

Annual Town Meeting Princeton, Ma 01541 May 12, 2015

Warrant duly posted:	April 30, 2015
Inhabitants notified by website posting:	May 5, 2015
Advisory Board Hearing:	May 4, 2015
Quorum needed:	80
Voters Present:	90
Moderator:	Harry Pape
Checkers/Counters:	Greg Miranda, Helen Townsend
Constable:	Michele Powers
Meeting called to order:	7:08PM
Meeting dissolved:	8:22PM

The Moderator opened the meeting with the Pledge of Allegiance.

A motion was made and seconded to dispense with the reading of the full warrant.

Unanimous

7:10PM

Moderator read the charge to the Constable, and the Return of the Warrant.

The Moderator asked that all non-voters identify themselves for the tellers.

The Constable for the meeting was identified by the Moderator as Michele Powers

Philip O'Brien was presented the Annual Outstanding Citizen award for his many years of volunteer work.

Moderator read the results of the Annual Town Election

All articles were approved by the Advisory Board unless noted.

All Articles were moved and seconded.

ARTICLE 1. Voted to receive the reports of the Town Officers and any outstanding committees.

Unanimous

7:24PM

ARTICLE 2. Voted under the provisions of Section 108, Chapter 41, of the Massachusetts General Laws to fix the salaries of the following Town Officers for the ensuing year (FY'16).

FY 16

Moderator \$ 25

Selectmen \$3,600

Assessors \$4,500

Unanimous

7:25PM

ARTICLE 3. Voted the Fiscal Year 2016 appropriation by department as set forth in Article 3 of the Warrant and further to amend the subtotal for the Wachusett Regional School District to reflect the following amounts: Wachusett Minimum Contribution, \$3,546,045.00; Operations Assessment, \$488,530.00; Transportation, \$193,189.00; Long Term Debt, \$180,527.00, for a sub total amount for the Wachusett Regional School District of \$4,408,291.00. and a total Schools budget of \$4,706,181.00, and a grand total of \$9,024,737.00.

Unanimous

7:30PM

DEPARTMENT	FY15 BUDGET VOTED	FY16 PROPOSED BUDGET	FY16 Sub-Total To Be Voted On	FY16 AB RECOMMENDS
GENERAL GOVERNMENT:				
Moderator				
Salary	25.00	25.00		
Expense	75.00	75.00		
Sub-Total	100.00		100.00	100.00
Board of Selectmen				
Salaries	1,500.00	3,600.00		
Expense	3,000.00	3,000.00		
Sub-Total	4,500.00		6,600.00	6,600.00
Annual Audit				
Expense	12,000.00	12,000.00	12,000.00	12,000.00
Town Administrator				
Salary	93,912.00	95,000.00		
Expense	2,500.00	2,500.00		
Sub-Total	94,571.00		97,500.00	97,500.00
Administrative Assistants				
Salaries	25,500.00	26,300.00		
Expense	1,500.00	1,500.00		
Sub-Total	26,500.00		27,800.00	27,800.00
Reserve Fund				
Expense	70,000.00	70,000.00	70,000.00	70,000.00
Town Accountant				
Salary	30,207.00	31,540.00		
Expense	3,881.00	4,521.00		
Sub-Total	34,088.00		36,061.00	36,061.00
Board of Assessors				
Assessors Salaries	4,500.00	4,500.00		
Assessor Clerk Salary	20,804.00	21,600.00		
Principal Assessor Salary	29,074.00	30,271.00		
Info. Tech. Mgr. Salary	13,569.00	13,940.00		
Revaluation Salary	6,624.00	6,775.00		
Expense	12,582.00	17,082.00		
Sub-Total	87,153.00		94,168.00	94,168.00
Treasurer/Tax Collector				
Salary	74,400.00	77,240.00		
Expense	16,170.00	16,170.00		
Sub-Total	90,570.00		93,410.00	93,410.00
Town Counsel				
Expense	20,000.00	20,000.00	20,000.00	20,000.00
Town Clerk				
Salary	34,575.00	36,130.00		
Certification	1,000.00	1,000.00		
Expenses	5,000.00	5,000.00		
Sub-Total	40,575.00		42,130.00	42,130.00

