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A. Tigano
Town Clerk



One North Main Street 02779-1336
Office: 508-824-6794
Fax: 508-822-4603
E-mail: selectmen@berkleyma.us

**TOWN OF BERKLEY
MASSACHUSETTS**

**BOARD OF
SELECTMEN**

MEETING POSTING

Wednesday, May 24, 2023 @ 6:00 p.m.
Moitoza – Pettey Hearing Room, Town Hall, 1 North Main Street

SELECTMEN'S AGENDA

I. Call to Order:

II. Public Hearing:

1. Pursuant to Massachusetts General Law, Chapter 148, Section 13, the Board of Selectmen will hold a public hearing on Wednesday, May 10, 2023, at 6:00 pm in the Moitoza – Pettey Hearing Room at the Town Office Building, One North Main Street, Berkley, Massachusetts, on request of Kevin Gottwald, Vice President of Global Contracting Services, Inc., for a license to allow the installation and use of a Gas and Diesel Fueling Facility with Convenience Store. The property is located at 34-38 Padelford Street in Berkley, Massachusetts, more specifically through certain property identified in the Assessor's records as Map 10, Lots 63 and 64. Interested parties are welcome to attend and comment; persons wishing to be heard should appear on the date and at the time and place designated above. Comments can also be sent to the Board of Selectmen either by mail, c/o Town Administrator, One North Main Street, Berkley, Massachusetts 02779, or via e-mail, to selectmen@berkleyma.us, prior to the date and time of the public hearing.
2. Pursuant to Article 1, Section 2, of the General Bylaws of the Town of Berkley, the Board of Selectmen will hold a public hearing on Wednesday, May 24, 2023, at 6:00 p.m. in the Moitoza-Pettey Hearing Room at Town Hall, One North Main Street, Berkley, Massachusetts, regarding proposed amendments to the aforementioned General Bylaws, as follows:
 - i. By amending Article 21 of the General Bylaws, entitled "Zoning", Section 2.B, untitled, by rezoning the following lots as part of and to be included in the General Business District: 27 Locust Street (Map 11 Lot 37); 29 Locust Street (Map 11 Lot 38); 31 Locust Street (Map 11 Lot 38-02); and 37 Locust Street (Map 11 Lot 38-1).
 - ii. By further amending Article 21 of the General Bylaws, entitled "Zoning", by deleting therefrom:

In their entirety, the following Sections of the existing Berkley Zoning By-Law, Article 21 as aforesaid, including all provisions comprising the same, but NOT the

Town's Official Zoning Map: Section 1: Purpose; Section 2: Establishment of Districts; Section 3: Definitions; Section 4: Use Regulations by Zoning District; Section 5: Dimensional Regulations; Section 6: Nonconforming Buildings and Uses and Structures; Section 7: Administration and Procedures; Section 8: Rate of Development; Section 9: Off Street Parking; Section 10: Signage; Section 11: Adult Entertainment Uses Sexually Oriented Business; Section 12: Aquifer Protection District; Section 13: Accessory Apartments, which Sections together constitute the entirety of said Zoning By-Law (excepting the aforementioned Zoning Map).

And substituting therefor, the following new Sections, the complete text of which is contained in a document entitled: "Berkley Zoning By-Law, Draft 9 March 7, 2023", on file with the Town Clerk and the Planning Board:

Section 1.0: Purpose and Authority; Section 2.0: Districts; Section 3.0: Use Regulations; Section 4.0: Dimensional Regulations; Section 5.0: Nonconforming Uses and Structures; Section 6.0: General Regulations; Section 7.0: Special Regulations; Section 8.0: Special Residential Regulations; Section 9.0: Special Districts; Section 10.0: Administration and Enforcement; Section 11.0: Definitions.

- iii. By adding a new Article 28 of the General Bylaws, entitled "Wetlands Bylaw" comprised of Sections including I. Purpose, II. Jurisdiction, III. Applications for Permits and Requests for Determination, IV. Notices and Hearings, V. [Omitted], VI. Permits and Conditions, VII. Setbacks, VIII. Regulations, IX. Definitions, X. Enforcement, XI. Burden of Proof, XII. Appeals, XIII. Relationship to the Wetlands Protection Act, and XIV. Severability.
- iv. By adopting a certain Petition for Article for Annual Town Meeting entitled "Regulations, Bylaws, & Policies for Berkley Massachusetts", the complete text of which is on file with the Town Clerk's Office and can be viewed at the Town Clerk's Office during normal business hours.
- v. By adopting a certain Petition for Article for Annual Town Meeting entitled "Right to Farm", the complete text of which is on file with the Town Clerk's Office and can be viewed at the Town Clerk's Office during normal business hours.

You are invited to attend the public hearing and participate in the discussion. Any person wishing to be heard should appear at the place and time designated. Comments can be sent to the Board of Selectmen, at the address above, prior to the date and time of the public hearing.

III. Minutes to be Approved:

1. Board to approve Meeting Minutes for the Board of Selectmen Meeting of May 10, 2023; review of matter, votes may be taken.

IV. Personnel:

1. Presentation for Carolyn Sousa; review of matters, votes may be taken.
2. Board to discuss appointing Dean Larabee to continue as GATRA Representative; review of matter, votes may be taken.
3. Board to interview and possibly hire Dean Gouveia as the Class B Truck Driver/ Laborer Position for the Highway Department; review of matter, votes may be taken.

V. Meeting Mail:

1. Board to review correspondence from the Office of the County Commissions of Bristol County; review of matter, votes may be taken.

VI. Old Business:

1. Board to sign as approved Special Labor Counsel correspondence from Gay & Gay, P.C.; review of matter, votes may be taken.

VII. New Business:

1. Superintendent Ryan to provide update on building project; review of matter, votes may be taken.
2. Board to approve Common Use Request for Library Fundraiser Event on Saturday, July 15, 2023 from approximately 9:00 a.m. to 2:00 p.m., with a rain date on Saturday, July 29, 2023; review of matter, votes may be taken.

VIII. Town Administrator Report:

IX. Finance Committee Update:

1. Board to review and approve final FY24 Budget; review of matter, votes may be taken.

X. Public Input:

XI. Adjournment:

Next Scheduled Meeting is Wednesday, June 7, 2023 at 6:00 p.m.