

**TOWN OF STURBRIDGE
ANNUAL TOWN MEETING WARRANT**



**TANTASQUA REGIONAL HIGH SCHOOL
MONDAY, JUNE 6, 2016 @ 7:00 P.M.**

**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 relative thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 4 – 0 – 0.

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.

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

**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 2017 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 2017; 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 relative thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 4 – 0 – 0.

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

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

ARTICLE 3

COMMUNITY PRESERVATION- TOWN RECORDS RESTORATION

To see if the Town will vote to appropriate from the Community Preservation Fund Undesignated Fund Balance the sum of TWENTY-FIVE THOUSAND AND 00/100 (\$25,000.00) for the purpose of conservation, rehabilitation and restoration of permanent historic records; or to take any action relative thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

Summary: Funds will be used to continue the process of restoring and preserving “permanent” town records that date back to 1733. Due to the ravages of time, acidic papers, acidic inks, usage, temperature, humidity, UV lights and prior improper storage, our historic records contain broken bindings, loose pages, paper that has become brittle, fading ink, bleeding ink and the presence of adhesives that were used to try and “hold” them together. These records are unique and are permanent links to the past and document and verify the history of the Town of Sturbridge.

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

ARTICLE 4

COMMUNITY PRESERVATION – NORTH CEMETERY

To see if the Town will vote to appropriate from the Community Preservation Fund Undesignated Fund Balance the sum of NINE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$9,500.00) to be allocated for the purpose of conservation, rehabilitation and restoration of the historic North Cemetery and related administrative costs; or take any action relative thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

Summary: These funds will be used to continue conservation and restoration work in the North Cemetery by Fannin-Lehner Preservation Consultants.

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

ARTICLE 5

COMMUNITY PRESERVATION – HISTORIC RESOURCE SURVEY

To see if the Town will vote to appropriate from the Community Preservation Fund Historic Preservation Fund Balance the sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) to be allocated for the purpose of funding the Sturbridge Community Wide Historic Property Survey; or take any action relative thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

Summary: The funds will be used by the Sturbridge Historical Commission to contract professional services to develop an inventory of historic structures and assets of the Town. This survey will work towards meeting a goal of the 2011 Sturbridge Master Plan.

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

ARTICLE 6

COMMUNITY PRESERVATION – TRAIL DEVELOPMENT WORK

To see if the Town will vote to appropriate from the Community Preservation Fund Open Space/Recreation Fund Balance the sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) to be allocated for the purpose of creating and/or restoring trails on the Plimpton Property and other sites in Sturbridge, or take any action relative thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

Summary: These funds will be used by the Sturbridge Trails Committee to start trail work on the Plimpton property, and to continue trail work on other town properties.

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

ARTICLE 7

COMMUNITY PRESERVATION-ADMINISTRATION

To see if the Town will vote to appropriate from the Community Preservation Fund Undesignated Fund Balance the sum of FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.00) to be allocated for the purpose of operating and administrative expenses in FY 2017 for the Community Preservation Committee (CPC); or take any action relative thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

That the Town vote to approve the article as written. Voted: 6 – 0 – 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 brochures and postage relating to locations, features and uses of CPA parcels. Any unused funds appropriated shall revert back to the CPA Undesignated Fund Balance at the close of the fiscal year.

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

ARTICLE 8

ROAD CONSTRUCTION, REPAIRS AND MAINTENANCE

To see if the Town will vote to raise and appropriate FOUR HUNDRED FIFTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$458,000.00) to the Road Construction, Repairs and Maintenance Account in order to fund the road construction, repairs and maintenance of town roads as determined by the DPW Director; 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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: The Town is seeking to adopt a 'best practice' by funding road repair and maintenance through an annual warrant article which does not expire at the end of the Fiscal Year to provide the Department of Public Works with greater flexibility in meeting the needs of the community. Road maintenance was previously included in the DPW operating budget.

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

ARTICLE 9
REVALUATION/INTERIM ADJUSTMENTS

To see if the Town will vote to raise and appropriate FORTY THOUSAND AND 00/100 DOLLARS (\$40,000.00) to the Revaluation/Interim Adjustments Account; 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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: Previously, the Town budgeted for revaluations and interim adjustments in the Assessors' Operating Budget. Funding through a Warrant Article provides for greater flexibility for use of these funds and allows for consistent funding from one year to the next avoiding funding spikes every three years for property revaluation.

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

ARTICLE 10
PUBLIC, EDUCATION AND GOVERNMENT (PEG) ACCESS AND CABLE
RELATED FUND ACCEPTANCE

To see if the town will accept General Laws Chapter 44, Section 53F³/₄, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2017, which begins on July 1, 2016 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 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 4 – 0 – 0.

Summary: A recent change in state law requires communities to establish a PEG Access and Cable Related Fund as a depository account for funds used to support PEG cable programming. Acceptance of this statute will establish the fund in Sturbridge.

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

ARTICLE 11
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, 2016 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, 2016; 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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 4 – 0 – 0.

Summary: This article is for the approval of the Town and School operating budgets for Fiscal Year 2017. The budgets are voted on separately and are categorized using the Uniform Massachusetts Accounting System (UMAS). Sturbridge votes appropriations by line item.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the budgets of the Town and School for FY2017.

ARTICLE 12
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 FOUR HUNDRED SIXTY-SIX THOUSAND EIGHT HUNDRED FIFTY AND 00/100 DOLLARS (\$1,466,850.00), for the expenses of the Water Department as follows:

Contract Operations	\$ 663,653.00
Electricity	\$ 145,000.00
Chemicals, Testing & Propane	\$ 31,809.00
DPW Director	\$ 11,952.00
Meter Maintenance	\$ 10,000.00
Billing Expense	\$ 4,900.00
Legal/Administrative Expense	\$ 5,000.00
Debt Service	\$ 539,146.00
Miscellaneous	\$ 24,690.00
Capital Replacement	\$ 30,700.00
Total:	<hr/> \$ 1,466,850.00 <hr/>

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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This budget represents a slight decrease from last year. If approved, the water rate for FY17 will remain unchanged (\$6.93 per 100 cubic feet).

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

ARTICLE 13
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 SEVEN HUNDRED FORTY-FOUR THOUSAND SIX HUNDRED FORTY-FOUR AND 00/100 DOLLARS (\$2,744,644.00), for the expenses of the Sewer Department as follows:

Contract Operations	\$ 872,672.00
Electricity	\$ 240,000.00
Chemicals, Testing & Diesel	\$ 238,374.00
DPW Director	\$ 11,952.00
Billing Expense	\$ 4,900.00
Legal/Administrative Expense	\$ 5,000.00
Debt Service	\$ 851,526.00
Southbridge Fees	\$ 165,000.00
Liquid Sludge Handling	\$ 245,000.00
Miscellaneous Expenses	\$ 73,450.00
Capital Replacement	\$ 36,770.00
Total:	\$ 2,744,644.00

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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This budget represents a slight increase from last year. If approved, the sewer rate for FY17 will remain unchanged (\$9.82 per 100 cubic feet).

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

ARTICLE 14
PUBLIC ACCESS DEPARTMENT

To see if the Town will vote to appropriate from the PEG Access and Cable Related Fund, the sum of ONE HUNDRED ONE THOUSAND FOUR HUNDRED EIGHTY NINE and 00/100 DOLLARS (\$101,489.00) for the expenses of Public Access as follows:

Salaries/Wages	\$	65,089.00
Employee Benefits	\$	16,000.00
Operating Expenses	\$	12,000.00
Equipment	\$	8,400.00
Total	\$	<u>101,489.00</u>

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 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This proposed budget provides for the operations of the Town's cable access service in accordance with the acceptance of the state law in Article 10. Funds for this article are provided via a surcharge on each cable bill.

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

ARTICLE 15
SEWER PROJECT DEBT

To see if the Town will vote to transfer the sum of:

- TWO HUNDRED SIX THOUSAND FIVE HUNDRED SIXTY-NINE AND 00/100 DOLLARS (\$206,569.00) from the F/B Reserved for Sewer Betterments to the Phase II Sewer Debt Account #28440-59100;
- TWO HUNDRED SIXTY-SEVEN THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS (\$267,350.00) from the F/B Reserved for Sewer Betterments to the Phase III Sewer Debt Account #28440-59300;
- ONE HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED TWENTY-EIGHT AND 00/100 DOLLARS (\$113,828.00) from the F/B Reserved for Sewer Betterments to the Cedar Lake Sewer Debt Account #28440-59200;
- ONE HUNDRED FIFTY-SIX THOUSAND THREE HUNDRED THIRTY-EIGHT AND 00/100 DOLLARS (\$156,338.00) from the F/B Reserved for Sewer Betterments to the Big Alum Sewer Debt Account #28440-59220; and
- FIFTY-NINE THOUSAND FIVE HUNDRED THIRTY-EIGHT AND 00/100 DOLLARS (\$59,538.00) from the F/B Reserved for Sewer Betterments to the Woodside/Westwood Sewer Debt Account #28440-59230;

for the purpose of paying the debt service due on these sewer projects for FY17, or take any action relative thereto.

Sponsor: Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 5 – 0 – 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. However, it was not unanimous.

ARTICLE 16
COMMUNITY PRESERVATION DEBT SERVICE

To see if the Town will vote to transfer from the Community Preservation Fund – Undesignated Fund Balance, the sum of:

- EIGHTY-SEVEN THOUSAND EIGHT HUNDRED EIGHTY-ONE AND 00/100 DOLLARS (\$87,881.00) for the purpose of paying the debt service for the OSV Land Acquisition;
- FIFTY-ONE THOUSAND TWO HUNDRED FIFTY-FOUR AND 00/100 DOLLARS (\$51,254.00) for the purpose of paying the debt service for the Heins Farm Acquisition;
- ONE HUNDRED FIFTEEN THOUSAND FOUR HUNDRED EIGHTY-TWO AND 00/100 DOLLARS (\$115,482.00) for the purpose of paying the debt service for the Town Hall/Center Office renovation project;
- ONE HUNDRED TWO THOUSAND AND 00/100 DOLLARS (\$102,000.00) for the purpose of paying the debt service for the Stallion Hill/Holland Road Land Acquisition;

or take any action relative thereto.

Sponsor: Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This article provides the appropriation to pay the costs 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 unanimous in approving the article as written as declared by the Moderator.

ARTICLE 17
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; or to take any action relative thereto.

<u>Revolving Fund</u>	<u>Purpose</u>	<u>Funds to be Deposited From</u>	<u>Authorized to Expend</u>	<u>Maximum Expenditure</u>
Recreation	Costs associated with recreational programs, activities and facilities improvements.	Program fees, donations, gifts, private sponsorship, facilities fees	Recreation Committee	\$30,000.00
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	<u>\$20,000.00</u>
Board of Health	Payment for clerical support and staff required to service large events such as festivals and fairs, initial restaurant consultations and restaurant inspections beyond two per year, public health inspections, engineering, public health nursing and emergencies.	Temporary permits and licenses, fines levied by the BOH and fees for initial restaurant consultations, excess food service inspections, beach testing, and fees from complex Title 5 engineering services.	Board of Health	\$20,000.00
BOH: Pay-As-You-Throw Program	Any and all 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	\$20,000.00
Senior Center	Payment to instructors, presenters, service	Program fees, private sponsorship, donations and	Council on Aging	\$10,000.00

	providers, supplies for special programs and repairs.	participation fees		
Planning Department	Payment for any and all costs associated with the Town's Geographic Information System including the acquisition of software, hardware and maintenance of same and supplies, data and the development and/or conversion of data including the costs of consultant services to develop GIS related products for the town, or other related expenses.	GIS support services including fees collected for the development and printing of maps and other GIS data requests	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 relative thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 5 – 0 – 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. One change to note is for the HazMat Cleanup which has increased from \$10,000 to \$20,000.