DEPARTMENT	FY15 BUDGET VOTED	FY16 PROPOSED BUDGET	FY16 Sub-Total To Be Voted On	FY16 AB RECOMMENDS
Elections & Registration				
Salaries	3,700.00	3,200.00		
Expense	5,700.00	4,500.00		
Sub-Total	9,400.00		7,700.00	7,700.00
Conservation Commission				
Salaries				
Expense	1,000.00	1,000.00		
Sub-Total	1,000.00		1,000.00	1,000.00
Planning Board				
Administrative Asst. Salary	18,250.00	18,950.00		
Expense	2,636.00	2,636.00		
Sub-Total	20,886.00		21,586.00	21,586.00
Board of Appeals				
Expense	1,500.00	1,500.00	1,500.00	1,500.00
Open Space Committee				
Expense	500.00	500.00	500.00	500.00
Agricultural Commission				
Expense	1,000.00	1,000.00	1,000.00	1,000.00
Town Building Operations				
Salaries	28,100.00	29,000.00		
Expense	53,095.00	59,000.00		
Sub-Total	81,195.00		88,000.00	88,000.00
TOTAL GENERAL GOVERNMENT	595,538.00		621,055.00	621,055.00

PUBLIC SAFETY:				
Police/Dispatch				
Police non-union Salaries	150,529.00	155,228.00		
Police Union Salaries	406,900.00	426,126.00		
Dispatch	206,688.00	86,880.00		
Expense	98,100.00	103,200.00		
Sub-Total	862,217.00		771,434.00	771,434.00
Fire Department				
Salaries	120,000.00	139,740.00		
Ambulance Readiness	79,000.00	80,580.00		
Expense	124,974.00	123,974.00		
Emergency Management Exp.	2,340.00	3,000.00		
Sub-Total	326,314.00		347,294.00	347,294.00
Animal Control				
Animal Inspector Salary	500.00	500.00		
Animal Control Salary	0	0.00		
Expense	6,953.00	10,013.00		
Sub-Total	7,453.00	10,513.00	10,513.00	10,513.00
Emergency Notification System	2,466.00	2,466.00	2,466.00	2,466.00
TOTAL PUBLIC SAFETY:	1,198,450.00		1,131,707.00	1,131,707.00

DEPARTMENT	FY15 BUDGET VOTED	FY16 PROPOSED BUDGET	FY16 Sub-Total To Be Voted On	FY16 AB RECOMMENDS
SCHOOLS				
Wachusett Regional School				
Wachusett Min. Contribution	3,650,842.00	3,546,045.00		
Operations Assessment	431,892.00	488,530.00		
Transportation	185,471.00	193,189.00		
Long Term Debt	183,694.00	180,527.00		
Capital Program Assessment	-			
Environmental Clean-up	6,062.00	5,761.00 (incl)		
Sub-total	4,457,961.00		4,408,291.00	4,408,291.00
Montachusett Reg. Vocational	289,698.00	297,890.00	297,890.00	297,890.00
TOTAL SCHOOLS	4,747,659.00		4,706,181.00	4,706,181.00
PUBLIC WORKS				
Highway				
Salaries	361,100.00	369,282.00		
Expense	267,058.00	267,058.00		
Sub-Total	628,158.00		636,340.00	636,340.00
Snow/Ice Removal				
Expense	190,000.00	200,000.00	200,000.00	200,000.00
Road Reconstruction	275,000.00	350,000.00	350,000.00	350,000.00
Street Lights				
Expense	9,614.00	9,614.00	9,614.00	9,614.00
Tree Warden				
Salary	1,473.00	1,503.00		
Expense	12,000.00	12,000.00		
Sub-Total	13,473.00		13,503.00	13,503.00
Cemeteries				
Salaries	28,670.00	34,380.00		
Expense	4,372.00	4,372.00		
Sub-Total	33,042.00		38,752.00	38,752.00
Broadband Committee				
Expense	1,000.00	2,000.00	2,000.00	2,000.00
TOTAL PUBLIC WORKS	1,150,287.00		1,250,209.00	1,250,209.00
HUMAN SERVICES:				
Council on Aging				
Salary	15,159.00	15,830.00		
Expense	1,700.00	1,700.00		
Sub-Total	16,859.00		17,530.00	17,530.00

