

**TOWN OF STURBRIDGE  
ANNUAL TOWN MEETING WARRANT**



**TANTASQUA REGIONAL HIGH SCHOOL  
MONDAY, JUNE 3, 2013 @ 7:00 P.M.**

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**ARTICLE 1  
TOWN REPORTS**

To hear the reports of the several Boards and Town Officials and any other Committee that may be ready; or take any action in relation thereto.

Sponsor: Board of Selectmen

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

<p><i>Summary – This article is the acceptance of all reports as included in the Annual Town Report. The Town Meeting usually defers the actual reading of the reports as they are provided in a printed format.</i></p>
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**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

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**ARTICLE 2  
COMMUNITY PRESERVATION COMMITTEE REPORT**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2014 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2014; and further to reserve for future appropriation amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation and preservation of open space, a sum of money for acquisition and preservation of historic resources, and a sum of a money for the creation, preservation and support of community housing, or take any action in relation thereto.

Sponsor: Community Preservation Committee

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

**RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – The CPA Committee is required to submit a report to Town Meeting on the proposed use of CPA Funds. The CPA Committee Report is an appendix to the Finance Committee Handbook.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

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**ARTICLE 3**  
**ACQUISITION OF LAND – 310 MAIN STREET**  
*(2/3 Vote Required)*

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain, the parcel of land with the improvements thereon located at 310 Main Street, which parcel is identified as Assessors Parcel 415-/0 2913/- 310 and described in a deed recorded with the Worcester South District Registry of Deeds in Book 47831, Page 318, for general municipal purposes, and to transfer from available funds, and/or borrow the sum of \$208,000 to fund the foregoing acquisition and costs related thereto, including, without limitation, the cost of site clearing; or take any action in relation thereto

Sponsor: Town Administrator

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain, the parcel of land with the improvements thereon located at 310 Main Street, which parcel is identified as Assessor’s Parcel 415-/0 2913/- 310 and described in a deed recorded with the Worcester South District Registry of Deeds in Book 47831, Page 318, for general municipal purposes, and to transfer from free cash the sum of \$185,000.00 (ONE HUNDRED EIGHTY-FIVE THOUSAND AND 00/100 DOLLARS) to fund the foregoing acquisition and costs related thereto. Voted 5 – 3.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*Recommendation to be provided at Town Meeting.*

*Summary – The article would fund the acquisition of the property at 310 Main Street (directly abutting Town Hall). The 1.5 acre site would be acquired for \$180,000 with the remaining \$5,000 used to pay closing costs. Built in 1850, this property is assessed by the Town at \$200,400 for FY13.*

**VOTE OF THE TOWN MEETING:** There was a substitute motion made by the Board of Selectmen to move on the article as originally written. This motion was seconded. Then a motion to amend the wording from “available funds” to “free cash” was made and seconded. After lengthy discussion, the vote of the Town Meeting was to defeat the article as declared by the Moderator.

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**ARTICLE 4**  
**PROPOSED ZONING AMENDMENT – VILLAGE GATEWAY DISTRICT**  
*(2/3 Vote Required)*

To see if the Town will vote to amend the Town’s Zoning Bylaws by inserting a new Chapter 27 as follows:

**CHAPTER 27**  
**VILLAGE GATEWAY DISTRICT**

27.01 Purpose:

The Village Gateway District (VG) is intended to guide development, redevelopment, and changes in land use to provide a “Gateway” to Sturbridge. The purpose of the Village Gateway District is to assure that the use of land, buildings and other structures and site development within its boundaries are conducted in a manner that promotes the establishment of

development nodes, discourages the establishment of strip development, and promotes community character, and high quality architecture and landscaping while maintaining the environmental integrity of the District. The Village Gateway District provides a higher standard of appearance for corridors that serve as the main entrances to the community.

This district is primarily intended for small to mid-sized business uses serving both residents and visitors, and/or tourism based uses developed in a manner that:

- Helps create a visually appealing Gateway to the Village/Commercial Tourist District by requiring specific landscaping and architectural standards to insure a consistent high level of design quality as you enter the District;
- Provides a transition between the larger commercial uses commonly found within the Commercial District and small shops generally found in the Commercial Tourist District by encouraging the development of small to mid-sized businesses within the VG;
- Helps implement pertinent recommendations of the Master Plan and Commercial Tourist District Revitalization Plan;
- Encourages redevelopment and infill in developed areas;
- Avoids creation of traffic congestion or hazards within the Route 20 corridor;
- Creates more walkable areas within the District; and
- Demonstrates excellence in building and site design.

#### 27.02 Establishment:

The Village Gateway District is hereby established and consists of the area(s) shown on a map entitled “Zoning Map of Sturbridge, Massachusetts” on file with the Town Clerk as may from time to time be amended.

#### 27.03 Authority:

The Planning Board shall act as the Special Permit Granting Authority (SPGA) and the administering authority for Site Plan Approval pursuant to Chapter 25 of the Town of Sturbridge Zoning Bylaw for all uses within this District. The Planning Board shall also serve as the SPGA for any use that requires a Special Permit in the underlying District, any use requiring a Special Permit pursuant to Section 27.04 (B) of this Chapter, and any application for Special Permit subject to Section 27.05 (C) of this Chapter. Where standards or other requirements listed as part of this District may conflict with others in the Bylaws, the provisions for this District shall apply.

#### 27.04 Use Provisions:

- A. The following uses are permitted by right subject to the Site Plan Review requirements of Chapter 25 of this Bylaw, and all applicable density and design provisions of this bylaw.
  1. Hotels, Motels and Inns
  2. General Retail shops with a floor area of not greater than 7,500 square feet per structure including antique shops; retail art galleries; art supply shops including framing services; artisan shops; books, magazines and newspaper shops; camera and photographic supply shops; clothing, shoes and accessories shops; collectibles (cards, coins, stamps, comics, etc.); fabric and sewing supply shops; florists; gift and souvenir shops; hobby shops; handicraft shops; furniture, drapery, music and video, pharmacy, sporting goods, bicycle shops, jewelry, hobby, toy and game stores, camera and photo supplies, luggage and leather, sewing needlework and piece goods, photographic studios, art dealers and places for display or sale of handicrafts, provided all displays are within the building, and other specialty boutiques provided that such uses are conducted entirely within the building.
  3. Personal Service Establishments with a floor area of not greater than 7,500 square feet per structure.
  4. Professional Offices including facilities occupied by businesses that provide professional services and/or are engaged in the production of

intellectual property. Total floor area shall not exceed 7,500 square feet per structure. Examples of these include: accounting, auditing and bookkeeping services; advertising agencies; attorneys; commercial art and design services; counseling services; design services including architecture, engineering, landscape architecture, urban planning; education, scientific and research organizations; financial management and investment counseling; management and public relations services; media postproduction services; news services; photographers and photography studios; secretarial, stenographic, word processing, and temporary clerical employee services; security and commodity brokers; and writers and artists offices.

5. Restaurants, bakeries, delicatessens, candy, nut and confectionary stores, dairy and specialty foods and/or beverage shops and places serving food for consumption on the premises. Total floor area shall not exceed 7,500 square feet per structure. Drive-thru windows are not permitted.
6. Outdoor seating associated with restaurants
7. Cultural and historic attractions
8. Artist live and work space
9. Residential units located above non-residential space
10. Accessory uses customarily incidental to a permitted main use on the same premises including one or more accessory dwelling units located above the first story of the structure containing a primary use permitted herein.
11. Banks and financial institutions without a drive up window or ATM drive.

B. The following uses may be allowed by Special Permit (Planning Board as SPGA) subject to the Special Permit criteria outlined in Chapter 24.09 and the requirements of this Chapter.

1. Indoor recreational facilities ( maximum size 7,500 sf per structure)
2. Live theater or movie house with a maximum of two screens
3. Dance studios
4. Any permitted use with more than one curb cut
5. Banks and financial institutions with a drive-up window or ATM drive up lane

#### 27.05 Dimensional Requirements

- A. Front setback shall be 50'.
- B. Side and rear setbacks shall be 30'.
- C. Maximum height shall be 35'. Hotels, motels and inns may exceed 35' in height by Special Permit.

#### 27.06 Design Standards

The Design Standards in this section shall be applied to development within the Village Gateway District .These standards are to be applied by the Planning Board through the site plan review process and are not to be seen as inflexible standards. If a particular development is proposed which departs from the general criteria in basic concept or in detail, the Planning Board may waive or modify the general criteria upon demonstration that the proposed design is of high standards and that any departures from the general criteria will not violate the intent of the Zoning Bylaw or the design conditions.

##### A. Relationship to surroundings.

The location, scale, and characteristics of proposed land uses on the site; the design, siting, and scale of structures; and the circulation and other characteristics of the development

shall be in harmony with surrounding properties and land uses.

1. Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.
2. Attractive landscape transition to adjoining properties shall be provided.
3. Harmony in textures, lines, and masses is required. Monotony shall be avoided.
4. Environmental Resources shall be respected and protected.

B. Relationship of Building to Site.

1. The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting and safe vehicular and pedestrian movement.
2. Parking areas shall be treated with decorative elements, building wall extensions, planting, berms, or other innovative means so as to provide suitable screening and heat island mitigation.
3. Within the permissible limits of the Zoning Bylaw, the height and scale of each building shall be compatible with the site and existing adjoining buildings.

