

The Commonwealth of Massachusetts

BERKSHIRE, SS.

To either of the Constables of the Town of Cheshire in the County of Berkshire, GREETINGS.
In the name of **The Commonwealth of Massachusetts**, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet in said Cheshire.

Place: Cheshire Community House, Cafeteria
(Former Cheshire Elementary School)
191 Church Street, Cheshire MA 01225

Date: Monday June 9, 2025

Time: 7:00 P.M.

Voter check-in to begin at 6:30 PM

CHESHIRE ANNUAL TOWN MEETING

ARTICLE 1: Reports of Officers

To act on the reports of the Town Officers.

Majority Vote Required

ARTICLE 2: Elected Officials Compensation

To see if the Town will vote to set the stipends and compensation for all elected officials of the Town as contained in the budget articles and pursuant to the M.G.L., c.41, §108, to be made effective as of July 1, 2025, as contained in the budget, or take any action in relation thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 3: Disposal of Surplus Property

To see if the town will vote to authorize the Board of Selectmen to dispose of any unused town-owned equipment and/or property in accordance with the law or take any action in relation thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 4: Authorization for Compensating Balance Agreements

To see if the Town will vote to authorize the Town Treasurer to enter into compensating balance agreements for the Fiscal Year beginning July 1, 2025, in accordance with M.G.L. c.44, §53F, or take any action in relation thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 5: State Aid Highway Programs

To see if the Town will vote to borrow and appropriate any additional sum or sums of money which will be reimbursed by the Commonwealth under any applicable State Aid Highway Programs for construction or improvements to Town roads and bridges as requested by the Board of Selectmen, or take any action in relation thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
2/3 Vote Required

ARTICLE 6: Authorization to Accept/Expend Grants/Gifts to Town

To see if the Town will vote to authorize the Board of Selectmen to apply for, execute contracts and expend grants or monies, or any Federal or State grants or monies, received as set forth in the appropriate application, or take any action in relation thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 7: RESERVE FUND

To see if the Town will vote to **RAISE AND APPROPRIATE** the sums of **\$20,000** to be used as a **RESERVE FUND**, pursuant to M.G.L. c 40, section 6 for the extraordinary or unforeseen expenditures for Fiscal Year 2026, or take any action in relation thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 8: GENERAL GOVERNMENT

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **\$1,635,417** for the conduct of **GENERAL GOVERNMENT**, including all charges and expenses of the various town offices, for Fiscal Year 2026, or take any action in relation thereto:

	FY25 Voted	FY26 Proposed	% Change
Legal Services	20,000	25,000	25.0
Moderator Salary	50	50	0.0
Board of Selectmen Stipends (5@\$3,863)	18,935	19,315	2.0
Board of Selectmen Expenses	10,400	10,400	0.0
Clean Lake Program	26,206	28,394	8.3
MS4 – Stormwater Compliance	7,500	7,500	0.0
Group Purchasing (Procurement)	800	800	0.0
Town Audit	10,000	10,000	0.0
Information Technology	52,364	52,364	0.0
Town Website	5,250	5,250	0.0
Town Administrator Salary	90,000	91,800	2.0
Executive Assistant Salary	25,931	54,309	109.0
Town Administrator Expenses	3,000	3,250	8.3
Accounting Services	34,800	35,880	3.1
Accounting Software (VADAR)	4,348	4,566	5.0
Assessors Stipend (Chairperson)	3,883	3,883	0.0
Assessors Stipends (Members 2 @\$3,328)	6,656	6,656	0.0
Assessors Administrator Salary	32,862	33,523	2.0
Assessors Expenses	3,910	3,910	0.0
Assessors Contracted Services	48,985	32,905	-32.8
Treasurer/Collector Salary – Treasurer	65,393	50,000	-23.5
Asst. Treasurer/Collector Salary - Collector	20,468	35,000	71.0
Treasurer/Collector Expenses	12,500	12,500	0.0
Treasurer Payroll Processing	4,000	4,000	0.0
Treasurer/Collector Tax Title Expenses	4,000	4,000	0.0
Treasurer/Collector Certification Stipend	1,000	2,000	100.0
QDS Software – RE/PP Collections	3,342	3,550	6.2
Finance Committee Expenses	1,500	1,750	16.7
Town Clerk Salary	28,554	35,908	25.8
Town Clerk Expenses	3,150	3,150	0.0
Town Clerk Dog License Expense	400	400	0.0
Town Clerk Book Repair	2,500	2,500	0.0
Town Clerk Census/Lists	3,200	3,200	0.0
Board of Registrars/Elections	15,000	10,000	-33.3
Town Report Printing	2,700	2,700	0.0
Conservation Commission Stipends (3@\$520)	1,530	1,560	2.0

