

TOWN OF TYRINGHAM

WARRANT FOR ANNUAL TOWN MEETING

MAY 9, 2017

COMMONWEALTH OF MASSACHUSETTS

Berkshire SS.

To any of the Constables of the Town of Tyringham in said County

GREETINGS:

IN THE NAME of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Tyringham, qualified to vote in town affairs, to meet at the Town Hall in said Town on Tuesday, May 9, 2017, at 7:00 p.m., then and there to act on the following articles:

Chairman Consolati opened the meeting with a moment of silence for Dorothy Choquette, BettyJean Cernik, Mrs. Jocz, Chucky Clark. Mrs. Choquette was instrumental in the Construction of the Town Pool and the Tyringham Quilt. Betty Jean Cernik was the Tax Collector for 30 years. He thanked all employees, officials and town clubs. He gave a report about finances and projects in 2017 and upcoming in 2018. SEE ATTACHED REPORT.

ARTICLE 1. To hear and act on the reports of the Town Officers and Town Committees.
NO REPORTS GIVEN

ARTICLE 2. To see if the Town will vote to have its Selectmen act as its agents in any suit of law for or against the Town.
PASSED

ARTICLE 3. To see if the Town will vote to take \$4,500.00 from Free Cash or any other amount for the Affordable Housing Trust Fund or take any other action in respect there to.
PASSED \$4,500.00 Free Cash

ARTICLE 4. To see if the Town will vote to take \$100,000.00 from Free Cash and borrow \$100,000.00 or any other amounts to purchase a 2017/18 Freightliner 108 SD 6 wheeler dump truck with plow and sander for the Highway Dept. or take any other action in respect there to.
Motion made and seconded to purchase Freightliner 108 SD 6 wheeler dump truck or equivalent with plow and sander.
UNANIMOUS FREE CASH \$100,000.00 & BORROW \$100,000.00

ARTICLE 5. To see if the Town will vote to take \$50,018 from Free Cash or any other amount for the Stabilization Fund or take any other action in respect there to.
UNANIMOUS \$50,018.00 Free Cash

ARTICLE 6. To see if the Town will vote to take \$12,000.00 from Free Cash or any other amount for Broadband legal and consulting fees or take any other action in respect there to.

UNANIMOUS 12,000.00 Free

Cash

ARTICLE 7. To see if the Town will raise and appropriate or, otherwise provide, the following sums of money or any other sums as listed under:

7.1 Town Administration;

7.2 Roads, Buildings and Grounds;

7.3 Education

7.4 Fire and Safety

7.5 Committees, Commissions and Reserves

7.1 Town Administration

(a) Select Board

1	Selectman - Chairman	4,000
2	Selectman - Clerk	3,500
3	Selectman - Member	3,000
4	Selectman expenses	3,500

Sub-total Select Board: 14,000

(b) Town Hall Offices

1	Town Administrator	54,480
2	Town Secretary	21,775
3	Janitor (4 hrs/week)	5,000
4	Town Clerk salary	10,000
5	Town clerk expenses	1,500
6	Accounting software Support	4,500
7	Town report printing	1,600
8	Website management and e-mail	2,250
9	Blackboard Connect (Robocall system)	1,100
10	Moderator	250
11	Moderator Expenses	200
12	Board of Registrars	400
13	Election of Officers	950
14	Town counsel	5,500
15	Professional Services (consulting, legal, other)	13,000
16	Office Supplies	1,250
17	Town Administration Expenses	2,000
18	Supply Purchase Agreement	600

Sub-total Town Offices: 126,355

(c) Financial Management Expenses

1	Assessor Chairman/Certified (Elected)	2,000
2	Assessor Clerk/Certified (Elected)	1,800
3	Assessor Member/Certified (Elected)	1,800
4	Assessor Contract/PKA	19,000

5	Assessor expenses	4,000
6	Assessor on-line data & maintenance	3,150
7	Revaluation Expenses	5,000
8	Tax collector salary	10,000
9	Tax collector certification	1,000
10	Tax collector expenses	4,500
11	Treasurer (Elected)	10,000
12	Treasurer Expenses	2,400
13	Interest Account (short-term loans)	2,000
14	Principal & Interest Payments for Truck	23,000
15	Accounting Officer Expenses	1,000

