

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF SWANSEA ANNUAL TOWNMEETING**

**GREETINGS:**

To either of the Constables of the Town of Swansea,

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in elections and Town affairs to meet at the JOSEPH CASE HIGH SCHOOL, 70 SCHOOL STREET, Swansea, Massachusetts, on MONDAY, the **FOURTEENTH (14th)** day of **JUNE**, at **Seven-Thirty P.M.**, then and there to act on the following articles in the warrant:

Article 1: To hear the report of the Advisory & Finance Board.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 2: To act on the reports of the Town Officers and all Town Committees.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 3: To appoint members of the Advisory & Finance Board and to fill vacancies as provided by § 7-4 of the General Bylaws.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 4: To fix the salaries of all Town Officers for the fiscal year beginning July 1, 2021 and ending June 30, 2022, or take any other action in relation thereto.

Selectmen:	Chairman	\$ 5,000
	Vice Chairman	\$ 5,000
	Clerk	\$ 5,000

Town Clerk:	\$68,406.77
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Treasurer/Collector:	\$80,999.17
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Assessors:	Chairman	\$ 2,000
	Vice Chairman	\$ 1,000
	Clerk	\$ 1,000

Moderator:	\$ 500
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Tree Warden:	\$ 500
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**A&F Committee Recommends Approval, Unanimous Vote**

Article 5: To see if the Town will vote to raise, appropriate or transfer such sums of money as may be deemed necessary to defray Town charges for the fiscal year beginning July 1, 2021 and ending June 30, 2022. (See Budget Book)

**A&F Committee Recommends Approval, Unanimous Vote**

Article 6: To see if the Town will vote to authorize the Board of Selectmen to accept and to enter into contracts for the expenditure of any funds allotted or to be allotted by the Commonwealth and/or the County for the construction, reconstruction and improvement of Town roads, bikeways and waterways.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 7: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$7,826,281.00, to pay the expense of meeting the insurance needs of the Town of Swansea and its employees, or take any other action in relation thereto.

**A&F Committee Recommends Approval, 11 in favor and 1 Abstention**

Article 8: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$46,500 to meet the expense of the annual audit or take any other action in relation thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 9: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$10,000 to meet the Town's expenses for Tax Title purposes, or take any other action in relation thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

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Article 10: To see if the Town will vote to delete the Revolving Fund Table in § 20-11 of the General Bylaws and replace it with the following:

<b>§ 20-11</b>						
<b><u>REVOLVING FUND TABLE</u></b>						
<b>(A) Revolving Fund</b>	<b>(B) Department, Board, Committee, Agency or Officer Authorized to Spend from Fund</b>	<b>(C) Fees, Charges or Other Receipts Credited to Fund</b>	<b>(D) Program or Activity Expenses Payable from Fund</b>	<b>(E) Restrictions or Conditions on Expenses Payable from Fund</b>	<b>(F) Other Requirements/ Reports</b>	<b>(G) Fiscal Year</b>
Social Day Care Programs	Council on Aging	All receipts and fees received by COA for participation in Social Day Care programs	Social Day Care Program			FY2018 and subsequent years
Fire Alarm Inspections	Fire Department, subject to approval of the Board of Selectmen	All receipts and charges from conducting fire alarm inspections	Conducting fire alarm inspections			FY2018 and subsequent years
Boat Ramp	Harbormaster, subject to approval of the Board of Selectmen	Boat Ramp fees	Functions and maintenance of John B. Heywood Boat Ramp			FY2018 and subsequent years
Shellfish	Chief of Police	All receipts and charges from the shellfish program	Operation of the shellfish program			FY2018 and subsequent years

**A&F Committee Recommends Approval, Unanimous Vote**

Article 11: To see if the Town will vote to set the maximum spending limits for FY2022, pursuant to § 20-8C of the General Bylaws and Massachusetts General Laws, Chapter 44, Section 53E1/2, for the Town's revolving funds as follows:

Social Day Care Program Revolving Fund:	\$158,000.00
Fire Alarm Inspections Revolving Fund:	\$35,000.00
Boat Ramp Revolving Fund:	\$12,000.00
Shellfish Revolving Fund:	\$40,000.00

**A&F Committee Recommends Approval, Unanimous Vote**

Article 12: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$50,000 for the purpose of meeting the permitting requirements for the National Pollution Discharge Elimination System, NPDES, so called, including but not limited to the requirements of meeting the Stormwater Management Program, and the requirements of the Illicit Discharge Detection and Elimination Plan, and to provide materials and equipment, and engineering and consulting services as required to meet such permitting, and further for the purpose of performing extraordinary maintenance and storm management improvements at detention ponds, or take any other action in relation thereto.

**A&F Committee Recommends Approval, 10 In Favor and 2 Opposed**

Article 13: To see if the Town will vote pursuant to Chapter 44, Section 53F ½ to raise, appropriate, or transfer a sum of money not to exceed \$1,518,250.00 from the General Fund, the Solid Waste Enterprise Fund Receipts Account and/or the Solid Waste Enterprise Fund Retained Earnings Account to meet the expenses of the Solid Waste Enterprise Fund Account, or to take any other action in relation thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 14: **AMENDMENT TO SOLID WASTE BY LAW**

To see if the Town will vote to amend §222-1B(1) of the General Bylaw by adding a new sentence after the first sentence thereof as follows:

A standard late fee may be established by the Board of Selectmen to be added to any assessed annual trash fee that is not paid by the designated due date.

And further, to amend said § 222-1B(1) by adding a new sentence prior to the final sentence thereof as follows:

In the event that the Board of Selectmen establishes a standard late fee, the amount and relative frequency of imposition of said late fee shall be taken into consideration in determining the annual trash fee.

And further, to amend said § 222-1B(1) by adding a new subsection as follows:

Billing of the trash fee shall take place twice per fiscal year. Abatements for said fees must be filed with the Board of Selectmen's Office no later than thirty (30) days after the date of each billing of said fee.

And further, to amend § 222-1B(8) of the General Bylaws by inserting the phrase “, including any imposed late fees,” after the words “Unpaid trash fees”, and by inserting the phrase “and this Chapter of the General Bylaws” at the conclusion of the second sentence.

And further, to amend § 222-1C of the General Bylaws by adding the phrase “any late fee,” after the phrase “annual fee,” in the parenthetical.

Or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

- Article 15: To see if the Town will vote to appropriate, or reserve for later appropriation monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, and the funding of reserves and all other necessary and proper expenses for the year, or take any other action in relation thereto.

**PROPOSED FISCAL YEAR 2021-22 COMMUNITY PRESERVATION BUDGET**

Purpose	Recommended Amount
Appropriations Community Preservation Administrative Expenses	\$ 18,096.25
Community Housing Reserve	\$ 36,192.49
Historic Resources Reserve	\$ 36,192.49
Payment of Debt Service on Medeiros Farm Open Space Purchase	\$ 82,222.22
FY' 21-22 Annual Budgeted Reserve	\$ 189,221.51

**A&F Committee Recommends Approval, Unanimous Vote**

- Article 16: To see if the Town will vote to transfer from available funds a sum of money not to exceed \$5,500 to be expended from the Historic Preservation Reserves portion of the Community Preservation Fund to the Library Board of Trustees for the purpose of interior painting of the Public Library, or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 17: To see if the Town will vote to transfer from available funds a sum of money not to exceed \$10,000 to be expended from the Historic Preservation Reserves portion of the Community Preservation Fund to the Library Board of Trustees for the purchase of a fire alarm system for the Public Library, or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 18: To see if the Town will vote to transfer from available funds a sum of money not to exceed \$10,000 to be expended from the Historic Preservation Reserves portion of the Community Preservation Fund to the Board of Selectmen for the purchase of a fire alarm system for the Town Hall, or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 19: To see if the Town will vote to transfer from available funds, a sum of money not to exceed \$15,000 from the Open Space and Recreation portion of the Community Preservation Fund to the Highway Department for the purpose of constructing a canoe and kayak launch dock and related expenses for the Milford Pond area, or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 20: To see if the Town will vote to transfer from available funds, a sum of money not to exceed \$15,000 from the Unreserved Funds portion of the Community Preservation Fund to the Highway Department for the purpose of constructing a canoe and kayak launch dock and related expenses for the Lewin Brook Pond area, or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 21: To see if the Town will vote to authorize the purchase by the Board of Selectmen, at a total cost of up to \$436,000, the 37.24 acres +/- of land, consisting of Swansea Assessor's Map 13 Lot 6B, Lot 6C, and Lot 6D excepting only a 6,070 +/- square foot portion of Lot 6D at its southwest corner previously conveyed as recorded in Book 10152, Page 213 of the Bristol County (Fall River District) Registry of Deeds for the purposes of creating and preserving any one or more of the following uses: passive recreation, active recreation and agriculture.

And further, to appropriate this sum to the Board of Selectmen pursuant to Massachusetts General Laws, Chapter 44B as follows:

By transferring the sum of \$100,000 from the Undesignated Community Preservation Fund; and

By borrowing the sum of \$336,000 the debt service of which will be funded with future Community Preservation Annual Revenues, and to meet this borrowing, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to issue any bonds or notes that may be necessary for that purpose, as authorized by Massachusetts General Laws, Chapter 44B, Section 11, or any other enabling authority, for a period not to exceed 30 years. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium

applied to the payment of the costs of issuance of such bonds or notes, and any accrued interest received upon the delivery of the bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

And further, to authorize the Board of Selectmen to take any and all actions necessary or convenient to finalize said purchase said land and to execute all necessary instruments and documents for the same.

And further, to direct the Board of Selectmen to grant one or more perpetual conservation and/or agricultural preservation restrictions encumbering said land pursuant to Massachusetts General Laws Chapter 44B, Section 12 and Chapter 184, Sections 31 to 33 inclusive; or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 22: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$148,000 to meet the expense of purchasing three (3) police cruisers with equipment, including radios, or take any other action relative thereto.

**A&F Committee Recommends Approval, 12 In favor and 1 Abstention**

Article 23: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money not to exceed \$55,000 to meet the expense of developing a Master Plan, or take any other action relative thereto.

**A&F Committee Recommends Approval, 11 In favor and 2 Opposed**

Article 24: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money not to exceed \$10,000 to additionally fund account #01-122-59-52101 (STM 11/18/19- Article 13) to be expended to continue work related to opening access to the waterways throughout the town, or to take any other action relative thereto.

**A&F Committee Recommends Approval, 10 In favor and 3 Opposed**

Article 25: To see if the Town will vote to raise and appropriate or transfer a sum of money not to exceed \$145,000 for the purchase and equipping of a wheeled excavator and related equipment for the Swansea Highway Department, or take any other action in relation thereto.

**A&F Committee Recommends Approval, 6 In favor and 5 Opposed**

Article 26: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$30,000 for the purchase and equipping of two scag mowers for the Swansea Highway Department and Swansea Parks Department as a replacement for current equipment, or take any other action in relation thereto.

**A&F Committee Recommends Approval, 6 in Favor, 5 Opposed**

Article 27: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money not to exceed \$10,000 for the purchase of a covered trailer to be used by the Town Clerk for storage of voting equipment, or to take any other action relative thereto.

**A&F Committee Recommends Approval, 10 In favor and 3 Opposed**

Article 28: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money not to exceed \$10,000 for the purchase of a covered trailer to be used for the Swansea Parks Department or to take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 29: To see if the Town will vote to raise and appropriate or transfer from available funds a sum not to exceed \$6,000 to meet the expenses of installation of LED lighting at the Swansea Memorial Park, or to take any other action relative thereto.

**A&F Committee Recommends Approval, 9 In favor and 3 Opposed**

Article 30: To see if the Town will vote to raise and appropriate or transfer from available funds a sum not to exceed \$22,000 to meet the expense of replacing the outfield fence on Field #6 at the Swansea Memorial Park, or to take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 31: To see if the Town will vote to raise and appropriate or transfer a sum of money not to exceed \$50,000 to remove trees around the park and baseball fields at Swansea Memorial Park, or to take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 32: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money not to exceed \$225,000 to meet the expense of refurbishing Fire Engine 3, or take any other action relative thereto.

