



**MAY 9, 2016**

**ANNUAL  
TOWN MEETING**

**TOWN OF MILLIS**

**COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK, SS.**

**GREETING:**

To either of the constables of the Town of Millis in said county, in the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Millis qualified to vote in elections and in town affairs, to meet in the Veterans Memorial Building gymnasium, 900 Main St., Millis, MA 02054 on the 2<sup>nd</sup> day of May, AD 2016, for the election of officers, the polls to open at 7:00 a.m. and close at 8:00 p.m. Also, on Monday, the ninth day of May, AD 2016 at 7:30 p.m. in the Middle-Senior High School Auditorium 245 Plain St., in said Millis:

**FOR THE BUSINESS MEETING, THEN AND THERE,  
TO ACT ON THE FOLLOWING ARTICLES, VIZ**

## **WARRANT ARTICLE LIST**

- 1 ELECTION BALLOT-TOWN OFFICERS
- 2 ELECTION BALLOT- OVERRIDE FOR ROAD REPAIR
- 3 UNPAID BILLS TAXATION  
UNPAID BILLS WATER RECEIPTS
- 4 CURRENT YEAR ADDITIONAL EXPENSES/WAGES  
POLICE  
SNOW & ICE  
SCHOOL LSP SERVICES  
BUILDING WAGES FROM FEES  
RECREATION  
RESERVE FUND
- 5 BUDGET
- 6 WATER ENTERPRISE FUND-BUDGET
- 7 SEWER ENTERPRISE FUND-BUDGET
- 8 AMENDMENTS TO PERSONNEL PLAN
- 9 NON-UNION WAGE INCREASES
- 10 POLICE CONTRACT SETTLEMENT
- 11 DISPATCH CONTRACT SETTLEMENT
- 12 SEIU CONTRACT SETTLEMENT
- 13 SCHOOL TRAFFIC CONTRACT SETTLEMENT
- 14 DPW CONTRACT SETTLEMENT
- 15 PROPERTY REVALUATION
- 16 PERSONAL PROPERTY REVALUATION
- 17 PURCHASE OF PERSONAL PROPERTY SOFTWARE
- 18 AUDIT
- 19 ADD TO STABILIZATION FUND
- 20 VMB CARPET
- 21 BUCKET TRUCK
- 22 AMBULANCE
- 23 FIRE DEPT. ALS INITIATIVE
- 24 LOCAL ROAD IMPROVEMENTS
- 25 SWEEPER
- 26 SEWER EXPANSION STUDY
- 27 DOVER RD. WATER MAIN PHASE 1
- 28 D'ANGELIS TREATMENT PLANT REPAIRS
- 29 STORMWATER MANAGEMENT IMPROVEMENTS
- 30 DPW GARAGE ROOF
- 31 CPC BUDGET & RESERVATIONS
- 32 VMB DOORS
- 33 BOARD OF HEALTH APPOINTING AUTHORITY
- 34 FY17 SCHOOL AIR TESTING COSTS
- 35 SCHOOL BUS LEASES
- 36 SCHOOL COMPUTER LEASES

- 37 MEDICAID REIMBURSEMENT
- 38 HOUSEHOLD HAZARDOUS WASTE DAY
- 39 COMMUNITY ENERGY AGGREGATION
- 40 CONSTRUCTION HOURS GENERAL BYLAW
- 41 ASSISTED LIVING ZONING
- 42 SIGN BYLAW
- 43 REVOLVING FUNDS
  - OAK GROVE FARM
  - ANIMAL CONTROL SHELTER
  - FIRE ALARM
  - HISTORICAL COMMISSION
  - AMBULANCE
  - COA TRANSPORTATION
  - VETERANS MEMORIAL BUILDING
  - FOOD SERVICE
  - STORMWATER MANAGEMENT
  - BOARD OF HEALTH MEDICAL SERVICES
  - BOARD OF HEALTH RABIES CLINIC/PROGRAM
  - CONTINUING EDUCATION
  - MILLIS SCHOOLS ATHLETIC FIELDS
  - MILLIS SCHOOL EXTRACURRICULAR
  - MILLIS PUBLIC LIBRARY SPECIAL USE FUND
- 44 RETURN PARK LAND TO SCHOOL STATUS-ARTICLE 97

**FOR THE ELECTION BALLOT**

**ARTICLE 1.** To choose a Moderator for one year, a Selectman for three years, a member of the School Committee for three years, a member of the Library Trustees for three years, a member of the Library Trustees for one year, a member of the Planning Board for five years, a member of the Board of Health for three years, and a member of the Housing Authority for five years.

