

## ARTICLE

To see if the Town will vote to amend Section VI. of the Zoning Bylaw – Special Regulations, by adding the following section, or act or do anything in relation thereto.

### Q. Special Event Facility

#### Purpose

The purpose of this section is to encourage the preservation of agricultural and other larger parcels of land by allowing income generating events using the grounds and structures while also minimizing ~~impacts~~impact on abutting properties.

**Permitting:** Special Event Facilities shall only be allowed to owners of agricultural or other larger parcels who have, as a prerequisite, committed to enroll and maintain one or more of the Chapter 61 programs under MGLA Section 61, and have committed to keeping all or a substantial portion of their land undeveloped for the times specified by Section 61. Special Event Facilities will be allowed via Special Permit granted by the Planning Board in accordance with the provisions of this bylaw and the Special Permit procedures set forth in G.L. c. 40A.

#### General Provisions:

- a. Facilities shall only be allowed on a single parcel of property with a minimum of twenty (20) acres (“Qualifying Parcel”). For purposes of this by law, a “facility” means any building or other improvement now or hereafter existing on a Qualifying Parcel, constructed and maintained by the owner pursuant to all laws and regulations.

[Here, the structure will need to hold a valid CO and comply with all fire, safety, and other regulations to qualify for a Special Permit].

- b. The ~~property~~ owner of the Qualifying Parcel shall ~~have oversight of, and~~ be responsible ~~for, to supervise and control conduct at~~ all events or activities held on the ~~property~~.

~~This~~Qualifying Parcel. No later than the last day of the first week of January and July of each year, an owner shall ~~include providing~~provide a list of ~~all events~~each event or activity anticipated to be held in the next six months, and a list of those events or activities actually held in the prior six months. These lists shall be provided to the Planning Department, Select Board, and Board of Health, ~~in the first week of January and July annually~~. These lists shall include the type of event, number of attendees ~~and~~, staff, and whether ~~there was~~ food, ~~or~~ alcohol ~~was served~~, ~~or~~and entertainment.

- c. Events ~~or activities~~ shall be restricted to private ~~events, not~~gatherings for personal recognition events. ~~No event or activity shall be~~ open to the general public ~~at any time~~. Permitted types of events ~~can~~may include bridal showers, single day retreats, weddings, family gatherings and similar kinds of activities. ~~No more than one (1) event or activity shall be held on any calendar day.~~

- d. Sound emitted from the ~~facility~~Qualifying Parcel must cease promptly at 10:30 p.m. on Fridays, Saturdays and holidays. ~~Sound~~All sound shall cease at 9 p.m. every other day of the week. Sundays prior to a Monday holiday shall follow the Saturday rules. ~~The measurement of sound or noise shall be made with a sound-level meter meeting the standards prescribed by ANSI S1.4-1971 Type 1 or Type 2. The maximum acceptable sound level shall be 75 dBA as measured at the complainant location or that portion of the public way closest to the complainant.~~

- e. ~~Events~~Persons present at events or activities shall not exceed one hundred twenty-five (125) ~~attendees in size~~persons, including guests and staff supporting the event.

- f. Events ~~numbering from 75—125 attendees in size~~and activities held on or about the Qualifying Parcel shall be limited to a ~~maximum total~~ of ~~12 events in a one (1) event or activity for each calendar month of the calendar year. Special events numbering 25—74~~ The maximum number of attendees allowed at any event or activity (which in sizeany event shall be ~~limited to a maximum of 20 events in a calendar year. Special events with~~

This was discussed in earlier planning board meeting and deemed unnecessary? Currently not a requirement for establishments such as BlackstoneNation/ PV

We find the restriciton of one event a month reduces profitably and very much less desirable bylaw. We feel the restrictions/rules that the board is putting in place negates resons to limit events to one a month. We prefer the the categoris and candence that was worked out in the intial by law. We understand that the town would want limit the larger events, as in the original 10 a year, but to group all size events into a limitation of once a month is unreasonable.

~~less than 25~~less than 125 persons) shall be determined at the time the Special Event Permit is issued after review of the maximum occupancy permitted by the structure at the Qualifying Parcel. Events and activities which are solely outdoor events and not utilizing any portion of a building or tent structure shall be limited to 125 persons or attendees ~~shall have no limit. The owner shall~~at any time.

- g. No event or activity shall exceed 8 hours of duration and/or operation, excluding set-up and break-down, which are limited to 2 hours each.

- h. All events require on-site and off-street parking for all vehicles. No preparation or set up will commence prior to 7 am on a weekday or 10 am on a Saturday or Sunday. [No break up or disassembly shall commence after 10 pm on any day of the week].

*Please consider that “break up” and disassembly needs to be considered in the hours of use. There is also no light or view guidance to protect abutters.*

We feel 10 AM on weekends is too late for set up, would consider 9 am.

To include 2 hours of set up and break down severely cuts into the length of the events

- i. Special Permits for this use shall be valid for ~~five~~three (53) years from the date of the approval, and shall expire if the applicant does not obtain a new approval prior to the original expiration.
- j. ~~Portions~~Those portions of ~~site~~the Qualifying Parcel that will be used for events or activities, parking, or other active parts of ~~the~~ use shall be ~~located to provide~~situated and conducted in a location which provides a substantial buffer to abutting properties and/or shall be screened with vegetation, fencing, sound walls, or the like as deemed necessary and appropriate by the permitting authority. *For purposes of this section, a “substantial buffer” is not less than [1000 feet] from the property line of any contiguous abutter. [Please consider guidance].*

1000 feet is very restrictive, for example our 47 acre property on Putnam hill is only 850 feet wide between our abutting neighbors.

- k. If alcohol is to be served the appropriate license must be secured through the Select Board.

- l. If food is to be served the appropriate licenses and inspections must be secured through the Select Board and Board of Health.
- m. Adequate restroom facilities including hand washing and waste disposal must be provided and approved by the Board of Health.
- n. An entertainment license shall be secured as needed from the Select Board.
- o. The property owner shall provide evidence of current liability insurance for the type of events to be held on the property.
- p. Special Event Facilities and activities must comply with all other applicable statutes, ordinances and regulations

#### ARTICLE

To see if the Town will vote to amend the Zoning Bylaw Section III.A. 4. Table 1 – Table of Use

Regulations, by adding underscored text as follows:

Section E. - Retail, Trade and Service Uses

	<b>R-1</b>	<b>R-2</b>	<b>V</b>	<b>B-2</b>	<b>I</b>	<b>OLI</b>
<u>23. Special Event Facility</u>	<u>S*</u>	=	=	<u>S*</u>	=	<u>S*</u>