Sub-total Financial Management: 90,650

(d) Employee/Retiree Benefits, Incentives & Other Expenses

1	Berkshire County Retirement	67,600
2	Employee Family Health & Dental (4)	73,272
3	Employee Single Health & Dental (2)	10,197
4	Employee Salary Increases & Incentives	18,000
5	Retire Health & Dental (7)	26,046
6	Medicare	8,000
7	Animal Inspector	250
8	Animal Control Officer (formerly Dog Officer)	600
9	Share of Animal Control Officer Health Ins	1,100
10	Berkshire Regional Planning	242
11	Veterans Services	1,892
12	Women's Service Center (Freeman Ctr)	125
13	Gift and Flowers	315

Sub-Total Other Expenses: 207,639

Total Town Administration: 438,644

7.2 Roads, Buildings and Grounds

(a) Highway Team

1	Road Superintendent	58,140
2	Laborer	41,820
3	Laborer	38,760
4	Uniforms	800
5	Division of Employment Security	600

Sub-total Highway Team: 140,120

(b) Roads and Bridges

1	Snow and Sand (and overtime)	45,000
2	Summertime Overtime	2,000
3	Bridges	30,000
4	Road construction	70,000
5	Highway Superintendent Expenses	2,000
6	Road mower	1,000
7	Removal of dead trees	10,000
8	Tree planting	2,500
9	Street lights	1,500

10	Highway Environmental	10,000
11	Highway debris disposal	5,000
12	Highway Police Detail	2,000
13	Highway building Committee	500

Sub-total Roads and Bridges: 181,500

(c) Equipment

1	Machinery maint and fuel	50,000
2	Truck loan payments (2012 Dodge)	17,279
3	Equipment Committee	500

Sub-Total Equipment: 67,779

(d) Town Grounds and Buildings

1	Post office staff	23,000
2	Grounds & Buildings (utilities, maintenance, improvements)	52,000
3	Insurance (property, auto, workman's comp.)	33,000
4	Alarm monitoring	1,400
5	Elevator maintenance	4,500
6	Librarian	2,500
7	Library Trustees (2)	200
8	Library Expenses	3,500
9	Park and swimming	1,000
10	Cemetery mowing and maint	15,469
11	Transfer Station Salary	11,500
12	Transfer & Disposal of Refuse	40,000
13	Hazardous Waste Collection	650

Sub-Total Town Grounds and Buildings: 188,719

Total Roads, Buildings and Grounds Maintenance: 578,118

7.3 Education

(a) Support and Transportation

1	Support of public Schools	140,758
2	Transportation	84,937

Sub-Total Support and Transportation: 225,695

(b) School Committee

1	School Committee - Chair	300
2	School Committee - Clerk	250
3	School Committee - Member	250

Sub-Total School Committee: 800

Total Education: 226,495

7.4 Fire and Safety

(a) Fire Department

1	Fire Chief	1,500
2	Deputy Fire Chief	500
3	First Assistant to Fire Chief	500
4	Second Assistant to Fire Chief	500
5	Fire Warden	1,500
6	Deputy Fire Warden	500

7	Fire fighter stipends	10,850
8	Workers comp for Fire Dept.	5,413
9	Fire Protection Expenses	9,200
10	Forest Fire	200
11	Hearing officer/city of Pittsfield	200
12	Fire company equipment	7,500

Sub-total Fire Dept: 38,363

(b) Police Department

1	Full time Officer/Chief	56,639
2	Work Comp Police	2,007
3	Part-time Officer	5,000
4	Fuel and expenses	15,000
5	Berkshire County Sheriff's Office	7,500

Sub-total Police Dept: 86,146

(c) Emergency Management

1	Emergency Management Director	2,000
2	Emergency Management Expenses	500
3	SBREPC	500
4	Mental Health	125
5	E. Freeman	125
6	Visiting Nurses Association	1,800
7	Lee Ambulance Service	17,635

Sub-total Emergency Management: 22,685

Total Fire and Safety: 147,194

7.5 Committees, Commissions and Reserves

(a) Board of Health

Chairman/Certified	300
Clerk/Uncertified	100
Member/Uncertified	100
Expenses	2,750

Sub-Total Board of Health: 3,250

(b) Planning Board

Chairman	1,000
Members (4)	2,000
Expenses	750

Sub-Total Planning Board: 3,750

(c) Conservation Commission

Chairman	1,000
Members (4)	800
Expenses	450

Sub-Total Conservation Commission: 2,250

(d) Cemetery, Park, Historical & Cultural

Cemetery Committee Members (3)	600
Park Commission Members (3)	600
Cultural Commission (Chair)	200
Historical Commission expenses	1,000