C. Vehicular and pedestrian circulation.

1. The base parking standards contained in Chapter 20 of this Bylaw shall apply to individual uses within the VG. However, parking space size shall be reduced to 9' X 18' and the total paved square footage difference between this parking space size and the traditional 10' X 20' requirement shall be incorporated as additional interior parking lot landscaping, or if suitable area exists on site, for the creation of an outdoor seating area or pocket park. The calculation for the additional parking lot landscaping or for an outdoor seating or parking area is: No. of spaces provided x 38 SF.
2. Two-way driving lanes shall be a minimum of 25 feet wide for angle parking. One-way driving lanes shall be a minimum of 18 feet wide for angle parking. A 24-foot wide driving lane is required for perpendicular parking. Dead-end parking lanes shall be avoided; however, if they are necessary, turnarounds shall be provided at their ends.
3. All uses within a proposed VG development shall share all on-site parking. All parking lots shall be screened from adjacent streets by buildings or vegetation. Efforts shall be taken to emphasize buildings and de-emphasize asphalt. Walkability elements are required to be integrated into the overall site design and walkways, benches, landscaping and strategically placed open spaces shall be incorporated design elements. Spaces between buildings may be used to form outdoor rooms and may be used to provide outdoor seating for restaurant or other uses and to create other restful spaces.
4. Shared parking may be allowed subject to the provisions of Chapter 20 (s).
5. Curbing within the parking lot along the perimeter and for islands is to be granite in accordance with MassDOT Standards.
6. Pedestrian walkways, streets, driveways, terraces, and parking areas shall be carefully designed to provide an inviting and stable appearance, with respect to topography, proper relation to surrounding streets and pedestrian ways, number of access points to public streets, provision of a clear and efficient street system on the site, adequate widths of drives and street, separation and attractive parking areas, and proper relationship of circulation elements to structures and other site features. Universal accessibility shall be provided in conformance with State regulations and Federal guidelines (AAB and ADA). The use of architectural treatments such as stamped concrete, pavers or bricks are highly encouraged for walkways and crosswalks within the site.
7. Sidewalks should not only be provided within the site but should also be provided along the frontage of the property abutting any roadway.
8. Sufficient maneuvering space shall be provided such that vehicles shall not have to back into a public way or across a public sidewalk in to enter or exit any

parking area. Space for snow removal activities shall be provided in addition to the required parking and maneuvering space.

9. All parking areas and main pedestrian routes shall be suitably lighted. Lights shall be appropriately styled, shall be partial or full cut-offs and shall be energy efficient. Illumination levels shall conform with Illumination Engineering Society (IES) standards.
10. Prior to the issuance of an occupancy permit a registered professional engineer must certify that the drainage system, driveways, curbing, and parking areas have been installed according to accepted practices and in compliance with the Zoning Bylaw and all applicable permits and approvals.
11. It is important to remember that drivers become pedestrians once they park their cars and that they must walk to the facility for which the parking is provided. Parking lots shall include a clearly delineated, properly constructed pedestrian system to bring people from their cars to the facility.

D. Building siting and topography.

1. All buildings and other structures shall be sited to minimize disruption of the topography and to facilitate natural surface drainage and shall be properly designed for the particular site conditions. Strict attention shall be given to proper functional, visual, and spatial relationship of all structures, landscape elements, and paved areas.
2. Where slopes are steep, terracing should be employed using properly stabilized slopes or retaining walls.
3. Topography which slopes from one lot across another shall be graded so as to minimize runoff directly onto lower lots. In no case shall conditions be created which channel excessive amounts of surface drainage directly onto major yard spaces or buildings on lower lots.

E. Design of structures.

1. All structures shall be of quality design and construction and shall be compatible with the neighborhood and the Town as to design characteristics, including but not limited to scale, massing, proportions, height, roofs, colors, and materials.
2. Traditional New England architecture is preferred. Buildings should be carefully designed to reflect contextual New England elements. Franchise buildings are required to use elements that are appropriate to the character of the town and that support and enhance the community identity. These elements might include Georgian, Federal, and Greek Revival details, complimentary materials, and other traditional New England stylistic features.
3. Building finish materials shall be that of traditional New England architecture. Exterior siding finishes, including trim, shall be wood or approved synthetic materials which are close in appearance and detail to the natural material it emulates. All sides of the building should use materials consistent with those on the facade, when visible from public streets, lakes, ponds or neighboring properties, and should be carefully designed with similar detailing, comparable quality, and compatible materials.
4. Buildings shall be designed in appropriate scale and be in harmony with other traditional neighborhood development.
5. In multiple-building projects, variable siting of individual buildings should be considered as a means to prevent a monotonous appearance.
6. Buildings may have more than one principal façade and/or entry. As one of the most important parts of the facade, the main entrance should be easily identifiable. Both street facing and rear entry doors and entryways should be compatible with the architectural style of the structure.
7. Blank walls adjacent to streets, alleys or open spaces shall not be permitted. Where typical windows are not possible or appropriate to the intended use, false windows or “blank

windows” should be considered.

8. Windows, sidelights, and glazed doors must have exterior muntins or those which give the appearance of true divided lights and are non-removable. Solid glass windows or doors are not acceptable with a possible exception for elevations that are not visible from public streets.
9. Building design should incorporate features that add visual interest to the building while reducing the appearance of bulk or mass. Buildings should avoid long, monotonous, uninterrupted walls or roofs on their visible facades. They also should avoid long expanses of repetitive architectural elements. Wall offsets and varied rooflines shall be used on larger buildings to create the appearance of several small buildings clustered together. Within a project, compatibility shall be achieved through the consistent use of the noted architectural styles, and using materials, fenestration, scale and other architectural features appropriate to that style.
10. In keeping with traditional New England architecture structures shall have roofs that are sloped and may be articulated with dormers, chimneys, gables, cupolas, fascias etc. If a mansard or "false" mansard roof is used on a large commercial structure, the roof should be consistent in slope and arrangement on all sides and high enough to screen all mechanical equipment. Asphalt shingles, cedar shake shingles, or slate is desirable. The use of corrugated sheet metal or standing seam metal roofing is not permitted.
11. Fenestration (arrangement of windows on the wall) should be architecturally related to the style, materials, colors, and details of the building. Windows and door openings should be proportioned so that verticals dominate horizontals. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.
12. Exterior lighting, when used, shall enhance the building design and surrounding landscape. Lighting standards and building fixtures shall be of a design and size comparable with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided, with no spillover to occur on streets and surrounding property.

#### F. Utilities and Storm Drainage

1. All electrical utility lines, including but not limited to telephone, power, and cable television, shall be placed underground in new developments. The installation shall be done in accordance with the specifications of the utility company concerned. The placement of electrical lines and other underground utility lines, such as water and sewer, shall be coordinated whenever possible and desirable. Placement of utilities, including sanitary sewers and disposal facilities, shall be done so as to minimize disruption of topography and cutting of trees or undergrowth. The proposed method of sanitary sewage disposal shall be shown precisely on plans.
2. Storm drainage shall be designed according to Best Management Practices and shall comply with local and State law. Where possible, Low Impact Development stormwater treatment shall be provided. Where infiltration areas, rain gardens or bioswales are used, they shall be planted and maintained. Plantings are to be stamped by a registered Landscape Architect.

#### G. Signs.

1. Due to the unique nature of the Gateway District, every sign shall be designed as an integral architectural element of the building and site to which it relates.
2. Signs and outdoor advertising features shall be subject to the requirements of Chapter 22, Signs. Such signs shall be reviewed as an integral element in the design and planning of all developments and shall be in harmony with the proposed and nearby developments.
3. Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.

4. Every sign shall be designed as an integral architectural element of the building and
5. The colors, materials, and lighting of every sign shall be harmonious with the building and site to which it principally relates

H. Landscaping and Existing Vegetation.

1. These standards are in addition to those contained in Chapter 25 Site Plan Approval; where landscape standards conflict, those found in this Chapter shall prevail. Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water features, and all visible site construction not including buildings and utilitarian structures.
2. Natural tree coverage and other desirable natural foliage shall be preserved to the maximum extent possible and proposed improvements shall be designed accordingly.
3. Where natural or existing topographic patterns contribute to beauty and utility of development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance.
4. Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments. Plant material shall be non-invasive as delineated on the MassDOT Invasive Plant List. Plant material shall preferably be native, shall be selected to thrive in its location, be low maintenance, and be attractive.
5. Landscape treatments shall be provided to enhance architectural features, strengthen vistas, and provide shade and microclimate control.

I. Property Edge Landscaping

1. Ornamental fence types including but not limited to snake rail fence, split rail fence, stone walls or other similar treatment, shall be considered along the property boundary abutting a public roadway.
2. Where commercial property abuts residential property, setbacks and landscape buffers shall be as required in “Buffers Between Land Uses” section.
3. Within other property setbacks, existing vegetation shall be preserved if it is healthy and non-invasive. If the existing material is diseased, dying or on the State’s Invasive Species List, it shall be removed. New plant materials shall be added to screen views, to encourage plant diversity and habitat, and to improve appearance.
4. Parking lots that abut public ways shall be separated from the public way by at least a ten- foot strip of landscaping that shall contain trees, shrubs and other plant material. Shade trees shall be spaced at 40’ on center, and flowering trees shall be spaced 30’ on center. In addition, shrubs, grasses and perennials shall be installed in this planting strip.

J. Property Interior Landscaping

1. Parking areas / lots
  - a) Parking lots shall contain visual relief from vast expanses of unbroken blacktop and cars. In parking areas exceeding 1/4 acre but less than one acre in area, landscaped islands containing trees of greater than six feet in height shall be provided at a rate of at least six per 80 parking spaces. At least half of these trees shall be of a species expected to mature to a height greater than 30 feet. Landscaping in islands shall be protected from damage from cars and snow removal operations.
  - b) When the total amount of parking on a lot or building site exceeds 40,000 square feet, the parking shall be separated into smaller lots or segments of not more than 20,000 square feet each with dividers at least 10 feet wide and containing vegetation as required for parking lots abutting public ways, above. In lots of this size cut into a hillside or rolling topography with relief, these segments shall be terraced with the slope and the divider strips stabilized against erosion.
2. Screening of service yards, delivery areas and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these.



3. Within the property and its setbacks, landscaping using plant material is encouraged. Site design should minimize large expanses of pavement, include plant material to soften appearance, cool temperatures and treat stormwater.
4. In areas where general plantings will not prosper, other materials such as fences, walls, and paving of wood, brick, stone, gravel, and cobbles shall be used.
5. A registered landscape architect or other qualified licensed professional must certify to the Planning Board in writing for notification of the Building Inspector prior to the issuance of a final occupancy permit that the required landscaping has been properly installed in accordance with the approved Site Plan, Zoning Bylaw and acceptable landscape practices.

K. Buffers between land uses.

1. Uses adjacent to residential. - In order to protect residential land from potential noxious or disruptive effects of adjacent land uses of different character and to eliminate as practicable the impacts of visibility, noise, and lighting, the following buffer areas shall be provided:
2. Where commercial use abuts residential use, a minimum setback of 30' from the property line is required in which structures and vehicular infrastructure such as parking and loading areas, and drive aisles other than entrance and exit driveways are prohibited. Within this setback, plant material shall be installed for 2/3 of the buffer width starting from the property line to visually screen the commercial property from residential abutters. Evergreen and deciduous plant material shall be spaced and sized appropriately at installation to achieve this requirement.