**ARTICLE 2.** Question #1.

"Shall the Town of Millis be allowed to assess an additional \$300,000.00 in real estate and personal property taxes for the purposes of road repairs for the fiscal year beginning July 1, 2016?"

\_\_\_\_\_ Yes

\_\_\_\_\_ No"

**FOR TOWN MEETING ACTION**

**ARTICLE 3.** To see if the Town will vote to transfer from available funds or by transfer from the Stabilization Fund, a sum of money to pay **unpaid bills** incurred by Town departments from previous fiscal years, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 4.** To see if the Town will vote to appropriate and raise by transfer from available funds or by transfer from the Stabilization Fund, a sum of money to meet **additional expenses** from the current fiscal year not sufficiently funded under Article 9 of the June 8, 2015 Annual Town Meeting, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 5.** To see if the Town will vote to fix the compensation of elected officers, provide for a reserve fund, and determine what sums of money the Town will raise and appropriate, including appropriations from taxation, by transfer from available funds, and/or the Stabilization Fund **to defray charges and expenses to the Town, including debt and interest**, and a reserve fund for the general fund and sewer and water enterprise funds, for the fiscal year beginning July 1, 2016 and ending June 30, 2017, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 6.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to **operate the water enterprise fund**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 7.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to **operate the sewer enterprise fund**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 8.** To see if the Town will vote to adopt **amendments to Schedule A-Classification Plan, Schedule B-Salary Plan, Schedule C-Employee Benefits, and Schedule D-Policies and Procedures of the Town of Millis Personnel Plan**, effective July 1, 2016 or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 9.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for non-union **wage increases** in the fiscal year beginning July

1, 2016, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 10.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to **fund the first year cost items contained in the contract between the Town of Millis and the Massachusetts Coalition of Police Local 171** effective July 1, 2016, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 11.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to **fund the first year cost items contained in the contract between the Town of Millis and Millis Police Association Dispatchers**, effective July 1, 2016, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 12.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to **fund the first year cost items contained in the contract between the Town of Millis and the Service Employees International Union Local 888**, effective July 1, 2015, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 13.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to **fund the first year cost items contained in the contract between the Town of Millis and the Millis School Traffic Supervisors Association** effective July 1, 2016, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 14.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money to **fund the first year cost items contained in the contract between the Town of Millis and AFSCME Council 93 Local 1301** effective July 1, 2016, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 15.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for **revaluing properties and data collection** to allow the Town to maintain compliance with the requirements of MGL Chapter 40, section 56, or act in any manner relating thereto. (Submitted by Board of Assessors)

**ARTICLE 16.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for the **valuation of personal property** or act in any manner relating thereto. (Submitted by Board of Assessors)

**ARTICLE 17.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for the **purchase of personal property valuation software**, or act in any manner relating thereto. (Submitted by Board of Assessors)

**ARTICLE 18.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for an independent **audit** of all accounts of the Town, **GASB 34 fixed asset maintenance, and an audit of school department accounts** as required under the education reform act, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 19.** To see if the Town will vote to appropriate and raise by taxation, or by transfer from available funds, a sum of money for the **Stabilization Fund** or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 20.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for **purchase and installation of replacement carpet at the Veterans Memorial Building**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 21.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for a **used bucket truck**; or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 22.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money to purchase and equip **a new ambulance**, including the payment of all costs incidental and related thereto, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44 or any other enabling authority, and to authorize the Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary to carry out this project, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 23.** To see if the Town of Millis will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, a sum of money for wages and expenses for the **Fire Department Advanced Life Support initiative**, and authorize the Board of Selectmen to dispose of the old equipment by trading against the purchase price of the new equipment, by outright sale, auction, or otherwise, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 24.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **local road improvements**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 25.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money to purchase a new **street sweeper**, including the payment of all costs incidental and related thereto, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44 or any other enabling au-