Sub-Total Cemetery, Park, Cultural & Historical: 2,400

(e) Board of Appeals

Chairman	400
Alternates (2)	200
Members (4)	800
Expenses	100

Sub-Total Board of Appeals: 1,500

(f) Finance Committee

Chairman	1,000
Members (2)	1,000
Expenses	100
Reserve Fund (Extraordinary/Unforeseen Exp.)	20,000

Sub-Total Finance Committee: 22,100

Total Committees, Commissions & Reserves: 35,250

Article 7 Grand Total: 1,425,701

UNANIMIOUS – RAISE & APPROPRIATE

ARTICLE 7--- \$1,425,701.00

ARTICLE 8. To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue for the fiscal year beginning July 1, 2017 in accordance with the provisions of Section 4 & 7 of Chapter 44 of the General Laws..

UNANIMOUS

ARTICLE 9. To see if the Town will vote to accept any monies that the Commonwealth of Massachusetts - Mass Highway/Executive Office of Transportation appropriates to the town under the provisions of Chapter 90 or any other lawful provision of the General Laws, to pay for such costs as allowed by appropriate legislation in connection with the maintenance, repair, and construction of Town ways and bridges, or take any other action in relation thereto.

UNANIMOUS

ARTICLE 10. To see if the Town will vote to allow: Police Detail rate of \$40.00 per hour; members of the Board of Health to witness Title V inspections or perc tests at \$45.00 per hour; a member of the Library Trustees to be employed as Librarian at \$2,500.00 per year; and a member of the Cemetery Committee to be employed as Cemetery Sexton at \$200.00 per year, pursuant to MGL c. 268A s 21 A and C. 41, s. 4A.

UNANIMOUS

ARTICLE 11. To see if the Town will vote to maintain separate Revolving Funds pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2 for the following fees. Fees received by Town Officials shall be credited to the respective revolving fund and expended for payment only by the authorization of the Town Treasurer. Respective expenditures from said Revolving Funds shall not exceed the amounts shown below for fiscal year 2018 without prior approval from the Board of Selectmen:

Board of Appeals	\$ 1,000.00
Board of Health	\$ 3,000.00
Building Inspector	\$ 10,000.00
Conservation Commission	\$ 5,000.00
Gas Inspector	\$ 1,000.00
Park Commission	\$ 1,000.00
Planning Board	\$ 1,000.00
Plumbing Inspector	\$ 1,500.00
Wiring Inspector	\$ 2,000.00
Cemetery Committee	\$ 1,000.00
Fire Dept. False Alarm	\$ 500.00
Fire Company Fees	\$ 500.00
Police Detail	\$ 5,000.00

UNANIMOUS

ARTICLE 12. To see if the Town will vote to close portions of Webster, Fenn, Brace, and Breakneck Roads and or any other roads at certain times of the year as the Highway Superintendent and Selectmen deem necessary.

- 1.) Webster Road – From Mrs. Stanton’s driveway to Becket town line.
- 2.) Fenn Road – Road to be closed after Yo Yo Ma’ garage driveway.
- 3.) Brace Road – From Ruth Swart’s driveway to Monterey town line.
- 4.) Breakneck Road – To be closed at bottom of the “big hill” to Jerusalem Road

UNANIMOUS

ARTICLE 13. 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 Selectmen to enter into an inter-municipal agreement with other cities, town and political subdivisions for the group purchasing of supplies, commodities and services that the Town is authorized by law to purchase and to appropriate funds voted under Article 7.1(b)18 as the Town’s share of the expenses for the administration of the program for Fiscal Year 2018.

UNANIMOUS

ARTICLE 14. To see if the Town will vote for the Highway Department to plow/sand the private roads of Lakeside Drive, Cooper Creek Road, Hemlock Road and Ridge Street at the discretion of the Board of Selectmen and Highway Superintendent or take any other action in respect thereto.

UNANIMOUS

ARTICLE 15. To see if the Town will vote to adopt a new section 6 in chapter 3- Town Officers; In the event that an elected official does not, or is unable to attend 70% of his or her meetings without a bona fide reason, the Select Board shall investigate and take appropriate action including a vote to remove the elected official from said position and appoint a replacement to serve until the next Town Election.

UNANIMOUS

ARTICLE 16. To see if the Town will vote to adopt Section 10: Accessory Dwelling Unit and Tiny House Unit Bylaw or take any other action in relation there to. FULL TEXT IS ATTACHED TO THIS WARRANT.