DEPARTMENT	FY15 BUDGET VOTED	FY16 PROPOSED BUDGET	FY16 Sub-Total To Be Voted On	FY16 AB RECOMMENDS
Veterans Services				
Salary	1,500.00	1,500.00		
Expenses	18,800.00	24,500.00		
Sub-Total	20,300.00		26,000.00	26,000.00
TOTAL HUMAN SERVICES	37,159.00		43,530.00	43,530.00
CULTURE & RECREATION:				
Library				
Salaries	105,610.00	110,107.00		
Expense	61,710.00	64,210.00		
Sub-Total	167,320.00		174,317.00	174,317.00
Parks & Recreation				
Salaries	4,526.00	4715.00		
Expense	4,100.00	4,100.00		
Sub-Total	8626.00		8815.00	8815.00
Historical Commission				
Expense	1,500.00	1,500.00	1,500.00	1,500.00
Memorial Day				
Expense	1,500.00	1,500.00	1,500.00	1,500.00
TOTAL CULTURE & RECREATION	178,946.00		186,132.00	186,132.00
DEBT & INTEREST:				
Police Cruisers (3)	43,000.00	44,000.00	44,000.00	44,000.00
Fire Vehicle	13,000.00			
Bentley Purchase	40,880.00	40,000.00	40,000.00	40,000.00
General Interest/Borrowing Fees	15,000.00	15,000.00	15,000.00	15,000.00
Thomas Prince/Green Repair	39,700.00	136,000.00	136,000.00	136,000.00
Thomas Prince/PCBs	39,750.00	39,000.00	39,000.00	39,000.00
TOTAL DEBT	191,330.00		274,000.00	274,000.00
MISCELLANEOUS:				
Retirement	250,077.00	222,643.00	222,643.00	222,643.00
Life & Fringe	12,000.00	12,000.00	12,000.00	12,000.00
FICA/Medicare	36,995.00	40,887.00	40,887.00	40,887.00
Health Insurance	320,000.00	340,000.00	340,000.00	340,000.00
Town Insurance	190,000.00	195,000.00	195,000.00	195,000.00
Wachusett Earthday	1,393.00	1,393.00	1,393.00	1,393.00

TOTAL MISCELLANEOUS	810,465.00	811,923.00	811,923.00	811,923.00
GRAND TOTAL:	8,909,834.00		9,024,737.00	9,024,737.00

ARTICLE 4. Voted to establish the FY16 ambulance operating budget of \$94,498.00 and to appropriate \$52,998.00 for salary and \$41,500.00 for expenses from the Ambulance Receipts Reserved for Appropriation account #15-5-231-000. Receipts for ambulance services received in FY16 and all subsequent fiscal years to be deposited into said account. Any balance in said account to be carried forward to subsequent years.

Unanimous

7:33PM

ARTICLE 5. Voted to establish the FY16 trash operating budget and appropriate \$50,000.00 from the Solid Waste Enterprise Receipts Reserved for Appropriation Account #65-5-460-000 for that purpose and to transfer \$10,000 from Solid Waste Enterprise-Available Retained Earnings. Receipts for trash disposal services received in FY16 and all subsequent fiscal years to be deposited into the Solid Waste Enterprise Receipts Reserved for Appropriation Account #65-5-460-000 established in FY08. Any balance in said account to be carried forward to subsequent years.

Unanimous

7:35PM

ARTICLE 6. Voted to authorize FY16 revolving funds for certain Town departments as printed under Article 6 in the town meeting warrant.

Unanimous

7:36PM

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY 2015 Spending Limit	FY 2016 Spending Limit
Building Department	Bldg. Inspector Town Admin.	Fees from Bldg, Wiring, and Plumbing Permits	To Pay Administrative & Inspector Salary & Expenses	\$78,253	\$78,253
Library	Library Director, Town Admin.	Copy Machine, Fax, Fines and Fees	Defray Operational Expenses	\$5,000	\$5,000
Parks and Recreation (P&R)	P&R Commission Chairman, P&R Director, and Town Admin.	Fees Collected from Recreational Programs	Provide Recreational Programs & Pay Salaries	\$39,126	\$39,126
Parks and Recreation (P&R)	P&R Commission Chairman, P&R Director, and Town Admin.	Fees Collected from Recreational Programs	Maintenance of Parks Pay Salaries	\$39,126	\$39,126
Princeton Center	Princeton Center Director, Town Admin.	Rental fees	Defray Operational & Maintenance Exp.	\$78,253	\$78,253
Board of Health	Board of Health Town Admin.	Permits & Inspections	Salary & Expense	\$35,000	\$35,000
Cemetery	Cemetery Comm. Chairman, Town Admin.	Burial Fees	Salary & Expense	\$7,500	\$7,500
Fire Department	Fire Chief, Deputy Chiefs, Town Admin.	Fees from Fire Permits	To Pay Administrative & Inspector Salary & Expenses	\$7,500	\$7,500
Total Spending				\$289,758	\$289,758