L. Other property setbacks

1. Within other property setbacks, existing vegetation shall be preserved if it is healthy and non-invasive. If the existing material is diseased, dying or on the State's Invasive Species List, it shall be removed. New plant materials shall be added to screen views, to encourage plant diversity and habitat, and to improve appearance. New plant material shall be a mix of deciduous and evergreen trees, shrubs and groundcover in a mix of large and small sizes, and in a density sufficient to provide some screening of the building from the public road.

M. Other site features.

1. All service areas, loading areas, outdoor storage, utility structures, mechanical equipment, garbage disposal facilities, or other service or utility facilities shall be located or visually screened so as not to create hazards or visual or other nuisances. Light fixtures, walls, fences, benches, recreation facilities and other such site appurtenances shall be harmoniously designed, constructed, and located in relation to other site features.
2. Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.

N. Erosion and sedimentation control.

1. During the construction of the driveways, parking areas, and drainage system, disturbance to the site shall be minimized. Construction equipment and trucks must stay within the areas of proposed work as shown on the approved plan.
2. Temporary vegetation, mulching, or other protective measures must be provided for areas that will be exposed for one or more months. These temporary measures must be applied immediately after disruption. Temporary measures include seeding with rye grass or other annual grasses, jute netting, spreading straw mulch, and any other method acceptable to the Building Inspector. The Building Inspector may require a specific type of temporary stabilization for any given area. If a disturbed area will be exposed for greater than one year, permanent grasses or other approved cover must be installed.
3. In disturbed areas, if the surface material is not suitable for the growing of

- seed, a minimum of four inches of loam will be required.
4. All slopes shall be stabilized by adequate ground cover or other approved means to prevent erosion and to retard excessive runoff. Means of preventing erosion during construction shall be specified to the satisfaction of the Building Inspector.
  5. Temporary sediment controls are required for unpaved driveways, paved driveways where curbing has not been installed, drainage inlets, and drainage outfalls. Temporary sediment control devices include silt fences, filter strips, double-row staked haybales, silt traps, sediment basins, and crushed rock berms. Temporary sediment control devices must be placed along roadsides where runoff may occur and around storm drain inlets and outfalls.
  6. The developer is responsible for preventing all erosion and buildup of sediment within the area disturbed due to the construction of the road and drainage system.

or take any action in relation thereto.

Sponsor: Planning Board

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

**RECOMMENDATION OF THE PLANNING BOARD:**

*That the Town vote to approve the article as written. Voted 7 – 0.*

*Summary – The proposed Village Gateway District is just one facet of planning that will occur in the coming years. The Planning Board has been working on a Commercial Tourist District Revitalization Plan since 2008 and based upon that plan which was completed in 2009 and the Master Plan (2011) the Planning Board is working towards implementing the recommendations contained within the plans. These recommendations for the Route 20 corridor from New Boston Road to Route 148 include creating Gateways at the eastern and western ends of the corridor that are visually appealing for visitors, enhancing the pedestrian experience, and developing/redeveloping areas to offer a variety of commercial and recreation activities for visitors and residents alike.*

*The Village Gateway District Bylaw will create a new mixed use zoning district that will serve as a transition from the larger commercial areas into the smaller commercial tourist areas. Enhanced landscaping and architectural standards will help to establish a Gateway on the eastern end of the corridor as envisioned in the Master Plan.*

*Additionally, the Planning Board has hired a consultant to work on a conceptual plan for the corridor and that should be completed in the next twelve months. Based upon this work, the Planning Board will continue to propose changes to the bylaw and in the corridor to help achieve the goals specified in these plans.*

**VOTE OF THE TOWN MEETING:** After lengthy discussion, a motion to move the question was made by Diane Trapasso. This motion was seconded and carried. The vote of the Town Meeting was to approve the article as written by a 2/3rds majority as declared by the Moderator.

**ARTICLE 5  
ZONING BYLAW AMENDMENT – ZONING MAP (21 New Boston Road)  
(2/3 Vote Required)**

To see if the Town will vote to amend the Town of Sturbridge Zoning Map by changing the property located at 21 New Boston Road from part Suburban Residential District and part

Commercial District to Village Gateway District shown on the map attached in the appendix. The property contains 8.27 ± acres and is shown on the Assessors Map 41 Parcel 21.

or take any action in relation thereto.

Sponsor: Planning Board

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

**RECOMMENDATION OF THE PLANNING BOARD:**

*That the Town vote to approve the article as written. Voted 7 – 0.*

*Summary – This article will change the zoning district of the property located at 21 New Boston Road to Village Gateway from partially Suburban Residential and partially Commercial District.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written by a 2/3rds majority as declared by the Moderator.

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**ARTICLE 6  
PROPOSED ZONING AMENDMENT – SIGN BYLAW  
(2/3 Vote Required)**

To see if the Town will vote to amend the Town’s Zoning Bylaws by amending Chapter Two by inserting the following definitions in the appropriate locations:

**Banner** – A flexible substrate on which copy or graphics may be displayed.

**Building Sign** – A sign that is applied or affixed to a building.

**Changeable Sign** - A sign with the capability of content change by means of manual input.

**Directional Sign** - Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

**Drive-Thru Menu Sign** – A sign associated with drive-thru windows or kiosks and directed to drive-thru traffic only.

**Freestanding Sign** - A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. May also be referenced as a Ground or Monument Sign.

**Multiple Tenant Property** - A property owned by an individual, partnership, corporation, trust or other such entity with a portion or all of said property subdivided into individual areas and/or buildings rented to others for the purpose of conducting independent business.

**Sign** - Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations.

**Temporary Sign** - A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

**Window Sign** - A sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

AND FURTHER, to see if the Town will vote to amend Chapter Twenty-Two of the Zoning Bylaw, entitled “Signs”, as follows:

**1) Replace Section 22.01 and Section 22.02 with the following:**

22.01 Purpose and Intent:

The purpose of this sign bylaw is to provide an appropriate balance between public and private interests in a manner that promotes the health, safety, and general welfare of the citizens of the Town of Sturbridge and in a manner that recognizes the importance of business advertising, through signs, by acknowledging that signs and their message must be visible and comprehensible in order to provide identification and thus assuring that the intended audience is able to find their way. To accomplish this purpose it is the intent of this bylaw to:

1. Promote the creation of an attractive visual environment that promotes a healthy economy by:
  - a. Permitting businesses to inform, identify and communicate effectively; and
  - b. Directing the general public through the use of signs while maintaining attractive and harmonious application of signs on the buildings and sites.
2. Protect and enhance the physical appearance of the community in a lawful manner that recognizes the rights of property owners by:
  - a. Insuring the appropriate design, scale and placement of signs.
  - b. Assuring that the information displayed on a sign is clearly visible, conspicuous, legible and readable so that the sign achieves the intended purpose.
3. Foster public safety along public and private streets within the community by assuring that all signs are in safe and appropriate locations.
4. Have administrative review procedures that are the minimum necessary to:
  - a. Balance the community’s objectives and regulatory requirements with the reasonable advertising and way finding needs of business.
  - b. Allow for consistent enforcement of the sign bylaw.
  - c. Provide some flexibility as to the number and placement of signs so the regulations are more responsive to business needs while maintaining the community’s standards.

22.02 Applicability

No sign, except those qualifying for permit exceptions, shall be constructed, erected, remodeled, refaced, relocated, expanded or otherwise altered until a sign permit has been obtained from the Building Inspector in accordance with the provisions of this Chapter. In addition to the requirements for all signs as set forth herein, commercial signage shall be specifically subject to those requirements set forth in Sections 22.06.1 and 22.07.

**2) Amend and renumber Section 22.23 to remove the strikethrough language and add the language underlined, as follows, and delete the existing Section 22.03:**

~~22.023~~ Exemptions

The following types of signs shall be authorized by right without the necessity of a permit. These signs shall be subject to the prohibitions set forth in Section 22.~~0425~~ along with all other requirements of this Bylaw.

- (a) Signs bearing the name of an occupant of a dwelling not to exceed one and one-half (1 1/2) square feet in area.
- (b) Real estate signs not to exceed six (6) square feet in area in a Residential District or twenty-thirty (230) square feet in area in non-residential districts. Real Estate signs shall not be placed on property other than the property that is for sale except that Real Estate Open House signs may be placed on property other than the property that is for

sale, with the approval of the property owner, on the day of the Open House for a duration of no more than two hours longer than the time period of the Open House.

- (c) Signs accessory to the use of the premises by a church, educational, or charitable institution. These signs, however, are expected to conform to the spirit and intent of the Bylaw.
- (d) Signs erected by the Municipal, County, State, or Federal Government, as may be deemed necessary for their respective functions, are exempt from the provisions of this Bylaw, but are expected to conform to the spirit and intent of it.
- (e) Signs indicating "entrance", "exit", "parking", or the like, erected on a premises for the direction of persons or vehicles not to exceed five (5) square feet in area. Such signs shall not carry the name of the business, a trade or service mark, or any product designation unless such identification is necessary to differentiate one area from another such as assigned parking on multi-tenant properties.

(f) Private Drive Signs – On premise private drive signs are limited to one (1) per drive entrance, not exceeding two (2) square feet in area.

~~(f)(g) \_\_\_\_\_ One builder's, architect's, developer's, or contractor's sign not to exceed (12) square feet in area. Signs installed on property where a contractor is working may be maintained on the premises while construction is in progress. Such a sign containing information related to the project shall not exceed twelve (12) square feet and shall not be installed in the setback area and. These signs shall be removed promptly upon completion of the construction within seven (7) days of work completion at a property site.~~

(h) Signs required by federal or state law.

(i) Signs erected within a building.

(j) Non-illuminated window signs complying with the area requirements of Section 22.22, not to exceed twenty-five (25%) percent of the individual window area, or sixteen (16) square feet, whichever is smaller. No signs shall be permitted in the window area of entrance and exit doors except for matters of public safety or security, and/or public information (for example hours of operation, credit cards accepted, etc.).

~~(g)(k) \_\_\_\_\_~~ Political signs. Such signs may be displayed for a period not to exceed six (6) weeks prior to any election, shall be removed within fourteen (14) days following that election and are expected to conform to the spirit and intent of this Bylaw.

