection by the Building Commission without a warrant.

The following changes shall be made to the shall be made to the existing Section 2230. Use Regulation Schedule. The additions and deletions shown below are the only changes to the Use Regulation Schedule proposed, and the remainder of the schedule will remain as it currently is:

2230. Use Regulation Schedule.

| Principal Use | RA | CVRD | C-I | C-II | I | PI | EPD |
|---|----|------|-----|------|---|----|-----|
| A. RESIDENTIAL | | | | | | | |
| Accessory Apartments that are contained within the existing structure of the owner-occupied single-family dwelling unit. | Y | Y | Y | Y | N | N | N |
| Accessory Apartments that are attached to the existing owner-occupied single-family dwelling unit, but that require structural modifications larger than the existing footprint of the primary single-family dwelling unit, in all districts. | SP | SP | N | N | N | N | N |
| Accessory Apartments in a detached structure on a permanent foundation on the same lot as an owner-occupied single-family dwelling unit. | SP | SP | N | N | N | N | N |

The following changes shall be made to the existing Section 3100. Town wide Parking and Loading Requirements, Dwellings. The additions and deletions shown below are the only changes to the Use Regulation Schedule proposed, and the remainder of the schedule will remain as it currently is:

3100. Town wide Parking and Loading Requirements.

Principal Use Minimum Number of Parking Spaces

Dwellings *2 spaces per dwelling unit for single family* .

2 spaces per dwelling unit for multi-family plus 0.5 spaces per unit for visitors

3 spaces for single family with Accessory Apartment

Quantum vote: Two-thirds (2/3) Majority

The Meeting will then adjourn to meet in the polling places at the MEETING ROOM at the TOWN OFFICES, 8 Conway Street in the Village of South Deerfield on MONDAY the 1st day of May, 2023, next at 10:00 o'clock in the forenoon, then and there to act on the following article:

To choose all necessary Town Officers, including:

- One (1) Selectboard for a term of three (3) years
- One (1) Assessor for a term of three (3) years
- One (1) Constable for a term of three (3) years
- Two (2) Deerfield School Committee member for a term of three (3) years each
- One (1) Elector Under Oliver Smith Will for a term of one (1) year
- One (1) Frontier Regional School Committee member for a term of three (3) years
- Two (2) Planning Board members for terms of three (3) years each
- One (1) Planning Board member for a term of two (2) years
- One (1) Tilton Library Trustee for a term of three (3) years
- One (1) Moderator for a term of three (3) years

And upon closure of the polls, to dissolve.

And you are directed to serve this Warrant by posting attested copies thereof in Town Hall and four (4) public places in the Town, seven (7) days before the annual meeting. Hereof, fail not, and make due return of this Warrant, with your doing thereon, to the Town Clerk, at the time and place of said meeting.

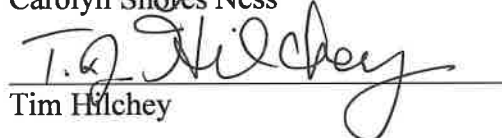
Given under our hands this 14th day of April in the year Two Thousand Twenty-Three.



Trevor D. McDaniel, Chair



Carolyn Shores Ness



Tim Hickey

Selectboard of the Town of Deerfield

A true copy.

Attest:



Kathlene A. Sanderell, Assistant Town Clerk

April 14, 2023

FRANKLIN, SS:

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Deerfield by posting up attested copies of the same at: Deerfield Convenience Store, Deerfield Spirit Shop, South Deerfield Post Office, Old Deerfield Post Office and the Deerfield Town Offices seven (7) days before April 24, 2023, as directed.



Constable of Deerfield

4-14-2023

Date