Conservation Commission Consult	500	500	0.0
Conservation Commission Expenses	1,500	1,500	0.0
Planning Board Expenses	2,515	2,515	0.0
Planning Board BRPC Assessment	2,843	2,915	2.5
Planning Board Stipends (5@\$327)	1,600	1,635	2.0
Agricultural Commission Expenses	500	500	0.0
Historical Commission Expenses	500	1000	100.0
Zoning Board of Appeals Expenses	800	800	0.0
Berkshire County Retirement	173,753	169,650	-2.4
OPEB Funding	20,000	20,000	0.0
OPEB Actuarial Services Study	2,200	3,500	59.1
Health Insurance – Active	265,726	301,872	13.6
Health Insurance – Retiree	40,000	40,000	0.0
Heath Insurance – Dental	8,500	9,861	16.0
Unemployment	5,000	5,000	0
MEDC Employer Share	16,500	17,500	6.1
Town Hall/Police Utilities	25,000	25,000	0.0
Fire Station Utilities	15,000	18,500	23.3
Town Garage Utilities	13,000	12,000	-7.7
Senior Center Utilities	7,500	7,000	-6.7
Town Phone Systems	15,000	15,000	0.0
Community House Utilities	70,000	70,000	0.0
Town Building Repairs	120,000	120,000	0.0
Town Water Accounts	0	59,000	
ADA Compliance	5,000	5,000	0.0
Town Insurance & Bonds	104,542	106,633	2.0
Police/Fire Accident/Disability Insurance	16,500	16,563	0.4
TOTAL GENERAL GOVERNMENT	1,509,096.00	1,635,417.00	8.3

Board of Selectmen Recommends
Finance Committee Recommends 5-1
Majority Vote Required

ARTICLE 9: HOOSAC VALLEY REGIONAL SCHOOL DISTRICT

To see if the Town will vote to approve the Hoosac Valley Regional School District Budget for Fiscal Year 2026 and **RAISE AND APPROPRIATE \$3,206,082** to pay its assessed share of the budget or take any action in relation thereto.

	FY25 Vote	FY26 Proposed	% Change
HVRSD Minimum Local Contribution	2,350,010	2,459,707	4.7
HVRSD Over Minimum Foundation	406,505	389,514	-4.2
HVRSD Transportation	135,355	147,422	8.9
HVRSD Capital Expenditure	207,126	209,439	1.1
HOOSAC VALLEY REGIONAL SCHOOL DISTRICT	3,098,996.00	3,206,082.00	3.5

*Board of Selectmen Recommends
Finance Committee Does Not Recommend 2-4
Majority Vote Required*

ARTICLE 10: NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT

To see if the Town will vote to approve the Northern Berkshire Vocational Regional School District Budget for Fiscal Year 2026 and **RAISE AND APPROPRIATE \$586,213.00** to pay its assessed share of the budget or take any action in relation thereto.