thority, and to authorize the Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary to carry out this project, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 26.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for a **sewer system expansion study** including the payment of all costs incidental and related thereto, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 27.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, a sum of money for water system improvements, including replacement of the **Dover Rd. water main**, including the payment of all costs incidental and related thereto, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44 or any other enabling authority, to and to authorize the Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary to carry out this project, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 28.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, a sum of money for water system improvements, **including repairs to Wells 1 and 2 and to the George D'Angelis Water Treatment Facility**, including the payment of all costs incidental and related thereto, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44 or any other enabling authority, to and to authorize the Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary to carry out this project, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 29.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, a sum of money for engineering, construction, training and inspection costs necessary to comply with and implement **EPA mandated stormwater management improvements**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**ARTICLE 30.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44, a sum of money for **repairs to the DPW Garage**, including the payment of all costs incidental and related thereto, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44 or any other enabling authority, to and to authorize the Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary to carry out this project, or act in any manner relating thereto. Submitted by Board of Selectmen)

**ARTICLE 31.** To see if the Town will vote to appropriate a sum of money, or reserve a sum of money from the **Community Preservation Fund**, for the Historic Resources Reserve, the Community Housing Reserve, the Open Space Reserve, or

the Budgeted Reserve, from annual revenues in the amounts recommended by the Community Preservation Committee, for committee administrative expenses, community preservation projects and/or other expenses in fiscal year 2017, with each item to be considered a separate appropriation; or act in any manner relating thereto. (Submitted by Community Preservation Committee)

**ARTICLE 32.** To see if the Town will vote to appropriate a sum of money by borrowing under the provisions of M.G.L. Chapter 44 and MGL 44B Section 11, or any other enabling authority; or from the Community Preservation Historic Resource Reserve Fund and/or the Community Preservation Fund Budgeted Reserve and/or the Undesignated Fund or to transfer from funds remaining under Article 49 of the May 12, 2014 Annual Town Meeting, for the **Veterans Memorial Building Historic Door Replacement and Refurbishment Project**, and to meet such appropriation by authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow such sum under G.L. Chapter 44 or Chapter 44B or any other enabling authority, to and to authorize the Board of Selectmen to apply for any grants or loans in connection thereto and to take all actions necessary to carry out this project, or act in any manner relating thereto. Submitted by Board of Selectmen)

**ARTICLE 33.** To see if the Town will vote in accordance with M.G.L. Chapter 41, section 4A, and Chapter 268A section 21A, **to authorize the Board of Health to appoint any of its members to another town office or position for which it has appointing authority**, for the term provided by law, if any, otherwise for a term not exceeding one year, and to fix the salary of such appointee, notwithstanding the provisions of MGL Chapter 43, Section one hundred and eight, or act in any manner relating thereto. (Submitted by Board of Health)

**ARTICLE 34.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money **air testing costs** at the **Clyde Brown School** including all costs incidental and relating thereto, or act in any manner relating thereto. (Submitted by School Committee)

**ARTICLE 35.** To see if the Town will vote to authorize the School Committee to enter into a lease of school buses for a period of three or more years, and further to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for the first annual payment of a **lease for and/or for the purchase of school buses**, or act in any manner relating thereto. (Submitted by School Committee)

**ARTICLE 36.** To see if the Town will vote to authorize the School Committee to enter into a lease of school computers for a period of three or more years, and further to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money to purchase, and/or for the first annual payment of a lease purchase agreement for, **school computers**, or act in any manner relating thereto. (Submitted by School Committee)

**ARTICLE 37.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for **Medicaid/Medicare Reimbursement Services**, or act in any manner relating thereto. (Submitted by School Committee)



**ARTICLE 38.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, a sum of money **for a Household Hazardous Waste Collection Day**, or act in any manner relating thereto. (Submitted by Board of Health)