**A&F Committee Recommends Approval, 7 In Favor and 4 Opposed**



Article 33: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money not to exceed \$150,000 to meet the expense of conducting a feasibility and design study for a new Station 1 and additions to Fire Station 2 and Station 4, or take any other action relative thereto.

**A&F Committee Does Not Recommend Approval, Unanimous Vote**

Article 34: To see if the Town will vote to raise and appropriate and transfer a sum of money for the continued funding of reserve accounts, by adding \$281,500 to the Stabilization Fund and by adding \$281,500 into the Capital Stabilization Fund or take any other action in relation thereto.

**A&F Committee Recommends Approval, 7 In Favor and 4 Opposed**

Article 35: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$200,000 for the Other Post Employment Benefits Liability Trust Fund or take any other action in relation thereto.

**A&F Committee Recommends Approval, 10 In Favor and 1 Abstention**

Article 36: To see if the Town will vote to raise, appropriate or transfer a sum of money not to exceed \$150,000 for the purpose of funding the Length of Service Awards Program for the Firefighters of Swansea, or take any other action in relation thereto.

**A&F Committee Recommends Approval, 8 In Favor and 3 Opposed**

Article 37: To see if the Town will vote to authorize the Board of Selectmen to enter into a lease agreement for Medeiros Farm, located at 1100 Bark Street and shown as Lot 17 on Swansea Assessor's Map 27, whether for all or such portion(s) of that 22 acre +/- property as the Selectmen decide, for a period of up to twenty-five years, and under such other terms as the Selectmen deem to be prudent, for the purpose of effectuating the creation and long-term maintenance of public ballfields thereon.

And further to authorize the Board of Selectmen, if it deems it to be appropriate and necessary, to file with the General Court of the Commonwealth a Home Rule Petition to effectuate the adoption of legislation precisely as follows:

Section 1. Notwithstanding any general or special law to the contrary, the Board of Selectmen of the Town of Swansea may lease, under such terms as it deems to be prudent, all or portions of that certain parcel of land that is shown as Lot 17 on Swansea Assessor's Map 27 and located at 1100 Bark Street, consisting of 22 acres more or less, for the purpose of effectuating the creation and long-term maintenance of public ballfields thereon.

Section 2. This disposition of land is authorized in accordance with the provisions of Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts

Section 3. This Act shall take effect upon its passage.

The General Court may make clerical or editorial changes of form only to the bill,

unless the Board of Selectmen approves substantive amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve such substantive amendments, provided that they are within the scope of the general public objectives of this petition.

And further to authorize the Board of Selectmen to take such other action with the Executive Office of Energy and Environmental Affairs as is needed in order to effectuate the execution of said lease notwithstanding Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 38: To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 41, Section 21, to place on the official ballot for the 2022 annual election the following question:

“Shall the town vote to have its selectmen act as the sewer commissioners?”

or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 39: To see if the Town will vote to amend the General Bylaws Chapter 115

Animals as follows:

Amend § 115-9A by striking “10 days” and inserting “7 days” in its place.

Amend § 115-9C by striking “\$10 together with the sum of \$8” and inserting “\$10 for an impound fee together with the sum of \$20”

Amend § 115-10A by striking “three” and inserting “four” in its place, and by striking “four” and inserting “five” in its place.

Amend § 115-10E by striking each instance of “4” and inserting “5” in its place.

Amend § 115-15A by adding the following phrase at the beginning: “Except as provided in Section 115-15B,”

Amend § 115-15A by striking “\$25” and inserting “\$50” in its place, and by striking “\$50” and inserting “\$75” in its place.

Amend § 115-15B by striking “\$25” and inserting “\$50” in its place.

Or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 40: **DELINQUENT TAX LIST BY LAW**

To see if the Town will vote to amend Chapter 20 of the General Bylaws by adding an Article V as follows:

Article V Delinquent Tax List

§ 20-12 Authority.

In accordance with the terms of Massachusetts General Laws, Chapter 40, Section 57, which the Town has duly adopted, the procedures for suspending, revoking or denying a license or permit due to tax delinquency are as provided below. Any changes to said Section 57 subsequent to the adoption of this Article of the General Bylaws are incorporated herein prospectively by reference.

§ 20-13 Tax collector to furnish list.

The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually, and may periodically, furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

§ 20-14 Denial, revocation or suspension of license or permit.

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing authority from the tax collector, or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than 14 days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this Article shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

§ 20-15 Payment agreement.

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

§ 20-16 Waiver of denial, suspension or revocation.

The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of their immediate family, as that term is defined in Massachusetts General Laws Chapter 268A, Section 1, in the business or activity conducted in or on said property.

§ 20-17 Exemptions.

This Article shall not apply to the licenses and permits that are specifically delineated by Massachusetts General Laws Chapter 40, Section 57 as being exempt from this local denial, suspension and revocation authority.

or take any other action relative thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 41: **AMENDMENTS TO ZONING PROVISIONS FOR LOT IRREGULARITY**

To see if the Town will vote to amend Subsection 5.2.C(1) of the Zoning Bylaw by deleting the third sentence thereof and by adding the following after the final sentence thereof:

Any application for a special permit for either an Open Space Residential Design subdivision pursuant to Subsection 4.4, or a hammerhead lot(s) pursuant to Subsection 5.2.B, may include a request that the substantial irregularity provisions not apply to one or more lots in the proposed development, which request the Special Permit Granting Authority may allow in its discretion as part of the approval of the special permit, but only upon a determination that:

- a. Such allowance will not result in harm to the neighborhood;
- b. Such allowance will further the stated purpose(s) of Subsection 4.4.A or 5.2.B(1), respectively, as applicable;
- c. At least one of the following factors exists:
  - i. There are topographic features, such as wetlands, sloping or soils conditions, that render impracticable that creation of a lot or lots compliant with the Regularity Factor;
  - ii. Allowing a lot or lots to be substantially irregular will result in the most efficient division of land;

- iii. For Open Space Residential Design subdivisions, allowing a lot or lots to be substantially irregular will maximize the size, connectivity, utility of, and access to, preserved open space; or
  - iv. For hammerhead lots, allowing a lot or lots to be substantially irregular will minimize the impact upon abutters of the placement, orientation, width and length of the lot handles and buildable areas; and
- d. The proposed Regularity Factor for the substantially irregular lot(s) is no lower than is necessary in order to ensure development of said lot(s) when considering the existing factor(s) as described in subsection c above.

**A&F Committee Recommends Approval, Unanimous Vote**

**Article 42: AMENDMENT TO ZONING PROVISIONS FOR HAMMERHEAD LOTS**

To see if the Town will vote to amend Subsection 5.2.B(2)(d) of the Zoning Bylaw by deleting the first sentence thereof and replacing it with the following:

A hammerhead lot may only abut one (1) other hammerhead lot.

And further, to amend Subsection 5.2.B(2)(d) of the Zoning Bylaw by adding the following sentence:

No more than two (2) hammerhead lots may be created from land that, within the past 10 years, was part of commonly held land. For the purposes of this provision, commonly held land shall include all contiguous land in which the same party has some type of ownership interest in each portion thereof, including, without limitation, as an individual, as a partner of a partnership, as a beneficiary of a trust, or as a controlling or minority owner of a corporate entity.

And further, to add a new Subsection 5.2.B(2)(p) to the Zoning Bylaw as follows:

No hammerhead lot may be created from any land within a preexisting subdivision for which the definitive plan was approved by the Planning Board and recorded in accordance with the provisions of Massachusetts General Laws, Chapter 41, Sections 81K through 81GG; provided, that nothing shall preclude the application for, and issuance of, a special permit for hammerhead lots concurrent with, and as part of, the approval of any such definitive plan.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 43: **AMENDMENT TO ZONING PROVISIONS FOR COMMON DRIVEWAYS**

To see if the Town will vote to delete Section 4.0.G of the Zoning Bylaw in its entirety and replace it with the following:

A use denoted by SP/ZBA may be permitted by a special permit by the Zoning Board of Appeals. A use denoted by SP/PB may be permitted by a special permit by the Planning Board. A use denoted by SP/PB/ZBA may be permitted by a special permit by either the Planning Board or the Zoning Board of Appeals, depending upon specific circumstances as detailed in the provisions of the Zoning Bylaw relative to that use.

And further, in the Table of Principal and Accessory Uses in Section 4.0 of the Zoning Bylaw, to amend the listing in Accessory Use, A. Accessory Uses that is labeled as “7. Common driveway” by changing each instance of “SP/ZBA” to “SP/PB/ZBA”.

And further, to amend Subsection 4.1.F of the Zoning Bylaw by deleting the second sentence under the heading for Common driveway (1), and replacing it with the following sentences:

Common driveways are allowed only by special permit. The Planning Board shall be the Special Permit Granting Authority whenever the common driveway would be part of a development for which a special permit is also being sought for hammerhead lot creation pursuant to Subsection 5.2.B, whenever the common driveway would be part of a development for which site plan review is required pursuant to Section 9.1, and whenever the common driveway would be part of a development for which the approval of a definitive plan is required under the Subdivision Control Law. In all other instances, the Special Permit Granting Authority shall be the Zoning Board of Appeals. In its discretion, the Special Permit Granting Authority may only allow a common driveway when it determines that the following conditions have been met:

And further, to amend Subsection 4.1.F of the Zoning Bylaw by adding the following new subsections under the heading for Common driveways (1), as follows:

- g. Whenever a common driveway travels at least 150 feet from a public or private way to a dwelling, then the common driveway must be at least 20 feet wide along its entire length and provide.
- h. Common driveways shall be constructed so as to provide an adequate turnaround and hold and withstand the imposed load of the largest fire apparatus in service (or purchased and intended for service) with the Town at the time of the special permit application, as determined by the Fire Chief.
- i. It has been demonstrated to the satisfaction of the Special Permit Granting Authority that each lot that will be accessed by the common driveway is otherwise capable of being served by an individual driveway that could be built in compliance with all local and state requirements and standards for the same, including, without limitation, with respect to zoning, wetlands and stormwater.

And further, to amend Subsection 4.1.F of the Zoning Bylaw by deleting the phrase “Zoning Board of Appeals” from the final sentence under the heading for Common driveways (2), and replacing the same with “Special Permit Granting Authority”.

And further, to amend Subsection 5.2.B(2)(h) of the Zoning Bylaw by deleting the words “the Zoning Board of Appeals and the Planning Board separately” and replacing the same with “the Planning Board”.

**A&F Committee Recommends Approval, Unanimous Vote**

**Article 44: AMENDMENTS TO ZONING PROVISIONS FOR CONSTRUCTION ON  
LOTS SMALLER THAN REQUIRED**

To see if the Town will vote to delete Subsection 5.2.E.3 of the Zoning Bylaw in its entirety.

**A&F Committee Recommends Approval, 13 In Favor and 1 Abstention**

**Article 45: AMENDMENT TO ZONING PROVISIONS FOR SITING OF ACCESSORY  
BUILDINGS AND STRUCTURES**

To see if the Town will vote to delete Subsection 5.2.D of the Zoning Bylaw in its entirety and replace it with the following:

5.2.D Accessory structures:

- (1) Roadside stands shall have side and rear yard setbacks of 10 feet, but need not have any front yard setback.
- (2) All other accessory buildings and structures shall have side and rear yard setbacks of 10 feet, and shall be placed in the rear and side yards only; provided, that the Zoning Board of Appeals may grant a special permit to allow placement of the same up to four (4) feet into the front yard so long as a 10 foot front yard setback is maintained.

**A&F Committee Recommends Approval, Unanimous Vote**

**Article 46: AMENDMENT TO ZONING PROVISIONS FOR NON-CONFORMING  
BUILDINGS AND STRUCTURES**

To see if the Town will vote to create a new Subsection 3.2.A of the Zoning Bylaw as follows:

3.2.A Whenever the reconstruction of a nonconforming single- or two-family residence increases a nonconformity, the footprint of the reconstructed building shall not be more than 50 percent greater than the footprint of the original building.

