

**TOWN OF HEATH
SPECIAL TOWN MEETING**

DECEMBER 9, 2025

The Special Town Meeting was called to order at 6:33p.m. by the moderator, Eric Sumner, with a quorum present. The meeting was held in the cafeteria of the Jacobs Road Municipal Center located at 18 Jacobs Road. There were 39 registered voters present of 561 registered to vote, or approximately 7 percent.

Article 1: The Town voted unanimously to authorize the Select Board to petition the General Court for the enactment of special legislation as set forth below to allow the Fire Chief to continue in such position, despite having reached the maximum age established by law; provided however, that the General Court shall be authorized to changes of form only to said bill without the approval of the Select Board, and to authorize the Select Board to approve such amendments as are within the public purpose of the petition.

An Act Authorizing the Town of Heath to Continue the Employment of the Fire Chief

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding chapter 32 of the general laws or of any other general or special law to the contrary, Nicholas Anzuoni, chief of the fire department of the town of Heath, may continue to serve in such position beyond the age of 65; provided, however, that Nicholas Anzuoni remains physically and mentally capable of performing the duties of fire chief, and, provided further that Nicholas Anzuoni shall not remain in service beyond the age of 70. The town of Heath may require Nicholas Anzuoni to undergo an examination, at the expense of the town, by an impartial physician designated by the town to determine his fitness to remain in service. This act shall not entitle Nicholas Anzuoni to remain in service to the town of Heath if otherwise removed or suspended from office in accordance with applicable laws, rules and regulations

SECTION 2. No further deductions shall be made from Nicholas Anzuoni's regular compensation under chapter 32 of the General Laws for any service performed subsequent to reaching the age of 65. Upon his retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired upon reaching age 65, if any.

SECTION 3. This act shall take effect upon its passage.

Article 2: The Town voted unanimously to authorize the Select Board to petition the General Court for the enactment of special legislation as set forth below to allow a call member of the Heath Fire Department to continue in such position, despite having reached the maximum age established by law; provided however, that the General Court shall be authorized to changes of form only to said bill without the approval of the Select Board, and to authorize the Select Board to approve such amendments as are within the public purpose of the petition.

An Act Authorizing the Town of Heath to Continue the Employment of a call member of the Heath Fire Department

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding chapter 32 of the general laws or of any other general or special law to the contrary, Will Emmet, a call member of the Heath Fire Department of the town of Heath, may continue to serve in such position beyond the age of 65; provided, however, that Will Emmet remains physically and mentally capable of performing the duties of fire fighter, and, provided further that Will Emmet shall not remain in service beyond the age of 70. The town of Heath may require Will Emmet to undergo an examination, at the expense of the town, by an impartial physician designated by the town to determine his fitness to remain in service. This act shall not entitle Will Emmet to remain in service to the town of Heath if otherwise removed or suspended from office in accordance with applicable laws, rules and regulations

SECTION 2. No further deductions shall be made from Will Emmet's regular compensation under chapter 32 of the General Laws for any service performed subsequent to reaching the age of 65. Upon his retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired upon reaching age 65, if any.

SECTION 3. This act shall take effect upon its passage.

Article 3: The Town voted by to transfer **\$40,000.00** from the School/Town Buildings Improvement Stabilization account to a new JPMC Roof Repair account.

Article 4: The Town voted unanimously to transfer **\$2,871.00** from IT Stabilization Fund account to the IT Equipment Upgrade account.

Article 5: The Town voted unanimously to transfer **\$10,000.00** from Free Cash account to a Fire Chief Vehicle Purchase account.

Article 6: The Town voted unanimously to amend the Town's Protective Zoning Bylaws, after voting to fix a typo of a duplicate word, street, printed in the warrant in Section 5.2, to add a definition of "Street" and amend the existing definitions of "Exterior Architectural Feature", "Frontage", "Lot", and "Lot-line" and to make related changes throughout the Zoning Bylaws with revised text indicated in **Bold Underline** and removed text indicated in ~~Strikethrough~~; or take any other action related thereto.