	FY25 Vote	FY26 Proposed	% Change
NBVRSD Budget	547,430	586,213	7.1
NORTHERN BERKSHIRE VOCATIONAL REGIONAL	547,430.00	586,213.00	7.1

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 11: BUILDING DEPARTMENT

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **\$42,142** for the **BUILDING DEPARTMENT** for Fiscal Year 2026, or take any action in relation thereto:

	FY25 Proposed	FY26 Proposed	% Change
Building Commissioner Salary	18,540	18,911	2.0
Alternate Building Commissioner Salary	500	500	0.0
Building Commissioner Expenses	1,100	1,100	0.0
Online Permitting System	5,400	5,400	0.0
Gas/Plumbing Inspector Salary	6,077	6,199	2.0
Gas/Plumbing Inspector Assistant Salary	549	549	0.0
Gas/Plumbing Expenses	500	500	0.0
Wiring Inspector Salary	7063	7204	2.0
Wiring Inspector Assistant Salary	579	579	0.0
Wiring Inspector Expenses	700	1,200	71.4
TOTAL BUILDING DEPARTMENT	41,008.00	42,142.00	7.7

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 12: PUBLIC SAFETY

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **\$402,609** for **PUBLIC SAFETY** for Fiscal Year 2026, or take any action in relation thereto:

	FY25 Voted	FY26 Proposed	% Change
Police Chief Salary	84,864	87,592	3.2
Police Full Time Officer Wages	172,658	114,465	-33.7
Police Department Part Time Officers	17,885	27,557	54.1
Police Department Expenses	13,500	13,500	0.0
Police Department Equipment	20,400	20,400	0.0
Police Department Auto Expenses	8,000	8,000	0.0
Police Department Officer OT/Holiday Pay	12,500	12,500	0.0
Animal Control Contracted Services	3,000	3,000	0.0
Animal Control Expenses	1,000	1,000	0.0
Fire Chief Salary	12,360	12,607	2.0
Asst. Fire Chief Stipends (3@1,696)	3,326	5,088	52.9
Fire Department Expenses	62,000	62,000	0.0

Fire Department Volunteer Stipends (25)	25,000	25,000	0.0
Fire Department EMS Supplies	4,500	4,500	0.0
Communications Center (Dispatch)	24,559	2,900	-88.2
Emergency Management Director Stipend	1,500	1,500	0.0
Emergency Management Expenses	1,000	1,000	0
PUBLIC SAFETY TOTAL	468,052.00	402,609.00	-14.0

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 13: HIGHWAY OPERATIONS AND TREE WARDEN

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **\$1,077,538** for **HIGHWAY OPERATIONS AND TREE WARDEN** for Fiscal Year 2026, or take any action in relation thereto:

	FY25 Voted	FY26 Proposed	% Change
Highway Workers Wages (3 Laborers, 1 Foreman)	229,208	236,336	3.1
Seasonal DPW Laborers Wages	27,822	40,322	44.9
Highway Department Longevity (contract)	1,500	1,500	0.0
Department of Public Works Director	79,100	88,208	11.5
Custodian Wages	20,237.00	9,872	-51.2
Highway Department Non-Winter Overtime	5,000	5,000	0.0
Highway Department Dues/Training/Licenses	1,000	1,000	0.0
Facilities Wages	50,905	51,971	2.0
Road Machinery, Tools, Gas	126,000	126,000	0.0
Streetlights	60,000	75,000	0.0
Highway Department Repair/Maint. Roads	207,000	194,500	0.0
Highway Equipment Rental	5,000	5,000	0.0
Snow and Ice	170,000	170,000	0.0
Highway Department Engineering	35,000	35,000	0.0
Tree Warden Tree Removal	20,000	30,000	50.0
Tree Warden Tree Replacement	1,000	1,000	0
Cemetery Commission Stipends (3@\$905)	2,661	2,715	2.0
Cemetery Commission Expenses	6,114	4,114	-32.7
DEPARTMENT OF PUBLIC WORKS	1,047,592.00	1,077,538.00	2.9

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 14: RECREATION AND CULTURE

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **\$91,339** for **RECREATION AND CULTURE** for Fiscal Year 2026, or take any action in relation thereto.

	FY25 Voted	FY26 Proposed	% Change
Recreation General Expenses/Memorial Day	10,300	10,300	0.0
Library Assessment	40,428	41,439	2.5
Father Tom Campsite	1,700	1,700	0.0
Veteran Agent Services (Shared)	2,000	2,000	0.0
Veteran Benefits	30,000	35,000	16.6
Cemetery Flags	900	900	0.0
TOTAL RECREATION & CULTURE	85,328.00	91,339.00	7.0

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 15: HEALTH AND HUMAN SERVICES

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of **\$98,159** for **HEALTH AND HUMAN SERVICES** for Fiscal Year 2026, or take any action in relation thereto.