And further, to create a new Subsection 3.2.B of the Zoning Bylaw as follows:

3.2.B On a nonconforming lot, a special permit is not required in order to increase only the height of a single- or two-family residence, so long as the new height does not exceed the average height of all other single- and two-family residences within

500 feet of the lot on which the reconstructed residence will be built; provided, that the new height shall not be greater than is otherwise allowed in the zoning district.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 47: To see if the Town will vote to accept the action of the Board of Selectmen in laying out Winslow Way, as further depicted upon the plan attached to the warrant and filed with the Town Clerk, or take any other action in relation thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 48: To see if the Town will vote to accept the action of the Board of Selectmen in laying out Oxford Lane, as further depicted upon the plan attached to the warrant and filed with the Town Clerk, or take any other action in relation thereto.

**A&F Committee Recommends Approval, Unanimous Vote**

Article 49: **MARIJUANA ESTABLISHMENTS OVERLAY DISTRICT**

To amend the Zoning Bylaws by creating Article XX - Marijuana Establishments Overlay District, as drafted below:

**Article XX**

**Marijuana Establishments Overlay District**

*§ 265-20.1 Purpose of district.*

The purpose of the Marijuana Establishments Overlay District is to provide for the placement of Marijuana Establishments, in accordance with applicable state law, in locations suitable for Marijuana Establishments and to minimize adverse impacts of Marijuana Establishments on adjacent properties by regulation the siting, design, placement, and security of Marijuana Establishments.

*§ 265-20.2 Applicability.*

The Marijuana Establishments Overlay District is an overlay district that is superimposed on the underlying zoning districts of the Town, and the boundaries of which the Overlay District are shown on the official Swansea Zoning Map. The zoning of all underlying districts shall remain in effect and shall not be impacted or modified by this Article XX or the existence of said Overlay District.

*§ 265-20.3 Additional uses.*

The following principal uses shall be allowed with a special permit from the Zoning Board of Appeals in the Marijuana Establishments Overlay District, in addition to the as of right and permitted uses of the underlying zoning districts as provided in the Table of Principal and Accessory uses in § 265-4.0:

A. Marijuana Establishments

*§ 265-20.4 Dimensional requirements.*

The dimensional requirements of § 265-5.1 for the relevant underlying zoning district shall



apply in the Marijuana Establishments Overlay District.

**§ 265-20.5 Parking requirements.**

The requirements of Article VI shall apply in the Marijuana Establishments Overlay District.

And further, to amend the Zoning Map by creating a Marijuana Establishments Overlay District, comprised of those portions of the Business B District and the Manufacturing District consisting of Lots 23 & 24C of current Assessor's Map 74.

**A&F Committee Does Not Recommend Approval, 1 In Favor, 10 Opposed**

Article 50: To see if the Town will vote to rezone the entire premises hereinafter described, whereby the zoning of said entire parcel would be changed to a "Manufacturing District" (presently the northerly side of said premises is zoned as "Business B District"), all as is defined by the Swansea Zoning By-Law, said parcel of land being bounded and described as follows:

**That certain parcel of land on the southerly side of G.A.R. Highway (Rte. 6) in Swansea, Massachusetts, bounded and described as follows:**

Beginning on the southerly side of G.A.R. Highway (US Rte. 6) in the town of Swansea, Massachusetts and beginning at the northeasterly corner of the parcel to be described; Thence running S 10° 15' 45" West a distance of Four Hundred Forty (440) feet to a point for an angle; Thence turning and running S 67° 48' 17" W a distance of seventy-two (72) feet to a point for an angle; Thence turning and running S 01° 43' 56" E a distance of one hundred forty (140) feet to a point for a corner; Thence turning and running S 88° 16' 4" W a distance of four hundred nine (409) feet to a point for a corner; Thence turning and running N 2° 21' 41" W a distance of three hundred twenty-four and two one hundredths (324.02) feet to a point for a corner; Thence turning and running S 72° 15' 36" E a distance of two hundred ninety-eight and eighty-four one hundredths (298.84) feet to a point for a corner; Thence turning and running N 16° 14' 46" E a distance of four hundred forty-two and forty-eight one hundredths (442.48) feet to the southerly side of said G.A.R. Highway (US Rte. 6) to a point for a corner; Thence turning and running S 73° 45' 14" E along the southerly side of said G.A.R. Highway (US Rte. 6) a distance of one hundred sixty-one (161) feet to the point of beginning. Said parcel of land containing a total of 185,995 square feet, more or less, and being more fully identified as Parcel 1 and Parcel 2 on the plan of land entitled: "Approval Not Required Plan; Owned by Steven Bochter; Map 74, lot 23C; 610 G.A.R. Highway, Swansea, Massachusetts; Prepared by: C.S. Kelley Land Surveyors; Scale 1" = 40'; Date: February 28, 2017," the same being recorded with the Bristol County, Fall River District, Registry of Deeds, Plan Book 160, Page 55,

Or take any other action relative thereto.

**A&F Committee Does Not Recommend Approval, Unanimous Vote**

And you are hereby directed to serve this warrant by posting attested copies thereof seven (7) days at least before the day of said meeting as prescribed by law.

Hereof fail not and make return of this warrant with your doings thereon to the Town Clerk within twenty-four (24) hours after making service thereof.

Given under our hands this 25<sup>th</sup> day of May, 2021.



Derek W. Heim, Chairman



Steven H. Kitchin, Vice Chairman



Christopher R. Carreiro, Clerk

**A true copy, Attest:**

**Constable of Swansea:**

**I hereby certify that the above warrant has been posted in accordance with the Massachusetts General Laws and the By-Laws of the Town of Swansea in the following eight places:**

**Town Hall  
C.O.A./Community Center  
Water District  
United States Post Office**

**Police Station  
St. Dominic's Credit Union  
Fire Station No. 2  
Harvest Market**



Constable

5/27/21

(Date)

# Article 14

Proposes changes to current bylaw

## **§ 222-1. Solid waste disposal and recycling program established; fees and charges.**

- A. There shall hereby be established a program for the mandatory separation of certain recyclables, yard waste, white goods and CRT materials from trash by the residents of the Town of Swansea (hereinafter referred to as "the Town") and the curbside collection of these recyclables, yard waste, white goods and CRT materials. The collection of trash, recyclables, yard waste, white goods and CRT materials shall be made on a scheduled basis under the supervision of the Highway Department, as authorized by the Board of Selectmen. Decisions relating to the transportation, sale, or disposal of trash, recyclables, yard waste, white goods and CRT materials collected by the Town or its contractors shall be made by the Director of Engineering and Highway Services based on this bylaw, the Town's recycling bylaw, and contractual arrangements authorized by the Board of Selectmen and the Town Administrator, acting as Chief Procurement Officer.
- B. Under the authority of MGL c. 44, § 28C, and case law thereunder, the following system of fees and exemptions is established to cover all costs of operating the Town's integrated municipal solid waste programs:
- (1) An annual trash fee shall be assessed on every residential dwelling unit in the Town and said fee shall be paid by the property owner. The fee will be assessed at a rate method that the Board of Selectmen deems appropriate to cover all fixed costs of operating the trash, recyclables, yard waste, white goods and CRT programs instituted now or in the future by the Town. The Town shall make this system self-sufficient utilizing an enterprise fund established under MGL c. 44, § 53F 1/2.
  - (2) Additionally, residents must purchase and place all trash in Town-designated bags for curbside collection and disposal. Funds generated from the sale of Town-designated bags will pay for variable costs of the solid waste program instituted now or in the future by the Town and will be deposited in the aforementioned enterprise fund.
  - (3) Tags must be purchased by residents for disposal of bulky items, white goods, and CRT's. Funds collected from the sale of tags will be used to pay for the disposal of these aforementioned items and for other solid waste program

costs and will be deposited in the aforementioned enterprise fund.

- (4) The Town may, on an annual basis or from time to time, conduct household hazardous waste product days. Costs for conducting the household hazardous product program may be part of the solid waste program. Fees may be charged for certain items collected at the household hazardous waste days and will be deposited in the aforementioned enterprise fund.
  - (5) Commercial and industrial properties shall be responsible for the collection and disposal of all solid waste including all trash, recyclables, yard waste, white goods, and CRT materials generated at those locations and are not eligible to participate in the Town-sponsored program and therefore will be exempt from paying the annual trash fee and are not required to use Town-designated bags.
  - (6) An owner of residential property may be exempted from participating in the mandatory program (including payment of the annual trash fee, purchase of designated bags and tags) by contracting with a licensed solid waste hauling company for the removal and disposal of all solid waste, including trash, recyclables, yard waste, white goods, and CRT materials. Any property owner seeking this exemption must annually provide the Director of Engineering and Highway Services with an acceptable signed contract from a properly licensed and permitted hauler or other satisfactory evidence that an agreement with a licensed and permitted hauler is in effect. **[Amended 2-14-2005 STM by Art. 13]**
  - (7) Other exemptions from the payment of the annual trash fee may be approved by the Town Administrator, in accordance with written policies adopted by the Town Administrator, with the approval of the Board of Selectmen, and on file in the Board of Selectmen's office.
  - (8) Unpaid trash fees will become a lien on a homeowner's property tax account as provided in the applicable provisions of the Massachusetts General Laws. Failure to make payment when due in any year, unless an exemption is granted, shall result in the assessment of interest, penalties, and charges as authorized by state statute.
- C. At a duly-noticed public hearing held no later than October 15, the Board of Selectmen shall annually review and establish all

fees hereunder (annual fee, Town-designated bag prices, and tag prices) based upon the estimated reasonable cost of providing the services in question for the next fiscal year, taking into account such costs for previous years and the recommendations of the Director of Engineering and Highway Services and the Town Administrator. All revenue received from the programs established under this Bylaw shall be used to offset the associated costs of those programs. **[Amended 11-19-2012 STM by Art. 11]**

**§ 222-2. Separation of recyclables and other materials; placement for removal; violations and penalties.**

- A. Each homeowner participating in the program shall sort individually and prepare all recyclables, yard waste, white goods and CRT materials as defined in the Town's current program, and separate these materials from the trash contained in the Town-designated bags.
- B. Recycling containers, yard waste bags and/or other dedicated containers holding recycling and yard waste materials shall be placed on and removed from the curbside of the roadway.
- C. All recycling and yard waste materials shall be packaged in a manner to prevent the scattering of the materials; an individual container/bag shall not exceed 60 pounds in weight.
- D. Recyclables and yard waste shall not be placed in plastic bags for collection or disposal. Brush not exceeding three inches in diameter and four feet in length may be disposed as yard waste. Brush must be tied securely in bundles not exceeding 60 pounds per bundle for pickup at curbside. Christmas trees may be disposed as a whole only during the annual scheduled pickup.
- E. The recycling and yard waste materials collected by the Town or its contractor shall be transported to and disposed of at properly designated recycling and yard waste facilities.
- F. All trash shall be placed in the Town-designated bags for curbside collection. All bags must be securely closed or tied and shall not exceed 30 pounds per bag. Closed Town-designated bags may be placed curbside in plastic and metal trash barrels, but the total weight of each barrel shall not exceed 60 pounds.
- G. Residents must securely affix one Town-designated tag to each bulky waste, white goods, or CRT item that is to be disposed. One tagged bulky waste item per week per residence may be disposed

with the trash. Residents must call the Town's designated contractors to schedule curbside pick-up of tagged white goods and tagged CRT's. There is a limit of two tagged items per residence per scheduled pick-up for white goods and CRT's. Items placed for disposal shall be reasonably clean and free of trash, dirt, and debris.

- H. All solid waste materials for collection shall be properly placed at the curb no earlier than 6:00 p.m. on the night before the scheduled collection day, and no later than 7:00 a.m. on the scheduled collection day.
- I. Any individual who violates this section of the Bylaw shall be subject to a written warning of a first offense by the Swansea Police Department and further violations shall result in a fine of \$25 for the second offense and \$50 for each subsequent offense.

**§ 222-3. Ownership of solid waste materials; violations and penalties.**

Any solid waste materials left curbside for collection by the Town or its contractors shall become property of the Town. It shall be a violation of this Bylaw for any person other than the property owner, authorized employees or agents on behalf of the Town acting in course of employment, or a properly-licensed solid waste hauling company acting under contract, to collect or pick-up or cause to be collected or picked-up any solid waste material within the Town of Swansea. Any unauthorized collection or pickup from one or more locations within the Town shall constitute a separate and distinct offense punishable by a fine of \$50 for the first offense and \$100 for each subsequent offense, enforceable by the Swansea Police Department.