**3) Amend and renumber Sections 22.24 and 22.25 to remove the strikethrough language and add the language underlined, as follows, and delete the existing Sections 22.24, 22.25 and 22.26:**

22.024 Prohibited Signs:

~~22.25. \_\_\_\_\_~~ ~~THE FOLLOWING ARE NOT PERMITTED IN ANY ZONE:~~

- (a) Moving or animated signs. A sign which is designed to align itself with the wind for structural reasons shall not be considered a moving sign.
- (b) Flashing and other signs such as Signs illuminated by, or, moving and animated signs, including any flashing oscillating ~~or,~~ rotating lights, strings of lights, ~~pennants, banners, beacons, or so-called "whirligigs" and the like.~~ signs containing reflective elements which sparkle in the sunlight. ~~Banners shall be permitted for advertising civic and religious events.~~
- (c) Trailer signs or sGraphics which by color, location, or design, resemble or conflict with traffic control signs or signals.
- (d) Signs that are mounted on vehicles or other moveable devices or objects except as permitted in Section 22.04 (n).
- ~~(e) Signs that might be confused with traffic signs or lights.~~

~~(f)~~(e) \_\_\_\_\_ Temporary signs except as provided in Section 22.028.

~~(g)~~(f) \_\_\_\_\_ Internally illuminated signs.

~~(h)~~ Merchandise displays within the set back areas pertaining to structures as defined in Chapter Nineteen of this Bylaw.

~~(i)~~(g) \_\_\_\_\_ Devices, structures, or symbols that are meant to attract people's attention to a proprietor's products or services in excess of the number otherwise permitted by this Bylaw.

~~(j)~~(h) \_\_\_\_\_ Neon or tube signs or outlining, other than hotel/motel vacancy signs or no-vacancy signs.

~~(k)~~(i) \_\_\_\_\_ Advertising signs tacked, posted, painted, or otherwise attached to poles, posts, trees, sidewalks, curbs, rocks, radio, television or water towers, lighting structures or other similar poles or structures.

~~(l)~~(j) \_\_\_\_\_ "Christmas Light" Temporary colored string light type displays used to outline or ornament buildings, trees, or shrubbery except in the period from November 15 to January 15 of the ensuing year. Such displays shall be illuminated only from dusk to midnight during this period. This prohibition shall not apply to the use of white lights to accent an entryway, walkway, or other feature of a building or business, regardless of the time of year.

~~(m)~~(k) \_\_\_\_\_ Outdoor internally illuminated vending machines.

~~(n)~~(l) \_\_\_\_\_ Halo signs, being signs that are illuminated from behind, creating a silhouette or outline.

(m) Banners or signs painted on or temporarily affixed to a non-registered motor vehicle or trailer for the purpose of providing a sign for a business or commercial purpose.

(n) No commercial or industrial sign shall be erected on, or attached to any vehicle except for signs applied directly to the surface of the vehicle. The primary use of such vehicle shall be in the operation of a business and not in advertising or identifying the business premise. The vehicle shall not be parked in a public right of way for the purposes of advertising.

(o) Any sign advertising a business or organization which is either defunct or no longer located on the premises.

(p) Digital or electronic signs.

(q) Balloon signs or inflatable signs except as may be permitted for Grand Openings (See Section 22.08.2).

(r) Signs containing noise making devices.

(s) Laser/holographic signs.

(t) Strings of pennants.

**4) Replace Section 22.05 with the following:**

22.05 Requirements Applicable to All Districts:

22.05.1 General

- (a) Permits for signs serving uses dependent upon Special Permits, Exceptions and/or Design Review Approval shall not be granted by the Building Inspector until such permits and approvals have been issued or approved by the Planning Board, Zoning

Board of Appeals, Design Review Committee and/or Historic Commission, as applicable.

- (b) The sign will not cause visual confusion, glare, or offensive lighting in the neighborhood.
- (c) Lighting of a sign may only be by white light of reasonable intensity shielded and directed solely at the sign.
- (d) The sign shall be placed so that it will not obstruct the view of traffic entering or leaving the premises. No sign, including its supporting structure, extending more than 3 ½ feet above the established street grades shall be erected, placed or maintained within the area formed by any intersecting street lines and a straight line adjoining said street lines at points which are twenty-five (25) feet distant from the point of intersection, measured along such street lines.
- (e) It shall be the responsibility of the property owner to ensure that all signs placed on his property are installed in compliance with the bylaws, that said signs are maintained in safe and presentable condition.
- (f) No free-standing sign shall exceed eighteen (18) feet in height above the natural grade. No sign shall project above the ridge line of the primary building on the property.
- (g) Building mounted signs shall be erected and maintained as follows:
  - Signs parallel to or against the face or wall of a building shall not extend more than fifteen (15) inches from said face or wall. Said signs extending over a public sidewalk shall be not less than eight (8) feet above the sidewalk at the lowest point.
  - Signs perpendicular to the face or wall of a building shall extend no more than fifty-four (54) inches from such building line. Said signs extending over a public sidewalk shall be not less than eight (8) feet above the sidewalk at the lowest point.
- (h) All signs shall meet all safety requirements associated with construction.
- (i) The sign is consistent with the requirements of the zoning bylaw.

22.05.2 Area of Signs

- (a) The area of a sign shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include any supporting structure or bracing.
- (b) The area of sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, shall be considered to be that of the smallest rectangle which encompasses all of the letters and symbols.
- (c) The area of a sign which is other than rectangular in shape shall be determined as the area of the smallest rectangle which encompasses all elements of said sign.
- (d) The area of a sign consisting of a three-dimensional object shall be considered to be the area of the largest vertical cross-section of that object.
- (e) Only one side shall be counted in computing the area of a double faced sign.

22.05.3 Sign Setbacks

Zoning District or Sign Type	Front Setback (as measured from edge of pavement or edge of sidewalk	Rear and Side Setback	Notes

	as may be applicable)		
Commercial, Commercial II, General Industrial, Industrial Park, Historic Commercial, Special Use District	10 Feet	10 Feet	
Commercial Tourist	0 Feet		Setback determined by specific site limitations. In no case shall proposed signs obstruct view at intersections, or project into right of way or sidewalk
Real Estate Signs	10 Feet*	10 Feet	* Except Commercial Tourist District (see note above)
Rural Residential and Suburban Residential	25 Feet	15 Feet	

22.05.4 Construction and Maintenance of Signs

- (a) Signs shall be constructed of durable and weatherproof material.
- (b) Signs shall be maintained in safe structural condition and good visual appearance at all times and no sign shall be left in a dangerous or defective state.
- (c) Every sign permitted by this bylaw shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling, or is otherwise deemed unsafe by the Building Inspector, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this bylaw, the owner thereof or the person or firm using same shall, upon written notice by the Building Inspector forthwith in the case of immediate danger, and in any case within not more than ten (10) days, make such sign conform to the provisions of this bylaw or shall remove it. If within ten (10) days the order is not complied with, the Building Inspector may remove or cause such signs to be removed at the expense of the owner and/or the user of the sign. In the case of immediate danger to public safety, the Building Inspector shall have the authority to immediately remove or cause to be removed any sign, at the expense of the owner. Such removal shall occur only after the Building Inspector has contacted, or attempted to contact the owner of the sign. The Building Inspector shall have sole and exclusive authority to determine that a sign poses a threat of immediate danger to public safety.
- (d) No sign shall be attached to a utility pole, street sign, fence, tree or light post.
- (e) Signs for defunct entities or for a business no longer operating at the location must be removed within thirty (30) calendar days of the business closing.
- (f) A new permit shall be required if the original wording or color or design of a sign is modified. Repainting, replacement of the sign with the exact same sign design and color scheme shall not require approval of the Design Review Committee but shall require a permit from the Building Inspector.

22.05.5 Special Permits



In particular instances, and at the discretion of the Planning Board, acting as the Special Permit Granting Authority (SPGA) a Special Permit may be granted to erect and maintain more or larger commercial or industrial signs than is provided for by this Chapter, or for commercial or industrial signs of types or for purposes not provided herein if it is determined that the proposed signage is consistent with the intent and purpose of this bylaw and that it meets the requirements of this section. A Special Permit is discretionary and is not the automatic right of any applicant. Special Permit applications shall be filed concurrently with Site Plan Approval applications for new projects and in the case of proposed changes to signage existing at the time of adoption of this Chapter, a separate Special Permit application shall be filed for consideration by the Planning Board. Special permits may only be granted if it is determined that the architecture of the building, the location of the building with reference to the street, or the nature of the business establishment is such that the sign should be permitted in the public interest. In granting a Special Permit under this Section the Planning Board shall make findings on which to base its determination with respect to the following:

- 1) The proposed sign shall not be detrimental to public safety and welfare in that it will not be a nuisance or hazard to vehicles and pedestrians and will help to improve safety, convenience and traffic flow;
- 2) The architecture of the building, the location of the building with reference to the street or the nature of the establishment is such that the sign should be permitted in the public interest;
- 3) The sign will not cause visual confusion, glare, offensive lighting in the neighborhood and surrounding properties;
- 4) The sign requested pursuant to the special permit application is necessary due to topography or site conditions unique to its proposed location;
- 5) A unique and particular type of use requires additional signage or a different character of signage in order to identify the premises adequately or to inform the public about specific events or activities;
- 6) The sign will not significantly alter the character of the zoning district or be a detriment to the surrounding area;
- 7) The sign scale is determined to be in reasonable relation to development scale, viewer distance and travel speed and sign sizes on nearby structures;
- 8) The sign design is in harmony with other signage on the same or adjacent structures and provides reasonable continuity in mounting location and height, proportions and materials;
- 9) The granting of the Special Permit does not derogate substantially from, and will be in harmony with, the intent and purposes of the bylaw.

A. In granting such permission, the SPGA shall specify the size and location of the sign or signs and impose such other terms and restrictions as it may be deemed to be in the public interest.

B. Any applicant under these provisions shall provide a site plan and specific information in the form of perspectives, renderings, including a scaled elevation plan showing the location and dimensions of the proposed sign, photographs or other representations sufficient to show the nature of the proposed sign, its effect on the immediate surroundings and the reasons the applicant believes the requested signage should be allowed in the public interest.