**ARTICLE 39.** To see if the Town will vote to grant the Board of Selectmen authority to initiate a municipal aggregation program to **aggregate the electrical load of interested residents and businesses within the Town** independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation pursuant to M.G.L. c. 164, § 134; and to authorize the Board of Selectmen to (i) enter into one or more agreements with one or more consultants to assist the Town with the development, implementation and administration of such aggregation program for a term of more than three years, and (ii) take any actions and execute any other documents and ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the aggregation program and consultant agreements, which agreements and documents shall be on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town; or take any other action relative thereto. (Submitted by the Energy Committee)

**ARTICLE 40.** To see if the Town will vote to **amend its General Bylaws** by amending Article VIII. Police Regulations, by inserting a new Section 48, entitled **Construction Noise**, as stated below, or take any other action relative thereto.

"48. Construction Noise

It shall be unlawful for any person or persons to create, assist in creating, continue, or allow to continue any loud noise related to non-public construction activities as outlined below prior to 7:00 am and after 8:00 pm on weekdays, Saturdays, or any state or federal holiday which either annoys, disturbs, injures, or endangers the reasonable quiet, comfort, repose or the health and safety of others within the Town. Additionally, it shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any excessive, unnecessary, or unusually loud noise related to non-public construction activities as outlined below on Sundays and the following holidays: New Year's, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.

Construction shall mean those activities requiring a building permit, and shall also include any site preparation, earth removal, grading, assembly, erection, substantial repair, alteration, or similar action, including demolition, for or of private streets, structures, utilities, or similar non-public property. Construction noise shall be that noise generated by manual or mechanical activities associated with construction. This bylaw shall not be construed to prevent or restrict in any way public construction activities carried out by, or on behalf of, the Department of Public Works.

Noise associated with Emergency Work or Emergency Vehicles is exempt from the provisions of this Bylaw. Emergency Work shall mean any work performed in an effort to protect, provide, or restore public safety, or work by private or public utilities when restoring utility service. Emergency Vehicles shall mean any vehicle operated in an effort to protect, provide, or restore public safety including, but not limited to, ambulances, police vehicles and fire vehicles.

Noise associated with construction activities during the restricted hours described in this section may occur only with prior written authorization of the Police Chief when necessary to continue or complete a project, and shall be exempt from the provision of this Bylaw. The Police Chief shall grant such prior written authorization only upon a showing of good cause.

The restrictions set forth in this bylaw shall not apply to construction activity where there is no evidence of such activity audible at the property line of the property where construction is taking place.

Notwithstanding the foregoing, nothing in this section shall limit the authority of a Special Permit Granting Authority, where applicable, to set or limit construction hours as part of the issuance of a special permit."

(Submitted by Board of Selectmen)

**ARTICLE 41:** To see if the Town will vote to **amend the Millis Zoning By-law** as follows:

"

1. By amending Zoning By-law Section II. Definitions by inserting the following new definitions, alphabetically:

Assisted Living: A combination of housing, ancillary support services and personalized care that is designed to respond in a homelike setting to the individual needs of adults requiring assistance with Activities of Daily Living and Self-administered Medication Management, but who do not require the skilled medical care provided in a nursing facility.

Assistance with Activities of Daily Living (ADL): As defined by in Section 1 of Chapter 19D of the Massachusetts General Laws, which includes the physical support, aid or assistance with bathing, dressing, grooming, ambulation, eating, toileting or other similar tasks.

Assisted Living Residence or Residence (ALR): As defined in Section 1 of Chapter 19D of the Massachusetts General Laws, which shall include any entity, however organized, whether conducted for profit or not for profit, which meets all of the following criteria:

1. Provides room and board;
2. Provides, directly by employees of the entity or through arrangements with another organization which the entity may or may not control or own, assistance with activities of daily living for three or more adult residents who are not related by consanguinity of affinity to their care provider; and
3. Collects payment or third party reimbursements from or on behalf of residents to pay for the provisions of assistance with activities of daily living or arranges for the same.