	FY25 Voted	FY26 Proposed	% Change
Board of Health Stipend Chair	3,883	3,883	0.0
Board of Health Stipends (2 @ \$2,383)	7,766	4,766	-63.0
Board of Health Expenses	5,500	2,000	-63.0
Board of Health/ Health Inspector Services	5,000	8,000	60.0
Board of Health MAVEN Reporting	4,639	4,639	0.0
Senior Center/COA Expenses	8,470	8,470	0.0
Senior Center/COA Van Operating Expenses	3,400	3,400	0.0
Senior Center/COA Van Operator Salary	19,712	20,107	2.0
Senior Center Director Salary	27,574	28,126	2.0
Senior Center Meals Coordinator Salary	13,710	14,768	7.7
Animal Inspector Stipend	560.00	0	-100.0
Animal Inspector Expenses	150.00	0	-100.0
TOTAL HEALTH AND HUMAN SERVICES	100,364.00	98,159.00	-2.2

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 16 : TRANSFER STATION ENTERPRISE FUND

To see if the Town will vote to **APPROPRIATE** from user fees or otherwise provide the following sums of money \$106,090 to operate the TRANSFER STATION ENTERPRISE FUND AND TO RAISE AND APPROPRIATE FROM THE GENERAL FUND THE SUM OF \$37,104.00 for the Fiscal Year 2026, or take any action in relation thereto.

Revenues		
Department Receipts		106,090.00
General Fund Subsidy		37,104.00
	TOTAL	143,194.00
Expenses		
Hauling and Disposal		110,000.00
Site Maintenance		2,600.00
Training and Education		500.00
Permits and Tags		3,500.00
Attendants Wages		26,594.00
	TOTAL	143,194.00

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 17 : DEBT SERVICE EXPENSES

To see if the Town will vote to **RAISE AND APPROPRIATE** the following sum of \$217,540 to fund **DEBT SERVICE EXPENSES** for the Fiscal Year 2026, or take any action in relation thereto.

	FY25 Voted	FY26 Proposed	% Change
Fire Truck (2030)	44,665	43,848	-1.8
Highway Grader (2026)	36,200	0.0	-100.0
Highway Truck (Voted 2022)	53,345	51,198	-4.0
Highway Truck (Voted 2021)	29,607	28,457	-3.9
Short-term Debt Interest	5,000	5,000	0.0
Fire Engine (Voted 2025)	0	89,037	100.0
Total	168,817.00	217,540.00	28.9

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 18 : Revolving Funds

To see if the Town will vote to approve the following spending limits for the Revolving Funds noted below pursuant to the Cheshire Revolving Fund Bylaw and pursuant to M.G.L. c. 44, Section 53E 1/2 for the Fiscal Year beginning July 1, 2025, or take any action in relation thereto:

Revolving Fund	Entity Authorized to Spend from Fund	Fee, Charges, or Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Fiscal Year
Senior Center/COA	Senior Center Director	Receipts related to program fees	Senior Center Programs	Limit of \$10,000	Fiscal Year 2026
Recreation	Recreation Committee/Board of Selectmen	Receipts related to program fees	Recreation Committee Programs	Limit of \$10,000	Fiscal Year 2026
Police Department	Police Chief	Receipts from Detail Fees	Police Cruiser Expenses	Limit of \$20,000	Fiscal Year 2026
Board of Health	Board of Health	Receipts from Permitting	Public Health Alliance Inspection Fees	Limit of \$20,000	Fiscal Year 2026

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 19 : STABLIZATION FUND & CAPTIAL STABLIZATION FUND

To see if the Town will vote to **RAISE AND APPROPRIATE** the sum of **\$10,000** to fund the **CAPITAL STABLIZATION FUND** and the sum of **\$10,000** to fund the **STABLIZATION FUND** for Fiscal Year 2026, or take any action in relation thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 20: ASSESSORS STABILIZATION FUND ESTABLISHMENT

To see if the Town will vote to establish under the provisions of MGL Chapter 40, Section 5B, a Assessors Stabilization Account, or take any other action relative thereto.