Motion made and seconded to amend the by-law.

The Planning Board gave a report on this proposed by-law. Mark Curtin stated from the feed back at the public hearing the Planning Board would like to remove the words Tiny House Unit, and section 10.2.3 under definitions (Tiny House Unit (THU) thereby removing the words Tiny House, Tiny House Units (THU) completely from within this By-Law and remove 10.3.2 under conditions. The Planning Board also would like to change **may** to **shall** under definitions, in 10.2.2. A corrected copy of this by-law with the amendments was handed out.

Vote to Amend by-law by removing Tiny House Unit and sections 10.2.3 & 10.3.2 and may to shall
57 yes 3 no

A discussion ensued regarding non-subsidy affordable housing stock, concerns on cost of construction of an ADU and concerns over the amended by law.

Motion made and seconded to approve the by-law as amended.

53 VOTES YEA 4 NO.

Motion passed as amended.

ARTICLE 17. To see if the Town will vote to accept the sum of \$400.00 for the interest thereon to be used for the perpetual care of the Viggo & Catha Rambusch plots in the Tyringham Cemetery (plot numbers – 27 & 28).

UNANIMOUS

ARTICLE 18. To see if the Town will vote to accept the sum of \$400.00 for the interest thereon to be used for the perpetual care of the Alan & Mary Garner plots in the Tyringham Cemetery(plot numbers – 29 & 30).

UNANIMOUS

ARTICLE 19. To see if the Town will vote to accept the sum of \$600.00 for the interest thereon to be used for the perpetual care of the Marion T. Clark plots in the Tyringham Cemetery(plot numbers – 31, 32 & 33).

UNANIMOUS

ARTICLE 20. To conduct any other business that comes before this meeting.

William Cosel expressed that in his opinion the ADU by-law (article #16) should have been corrected prior to the vote at the Town Meeting. He felt it was terribly written.

Henning Carlson stated he did not see any funds appropriated for Mosquito Control and asked if we were still in the program.

Christopher Johnson stated he was honored to serve the Town for the past 12 years as a Selectmen.

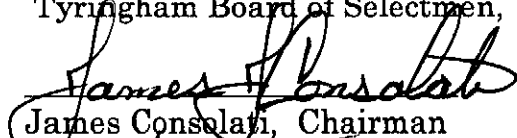
Meeting adjourned at 7:59 pm. 67 voters in attendance.

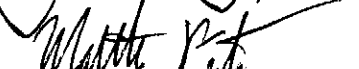
AND YOU ARE HEREBY DIRECTED TO serve this Warrant by posting copies thereof
at the Post Office, Union Church, Town Hall and Bulletin Board at
Goose Pond, in said Town, not less than seven (7) days before the time
of holding said meeting.

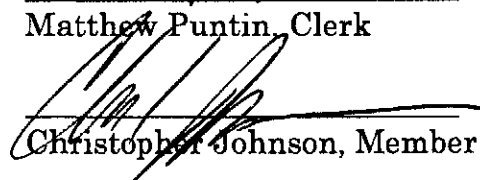
HEREOF FAIL NOT and make due return of this Warrant with your doings there on
unto our Town Clerk on or before said day and hour.

Given under our hands at Tyringham, Massachusetts this 13th
day of May in the year of Our Lord, Two Thousand and Seventeen.

Respectfully,
Tyningham Board of Selectmen,


James Consolani, Chairman


Matthew Puntin, Clerk



Christopher Johnson, Member

CERTIFIED MEETING MINUTES
TRUE COPY ATTEST:

 April Curtin, Town Clerk 5/13/17
(date)

Town Seal

I have served this Warrant by posting attested copies at the Post Office, Union
Church, Town Hall and Bulletin Board at Goose Pond, seven (7) days at least before
holding said meeting.

, Richard O. Loring, Constable 5/14/17 date

Section 10: Accessory Dwelling Unit and Tiny House Unit Bylaw

1.0 Purpose and Intent

10.1.1 Provide homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise have to leave.

10.1.2 Add moderately priced rental units to the housing stock.

10.1.3 Encourage a form of housing that offers increased sustainability and conservation of resources.

10.1.4 Protect stability, property values, and the residential character of the neighborhood.

2.0 Definitions

10.2.1 Primary Dwelling: A building in which the principal use of the lot is conducted. Such a building would be a single-family dwelling, a two-family dwelling, or a tiny house.