ARTICLE 7. Voted to pass over this article.

Unanimous

7:37PM

ARTICLE 8. Voted to transfer from the Dispatch Salary account, #01-5-210-101, the sum of \$30,389. to the FY '15 Snow and Ice Expense account, number 01-5-422-785.

Unanimous

7:38PM

ARTICLE 9. Voted to transfer from the undesignated fund balance (free cash) account # 27-5-999-000 the sum of \$35,000 to the General Stabilization Account #83-5-041-000.

Unanimous

7:39PM

ARTICLE 10. Voted to transfer the sum of \$101,252.00 from the undesignated fund balance (free cash) account # 27-5-999-000 to the Other Post Employment Benefits Liability Trust Fund.

Unanimous

7:40PM

ARTICLE 11. Voted to raise and appropriate and transfer the sum of \$80,000. to the Town Building Maintenance Program account #03-5-192-204 to continue to defray the costs for materials and repairs to town buildings.

Unanimous

7:41PM

ARTICLE 12. Voted to authorize the Selectmen to contract with and accept any grants from the Mass. Department of Transportation-Highway Division for the construction of any road or related work that may be allotted to the Town for the ensuing year.

Unanimous

7:42PM

ARTICLE 13. Voted to authorize the Selectmen to enter into a lease agreement with the Wachusett Regional School District for the Thomas Prince School building for a term not to exceed ten years,

Unanimous

7:44PM

ARTICLE 14. Voted to raise and appropriate and transfer the sum of \$50,000. to the Town Environmental Clean-up Account #03-5-420-201 to fund expenses associated with environmental issues with town-owned property.

Unanimous

7:46PM

ARTICLE 15. Voted to raise and appropriate and transfer the sum of \$3,500. to the Meetinghouse Cemetery Expense account #03-5-491-097 to continue the ongoing restoration of Meetinghouse Cemetery and its historic gravestones

Unanimous

7:47PM

ARTICLE 16. Voted to transfer the sum of \$6,000. from the Receipts Reserved for appropriation Cemetery Lots account #27-5-491-000 to the Cemetery Maintenance Expense account #27-5-491-780 for the care and improvement of town cemeteries.

Unanimous

7:48PM

ARTICLE 17. Voted to raise and appropriate and transfer the sum of \$50 to the Goodnow Book Expense Account for the purchase of books for the Library, as required by the terms of the Goodnow Deed of Gift.

Unanimous

7:49PM

ARTICLE 18. Voted to transfer the sum of \$2,000 from the undesignated fund balance (free cash) account #27-5-999-000 to the Band Concert Expense account #03-5-692-781 for town concerts, the expenditure of such funds to be authorized by the Board of Selectmen.

Unanimous

7:50PM

ARTICLE 19. Voted to transfer the sum of \$5,000. from the undesignated fund balance (free cash) account #27-5-999-000 to fund the purchase of a new computer server for the Police Department.

Unanimous

7:51PM

ARTICLE 20. Voted to transfer the sum of \$6,000. from the undesignated fund balance (free cash) account #27-5-999-000 to fund the purchase of a new mower for the Cemetery Department.

Unanimous

7:52PM

ARTICLE 21. Voted to transfer the sum of \$8,000. from the undesignated fund balance (free cash) account #27-5-999-000 to fund the purchase of an election vote tabulator.

Unanimous

7:53PM

ARTICLE 22. Voted to raise and appropriate and transfer the sum of \$17,200. to fund the purchase of air pack bottle replacements for the Fire Department.