**5) Replace Section 22.06 with the following:**

22.06 Requirements Applicable to Residential Districts:

22.06.1 Type, Number, and Size.

Commercial signage in the Rural Residential and Suburban Residential Districts shall conform to the following standards:

- (a) No permitted commercial or industrial use within a residential district shall maintain more than four commercial (4) signs serving such use within the limits of the Town of Sturbridge, of which no more than two (2) signs may be located on the property itself. Only one (1) of the two (2) signs on the property may be freestanding. The above controls shall not apply to signs on the property which

- are less than five (5) square feet in area and which are limited to designation of entrances, exits, parking areas and other similar directional purposes.
- (b) Free –standing signs shall not exceed the height of the principal building or eighteen (18) feet in height, whichever is less.
  - (c) Hospitals, nursing homes, assisted living facilities and other institutional uses allowed in a residential district, whether by right or by special permit, shall be allowed to have such signs as can be demonstrated as necessary to the safety and well-being of the community. These include internally illuminated signs indicating Emergency Room entrances, and such other similar signs as are necessary. In all other respects, they shall conform to the limitations and restrictions set forth in this Chapter except as may be modified by the issuance of a Special Permit.
  - (d) A business may have one flag not to exceed 12 square feet in area which incorporates a trade mark, logotype or similar information (such as Sale or Open) directly related to the business located on the lot. Business flags shall not overhang a public way or sidewalk at any time. Flags shall be removed or replaced if they become damaged.

22.06.2 The following signs erected in the Rural Residential and Suburban Residential Zoning Districts shall meet the following requirements:

Type of Sign	Square footage	Total Number	Freestanding	Wall or Projecting Sign	Changeable Copy Sign
Professional or Name Signs	1.5	1	Y	Y	N
Identification Signs for Estates, Schools, Farms, Etc.	20.0	1	Y	Y	N
Other Business Uses as May be Permitted	30	2	Y	Y	Y
Multi-Tenant Sign for business use	50	1	Y	N	Y

**6) Replace Section 22.07 with the following:**

22.07 Requirements Applicable to Commercial, Special Use and Industrial Districts:

22.07.1 Type, Number, and Size.

Commercial signage in the Commercial, Commercial II, Commercial Tourist, Historic Commercial Districts, General Industrial, Industrial Park and Special Use Districts shall conform to the following standards:

- (a) Except as otherwise noted in this Section, no commercial or industrial use within the districts set forth herein shall maintain more than four (4) signs serving such use within the limits of the Town of Sturbridge, of which no more than two (2) signs may be located on the property itself (with the exception of lawfully permitted sandwich board and temporary signs). Only one (1) of the two (2) signs on the property may be freestanding (with the exception of lawfully permitted sandwich board and temporary signs). The above controls shall not apply to signs on the property which are less than five (5) square feet in area and which are limited to designation of entrances, exits, parking areas and other similar directional purposes.
- (b) Free –standing signs shall not exceed the height of the principal building or eighteen (18) feet in height, whichever is less.

- (c) A free-standing sign may have a portion of the sign area that is used for changeable copy messages, however, the name of the business and the street address shall be a permanent part of the sign.
- (d) For multiple tenant properties, each tenant shall be entitled to only one business/advertising sign complying with all provisions of this Bylaw and located immediately adjacent to the rented premises. In addition, one multiple listing sign may be erected and maintained on the property to identify said tenants. The total area allowed for such a sign, as described by the rectangle encompassing the framework and all individual listing signs, shall not exceed fifty (50) square feet. Individual listing signs or encompassed individual listings shall be limited to one (1) listing per tenant, and shall be used for the sole purpose of identification, and not for advertising. Such listings may include a designation of profession such as "Attorney", "Architect" to facilitate identification, if lighted, said lighting shall be from a constant, exterior source. Multiple listing signs shall be subject to all other provisions of the Zoning Bylaw.
- (e) A sandwich board sign may be used by each business. The sign shall not exceed 30" in width and 48" in height. The sign shall not be placed in a manner to block visibility at intersections nor shall it be allowed to project into the public way or sidewalk. The sign shall be brought in at the close of business each day. When a sandwich board sign is used on a regular basis it shall be considered a permanent sign and Design Review Approval shall be required for the sign which shall be of the same design and color scheme as the main permitted on premise signage. All business owners are encouraged to develop a permanent sandwich board sign as soon after the adoption of this bylaw as practicable; however existing signage may be used with appropriate permits until new signage is acquired. In no case may a sign of different design and color scheme be used after December 31, 2014 at which time only DRC approved sandwich board signs may be used.
- (f) A permitted drive-thru food establishment or car wash may have one freestanding menu board sign for each drive thru lane. The menu board may be a maximum of 40 square feet, and have a maximum vertical dimension of 7 feet. No additional temporary or permanent signs, panels, flags, banners, etc of any type maybe attached to the menu board.
- (g) A business may have one flag not to exceed 12 square feet in area which incorporates a trade mark, logotype or similar information (such as Sale or Open) directly related to the business located on the lot. Business flags shall not overhang a public way or sidewalk at any time. Flags shall be removed or replaced if they become damaged.

22.07.2 The following signs erected in the Commercial, Commercial II, Commercial Tourist, Historic Commercial Districts, General Industrial, Industrial Park and Special Use Zoning Districts shall meet the following requirements:

Type of Sign	Square footage	Commercial	Commercial Tourist	Commercial II	General Industrial	Industrial Park	Historic Commercial	Special Use
Professional or Name Signs	1.5	Y	Y	Y	Y	Y	Y	Y
Identification Signs for Estates, Schools, Farms, Etc.	20.0	Y	Y	Y	Y	Y	Y	Y
Business and Advertising – Building Mounted and/or Free Standing	30	Y	Y	Y	Y	Y	Y	Y
Multi-Tenant Sign for	50	Y	Y	Y	Y	Y	Y	Y

business use								
Temporary Real Estate Signs	20	Y	Y	Y	Y	Y	Y	Y
Any other Temporary Signs	12	Y	Y	Y	Y	Y	Y	Y
Sandwich Board Signs as defined in 22.07.1 (e)	10	Y	Y	Y	Y	Y	Y	Y
Bed & Breakfast Signs	12	Y	Y	Y	Y	Y	Y	Y
Changeable Copy Panel as Part of a Free Standing Sign		Y	Y	Y	Y	Y	Y	Y

**7) Replace Section 22.08 with the following:**

**22.08 Temporary Signs**

Unless otherwise specified herein, temporary signs may be displayed for a period of time not to exceed eight (8) consecutive days, the first of which shall occur not more than seven (7) days prior to the subject event, or such longer period of time as the Building Inspector may determine is reasonably necessary pursuant to issuance of a sign permit, provided that the Building Inspector may condition the location, construction, and maintenance of such signs to protect public safety and may deny a permit for such sign where public safety cannot be reasonably guaranteed. All temporary signs shall be removed within twenty four (24) hours after the subject event unless the applicable permit states otherwise. Temporary wall signs or banners shall be flush against the building and not above the roof line of the building. A temporary sign shall be removed or replaced immediately if it becomes damaged in any way. No more than one permit per month shall be granted.

**22.08.1 Sandwich Board Signs**

Sandwich Board signs of a temporary nature (not including signs authorized pursuant to the provisions of 22.07.1 (e)) may be erected for any purpose. Businesses using a permanent sandwich board sign permitted under Section 22.07.1 (e) are not permitted to use temporary sandwich board signs.

**22.08.2 Grand Opening Signs**

Grand opening events may utilize temporary signage, flags, and banners for a period not to exceed 30 days. Grand opening events are limited to the first 90 days after a certificate of occupancy has been issued. No searchlights or flashing type lights are allowed and are strictly prohibited during these events. When an existing business has substantially remodeled, as determined by the building official, the business will have the option of having a Grand Re-Opening. A permit is required from the Building Inspector.

**22.08.3 Street Banners**

Street banners may be displayed when approved pursuant to a temporary event permit issued by the Board of Selectmen or its designee specifying the location of such banner

**22.08.3 Yard Sale Signs**

- (a) No more than three (3) yard sale sign permits, valid for two (2) days, shall be granted in a calendar year for the same lot.

- (b) An application must be filled out at the Director of Inspections or Town Clerk's office with a fee of two dollars (\$2.00).
- (c) No yard sale sign shall be located as to cause visual confusion or interfere with traffic safety in the area.
- (d) No yard sale sign shall be bigger than 20" X 20" (400 sq. in.).
- (e) No more than four (4) yard sale signs for the same event shall be located within the limits of the Town of Sturbridge.
- (f) If in the Director of Inspection's opinion, any yard sale sign(s) become(s) dangerous or unsafe in any manner whatsoever, the sign(s) shall be removed immediately.
- (g) No yard sale signs shall be located on telephone poles or trees that are on Town or State property or on property owned by the Town or State.
- (h) All yard sale signs shall be removed at the end of the permitted two (2) day period.
- (i) The fine per day for violations of any provision of Section 22.12 is \$5.

**8) Replace Section 22.09 with the following:**

22.09            Administration:

22.09.1        Design Review

All signs erected to serve commercial or industrial use shall require approval of the Design Review Committee (DRC). In reviewing applications the DRC shall insure that the:

- (a) Site selected is appropriate for the proposed design.
- (b) The proposed design is in keeping with the character of the Town in general, and with the specific neighborhood in particular.
- (c) The sign will be consistent with the architecture of the building on the lot upon which the sign is to be located and of the surrounding area.
- (d) The sign is consistent with the Design Review Committee Handbook and Design Guidelines, Town of Sturbridge Massachusetts adopted March 22, 2011 as may be amended from time to time.

22.09.2        Inspections

- a. Unless waived by the Director of Inspections, all signs for which a permit is required shall be subject to a site inspection to ensure that the sign has been safely and firmly constructed and that it is in conformance with approvals granted.

22.09.3        Fees

A schedule of fees for permits may be determined from time to time by the Board of Selectmen.

**9) Renumber existing Section 22.37 as Section 22.10 and delete existing Section 22.10.**

22.10            Violations

Violations of this Chapter shall be subject to the provisions of Section 24.02- Enforcement.

**10) Delete sections 22.11 through 22.38.**

22.11            Appeals

Any appeal hereunder to the Zoning Board of Appeals shall be taken within thirty (30) days from the date of the order or decision which is being appealed, by filing a notice of appeal, specifying the grounds thereof, with the Town Clerk, who shall forthwith transmit copies thereof to such officers or board whose order or decision is being appealed, and to the Zoning Board of Appeals. Such officer or board shall forthwith transmit to the Zoning Board of Appeals all documents and papers constituting the record of the case in which the appeal is taken.

Or take any action relative thereto.

Sponsor: Planning Board

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*To amend the article as follows:*

*Modify 22.01 (4) (a) to read, “Balance the community’s objectives and regulatory requirements with business’s needs for advertising and wayfinding”, and*

*Modify the matrix in 22.06.2 by striking the word “or” to make the Type of Sign entry read “Professional Name Signs”*

*And otherwise approve the article as written. Voted 7 – 1.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

**RECOMMENDATION OF THE PLANNING BOARD:**

*That the Town vote to approve the article as written. Voted 6 – 1.*

*Summary – This article updates the Sign Bylaw based on a review by the Planning Board over the past 18 months.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as recommended by the Finance Committee by a 2/3rds majority as declared by the Moderator.