10.2.2 Accessory Dwelling Unit (ADU): A detached, self-contained housing unit, located on the same lot as the Primary Dwelling, that complies with the provisions of this bylaw. Such a building may be a single-family dwelling or a Tiny House Unit as defined below.

10.2.3 Tiny House Unit (THU): A dwelling unit with less than a total of 500 square feet. It must be constructed either on a chassis or on a permanent foundation. The structure must be built pursuant to a building permit issued in accordance with state building codes and Tyringham Zoning Bylaw Section 4; Use Regulations. The Tiny House Unit shall not be a recreational vehicle (commonly known as an RV), mobile home, shipping container, motor vehicle, semi-trailer, camper, bus, or boat.

3.0 Use and Dimensional Regulations

10.3.1 Conditions for Accessory Dwelling Units (ADU):

- a. Only one ADU may be created on a lot.
- b. The structure must comply with required setbacks.
- c. The ADU shall be placed to the rear of the Primary Dwelling.
- d. The ADU must be within 100 yards of the Primary Dwelling.
- e. The total square footage of an ADU (including any additions) shall not be greater than 800 square feet.
- f. Only one dwelling unit at a time on the lot, either Primary or Accessory, shall be rented.
- g. At least four off-street parking spaces shall be provided on the lot to serve the Primary Dwelling and the ADU.
- h. A home occupation may be allowed in the Primary Dwelling and/or the ADU. Additional parking is required as per Tyringham Zoning Bylaw Section 4.2.3A.
- i. The construction of any ADU must conform with the State Building Code, Title V of the State Sanitary Code, and other local bylaws/ordinances and regulations.
- j. The visuals of the ADU shall not be in conflict with the scenic, historic, and agricultural character and appearance of the town.

10.3.2 Conditions for Tiny House Units (THU):

- a. The structure must comply with required setbacks.
- b. The total square footage of a THU shall not be greater than 500 square feet.
- c. A home occupation may be allowed in the THU.
- d. The construction of any THU must be in conformity with the State Building Code, Title V of the State Sanitary Code, and other local bylaws/ordinances and regulations.
- e. All THU's built on a chassis must be licensed and registered with the Massachusetts Department of Motor Vehicles and meets all DOT regulations. It must be towable and cannot (and is designed not to) move under its own power.
- f. All THU's built on a chassis must be placed on a cement slab secured with hurricane tie downs. The tie downs must be rated to the weight of the THU and its contents.
- g. All THU's must include sanitary facilities and areas that support the basic functions of cooking and sleeping.
- h. The construction of any THU must be in conformity with the state building code, Title V of the state sanitary code, and any other local by-laws/ordinances and regulations.
- i. The visuals of the THU shall not be in conflict with the scenic, historic, and agricultural character and appearance of the town.

4.0 Administration and Enforcement

10.4.1 It shall be the duty of the Building Inspector to administer and enforce the provisions of this bylaw.

10.4.2 No building shall be constructed or changed, in either use or configuration, until the Building Inspector has issued a building permit. No permit shall be issued until a Sewage Disposal Works permit has first been obtained from the Board of Health. Any new building or structure shall conform to all adopted state and town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Inspector.

10.4.3 As the Special Permit Granting Authority (SPGA), the Planning Board may, after making findings of fact that support the decision, approve modifications to the dimensional regulations of this bylaw (Sections 10.3.1.c and/or 10.3.2.b), that will not exceed those standards by more than fifteen [15] percent.

10.4.4 Any placement of the ADU other than to the rear of the Primary Dwelling(reference 10.3.1.c) requires a Special Permit from the SPGA.

Annual Town Meeting

Town of Tyringham

May 9, 2017

Look Back FYE 2017

- Stonebridge Ways, McCarty Road
- Cemetery Fence
- Town Hall Repair, Paint, Assessors
- Library Roof
- Transfer Station Shed, Electrical
- Broadband Proposals

Look Ahead FYE 2018

- **Library Interior**
- **Schoolhouse**
- **Main Road Culvert**
- **Broadband Construction**
- **New Truck**
- **Swimming Area**

Free Cash FYE 6/30/17

<u>Certified as of 12/12/16</u>	\$278,976
Special Meeting Apr. 2017	-6,000
Proposed 2017 ATM	<u>-166,518</u>
Remaining Balance FYE 2017	\$106,458