Dwelling Unit for Assisted Living Residences: A portion of an Assisted Living Residence designed for and occupied by one or two individuals as the private living quarters of such individuals.

Self-administered Medication Management (SAMM): As defined in Section 1 of Chapter 19D of the Massachusetts General Laws, which includes reminding residents to take medication, opening containers for residents, opening pre-packaged medication for residents, reading the medication label to residents

and observing residents while they take the medication, checking the self-administered dosage against the label of the container, and reassuring residents that they have obtained and are taking the dosage as prescribed.

**2. By amending Zoning By-law Section V. Use Regulations. Table 1. Use Regulations. Principal Uses. Community Facilities, by adding the following new use:**

|                               |                   |                   |                   |                     |                 |                     |                 |                 |                     |
|-------------------------------|-------------------|-------------------|-------------------|---------------------|-----------------|---------------------|-----------------|-----------------|---------------------|
| 19. Assisted Living Residence | <u>R-T</u><br>SPB | <u>R-S</u><br>SPB | <u>R-V</u><br>SPB | <u>R-V-C</u><br>SPB | <u>C-V</u><br>N | <u>C-V-2</u><br>SPB | <u>V-B</u><br>N | <u>I-P</u><br>N | <u>I-P-2</u><br>SPB |
|-------------------------------|-------------------|-------------------|-------------------|---------------------|-----------------|---------------------|-----------------|-----------------|---------------------|

**3. By Amending Zoning By-law Section XIII. Special Permit Conditions, by adding the following new subsection:**

**U. Assisted Living Residences**

**1. Purpose:**

The purpose of this section is to provide for the availability of Assisted Living and Residences (ALR) and services in the Town of Millis by Special Permit. Assisted Living is a special combination of housing, ancillary support services and personalized care that is designed to respond in a homelike setting to the individual needs of adults requiring Assistance with Activities of Daily Living and/or Self-administered Medication Management, but who do not require the skilled medical care provided in a nursing facility. Assisted Living Residences may be established singularly or as a part of a more comprehensive life care or continuum of care community.

**2. General Regulations:**

a. Development of an ALR under this Bylaw may only be authorized by a Special Permit granted by the Planning Board which shall follow the requirements for Special Permits as set forth in MGL Chapter 40A, Section 9 and pursuant to Section XII. Q. Special Permits of this Bylaw.

b. No Dwelling Unit shall consist of more than two (2) bedrooms.

c. Dimensional Requirements:

|                                    | <b>R-T</b>   | <b>R-S</b>   | <b>R-V</b>   |
|------------------------------------|--------------|--------------|--------------|
| Minimum lot area                   | 5 acres      | 5 acres      | 5 acres      |
| Maximum permitted height (ft)      | 35           | 35           | 35           |
| Maximum permitted height (stories) | 2 ½          | 2½           | 2½           |
| Minimum lot frontage (ft)          | 200          | 125          | 250          |
| Minimum depth (ft)                 | 300          | 200          | 400          |
| Minimum front yard (ft)            | 40           | 40           | 50           |
| Minimum side yard (ft)             | 40           | 20           | 50           |
| Minimum rear yard (ft)             | 40           | 40           | 50           |
|                                    | <b>R-V-C</b> | <b>C-V-2</b> | <b>I-P-2</b> |
| Minimum lot area                   | 5 acres      | 5 acres      | 5 acres      |
| Maximum permitted height (ft)      | 35           | 35           | 35           |
| Maximum permitted height (stories) | 2 ½          | 2½           | 2½           |
| Minimum lot frontage (ft)          | 250          | 150          | 200          |
| Minimum depth (ft)                 | 400          | 200          | 250          |
| Minimum front yard (ft)            | 50           | 40           | 40           |
| Minimum side yard (ft)             | 50           | 20           | 20           |
| Minimum rear yard (ft)             | 50           | 30           | 30           |

### **3. Development Standards:**

Prior to the issuance of a Special Permit under this ARL Bylaw, the applicant shall submit the information necessary to demonstrate to the Special Permit Granting Authority that the following development standards have been met:

