

**COMMONWEALTH OF MASSACHUSETTS**

**S.S. FRANKLIN**

To either of the Constables of Warwick. GREETINGS:

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 in Town affairs, to  
**MEET AT THE TOWN HALL ON MONDAY, September 26, 2011, AT 7:00 P.M.**  
**Then and there to act on the following articles:**

**ARTICLE 1:** Shall the Town approve the \$ 42,456.00 (Warwick portion) borrowing authorized by the Pioneer Valley Regional School District, for the purpose of paying costs of replacing the HVAC system(s), including but not limited to burners and boiler unit(s), at the Pioneer Valley Regional School, 97 F. Sumner Turner Road, Northfield, Massachusetts, 01360, and for which the District may be eligible for a repair project grant from the Massachusetts School Building Authority (MSBA), including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the Pioneer Valley Regional School District School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-six and twenty-six hundredths percent (56.26%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, and that any such borrowing will be contingent upon the District receiving the Massachusetts State Building Authority grant or to take any other action relative thereto? (Borrowing requires 2/3 majority vote)

**ARTICLE 2:** Shall the Town adopt the attached revisions to the Warwick Flood Plain Overlay District By-law adopted in Article 2 of the Feb 7, 2011 Special Town Meeting or take any other action relative thereto? (Zoning changes require a 2/3 majority vote)

**ARTICLE 3:** Shall the Town raise and appropriate \$1500.00 for the fire department gasoline expense or take any other action relative thereto?

**ARTICLE 4:** Shall the Town accept the alternative local option provision for Veterans residency tax exemption under M. G. L. Chapter 59 Section 5 that Veterans must have been domiciled in Massachusetts for at least one consecutive year (instead of five years) before the tax year begins or take any other action relative thereto?

**ARTICLE 5:** Shall the Town approve use of Veterans Monument funds for restoration of the Civil War monument at the Warwick Cemetery or take any other action relative thereto?

**ARTICLE 6:** Shall the Town approve payment of five prior year invoices (FY11) of the Transfer Station Enterprise Fund to Franklin County Solid Waste District totaling \$2,610.94 or take any other action relative thereto? (Prior year bill thus 90% vote required)

**Hereof fail not and make return of this warrant with our doings thereon at the time and place of said meeting. Given under our hand this 12<sup>th</sup> day of September, 2011**

\_\_\_\_\_  
**Dawn Magi**

\_\_\_\_\_  
**Nicholas Arguimbau**

\_\_\_\_\_  
**Patricia Lemon**

**And you are directed to serve this Warrant by posting up attested copies thereof at Town Hall, the Senior Center (Town Hall Dining Hall), the Transfer Station and the Warwick Free Public Library fourteen (14) days before the date of the meeting, as within directed.**

**FRANKLIN S.S.**

**Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of WARWICK by posting attested copies of the same at the Town Hall, the Senior Center (Town Hall Dining Hall), the Transfer Station and the Warwick Free Public Library fourteen (14) days before the date of the meeting, as within directed.**

**This 12th Day of September, 2011**

\_\_\_\_\_  
Constable

PROPOSED AMENDMENTS TO WARWICK FLOODPLAIN OVERLAY DISTRICT,  
SECTION 12, WARWICK ZONING BY-LAW, AS APPROVED BY PLANNING BOARD  
9/8/11.

(1) Subsection B.3, which currently reads:

Base Flood Elevation Data: Base flood elevation data is required for subdivision proposals or other developments greater than 3 lots or 6 acres, where a portion of the development activity would be located within Zone A.

is amended to read:

Base Flood Elevation Data: Base flood elevation data is required for subdivision proposals or other developments greater than 3 lots or 5 acres, where a portion of the development activity would be located within Zone A.

(2) Subsection B.4, which currently reads:

High and Significant Hazard Potential Dam Inundation Areas: Mapping of High and Significant Hazard Dam Inundation Areas is required for subdivision proposals or other developments greater than 3 lots or 6 acres, where a portion of the development activity would be located within Zone A.

is amended to read:

High and Significant Hazard Potential Dam Inundation Areas: Mapping of High and Significant Hazard Dam Inundation Areas is required for subdivision proposals or other developments greater than 3 lots or 5 acres, where a portion of the development activity would be located within Zone A.