Stabilization Funds

Balance for FYE 2017 \$260,885

Library Roof* (8/9/16) -47,984

Proposed 2017 ATM 50,018

Balance for FYE 2018 \$ 262,919

*Total for Library - \$118,000

FYE 2018 Debt Obligations

2012 Dodge Truck	\$ 17,279
Bridges	0
Proposed 2017 Truck	100,000
FYE 2018 Payments	<u>-37,279</u>
Balance at End of Year	\$ 80,000

Total Needed for FYE 2018

Annual Town Meeting	\$1,692,219
Snow & Ice Deficits	21,563
Estimated State Charges	76,371
Overlay Reserve (Estimated)	<u>5,374</u>
Estimated Total Needed	\$1,795,527

Estimated Funding Sources

State Aid (Cherry Sheet)	\$ 65,182
Free Cash Allocation	166,518
Borrowing (2017 Truck)	100,000
Local Receipts	89,900
Real Estate Taxes	<u>1,373,927</u>
Total Est. Funding	\$1,795,527
(Chap. 90 - approx. \$200,000)	

Estimated FYE 2018 Tax Rate

Estimated Valuation \$192,968,680

Estimated Taxes Needed \$1,373,927

➤ FYE 2018 Estimated Rate

per \$1,000 of Valuation: \$7.12

➤ FYE 2017 Actual Rate

per \$1,000 of Valuation: \$7.00

➤ FYE 2018 : 1.72% Increase over FYE 2017

Real Estate Tax Limit

Limit for FYE 2017	\$1,395,962
Estimated Increase	<u>37,647</u>
Limit for FYE 2018	\$1,433,609
Projected Collections	\$1,373,927
Projected FYE 2018	96% of Limit

Annual Town Meeting

Town of Tyringham

May 9, 2017

Changes to Proposed Bylaw

- Chassis Eliminated
- Tiny House Unit Eliminated
- ADU ONLY
 - Provides Rental Income
 - Sustainability, Conserve Resources

Purpose and Intent

- Alternative to Affordable Housing
 - No Town Subsidy Required
- Small Carbon Footprint
- Option to Remain/Return to Town

Section 10: Accessory Dwelling Unit Bylaw

1.0 Purpose and Intent

10.1.1 Provide homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise have to leave.

10.1.2 Add moderately priced rental units to the housing stock.

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2.0 Definitions

10.2.1 Primary Dwelling: A building in which the principal use of the lot is conducted. Such a building would be a single-family dwelling or a two-family dwelling.

10.2.2 Accessory Dwelling Unit (ADU): A detached, self-contained housing unit, located on the same lot as the Primary Dwelling, that complies with the provisions of this bylaw. Such a building ~~may~~ ^{shall} be a single-family dwelling.

3.0 Use and Dimensional Regulations

10.3.1 Conditions for Accessory Dwelling Units (ADU):

- a Only one ADU may be created on a lot.
- b The structure must comply with required setbacks.
- c The ADU shall be placed to the rear of the Primary Dwelling.
- d The ADU must be within 100 yards of the Primary Dwelling.
- e The total square footage of an ADU (including any additions) shall not be greater than 800 square feet.
- f Only one dwelling unit at a time on the lot, either Primary or Accessory, shall be rented.
- g At least four off-street parking spaces shall be provided on the lot to serve

the Primary Dwelling and the ADU.

- h A home occupation may be allowed in the Primary Dwelling and/or the ADU. Additional parking is required as per Tyringham Zoning Bylaw Section 4.2.3A.
- i The construction of any ADU must conform with the State Building Code, Title V of the State Sanitary Code, and other local bylaws/ordinances and regulations.
- j The visuals of the ADU shall not be in conflict with the scenic, historic, and agricultural character and appearance of the town.

4.0 Administration and Enforcement

10.4.1 It shall be the duty of the Building Inspector to administer and enforce the provisions of this bylaw.

10.4.2 No building shall be constructed or changed, in either use or configuration, until the Building Inspector has issued a building permit. No permit shall be issued until a Sewage Disposal Works permit has first been obtained from the Board of Health. Any new building or structure shall conform to all adopted state and town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Inspector.

10.4.3 As the Special Permit Granting Authority (SPGA), the Planning Board may, after making findings of fact that support the decision, approve modifications to the dimensional regulations of this bylaw (Sections 10.3.1.e and/or 10.3.2.b), that will not exceed those standards by more than fifteen [15] percent.

10.4.4 Any placement of the ADU other than to the rear of the Primary Dwelling(reference 10.3.1.c) requires a Special Permit from the SPGA.