- a) The proposed use shall not produce adverse effects on the use or development of the neighboring area because of noise, traffic, lighting or other nuisances.
- b) The site shall not create or generate excessive noise, air pollution and other harmful physical influences.
- c) All utilities on the site shall be installed underground pursuant to approved methods of installation and construction.
- d) The ALR shall have an integrated emergency call, security, telephone and other communication systems to provide monitoring for its residents and direct line connection to the Millis Fire Department. Additionally, each individual Dwelling Unit shall be equipped with an emergency call system linked to a central office within the ALR development, which shall be staffed 24 hours a day.
- e) All roadways, walkways and paths shall be privately maintained with respect to upkeep and snow and ice removal.
- f) Open space shall be used to protect valuable natural environments such as streams, valleys, outstanding vegetation or scenic spots.
- g) The site, when utilized for the purposes of this Section and combined with any other use or uses allowed in the underlying zone district, shall be of sufficient size, shape, topography and location as determined by the Planning Board to be capable of accommodating such multiple uses.

### **4. Technical Quality:**

In considering a special permit application under this section, the Planning Board shall evaluate the technical quality of the site plan to assure the advisability of approval after considering the following matters:

- a) Protection of adjoining premises by provisions to control surface water drainage, to maintain adequate sound and sight buffers and to preserve views, light and air.
- b) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent street, and compliance with other regulations for the handicapped and the elderly.
- c) Protection and enhancement of existing site features.
- d) Relationship of structures and open spaces to the natural landscape, existing structures and other community assets in the area.
- e) Protection of environmental features, particularly groundwater resources, on the site and in adjacent areas and adequate protection to

prevent pollution of surface and groundwater and adequate measures to prevent soil erosion, increased stormwater volume and rate of runoff, changes in groundwater recharge level(s) or elevation(s) and flooding.

#### **5. Landscape Regulations:**

- a) The ALR shall be integrated into the existing terrain and surrounding landscape, shall be designed in harmony with abutting properties and community amenities, and shall be consistent with the neighborhood character.
- b) The side and rear lot lines shall provide a screening of sufficient height, the type of which shall be as approved by the Planning Board. Plant materials, if used, shall be characterized by dense growth which will form an effective year round screen, consisting of natural materials. To the extent practical, existing trees and vegetation shall be retained and used to satisfy the provisions of this section.
- c) All outdoor refuse collection and loading areas shall be screened from adjoining streets and abutting properties, to protect against noise, sound, and odor intrusions upon abutting properties. Such screening shall be of sufficient height, visually impermeable, of either fence or through the use of appropriate landscaping, as per the Planning Board's discretion.
- d) All parking areas shall be adequately screened from abutting properties, to prevent noise, light and odor intrusions upon abutting properties. If landscaping is used, it shall be designed to provide year round protection.
- e) Scenic views from public ways shall be preserved.

#### **6. Parking Requirements:**

- a) One (1) off-street parking space shall be provided for every two (2) Dwelling Units.
- b) Employee/staff parking shall be segregated from residential and visitor parking and so designated by signs.
- c) Parking shall not be permitted within the required setback area.

#### **7. Accessory Uses:**

The following accessory uses shall be allowed within the property limits of an ALR;

- a) A garage for common use vehicles owned by the operating entity.
- b) A single-story building to house snow removal, lawn maintenance and recreational equipment.
- c) Outdoor swimming pools, tennis and other recreational courts, playing fields, putting green, bocce courts, gardens, trails/pathways, covered and uncovered sitting areas and residential greenhouses, provided they are for the personal use of ALR residents and not for retail or commercial use.

- d) Passive recreational accessory uses, including but not limited to, gardens, trails/pathways and uncovered sitting areas, may be permitted within the required setback areas, by waiver of the Planning Board.