**§ 222-4. Definitions.**

**ASSOCIATED COSTS** — Those costs that must meet but not exceed projected expenses for the program established under this Bylaw. These shall include, but are not be limited to annual fees, Town-designated bag prices, and Town-designated tag prices.

**BOARD OF SELECTMEN** — Shall mean the duly-elected Board of Selectmen of the Town of Swansea.

**BULKY WASTE** — Shall mean all furniture, box springs, mattresses, and other bulky material with weights or volumes greater than those allowed for in Town-approved bags, other than white goods.

CONSTRUCTION DEBRIS — Shall mean all waste building materials resulting from construction, remodeling, repair or demolition operations.

CRT'S or CRT MATERIALS — Shall mean computer monitors, computers, televisions, and other electronics. Computer and television screens must be unbroken. Broken screens shall be considered hazardous waste.

DIRECTOR OF ENGINEERING AND HIGHWAY SERVICES — Shall mean the duly-appointed Director of Engineering and Highway Services for the Town of Swansea or his or her authorized representative or designee.

HAZARDOUS WASTE — Shall mean waste or material in any amount which defined, characterized or designated as hazardous by or pursuant to Federal or State law, or waste or materials in any amount which is so regulated under Federal or State law. For purposes of this Bylaw, the term "Hazardous Waste" shall also include pathological or biological waste, chemicals or compounds which are explosive, flammable, radioactive or toxic, motor oil, gasoline, oil base paint, automobile batteries, asbestos, ammunition, broken computer or television screens.

RECYCLABLE MATERIALS AND RECYCLABLES — Shall mean materials which the Town has designated as having potential for recycling. These include newspapers, magazines, glass containers (clear, green and brown), #1 and #2 plastic containers, tin and aluminum cans, corrugated cardboard, brown paper bags, white and colored office paper and computer paper separated from other mixed waste by the occupants of eligible residential and municipal units and placed a curbside in an approved "set out".

RECYCLING CONTAINER (SET OUT) — Shall mean a durable recycling container of approximately 14 gallon capacity in which recyclable materials are co-mingled for collection at curbside or other such containers approved by the Town.

SOLID WASTE PROGRAM — Shall include pickup, transportation, disposal, and all related activities for trash, recyclables, yard waste, white goods, CRT materials, and household hazardous product program.

THE TOWN — Shall mean the Town of Swansea, a Massachusetts municipality, and shall include all streets and ways and all buildings and improvements within the municipal boundaries of the Town.

**TOWN ADMINISTRATOR** — Shall mean the duly-appointed Town Administrator for the Town of Swansea or his or her authorized representative or designee.

**TRANSPORT AND TRANSPORTATION** — Shall mean the carrying of acceptable wastes and recyclables in an approved and lawful vehicle, operated by a duly licensed driver, from the point of collection or pickup to a designated disposal site and to unload such wastes at said site.

**TRASH** —

- A. All residential refuse generated on a weekly basis by a normal household. These materials may include garbage, rubbish, wastepaper, construction debris from non-commercial sources. These materials must be sized for placement into Town-designated bags and shall not exceed 30 pounds per bag. Non-commercial construction debris shall be limited to a maximum of one bag per residence per week.
- B. The following types of waste are specifically excluded from trash: recyclables, yard waste, white goods, CRT materials, bulky waste, hazardous wastes, and construction debris exceeding one bag per residence per week. Other excluded materials include, but are not limited to: construction debris from commercial sources and large construction debris from all sources; auto hulks, engine blocks, transmission blocks, heavy machinery, ski-mobiles, motorcycles, lawn mowers, tractors, chain link fencing, metal tanks, and other large scrap items; tree stumps, regardless of size; pathological wastes; toxic and volatile chemicals; explosives; tires; batteries; Christmas trees; liquid and semi-liquid waste; waste oil, gasoline, and other petroleum products; boulders, dirt, gravel, sand, loam, fill, and other earthen materials; toilets and sinks; human or animal remains or excrement; materials banned from the waste stream by the Massachusetts Department of Environmental Protection or other state or federal governmental authority.

**WHITE GOODS** — Shall mean large household appliances incidental to the maintaining of a residence, including but not limited to refrigerators, stoves, washers, dryers and other similar metal items.

**YARD WASTE** — Shall mean leaves, Christmas trees, garden waste, grass and other clippings, weeds, brush, and other materials customarily incidental to yard and garden maintenance, and branches not exceeding three inches in diameter by four feet in length, to be tied in bundles not to exceed 60 pounds.



YARD WASTE BAG — Shall mean 30 gallon multi-ply biodegradable paper bags as specified by the Town, the contents of which shall not exceed 60 pounds.

**§ 222-5. Effect and severability.**

- A. This Bylaw shall supersede any existing Bylaw or Departmental Regulation of the Town of Swansea. All Bylaws and regulations or parts of Bylaws or regulations previously approved or adopted by any Town Meeting or department that relates to the collection of trash or recycling/composting are hereby repealed.
- B. This Bylaw and the various parts, sentences, sections, and clauses thereof are hereby declared to be severable. If any part, sentence, section, or clause is adjudged invalid, it is hereby provided that the remainder of this Bylaw shall not be affected thereby.

# Article 39

Proposes changes to current bylaw

§ 115-1

§ 115-3

## ARTICLE I In General

### **§ 115-1. Restrictions on keeping swine.**

No person shall keep any swine within a distance of 200 feet of any public way or place, or of any dwelling house not his own, or within a distance of 100 feet of his own dwelling place or within 250 feet of the high water mark of any source of drinking water supply or any tributary thereof or within 250 feet of the high water mark of any open waters flowing directly or ultimately into any source of water supply.

### **§ 115-2. Frightening horses.**

No person shall by any noise, gesture or other means, wantonly and designedly frighten any horse in any street or other place in Town.

### **§ 115-3. Livestock at large.**

No person shall suffer horses, grazing beasts or swine, to run at large in this Town, or to feed by the roadside either with or without a keeper.

ARTICLE II  
**Dogs**  
**[Amended 2-12-2002 STM by Art. 14]**

**§ 115-4. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**ANIMAL CONTROL OFFICER** — The person or persons employed by the Town as its enforcement officer and shall include any Police Officer.

**ANIMAL SHELTER** — Any premises designated by action of the Town or the continued use of the present premises for the purpose of impounding and caring for all dogs found running at large in violation of this article.

**AT LARGE** — Any dog shall be deemed to be at large when it is off the property of its owner and not under the control of a competent person.

**OWNER** — Any person, group of persons or corporation owning, keeping, or harboring a dog or dogs.

**RESTRAINT** — A dog is under restraint, within the meaning of this section, when it is property leashed or controlled or at "heel" beside a competent person and obedient to that person's commands or on or within a vehicle being driven or parked on the streets of the Town, or within the property limits of its owner or keeper.

**§ 115-5. Dogs at large prohibited; restraint.**

- A. No person owning or harboring a dog shall allow it to run at large on any of the streets or public places in the Town, nor allow it upon the premises of anyone other than its owner or keeper without permission.
- B. No dog shall be allowed or permitted in any public place or street within the Town unless it is effectively restrained and controlled by a chain or other form of leash that is sufficient to hold the dog, or unless it is under the immediate and effective control of a handler, or unless it is within and confined to a motor vehicle.
- C. Nothing in this article shall prohibit the use of hunting dogs during open season or the training of hunting dogs or the holding of field trials for hunting dogs.

**§ 115-6. Enforcement.**

The provisions of this article shall be enforced by the Animal Control Officer or Animal Control Officers and any Police Officer.

**§ 115-7. Removal of Town from county dog fund.**

All licensing funds and other fees, which were previously delivered to Bristol County, shall be retained by the Town of Swansea.

**§ 115-8. Licensing; fees.**

- A. Any person residing in the Town of Swansea, who at the beginning of the licensing period (April 1st to March 31st), or who during the licensing period becomes the owner or keeper of a dog six months old or over, shall cause the dog to be licensed. The Town Clerk shall issue dog licenses and tags on a form prescribed and furnished by the Town.
- B. The Town Clerk shall not issue a license for any dog unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that the dog is currently vaccinated against rabies.
- C. An exemption from the requirement of having to produce a valid rabies certificate in order to obtain a dog license shall be granted if the owner or keeper presents a signed statement from a veterinarian, indicating that because of infirmity, or other physical condition or regimen of therapy, inoculation is thereby deemed inadvisable.
- D. The owner or keeper shall cause each dog to wear around its neck or body a collar or harness to which he shall securely attach the license tag.
- E. The License Fee structure shall be as follows:
 

Spayed female dogs and neutered male dogs	\$5 license per year
Unspayed female dogs and unneutered male dogs	\$10 license per year
Late fee after June 30th	\$10
- F. No fee shall be charged for a dog specially trained to lead or serve a blind, deaf or handicapped person upon presentation of a certificate of such training to the Town Clerk.

- G. In the event that any tag is lost, defaced, or destroyed, substitute tags shall be obtained by the owner or keeper from the Town Clerk at the cost of \$1.
- H. Any owner or keeper of a dog, who moves into the Town of Swansea and has a valid dog license from another city or town in the Commonwealth, shall within 30 days obtain a dog license for a fee of \$1 upon producing evidence of the previous license.

**§ 115-9. Impoundment and disposition of dogs at large; fees.**

- A. Any dog found running at large shall be taken up by the Animal Control Officer and impounded in a shelter designated by the Town and there confined in a humane manner for a period of 10 days, and may thereafter be disposed of in a humane manner or if found free from disease made available for adoption if not claimed by their owner.
- B. Immediately upon impounding dogs the Animal Control Officer shall make every possible reasonable effort to notify the owners or keeper of such dogs, so impounded, and inform such owners or keeper that the dog has been impounded.
- C. The owner or keeper of any dog impounded may reclaim such dog, if duly licensed to its owner or keeper and upon payment to the Animal Control Officer of \$10 together with the sum of \$8 for each day or fraction thereof of such confinement.
- D. When dogs are found running at large, and their ownership is known to the Animal Control Officer, such dogs need not be impounded, but the Animal Control Officer may, at his/her discretion, cite the owner of such dogs to answer to charges of violation of this article.

**§ 115-10. Limit on number of dogs to be kept; kennel licensing.**

- A. No more than three dogs are allowed to be kept on one premise in the Town of Swansea, except where the keeping of more dogs is allowed by zoning<sup>1</sup> and an annual kennel license is granted. Applications for licensing of four or more dogs shall be obtained through the Town Clerk's Office. The application form is to be filled out by the applicant and returned to the Town Clerk's Office.

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1. Editor's Note: See Ch. 265, Zoning.

- B. An investigation will be done by the Animal Control Officer in regards to sanitary conditions of kennel and/or exercise area, location and type of kennel, sound-proofing of kennel area, number of dogs, type of dogs, abutters concerns and any other issues deemed necessary.
- C. The granting or denial of an annual Kennel License will be done within 30 days of filing a complete application.
- D. The licensing period for Kennels is April 1st to March 31st.
- E. The Kennel License Fee structure is as follows:
 

Not more than 4 dogs	\$20
More than 4 dogs but not more than 10 dogs	\$50
More than 10 dogs	\$75
Late fee after June 30th	\$10
- F. Dogs under the age of six months shall not be counted in the number of dogs kept therein.

**§ 115-11. Interference with enforcement.**

No person shall interfere with, hinder or molest the Animal Control Officer(s) of this Town in the performance of his/her duties, or seek to release any dog in the custody of the Animal Control Officer, except as herein provided.

**§ 115-12. Records.**

It shall be the responsibility of the Animal Control Officer to keep, or cause to be kept, records of the impoundment and disposition of all dogs coming into his custody.