~~2.3.3-....~~ valid building permit or unless within ~~roads~~ **street** which are either public or designated on an approved subdivision plan.

2.3.3 the premises under a currently valid building permit or unless within ~~roads~~ **street** which are either public or designated on an approved subdivision plan....

3.3.5 The boundary of the Agricultural and Forestry District ('D') shall start 650 feet back from the edge of the ~~road~~ **street**

3.4.2 Boundary lines located outside of ~~public and private ways~~ **streets**

4.2 Use Regulations Schedule

One-family dwelling on public way <u>street</u>	Y	Y	Y	Y
One-family dwelling on private way in compliance with MGLA c 47 s 81L (see section 6.1.2.1).	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>

Dog kennel provided that the lot area is not less than 5 acres, and no structure is placed within 75 feet of a road <u>street</u> or lot lines	SP	SP	N	SP
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4.5.3 Parking Areas for 10 or More Vehicles. The following shall apply:

A. Their use shall not require backing onto a ~~public way~~ street.

4.5.4 Loading Requirements. Adequate off-road loading facilities Facilities shall be so sized.... ~~public way~~ street or be parked on a ~~public way~~ street while loading, unloading, or waiting to do so.

4.7 D. Visibility of parking area from ~~public ways~~ streets

4.8.1 no permit shall be granted for such use unless the following standards are met:

D. Parking and outdoor storage of materials or products shall be screened from the view of neighbors and the view of ~~public ways~~ streets by vegetative screens, opaque fencing, or topography.

E. Lighting shall not illuminate neighboring properties or ~~public ways~~ streets.

4.9.1 A. Culverts and Drainage. Existing drainage ditches parallel to ~~public or private roads~~ streets from which building lots are to be accessed shall not be obstructed by new driveway construction....

B. Turnarounds. All new driveways shall be provided with the means for reversing the direction of a standard-sized automobile, so that the vehicle may enter the ~~public road~~ street facing forward.

C. Sight Distances. All new driveways must be located where the minimum sight distance in both directions along the ~~public or private way~~ street from which it is accessed is not less than 100 feet....

D. Gradients. Maximum gradient of any new driveway shall be 10% within 25 feet of the edge of the ~~public way~~ street

E. Construction Material. in which the chip size does not exceed 3/4" to prevent un-stabilized driveway material from washing out onto the ~~public way~~ street.

4.9.1 H. The driveway of any building located 150 feet from a ~~public way~~ street shall be designed and maintained to allow emergency vehicles to turn around before departing.

4.9.3 with advice from the Highway Superintendent with respect to driveway connection to the ~~road~~ street.

5.2 Corner Lot. A corner lot in any district is required to have at least the minimum frontage dimensions on each intersecting ~~private or public way~~ street.

~~6.1.2.1 Private Ways Special permits will only be issued by the Planning Board if conditions of Massachusetts General Laws Chapter 41 Section 81L are met. Specifically, when the subject lot has its legal frontage on a private way, the private way was in existence when the subdivision control law became effective in Heath and has, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby. Such frontage shall be of at least such distances as is then required by Heath's Protective Zoning Bylaw.~~

6.1.9 A. There is sufficient town capacity to service the premises, considering existing ~~Road's~~ streets

6.1.9 E. There is adequate sight distance and traffic safety at the entrance to ~~public ways~~ streets.

6.2.4 K. Location of proposed ~~public and private ways~~ streets on the site.

6.2.7 B. The site plan minimizes traffic and safety impacts of the proposed development on adjacent ~~highways or roads~~ streets

6.2.7 E.7. Screens, objectionable features from neighboring properties and ~~roadways~~ streets through trees....

6.3.3.4 C 1 In order to minimize visual impact, the minimum distance from the base of any ground-mounted personal wireless service facility to any property line, ~~road~~ street

6.3.4.1 A. Camouflage by Existing Buildings or Structures 1.... every effort shall be made to conceal the facility within or behind existing architectural features to limit its visibility from ~~public ways~~ streets.