Board of Selectmen Recommends
Finance Committee Recommends 6-0
2/3 Vote Required

ARTICLE 21: FREE CASH and SPECIAL PROJECTS

To see if the Town will vote to **TRANSFER FROM FREE CASH** the sum of **\$171,000** for the following special projects, or take any action in relation thereto.

OPM Services – Public Safety Complex	60,000
Fire Walls – Upgrade	6,000
Stabilization	30,000
Capital Stabilization	20,000
Community House Heating System (Engineering)	50,000
Assessors Stabilization Account	5,000

Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 22: Water Department Retained Earnings- Water Asset Management Plan

To see if the Town will vote to **TRANSFER** the sum of **\$22,104** from available certified **Water Operations Surplus** for the purpose of completing the Cheshire Water Asset Management Plan, or take any action relative thereto.

Current balance of Cheshire Water Department retained earnings is \$252,316

*Board of Selectmen Recommends
Water Commission Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 23: Water Department Enterprise Fund Water Meter Upgrades

To see if the Town will vote to **TRANSFER** the sum of **\$20,143** from available certified **Water Operations Surplus** for the purpose of completing the Water Department Water Meter Reading Upgrade, or take any action relative thereto.

Current balance of Cheshire Water Department retained earnings is \$252,316

*Board of Selectmen Recommends
Water Commission Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 24 : Water Enterprise Fund

To see if the Town will vote to appropriate, transfer from retained earnings, or otherwise provide the following sums of money **\$402,722** to operate the **Water Enterprise Fund** for the Fiscal Year 2026, or take an action in relation thereto.

Revenues	
Water User Revenues	402,722.00
Retained Earnings	0.00
TOTAL	402,722.00
Expenses	
Water Commissioner Stipends	10,140.00
Water Operator Salary	63,037.00
Secondary Water Operator Salary	15,912.00
Water Main Replacements	90,000.00
Water Operating Expenses	45,000.00
Water Maintenance Expenses	45,000.00
Water Debt Service	62,038.00
Indirect Costs	64,095.00
Water Vehicle Expense	7,500.00
TOTAL	402,722.00

Board of Selectmen Recommends
Water Commission Recommends
Finance Committee Recommends 6-0
Majority Vote Required

ARTICLE 25 : POLICE CRUISER – DEBT EXCLUSION

To see if the Town will vote to **APPROPRIATE** a sum not to exceed **\$67,150.00** and to authorize the Treasurer, per MGL Chapter 44, Section 2, to borrow \$67,150 for the purpose of purchasing a new Police Cruiser on a three year note to be paid by June 30, 2026, contingent upon subsequent passage of Proposition 2 ½ debt exclusion vote, or take any action in relation thereto.

(This article requires a two -thirds vote for borrowing approval and subsequent majority vote for a Proposition 2 ½ debt exclusion to be held at a future election.)

Board of Selectmen Recommends
Finance Committee Recommends 5-1
2/3 Vote Required

ARTICLE 26 : Free Cash to reduce the tax rate

To see if the Town will vote to **TRANSFER** from **FREE CASH** a sum of **\$297,897** to reduce the FY26 Tax Rate, or take any action relative thereto.

*If federal or state programs, or other alternative funding sources are available to supplant Town funding for the same purpose, the Board of Selectmen may reduce the Town's portion of said funding in a manner commensurate with the additional federal or state revenue received for said purpose.

Note: The use of Free Cash to balance the operating budget to stay within the limits of Proposition 2 1/2, this is not a reduction to the tax rate.

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 27 : QUARTERLY TAX PAYMENT SYSTEM

To see if the Town will vote to adopt G.L. Chapter 59, Section 57c, for the purpose of adopting or establishing a quarterly tax payment system effective July 1, 2026 (Fiscal Year 2027), or take any action in relation thereto.

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 28 : LOCAL OPTION – Meals Tax

To see if the Town will vote to adopt G.L. Chapter 64L, Section 2(a) to impose a local sales tax upon the sale of restaurant meals within the town, or take any action in relation thereto.