#### **8. Non-Residential Services:**

The operator of an ALR may also provide optional services on the development site including but not limited to local transportation, barber/beauty services, laundry services, banking, retail sales, library, chapel, health club, infirmary, workshop and other recreational facilities and amenities, provided that:

- a) Such services are for the sole use of the residents and employees of the ALR only, and not open to the general public.
- b) Such services are conducted and accessible only from within a principal building (with the exception service/delivery entries).
- c) There is no exterior signage or other evidence of such uses visible beyond the development site.
- d) The appearance and character of the Non-Residential uses are compatible with the residential development.
- e) Non-Residential Services shall not exceed twenty (20%) percent of the gross floor area allocated for residential use unless approved by the Planning Board.

#### **9. Stormwater Management:**

Each applicant shall have the burden of demonstrating that the project shall comply with both Best Management Guidelines for the management of stormwater and any applicable EPA, DEP, or town stormwater management guidelines and shall provide pre-construction and post-construction drainage calculations, which shall be based upon soil testing which has been witnessed by an appropriate Town Official, either the Health Agent or other agent identified by the Planning Board.

#### **10. Open Space Considerations:**

Each ALR shall give consideration to providing open spaces within the development. Where possible, existing trees and vegetation shall be preserved and integrated into the landscape design plan to ensure visual privacy between structures, abutting properties, and neighborhoods.

#### **11. Lapse through Abandonment or Discontinuance:**

In the event an ALR is utilized pursuant to a Special Permit issued hereunder and the use authorized is abandoned or ceases for one year, the Special Permit shall be deemed to have lapsed and the use shall not resume without issuance of a new Special Permit, unless the owner of the subject land or operator of the subject land returns to the Special Permit Granting Authority and applies for a modification to the Special Permit to allow a greater lapse period before the Special Permit lapses. Once a special permit lapses, the subject property shall only be used for a conforming use or a use authorized by all necessary zoning relief that has taken final effect.",

or act in any manner relating thereto.(Submitted by the Planning Board)

**ARTICLE 42.** To see if the Town will vote to **amend the Millis Zoning Bylaw** as follows:

To amend Zoning Bylaw Section VII. Signs F. Illumination, by deleting the following language:

"

1. In residential districts signs shall be illuminated only with white light by indirect method.
2. In commercial and industrial districts, signs may be illuminated internally or with white light by indirect method.,

and by substituting therefore the following language:

1. In residential districts signs shall be illuminated only with white light by indirect method.
2. All new or replacement free standing signs located on Route 109 Main Street, between Adams Street and Hammond Lane, shall be illuminated only with white light by indirect method.
3. In all other commercial and industrial districts, signs may be illuminated internally or with white light by indirect method.",

or act in any manner relating thereto. (Submitted by the Planning Board)

**ARTICLE 43.** To see if the Town will vote to authorize or **reauthorize**, pursuant to M.G.L. Chapter 44 Section 53E 1/2, the following **revolving funds**:

- A. Oak Grove Farm Revolving Fund, said fund to be credited with the receipts from user fees, and the sale of bricks, under the authority of the Oak Grove Farm Commissioners, proceeds to be used for Oak Grove Farm Maintenance, such expenditures not to exceed \$35,000;
- B. Animal Control Shelter Revolving Fund, said fund to be credited with the receipts from the operation of the shelter, under the authority of the Board of Selectmen, proceeds to be used for kennel maintenance and construction costs, such expenditures not to exceed \$3000;
- C. Fire Alarm Revolving Fund, said fund to be credited with the fees and fines relative to fire alarms, under the authority and direction of the Board of Selectmen, proceeds to be used for the costs of labor, equipment and services, to maintain the fire alarm system, such expenditures not to exceed \$10,000;
- D. Historical Commission Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority and direction of the Historical Commission, proceeds to be used for the maintenance of historical buildings and grounds, such expenditures not to exceed \$12,000;
- E. Ambulance Department Revolving Fund, said fund to be credited with the fees generated by user fees, under the authority and direction of the Board of Selectmen, proceeds to be used to pay for ambulance expenses and billing collections, such expenses not to exceed \$20,000;
- F. Council on Aging Transportation Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authori-

ty and direction of the Board of Selectmen, proceeds to be used for COA transportation programs, such expenditures not to exceed \$5,000;

