

**TOWN OF MOUNT WASHINGTON**  
**Mount Washington, Massachusetts 01258**  
**WARRANT**  
**SPECIAL TOWN MEETING, August 15, 2018**

Commonwealth of Massachusetts, Berkshire, ss.

To: David Whitbeck, Constable of the Town of Mount Washington, in said County.

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of said town, qualified to vote in town affairs, to meet at the Town Hall in said Town on Wednesday, the 15th day of August, 2018, at **7:00 p.m.**, then and there to act upon the following articles:

**Article 1:** Shall the Town of Mount Washington approve the adoption of new Zoning Bylaws in the form attached hereto as Exhibit A.

The Finance Committee did not meet relative to this article.

*This Article requires a two-thirds vote.*

You are hereby directed to serve this warrant by posting an attested copy on the Town Hall and Town Transfer Station of Mount Washington, at least fourteen days before holding of said meeting. Hereof, fail not and of this warrant and your doings thereon, make return to the Town Clerk at or before the time of holding said meeting.

Given under our hands and seal of the Town of Mt. Washington this 30th day of July, 2018.

**§215-30. Religious or Nonprofit Educational Camp Bylaw  
Mount Washington, Massachusetts**

- A. **Purpose.** The purpose of this subsection is to provide Site Plan Review of religious or nonprofit educational camps without unreasonably impeding the religious, educational and nonprofit use.
- B. **Applicability.** Religious or Nonprofit Educational Camp uses exempt pursuant to G.L. c. 40A, §3, shall be subject to Site Plan Review for the limited purpose of imposing reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open spaces, parking and building coverage requirements, as set forth herein.
- C. **Definition.** “Camps” shall apply to any religious or nonprofit educational camp defined by and subject to regulation under 105 CMR 430.00 et seq. and the Mount Washington Board of Health Camp Regulation 100.00. A recreational camp for children “operates for any period of time between June 1 and September 30 of any year or not more than 14 consecutive days during any other time of year.” (105 CMR 430.000)
- D. **General Requirements.**
  - 1. Any religious or nonprofit educational camp shall comply with all state and local regulations, including, but not limited to, the State Building Code, the State Sanitary Code, the State and Town Health Code, the Mount Washington Bylaws, the Mount Washington Building Code and the Mount Washington Board of Health Camp Regulations.
  - 2. Any religious or nonprofit educational camp cannot be operated by any nonreligious or for-profit educational groups or used for any nonexempt purpose.
  - 3. A setback of 250 feet shall be maintained extending from the abutting property lines to all camp structures and designated communal areas, such as playing fields, picnic grounds and campfire areas. All setbacks shall be kept undeveloped and natural except for entrance and exit roadways.
  - 4. Vegetated screening is required within fifteen (15) feet of the road property line along the entire road frontage except for entrance and exit roadways.
  - 5. Suitable off-street parking shall be provided for all facilities.
    - a. Each parking space shall be not less than 8.5 feet in width and nineteen (19) feet in length. Handicap parking spaces shall not be less than twelve (12) feet in width and twenty (20) feet in length. Drive aisles shall measure at least twenty-two (22) feet wide.
    - b. There shall be one (1) space for each sleeping room, one (1) space for each three (3) persons employed, one space (1) for each vehicle used in the operation of the camp, one (1) space for each regularly scheduled visitor’s vehicle, three (3) handicap spaces.
  - 6. Parking areas for five (5) or more cars must be screened from public roads and from abutting premises, through the use of vegetated screening. Required plants for screening purposes shall include both trees and shrubs, and may include ones existing on the site but in any case shall be sufficient to screen the project from public view.
  - 7. Any religious or nonprofit camp shall have adequate refuse disposal facilities.
  - 8. Any religious or nonprofit educational camp shall have a minimum of one hundred (100) contiguous acres.

9. Any religious or nonprofit camp shall have a maximum building coverage of 4% of land area.
10. Site Plan Review approval shall be valid for two (2) years. If meaningful construction has not begun within two (2) years, as determined by the Building Inspector, the applicant shall reapply for Site Plan Review approval.

**E. Procedures.**

1. Each application for a religious or nonprofit educational camp shall be accompanied by a site plan, six (6) copies of which shall be submitted to the Planning Board. The Planning Board shall, as soon as feasible, but within ten (10) days thereafter, distribute copies of the site plan to the Board of Health, Road Superintendent, Board of Selectmen, Building Inspector, Zoning Enforcement Officer, and the Conservation Commission for their advisory review and comments.
2. The Planning Board shall review and act upon the site plan with all deliberate speed, within thirty (30) days of its receipt, and notify the applicant of approval on the earliest date possible. No building permit shall be issued by the Building Inspector without the written approval of the site plan by the Planning Board, or unless 30 days lapse from the date of the submittal of the site plan without action by the Planning Board.
3. Upon submission of an application for a religious or nonprofit educational camp, the Planning Board may require the applicant to provide a form of surety, either through an escrow account or bond to cover the cost of hiring independent consultants. The consultant(s) shall work at the Planning Board's direction and shall provide the Planning Board such reports and assistance, as the Planning Board deems necessary to review the application.

**F. Site Plan Requirements.** In addition to the site plan submittal requirements, the following shall accompany a site plan review application for a Camp:

1. Up-to-date documentation of religious or nonprofit educational status.
2. A copy of a valid deed(s) of the property being considered for a camp.
3. A list of all proposed uses including location on the site, proposed times of yearly and daily operation, and the number of individuals allowed to participate.
4. The location of recreation areas, including setbacks.
5. An application fee, as listed in the Mount Washington Planning Board Fee Schedule.

**G. Separability.** The provisions of this section shall be deemed to be separable. If any of its provisions, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this section shall continue to be in full force and effect.

Remove §215-6. Special Permits. A. (1) Camps and renumber subsequent sections.