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

ARTICLE 18
STURBRIDGE TOURIST ASSOCIATION

To see if the Town will transfer and appropriate from the Hotel/Motel Special Account to the Sturbridge Tourist Association Account the sum of ONE HUNDRED FIFTY-ONE THOUSAND SEVEN HUNDRED EIGHTY-TWO AND 00/100 DOLLARS (\$151,782.00) for the following items:

Welcome Information Center	\$ 8,000.00
Community Support & Special Events	\$ 30,000.00
Advertising and Promotion	\$ 76,000.00
Route 20 Restrooms	\$ 5,000.00
Economic Development/Tourism Coordinator	\$ 32,782.00
Total	\$ 151,782.00

or to take any action relative thereto.

Sponsor: Board of Selectmen/Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 5 – 0 – 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. This budget is for marketing the community for tourism. The proposed STA budget funds a new Economic Development/Tourism Coordinator position.

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

ARTICLE 19
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 FIFTY-ONE THOUSAND SEVEN HUNDRED EIGHTY-TWO AND 00/100 DOLLARS (\$151,782.00) for the following items:

Flower Barrels	\$ 2,200.00
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Plantings (Bloom Committee)	\$ 450.00
Beautification of Senior Center and/or Grounds	\$ 1,000.00
Beautification Joshua Hyde Library	\$ 2,500.00
Wayfinding Streetscape Improvements	\$20,000.00
Beautification at Town Hall/Center Office Bldgs.	\$ 2,500.00
Tree Maintenance (town-wide)	\$ 7,000.00
Town Common Tree Maintenance	\$ 4,000.00
Tree Planting - Arbor Day Program	\$ 1,300.00
Main Street Tree and Park Maintenance	\$ 1,162.00
Public Restroom Maintenance (Route 20)	\$ 2,500.00
DPW – Sidewalk Maintenance	\$10,000.00
Fire Dept. Special Event Overtime	\$ 5,000.00
Fire Dept. Portable Two-Way Radios	\$31,000.00
Police Dept. Special Event Overtime	\$10,000.00
Police Dept. Blauer 4 Season Jackets	\$10,450.00
Police Dept. Nighttime Optical	
Thermal Imaging Cameras	\$19,975.00
Police Dept. Community Policing Items	\$ 1,000.00
Cedar Lake (Town Beach) Water Treatment	\$ 1,750.00
Town Common Summer Concert Series	\$ 4,000.00
SLAC / Great Ponds Weed & Safety Program	\$ 5,000.00
Decorations for Town Common	\$ 3,550.00
Recreation Volleyball Net	\$ 665.00
Recreation Portable Event Posts	\$ 214.00
Recreation PA System	\$ 1,394.00
Recreation Picnic Tables and Benches	\$ 2,600.00
Recreation Swim Buoys and Rope	\$ 572.00

TOTAL	\$151,782.00

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 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 5 – 0 – 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: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 20
CAPITAL IMPROVEMENT PLAN

To see if the Town will vote to transfer from Free Cash and appropriate the sum of FOUR HUNDRED FORTY-EIGHT THOUSAND SEVEN HUNDRED SIXTY-SEVEN AND 00/100 DOLLARS (\$448,767.00) to the Capital Improvement Account for the purpose of funding the following items, including the payment of all costs incidental and related thereto,

from the Capital Improvement Plan to be undertaken for the Fiscal Year beginning July 1, 2016:

<u>Department</u>	<u>Item Approved</u>	<u>Amount</u>
Fire	(12) Self-Contained Breathing Apparatus	\$ 85,000.00
Senior Center	Re-paving Senior Center Parking Lot	\$ 52,920.00
Fire	Multi-Purpose Utility Vehicle	\$ 35,000.00
Library	HVAC Study and Replacement Plan	\$ 25,000.00
DPW	11 Ft. One-Way Snow Plow	\$ 10,647.00
Public Safety Complex	Dispatch Equipment Lightning Protection	\$ 16,000.00
DPW	10 Ft. Hydraulic Sander	\$ 17,400.00
Public Safety Complex	Replacement Windows	\$ 25,000.00
Various Departments	Inspectional Services Vehicle	\$ 30,000.00
Public Safety Complex	Parking Lot Renovations (2-Year Project)	\$ 45,000.00
Fire	Multi-Purpose Utility Vehicle (Pick-up)	\$ 43,000.00
Public Safety Complex	Security Access System	\$ 32,000.00
Library	Painting Cupola and Exterior Trim	\$ 18,000.00
Police	Rifle Sights, Lights and Mounts, Single Sling Carry Mount Stocks	\$ 13,800.00

TOTAL:		\$448,767.00

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 – 0 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This budget funds a portion of the highest rated capital needs of the Town. The Town 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 approved by the Selectmen and Finance Committee. 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 unanimous in approving the article as written as declared by the Moderator.

ARTICLE 21

BETTERMENT PAYOFFS – DISSOLVING OF BETTERMENT

To see if the Town will vote to transfer the sum of SEVEN HUNDRED FIFTY AND 00/100 DOLLARS (\$750.00) from the F/B Reserved for Sewer Betterments for the purpose of paying recording fees to the Registry of Deeds; 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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This article will provide funding in order to dissolve betterment liens for the Phase III Sewer Project by paying the associated fees to the Worcester District Registry of Deeds. In FY17 there are ten (10) betterment liens that need to be released (dissolved).

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

ARTICLE 22
AMBULANCE STABILIZATION FUND
(2/3 Vote Required)

To see if the Town will vote to raise and appropriate SIXTY THOUSAND AND 00/100 DOLLARS (\$60,000.00) to the Ambulance Stabilization Fund for the purpose of reserving funds for the future purchase of an ambulance; 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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: Each year, the Town sets aside a sum of money to assist the Town in replacing its ambulances on a seven year schedule. These funds will be set aside until a new ambulance is purchased. If approved, the approximate balance in the Ambulance Stabilization fund will be \$74,320.

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

ARTICLE 23
OPEB TRUST FUND

To see if the Town will vote to raise and appropriate ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) to the Other Post-Employment Benefits Liability Trust Fund Account; 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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 5 – 0 – 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, 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 \$1.7 million can be initiated. The Town of Sturbridge remains proactive relative to other municipalities in addressing this obligation. If approved Sturbridge will have roughly \$451,000 in the fund.

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

ARTICLE 24
TAX RATE RELIEF

To see if the Town will vote to authorize the Board of Assessors to use the amount of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) from Free Cash to lower the tax rate for the fiscal year beginning on July 1, 2016; 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: 7 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 5 – 0 – 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 unanimous in approving the article as written as declared by the Moderator.

ARTICLE 25
ACCEPTANCE OF M.G.L. CHAPTER 41, SECTION 108P

To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 41, Section 108P, and transfer the sum of ONE THOUSAND AND 00/100 DOLLARS (\$1,000.00) from Free Cash to fund the additional compensation for the Town Treasurer/Collector provided for under this provision for Fiscal Year 2017; or take any action relative thereto.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted: 5 – 1 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: By accepting this article, the Treasurer/Collector will be given an annual stipend of \$1,000 for having completed the necessary courses and attaining certification by the Massachusetts Collectors and Treasurers Association. Our current Treasurer/Collector has held this designation for many years.

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

ARTICLE 26
TOWN BARN FIELD PROJECT
(2/3rd vote required)

To see if the Town will appropriate the sum of SIX MILLION THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$6,300,000) to pay costs of designing, reconstructing and equipping Town Barn Field, including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, borrowing, transfer from available funds, or otherwise provided, or take any action relative thereto.

Sponsor: Recreation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted: 3 – 1 – 1.

The town is currently considering or studying the following capital expenditures: Route 15 sewer extension; the Safety Complex Feasibility Study; the Senior Center Feasibility Study; use of 8 Brookfield Road building; purchase of a new ladder truck; DPW Building Feasibility Study, in addition to the Town Barn Field Project. The Finance Committee believes it is in the best interest of the Town to obtain the proposed costs for all these projects, and to weigh them together rather than consider them individually.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation not provided. Voted: 2 – 2 – 1.

Summary: This project would create two new fields, a basketball court, bocce court, and playground area. These areas would be town-owned land behind the Department of Public Works. To pay for this construction, the Town would borrow \$5.3 million dollars, subject to a Proposition 2 ½ debt exclusion vote; and the Community Preservation Committee would contribute \$1.0 million in borrowed CPA funds.

VOTE OF THE TOWN MEETING: The Finance Committee recommended that no action be taken on this article. However, there was a substitute motion made by the Recreation Committee that read: “That the Town appropriates the sum of SIX MILLION THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$6,300,000.00) to pay costs of designing, reconstructing and equipping Town Barn Field, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow FIVE MILLION THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$5,300,000.00) of this amount under and pursuant to Chapter 44, Section 7(25) of the General Laws, or any other enabling authority and ONE MILLION AND 00/100 DOLLARS (\$1,000,000.00) of this amount under and pursuant to Chapter 44B (the Community Preservation Act) of the General Laws, and to issue bonds or notes of the Town therefor. The amount authorized to be borrowed by this vote shall be reduced to the extent of any grants or gifts received by the Town on account of this project.

No funds shall be borrowed or expended pursuant to this vote unless the Town shall have voted to exclude the amounts required to repay any borrowing hereunder from the provisions of proposition two and one-half. This motion was seconded and lengthy discussion ensued. After almost an hour of discussion, the meeting was prepared to vote. The vote of the Town Meeting was 90 in favor and 67 against. The article needed 2/3rd vote to succeed, but it was defeated. We then returned to the Finance Committee's recommendation that no action be taken on this article.

ARTICLE 27
POLICE BOAT

To see if the Town will vote to appropriate the sum of TWENTY-THREE THOUSAND ONE HUNDRED FIFTY-THREE AND 00/100 DOLLARS (\$23,153.00) from the Municipal Waterways Improvement and Maintenance Fund – Account #29600 for the purchase of a police patrol boat; or take any action relative thereto.

Sponsor: Police Chief

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This will replace the 2003 Jet Ski with a new patrol boat to conduct enforcement activities, safety checks and potential water rescue operations upon the local waterways.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator. However, it was not unanimous.

ARTICLE 28
OPEN SPACE TRAIL GUIDE

To see if the Town will vote to transfer the sum of FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00) from Free Cash for the costs of printing a Guide to Open Space Trails; or take any action relative thereto.

Sponsor: Trails Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted: 3 – 2 – 1.

The Finance Committee disagrees overall with regard to the cost, number of copies and overall utilization of the proposed guide. Additionally, other funding sources, such as Betterment or CPA funds, would be better suited for this cost.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: The Trails Committee is seeking to create an 8.5"x11" trail guide. This article would fund 50% of the cost to print 7,000 copies; the Sturbridge Tourist Association would fund the remaining 50% of the printing cost.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was that the Town take no action on this article.

ARTICLE 29
PUBLIC SAFETY BUILDING FEASIBILITY STUDY

To see if the Town will vote to transfer the sum of FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$45,000.00) from Free Cash to the Capital Improvement Account for a feasibility study for the Public Safety Complex; 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 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This appropriation will be used to have engineers review the public safety building with the following scope of services: architectural, structural, civil and mechanical, electrical and plumbing evaluation of the building, as well as the site, space planning and future needs analysis. The study will also identify and test for potentially hazardous materials.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator. It was, however, not unanimous.

ARTICLE 30
PUBLIC WORKS BUILDING FEASIBILITY STUDY

To see if the Town will vote to transfer the sum of FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$45,000.00) from Free Cash to the Capital Improvement Account for a feasibility study for the Public Works Building; 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: 4 – 1 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 4 – 1 – 0.

Summary: This appropriation will be used to have engineers review the DPW building with the following scope of services: architectural, structural, civil and mechanical, electrical and plumbing evaluation of the building, as well as the site, space planning and future needs analysis. The study will also identify and test for potentially hazardous materials.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator. It was, however, not unanimous.