- G. Veterans Memorial Building Custodial and Maintenance Revolving Fund, said fund to be credited with the fees generated by user fees or appropriations, under the authority and direction of the Board of Selectmen, proceeds to be used for custodial expenses, such expenditures not to exceed \$6,000;
- H. Food Service Revolving Fund, said fund to be credited with the fees generated by user and/or inspection fees or appropriations, under the authority and discretion of the Board of Health, proceeds to be used for food service inspections, such expenditures not to exceed \$4500;
- I. Stormwater Management Revolving Fund, said fund to be credited with the fees generated by municipal stormwater connection and inspection fees or appropriations, under the authority and discretion of the Board of Selectmen, proceeds to be used for stormwater related inspections, tests, and engineering reviews, such expenditures not to exceed \$10,000;
- J. Board of Health Medical Services and Vaccination Fund, said fund to be credited with the receipts from vaccination reimbursements obtained from federal, state and private agencies, under the authority of the Board of Health, proceeds to be used for any necessary medical services, vaccinations, or supplies, such expenditures not to exceed \$6,000;
- K. Board of Health Rabies Clinic/Program, said fund to be credited with the receipts from vaccinations obtained from owners of animals under the authority of the Board of Health, proceeds to be used for any necessary medical services, vaccinations, or supplies, such expenditures not to exceed \$2,500;
- L. Continuing Education Revolving Fund, said fund to be credited with the receipts from users fees from continuing education classes such as drivers' education, under the authority of the School Committee, proceeds to be used for providing continuing education for students, such expenditures not to exceed \$50,000;
- M. Millis Public School Athletic Fields Revolving Fund, said fund to be credited with the receipts from fundraising for construction, renewal, and improvement of athletic fields, including but not limited to structures, equipment such as scoreboards and maintenance of the fields, under the authority of the School Committee, proceeds to be used for improvement of the Millis Public Schools athletic fields, such expenditures not to exceed \$35,000;
- N. Millis Public School Extracurricular Revolving fund, said fund to be credited with the receipts and donations from school-based extracurricular activities such as, but not limited to Dance, Drama, and Arts Performances. Funds will be used for expenses incurred by the extracurricular activities such as, but not limited to, rental of equipment, materials or costumes, purchase of items needed for performances and stipends for extracurricular instructors, such expenditures not to exceed \$8,000;
- O. Millis Public Library Special Use Fund, said fund to be credited with the fees generated by use of the public meeting rooms in the library or appropriations, under the authority and direction of the Trustees of the Li-



brary, proceeds to be used to pay staff salary for afterhours work, custodial expenses and other such expenses, not to exceed \$10,000;

or act in any manner relating thereto. (Submitted by Board of Selectmen).

**ARTICLE 44.** To see if the Town will vote to transfer from the Board of Selectmen, acting as the Board of Park Commissioners, for park purposes to the School Committee for school purposes, the care, custody, management and control of all or a portion of the parcels of land identified as Assessor's Map 30 as Lot 18 and Lot 20, and to authorize the Board of Selectmen to submit a petition for special legislation to the General Court under the provisions of Article 97 of the Amendments to the Massachusetts Constitution authorizing the foregoing transfers, said transfers to become effective upon the enactment of said Article 97 legislation and upon a determination of the Board of Selectmen, acting as the Board of Park Commissioners, that said parcels are no longer required for park purposes; or to act in any manner relating thereto. (Submitted by the Board of Selectmen);

and, you are hereby directed to serve this Warrant by posting attested copies hereof fourteen days before time of said meeting as directed by the vote of the Town. Hereof fail not and make due return of this Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 11th day of April in the Year of Our Lord two thousand and sixteen.

**TOWN OF MILLIS  
BOARD OF SELECTMEN**

\_\_\_\_\_  
Christopher J. Smith, Chairman

\_\_\_\_\_  
James G. Neville, Vice-Chairman

\_\_\_\_\_  
James J. McCaffrey, Clerk

Date: \_\_\_\_\_

A True Copy, Attest

\_\_\_\_\_  
Lisa J. Hardin, Town Clerk

\_\_\_\_\_  
Helen R. Kubacki, Constable  
Town of Millis