**ARTICLE 7  
PROPOSED ZONING BYLAW  
MEDICAL MARIJUANA TREATMENT CENTER MORATORIUM  
(2/3 Vote Required)**

To see if the Town will vote to amend the Town’s Zoning Bylaws by adding a new Section 20.32, TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS, that would provide as follows:

**Section 20.32 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**

**(a) PURPOSE**

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law’s effective date. Currently under the Zoning Bylaws, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider

amending the Zoning Bylaws regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

(b) DEFINITION

“Medical Marijuana Treatment Center” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”

(c) TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaws to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

Or take any action relative thereto.

Sponsor: Board of Selectmen

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 6 – 2.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

**RECOMMENDATION OF THE PLANNING BOARD:**

*That the Town vote to approve the article as written. Voted 7 – 0.*

*Summary – This article would place a moratorium on the siting of any medical marijuana distribution centers through June 30, 2014 during which time the Town shall develop and consider adopting a new Zoning Bylaw to address the impacts of such use.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written by a 2/3rds majority as declared by the Moderator.

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**ARTICLE 8  
TOWN BUDGET**

To see if the Town will vote to raise and appropriate a sum of money as may be necessary to pay the Town charges for the fiscal year beginning July 1, 2013 and vote to fix salary and compensation of all elected officials of the Town in accordance with the provisions of Massachusetts General Laws, Chapter 41, Section 108, effective July 1, 2013; or take any action in relation thereto.

Sponsor: Board of Selectmen

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 3 – 2.*

*Summary – This article is for the approval of the Town and School operating budgets for Fiscal Year 2014. The budgets are voted on separately and are categorized using the Uniform Massachusetts Accounting System (UMAS). Sturbridge votes appropriations by line item.*

**VOTE OF TOWN MEETING:** The vote of the Town Meeting was to approve the article as declared by the Moderator.

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**ARTICLE 9**

**COMMUNITY PRESERVATION-ADMINISTRATION**

To see if the Town will vote to appropriate from the Community Preservation Fund, Undesignated Fund Balance, the sum of FOURTEEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$14,500.00) to be allocated for the purpose of operating and administrative expenses in FY 2014 for the Community Preservation Committee (CPC); or take any action in relation thereto.

Sponsor: Community Preservation Committee

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

**RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – These funds would be used to provide operating and administrative expenses for the Community Preservation Committee, including legal expenses, appraisal reports, general office supplies, CPA Coalition Dues, informational brochure and postage relating to locations, features and uses of CPA parcels. Any unused funds appropriated shall revert back to the CPA Undesignated balance at the close of the fiscal year.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

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**ARTICLE 10**

**COMMUNITY PRESERVATION – NORTH CEMETERY**

To see if the Town will vote to appropriate from the Community Preservation Fund, Undesignated Fund Balance, the sum of EIGHT THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS (\$8,700.00) to be allocated for the purpose of field condition assessment of the North Cemetery for the preservation, rehabilitation and restoration of this historic resource, and related administrative costs; or take any action in relation thereto.

Sponsor: Community Preservation Committee

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*



**RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:**

*That the Town vote to approve the article as written. Voted 6 – 0.*

*Summary – These funds would be used to continue the assessment process for the development of a repair program for historic gravestones.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

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**ARTICLE 11  
WATER DEPARTMENT**

To see if the Town will vote to raise and appropriate, through the fixing and collection of just and equitable prices and rates set by the Board of Selectmen (acting as Water Commissioners), the sum of ONE MILLION EIGHTY-SIX THOUSAND EIGHT-HUNDRED SEVENTY-ONE AND 00/100 DOLLARS (\$1,086,871), and by transferring the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000) from Water Reserve Fund Balance, for a total sum of ONE MILLION TWO HUNDRED THIRTY-SIX THOUSAND EIGHT-HUNDRED SEVENTY-ONE AND 00/100 DOLLARS (\$1,236,871), for the expenses of the Water Department as follows:

Contract Operations	\$	450,237.00
Electricity	\$	106,138.00
Chemicals, Testing and Propane	\$	20,480.00
DPW Director	\$	11,018.00
Meter Maintenance	\$	15,000.00
Billing Expense	\$	4,900.00
Legal/Administrative Expense	\$	5,000.00
Debt Service	\$	586,098.00
Miscellaneous	\$	14,000.00
Short-term Interest	\$	0.00
Capital Replacement	\$	24,000.00
Total:		\$ 1,236,871.00

or take any action in relation thereto.

Sponsor: Board of Selectmen/DPW Director

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 7 – 0 – 1.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 3 – 2.*

*Summary – This budget represents a decrease from the FY13 budget of \$47,189 or (-3.7%) due to reduced contract operations and declining debt. Notwithstanding the decrease in total budget, reduced flows and consumption will require an increase to the water rate from \$4.98 per 100 cubic feet to \$5.18 per 100 cubic feet (increase of \$0.20 per 100 cubic feet or 4.0%). The rates reflect the use of \$150,000 from the Water Fund Reserve to moderate the rate increase.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

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**ARTICLE 12  
SEWER DEPARTMENT**

To see if the Town will vote to raise and appropriate, through the fixing and collection of just and equitable prices and rates set by the Board of Selectmen (Acting as Sewer Commissioners), the sum of TWO MILLION TWO HUNDRED TWENTY-FIVE THOUSAND FORTY-EIGHT AND 00/100 DOLLARS (\$2,225,048), and by transferring the sum of THREE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$350,000) from Sewer Reserve Fund Balance, for a total sum of TWO MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND FORTY-EIGHT AND 00/100 DOLLARS (\$2,575,048), for the expenses of the Sewer Department as follows:

Contract Operations	\$	520,311.00
Electricity	\$	275,000.00
Chemicals and Testing	\$	250,000.00
DPW Director	\$	11,018.00
Billing Expense	\$	4,900.00
Legal/Administrative Expense	\$	5,000.00
Debt Service	\$	1,116,387.00
Southbridge Fees	\$	150,000.00
Short-Term Interest	\$	0.00
Liquid Sludge Handling	\$	182,432.00
Miscellaneous	\$	35,000.00
Capital Replacement	\$	25,000.00
Total:	\$	<u>2,575,048.00</u>

or take any action in relation thereto.

Sponsor: Board of Selectmen/DPW Director

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 3 – 2.*

*Summary - This budget is an increase from the FY13 budget of \$455,633 due to inclusion of final balance of debt service associated with the mandated improvements to the wastewater treatment plant and a required increase in licensed staff by one full-time employee. The increased budget, together with decreased flows, will result in an increase to the sewer rate from \$7.97 per 100 cubic feet in FY13 to \$8.88 per 100 cubic feet in FY14 (increase of \$0.91 per 100 cubic feet or 11.4%). The rates reflect the use of \$350,000 from the Sewer Fund Reserve to moderate the rate increase.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 13  
SEWER PROJECT DEBT**

To see if the Town will vote to transfer:

- TWO HUNDRED ELEVEN THOUSAND NINE HUNDRED FIFTEEN AND 00/100 DOLLARS (\$211,915.00) from the F/B Reserved for Phase II Betterment Account #28440-35825 to the Phase II Sewer Debt Account #28440-59100;
- THREE HUNDRED THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS (\$300,350.00) from the F/B Reserved for Phase III Betterment Account #28440-35826 to the Phase III Sewer Debt Account #28440-59300;

- ONE HUNDRED SEVENTEEN THOUSAND THREE HUNDRED FIVE AND 00/100 DOLLARS (\$117,305.00) from the F/B Reserved for Cedar Lake Betterment Account #28440-35827 to the Cedar Lake Sewer Debt Account #28440-59200;
- ONE HUNDRED SEVENTY THOUSAND FIFTY AND 00/100 DOLLARS (\$170,050.00) from the F/B Reserved for Big Alum Betterment Account #28440-35823 to the Big Alum Sewer Debt Account #28440-59220; and
- SIXTY TWO THOUSAND THREE HUNDRED FIFTY AND 00/100 (\$62,350.00) from the F/B Reserved for Woodside/Westwood Betterment Account #28440-35829 to the Woodside/Westwood Sewer Debt Account #28440-59230

for the purpose of paying the debt service due on these sewer projects for FY14, or take any action in relation thereto.

Sponsor: Finance Director

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – This warrant article appropriates the funds necessary to pay debt service on the several sewer projects the Town of Sturbridge has undertaken over the past decade. These debt service payments are repaid through betterment assessments from the property owners within the specific sewer projects and are not supported by either general property taxes or other sewer customers through the sewer rate.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 14  
COMMUNITY PRESERVATION DEBT SERVICE**

To see if the Town will vote:

- to appropriate from the Community Preservation Fund the sum of SIXTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND 00/100 DOLLARS (\$62,760.00), with FIFTY-SIX THOUSAND AND 00/100 DOLLARS (\$56,000.00) from CPC Fund Balance - Reserved for Open Space, and SIX THOUSAND SEVEN HUNDRED SIXTY AND 00/100 DOLLARS (\$6,760.00) from CPC – Undesignated Fund Balance, for the purpose of paying the debt service for the Heins Farm Acquisition;
- to appropriate from the Community Preservation Fund – Undesignated Fund Balance, the sum of ONE HUNDRED EIGHT THOUSAND ONE HUNDRED TWENTY FIVE AND 00/100 DOLLARS (\$108,125.00) for the purpose of paying the debt service for the OSV Land Acquisition;
- to appropriate from the Community Preservation Fund – Undesignated Fund Balance, the sum of ONE HUNDRED ELEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$111,500.00) for the purpose of paying the debt service for the Stallion Hill/Holland Road Land Acquisition; and
- to appropriate from the Community Preservation Fund the sum of ONE HUNDRED TWENTY-TWO THOUSAND SIX HUNDRED SEVEN AND 00/100 DOLLARS (\$122,607.00), with FIFTY-SIX THOUSAND AND 00/100 DOLLARS (\$56,000.00) from Fund Balance Reserved for Historic Resources, and SIXTY-SIX THOUSAND SIX HUNDRED SEVEN AND 00/100 DOLLARS (\$66,607.00) from CPC – Undesignated

Fund Balance, for the purpose of paying debt service on the Town Hall/Center Office renovation project; or take any action in relation thereto.

