

APPROVED BY THE ATTORNEY GENERAL ON  
DECEMBER 18, 1997.

Helen I. Lenti  
Town Clerk

ATTEST:



A True Copy  
*Helen I. Lenti*  
Helen I. Lenti, Town Clerk  
Southbridge, Massachusetts  
(508) 764-5408  
Town Hall  
41 Elm Street

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**TOWN OF SOUTHBIDGE**  
SOUTHBIDGE, MASSACHUSETTS 01550

SOUTHBIDGE TOWN COUNCIL MEETING

MAY 19, 1997

Agenda Item #13: Vote to amend section 300.38 of the Zoning By-laws of the Town of Southbridge by striking the words "in which provision may be made for not more than four (4) lodgers or boarders" after family unit(s) in the definition of dwelling: (One family) and dwelling: (Two family) (Third Reading

Councillor Tremblay made a motion, second by Councillor Ryan to amend Section 300.38. George Golebiowski, chairman of the Planning Board felt that the Boarding houses have been a safety and health issue. These are not family units, these are transients. There was no further discussion-Chairman McDonald called for a vote.

VOTE-BY ROLL CALL-Councillors in favor were: Carron, Duquette, Haggerty, Jachimczyk, Johonnett, Lachapelle, McCann, McDonald, Ryan, Thomo and Tremblay. Councillor Latour was opposed and Councillor Jolin was absent/excused. Motion passes.

Respectfully submitted,

s/ Pauline L. Julien  
Council Recording Clerk

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Southbridge, Massachusetts  
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SOUTHBRIDGE, MASSACHUSETTS 01550

SOUTHBRIDGE TOWN COUNCIL MEETING

MAY 19, 1997

Agenda Item #14: Vote to amend section 300.461 of the zoning by-laws of the Town of Southbridge by striking the words, "Lodging House" and its definition and replace with the following: "Dormitories: Housing for Students and Faculty of Educational Institutions" (third reading)

Councillor Tremblay made a motion, second by Councillor Ryan to amend Section 300.461 of the Zoning By-laws. Nicola Tortis, the Director of Inspections and Building Inspector advised the Council that this is in anticipation of what we will have when the Department of Defense begins its training; this will be part of a school. There was no further discussion. Chairman McDonald called for a vote.

VOTE-BY ROLL CALL--Councillors in favor were: Carron, Duquette, Haggerty, Jachimczyk, Johonnett, Lachapelle, McCann, McDonald, Ryan, Thomo and Tremblay. Councillor Latour abstained and Councillor Jolin was absent/excused. Motion passes.

Respectfully submitted,

s/ Pauline L. Julien  
Council Recording Clerk

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SOUTHBRIDGE TOWN COUNCIL MEETING

MAY 19, 1997

Agenda item #15: Vote to amend section 502.1 table of use regulations by striking the words, "Lodging Houses" from 502.15. Strike 502.16 "Renting of Rooms and Furnishing tableboard" and replace with "cluster development". Add a new section 502.17 "Dormitories". Section 502.15 (hotel, motel) and the new 502.17 (Dormitories) would be allowed by special permit in the retail business, general business, light industrial and heavy industrial districts and would not be allowed in other districts (third reading)

Councillor Tremblay made a motion, second by Councillor Lachapelle to amend Section 502.1 Table of Use Regulations of the Zoning by-laws. Mr. Tortis explained that this change is to keep retail areas in a business-type atmosphere rather than by the zone. There was no discussion. Chairman McDonald called for a vote.

VOTE--BY ROLL CALL--All councillors in favor. Motion passes.

Respectfully Submitted.

s/ Pauline L. Julien  
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SOUTHBRIDGE TOWN COUNCIL MEETING Southbridge, MA