*Board of Selectmen Recommends
Finance Committee Recommends 5-1
Majority Vote Required*

ARTICLE 29 : GOLD STAR EXEMPTION

To see if the Town will vote to accept the provisions of Chapter 59, Section 5, Clause 22H of the Massachusetts General Laws, to provide an exemption from taxes for the real property of the surviving parents or guardian of soldier and sailor who suffered a fatal injury or who are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the United States, or take any action in relation thereto.

*Board of Selectmen Recommends
Finance Committee Recommends 6-0
Majority Vote Required*

ARTICLE 30 : GENERAL BYLAW – KEEPING AND RAISING OF LIVESTOCK OR POULTRY

In all zones other than the A-R (Agricultural/Residential), the keeping and raising of livestock or poultry shall require registration of said livestock or poultry with the Cheshire Board of Health and shall permit regular inspections by the Animal Inspector under applicable state and local law or regulations. All permits issued by the Board of Health under this section shall include conditions of approval and direct abutter notification, the submission of evidence of such notification and registration. The registration fee for the permit shall be set by the Board of Health.

Only selected domesticated fowl (hens, ducks, pigeons and doves), domesticated rabbits (including domesticated hares) and selected exotic mammals (potbellied pigs and dwarf goats with proper emotional support animal certification) may be raised and kept as an accessory use. On such properties, no roosters, geese, swans, turkeys, pheasants, peacocks, guinea fowl, pygmy goats, pigs, or any other livestock or poultry shall be permitted in the R-1 District. No more than six total adult domesticated fowl and rabbits shall be kept on any property, regardless of the number of dwelling units.

Domesticated fowl and rabbits shall be confined with fencing or other secure enclosures which shall be set at least ten (10) feet from any property lines and twenty (20) feet from residential structures on any adjacent property. Within such an enclosure, a minimum of ten (10) square feet of open yard area shall be provided.

Within or attached to any such enclosure shall be provided a secure sheltering structure (e.g., coop, dovecot, hutch or shed, as appropriate) of sufficient size to ensure the health and safety of said livestock or poultry.

The keeping of pets shall be allowed by right, such as dogs, cats, various species of rodents (rats, mice, guinea pigs, hamsters, ferrets, chinchillas etc.), exotic birds, reptiles, fish or amphibians. The keeping of wild animals, exotic birds, fish, reptiles and amphibians as pets is subject to the requirements of M.G.L Chapter 131 Sections, 23, 25 and 26A as amended and 321 CMR 2.12 and 9.01, as amended, or take any action relative thereto.

*Board of Selectmen Recommends
Majority Vote Required*

ARTICLE 31 : Zoning Bylaw Amendment -

To see if the Town will amend the Town of Cheshire Protective and Planning Zoning Bylaw § 3.2-B.10 to remove the requirement of a Special Permit in the R-1 District and by allowing it by right in the R-1 District, or take any action relative thereto.

*Board of Selectmen Recommends
Planning Board Recommends 5-0
Majority Vote Required*

(If Article 30 fails this warrant article will be tabled)

ARTICLE 32 : Zoning Bylaw Amendment -

To see if the Town will amend the Town of Cheshire Protective and Planning Zoning Bylaw § 3.3-C to remove this section which prohibits the keeping of livestock or poultry in the R-1 District.... , or take any action relative thereto.

*Board of Selectmen Recommends
Planning Board Recommends 5-0
Majority Vote Required*

(If Article 30 fails this warrant article will be tabled)

ARTICLE 33: UNCOMBINE TREASURER/COLLECTOR POSITION

To see if the Town will vote pursuant to MGL Chapter 4, Section 4 B and MGL Chapter 41, Section 1B to uncombine the appointed position of Treasurer/Tax Collector and have separate positions Treasurer and Collector, or take any other action in relation thereto.