ARTICLE 31
ZONING BYLAW – TELECOMMUNICATIONS
(2/3rd vote required)

To see if the Town will vote to amend Chapter Twelve – Wireless Communications Facilities District by deleting the strikethrough language below and inserting the new underlined language below or take any action relative thereto:

CHAPTER TWELVE

WIRELESS COMMUNICATIONS FACILITIES ~~DISTRICT~~

{Adopted 12-10-97; Article 74}

12.01 PURPOSE

The purpose of this section is to establish a bylaw which regulates wireless communication facilities such that these services may be provided with minimal harm to the public health, safety and general welfare. This bylaw has been created to:

- (a) Protect the general public from hazards associated with wireless communication facilities.
- (b) Minimize visual impacts from wireless communication facilities.
- (c) Prevent adverse impact on local property values.
- (d) Enable the responsible deployment of wireless communication facilities in the Town to promote public safety and quality of life.

This section does not apply to satellite dishes and antennas for residential use.

12.02 DEFINITIONS

Antenna – The ~~device surface~~ from which wireless radio signals are sent and received through the air. ~~By a personal wireless service facility.~~

Average Tree Canopy Elevation – The average elevation of dominant-height treetops within the fallzone of the tower.

~~Camouflaged – A personal wireless facility that is disguised, hidden, part of an existing or proposed structure or placed within an existing or proposed structure is considered “camouflaged”.~~

Camouflage – The use of structure, materials, coloration and/or shapes to disguise, hide or render unremarkable the appearance of a wireless communication facility and/or its components.

Carrier – A company that provides ~~Personal W~~wireless ~~S~~services.

~~Co-location – The use of a single mount on the ground by more than one carrier (vertical co-location) and/or several mounts on an existing building or structure by more than one carrier.~~

Elevation- The measurement of height above sea level. ~~The height above sea level of a specified point on the ground or above ground.~~

Equipment Shelter – ~~An enclosed structure, cabinet shed or box at the base of the mount within which are housed batteries and electrical equipment. A structure that encloses wireless communication equipment and that can be entered by an individual. This does not include freestanding outdoor equipment cabinets which are serviced from outside the cabinet.~~

Fall Zone – A 360° radius on the ground equal to 120% of the height of a facility measured from ground level at the base of the facility. The fall zone is the area within which there is a potential hazard from falling debris (such as ice) or collapsing material. ~~Therefore, no property lines, roads, habitable dwellings, business or institutional uses, or public recreation facilities shall be located within the Fall Zone.~~

Functionally Equivalent Services – ~~Cellular, Personal Communication Services (PCS), Enhanced Specialized Mobile Radio, Specialized Mobile Radio and Paging.~~

Dominant Height Treetops - The highest elevation treetop within a defined area together with treetops in that same area whose elevation is no more than [fifteen] feet lower than the highest treetop.

Lattice Tower – A tower with three or more legs consisting of an open frame truss configuration.

Monopole – ~~The type of mount that is self supporting with a single shaft of wood, steel or concrete and a platform (or racks) for panel antennas arrayed at the top.~~ A self-supporting tower consisting of structurally suitable materials used to support antennas and related equipment.

Mount – The structure or surface upon which antennas are mounted, including ~~the following four types of mounts:~~

1. ~~Roof Mounted: Mounted on the roof of a building.~~
2. ~~Side Mounted: Mounted on the side of a building.~~
3. ~~Ground Mounted: Mounted on the ground.~~
4. ~~Structure mounted: Mounted on a structure other than a building.~~

A tower attached to the ground or a rooftop, a frame attached to the top or side of a building or other structure, or a camouflage structure such as a faux rooftop chimney.

Omni directional (whip) antenna – ~~A thin rod that beams and receives a signal in all directions.~~

Panel Antenna – ~~A flat surface antenna usually developed in multiples.~~

Personal Wireless Services – Those telecommunications services defined in the Telecommunications Act of 1996, Section 704.

Radio Frequency (RF) Engineer – ~~A registered engineer specializing in electrical or microwave engineering, especially the study of radio frequencies. An individual qualified by training and experience to design and evaluate radio frequency communications systems.~~

Radio Frequency Radiation (RFR) – ~~The emissions from wireless communication facilities.~~

Radio Frequency Energy (RFE) – Electromagnetic energy emitted by radio transmission equipment and other sources.

Security Barrier – A locked, impenetrable wall or fence that completely seals an area from unauthorized entry or trespass. ~~This area shall include the base of the structure, all equipment shelters and the outreach of all antennas and panels so as to prevent falling ice, etc., from harming someone below.~~

Separation ~~The distance between one carrier’s array of antennas and another carrier’s array.~~

Site-Sharing (also Site-Share) – The use of a single mount or structure by more than one carrier to confine the impact of multiple facilities to one site.

Tower – a structure built and used primarily for the purpose of supporting antennas and related components that is at least 35 feet from its base to its top or the top of its highest appurtenance, whichever is higher,, if mounted on the ground, and at least 12 feet from its base to its top or the top of its highest appurtenance, whichever is higher, if mounted on the roof or side of a building.

Wireless Communication Facility – ~~Any and all materials, equipment, storage structures, monopoles, towers, satellite dishes and/or antennae intended for transmitting or receiving telecommunications services, equivalent to Personal Wireless Service Facility as defined by the Telecommunications Act.~~ The assembly of any and all materials, equipment, equipment shelters, towers, mounts, antennas and cabling intended for transmitting or receiving Personal Wireless Services

Wireless Communication Overlay District – All land as portrayed on the Sturbridge Wireless Communication Overlay District Map, ~~dated 11/26/97~~ an overlay map to the official Sturbridge Zoning Map. As an overlay district, all requirements of the underlying zoning district shall remain in full force and effect, except as may be specifically superseded per the Wireless Communication ~~Telecommunication~~ Facilities Bylaw.

12.03 USE REGULATIONS

No ~~w~~Wireless Communication Facility shall be placed, constructed or modified except as set forth below:

- (a) Mounts Attached to Existing Buildings or Structures
 - (1) ~~A wireless communication component may be located on an existing facility or structure, provided that Site Plan Approval is obtained under Chapter Twenty-Five, provided the new component shall not increase the height of the existing structure and provided that the component complies with all of the conditions set forth under this Wireless Communication Facilities Bylaw.~~ Pursuant to site plan approval obtained in accordance with these Bylaws, a wireless communication facility may employ an existing building or structure, provided that the mount shall not increase the height of the existing structure;
 - (2) Pursuant to site plan approval and a special permit granted by the Planning Board in accordance with these Bylaws, a mount attached to a building or structure (other than a tower) may extend above the height of that building or structure if the Planning Board finds that the mount is appropriately camouflaged and/or screened from view, or the mount is otherwise compatible with the context of the site on which it is located; provided that no such mount may extend more than 12 feet

~~above the building or structure. Unless that structure is non residential in use in which case the new Mount shall not increase the height of the existing structure, other than a Towner, by more than 12 feet regardless of the height limit in the underlying district, and provided that the Wireless Communication Facility complies with all of the conditions set forth under this Wireless Communication Facilities Bylaw.~~

(b) Mounts of Any Type within the Tree Canopy

- (1) ~~A new wireless communication facility, which may extend up to 15 feet in height above the average tree canopy elevation, may be located in the following Zoning Districts: Commercial, Commercial II, Commercial/Tourist, Special Use, General Industrial and Industrial Park, pursuant to a special permit and site plan approval issued by the Planning Board in accordance with these Bylaws. is issued by the Zoning Board of Appeals under Section 24.09, provided that Site Plan Approval is granted under Chapter Twenty Five and provided that all of the conditions set forth under this Wireless Communication Facility Bylaw are satisfied, except that such a facility shall not be located in a local, State or National Historic District.~~
- (2) A new wireless communication facility, which ranges from which may extend up to 15 feet in height above the average tree canopy elevation, may be located in a Residential District pursuant to a special permit and site plan approval issued by the Planning Board in accordance with these Bylaws, provided the Planning Board finds that the applicant has exhausted all reasonable alternatives for placing the facility in a non-residential district and provided that any Wireless Communication Facility placed in a residential district shall not present a dominant visual feature to residential users within the district, and may utilize significant wooded isolation, topographical isolation and/or or camouflage consistent with its surroundings, as determined acceptable by the Planning Board, to achieve this result. Height up to 130 feet in height from grade may be located in the Wireless Communication Overlay District only upon the issuance of a Special Permit by the Zoning Board of Appeals pursuant to Section 24.09 and provided that Site Plan Approval is granted under Chapter Twenty Five and provided that all of the conditions set forth under this Wireless Communication Facility Bylaw are satisfied.

Any new wireless communication facility located under this section shall be camouflaged in a manner that is compatible with its surroundings as determined by the Planning Board with reference to visual impact analysis and simulations.

- (c) A new wireless communication facility up to 130 feet in height from grade may be located in the Wireless Communication Overlay District pursuant to a special permit and site plan approval issued by the Planning Board in accordance with these Bylaws. Located under Section 12.03(b) shall be a "tree tower" (i.e. simulated tree). A free standing monopole without camouflage may be allowed, at the Planning Board's discretion, in the Overlay District under this section.
- (d) No Wireless Communication Facility shall be located in a local, State or National Historic District unless the Planning Board finds that the Wireless Communication Facility: (1) is hidden or otherwise camouflaged to the satisfaction of the Planning Board; (2) cannot be located outside such district; and (3) is demonstrated to be compliant with the National Historic Preservation Act.

- (e) ~~Any new wireless communication facility located under Section 12.03 (b) shall be a “tree tower” (i.e. simulated tree.. A free standing monopoles shall be allowed in the Overlay District under Section 12.03 (c)).~~ New lattice style towers are not allowed in any district, unless the Planning Board makes a finding that the benefit of employing a particular such tower outweighs the detriments to the community.
- (f) Whenever feasible, wireless communication facilities shall be located on existing structures, including but not limited to buildings, water towers, existing telecommunication facilities, utility and light poles and towers, and related facilities, provided that such installation preserves the character and integrity of those structures. In particular, applicants are urged to consider use of existing telephone and electric utility structures as sites for one or more wireless communication facilities. The applicant shall have the burden of proving that there are no feasible existing structures upon which to locate.
- (g) Site-Sharing – Carriers shall share Wireless Communication Facilities and sites where feasible and appropriate, thereby reducing the number of stand-alone facilities. All applicants for a special permit for a wireless communication facility shall demonstrate a good faith effort to site-share with other carriers. In determining whether site-sharing is appropriate, the Planning Board may consider whether the addition of a Wireless Communication Facility to a site with existing facilities may be more detrimental due to the density of use than beneficial due to reduction of multiple facility sites. In the event an applicant determines that site-sharing is not feasible, it shall submit a written statement of the reasons for the infeasibility to the permit granting authority in sufficient detail to allow the permit granting authority to properly assess such feasibility.
- ~~Co-Location— Licensed carriers shall share wireless communication facilities and sites where feasible and appropriate, thereby reducing the number of wireless communication facilities that are stand-alone facilities. All applicants for a Special Permit for a wireless communication facility shall demonstrate a good faith effort to co-locate with other carriers. Such good faith effort includes:~~
- ~~(A) A survey of all existing structures that may be feasible sites for co-locating wireless communication facilities;~~
- ~~(B) Contact with all other licensed carriers for commercial mobile radio services operating in the County; and~~
- ~~©— Sharing information necessary to determine if co-location is feasible under the design configuration most accommodating to co-location.~~
- ~~In the event that co-location is found not to be feasible, a written statement of the reasons for the unfeasibility shall be submitted to the Town.~~
- (h) Average Tree Canopy Elevation Waiver – In the event that the Planning Board finds that application of the Average Tree Canopy Elevation requirement is impracticable because there exists no alternative site at which a Wireless Communication Facility can be located to provide service in compliance with such requirement, the Planning Board may, at its discretion,

grant a waiver to such requirement. The waiver may allow a Wireless Communication Facility to extend up to 130 feet in Height, subject to all other applicable site plan approval and Special Permit criteria in these Bylaws. To grant an Average Tree Canopy Elevation waiver, the Planning Board must also find that there are no alternative locations, including other parcels, where the grant of an Average Tree Canopy Elevation Waiver would result in an outcome substantially more in keeping with the intent and purpose of the Bylaw than at the proposed location.