6.3.5.4 A.7. A one-inch-equals-40 feet vicinity plan showing the following...: Location of all ~~roads, public and private,~~ streets on the subject property within 300 feet including driveways

6.3.5.4 B.3. Proposed personal wireless service facility superimposed on it to show what will be seen from ~~public roads~~ streets and buildings if the proposed personal wireless service facility is built.

6.3.5.4 C. Siting elevations. the proposed personal wireless service facility plus from all existing ~~public roads~~ streets that serve the subject property.

6.4.5 A. A site plan must be submitted, ~~public and private roads~~ streets, above-ground utility lines and any other significant features.

6.5.6 A site plan must be submitted, prepared to scale showing the location of the proposed Mobile Home, distances to all property lines, existing and proposed structures, ~~public and private roads~~ streets and any other significant features

6.8.2 B.2. (including those separated by a ~~roadway~~ street) located inside or outside of a Solar Electric Overlay District....

6.8.5 B.6. A sight line representation shall be drawn from that portion of any ~~public road~~ street within 300 feet

6.8.5 B.7 what can currently be seen from any ~~public road~~ street within 300 feet

6.8.7 B. Landscape Plans. including appurtenant structures from ~~public ways~~ streets and adjacent properties....

8.1.1 A. frontage on a ~~public way~~ street and a connecting strip at least 50 feet wide and containing no wetlands.

8.1.2 E. the first such passing turnout at the drive's connection to the ~~road~~ street are required.

8.3.1 Purpose/Definition.... This type of development may occur as either a subdivision or as lots being created on an existing street ~~public way~~ street.

8.3.4 A. for lots on an existing ~~public way~~ **street** which lots do not require subdivision approval. Each lot shall have adequate access on a public or approved subdivision ~~road~~ **street**.

8.3.4 D. Each lot shall have adequate access on a public **street** or ~~approved subdivision road~~

8.3.4 G. At least thirty-five percent (35%) of the total parcel of land slopes greater than twenty-five (25%), ~~roadways~~ **street** ...

8.3.4 I. There shall be an adequate, safe, and convenient arrangement of pedestrian circulation, facilities, ~~roadways~~ **streets**, driveways, and parking.

8.3.4 J. Design of ~~roads~~ **streets**, utilities, and drainage shall be functionally

8.3.5 B. In no instance shall a designated lot have less than 125 feet of frontage on a ~~public or approved subdivision road~~ **street**.

8.3.6 A. All land not devoted to dwellings, accessory uses, ~~roads~~ **streets**, or other development....

8.3.6 H.6. A development plan that screens all structures from view from a ~~public way~~ **street**

9.0 Definitions

Exterior Architectural Feature. Means such portion of the exterior of a building or structure as is open to view from a ~~public road~~ **street**, including but not limited to the architectural style and general arrangement and setting thereof, the kind, color, and texture of exterior building materials, the color of paint or other materials applied to exterior surfaces and the type and style of window, doors, lights, signs, and other appurtenant exterior features.

Frontage. The boundary of a lot coinciding with a street line provided that there must be both **legal** rights-of-access and potential vehicular access across that boundary to a potential building site and the ~~public way, statutory private way or private way~~ **street**, and ~~has been determined by the Planning Board to provide adequate access to the premises under the provisions of the Subdivision Control Law and the Heath Subdivision Regulations currently in effect.~~ Lot frontage shall be measured continuously along one street line between side lot lines or, in the case of corner lots, between one side lot line and the midpoint of the corner radius. ~~The portion of a lot fronting on a discontinued road, or a road which is not continuously constructed to a point beyond the border of the subject lot, does not constitute frontage for purposes of Approval Not Required Plans.~~

Lot. A plot or parcel of land with frontage on a ~~public way or on an approved subdivision road~~ **street** occupied or capable of being occupied by one principal building and the accessory buildings or use customarily incident to it, including such open spaces as are required by this Bylaw.

Lot-Line (Front). The line separating the lot from the **street providing frontage for the lot** ~~public-way line across which access is gained to the property.~~

Street – a public way, a private way, or a statutory private way.

Having no other business to come before the meeting, the meeting voted unanimously to dissolve at 7:02 p.m.

Respectfully Submitted,

Mary Sumner
Town Clerk