Sponsor: Finance Director and CPA Committee

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

**RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – This article provides the appropriation to pay the costs (from the Community Preservation Fund) for previously approved debt issuances for the acquisition of open space known as the Heins Farm, OSV parcels, Stallion Hill/Holland Road parcels and the renovation of the Town Hall and Center Office Building.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 15  
REVOLVING FUNDS**

To see if the Town will vote to re-establish the following Revolving Funds as provided for in Massachusetts General Laws, Chapter 44, Section 53E½:

<u>Revolving Fund</u>	<u>Purpose</u>	<u>Funds to be Deposited From</u>	<u>Authorized to Expend</u>	<u>Maximum Expenditure</u>
Recreation	Tennis league, volleyball league, Concerts on the Common, Summer Recreation Program, teen recreation programs and Table Tennis Club	Program fees, donations, gifts, private sponsorship, facilities fees	Recreation Committee	\$20,000.00
HazMat Cleanup	To address hazardous materials spills and provide the Fire Department the means to bill insurance companies and refurbish supplies used in HazMat spills.	Insurance proceeds and other proceeds received by the HazMat Team for services.	Fire Chief	\$10,000.00
Board of Health	Payment for staff required to service large events such as festivals and fairs, initial restaurant consultations and restaurant	Temporary permits and licenses, fines levied by the BOH and fees for initial restaurant consultations, excess food service	Board of Health	\$20,000.00

	inspections beyond two per year, public health inspections, <b>engineering, public health nursing</b> and emergencies.	inspections, <b>beach testing, and fees from complex Title V engineering services.</b>		
BOH: Pay-As-You-Throw Program	All and any costs associated with the planning, promoting or implementing the PAYT Program, or the operational expenses, equipment or supplies of the PAYT Program.	Program fees including, but not limited to, receipts for Program bags, stickers or other fees that may be established from time to time by the Board of Health and donations.	Board of Health	\$10,000.00
Senior Center	Payment to instructors, presenters, service providers, supplies for special programs and repairs.	Program fees, private sponsorship, donations and participation fees	Council on Aging	\$10,000.00
Planning Department	GIS support services	Mapping services	Town Planner	\$10,000.00
Public Lands	Development and implementation of forestry management plans, trail development & maintenance, signage, trail maps, construction of foot bridges, purchase of supplies and development of access for public use, educational purposes and general maintenance of open space parcels owned by the Town.	Forestry management and donations.	Conservation Commission	\$20,000.00
Sturbridge Tourist Association	All and any costs associated with planning, promoting or implementing Sturbridge tourist related events; a portion of the operating costs associated with the Tourist Information Center.	Grants for tourism, revenue generated through tourist events and promotions; program fees and donations.	Sturbridge Tourist Association	\$20,000.00

Or take any action in relation thereto.

Sponsors: Recreation Committee, Fire Department, Board of Health, Council on Aging, Town Planner and Conservation Commission

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*To amend the article by changing the maximum expenditure of the Board of Health Revolving Fund to \$15,000.00 and remove the words “public health nursing” from the Board of Health Revolving Fund purpose, and to otherwise approve the article as written. Voted 5 – 3.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – This article re-establishes and provides spending authority for the Town’s Revolving Funds. The annual accounting and balance of the revolving funds is included as an appendix to the Finance Committee’s Report.*

**VOTE OF THE TOWN MEETING:** There were two substitute motions for the Board of Health Revolving Fund; one by the Board of Selectmen and the other by the Chairman of the Board of Health, Linda Cocalis. Both substitute motions were the same; to approve the article as written. This motion was seconded and the vote of the Town Meeting was to approve the Board of Health Revolving fund at \$20,000 and to approve all other revolving funds as written as declared by the Moderator.

**ARTICLE 16  
STURBRIDGE TOURIST ASSOCIATION**

To see if the Town will transfer and appropriate from the Hotel/Motel Special Account to the Sturbridge Tourist Association Account sum of ONE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED FORTY-NINE AND 06/100 DOLLARS (\$127,649.06) for the following items:

STA Web Site Management	\$ 6,500.00
Welcome Information Center	\$ 17,500.00
Special Events	\$ 5,149.06
Advertising and Marketing	\$ 35,000.00
Sturbridge Anniversary Celebration	\$ 0.00
Route 20 Restrooms	\$ 8,500.00
Community Support	\$ 55,000.00
<b>Total</b>	<b><u>\$ 127,649.06</u></b>

Or take any action in relation thereto.

Sponsor: Sturbridge Tourist Association

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 4 – 1.*

*Summary – The revenues come from a 6% hotel/motel tax which is split with 67.5% going to the General Fund, 16.25% used for funding the Sturbridge Tourist Association and 16.25% used for the Betterment Committee. This budget is for marketing the community for tourism.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 17  
BETTERMENT COMMITTEE**

To see if the Town will vote to transfer and appropriate from the Hotel/Motel Special Account to the Betterment Account the sum of ONE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED FORTY-NINE AND 00/100 DOLLARS (\$127,649.00) for the following items:

1	Landscaping at Senior Center	\$500.00
2	Library Landscaping	\$2,000.00
3	"Gateway" Signage Account	\$500.00
4	Tree Maintenance – Tree Warden	\$5,000.00
5	Town Common and Cemetery Tree Maintenance	\$500.00
6	Public Restroom Maintenance (Rt. 20)	\$5,000.00
7	Sidewalk Maintenance	\$9,000.00
8	Fire Department Maintenance/Repairs/Upgrades/ Needs consistent with items 1-28 of the Fire Dept Management/Operations Study	\$14,595.00
9	Pagers – Fire Dept.	\$2,334.00
10	Portable Suction Unit – Fire Dept.	\$1,060.00
11	Carbon Monoxide Testing Device – Fire Dept.	\$1,200.00
12	Special Event Overtime – Fire Dept.	\$5,000.00
13	Scott Air Pack Bottles (14) – Fire Dept.	\$7,980.00
14	Vehicle Radio Repeaters (7) – Fire Dept.	\$14,779.00
15	Lucas Chest Compression Machine	\$14,000.00
16	Special Event Overtime – Police Dept.	\$10,000.00
17	(2) In-car Cruiser Video Systems	\$10,540.00
18	Handheld GPS Receivers	\$500.00
19	SLAC / Great Ponds Weed & Safety Program Reimbursement	\$5,000.00
20	Pedestrian Safety Signage – Crosswalks	\$3,000.00
21	Cedar Lake Water Treatment	\$1,700.00
22	Swim Buoys – Cedar Lake Recreation Area	\$322.00
23	Benches for Recreation Area	\$2,300.00
24	Lifeguard Chair – Cedar Lake Rec Area	\$1,800.00
25	Umbrella for Lifeguard Chair	\$164.00
26	Skating Rink Replacement Liner	\$475.00
27	Decorations for Town Common	\$1,200.00
28	Trail Apron Paving	\$4,700.00
29	Side Shed Roof – Riverlands Trailhead	\$2,500.00
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	TOTAL	\$127,649.00

Or take any action in relation thereto.

Sponsor: Board of Selectmen

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*To see if the Town will vote to transfer and appropriate from the Hotel/Motel Special Account to the Betterment Account the sum of ONE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED FORTY-NINE AND 00/100 DOLLARS (\$127,649.00) for the following items:*

1	<i>Flower Barrels</i>	<i>\$ 3,000.00</i>
2	<i>Plantings – Bloom Committee</i>	<i>\$ 2,000.00</i>
3	<i>Landscaping at Senior Center</i>	<i>\$ 500.00</i>
4	<i>Library Landscaping</i>	<i>\$ 4,000.00</i>
5	<i>“Gateway” Signage Account</i>	<i>\$ 2,500.00</i>
6	<i>Tree Maintenance – Tree Warden</i>	<i>\$ 7,000.00</i>
7	<i>Town Common &amp; Cemetery Tree Maintenance</i>	<i>\$ 4,000.00</i>
8	<i>Tree Planting Program – Arbor Day</i>	<i>\$ 2,000.00</i>
9	<i>Sidewalk Maintenance</i>	<i>\$ 12,000.00</i>
10	<i>Pagers – Fire Department</i>	<i>\$ 2,334.00</i>
11	<i>Portable Suction Unit – Fire Department</i>	<i>\$ 1,060.00</i>

12	Carbon Monoxide Testing Device – Fire Department	\$ 1,200.00
13	Special Event Overtime – Fire Department	\$ 5,000.00
14	Scott Air Pack Bottles (14) – Fire Department	\$ 7,980.00
15	Vehicle Radio Repeaters – Fire Department	\$ 14,779.00
16	Special Event Overtime – Police Department	\$ 10,000.00
17	(2) In-Car Cruiser Video Systems	\$ 10,540.00
18	Handheld GPS Receivers	\$ 500.00
19	SLAC / Great Ponds Weed & Safety Program Reimb.	\$ 5,000.00
20	Pedestrian Safety Signage - Crosswalks	\$ 3,000.00
21	Cedar Lake Water Treatment	\$ 1,700.00
22	Town Common Summer Concert Series	\$ 4,000.00
23	Swim Buoys – Cedar Lake Recreation Area	\$ 322.00
24	Benches for Recreation Area	\$ 2,300.00
25	Lifeguard Chair – Cedar Lake Recreation Area	\$ 1,800.00
26	Umbrella for Lifeguard Chair	\$ 164.00
27	Skating Rink Replacement Liner	\$ 475.00
28	Pop-Up Tent for Events on Town Common	\$ 580.00
29	Decorations for Town Common	\$ 2,200.00
30	Turner Field / Town Barn Signage	\$ 2,015.00
31	Trail Apron Paving	\$ 4,700.00
32	Side Shed Roof – Riverlands Trailhead	\$ 2,500.00
33	Street Landscaping	\$ 1,500.00
34	Public Restroom Maintenance (Rt. 20)	\$ 5,000.00
	<i>Total</i>	\$ 127,649.00

Or take any action in relation thereto. Voted 8 – 0.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

That the Town vote to approve the article as written. Voted 5 – 0.

*Summary – The revenues come from a 6% hotel/motel tax which is split with 67.5% going to the General Fund, 16.25% used for funding the Sturbridge Tourist Association and 16.25% used for the Betterment Committee. Betterment Committee funds are utilized for public safety, recreation and the beautification of the community.*

**VOTE OF THE TOWN MEETING:** There was a substitute motion made by the Board of Selectmen “To approve the Article as written and placed by the Board of Selectmen”. This motion was seconded and the vote was to defeat the substitute motion. We then returned to the Finance Committee recommendation and the vote of the Town Meeting was to approve the article as written by the Finance Committee as declared by the Moderator.