(A majority vote at subsequent Town Election ballot question is required to adopt the provisions of this warrant article as it was combined by town meeting vote on June 14, 2021)

*Board of Selectmen Recommends
Finance Committee Recommends 5-1
Majority Vote Required*

ARTICLE 34: FLOOD PLAIN BYLAW AMENDMENT

**TOWN OF CHESHIRE PROTECTIVE AND PLANNING ZONING BYLAW
§225-9.2. Floodplain District Regulations**

§225-9.2. Flood Hazard District regulations.

A. **Purpose.** The purpose of the Floodplain Overlay District is to:

- 1) Ensure public safety through reducing the threats to life and personal injury.
- 2) Eliminate new hazards to emergency response officials.
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding.
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding.
- 5) Eliminate costs associated with the response and cleanup of flooding conditions.
- 6) Reduce damage to public and private property resulting from flooding waters.

Purpose of district. The following regulations meet the minimum requirements of the National Flood Insurance Program and are administered by the Building Inspector in consultation with the Town of Cheshire Board of Health.

B. Definitions.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway.

FLOODWAY. The channel of the river, creek, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;

- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY – see FLOODWAY

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A and/or A1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers or a pile, column or pier supported foundation, the building official shall determine it to be a substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community’s flood plain management regulations. A structure or other

development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

N/A

- C. **Definitions of Flood Zones.** All of these terms are defined in the US Code of Federal Regulations, Title 44, Part 64.3.

ZONE A means an area of special flood hazard without water surface elevations determined.

ZONES A1-30 means area of special flood hazard with water surface elevations determined.

ZONES B AND C means areas of minimal or moderate flood hazards or areas of future-conditions flood hazard. (*Zone X replaces Zones B and C on new and revised maps.*)

- D. **District.** The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the Town of Cheshire's Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency for the administration of the National Flood Insurance Program, dated July 19, 1982 and on the Flood Boundary & Floodway Map dated July 19, 1982. These maps indicate the 1%-chance regulatory floodplain. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Flood Insurance Study (FIS) report dated January 19, 1982. The effective FIRM, FBFM, and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Inspector/Zoning Enforcement Officer, and Conservation Commission.

Location of overlay district. The Flood Hazard District is herein established as an overlay district. The underlying permitted uses are allowed, provided that they meet the following additional requirements as well as those of the Massachusetts State Building Code dealing with construction in floodplains. The Flood Hazard District includes all special flood hazard areas designated as Zone A, A1-A2-A4 in the Town of Cheshire Flood Insurance Rate Maps (FIRM), and the flood boundary and floodway maps dated July 19, 1982, on file with the Town Clerk and Building Inspector. These maps, as well as the accompanying Town of Cheshire Flood Insurance Study, are incorporated herein by reference.

- E. **Floodplain Administrator.** The Town of Cheshire hereby designates the position of Building Commissioner/Zoning Enforcement Officer to be the official floodplain administrator for the Town of Cheshire.

N/A

- F. **Permits.** The Town of Cheshire requires the submittal of an application to the Planning Board for a special permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving, and any other development that might increase flooding or adversely impact flood risks to other properties.
- G. **Other Permits.** The Town of Cheshire's permit review process includes the requirement that the proponent obtain all local, state, and federal permits that will be necessary in order to carry out

the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

- H. **Floodway Encroachment.** In Zones A and A1-30, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30, along watercourses that have a regulatory floodway designated on the Town of Cheshire's FIRM and/or Flood Boundary & Floodway Map, encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

- I. **Unnumbered A Zones.** In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review, and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A, as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
- J. **Subdivision Proposals.** All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:
- 1) Such proposals minimize flood damage.
 - 2) Public utilities and facilities are located and constructed so as to minimize flood damage.
 - 3) Adequate drainage is provided.
- K. **Base Flood Elevation Data for Subdivision Proposals.** When proposing subdivisions or other developments greater than fifty (50) lots or five (5) acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
- L. **Recreational Vehicles.** In A and A1-30 Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than one hundred eighty (180) consecutive days or be fully licensed and highway ready
- M. **Watercourse Alterations.** In a riverine situation, the Building Inspector/Zoning Enforcement Officer shall notify the following of any alteration or relocation of a watercourse:
- 1) Adjacent communities, especially upstream and downstream.
 - 2) Bordering states, if affected.
 - 3) NFIP State Coordinator, Massachusetts Department of Conservation and Recreation
 - 4) NFIP Program Specialist, Federal Emergency Management Agency, Region 1
-

