

SPECIAL TOWN MEETING

Wednesday, June 28, 2023

Time: 7:00 PM

Location: 28 Northfield Road, Erving, MA 01344

*Please bring this copy with you to the
Special Town Meeting.*

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Erving, should contact the office of the Select Board as soon as possible but no later than 48 hours before the scheduled event.

The office of the Select Board is located at 12 East Main Street, Erving, MA 01344.

Email: administrator@erving-ma.gov | Phone: (413) 422-2800



TOWN OF ERVING

12 East Main Street, Erving, MA 01344
Tel. (413) 422-2800 | Email: administrator@erving-ma.gov

SPECIAL TOWN MEETING WARRANT

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COMMONWEALTH OF MASSACHUSETTS

Franklin, ss.

Town of Erving Constables, Town Clerk, and Administrative Assistant: In the name of the Commonwealth, you are directed to notify and warn the said inhabitants qualified to vote in Town affairs to meet on the grounds of the **Erving Elementary School** located at **28 Northfield Road, Erving, Massachusetts 01344** on

Wednesday, June 28, 2023, at 7:00 PM

Qualified inhabitants will meet then and there to vote on the following articles in the Warrant:

FISCAL YEAR 2023 FINANCIAL ARTICLES

ARTICLE 1: REVOLVING FUND TRANSFER TO CONTINUING APPROPRIATION FOR PARK MAINTENANCE

To see if the Town will vote to transfer the sum of Eighteen Thousand Dollars and No Cents (\$18,000.00) from the Recreation Revolving Account 29-300-63001 to the continuing appropriation to be established for general maintenance of parks or take any other action relative thereto.

SUBMITTED BY: Recreation Commission

FINANCE COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

Article Information: Approval of the article would appropriate available funds from the Recreation Revolving Account into a special article to fund park improvement projects. As of 5/17/2023 we have a balance of \$22,919.36 in our Revolving Account. As per M.G.L. we are only able to carry over a balance of \$10,000 from our Revolving Account.

FISCAL YEAR 2024 CAPITAL IMPROVEMENT BUDGET

ARTICLE 2: APPROPRIATION FOR WATER CAPITAL IMPROVEMENT

To see if the Town will vote to appropriate the sum of Fifty-one Thousand Dollars and No Cents (\$51,000.00) for the capital improvement project(s) itemized below and related expenses, by transferring Fifty-one Thousand Dollars and No Cents (\$51,000.00) from Water Enterprise Fund retained earnings, subject to award by the Select Board, or take any other action relative thereto.

Line	Account #	Description	Amount
1	61-450-908-57800	Water Tank Mixing Project	\$51,000
Grand Total			\$51,000

SUBMITTED BY: Select Board/ Water Commissioners

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

FINANCE COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

***Article Information:** This article will fund the construction phase for the water tank mixing project. The engineering phase was approved at the March 06, 2023, Special Town Meeting and has resulted in this phase 2 request. Approval of this article requires a majority vote.*

CAPITAL IMPROVEMENT- RESCIND BORROWING AUTHORIZATION

ARTICLE 3: RESCIND THE BORROWING AUTHORIZATION FOR LEAD SERVICE LINE INVENTORY & REPLACEMENT PLAN PROJECT

To see if the Town will rescind the borrowing authorized, in Article 7 of the Special Town Meeting Warrant from March 06, 2023, in the sum of One Hundred Twenty-five Thousand Dollars and No Cents (\$125,000.00) for the purpose of conducting an engineering assessment for the development of a Lead Service Line (LSL) Inventory and Replacement Plan Project for the Water Department, or to take any other action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

***Article Information:** This article would rescind the borrowing authorization that was approved on March 06, 2023. The Town applied to the Massachusetts Department of Environmental Protection (MassDEP) for a forgivable loan to the State Revolving Fund and MassDEP transitioned the program into a 100% funded grant program. The Town was successfully approved for the grant and no longer needs to borrow this amount to complete the project. The project is still expected to be completed by October 2024. Approval of this article requires a 2/3 majority vote at Town Meeting.*

REAL PROPERTY TRANSACTIONS

ARTICLE 4: A VOTE TO AUTHORIZE ACQUISITION OF RIGHTS IN LAND PARCELS

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise, the following land parcels and or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction of the Church Street Bridge Project (File #612982).

	Total # Parcels	Area (Square Feet)
In Fee		
Permanent Easements	0	0
Temporary Easements	4	1,053 +/-

The subject parcels are currently identified on plans drafted by Weston & Sampson, dated _____, and titled Right of Way Plans. Or take any action relative thereto.

SUBMITTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS: Approval [(5) Aye, (0) No, (0) Absent]

CAPITAL PLANNING COMMITTEE RECOMMENDS: Approval [(4) Aye, (0) No, (1) Abstain]

***Article Information:** Approval of this article authorizes the Select Board to use all legal means to acquire the necessary temporary and permanent easements for this project. The Church Street Bridge Project is funded through Federal and State allocations and is included in the Federal FY2024 Transportation Improvement Program. Approval of this article requires a 2/3 majority vote.*

ZONING BYLAW

ARTICLE 5: AMEND AND RECODIFY THE ZONING BYLAW

To see if the Town will vote to amend and recodify the Zoning Bylaw entitled “Zoning Bylaw” as Chapter 230 of the Town Code, and by taking the following steps:

1. Delete, in their entirety, the following provisions of the existing Zoning Bylaw, including the Zoning Map (dated November 2, 2021), adopted June 27, 2005, and last amended May 11, 2022, but not the Groundwater Map dated September 1999:

- Section 1: Purpose and Administration
- Section 2: General Regulations
- Section 3: Districts
- Section 4: Use Regulations
- Section 5: Intensity Regulations
- Section 6: Special Permit and Site Plan Review
- Section 7: Phasing of Growth
- Section 8: Optimal Development Methods
- Section 9: Definitions
- Zoning Map Dated November 2, 2021

2. Create the following provisions in the document entitled “Zoning Bylaw, dated May 18, 2023”, including the Zoning Map dated March 8, 2023, on file in the office of the Town Clerk and the Planning Board:

- Article 1.0 Purpose and Authority
- Article 2.0 Districts
- Article 3.0 Use Regulations
- Article 4.0 Dimensional Regulations
- Article 5.0 Nonconforming Uses and Structures
- Article 6.0 General Regulations

- Article 7.0 Special Regulations
- Article 8.0 Special Residential Regulations
- Article 9.0 Special Districts
- Article 10.0 Administration and Procedures
- Article 11.0 Definitions
- Zoning Map, Dated March 8, 2023

Or take any action relative thereto.

SUBMITTED BY: Planning Board

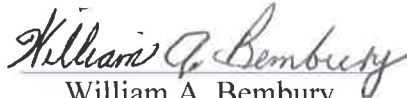
Article Information: Approval of this article would adopt all the proposed amendments to the Zoning Bylaw, as well as assign Chapter 230 as its designation in the Town Code. Approval of this article requires a 2/3 majority vote.

In addition, you are hereby directed to serve the above warrant and to post attested copies as directed by vote of the Town at least fourteen (14) days before said meeting. Fail not and make due return of this warrant with your doings thereon to the Town Clerk for the day of said meeting.

Given under our hands this **12th** day of **June 2023**.



Jacob A. Smith, Chairman



William A. Bembury



Scott Bastarache

Erving Select Board

POSTING REQUIREMENT CERTIFICATION

FRANKLIN SS TOWN OF ERVING

I have served the above warrant by posting attested copies, as directed by vote of the Town, at least fourteen (14) days before the time of holding said meeting.

06 / 13 / 23

Date



Erving Constable

ERVING PUBLIC LIBRARY



BOOK CLUB PIZZA PARTY

SUMMER READING KICKOFF!

THURSDAY, JUNE 29, 5:30 PM

Get ready for a Summer Reading program you won't soon forget!

Start by signing up at the kickoff pizza party, pick up your reading log and start tracking your reading to earn prizes!

RSVP is suggested for the pizza party so we can make sure to have enough for everyone.



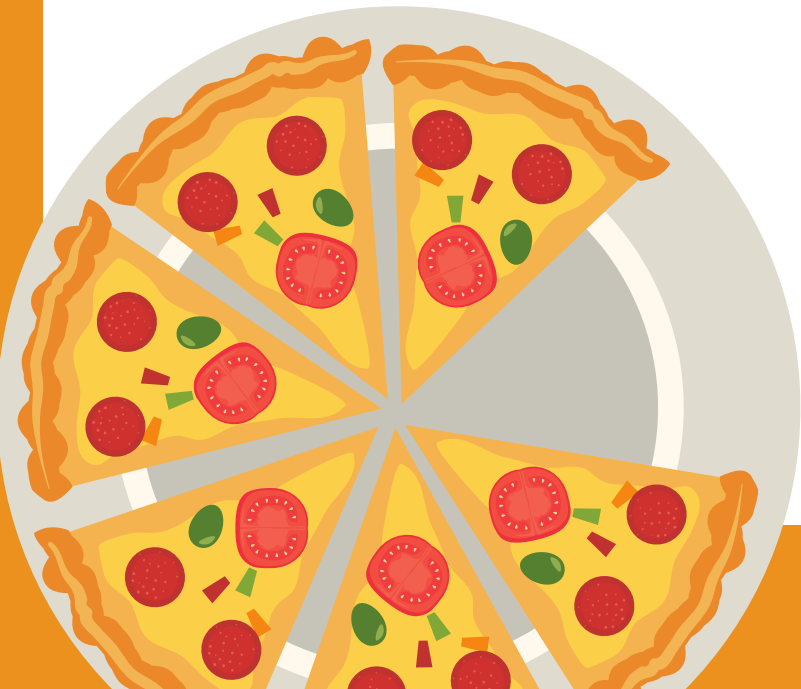
The June theme for the library's book club is:

**READ A BOOK
SET IN A
COUNTRY YOU'VE
NEVER VISITED!**

Pick a book from our display, one you find yourself, or ask a librarian for help.

(413) 423-3348

LIBRARY@ERVING-MA.GOV
WWW.ERVING-MA.GOV/LIBRARY





ERVING PUBLIC LIBRARY



BOOK CLUB

MAKE YOUR OWN SUNDAE PARTY THURSDAY, JULY 27, 5:30 PM

The July's theme for the
library Book Club is:

**READ A BOOK
BORROWED FROM YOUR
LOCAL LIBRARY!**

**Pick any book in the library or ask a
librarian for help finding one.**



**Come to Book Club, talk about what you
read, and get recommendations from
other readers.**

**Track your time spent reading for the EPL
summer program.**

**RSVP suggested for
make-your-own sundae**

Optional: Log the title of the book you read in the MA
Center for the Book Reading Challenge:
<https://www.massbook.org/readingchallenge>

(413) 423-3348

LIBRARY@ERVING-MA.GOV

WWW.ERVING-MA.GOV/LIBRARY





The Community Center is open and invites Erving residents to join us for so much we offer. See monthly calendar for time and dates

8 Exercise Classes a week 5 workouts 2 chair exercise, Line Dancing

Fitness Room: 4 Treadmill, 4 Recumbent Bikes, 1 Elliptical

Card Games Daily. Monday Pitch Card Players

Billiard Table, Library of Books, Puzzles, Movies & Word Games

Sewing, Quilting and All types of yarn works and Crafting

Bingo bring your lunch and we provide the dessert

Veterans Services, SHINE services, Outreach services anytime.

Brown Bag, Help with SNAP or other medical services

Van Rides: We pick you up and deliver you home safely

Blood Pressure Clinic Meet the Nurse, Nail Clipping

Massage Monthly. Innovative programs see calendar for dates.

Snacks, Coffee daily, Lunches monthly. More coming soon.

Open Daily 8:30 – 3:00

413-423-3649



Small HomeRepair for



Erving Seniors



Erving seniors who need small home repairs. We have funds to support your needed repair. Lifepath rewarded us a grant that covers the labor cost for your project. The senior is required to pay for the materials needed for the project.

For more information about the program.

Call Paula Erving Senior Center:

413-423-3649

Program ends September 2023.



ERVING RECREATION

Summer Concert Series

AT RIVERFRONT PARK
ARCH ST, ERVING

BRING A BLANKET & A FRIEND

JULY 9 (SUN) MATT YORK ON THE LIFE AND
MUSIC OF JOHNNY CASH

JULY 20 (THURS) - TBA

AUG 13 (SUN) SARAH CLAY TRIO

AUG 17 (THURS) BAD NEWS JAZZ AND
BLUES ORCHESTRA

SEPT 10 (SUN) JASON ROBINSON QUARTET

THESE PROGRAMS ARE SUPPORTED IN PART
BY GRANTS FROM THE ERVING CULTURAL
COUNCIL, A LOCAL AGENCY WHICH IS
SUPPORTED BY THE MASS CULTURAL
COUNCIL, A STATE AGENCY."

MUSIC PLAYS

6:30-8:30 PM

FAMILY FRIENDLY | FREE ENTRY

Select Board
12 East Main Street
Erving, Massachusetts 01344

PRSRT STD
U.S. Postage Paid
ECRWSS
EDDM Flat

Town *of* Erving

*****ECRWSS***

LOCAL
POSTAL CUSTOMER
ERVING MA 01344

Special Town Meeting Warrant

Date: Wednesday, June 28, 2023

Time: 7:00 PM

Location: Erving Elementary School

28 Northfield Road, Erving, MA 01344