- (i) The Town may retain a technical expert in the field of RF engineering to peer-review the applicant's claims and submittals and to provide advice on the need for the proposed facility and on any potential alternatives. Verify if co-location at the site is not feasible or is feasible given the design configuration most accommodating to co-location. The cost for such a technical expert will be borne by the applicant. ~~The Town may deny a Special Permit to an applicant that has not demonstrated a good faith effort to provide for co-location.~~

- (j) In no case shall any facility of Type 12.03© above be located closer than one (1) mile to any other such facility unless the Planning Board makes a finding that Site-Sharing on such facilities is infeasible or does not address the coverage objective of the applicant.

- (k) All facilities shall be designed to be constructed at the minimum height necessary to accommodate the anticipated and future use. ~~In no case shall a facility exceed fifteen feet (15') above the average tree canopy, as determined by the Tree Warden, unless approved and located within a Wireless Communications Overlay District, in which case the facility shall not exceed one hundred and thirty feet (130') in height as measured from ground level at the base of the facility.~~

- (l) In order to ensure public safety, the minimum distance from the base of any ground-mounted facility to any property line, road, habitable dwelling, business or institutional use, or public recreational areas shall be 120% of the height of the facility, inclusive of any appurtenant devices. A fall zone shall be maintained around the facility as per the definition.

- (m) ~~Facilities~~ Wireless Communication Facilities shall be painted or otherwise screened or camouflaged to minimize their visibility to abutters, adjacent streets and residential neighborhoods. ~~Wireless communication facilities equipment and fixtures visible against the sky or other background shall be colored to minimize visibility against such background. A different coloring scheme shall be used to blend the facility with the landscape below and above the tree or building line.~~ Existing on-site vegetation shall be preserved to the maximum extent practicable for screening purposes. All Towers and Mounts shall be positioned and designed to minimize their visibility to residential abutters, adjacent streets and residential neighborhoods

~~(n) Antennas or dishes located on any structure shall not exceed ten (10) feet above the level of its attachment to the structure. Such attachments shall be colored, molded and/or installed to blend into the structure and/or the landscape~~

- (n) Equipment Shelters – Equipment shelters for wireless communication facilities shall be designed consistent with their surroundings as determined by the context of their location, such as by requiring traditional colonial Sturbridge architectural styles and materials, with a pitched roof and wood clapboard or shingle siding or commercial or industrial styling where consistent with surrounding development; and/or screened by an effective year-round landscape buffer and/or natural fence, equal to the height of the proposed building or equipment compound and/or wooden fence, one of the following design standards: Equipment shelter shall be located in underground vaults; Equipment shelter shall be designed consistent with traditional colonial Sturbridge architectural styles and materials, with a pitched roof and wood clapboard or shingle siding; or Equipment shelters shall be camouflaged behind an effective year-round landscape buffer, equal to the height of the proposed building, and/or wooden fence.
- (o) Lighting shall be limited to minimal security lighting and that required by the Federal Aviation Administration (FAA) only. The Planning Board may require an applicant to consider alternatives that do not require FAA navigation lighting or painting.
- (p) There shall be at least one parking space at each facility, to be used in connection with the maintenance of the facility and the site, and not to be used for storage of vehicles or other items.
- (q) All outdoor wireless communication facilities and related equipment shall be surrounded by a security barrier. ~~All ground-mounted wireless communication facilities and related equipment shall be surrounded by a security barrier.~~
- (r) No signage of any kind, including carrier identification signs, shall be mounted on telecommunications towers except signs less than 10 feet above ground that identify the tower, its owner, its emergency contact number and other relevant information and hazard communication signs. **{Amended 4-26-99; Article 28}**

12.04 SAFETY STANDARDS

- (a) ~~All equipment proposed for a wireless communication facility shall be authorized per the FCC *Guidelines for Evaluating the Environmental Effects of Radio Frequency Radiation*. Applicants shall demonstrate their facilities are designed to operate in compliance with applicable federal and state requirements regarding human exposure to RFE (ref. 47 CFR 1.1307 et seq. and 105 CMR 122) and shall maintain compliance at all times.~~

- (b) ~~(b) No hazardous wastes shall be discharged on the site of any wireless communication facility. If any hazardous materials are to be used on site, there shall be provisions for full containment of such materials. An enclosed containment area shall be provided with a sealed floor, designed to contain at least 110% of the volume of the hazardous materials stored or used on the site. Applicants shall demonstrate compliance with National Environmental Policy Act and local environmental requirements.~~
- (c) ~~Ground mounted equipment for wireless communication facilities shall not generate noise in excess of 50 Db at the property line. If there is a question as to the noise levels being generated, the Town may hire an acoustical engineer to verify noise levels at the carrier's expense. Equipment shelters and outdoor equipment for wireless communication facilities shall together not generate noise in excess of 50 Dba L_{eq} at the property line. Applicants must include a demonstration of how a proposed facility or modification, together with all existing facilities at the site, will comply with this requirement. The Town may hire an acoustical engineer to verify noise levels at the carrier's expense.~~

12.05 PROCEDURE

In addition to the usual procedures and information required to file for a Special Permit under Section 24.09 of this bylaw, the following shall also be required:

- (12) ~~A report prepared by one or more registered professional suitably qualified RF Engineers providing the following information: who specializes in radio frequency engineering certifying that the proposed wireless communication equipment shall be installed, erected, maintained and used in compliance with all applicable Federal, State and local regulations, including, but not limited to: the radio frequency emissions regulations set forth in the 1996 Federal Communications Act, applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health:~~
- 1) ~~demonstration that the proposed wireless communication equipment shall be installed, erected, maintained and used in compliance with all applicable Federal, State and local regulations, including, but not limited to: the radio frequency emissions regulations established by the FCC, applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.~~
 - 2) A description of the facility and the technical and other reasons for the proposed location, height and design, including reasons for not co-locating on other existing facilities or structures.
 - 3) A description of the capacity of the facility including total the number and type of panels, antenna, other Carriers' facilities, and related gear that it can accommodate. And the number of Carriers' facilities in total that are anticipated to be able to Site Share. ~~/or transmitter receivers that it can accommodate and the type(s) of Functionally Equivalent Services that are being utilized at the facility.~~

(b) A locus plan at a scale of 1" = 200' or other such scale as appropriate to the context of the parcel, which shall show all property lines, which shall show all property lines, the exact location of the proposed facilities, streets, landscape features, and all buildings within five-hundred (500) feet of the facility shall be submitted.

© A color photograph or rendition of the facility with its antennas and/or panels at the proposed site.

(d) A view test to be conducted utilizing balloons or other means to document the extent of visual impact. ~~The Zoning Board of Appeals and Planning Board are to be notified at least 72 hours prior to the testing date. The Planning Board may require the applicant to conduct a publicly noticed balloon test during the conduct of the public hearing.~~

Photographs and photosimulations of the view test showing the impact of the proposed facility on abutting streets, adjacent property owners and residential neighborhoods shall be submitted.

(d) The Town acting through its Planning Board ~~or Zoning Board of Appeals~~ may require the applicant to pay reasonable fees for review of the applicant's proposal by a ~~professional~~ radio frequency engineer or other qualified professionals.

12.06 MONITORING AND MAINTENANCE

After the wireless communication facility is operational, the applicant shall submit, within 90 days of beginning operations, a verification of compliance of RFE emissions with applicable regulations employing methods appropriate to the circumstances as guided by FCC Office of Engineering and Technology Bulletin 65 ~~and at annual intervals from the date of issuance of the Special Permit, existing measurements of RFR from the wireless communication facility. Such measurements shall be signed and certified by an RF engineer, stating that RFR measurements are accurate and meet FCC guidelines.~~

The applicant shall maintain the wireless communication facility in good condition. Such maintenance shall include, but shall not be limited to, painting, structural integrity of the mount and any security barrier, and maintenance of the buffer area and landscaping.

12.07 MODIFICATIONS

Except as otherwise directed by applicable Federal and State regulation, including the 2012 Middle Class Tax Relief and Jobs Creation Act Section 6409, a modification of a wireless communication facility ~~may be considered equivalent to an application for a new wireless communication facility and~~ will require a Special Permit and/or Site Plan Approval as appropriate. ~~When the following events apply:~~

~~(12) The applicant and/or co-applicant wants to alter the terms of the Special Permit by altering any condition of approval or by changing the wireless communication facility in one or more of the following ways:~~

- (1) ~~Change in the number of facilities permitted on the site;~~
(12) ~~Change in technology used for the wireless communication facility. Adding equipment or additional height not specified in the original design filing.~~

The Town of Sturbridge takes notice of federal exceptions such as those included in the 2012 Middle Class Tax Relief and Jobs Creation Act section 6409, which requires that municipalities “may not deny and shall approve” applications for certain kinds of facility modifications. Applicants shall have the burden of demonstrating that their proposed facilities are not “substantial modifications” of “eligible facilities.” The Planning Board, through regulation, may delegate preliminary review of Section 6409 applications to staff to facilitate prompt evaluation of the applicability of Section 6409 and determination whether the applicant 1) may be relieved of Planning Board review, 2) may be required to demonstrate Section 6409 applicability to the Planning Board, or 3) may not be eligible for Section 6409 relief and is required to file a full application with the Planning Board.

12.08 ABANDONMENT AND DISCONTINUANCE

At such time that the licensed carrier plans to abandon or discontinue operation of a wireless communication facility, such carrier will notify the Town by certified U.S. mail of the proposed date of abandonment or discontinuance of operations.

Such notice shall be given no less than 30 days prior to abandonment or discontinuance of operations. In the event that a carrier fails to give notice, the wireless communication facility shall be considered abandoned upon such discontinuance of operations.

Upon abandonment or discontinuance of use, the carrier shall physically remove the wireless communication facility within 90 days from the date of abandonment or discontinuance of use. “Physically Remove” shall include, but shall not be limited to:

- (a) Removal of antennas, mount, equipment shelters and security barriers from the subject property.
- (b) Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.
- © Restoring the location of the wireless communication facility to its natural condition, except that any landscaping and grading shall remain in the “after” condition.

The applicant shall provide the Town with written authority from the owner or owners of record for the subject property where the facility is located to bind successors and assigns to allow the Town to enter onto the subject property to physically remove the facility in the event that the carrier fails to remove the facility in accordance with the requirements of this Zoning Bylaw. The Planning Board ~~may shall~~ require the applicant to post a bond at the time of construction to cover the costs for the removal of the wireless communication facility in the event the Town must remove the facility.

12.09 EXCEPTIONS

Amateur radio towers used in accordance with the terms of any amateur radio license issued by the Federal Communications Commissions shall be exempt from the provisions of this bylaw, provided that (1) the tower is not used or licensed for any commercial purpose, and (2) the tower must be removed if use is discontinued for one year.

Facilities used for the purposes set forth in M.G.L., Chapter 40A, Section 3 Zoning Exemptions shall also be exempt.

12.10 SEVERABILITY

In the event that one or more of the provisions of this Zoning Bylaw are deemed invalid by a court of competent jurisdiction, then all remaining provisions shall remain in full force and effect.

Sponsor: Planning Department

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the town vote to amend the article as follows:

- *In Section 12.02 Definitions, to add the words “(also referred to as “facility”)” to the definition of Wireless Communication Facility*
- *In Section 12.03 Use Regulations, Section (h), add the phrase “from grade” after the words “130 feet in Height”*

And otherwise approve the article as written. Voted: 6 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

<p><i>Summary: The Town adopted a Wireless Communications Facilities District Bylaw and Map in 1997. Since that time the bylaw and map have not been reviewed for any changes to the Telecommunication Act nor have any FCC policy changes been reviewed or considered. The Planning Board hired a consultant to provide them with proposed updates to the Zoning Bylaw. Additionally, a key feature of the proposed article has all permitting and Site Plan Approval through the Planning Board rather than the current process of the ZBA issuing a Special Permit and then the Planning Board issuing Site Plan Approval.</i></p>

VOTE OF THE TOWN MEETING: The Finance Committee recommended “*That the town vote to amend the article as follows:*”

- *In Section 12.02 Definitions, to add the words “(also referred to as “facility”)” to the definition of Wireless Communication Facility*
- *In Section 12.03 Use Regulations, Section (h), add the phrase “from grade” after the words “130 feet in Height”*
and otherwise approve the article as written.