**§ 115-13. Noncriminal disposition of violations; appeals.**

- A. Any person found to be in violation of the Swansea General Bylaws and/or Rules and Regulations relating to dogs may be issued a citation pursuant to this Bylaw or MGL c. 140, § 173A. The citation shall denote the specific violation and amount of fine. All fines are to be paid to the Town of Swansea, Animal Control office within 21 days of the violation notice. Anyone wishing to appeal the violation notice shall do so in writing within the twenty-one-day period to the Clerk Magistrate of the Fall River District Court.

- B. A criminal complaint may be issued against any such person who falls to pay the above fine or request a hearing within 21 days or if he or she fails to appear for the hearing or to pay any fine determined at the hearing to be due.

**§ 115-14. Muzzling or restraining of dogs.**

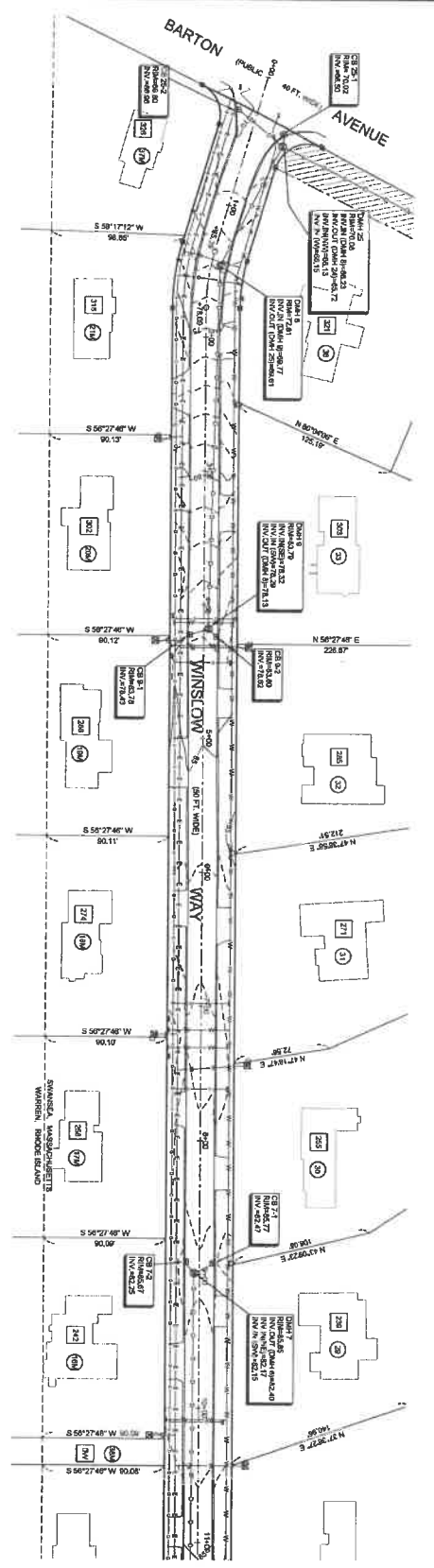
The Animal Control Officer may order a dog to be restrained and/or muzzled for any of the following reasons:

- A. For having bitten any person.
- B. For having killed, maimed or otherwise damaged any other domesticated animal.
- C. For chasing any vehicle upon any public way or way open to public travel in the Town.

**§ 115-15. Violations and penalties.**

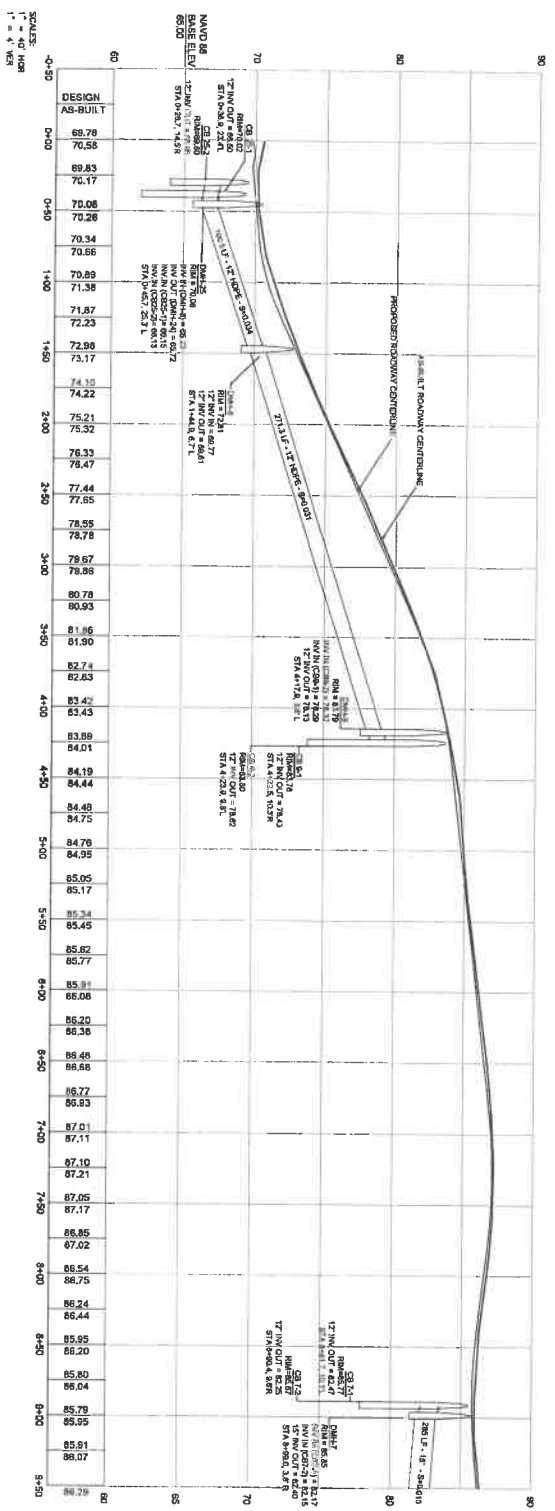
- A. Any person who violates the provisions of this Article shall receive a written warning for the first offense and shall be liable for payments of the following fines: \$25 for the second offense, \$50 for the third and subsequent offenses, provided that all said offenses occur within the same calendar year.
- B. If any dog six months of age or over is found after June 30th in any year to be unlicensed or unregistered with the Swansea Town Clerk, a fine of \$25 will be imposed upon the owner or keeper of the dog.

APR 2004



**LEGEND**

- Y HYDRANT
- ELECTRIC CHANCKLE
- CITY
- ⊗ NATURAL GAS PIPE
- ⊕ WATER GATE
- ⊞ CATCH BASIN
- ⊞ STORMWATER MANHOLE
- CONTOUR - MAJOR
- - - CONTOUR - MINOR
- CENTRIABLE - FITTING
- ELECTRIC TELECOM
- WATER LINE
- DRAINAGE LINE
- NATURAL GAS LINE
- ▨ DRAINAGE EASEMENT
- ▨ STONE SPALL
- REFERS TO A CONCRETE FOUNDATION WITH PERMITS. SET IN ACCORDANCE WITH TOWN OF WINDSOR REQUIREMENTS. CHECK FOR ANY CHANGES TO THE PERMITS. (SEE PLAN SHEET)
- REFERS TO A SIGN TO BE PLACED AT THE END OF THE DRIVE. (SEE PLAN SHEET)
- ⊞ DEPOTES WINDSOR WAY STREET ADDRESS
- ⊞ DEPOTES SUPERVISION PANCE NUMBER



SCALES  
1" = 40' HORIZ  
1" = 4' VERT

DATE: [Signature]  
[Professional Seal]

DATE: [Signature]  
[Professional Seal]

REV	DATE	DESCRIPTION	BY	APP.	DATE
1		ADDITIONAL CHANGE SET			

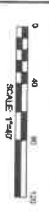
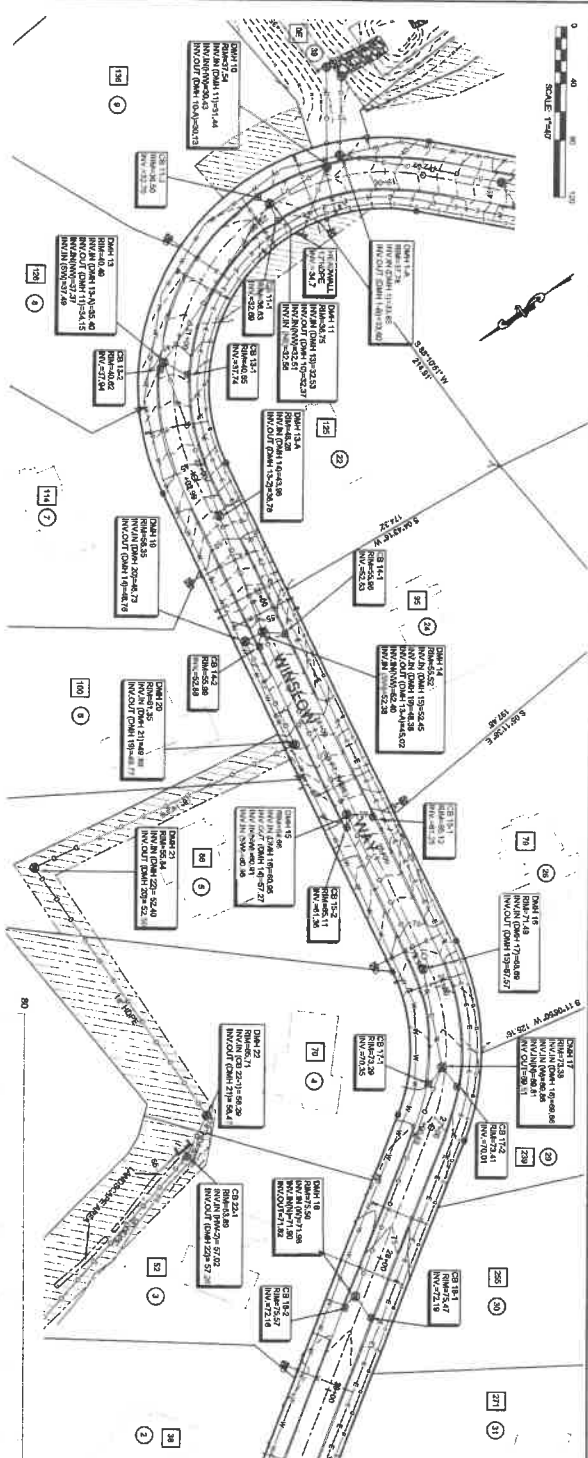
PROJECT	WINDSOR WAY ROADWAY AS-BUILT
CLIENT	TOUJSET POINT WINDSOR, MASSACHUSETTS
DESIGNER	TOUJSET DEVELOPMENT CORP. WINDSOR, MASSACHUSETTS
DATE	APRIL 2004