Unanimous

7:54PM

ARTICLE 23. Voted to raise and appropriate and transfer the sum of \$72,600. to fund the purchase of defibrillator replacements for the Fire Department and further to authorize the use of said funds as the required five percent match for the total 2014 Assistance to Firefighters Grant, such funds to be expended under the direction of the Board of Selectmen..

Unanimous

7:55PM

ARTICLE 24. Voted to raise and appropriate and transfer the sum of \$26,000. to fund the repair and replacement of floor tiles at the Thomas Prince School.

Unanimous

7:58PM

ARTICLE 25. Voted that the Town amend Chapter IV of the General By-Laws by adding Section 6.

Section 6: The Board of Selectmen may provide an employment contract for appointed department heads for a period of up to five (5) years, to provide for the salary, fringe benefits and other conditions of employment, including but not limited to severance pay, relocation expenses, reimbursement of expenses incurred in the performance of duties or office, liability and disability insurance and leaves of absence.”

- (a) Such an employment contract shall prevail over and preempt any provision of any local personnel by-law, rule or regulation covering the subject matter of the employment contract.
- (b) Funding of the employment contract shall be subject to annual appropriation by the Town Meeting.
- (c) Nothing contained in this by-law shall affect the appointment or removal powers of the Board of Selectmen over the Department Heads. This by-law does not grant tenure.
- (d) From time to time the board of Selectmen may adopt rules and regulations relative to the administration of this section.

Unanimous

7:59PM

ARTICLE 26. Voted that the Board of Selectmen be authorized to use insurance proceeds in excess of \$20,000. for the repair of the Center Building.

Unanimous

8:00PM

ARTICLE 27. Voted that the Town amend the Section VI-I-(D) and (E) of the Zoning By-Laws by substituting “building” for “structure” to read as follows:

- (D) No building or part thereof in any district shall be so located as to extend within fifty (50) feet of a property line where it borders the street right of way line, except that this shall not apply to uncovered steps.
- (E) No new building or part thereof in any district shall extend within ten (10) feet of a side or rear lot line of any lot existing at the time this bylaw was originally adopted, or within thirty (30) feet of a side or rear lot line of any new lot recorded or registered after the adoption of this by-law.

2/3 Vote Required

Unanimous

8:02PM

Moderator declared that the vote was clearly more than 2/3

ARTICLE 28. Voted that the Town amend the Section XIX of the Zoning By-Laws by the addition of **SECTION XIX: WORCESTER ROAD VILLAGE OVERLAY DISTRICT** to read as follows:

Purpose. The purpose of the Worcester Road Village Overlay District (“VOD”) is to encourage by special permit mixed residential and compatible business uses with a layout and architectural style that is consistent with Princeton’s history and character, set back from Worcester Road with internal pedestrian traffic, as an alternative use and pattern of land development. The VOD will support three goals outlined in the Master Plan: preserve the rural character of Princeton, provide alternative housing, and enhance economic development.

2. Relationship to Other Bylaw Provisions.

- A. Where the VOD requirements and design standards are different from those set forth in the Zoning Bylaws for the underlying districts, the VOD requirements and design standards shall control for any development under this Section XIX.

- B. Except as may be specifically provided in this Section XIX, any structure or use in the VOD shall comply with all requirements of the Zoning Bylaws.
3. VOD Boundary. The boundary of the VOD is from the northerly edge of Stage Coach Road along the westerly side of Worcester Road as far north as the Business District on the westerly side of Worcester Road exists or may be extended, to the back of all lots existing at the time of enactment of this Section XIX that have frontage on Worcester Road.
4. Objectives. The VOD is a flexible zoning tool designed to meet the following objectives:
- A. Encourage a “smart growth” form of business development set back from Worcester Road, rather than a sprawl style of development typified by strip malls.
 - B. Encourage mixed residential and compatible business uses in the same structures and on the same parcels so that there will be more businesses within Princeton available to provide goods and services to residents of Princeton.
 - C. Create a traditional New England village character and land use pattern with mixed residential and compatible business uses.
 - D. Provide opportunities for greater density and intensity of use than are otherwise allowed under the Zoning By-Laws.
 - E. Require that all development within the VOD be designed in a manner that is consistent with Princeton’s Colonial and Nineteenth Century architectural styles.
5. Permitted Uses.
- A. Uses as of Right.
 - 1. Any use permitted in a Rural-Agricultural District.
 - 2. Any use permitted in a Business District, provided that the use is located only in the underlying Business District.
 - B. Uses requiring a Special Permit from the Planning Board under this Section XIX and site plan approval under Section XII of the Zoning Bylaws.
 - 1. A residential use combined with one or more of the following business uses in the same building or on the same parcel:
 - a. retail store
 - b. restaurant, pub, coffee shop, or other similar uses serving food or beverages, but not with a drive through window
 - c. business, professional office, bank or other similar uses
 - d. museum, art gallery, craft store, or other similar uses
 - e. health care clinic, doctor’s office, dentist’s office, optician, or other similar uses
 - f. bakery, brewery, or other similar uses
 - g. service establishment, but not a gas station, automotive repair, body shop or similar facility, provided that the proposed activities in the service establishment will not be offensive, injurious, or noxious because of noise, vibration, smoke, fumes, dust, odors, danger of explosion, or other characteristics detrimental to an area with mixed residential and business uses.
 - h. place of business of caterer, confectioner, decorator, dressmaker, mortician, craftsman, member of a building trade, or other similar uses
 - i. gymnasium, health club, or other similar indoor recreational uses