The vote of the Town Meeting was to approve the article as amended by the Finance Committee. It was not unanimous, but more than the 2/3rds necessary as declared by the Moderator.

ARTICLE 32
AMENDMENT TO THE ZONING MAP
(2/3rd vote required)

To see if the Town will vote to amend the Zoning Map of the Town of Sturbridge by changing the property located at 380 Main Street from part Suburban Residential, part Commercial and part Commercial Tourist District to all Commercial Tourist District or take any action relative thereto.

Sponsor: Planning Department

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

<p><i>Summary: In order to provide consistency within the Commercial Tourist District, the Town is proposing that this property be zoned under one classification rather than the current split zoning.</i></p>

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

ARTICLE 33
AMENDMENT TO THE ZONING MAP
(2/3rd vote required)

To see if the Town will vote to amend the Zoning Map of the Town of Sturbridge by changing the property located at 472, and 478 Main Street from part Suburban Residential and part Commercial Tourist District to all Commercial Tourist District or take any action relative thereto.

Sponsor: Planning Department

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

<p><i>Summary: In order to provide consistency within the Commercial Tourist District, the Town is proposing that these properties be zoned under one classification rather than the current split zoning.</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.

ARTICLE 34
AMENDMENT TO THE ZONING BYLAWS
(2/3rd vote required)

To see if the Town will vote to make the following changes to Chapter 19 – Table of Dimensional Requirements by deleting the strikethrough for Commercial Tourist District and insert the new dimensional requirements and related footnotes for Commercial Tourist District or take any action related thereto.

Comm. Tourist	±	150'	25'	10'	30	3	35	=	750 s.f.
Comm. Tourist	10,000 Sq. ft.	100'	25'	10'	30	33 ³	35 ⁴	-	750 s.f.

³ May be varied by Special Permit by the Planning Board

⁴ May be varied by Special Permit by the Planning Board

Sponsor: Planning Department

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

Summary: This article is proposing to change the dimensional requirements on lots within the Commercial Tourist District that are currently non-conforming so that more lots will conform to the bylaw. The Town partnered with CMRPC (Central Mass. Regional Planning Commission) through the DLTA (District Technical Assistance Program) to undertake an analysis of parcel size and configuration in the District as it relates to dimensional controls, the creation of bylaws to promote infill, and a review of parking requirements for this (Commercial Tourist) District, with the goal of recommending bylaw amendments to facilitate a defined vision for this corridor. The Town Planner analyzed a total of 112 lots and found that eighty-five (85) of the lots are nonconforming with respect to size, and sixty-seven (67) lots are non-conforming with regards to frontage. The lot size recommendations provided by CMRPC and supported by the Planning Board will mean that many of the parcels within the District will become conforming and eliminate numerous permitting procedures. For a permitted use only Site Plan Approval will be required. All other controls such as Design Review, Wetlands Requirements and Groundwater Protection District standards would remain in effect. This change may also have the effect of reducing the number of adjacent properties that are acquired and ultimately demolished as a way of adding area or frontage

to an existing lot for conformance purposes. The recommended change of 10,000 square feet of area and 100' of frontage (vs 1 acre of area and 150' of frontage) which will make 72 of the 112 parcels compliant with the frontage requirement and about three quarters of the lots would be conforming with regard to area.

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

ARTICLE 35
AMENDMENT TO THE ZONING BYLAWS
(2/3rd vote required)

To see of the Town will vote to make the following revisions to Chapter Eight – Commercial Tourist District by deleting the strikethrough language and inserting the underlined language, or take any action relative thereto:

CHAPTER EIGHT
USE REGULATIONS - COMMERCIAL TOURIST DISTRICT (CT)
{Adopted 4-24-89; Article 68}

~~The Commercial Tourist District is intended to provide goods and services primarily for transients and tourists.~~

The Commercial Tourist District is intended to be an attractive neighborhood and commercial center that is pedestrian friendly, caters to residents and tourists alike and provides a variety of shopping opportunities, restaurants and inns, as well as establishments offering family entertainment during the day and night.

8.01 PERMITTED USES

- (a) Single family dwelling. ~~Also, apartments accessory to a commercial building (not to exceed two (2) dwelling units per building).~~ **{Amended 4-24-89; Article 68} & {Amended 4-29-91; Article 48}**
- (b) ~~(f)~~ Dwelling units located ~~above the first story of~~ within a structure which is primarily used for a permitted use in this district and secondarily used as a residence. **{Amended 4-24-89; Article 68}**
- (c) Hotels, motels and inns. **{Amended 4-24-89; Article 68}**
- (d) ~~(e)~~ Specialty shopping facilities such as, gift shops, apparel shops, antique shops, bookstores, galleries, banks, professional and business services, newsstands, 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, florists, photographic studios, art dealers and places for display or sale of handicrafts, provided all displays are within the building. Areas for the production of goods are to be limited to no more than 35% of total floor areas. Total area shall not exceed 7,500 square feet per shop. **{Amended 4-24-89; Article 68}**
- (e) ~~(d)~~ Restaurants, bakeries, delicatessens, candy, nut and confectionery stores, dairy, and specialty foods and/or beverage stores and places serving food and/or beverages for consumption on the premises. Total floor area shall not exceed 7,500 square feet per place. **{Amended 4-24-89; Article 68}**

- (f) Microbrewery. Total floor area shall not exceed 7,500 square feet unless located within buildings existing at the time of adoption of this amendment.
- (g) Walk up establishments.
- (h) Indoor family amusement centers located within buildings existing at the time of adoption of this amendment.
- ~~(e) Offices serving the travel industry. Total floor area shall not exceed 7,500 square feet per office. {Amended 4-24-89; Article 68}~~
- (i) 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 6,000 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; travel offices; security and commodity brokers; and writers and artists offices.
- (j) Beauty salons and barber shops and other personal services. {Amended 4-27-98; Article 119}
- (k) Dry cleaning and laundromat. Total floor area shall not exceed 4,000 square feet. {Amended 4-27-98; Article 120} & {Amended 4-26-99; Article 27}
- (l) Artist studio
- (m) Arts Center
- (n) ~~(g)~~ Accessory uses customarily incidental to a permitted main use on the same premises. {Amended 4-24-89; Article 68} & {Amended 4-29-91; Article 49}
- (o) ~~(h)~~ Walking, hiking, bicycling, roller skating, picnicking, cross-country skiing, snow shoeing through the establishment of trails. {Amended 4-24-95; Article 40}
- (p) Rental shops for the hourly or daily rental of bicycles, kayaks, canoes, snow shoes, cross country skis, and other similar sporting apparatus.
- (q) ~~(k)~~ Farm including agriculture, horticulture, and viticulture, provided that the lot is not less than five (5) acres, including facilities for the sale of produce, wine and dairy products, insofar as the majority of such products for sale have been produced by the owner of the land on which the facility is located.
- (r) Farmer's market

- (s) ~~(4-)~~ Religious, educational or governmental use. {**Amended 4-27-09; Article 12**}

8.02 Exceptions which may be allowed by Special Permit from the Special Permit Granting Authority (SPGA) in accordance with the regulations appearing in Section 24.09 of the Bylaw. {**Amended 4-11-83; Article 37**}

- (a) Lodging houses or tourist homes.
- (b) Dramatic or motion picture theaters.
- (c) Bed and breakfast (Planning Board acting as SPGA). {**Amended 4-27-92; Article 39**}
- ~~(d) Miniature and/or par three golf {**Amended 4-25-94; Article 28**}~~
- (ed) Youth Center {**Amended 4-26-99; Article 163**}
- (e) Building heights of greater than 35' or three stories may be allowed (Planning Board acting as SPGA) when it is determined that the location, scale and characteristics of the proposed land uses on the site; the design, siting and scale of structures is in harmony with the surrounding properties and land uses.

8.03 The following regulations shall be applicable in the Commercial/Tourist District (CT)

Site Plan Review - See Chapter Twenty-Five {**Amended 4-27-92; Article 33**}

In addition, applicants shall note the following:

- (a) Design Review is required for new structures, and exterior renovation or alteration of existing structures, in the Commercial Tourist District (CT), as set forth in General Bylaws Section 1.30, et seq.
- (b) Per the Planning Board's direction, Design Review shall take place prior to or concurrently with the Site Plan Review Process in the Town of Sturbridge, and shall inform that process.
- (c) Property owners and designers shall use the Design Review Guidelines when applying for and undergoing the Design Review Process, which may include architectural review and/or sign review.
- (d) Applicants are encouraged to discuss their projects with the Planning Department if they have any questions regarding the Design Review Guidelines. {**Amended 6-06-11; Article 24**}

Sponsor: Planning Department

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to amend the article as follows:

- *In the Preamble, to strike the words "an attractive neighborhood" and replace with the words "a multi-use residential"*
- *In the Preamble, to strike the words "shopping opportunities" and replace with the word "shops".*
- *In Section 8.02 (b), strike the word "Dramatic" and replace with the words "Live*

performance”

And otherwise approve the article as written. Voted: 6 – 0 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

Summary: This article proposes updated language for permitted uses and eliminates discrepancies in the existing language as related to housing types. The changes also provide a special permit process for building heights greater than 35’ to make more efficient use of the limited land area within the Commercial Tourist District.

VOTE OF THE TOWN MEETING: There was a substitute motion made by the Planning Board that read, “To see if the Town will vote to approve the article as printed on the warrant.” The Planning Board voted 7-0 to approve and the Public Hearing was held on March 8, 2016. The vote of the Town Meeting was to approve the article as printed in the warrant by more than a 2/3rds majority as declared by the Moderator.

ARTICLE 36
AMENDMENT TO THE ZONING BYLAWS
(2/3rd vote required)

To see if the Town will vote to amend the existing definition of Micro-brewery and to insert the following new definitions within the appropriate locations within Chapter Two as follows or take any action relative thereto,

Microbrewery – Within the Rural Residential District this shall mean an establishment operating under a Farmer-Brewery License as provided for in M.G.L., Ch. 138 § 19C, not to exceed 5,000 barrels annually. Such use shall only be permitted on parcels containing a minimum of twenty (20) acres. Within any Commercial District where such use is permitted, a microbrewery shall be defined as a facility that prepares handcrafted beer intended for retail and/or on premise tasting and consumption.

Walk Up Establishment – An establishment such as an ice cream or sandwich shop that by design of its physical facilities, service or packaging allows pedestrians to receive a service or obtain a product without entering the establishment.

Artist Studio - a place of work for an artist, artisan, or craftsperson, including persons engaged in the application, teaching or performance of fine arts such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture, and writing and may include the dwelling of the artist

Arts Center - a structure or complex of structures for the visual and performing arts.

Farmer’s Market - the seasonal selling or offering for sale at retail of vegetables or produce, flowers, orchard products and similar agricultural products in a designated area, where the vendors are the individuals who have raised the produce or taken the same on consignment for retail sale.

Indoor Family Amusement Centers – a facility located within a building that focuses on entertainment and experiences in a family atmosphere and may include games, billiards, experiential activities, play zones, sports simulators or other similar activities.

Sponsor: Planning Department

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

Summary: This article proposes new definitions which correlate to the new permitted uses proposed in Article 36 above. It also proposes to amend the definition of micro-brewery so it is permitted within any Commercial District where allowed.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator. It was not unanimous, but far more than 2/3rds.

ARTICLE 37

AMENDMENT TO GENERAL BYLAWS – FALSE ALARMS

To see of the Town will vote to make the following revisions to 8.40 through 8.48 inclusive by deleting the strikethrough language and inserting the underlined language, or take any action relative thereto:

8.40 FALSE ALARMS

Definitions – For the purpose of this bylaw, the following terms, phrases, words and their derivations shall have the following meaning. The word “shall” is always mandatory and not merely directory.