(3) Subsection C is amended by addition of the following language at the beginning of the subsection:

The purpose of these definitions is to clarify the intent of the bylaw, but shall be subservient to the Definition Section of Massachusetts Dam Safety Regulations at 302 CMR 10.03,

(4) Subsection D, which currently reads:

The Warwick Building Inspector shall notify the following of any alteration or relocation of a river, due to other than natural causes:

1. Adjacent Downstream Communities
2. Bordering Downstream States
3. NFIP State Coordinator

Massachusetts Department of Conservation and Recreation  
251 Causeway Street, Suite 600-700  
Boston, MA 02114-2104. NFIP Program Specialist

Federal Emergency Management Agency, Region I  
99 High Street, 6th Floor  
Boston, MA 02110

is amended to read:

The Warwick Building Inspector shall notify the following of any alteration or relocation of a river, due to other than natural causes:

- Adjacent Communities
- Bordering States
- NFIP State Coordinator

Massachusetts Department of Conservation and Recreation  
251 Causeway Street, Suite 600-700  
Boston, MA 02114-2104

- NFIP Program Specialist

Federal Emergency Management Agency, Region I  
99 High Street, 6th Floor  
Boston, MA 02110

(5) Subsection E.1 is amended by addition of the following language at the end of the subsection:

Subsection E.1.a,b and f shall be applied in a manner consistent with the protections accorded to agriculture by MGL Chap. 40A, Section 3 and MGL Chap 128, Section 1A.

(6) Subsection E.4, which currently reads:

### **Restricted Uses**

- a. All forest cutting shall require the filing of a Forest Cutting Plan in accordance with the Massachusetts Forest Cutting Practices Act (M.G.L. Ch. 132, Sections 40-46).
- b. Any cutting of more than 10 cords or 5 thousand board feet in a floodplain shall require a Forest Cutting Plan pursuant to the requirements of the Forest Cutting Practices Act and Regulations (M.G.L. Chapter 132, Sections 40 to 46 and 304 CMR) without exception. The provisions of 304 CMR 11.05 that the cut shall not exceed 50% of the basal area uniformly distributed over the area and the area shall not be cut again for at least 5 years shall apply to any cutting done in the floodplain. Skid roads shall be laid out perpendicular to the stream whenever possible to reduce channelization of flood waters and to slow down the flow of flood waters.
- c. Fenced animal grazing areas must be located at least fifty (50) feet from the floodway, with a naturally vegetated fifty-foot (50-foot) buffer strip to reduce runoff, and a fence to prevent animals from encroaching on the buffer strip. This provision is subject to a waiver by the Agricultural Commission where the grazing activity will be low density with minimal runoff potential.

is amended to read:

### **Restricted Uses**

a. Any eligible forest management cutting of more than 10 cords or 5 thousand board feet in a floodplain shall require a Forest Cutting Plan pursuant to the requirements of the Forest Cutting Practices Act and Regulations (M.G.L. Chapter 132, Sections 40 to 46 and 304 CMR) without exception. The provisions of 304 CMR 11.05 that the cut shall not exceed 50% of the basal area uniformly distributed over the area and the area shall not be cut again for at least 5 years shall apply to any cutting done in the floodplain as applicable. Skid roads in any cutting done in the floodplain shall be laid out perpendicular to the stream whenever possible to reduce channelization of flood waters and to slow down the flow of flood waters. Nothing in this subsection relieves the applicant of complying with the Wetlands Protection Act.

b Fenced animal grazing areas must be located at least fifty (50) feet from the floodway, with a naturally vegetated fifty-foot (50-foot) buffer strip to reduce runoff, and a fence to prevent animals from encroaching on the buffer strip. This provision is subject to a waiver by the Agricultural Commission where the grazing activity will be low density with minimal runoff potential.

(7) Subsection E.5.b is amended by addition of the following language at the end of the subsection:

Subsection iii and iv shall be applied in a manner consistent with the protection given to agriculture by MGL Chap 40A, Section 3 and subsection vi shall be applied in a manner consistent with MGL Chap 253.