NO. OF SHEETS	1 OF 4
DATE	APRIL 2004
PROJECT NUMBER	100-07-01

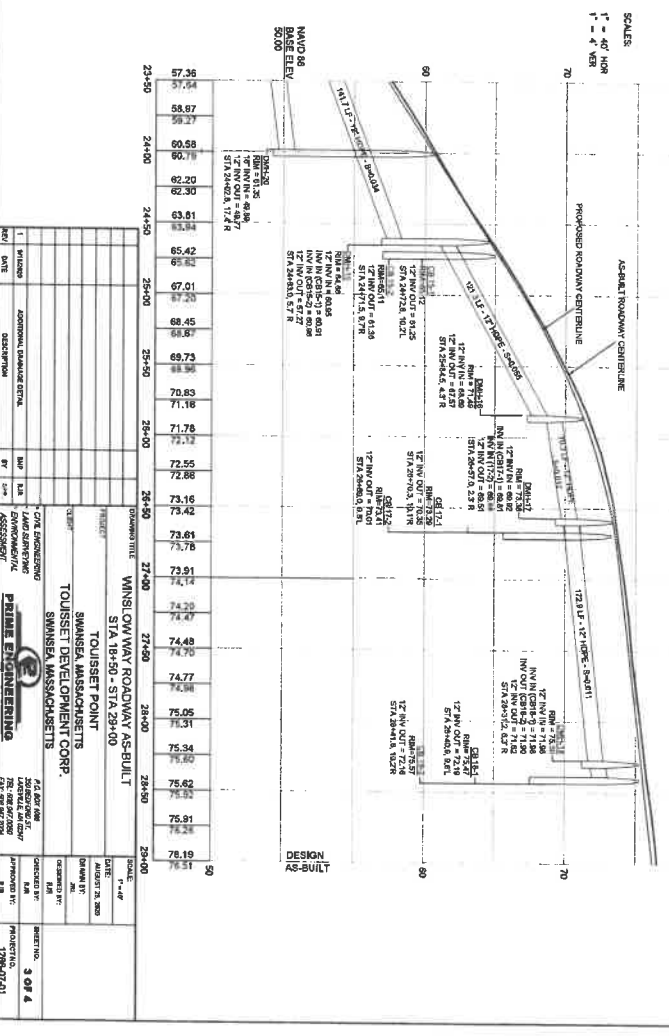
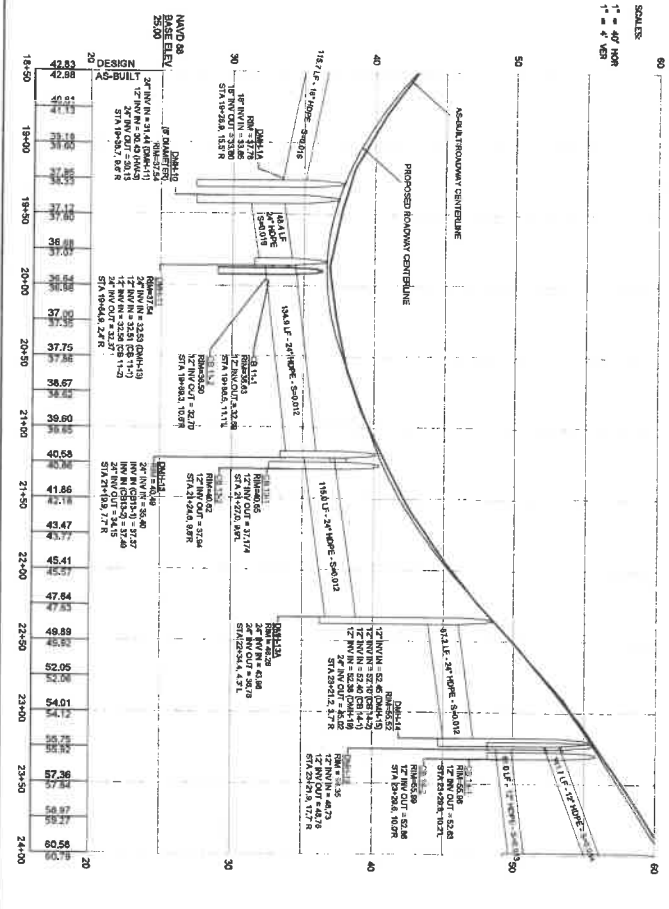






**LEGEND**

- HYDRANT
- ELECTRIC MANHOLE
- CATCH BASIN
- MANHOLE GAS DATE
- WATER VALVE
- STORMWATER INLET
- CONTROL VALVE
- CONTROL MANHOLE
- CENTRIFUGAL PUMPING
- WATER LINE
- GAS LINE
- SEWER LINE
- STORMWATER LINE
- ELECTRIC LINE
- TELEPHONE LINE
- FIRE ALARM LINE
- NATURAL GAS LINE
- DRIVEWAY PAVEMENT
- STONE RIP-RAP
- DENOTES TO CONCRETE ROADWAY WITH DETAIL NOTE
- DENOTES TO ALTERNATE MONUMENT DETAIL NOTE FOR ON-SITE AS NOTED
- DENOTES SURVEY PARCEL NUMBER



NO.	DATE	DESCRIPTION	BY	CHKD.	DATE
1		ISSUED FOR PERMIT			
2		REVISION			
3		REVISION			
4		REVISION			
5		REVISION			
6		REVISION			
7		REVISION			
8		REVISION			
9		REVISION			
10		REVISION			

**PRIME ENGINEERING**  
 1000 WASHINGTON STREET  
 SUITE 200  
 WILMINGTON, MASSACHUSETTS 01890  
 TEL: (508) 653-1111  
 FAX: (508) 653-1112  
 WWW.PRIMEENGINEERING.COM

**TOUSSAINT ENGINEERING**  
 1000 WASHINGTON STREET  
 SUITE 200  
 WILMINGTON, MASSACHUSETTS 01890  
 TEL: (508) 653-1111  
 FAX: (508) 653-1112  
 WWW.TOUSSENG.COM

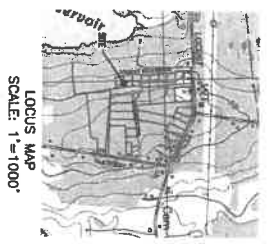
DATE: 12/20/21  
 TIME: 10:00 AM



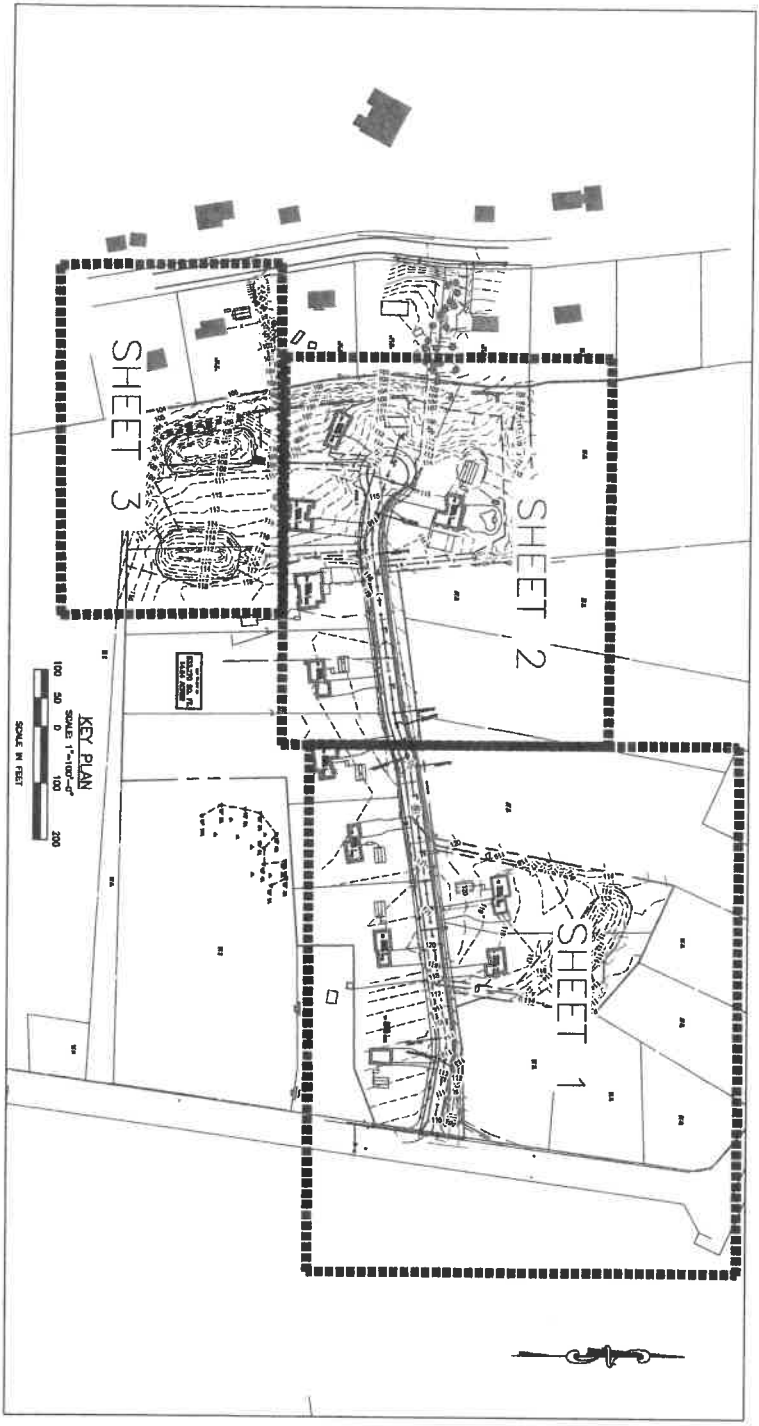
"AS BUILT" PLANS  
 "OAK ESTATES"  
 A.P. 23 LOT 38

OXFORD LANE, SWANSEA, MASSACHUSETTS 02777

DREAM HOMES INC.  
 411 COLUMBIA STREET  
 FALL RIVER, MA 02721



ORIGINAL SUBMITTED PLANS  
 DATED APRIL 16, 2010 WERE  
 ON AN ASSUMED DATUM  
 THE AS-BUILT IS ON THE  
 NAVD 83 WITH A INCREASE  
 OF 9.3 FEET

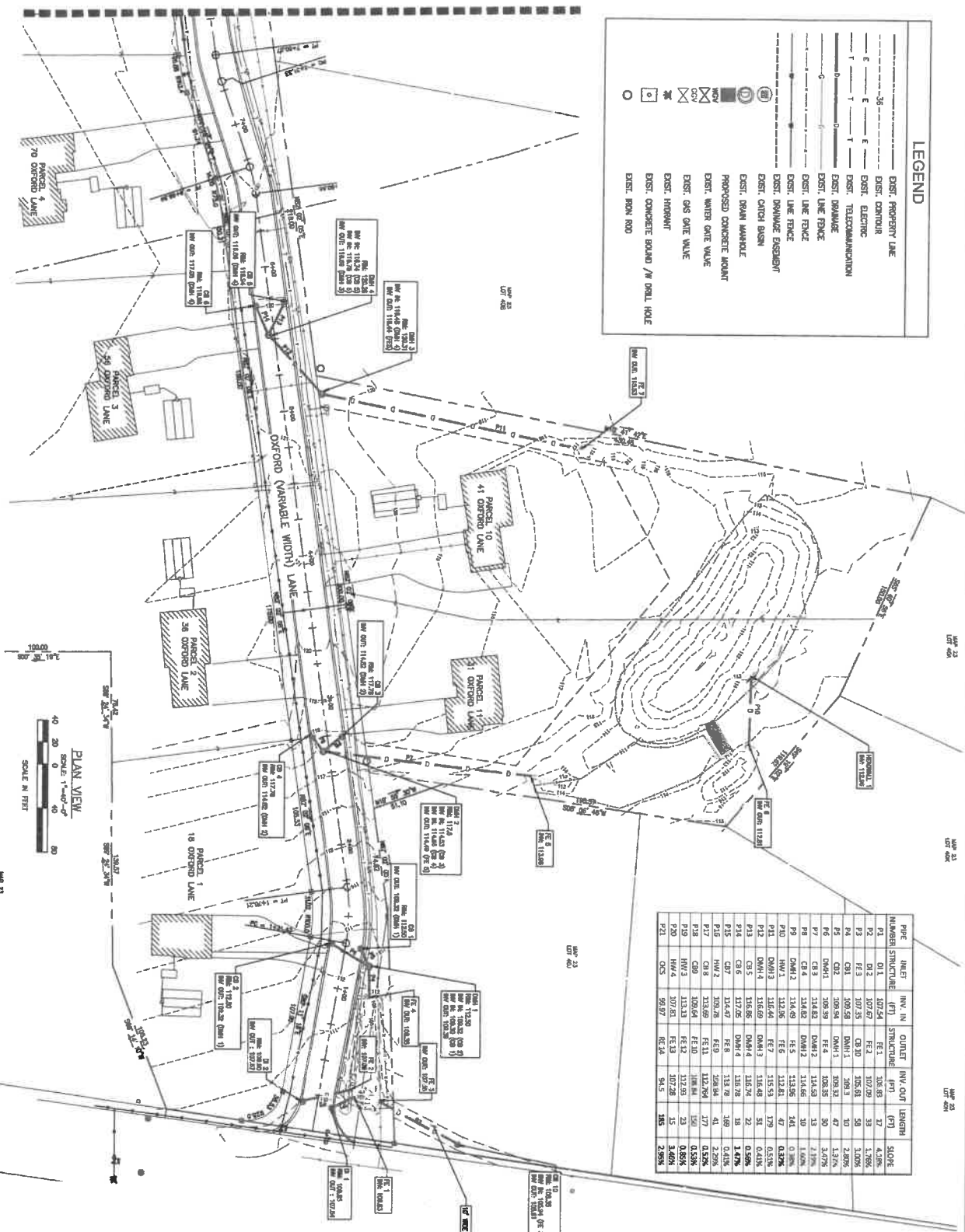


**GADYANCED**  
 ENGINEERING GROUP, P.C.  
 100 WASHINGTON STREET  
 FALL RIVER, MA 02721  
 TEL: 508-673-1111  
 FAX: 508-673-1112  
 WWW.GADYANCED.COM