When a residential use is combined with a business use as provided in this Section 5.B.1, the residential use shall not be on the ground floor and shall comprise not more than 75% of the gross floor area of a building. There shall be not more than two bedrooms in any residential unit in a building.

2. Hotel, motel, rooming house, boarding house, ski lodge or other similar uses, provided that the building has no more than 20,000 gross square feet.
3. Light manufacturing, research laboratory, or other similar uses, provided that the proposed activities will not be offensive, injurious, or noxious because of noise, vibration, smoke, fumes, dust, odors, danger of explosion, or other characteristics detrimental to an area with mixed residential and business uses, and further provided that the building has no more than 40,000 gross square feet.
4. Retirement home, assisted care facility, extended care facility, nursing home, hospice or other similar uses, provided that the building has no more than 40,000 gross square feet.

6. Requirements.

- A. **Multiple Buildings.** More than one principal building (and more than one use in a principal building) may be located on a parcel by special permit.
 1. No principal building shall be located in relation to another principal building on the same parcel, or on an adjacent parcel, so as to cause danger from fire.
 2. All principal buildings on a parcel shall be served by access ways suitable for fire, police, and emergency vehicles.
 3. Multiple principal buildings on the same parcel shall be accessible via pedestrian walkways connected to the required parking for the premises and to each principal building.
- B. **Building Size.** No building shall have a footprint of more than 10,000 square feet.
- C. **Ground Coverage.** The ground coverage of all buildings and parking lots on a parcel shall not exceed 75% of the total area of the parcel. The ground coverage of all roadway and driveway areas and associated sidewalks and pedestrian ways shall be excluded from this requirement.
- D. **Setbacks.**
 1. All parking areas shall be set back a minimum of 30 feet from the edge of the right of way for Worcester Road.
 2. All buildings shall be set back a minimum of 60 feet from the edge of the right of way for Worcester Road.
 3. Adjacent residences. All parking areas shall be set back a minimum of 30 feet, and all buildings shall be set back a minimum of 50 feet, from the edge of any parcel adjacent to the VOD that is used for a single family residence.
 4. Within a parcel in the VOD, there shall be a distance of at least 20 feet between buildings on the parcel.
- E. **Height.** The top of the roof line of any building shall be no more than 40 feet from ground level. If the building is constructed on sloping land, the height of the top of the roof line shall be measured on the up slope side of the building.

7. Design. The overall goal of design for the VOD is to present the appearance of a traditional New England village center, using elements that reflect the colonial and nineteenth century architectural history of Princeton.

- A. The criteria in Section XII of the Zoning By-Laws and in the Rules and Regulations of the Planning Board shall be applied in a manner consistent with the overall goal of design for the VOD.
- B. **Walls and Fences.** Designs may include fieldstone walls. Designs may include split rail fences, picket fences, or similar sight-pervious fences. There shall be no chain link fences, barbed wire fences, or similar structures visible from Worcester Road or from any parcel adjacent to the VOD that is used for a single family residence. There shall be no sight-impervious fences such as stockade fences or board and batten fences except as may be necessary to provide a sight or sound barrier for any parcel adjacent to the VOD that is used for a single family residence.