(8) Subsection E.6.a.ix, which currently reads:

Existing and proposed contour intervals of site and elevations of existing and proposed structures must be included on plan proposal. To the maximum extent feasible, structures shall be located outside of the Floodplain District and Dam Breach Inundation Areas.

Is amended to read:

Existing and proposed contour intervals of site and elevations of existing and proposed structures must be included on a plan proposal prepared by a registered professional engineer as defined in 302 CMR Section 10,03. To the maximum extent feasible, structures shall be located outside of the Floodplain District and Dam Breach Inundation Areas.

(9) Subsection E.6.a.x, which currently reads:

All plans submitted for development in the Floodplain District and Dam Breach Inundation Areas must be prepared by a registered professional engineer; registered architect, registered landscape architect, or registered land surveyor

is amended to read:

All plans submitted for development in the Floodplain District and Dam Breach Inundation Areas must be prepared by a registered professional engineer;

(10) Subsection F.3, which currently reads:

As an alternative to criminal prosecution or civil action, the Town of Warwick may elect to utilize the non-criminal disposition procedure set forth in the town bylaws. The Building Inspector shall be the enforcing entity. The penalty for the 1st violation shall be up to \$50. The penalty for the 2nd violation shall be up to \$75. The penalty for the 3rd and subsequent violations shall be \$100. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

is amended to read:

As an alternative to criminal prosecution or civil action, the Town of Warwick may elect to utilize the non-criminal disposition procedure set forth in the town bylaws. The Building

Inspector shall be the enforcing entity. The penalty for each violation shall be \$75. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

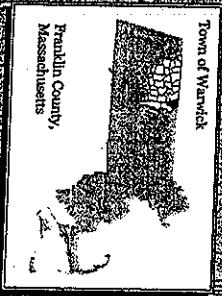
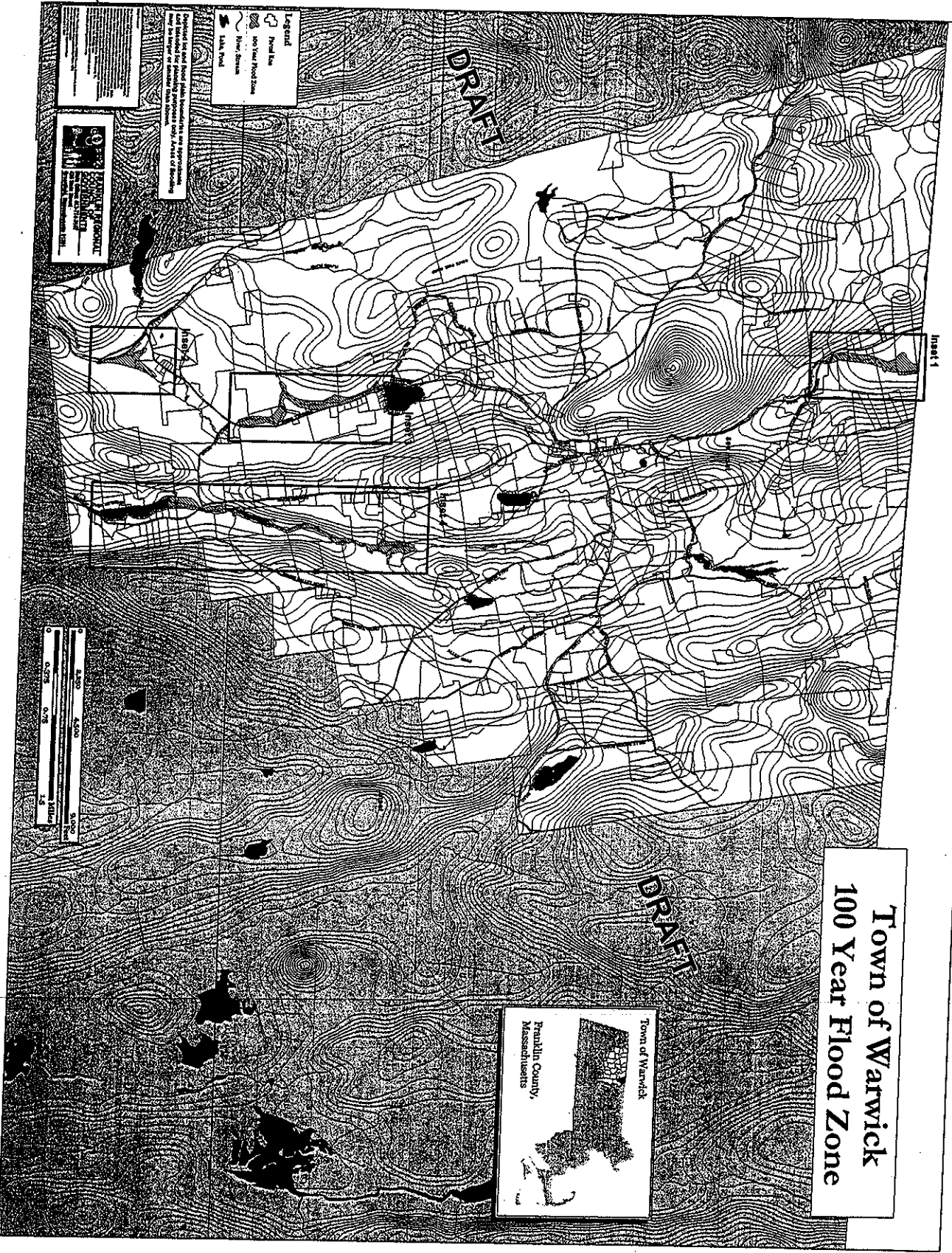
(11) Subsection F.4, which currently reads:

Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town of Warwick may take necessary corrective action at the owner's expense, the cost for which may be added as a betterment to the property tax bill and a lien placed on the property until the debt is discharged.

is amended to read:

Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town of Warwick may take necessary corrective action and place a lien on the property for the cost pursuant to MGL Chap 40, Section 58.

# Town of Warwick 100 Year Flood Zone



Town of Warwick  
Franklin County,  
Massachusetts

**Legend**

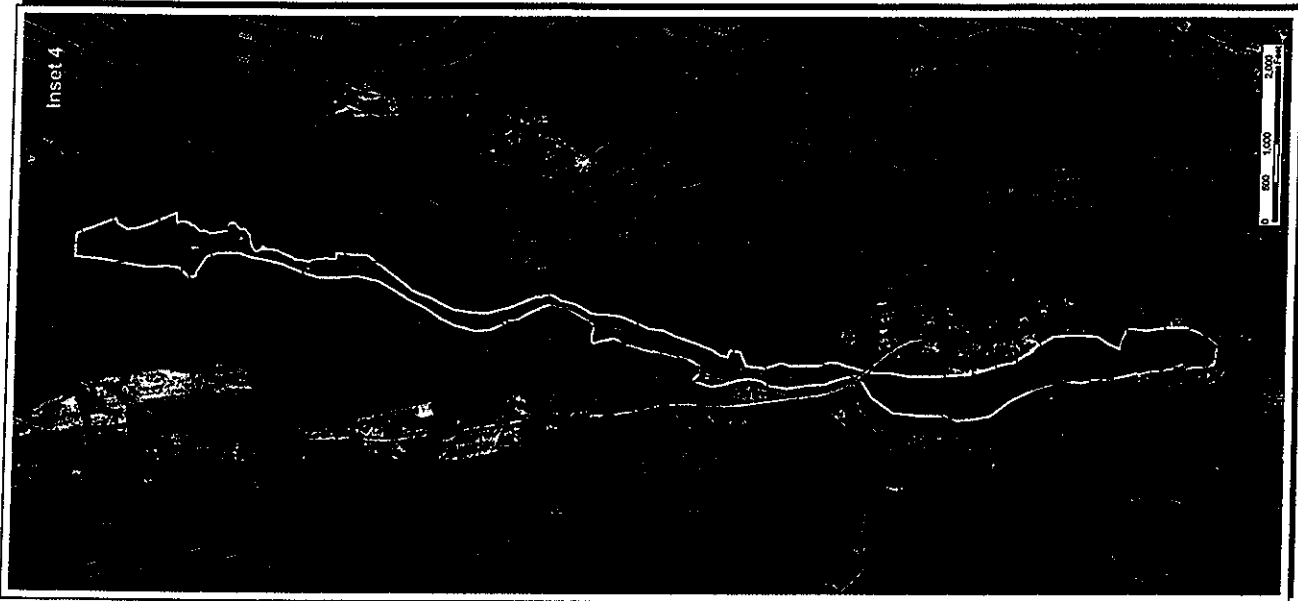
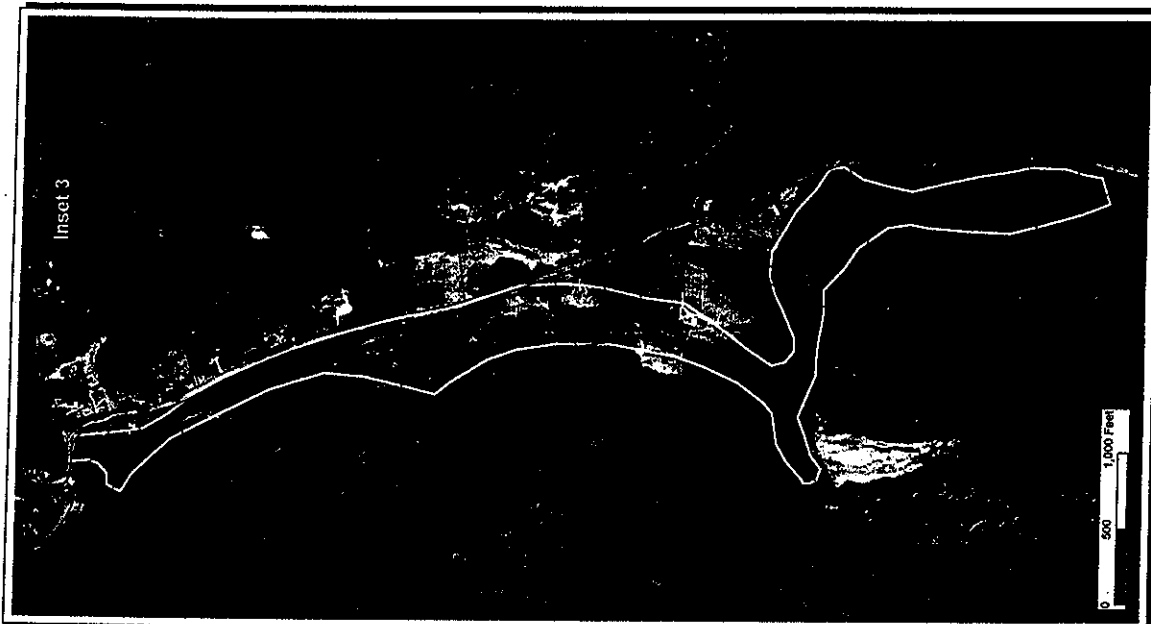