**ARTICLE 18  
CAPITAL IMPROVEMENT PLAN**

To see if the Town will vote to transfer from free cash and appropriate the sum of ONE HUNDRED FORTY-FIVE THOUSAND NINE HUNDRED SIXTY-EIGHT AND 00/100 DOLLARS (\$145,968.00) to the Capital Improvement Account for the purpose of funding the following items from the capital improvement plan to be undertaken for the Fiscal Year beginning July 1, 2013:

	Dept.	Item Approved	Amount
1	Police	Police Cruiser Radio Repeater System	\$21,192.00
2	DPW	Heavy Duty Four Post Lift	\$29,040.00
3	DPW	Super Duty Two Post Lift	\$ 8,470.00
4	Police	(20) Portable Radios	\$21,700.00
5	DPW	4x4 1-Ton Dump w/Plow	\$48,891.00
6	Fire/Library	A&E for PSC Garage; Library Roof	\$16,675.00
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	<b>TOTAL:</b>		<b>\$145,968.00</b>



Or take any action in relation thereto.

Sponsor: Board of Selectmen

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – This budget funds a portion of the highest rated capital needs of the Town. The Capital Planning Committee uses a ten-factor rating system where each capital request is rated between 0 and 100. The ten factors are: (1) public safety and health, (2) infrastructure needs, (3) quantity of use, (4) efficiency of services, (5) legal requirements, (6) public support, (7) personnel impacts, (8) service impacts, (9) budgetary constraints and (10) administrative needs. The Capital Plan as presented is consistent with the Comprehensive Fiscal Policies presented to the Selectmen and Finance Committee in 2005 to set goals and guidelines. Under this policy, capital expenditures rated as high priorities but costing under \$5,000 are included in department budgets; capital expenditures over \$5,000 and under \$100,000 are included in this article to be funded using free cash; and capital expenditures over \$100,000 are included and recommended as short-term borrowing or raise-and-appropriate articles.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

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**ARTICLE 19  
OPEB TRUST FUND**

To see if the Town will vote to raise and appropriate TEN THOUSAND AND 00/100 DOLLARS (\$10,000.00) to the Other Post-Employment Benefits Liability Trust Fund Account; or take any action in relation thereto.

Sponsor: Finance Director, Town Administrator

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – The Government Accounting Standards Board (GASB) has determined that Other Post-Employment Benefits (OPEB) are part of the compensation that employees earn each year notwithstanding that such benefits are not tendered until after employment has ended. These benefits include health insurance, dental, prescription or other related benefits provided to eligible retirees. GASB-45 mandates that municipalities account for and, eventually, fund these benefits. The fund was established and capitalized with \$100,000 at the 2011 Annual Meeting. In accordance with the Town’s financial policies, an annual contribution of not less than \$10,000 should be allocated to the fund until such time as the actuarially calculated annual contribution of \$1.25 million can be initiated. The Town of Sturbridge remains proactive relative to most other municipalities in addressing this obligation.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

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**ARTICLE 20**  
**STABILIZATION FUND**  
*(2/3 Vote Required)*

To see if the Town will vote to raise and appropriate the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 (\$150,000), or such other sum or sums to be determined, to the Stabilization Fund; or take any action in relation thereto.

Sponsor: Town Administrator

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*Recommendation to be provided at Town Meeting.*

*Summary – The appropriation would bring the Stabilization Fund balance to \$1,405,518. Having cash reserves (general fund + stabilization fund) of 7-10 percent of the annual operating budget is considered to be fiscally responsible by bond rating agencies. In February 2012, Standard & Poor’s confirmed Sturbridge’s “AA” bond rating with a “positive” outlook.*

**VOTE OF THE TOWN MEETING:** There was much discussion on this article. Finally, a motion to move the article was made, seconded, and unanimously carried. The vote of the Town Meeting was to approve the article by far more than the necessary 2/3rds majority as declared by the Moderator.

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**ARTICLE 21**  
**TAX RATE RELIEF**

To see if the Town will vote to authorize the Board of Assessors to use the amount of ONE HUNDRED TWENTY THOUSAND AND 00/100 DOLLARS (\$120,000.00) from free cash to lower the tax rate for the fiscal year beginning on July 1, 2013; or take any action in relation thereto.

Sponsor: Board of Selectmen; Town Administrator

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 9 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – The Town has historically utilized available free cash to reduce the tax rate when finances have allowed.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

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**ARTICLE 22**  
**TRANSFER FROM TAX RATE RELIEF STABILIZATION FUND**  
*(2/3 Vote Required)*

To see if the Town will vote to transfer and authorize the Board of Assessors to use the amount of TWO HUNDRED THOUSAND AND 00/100 DOLLARS (\$200,000.00), and an amount equivalent to the interest accrued to the fund, from the Tax Rate Relief Stabilization

Fund to lower the tax rate for the fiscal year beginning on July 1, 2013; or take any action in relation thereto.

or take any action in relation thereto.

Sponsor: Board of Selectmen

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – This article would transfer \$200,000 originally allocated by the June 2012 Annual Town Meeting for its intended purpose of tax rate relief*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to approve the article as written by the necessary 2/3rds majority as declared by the Moderator.

**ARTICLE 23**

**RESCIND ACCEPTANCE OF MGL c. 90, §22B**

To see if the Town will vote to rescind its acceptance of subsections (b) through (k) inclusive of Section 22B of Chapter 90 of the General Laws, entitled “Abandonment of motor vehicles; penalties; non-criminal proceedings,” as adopted by Article G of the October 19, 2009 Special Town Meeting,

Or take any action relative thereto.

Sponsor: Chief of Police

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

*Summary – This article would rescind a vote taken at the October 19, 2009 Special Town Meeting and would result in the Town ceasing its role as a civil agent and hearing authority with respect to abandoned motor vehicles. Private towing companies would revert to pursuing delinquent customers through a civil process.*

**VOTE OF THE TOWN MEETING:** The vote of the Town Meeting was to overwhelmingly defeat the article as written as declared by the Moderator.

**ARTICLE 24**

**RENEWABLE ENERGY / NET METERING ENERGY AGREEMENT**

To see if the Town will vote to authorize the Board of Selectmen to enter into a single power purchase or net metering credit purchase agreement with Blue Wave Capital LLC for a term of more than twenty years for the purchase of electricity and/or net metering credits on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, with such authority to expire if an agreement is not signed by the Board of Selectmen and Blue Wave Capital LLC by June 30, 2014, and to authorize the Board of Selectmen to take all actions necessary to implement and administer such agreement; or take any action relative thereto.

Sponsor: Town Administrator

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the phrase “for a term of more than twenty years” be removed and replaced with “for a term of three years but not to exceed twenty-five years”, and otherwise approve the article as written. Voted 8 – 1.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*Recommendation to be provided at Town Meeting.*

*Summary – This article would authorize the Board of Selectmen to negotiate a renewable energy purchase agreement for a term exceeding three years. The proposal with Blue Wave would run for 20 years, with an optional addition for 5 years, and reduce the municipal electricity costs per kilowatt hour.*

**VOTE OF THE TOWN MEETING:** After much discussion on this article, a motion was made to move the question which was seconded and unanimously carried. The vote of the Town Meeting was called by the Moderator as approved, but this call was challenged by the Town Clerk. Counters were asked to come forward; they were sworn in by the Town Clerk and the vote of the Town Meeting was to approve the article by a vote of 46 in favor; 40 against.

**ARTICLE 25**

**PAYMENT IN LIEU OF TAXES AGREEMENT**

To see if the Town will vote to approve an Agreement for Payment in Lieu of Taxes (PILOT) pursuant to M.G.L. c. 59, s. 38H (b), or any other enabling authority, between the Town and Blue Wave Capital LLC for a certain sum and term of years for personal property taxes relating to a renewable energy facility to be installed on portion(s) of land located at 1 Hare Road, Sturbridge, and shown on Assessors Map 22, Parcel 1; or take any other action relative thereto.

Sponsor: Town Administrator

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the words “and real estate” be added after the phrase “personal property” and before “taxes relating to”, and otherwise approve the article as written. Voted 7 – 2.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*Recommendation to be provided at Town Meeting.*

*Summary – This article would approve an annual payment-in-lieu-of-taxes agreement for any renewable energy facility developed on the referenced property.*

**VOTE OF THE TOWN MEETING:** There was a substitute motion made by the Board of Selectmen which read, “Move that the Town authorize the Board of Selectmen and the Board of Assessors to negotiate and enter into an agreement for payment-in-lieu-of-taxes (PILOT) pursuant to MGL c. 59, Sec 38H(b), or any other enabling authority, between the Town and Blue Wave Capital, LLC, for a certain sum and term of years for real and personal property taxes relating to a solar renewable energy facility to be installed on portion(s) of land located at 1 Hare Road, Sturbridge, and shown on Assessor’s Map 22, Parcel 1.” This motion was seconded. The vote of the Town Meeting was to approve the article as presented as a substitute motion by the Board of Selectmen as declared by the Moderator.

**ARTICLE 26**

**MOUNTAINBROOK ROAD BETTERMENT PROJECT**

*(2/3 Vote Required)*

To see if the Town will vote to appropriate THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00) to pay costs of laying out and constructing a system of main drains in Mountainbrook Road with such connections and other drains and works as may be required for a system of drainage, storm water treatment and disposal, including the cost of acquiring land or easements for such purpose, and the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is

authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, and that the Board of Selectmen is authorized, pursuant to General Laws, Chapter 83, Sections 14 and 23 and General Laws Chapter 80, to assess proportionately as betterments 100% of the cost to the Town of constructing such system, upon each of those properties that receive benefit thereby, or take any action relative thereto.

Sponsor: Board of Selectmen

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

*That the Town vote to approve the article as written. Voted 8 – 0.*

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

*That the Town vote to approve the article as written. Voted 5 – 0.*

<p><i>Summary – This article would fund drainage improvements in the Mountainbrook Road neighborhood to be totally funded by betterment assessments to the properties that benefit from the project.</i></p>
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**VOTE OF THE TOWN MEETING:** There was much discussion on this article and it was noted that it is a private road. A motion was made to move the question, which was seconded. The vote of the Town Meeting was to approve the article as written as declared by the Moderator by far more than the necessary 2/3rds votes.