Project No.	Scale	Issue
09-0001	AS NOTED	09/22/2010
Drawing No.	Revised	
301	1	

**LEGEND**

- DIST. PROPERTY LINE
- DIST. CONTROL
- DIST. ELECTRIC
- DIST. TELECOMMUNICATION
- DIST. IRRIGATION
- DIST. LINE FENCE
- DIST. LINE FENCE
- DIST. LINE FENCE
- DIST. LINE FENCE
- DIST. ORNAMENTAL EXISTENT
- DIST. CATCH BASIN
- DIST. DRAIN MANHOLE
- PROPOSED CONCRETE MANHOLE
- DIST. WATER GATE VALVE
- DIST. GAS GATE VALVE
- DIST. HOBBART
- DIST. CONCRETE BOUND / W/ DRILL HOLE
- DIST. ROAD ROAD



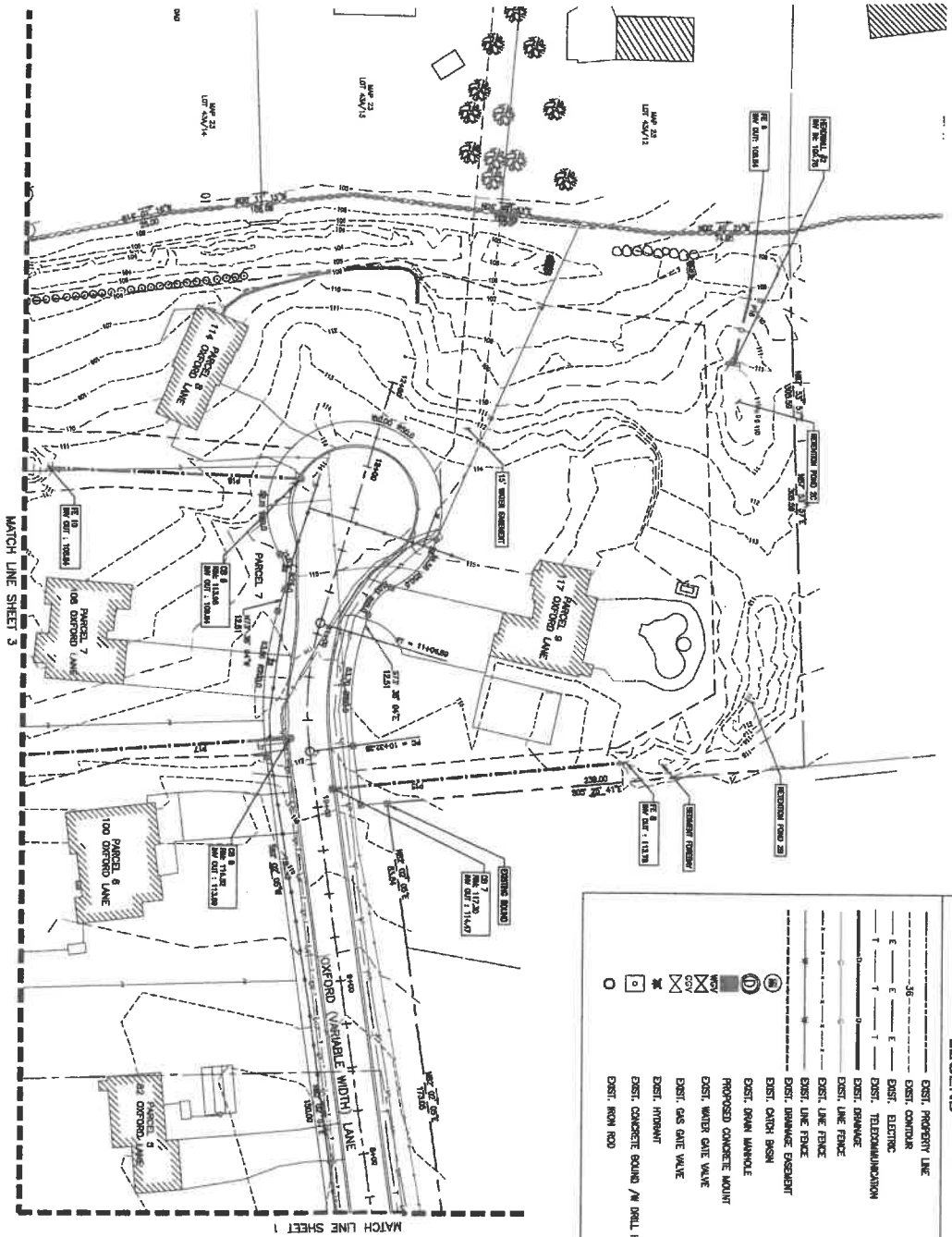
PLAN VIEW  
SCALE: 1"=40'-0"  
SCALE IN FEET

PIPE NUMBER	INLET STRUCTURE (F1)	OUTLET STRUCTURE (F2)	INLET (F1)	OUTLET (F2)	LENGTH (F1)	SCORE
P1	DI 2	FE 1	107.28	37	4.08	3.00%
P2	FE 2	FE 3	107.28	38	1.00%	3.00%
P3	FE 3	CE 10	108.61	50	2.00%	3.00%
P4	CE 1	DMH 1	308.32	47	1.37%	3.00%
P5	CE 2	DMH 1	308.32	47	1.37%	3.00%
P6	DMH 1	FE 4	108.38	50	3.47%	3.00%
P7	CE 3	DMH 2	114.53	13	2.17%	3.00%
P8	CE 4	DMH 2	114.66	20	1.60%	3.00%
P9	DMH 1	FE 5	112.58	24	0.28%	3.00%
P10	DMH 1	FE 6	112.58	24	0.28%	3.00%
P11	DMH 3	FE 7	118.53	179	0.51%	3.00%
P12	DMH 4	DMH 3	118.48	31	0.41%	3.00%
P13	CE 5	DMH 4	118.78	22	0.59%	3.00%
P14	CE 6	DMH 4	118.78	18	1.47%	3.00%
P15	CE 7	FE 8	118.47	189	0.41%	3.00%
P16	DMH 2	FE 9	108.94	43	2.29%	3.00%
P17	DMH 3	FE 10	118.69	177	0.28%	3.00%
P18	DMH 3	FE 11	118.69	177	0.28%	3.00%
P19	DMH 3	FE 12	112.81	23	0.85%	3.00%
P20	DMH 4	FE 13	107.28	15	3.46%	3.00%
P21	DMH 4	FE 14	107.28	15	3.46%	3.00%

ORIGINAL PERMITTED PLANS  
DATED APRIL 18, 2010 WERE  
USED AS THE BASIS FOR THESE  
PLANS. THE DESIGN IS ON THE  
BASIS OF THE PERMITTED  
DRAWING OF 8.3 FEET

**ADVANCED**  
ENGINEERING GROUP, P.C.  
1000 W. 10th Street, Suite 100  
Tulsa, Oklahoma 74103  
Phone: (918) 438-2222  
Fax: (918) 438-2223  
www.advancedeng.com

Drawn By: [Name]  
Checked By: [Name]  
Scale: AS SHOWN  
Date: 07/27/2010

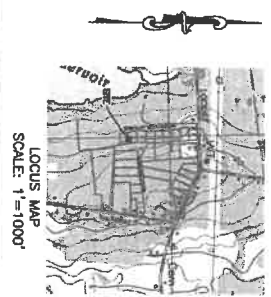


### LEGEND

	EXIST. PROPERTY LINE
	EXIST. CONTOUR
	EXIST. ELECTRIC
	EXIST. TELECOMMUNICATION
	EXIST. DRAINAGE
	EXIST. LINE FENCE
	EXIST. LINE FENCE
	EXIST. BERM/EMBANKMENT
	EXIST. CATCH BASIN
	EXIST. OPEN MANHOLE
	PROPOSED CONCRETE MOUND
	EXIST. WATER GATE VALVE
	EXIST. GATE VALVE
	EXIST. MANHOLE
	EXIST. CONCRETE BOUND / IN DRILL HOLE
	EXIST. IRON ROD

ORIGINAL, PERMITTED PLANS DATED APRIL 16, 2010 WERE ON AN ASSUMED DATUM. THE AS-BUILT IS ON THE MVD DATUM WITH AN INCREASE OF 0.3 FEET.

PIE NUMBER	INLET STRUCTURE	HWI IN (FT)	OUTLET STRUCTURE	HWI OUT (FT)	LENGTH (FT)	SLOPE
P1	01.1	107.54	FE.1	106.60	17	4.35%
P2	01.2	107.67	FE.2	107.09	38	1.76%
P3	FE.3	107.35	CM.10	105.63	58	3.09%
P4	CM.1	109.50	DMH.1	109.3	10	2.89%
P5	CM.2	109.54	DMH.1	109.32	47	1.32%
P6	DMH.1	114.83	DMH.2	114.83	30	3.47%
P7	CM.4	114.82	DMH.2	114.62	20	1.69%
P8	DMH.2	114.49	FE.5	113.96	341	0.39%
P9	DMH.2	112.96	FE.6	112.81	47	0.33%
P10	DMH.3	115.44	FE.7	115.53	179	0.51%
P11	DMH.3	115.69	DMH.3	115.49	51	0.43%
P12	CM.5	115.95	DMH.4	115.78	21	0.39%
P13	CM.5	117.05	DMH.4	116.78	18	1.09%
P14	DMH.4	116.78	DMH.4	116.78	159	2.52%
P15	DMH.4	116.78	DMH.4	116.78	41	2.29%
P16	DMH.4	116.78	DMH.4	116.78	41	2.29%
P17	CM.8	113.69	FE.11	112.764	177	0.52%
P18	CM.9	119.64	FE.10	108.86	359	0.59%
P19	DMH.3	113.13	FE.12	113.29	23	0.38%
P20	DMH.3	107.81	FE.13	107.28	15	3.49%
P21	OC.5	99.97	NE.14	94.5	145	2.89%



MARIE, G. & CAROL  
P. REGISTERED PROFESSIONAL ENGINEERS  
118 HERRINGTON AVENUE  
SMITHSON, VA 22777

**GADYANCED**  
ENGINEERING GROUP P.C.  
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SMITHSON, VA 22777  
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FAX: (803) 733-1112  
WWW.GADYANCED.COM