N. Requirement to Submit New Technical Data. If the Town of Cheshire acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town of Cheshire will, within six (6) months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s). Notification shall be submitted to:

- 1) NFIP State Coordinator, Massachusetts Department of Conservation and Recreation
- 2) NFIP Program Specialist, Federal Emergency Management Agency, Region 1

PLEASE NOTE

D-L in the proposed language is merged into one section of the current language...

Development regulations. The following requirements apply in the Flood Hazard District:

- 1) *Within Zone A, wherever the base flood elevation is now provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation or floodproofing requirements, as appropriate, of the State Building Code.*
- 2) *In the floodway, designated on the Flood Boundary and Floodway Map, the following provisions shall apply:*
 - a. *All encroachments, including fill, new construction, substantial improvement to existing structures and other development are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increased flood levels during the occurrence of the 100-year flood; and*
 - b. *Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code; and*
 - c. *All public utilities and facilities, such as sewer and gas, electrical and water systems, shall be located and constructed to minimize or eliminate flood damage; and*
 - d. *Adequate drainage systems shall be provided to reduce exposure to flood hazards; and*
 - e. *Base flood elevation (the level of the 100-year flood) data shall be provided by the applicant for proposals greater than 50 lots or five acres, whichever is less, for that portion within the Flood Hazard District*
- 3) *Within Zone A-A1-A2-A4, all mobile homes shall provide that:*
 - a. *Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;*
 - b. *Adequate surface drainage and access for a hauler are provided;*
 - c. *In the instance of elevation on pilings, lots are large enough to permit steps, piling foundations are placed in stable soil no more than 10 feet apart. And reinforcement is provided for piers more than six feet above ground level; and*
 - d. *The placement of mobile homes, except in an existing mobile home park or mobile home subdivision, are prohibited in the floodway.*

O. Variances to State Building Code. The Town of Cheshire will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance and will maintain this record in the community's files.

The Town of Cheshire shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced

development in the floodplain overlay district.

N/A

- P. **Other Variances.** A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

N/A

- Q. **Abrogation.** The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances, bylaws, or codes.

N/A

- R. **Disclaimer.** The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.

N/A

- S. **Severability.** If any section, provision, or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the bylaw shall be effective.

N/A

*Board of Selectmen Recommends
Planning Board Recommends
Majority Vote Required*

And you are directed to serve this Warrant, by posting up attested copies thereof at the CHESHIRE TOWN OFFICES, CHESHIRE SENIOR CENTER and the CHESHIRE POST OFFICE in said Town, seven (7) days at least before the time of holding said meeting.

Hereof Fail Not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given this day under our hands this **20TH** day of **May** in the year **2025**.

A handwritten signature in blue ink, appearing to read 'S. McGrath', written over a horizontal line.

Shawn McGrath - Chair

A handwritten signature in blue ink, appearing to read 'J. Levesque', written over a horizontal line.

Jason Levesque- Vice-Chair

Cheshire Board of Selectmen

A handwritten signature in blue ink, appearing to read 'Raymond Killeen', written over a horizontal line.

Raymond Killeen - Member

A handwritten signature in blue ink, appearing to read 'Michelle Francesconi', written over a horizontal line.

Michelle Francesconi - Member

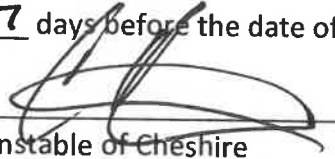
A handwritten signature in blue ink, appearing to read 'Ronald DeAngelis', written over a horizontal line.

Ronald DeAngelis – Member

A true copy. Attest: CHRISTOPHER GARNER Constable
Berkshire, SS

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of
Cheshire by posting up attested copies of the same at the Cheshire Town Hall, Cheshire Senior
Center and the Cheshire Post Office

17 days before the date of the meeting as within directed.


Constable of Cheshire

5/23/2025
Date