Alarm Device – means an assembly of equipment and devices or a single device such as solid state unit which plugs directly into a 110 volt AC line, arranged to signal the presence of a hazard requiring urgent attention and to which police are expected to respond. In addition, any device which when activated by a criminal act calling for police response: (a) transmits a signal to the Safety Complex;(b) transmits a signal to a person who relays information to the Safety Complex; or (c) produces an audible or visible signal to which the police are expected to respond. Excluded from this definition and the scope of this bylaw are devices which are designed to alert or signal only persons within the premises in which the device is installed.

Alarm User – Means any person on whose premises an alarm system is maintained within the Town. The owner of any premises on which an alarm device is used, provided that an occupant who expressly accepts responsibility for an alarm device by registration pursuant to Section 8.42 shall be deemed the alarm user. Excluded from this definition are (a)Town, county, state and federal agencies; (b) persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located of an attempted unauthorized intrusion or holdup attempt. However, if such an alarm system employs an audible signal or flashing light outside the premises, the user of such an alarm system shall be within the definition of “alarm user” and shall be subject to this bylaw; and (c) the provisions of this bylaw shall not apply to alarm devices on the premises owned or controlled by the Town, nor to alarm devices installed in a motor vehicle or trailer.

Automatic Dial Alarm – A telephone device or attachment that mechanically or electrically selects a telephone line to the Safety Complex and reproduces a prerecorded voice message to report a criminal act or other emergency calling for police response, or to request the fire department for a fire or medical emergency. Excluded from this definition are devices which relay a digital code signal to the Safety Complex.

Contractor – Any firm or corporation in the business of supplying and installing alarm devices or servicing the same.

False Alarm – The term “False Alarm” means: (a) the activation of an alarm system through mechanical failure, malfunction, improper installation or negligence of the user of an alarm system or of his employees or agents; or (b) any signal or oral communication transmitted to the Safety Complex requesting, or requiring, or resulting in a response on the part of the police or fire department when in fact there has been no unauthorized intrusion or attempted unauthorized intrusion into a premises, ~~or~~ no attempted robbery or burglary at a premises, or activities such as smoke or fire in which the alarm system should have activated. Excluded from the definition are activation of alarm systems caused by power outages, hurricanes, tornadoes, earthquakes, lightning and similar conditions.

Fire Chief – the term “Fire Chief” means the Chief of the Town of Sturbridge Fire Department or his/her designated representative.

Police Chief – the term “Police Chief” means the Chief of Police of the Town of Sturbridge or his designated representative.

Fire or Fire Department – The Term “Fire” or “Fire” Department” means the Town of Sturbridge Fire Department, or any authorized agent thereof.

Police or Police Department – The Term “Police” or “Police Department” means the Town of Sturbridge Police Department, or any authorized agent thereof.

Public Nuisance – For the purpose of this bylaw, the term “Public Nuisance” means anything which annoys, injures or endangers the comfort, repose, health or safety of any person(s) or of any community or neighborhood.

Public Safety Complex – The building in which the Town of Sturbridge houses its Police and Fire Department Dispatch Center

Town – The word “Town” means the Town of Sturbridge.

Alarm Appeal Board – The Board of Selectmen shall be designated the Alarm Appeal board. The Chairman of the Board shall be the Chairman of the Alarm Appeal Board.

8.41 ADMINISTRATIVE RULES

The ~~Chief of Police~~ or Fire Chief may promulgate such rules as may be necessary for the implementation of this bylaw.

8.42 REGISTRATION REQUIRED

Each alarm user shall register his alarm device or devices with the ~~Chief of Police~~ or Fire Department (based on the type of alarm system) prior to use; provided that alarm devices in use as of the effective date of this bylaw may be registered no later than sixty (60) days from such date.

8.43 REGISTRATION PROCEDURE

Every alarm user, based upon the type of alarm system, shall register by means of filling out a form provided by the ~~Chief of Police or Fire Department~~ listing the names, addresses and telephone numbers of the users, installer or contractor and at least two other persons who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system and who can open the premises wherein the alarm system is installed. The list of the names, addresses and telephone numbers of the responders must be kept current at all times by the alarm user and shall be updated immediately within three (3) business days when any changes occur. Additionally, the alarm user shall provide an updated list annually, during the month of January of each calendar year. The ~~Chief of Police or Fire Chief~~ shall issue the alarm user written acknowledgment of proper registration.

There shall be a one- time registration fee of \$25.00 payable at the time of registration and such funds shall be added to the Town's General Fund.

8.44 CONFIDENTIAL INFORMATION

All information in the possession of the ~~Chief of Police or Fire Department~~ concerning particular alarm users and alarm devices shall be confidential and shall not be divulged without the written consent of the alarm user or users concerned.

8.45 AUDIBLE BELL OR HORN

~~All alarm systems which use an audible bell or horn shall be equipped with an automatic shut off device which will deactivate the alarm system within ten (10) minutes. All Alarm users with an audible bell or horn must comply with this section within ninety (90) days of the adoption of this bylaw.~~

In the event that the Police or Fire Department is unable to contact the alarm user, a member of the alarm user's family, or those persons designated by the alarm user under the definitions of this section cannot or will not curtail the audible signal being emitted by the alarm system, and if the Police or Fire Department is otherwise unable to abate the nuisance, a police officer or firefighter or a qualified alarm technician may be authorized enter upon property inside or outside the home or building in which the alarm system is located and take any reasonable action necessary to abate the nuisance.

~~Any alarm which fails to comply with the above paragraph and emits a continuous uninterrupted signal for more than thirty (30) minutes which cannot be shut off or otherwise curtailed due to the absence or unavailability of the alarm user or those persons designated by him under the above paragraph of this section, and which disturbs the peace, comfort and repose of a community or neighborhood of the area where the alarm system is located, shall constitute a public nuisance. Upon receiving complaints regarding such a continuous and uninterrupted signal, the police Chief shall endeavor to contact the alarm user, or the members of the alarm user's family or those persons designated by the alarm user under this section in an effort to abate the nuisance. The Police Chief shall record the time each complaint was made.~~

~~In the event that the Police Chief is unable to contact the alarm user or member of the alarm user's family or those persons designated by the alarm user under paragraph 2 of this section of the aforesaid persons cannot or will not curtail the audible signal being emitted by the alarm system and if the Police Chief is otherwise unable to abate the nuisance, he may direct a police officer or firefighter or a qualified alarm technician to enter upon property outside the home or building in which the alarm system is located and take any reasonable action necessary to abate the nuisance.~~

After entry upon property has been made in accordance with this section and the nuisance abated, the Police ~~Chief or Fire Department~~ shall have the property secured, if necessary. The reasonable costs and expense of abating a nuisance in accordance with this section may be

assessed to the alarm user, said assessment not to exceed \$50.00. These funds shall be deposited in the Town's General Fund.

8.46 TESTING OF EQUIPMENT

No alarm system designed to transmit emergency messages directly to the Police or Fire Department shall be worked on, tested or demonstrated without obtaining permission from the Department responsible for that specific alarm. Permission is not required to test or demonstrate alarm devices which by design are not capable of transmitting emergency messages ~~directly~~ to the Police or Fire Department, or other answering point. An unauthorized test constitutes a false alarm.

Automatic Dial Alarm Interconnection to the Safety Complex:

No automatic dial alarm may be installed after the effective date of this bylaw without the prior approval of the ~~Chief of Police or Fire Department~~.

The automatic dial alarm shall be regulated so as to not repeat the message more than two (2) times.

8.47 FALSE ALARM CHARGES

When the Chief of Police determines that the Police Department has responded to a false alarm, he shall impose a charge on the responsible alarm users according to the following schedule:

1st-3rd false alarm – \$25.00

Each subsequent false alarm - \$50.00

When the Fire Chief determines that the Fire Department has responded to a false alarm, he shall impose a charge on the responsible alarm user according to the following schedule:

Effective January 1 of each calendar year, and for each six month period thereafter, beginning with the 2nd false activation of the system, and inclusive of the 4th false alarm, a fine of \$50.00 shall be imposed.

Beginning with the 5th false alarm and any false alarm thereafter within the same six month period, a false alarm shall result in a fine of \$150.00 for each false activation.

8.48 NOTIFICATION AND APPEAL

The Police ~~Chief or Fire Department~~, depending upon the type of alarm shall notify the responsible alarm user of any false alarm charges by mail. Within fourteen (14) days after the mailing of such notice, the alarm user may file written notice with the ~~Chief of Police or Fire Chief~~ appropriate Department Chief to include information to show that the alarm was not a false alarm within the meaning of this bylaw.

The ~~Chief of Police or Fire Chief~~ appropriate Department Chief shall consider such information, reaffirm or rescind the false alarm charge, and notify the alarm user of his decision by mail. Each notice of a false alarm charge or a reaffirmation of such a charge by the Police ~~Chief or Fire Department~~ to the alarm user shall refer to and provide instructions concerning the alarm user's right to further recourse by filing an appeal with the Appeal Board.

Within fourteen (14) days after mailing of such notice, the alarm user may file with the Board of Selectmen, herein after referred to as the Alarm Appeal Board, an appeal in writing.

Sponsor: Fire Department

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted: 6 – 0 – 0.

The Finance Committee recommends no action as multiple versions of this bylaw were found to exist. The Town Administrator and the Board of Selectmen will be consolidating the various versions and presenting it for a vote at a future Town Meeting.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This article adds language to an existing bylaw for false alarms to include the Fire Department’s regulations on false alarms to provide a mechanism to impose a distinct fine schedule.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was that no action be taken on this article.

ARTICLE 38
AMENDMENT TO THE GENERAL BYLAWS – STURBRIDGE
TOURIST ASSOCIATION

To see if the Town will vote to amend the General Bylaws, Chapter 1.91(c) by removing the clauses “*Funding for the Route 20 Public Restrooms and the grounds maintenance of the Tourist Information Center*”, and “*Funding for the operating expenses of the Tourist Information Center, such as the Customer Service Desk staff, telephone and internet.*” and adding the following clauses, “*Funding of an economic development/tourism position(s) as established by the Town Administrator and approved by the Board of Selectmen.*” and “*Funding of any and all activities, as deemed appropriate by the Sturbridge Tourist Association, which aids in the increased revenues to the Town of Sturbridge through the hotel/motel taxes*” and to further amend the General Bylaws by deleting Chapter 1.92 in its entirety and replacing it with the following language:

1.92 **CREATION AND ESTABLISHMENT**

There is hereby created and established a Sturbridge Tourist Association (STA) which shall consist of five (5) voting members. Upon the effective date of this Bylaw the Town Administrator shall appoint or reappoint five (5) members as detailed below. After the initial terms of these members, each future appointment shall be for a three-year term. The Town Administrator shall appoint all members, subject to the confirmation by the majority vote of the Board of Selectmen, as follows:

1. Two (2) members which either may be owners (or representatives) of a Hotel/Motel/Inn/B&B located within the geographic boundary of Sturbridge, or owners or representatives of a tourist related business (retail, restaurant or similar tourist related activity) located within the geographic boundary of Sturbridge. One of the appointees shall be appointed for an initial term of one year, and one to be appointed for an initial term of two years.
2. Three (3) Sturbridge residents at large, one to be appointed for an initial term of three years, one to be appointed for an initial term of two years and one to be appointed for an initial term of one year.

In the event that a vacancy exists for more than sixty (60) days without a finding a qualified person to fill a particular category (resident or hotelier/tourist business), the Town Administrator may fill that vacancy with a qualified person from the other category until the next annual appointments are made.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 4 – 0 – 1.

Summary: This article amends the purpose of the funds and alters the makeup of the committee from seven (7) to five (5) composed of two (2) members of the tourist community which may be a hotelier or tourist related business representative and three (3) residents of the community. Additionally, it includes funding for an Economic Development/Tourism Coordinator for the community which is consistent with recommendations from the Town Master Plan.