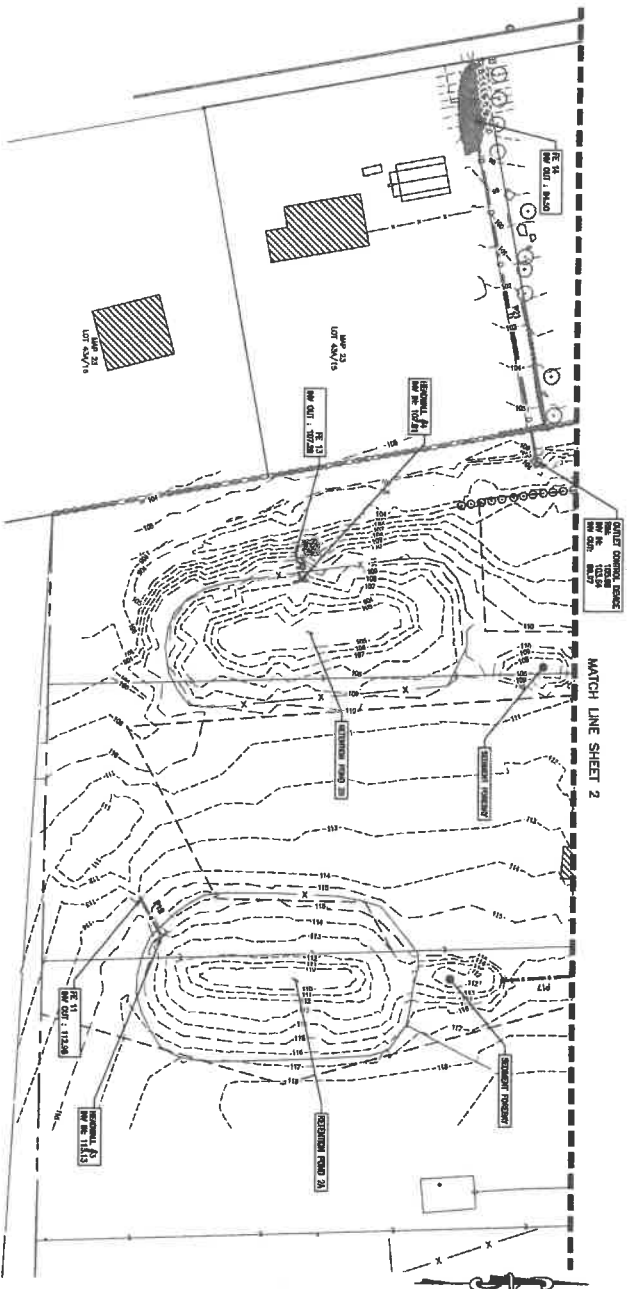
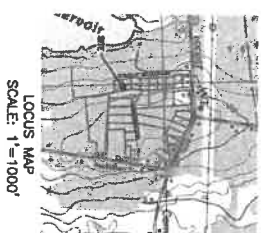
Drawn By: [Name]	Scale: AS NOTED	Date: 07/26/2019
Checked By: [Name]	Revised: 1	

**LEGEND**

- EXIST. PROPERTY LINE
- EXIST. CANTONMENT
- EXIST. ELECTRIC
- EXIST. TELECOMMUNICATION
- EXIST. DRAINAGE
- EXIST. LINE FENCE
- EXIST. LINE FENCE
- EXIST. LINE FENCE
- EXIST. DRAINAGE EASEMENT
- EXIST. DITCH BENCH
- EXIST. DRAIN MARK/PILE
- PROPOSED CONCRETE MOUNT
- EXIST. WATER GATE VALVE
- EXIST. GAS GATE VALVE
- EXIST. HYDRANT
- EXIST. CONCRETE BOUND / W/ PEARL HOLE
- EXIST. RIM ROAD

PIPE NUMBER	INLET STRUCTURE (FT)	INV. IN STRUCTURE (FT)	OUTLET STRUCTURE (FT)	INV. OUT STRUCTURE (FT)	LENGTH (FT)	SLOPE
P1	DI 1	307.54	FE 1	306.83	17	4.18%
P2	DI 2	307.67	FE 2	307.09	33	1.76%
P3	FE 3	307.35	CB 30	305.81	58	3.00%
P4	CB 31	305.58	DMH 1	309.3	30	2.80%
P5	CB 2	305.94	DMH 1	308.32	47	1.32%
P6	DMH 1	305.39	FE 4	308.35	30	3.47%
P7	CB 3	314.82	DMH 2	314.53	13	2.19%
P8	CB 4	314.82	DMH 2	314.66	10	1.60%
P9	DMH 2	314.49	FE 5	313.96	141	0.38%
P10	HW 1	312.96	FE 6	312.81	47	0.32%
P11	DMH 3	316.44	FE 7	315.53	179	0.51%
P12	DMH 4	316.69	DMH 3	316.46	22	0.58%
P13	CB 5	318.86	DMH 4	316.74	18	1.47%
P14	CB 6	317.05	DMH 4	316.74	18	1.47%
P15	CB 7	314.47	FE 8	313.78	169	0.41%
P16	HW 2	309.78	FE 9	308.84	41	2.29%
P17	CB 8	313.69	FE 11	312.764	177	0.52%
P18	CB 9	308.64	FE 30	308.84	150	0.53%
P19	HW 3	313.13	FE 12	312.93	23	0.63%
P20	HW 4	307.81	FE 13	307.28	15	3.68%
P21	OS	99.97	RE 14	94.5	185	2.65%

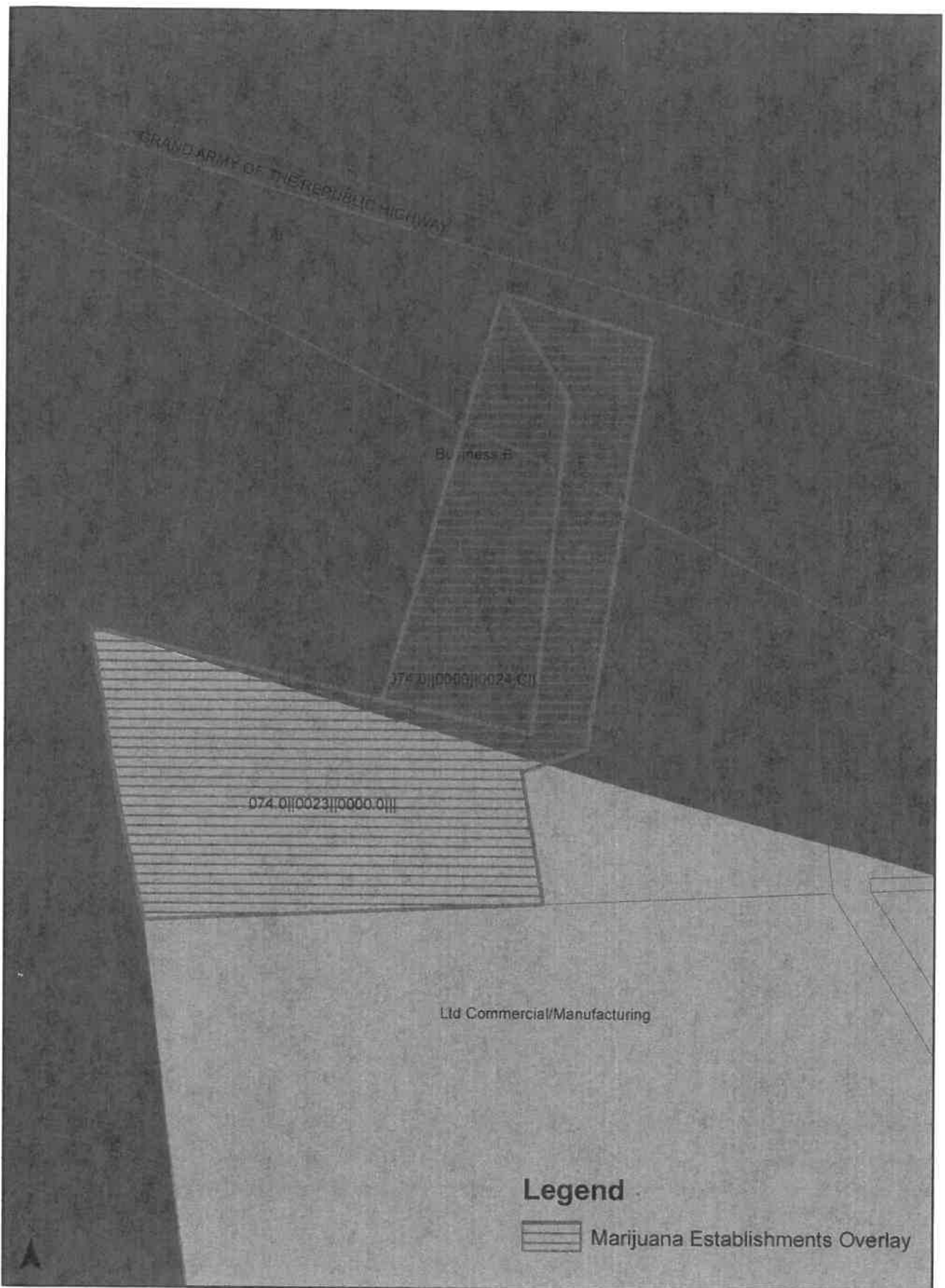
ORIGINAL PERMITTED PLANS DATED APRIL 10, 2010 WERE ON AN ASSUMED DRAINAGE THE SUB-SOIL IS ON THE HAND BE WITH A PROPOSED OF 8.3 FEET



WALTER S. & COMPANY  
118 WESTVIEW AVENUE  
SPRINGFIELD, VA 22154

**GADYANCED**  
ENGINEERING GROUP, P.C.  
118 WESTVIEW AVENUE  
SPRINGFIELD, VA 22154  
TEL: 540-833-1111  
FAX: 540-833-1112  
WWW.GADYANCED.COM

Checked By: [Signature] Date: 07/10/2019  
Scale: AS NOTED  
Sheet: 1







William M. Anderson, PE  
Director of Engineering & Highway Services

# Town of Swansea, Massachusetts

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SWANSEA HIGHWAY DEPARTMENT  
101 GARDNERS NECK ROAD  
SWANSEA, MASSACHUSETTS 02777  
TEL: (508)-678-5615  
FAX : (508)-678-5655  
EMAIL: wanderson@town.swansea.ma.us

## MEMORANDUM

November 2, 2020

To: Mallory Aronstein, Town Administrator

From: William M. Anderson, Director of Engineering & Highway Services

Re: Winslow Way Subdivision – Roadway Acceptance

---

The applicant (Marcus Baptiste) has requested that the Town accept the street within the above-noted subdivision at the November 23<sup>rd</sup>, 2020 Swansea Special Town Meeting. The requested street is Winslow Way, located off the south side of Barton Ave. The subdivision has been completed, including the final punch list items related to the drainage system and detention pond. The developer reclaimed the entire roadway following construction as the original base layer had failed with the ongoing construction of the dwellings within the development. The new roadway was repaved to town standards in the spring of 2020 and is acceptable to this office.

A final walk through of the subdivision was conducted by myself, John Hansen (Town Planner), a representative from Farland Corporation (Planning Board Consultant) and Marcus Baptiste (Developer) in July 2020. The remaining subdivision items concerning the drainage system were discussed and those issues have been rectified. As-builts for the subdivision have been submitted to Planning and the roadway boundary markers have been set by the surveyor of record. Therefore, I am recommending that **Winslow Way** be placed on the warrant for acceptance at the next available Town Meeting.

cc: John Hansen, Swansea Planning Department  
Colleen Brown, Swansea Conservation Commission



William M. Anderson, PE  
Director of Engineering & Highway Services

# Town of Swansea, Massachusetts

---

SWANSEA HIGHWAY DEPARTMENT  
101 GARDNERS NECK ROAD  
SWANSEA, MASSACHUSETTS 02777  
TEL: (508)-678-5615  
FAX : (508)-678-5655  
EMAIL: wanderson@town.swansea.ma.us

## MEMORANDUM

November 2, 2020

To: Mallory Aronstein, Town Administrator

From: William M. Anderson, Director of Engineering & Highway Services

Re: Oxford Lane Subdivision – Roadway Acceptance

---

The applicant (Joe Pacheco) has requested that the Town accept the street within the above-noted subdivision at the November 23<sup>rd</sup>, 2020 Swansea Special Town Meeting. The requested street is Oxford Lane, located off the westerly side of Oak Street. The subdivision has been completed, including the final punch list items related to the drainage system and additional drainage work. The developer has placed the final asphalt wearing surface layer over the original asphalt base layer within the development and the asphalt roadway is acceptable to this office.

A final walk through of the subdivision was conducted by myself, John Hansen (Town Planner), a representative from Farland Corporation (Planning Board Consultant) and Joe Pacheco (Developer). The drainage repair work that included connecting the drainage systems from this subdivision to the system on Reservoir Road and alleviate the problems that the residents on Reservoir had brought to the attention of this office. I have inspected the drainage system following numerous storm events and have seen any problems that were evident in the past. As-builts for the subdivision have been submitted to Planning (August 2020) and the roadway boundary markers have been set by the surveyor of record. Therefore, I am recommending that **Oxford Lane** be placed on the warrant for acceptance at the next available Town Meeting.

cc: John Hansen, Swansea Planning Department  
Colleen Brown, Swansea Conservation Commission