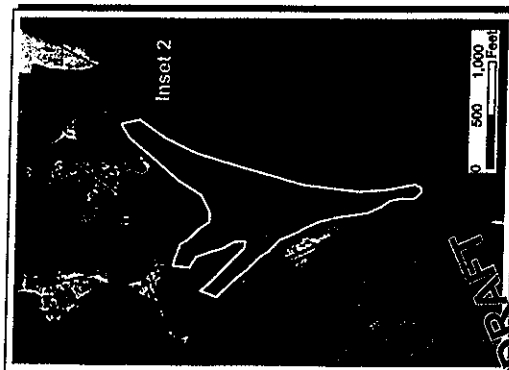
- Flooded Area
- 100 Year Flood Zone
- Water Features
- Lake, Pond

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0 0.5 1.0 1.5  
0 0.5 1.0 1.5  
0 0.5 1.0 1.5





# Town of Warwick 100 Year Flood Zone

- Legend**
- Parcel line
  - 100 Year Flood Zone
  - River Stream

Depicted lot and flood zone boundaries are approximations and are intended for reference purposes only. Areas of flooding may be larger or smaller than shown.



Town of Warwick  
Franklin County,  
Massachusetts

**DRAFT**

DATE: 10/15/2010

TIME: 10:15 AM

SCALE: 1" = 100'

PROJECT: 100 Year Flood Zone

DATE: 10/15/2010

TIME: 10:15 AM

SCALE: 1" = 100'

PROJECT: 100 Year Flood Zone