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

ARTICLE 39
REQUEST FOR SPECIAL ACT OF THE LEGISLATURE CONCERNING THE
STURBRIDGE CONSERVATION COMMISSION

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below to authorize the Town of Sturbridge to create two Alternate Members of the Conservation Commission provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition, or take any action relative thereto.

**AN ACT RELATIVE TO THE MEMBERSHIP OF THE CONSERVATION
COMMISSION OF THE TOWN OF STURBRIDGE.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 8C of chapter 40 of the General Laws, the Town Administrator of the town of Sturbridge may appoint up to 2 alternate members to the conservation commission of the town for staggered terms not to exceed 3 years.

SECTION 2. The chair of the conservation commission may designate an alternate member to sit on the commission in the case of absence, inability to act or conflict of interest on the part of a member of the commission or, in the event of a vacancy on the commission, until the vacancy is filled by the Town Administrator.

SECTION 3. This act shall take effect upon its passage.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted: 6 – 1 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This article proposes that the Town seek a Special Act of the Legislature to create two non-voting alternate members of the Conservation Commission who will be eligible to participate as voting member(s) upon a conflict of interest by an existing member, absence of an existing member, or a quorum is needed to hear a petition.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator. The vote, however, was not unanimous.

ARTICLE 40
ROUTE 148 / BROOKFIELD ROAD REHABILITATION PROJECT

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain, the fee to and/or permanent and/or temporary easements in portions of parcels of land located on Route 148 / Brookfield Road, Warren Street, Glendale Road, and other abutting ways, for public way purposes, including without limitation, for the construction, alteration, installation, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, slope, grading, rounding, construction and other easements, to enable the Town to undertake the Route 148 / Brookfield Road Reconstruction Project, which parcels are listed on a sheet entitled “Parcel Summary Sheet” and approximately shown on plans entitled “Preliminary Right of Way Plans” and on file with the Town Clerk, as said plans may be amended, and land within 100 feet of said parcels; and, further, to transfer from Free Cash the sum of FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.00) to fund the foregoing and any and all costs related thereto, including, without limitation, the cost of any land/easement acquisitions; and to authorize the Board of Selectmen to enter into all agreements and take all actions necessary or appropriate to carry out the foregoing transactions; or take any action relative thereto.

Note: Parcel Summary Sheet is attached and can be found in Town Clerk’s Office.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted: 5 – 0 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting.

Summary: The Town is required to handle any appraisals and minor land takings necessary to ensure the completion of the state-approved Route 148/Brookfield Road Rehabilitation Project. This article proposes the appropriation of funds from Free Cash in the event the Town needs to purchase land, easements or any other related expenses.

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

ARTICLE 41
AMENDMENT TO THE TANTASQUA REGIONAL
SCHOOL DISTRICT AGREEMENT

To see if the Town will vote to strike the Preamble to the Tantasqua Regional School District Agreement reading:

“This Agreement is made as of January 15, 1952 although accepted by the several Towns herein named and approved by the Emergency Finance Board of the Commonwealth of Massachusetts and the Department of Education on the other dates respectively.

The Towns of said Commonwealth which are parties to this Agreement, in alphabetical order are: the Town of Brimfield, the Town of Brookfield, the Town of Holland, the Town of Sturbridge, and the Town of Wales, hereinafter referred to as the “Participating Towns”.

All of the Participating Towns having created a Regional School District Planning Board and said Board having considered the advisability of establishing a Regional School District under Chapter 71, Sections 14 through 16 I, inclusive of the General Laws as amended, this Agreement respecting a Regional School District is submitted for consideration and acceptance to the Towns of Brimfield, Brookfield, Holland, Sturbridge, and Wales.”

and insert :

“Whereas the Towns of Brimfield, Brookfield, Holland, Sturbridge and Wales (hereinafter referred to as “the member towns”) for good and substantial reasons have created a regional school district consistent with the terms of Chapter 71 of the General Laws of Massachusetts, as amended, the member towns, in consideration of the mutual promises contained herein, agree as follows:”

Or take any action relative thereto.

Sponsor: Tantasqua Regional School Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

<p><i>Summary: Articles 41-43 address a number of maintenance issues in the 64 year old agreement with Tantasqua Regional School District. The changes do not alter the current operating procedures. These updates will clarify procedures by adding statutory/legal references as recommended by the District’s legal counsel, and remove references to the original formation of the District.</i></p>

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

ARTICLE 42
AMENDMENT TO THE TANTASQUA REGIONAL
SCHOOL DISTRICT AGREEMENT

To see if the Town will vote to insert the following new sections I and II into the Tantasqua Regional School District Agreement and renumber the remaining sections:

“Section I – Type of District

The regional school district (hereinafter referred to as “the District”) shall provide educational programs for public school students who reside in the member towns and who are attending grades 7 through and including grade 12. The Regional School Committee (hereinafter referred to as “the Committee”), as established consistent with Section III below, is authorized in its discretion to establish and maintain other educational programs, including but not limited to vocational-technical educational programs consistent with Chapter 74 of the General Laws of Massachusetts, and is authorized in its discretion to join or to form educational collaboratives consistent with Chapter 40, Section 4E of the General Laws of Massachusetts.

Section II – Configuration and Location of Schools

The grade configuration and the location of the schools of the District shall be established by the Committee, although said location will be within the member towns. The school buildings may either be owned by the District or leased under terms and conditions that will be expressed in lease agreements.”

Or take any action relative thereto.

Sponsor: Tantasqua Regional School Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

<p><i>Summary: Articles 41-43 address a number of maintenance issues in the 64 year old agreement with Tantasqua Regional School District. The changes do not alter the current operating procedures. These updates will clarify procedures by adding statutory/legal references as recommended by the District’s legal counsel, and remove references to the original formation of the District.</i></p>

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

ARTICLE 43
AMENDMENT TO THE TANTASQUA REGIONAL
SCHOOL DISTRICT AGREEMENT

To see if the town will strike renumbered sections IV through IX of the Tantasqua Regional School District Agreement and insert the following sections IV through XIV:

Section IV – Powers of the Committee

The Committee shall possess all of the powers conferred by law upon regional school committees via [G.L. chapter 71, section 16](#) and otherwise,

including but not limited to the power to acquire property and/or to enter into leases for land and/or buildings.

Section V- Development of the District's Budget

The Committee shall annually determine the District's budget consistent with the timelines, terms, and requirements of G.L. chapter 71, section 16B, and consistent with regulations promulgated by the Department of Elementary and Secondary Education. The Committee will hold a public hearing on its budget consistent with G.L. chapter 71, section 38N. The apportionment of the costs appearing in said budget will be calculated consistent with Section VI of this Agreement.

Section VI – Apportionment of Costs Incurred By the District

A. Classification of Costs

For the purpose of apportioning costs assessed by the District against the member towns, costs shall be divided into three categories: operating costs, capital costs and transportation costs.

B. Operating Costs

Operating costs shall include all costs not included in capital or transportation costs as defined in subsections VI,C and D below. Without limiting the generality of the preceding sentence, the following shall be classified as operating costs: salaries, wages, supplies, textbooks, ordinary repairs and maintenance, interest on temporary notes issued by the District in anticipation of revenue, and other costs incurred in the day to day operation of District schools.

1. Assessment of Operating Costs

For each fiscal year, the assessment of operating costs for each member town will be the sum of the following: (a) the member's required local contribution to the District as determined by the Commissioner and (b) the member's share of that portion of the District's spending that exceeds the total of the required local contributions for all members. A member's share of (b) will be calculated on the basis of "foundation enrollment" as defined in G.L. Chapter 70 section 2.

C. Capital Costs

Capital costs may include capital outlay appearing in the 7000 DESE function codes. Capital costs will also include principal and interest debt service as well as new construction. Instructional capital expenditures which qualify under net school spending are not included under capital costs and instead are included as an operating cost.

1. Assessment of Capital Costs

During the development of each fiscal year's budget, the total capital costs, including principal and interest debt service payments, for the year in question will be identified. Each member town will then be assessed a percentage of that total capital cost based upon "foundation enrollment" as defined in G.L. Chapter 70, Section 2.

D. Transportation Costs

The District shall furnish transportation to and from the Regional schools for students of each member town.

1. Each fiscal year, transportation assessments will be calculated for each member town based on its projected cost for grades 7-12 school transportation, less the member town's share of projected Regional Transportation Reimbursement (in accordance with MGL Chap 71, sections 7a, 7b and 16c).
2. The member town transportation cost will be determined by contractor rates for those towns contracting out for transportation services and by projected salaries and other associated expenditures for those towns operating an internal fleet. (In the latter case, the District will contract with the local town to provide transportation.)
3. Each member town's percent share of the annual regional transportation reimbursement from the state will be whatever that town's percentage of the total projected transportation costs for the year is.

E. Tuition Pupils

Pupils residing outside the Regional School District may attend the Regional School at the discretion of, and on a tuition basis determined by the Regional District School Committee, in accordance with law. However, if a non-participating town wishes to send to the Regional District School a majority of its pupils enrolled in grades 7 through 12, it must do so as a participating member of the Regional School District as provided in Section XI of this Agreement.

Section VII – Time and Manner of Payment of Operating, Transportation and Capital Costs

Payments shall be made by the Towns to the Regional District School Committee in six (6) equal payments on the 15th of July, September, November, January, March, and May.

Section VIII – Incurring of Debt

The District School Committee may vote to incur debt consistent with the terms and conditions of G.L. chapter 71, section 16. At the time of taking action to incur debt, and except for the incurring of temporary debt in anticipation of revenue, the District School Committee by majority vote will choose either the process that appears in subsection (d) of chapter 71, section 16, or the process that appears in subsection (n) of chapter 71, section 16.

Section IX - Annual Report

The Committee shall submit an annual report to each of the member towns consistent with G.L. chapter 71, section 16 (k).

Section X– Withdrawal of Member Towns

In the event that a member town decides to seek to withdraw from the District, the following procedures and requirements will apply:

A. Vote Expressing Desire to Withdraw

Any member town seeking to withdraw from the District shall, by vote at an annual or special town meeting, request the Committee to formulate an amendment to this Agreement setting forth the terms under which the town

may withdraw from the District. No withdrawal will take effect on other than July 1 of a given year, and the vote spoken of in the preceding sentence, as well as the notification to the District consistent with paragraph B below, as well as the submittal of a long range education plan consistent with paragraph C below, must all occur no less than two (2) years prior to the desired date of withdrawal.

B. Notice

The clerk of the town seeking to withdraw shall, within seven (7) days of the vote, notify the Committee chairperson as well as the District's superintendent in writing that the town has voted to request the Committee to formulate an amendment to the Agreement setting forth the terms for withdrawal. The clerk will provide a certified copy of the vote with the notification.

C. Long Range Education Plan

No less than two (2) full years prior to the desired date of withdrawal, the town seeking to withdraw, in addition to the other requirements spoken to in paragraph A above, will submit to the Commissioner of Elementary and Secondary Education (hereinafter "the Commissioner") and to the District a "Long Range Education Plan" consistent with 603 CMR 41.02(2).

D. Requirements

In addition to other terms and requirements which the Committee may include in the amendment, the town seeking to withdraw will be responsible for the following: (1) payment of all operating costs for which it is liable as a member of the District; (2) continuing payments beyond the time of withdrawal to the District for the town's share of the indebtedness of the District which is outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as though the town had not withdrawn from the District; (3) for the costs, including legal fees, that accrue to the District as a result of the withdrawal process; and (4) the withdrawing town will forfeit claims to any District assets.

E. Approval of Withdrawal

A request to withdraw shall become effective only if the amendment to the Agreement is approved by vote of two-thirds of the Committee, is approved by the Commissioner, and is approved by majority vote at an annual town meeting in the town seeking to withdraw and in each of the other member towns, and the withdrawal can become effective no less than one full year after the completion of these requirements.