MAY 19, 1997

AGENDA ITEM NO. 16 - VOTE TO AMEND SECTION 601.1 DIMENSIONAL REGULATIONS BY STRIKING EVERYTHING AFTER THE FIRST SENTENCE AND REPLACE WITH THE FOLLOWING: "DIMENSIONAL REGULATIONS DEFINED: MINIMUM LOT AREA, FRONTAGE, SETBACK AND YARD REGULATIONS, AND MAXIMUM COVERAGE AND HEIGHT LIMITATIONS SHALL BE PRESCRIBED IN THE FOLLOWING TABLE 602 - TABLE OF DIMENSIONAL REGULATIONS. ANY INCREASE IN AREA, FRONTAGE, WIDTH, YARD OR DEPTH REQUIREMENTS OF THESE BY-LAWS SHALL NOT APPLY TO A LOT FOR SINGLE AND TWO-FAMILY RESIDENTIAL USE WHICH AT THE TIME OF RECORDING OR ENDORSEMENT, WHICHEVER OCCURS SOONER WAS NOT HELD IN COMMON OWNERSHIP WITH ANY ADJOINING LAND, CONFORMED TO THEN EXISTING REQUIREMENTS AND HAD LESS THAN THE PROPOSED REQUIREMENTS BUT AT LEAST FIVE THOUSAND SQUARE FEET OF AREA AND FIFTY FEET OF FRONTAGE. ANY INCREASE IN AREA, FRONTAGE, WIDTH, YARD OR DEPTH REQUIREMENT OF THESE BY-LAWS SHALL NOT APPLY FOR A PERIOD OF FIVE YEARS FROM ITS EFFECTIVE DATE OR FOR FIVE YEARS AFTER JANUARY FIRST, NINETEEN HUNDRED AND SEVENTY-SIX, WHICHEVER IS LATER, TO A LOT FOR SINGLE AND TWO-FAMILY RESIDENTIAL USE, PROVIDED THE PLAN FOR SUCH LOT WAS RECORDED OR ENDORSED AND SUCH LOT WAS HELD IN COMMON OWNERSHIP WITH ANY ADJOINING LAND AND CONFORMED TO THE EXISTING ZONING REQUIREMENTS BUT CONTAINED AT LEAST SEVEN THOUSAND FIVE HUNDRED SQUARE FEET OF AREA AND SEVENTY-FIVE FEET OF FRONTAGE, AND PROVIDED THAT SAID FIVE YEAR PERIOD DOES NOT COMMENCE PRIOR TO JANUARY FIRST, NINETEEN HUNDRED AND SEVENTY-SIX, AND PROVIDED FURTHER THAT THE PROVISIONS OF THIS SENTENCE SHALL NOT APPLY TO MORE THAN THREE OF SUCH ADJOINING LOTS HELD IN COMMON OWNERSHIP. THE PROVISIONS OF THIS PARAGRAPH SHALL NOT BE CONSTRUED TO PROHIBIT A LOT BEING BUILT UPON, IF AT THE TIME OF THE BUILDING, BUILDING UPON SUCH LOT IS NOT PROHIBITED BY THESE BY-LAWS (THIRD READING):

Councillor Carron made a motion, second by Councillor Tremblay to amend Section 601.1 Dimensions Regulations. Mr. Tortis explained that the year 1976 is bringing our by-laws in line with the state's zoning act. Lots cut out before 1976 are allowed to have 50' frontage and 5,000 square feet can be grandfathered. Lots after January 1, 1976 have to have at least 75 feet of frontage and 7500 square feet to be grandfathered. There was no further discussion.

Chairman McDonald called for a vote. VOTE - BY ROLL CALL - ALL COUNCILLORS IN FAVOR - MOTION PASSES.

Respectfully Submitted,

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SOUTHBRIDGE TOWN COUNCIL MEETING

MAY 19, 1997

Agenda item #17: Vote to amend the zoning by-laws of the Town of Southbridge by decreasing the side setbacks for principal structures from 20 feet to 10 feet on lots served by sewer (section 602)

Councillor Carron made a motion, second by Councillor Lachapelle to amend the by-laws. Mr. Tortis explained that this is allowing homeowners to be able to add a deck or garage without meeting the 20' setback. Esther Sabbey of Chestnut Street told the Council that this creates a nuisance and it's not aesthetically pleasant to look at, since it's too close. There was no further discussion. Chairman McDonald called for a vote.

VOTE-BY ROLL CALL-All Councillors were in favor. Motion passes.

Respectfully submitted,

s/ Pauline L. Julien  
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SOUTHBRIDGE TOWN COUNCIL MEETING

MAY 19, 1997

Agenda item #18: Vote to amend the zoning by-laws of the Town of Southbridge by adding the following to section 801.1: "Abandonment: notwithstanding the provisions of section 801, A pre-existing non-conforming use or structure shall be subject to these by-laws, if, for any cause, it is either abandoned or not used for a continuous period of two years or more. No new use, or any additional use to an abandoned or unused structure may be commenced in any district, except as authorized by special permit. The SPGA shall consider the lot size, the existing building coverage, and available on-site parking, based upon review of the specific characteristics of the site, including but not limited to, available area, traffic patterns, access to public ways, intended use of the site, and protection of public safety and convenience, except that any use so allowed shall not be more substantially detrimental to the neighborhood than the previous use." (third reading)

Councillor Tremblay made a motion, second by Councillor Lachapelle to amend the Zoning By Laws. Mr. Tortis explained that if a building is abandoned for 2 years and someone wants to buy it, they must get a special permit from the Planning Board. This new by-law gives the Planning Board a tool. There was no discussion. Chairman McDonald called for a vote.

VOTE-BY ROLL CALL-Councillors in favor were Carron, Haggerty, Jachimczyk, Johonnett, Lachapelle, Latour, McCann, McDonald, Ryan, Tremblay. Opposed were Duquette and Thomo. Councillor Jolin was absent/excused. Motion passes.

Respectfully submitted,

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