- C. Sound barrier. Design shall include a reasonable sound barrier for any parcel adjacent to the VOD that is used for a single family residence for noise generated by any non-residential use in the proposed development in the VOD.
- D. Parking. No more than one-third of the required parking for a use shall be located between the building for that use and Worcester Road.

8. Procedures. No building permit shall be issued for construction or alteration of a building or parking area, and no site alteration or removal of vegetation shall take place, until the Planning Board has issued a special permit pursuant to this Section XIX, and approved a site plan pursuant to Section XII. Applications for site plan approval in the VOD shall be submitted in accordance with Section XII and the Rules and Regulations of the Planning Board.

8. Decision. The Planning Board may impose reasonable conditions in granting VOD approval. In making its decision, the Planning Board shall consider the extent to which the proposed plan maintains Princeton’s rural agricultural character by:

- A. Locating principal structures to the extent reasonably feasible so that they do not front on Worcester Road.
- B. Minimizing the number of curb cuts on Worcester Road.
- C. Encouraging foot traffic within the VOD.
- D. Minimizing the impact of the proposed uses on any parcel adjacent to the VOD that is used for a single family residence including reasonable restrictions on the hours of operation for non-residential uses in the VOD.
- E. Appropriately screening delivery areas, service entrances, and dumpsters by plantings, topography, or other means when viewed from Worcester Road and when viewed from any parcel adjacent to the VOD that is used for a single family residence.
- F. Providing for landscaping or plantings.

2/3 Vote Required

Moderator declared clear 2/3 majority, 5 nays, Vote carries 8:20PM

ARTICLE 29. To see if the Town will vote to amend the Princeton Zoning Bylaw by the addition of SECTION XX. EARTH REMOVAL and to further amend the Princeton Zoning Bylaw to conform to the new Earth Removal Bylaw as follows:

Add a use in Section III-1-(Q)

- (Q) Subject to a special permit granted by the Planning Board under Section XX of these by-laws, earth removal.

Delete VII-7 which currently provides

- 7. Removal of Earth:

No more than twenty-five (25) cubic yards of earth materials shall be removed from any parcel of land within the Town without first obtaining permission from the Board of Appeals.

Delete existing definition of Earth Removal in Section X and replace it with the following definition to be consistent with new Section XX

Earth Removal: Extraction of loam, topsoil, sand, gravel, clay, glacial till, silt, rocks, boulders, ledge, and other earth materials pursuant to Section XX of these by-laws.

SECTION XX: EARTH REMOVAL

- 1. Purpose. The purpose of this bylaw is to regulate the removal of earth materials in a manner that maintains the rural-agricultural character of the Town while permitting landowners to make reasonable and responsible use of their property without having a

significantly adverse impact on neighbors, the environment, and the roads and infrastructure of the Town. Upon completion of the removal of earth materials, all disturbed areas shall be graded and re-vegetated and the land shall be in reasonable condition for the uses allowed in the zoning district in which the land is located.

2. Earth Materials. As used in this bylaw, earth materials include but are not limited to loam, topsoil, sand, gravel, clay, glacial till, silt, rocks, boulders, and ledge.

3. Applicability. This bylaw applies to the removal of earth materials from land in any zoning district with the following exceptions:

- A. Incidental removal of no more than 400 cubic yards in connection with:
 - (i) Excavation for buildings and structures for which a building permit has been issued;
 - (ii) Excavation and site work for driveways and parking areas;
 - (iii) Excavation for installation or replacement of septic systems; and
 - (iv) Excavation in connection with landscaping
- B. Road construction by the Town or the Commonwealth.
- C. Road construction or site preparation pursuant to an approved plan for a subdivision.