Section XI – Admission of Additional Towns

Additional towns may apply for admittance to the District, although no admittance will occur on a date other than July 1 of a given year. Towns applying for admission must submit to the Committee a Long Range Education Plan consistent with the terms of Section X, subsection C of this Agreement. If the Committee so chooses, it may then vote to seek approval from the Commissioner of the proposed admittance of a new member consistent with the terms of 603 CMR 41.00. If the approval of the Commissioner is obtained, the Committee will then formulate an amendment to this Agreement, setting forth the terms upon which the new member will be admitted. Such terms will include, without being limited to, "buy-in" payments by the new town to reflect capital costs that have previously been

incurred by the member towns, and will include an ongoing assessment for existing debt service. No admittance of a new town will occur unless the amendment to the Agreement is approved by vote of the Committee, is approved by the Commissioner, and is approved by majority vote at an annual town meeting in the town seeking admittance and in each of the other member towns, and no admittance of a new town will become effective any less than one full year after the completion of these requirements.

Section XII- Review of Agreement

At least every ten years, the Committee will undertake a review of the terms of this Agreement. The first review of this Agreement will occur no later than fiscal year 2026. Proposals for amendments to this Agreement will be processed consistent with Section XIII.

Section XIII – Amendments to Agreement

A Limitation

This Agreement may be amended from time to time in the manner hereinafter provided, but no amendment shall be made which shall substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness of the District which are then outstanding, or the rights of the District to procure the means for payment thereof, provided that nothing in this section shall prevent the admission of a new town or towns to the District consistent with the term of this Agreement, and nothing in this section shall prevent the reapportionment, resulting from said admission of a new town, of capital costs of the District represented by bonds or notes of the District then outstanding and of interest thereon. All amendments are subject to the approval of the Commissioner.

B. Procedure:

Any proposal for amendment, except a proposal for amendment providing for the withdrawal of a member town (which shall be acted upon as provided in Section X), and except for a proposal for amendment providing for the admittance of a new member (which shall be acted on as provided in Section XI), may be initiated by a two-thirds vote of all members of the Committee or by a petition signed by 10 percent of the registered voters of any one of the member towns. In the latter case, said petition shall contain at the end thereof a certification by the town clerk of such member town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which are the signatures of registered voters of said town, and said petition shall be presented to the secretary of the Committee. In either case, the secretary of the Committee shall mail or deliver a notice in writing to the board of selectmen of each of the member towns that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal (without the signatures in the case of a proposal by petition). The selectmen of each member town shall include in the warrant for the next annual town meeting called for this and/or other purposes, an article which states the proposed amendment or the substance thereof. Such amendment shall take effect upon its acceptance by all of the member towns, acceptance by each

town to be by a majority vote at a town meeting as aforesaid.

Section XIV – Severability

Consistent with G.L. chapter 71, section 16I, if any provision of this Agreement is found to be invalid, the remainder of this Agreement shall not be affected thereby.

Or take any action relative thereto.

Sponsor: Tantasqua Regional School Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted: 6 – 1 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: Articles 41-43 address a number of maintenance issues in the 64 year old agreement with Tantasqua Regional School District. The changes do not alter the current operating procedures. These updates will clarify procedures by adding statutory/legal references as recommended by the District's legal counsel, and remove references to the original formation of the District.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator. The vote, however, was not unanimous.

ARTICLE 44

**PETITIONED ARTICLE – AMENDMENT TO THE GENERAL BYLAWS –
DEMOLITION DELAY**

To see if the Town will vote to amend the General Bylaws, Chapter Two - Demolition Delay Bylaw in the following manner, or take any action in relation thereto.

Amend the Demolition Delay Bylaw in the following manner:

Delete references to 100 years old and replace that with 50 years old in Sections 2.31 and 2.32 as noted below.

Delete 6 months and replace that with 12 month in Sections 2.31 and 2.32 as noted below.

2.30 Intent and Purpose

This by-law is enacted for the purpose of preserving and protecting significant buildings and structures within the Town of Sturbridge which constitute or reflect distinctive features of the architectural, historical or cultural, history of the Town and to limit the detrimental effect of demolition on the character of the Town. Through this bylaw, owners of preferably preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings and residents of the Town are alerted to impending demolitions of significant buildings. By preserving and protecting significant buildings, streetscapes and neighborhoods, this bylaw promotes the public welfare by making the town a more attractive and desirable place in which to live and work. To achieve these purposes the Historical Commission is authorized to advise the Building Inspector with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this by-law.

2.31 Definitions

APPLICANT- Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

APPLICATION- An application for the demolition of a building.

BUILDING- Any combination of materials forming a shelter for persons, animals, or property.

BUILDING INSPECTOR - The person occupying the office of Building Inspector or otherwise authorized to issue demolition permits.

COMMISSION - The Town of Sturbridge Historical Commission or its designee.

DEMOLITION-Any act of pulling down, destroying, removing, dismantling or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

DEMOLITION PERMIT - The building permit issued by the Building Inspector for a demolition of a building, excluding a building permit issued solely for the demolition of the interior of a building.

PREFERABLY PRESERVED - Any significant building which the Commission determines, following a Public Hearing, that it is in the public interest to be preserved rather than demolished. A preferably preserved building is subject to the ~~six~~ twelve month demolition delay period of this bylaw.

SIGNIFICANT BUILDING - Any building within the town which is in whole or in part ~~400~~ 50 years or more old and which has been determined by the Commission or its designee to be significant based on any of the following criteria:

- The Building is listed on, or is within an area listed on, the National Register of Historic Places; or
- The Building has been found eligible for the National Register of Historic Places; or
- The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth; or
- The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

2.32 Procedure

No demolition permit for a building which is in whole or in part ~~400~~ 50 years or more old, or for any building that is included on the National Register of Historic Places shall be issued without following the provisions of this bylaw. If a building is of unknown age, it shall be assumed that the building is over ~~400~~ 50 years old for the purposes of this bylaw.

An applicant proposing to demolish a building subject to this bylaw shall file with the Building Inspector an application containing the following information:

- The address of the building to be demolished.
- The owner's name, address and telephone number.
- A description of the building.
- The reason for requesting a demolition permit.

- A brief description of the proposed reuse, reconstruction or replacement.
- A photograph or photograph(s) of the building.

The Building Inspector shall within seven days forward a copy of the application to the Commission. The Commission shall within thirty days after receipt of the application, make a written determination of whether the building is significant.

Upon determination by the Commission that the building is not significant, the Commission shall so notify the Building Inspector and applicant in writing. The Building Inspector may then issue the demolition permit.

Upon determination by the Commission that the building is significant, the Commission shall so notify the Building Inspector and the applicant in writing. No demolition permit may be issued at this time. If the Commission does not notify the Building Commissioner within thirty days of receipt of the application, the Building Inspector may proceed to issue the demolition permit.

If the Commission finds that the building is significant, it shall hold a Public Hearing within thirty days of the written notification to the Building Inspector. Public notice of the time, place and purpose of the hearing shall be posted in a conspicuous place in town hall for a period of not less than seven days prior to the date of said hearing and the applicant and the building inspector shall be notified in writing of the meeting time and place.

The Commission shall decide at the public hearing or within fourteen days after the public hearing whether the building should be preferably preserved. If agreed to in writing by the applicant, the determination of the Commission may be postponed.

If the Commission determines that the building is not preferably preserved, the Commission shall so notify the Building Inspector and applicant in writing. The Building Inspector may then issue the demolition permit.

If the Commission determines that the building is preferably preserved, the Commission shall notify the Building Inspector and applicant in writing. No demolition permit may then be issued for a period of ~~six~~ twelve months from the date of the determination unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Inspector in writing within twenty one days of the public hearing, the Building Inspector may issue the demolition permit.

Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved building, no building permit for new construction or alterations on the premises shall be issued for a period of ~~six~~ twelve months from the date of the determination unless otherwise agreed to by the Commission.

No permit for demolition of a building determined to be a preferably preserved building shall be granted until all plans for future use and development of the site have been filed with the Building Inspector and have found to comply with all laws pertaining to the issuance of a building permit or if for a parking lot, a certificate of occupancy for that site. All approvals necessary for the issuance of such building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section.

The Building Inspector may issue a demolition permit or a building permit for a preferably

preserved building within the twelve months if the Commission notifies the Building Inspector in writing that the Commission finds that the intent and purpose of this bylaw is served even with the issuance of the demolition permit or the building permit.

Following the ~~six~~ twelve month delay period, the Building Inspector may issue the demolition permit.

2.33 Administration

The Commission may adopt such rules and regulations as are necessary to administer the terms of this bylaw. The Commission is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this bylaw. The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee. The Commission may pro-actively develop a list of significant buildings that will be subject to this bylaw. Buildings proposed for the significant building list shall be added following a public hearing.

2.34 Emergency Demolition

If after an inspection, the Building Inspector finds that a building subject to this bylaw is found to pose an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building or structure, then the Building Inspector may issue an emergency demolition permit to the owner of the building or structure. The Building Inspector shall then prepare a report explaining the condition of the building and the basis for his decision which shall be forwarded to the Commission.

2.35 Enforcement and Remedies

The Commission and/or the Building Inspector are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent a threatened violation thereof.

Any owner of a building subject to this bylaw that demolished the building without first obtaining a demolition permit in accordance with the provisions of this bylaw shall be subject to a fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission.

If a building subject to this bylaw is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of two years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission.

2.36 Historic District Act

Following a determination that the building is significant and preferably preserved, the

Commission may recommend to Town Meeting that the building be protected through the provisions of Massachusetts General Law, Chapter 40C, the Historic Districts Act. The steps required under M.G.L. Chapter 40C shall be followed prior to the establishment of a Local Historic District. Nothing in this by-law shall be deemed to conflict with the provisions of the Historic District Act, Massachusetts General Laws Chapter 40C. If any of the provisions of this by-law do so conflict, that act shall prevail.

2.37 Severability

In case any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

Sponsor: Petitioned Article

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted: 5 – 1 – 0.

The Finance Committee does not consider the changes to the bylaw to be conducive to the definition of historic or historical value with regard to demolition of structures.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting.

Summary: This article is proposing to change the existing demolition delay bylaw by amending the timeframe from six (6) months to twelve (12) months, and lowering the applicable age of the property from one-hundred (100) years old to fifty (50) years.

VOTE OF THE TOWN MEETING: The Finance Committee had recommended that the Town take no action on this article. There was, however, a substitute motion made by Barbara Search that read, “I move to approve Article 44 as written; but to strike all references to 50 years and to keep all references to 100 years in the Demolition Delay Bylaw.” This motion was seconded. After much discussion, the vote of the Town Meeting was to approve the substitute motion by majority as declared by the Moderator.

ARTICLE 45
PETITIONED ARTICLE – EXHIBITION HALL

To see whether the Town Meeting, in a non-binding vote, will vote that the Exhibition Hall of the former Sturbridge Fairgrounds, which was built in the year 1868 by the Worcester South Agricultural Society now being 148 years old and having been part of a historic site in the Town, is a historic building and should be preserved as such and not be demolished.

Sponsor: Petitioned Article

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to take no action on this article. Voted: 3 – 2 – 1.

The Finance Committee does not consider the building to be historic in nature. The building is not on the historic register. The interior has been modified substantially and is not consistent with its original use. Consequently, it does not warrant special consideration to be preserved as an historic building.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 2 – 0.

Summary: This article calls for a non-binding vote to preserve the 148 year-old Exhibition Hall from demolition in order to construct a CVS pharmacy on the former Sturbridge Fairgrounds site located at the junction of Routes 20 and 131.

VOTE OF THE TOWN MEETING: The Finance Committee had recommended that no action be taken on this article. There was, however, a substitute motion made by Robert Briere, President, Sturbridge Historical Society, that read, “Petition Article Exhibition Hall. To see whether the Town Meeting, in a non-binding vote, will vote that the Exhibition Hall of the former Sturbridge Fairgrounds, which was built in the year 1868 by the Worcester South Agricultural Society, now being 148 years old and having been part of a historic site in the Town, is a historic building and should be preserved as such and not be demolished.” The substitute motion was seconded and much discussion ensued. Finally, the motion was called to a vote and the vote of the Town Meeting was 43 in favor and 23 against. The motion carried.