4. Requirements.

- A. Site Plans. An application for a special permit for removal of earth materials shall include before and after site plans prepared by a registered land surveyor with two foot contour intervals for the entire area from which the applicant seeks to remove earth materials. The site plans shall address the following:
 - (i) No earth materials shall be removed to a grade below street level within 50 feet of the edge of the property line next to the street unless the Planning Board specifically finds that such lower grade is consistent with the purpose of this bylaw.
 - (ii) No final slope shall be created steeper than 1:3 unless the Planning Board specifically finds that such steeper slope is consistent with the purpose of this bylaw.
 - (iii) No earth materials shall be removed within 50 feet of adjacent property unless the Planning Board specifically finds that such removal is consistent with the purpose of this bylaw.
 - (iv) Except when earth materials are removed in connection with the creation of a pond in accordance with permits from the Conservation Commission and the Commonwealth, there shall be a minimum of six feet between the bottom of the proposed excavation and the spring high water table.
 - (v) The site plans shall show the location of any temporary structures, and the location of access for vehicles and equipment used during earth removal operations.
- B. Operational Plans. An application for a special permit for removal of earth materials shall include an operational plan that addresses the following:
 - (i) Operating only during week days between the hours of 8:00 a.m. and 4:00 p.m., unless the Planning Board specifically finds that different days and hours of operation are consistent with the purpose of this bylaw.
 - (ii) Visually screening operations from adjacent residences.
 - (iii) Phasing of earth removal, grading and re-vegetation so that no more than three acres shall be exposed and worked at one time.
 - (iv) Stockpiling of top soil and loam.
 - (v) Grading and re-vegetation upon the completion of each phase.

- (vi) Drainage, erosion and siltation control.
 - (vii) Dust control on the site, and on the first 500 feet on the route taken by trucks when leaving the site.
 - (viii) Type and size of equipment to be used on site and to haul earth materials from the site
 - (ix) Measures to shake loose earth materials from trucks before leaving the site.
 - (x) Proposed routes that trucks will follow when hauling earth materials from the site.
 - (xi) Daily number of trips by trucks hauling earth materials.
- C. Applicants are encouraged to meet informally with the Planning Board prior to applying for a special permit for removal of earth materials. The purposes of a pre-application review are to minimize the applicant's costs for engineering and other technical experts and to solicit guidance from the Planning Board at an early stage in the planning and permitting process. For smaller projects, the Planning Board in its discretion may make reasonable modifications in the information required for site plans and operational plans provided that such modifications are consistent with the purpose of this bylaw.
- D. Except in a business-industrial district, no screening or crushing of earth materials shall be allowed on site.
- E. Explosives shall not be used in earth removal operations unless the Planning Board specifically finds that such use of explosives is necessary and is consistent with the purpose of this bylaw.
- F. No top soil or loam shall be removed from the site unless the remaining stockpiled top soil and loam is sufficient to provide a minimum of 6" of top soil and loam to spread over the disturbed areas for re-vegetation.
- G. The applicant shall post a bond of \$10,000, or such other amount as the Planning Board may determine is reasonably necessary, as surety for the implementation of the plans and the grading and re-vegetation of the site following the conclusion of removal of earth materials. Upon a determination by the Building Inspector that removal has ceased and that the site has been graded and re-vegetated in accordance with the plans, the bond shall be released.
- H. In addition to the Town special permit filing fees, the applicant may be required to pay the reasonable fees for professional review of the applicant's proposal by a registered engineer, registered landscape architect, or other qualified professional retained by the Planning Board to review the applicant's plans.

5. Procedures.

- A. Prior to the commencement of earth removal operations, the applicant shall obtain a special permit from the Planning Board acting as the special permit granting authority pursuant to M.G.L. Ch. 40A sec. 9. The Planning Board shall review the application and the plans, and shall request advice and comments from the Highway Superintendent as to the likely impact of the plan on the roads and infrastructure of the town. The Planning Board may request advice and comments from other Town boards.
- B. The Planning Board may impose reasonable conditions to insure that the proposed removal of earth materials is consistent with the purpose of this bylaw.
- C. A special permit to remove earth materials shall be valid for one year and may be extended without a public hearing for successive one year periods upon a determination by the Planning Board that the removal operations have been conducted in accordance with the approved plan. A special permit shall not be extended if there has been no removal of earth materials for two years.
- D. After plans for removal of earth materials have been approved, there shall be no material deviations from the approved plans without written approval from the Planning Board which may require a public hearing.
- E. The Building Inspector shall enforce this bylaw and any special permit issued or extended pursuant to this bylaw.

Town of Princeton
Unanimous

Annual Town Meeting

May 12, 2015
8:21PM

Motion was made and seconded to dissolve the meeting
Unanimous

8:22PM

Respectfully Submitted,

Lynne F. Grettum
Town Clerk