

COMMONWEALTH OF MASSACHUSETTS

TOWN OF WEST BOYLSTON

TOWN MEETING WARRANT

OCTOBER 29, 2001

Worcester ss.

To the Constables of the Town of West Boylston,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of West Boylston qualified to vote in elections and town affairs, to meet in the Auditorium of the Middle/High School in said Town on Monday, October 29, 2001 at 7:00 p.m. in the evening, then and there to act on the following articles.

ARTICLE 1- AUTHORIZATION TO HEAR THE REPORTS OF OFFICERS AND COMMITTEES OF THE TOWN

To see if the town will vote to hear the reports of the officers and standing committees of the town, or take any other action relative thereto.

ARTICLE 2- AUTHORIZATION TO PAY BILLS FROM PREVIOUS FISCAL YEARS

To see if the town will vote to appropriate the sum of Two Thousand Dollars and No Cents (\$2,000.00) to pay a Fiscal Year 2001 bill from Graham, Putnam & Mahoney Funeral Parlors, Worcester, Massachusetts for services rendered in the month of November 2000, in the amount of Two Thousand Dollars and No Cents (\$2,000.00) being held by the Finance Director in his capacity as Town Accountant from prior fiscal years for which no encumbered funds are available, and further, to meet said appropriation by transferring the sum of Two Thousand Dollars and No Cents (\$2,000.00) from Overlay Surplus Account, or take any other action relative thereto.

ARTICLE 3 - AUTHORIZATION TO TRANSFER FUNDS INTO THE WIRING INSPECTOR'S SALARY ACCOUNT

To see if the town will vote to appropriate the sum of Five Hundred Dollars and No Cents (\$500.00) to the Fiscal Year 2002 Wiring Inspector's Salaries and Wages Account, Budget Line Item #02-450-5100, and to meet said appropriation by transferring the sum of Five Hundred

Dollars and No Cents (\$500.00) from the Overlay Surplus Account, or take any other action relative thereto.

**ARTICLE 4- APPROPRIATION TO THE FISCAL YEAR 2002 TREASURER-
COLLECTOR CAPITAL OUTLAY ACCOUNT**

To see if the town will vote to appropriate the sum of Nine Hundred Fifty Dollars and No Cents (\$950.00) to the Fiscal Year 2002 Treasurer/Tax Collector Capital Outlay Account, Budget Line Item #01-45-6800, to purchase a fireproof safe, and to meet said appropriation by transferring the sum of Nine Hundred Fifty Dollars and No Cents (\$950.00) from the Overlay Surplus Account, or take any other action relative thereto.

**ARTICLE 5- APPROPRIATION TO THE FISCAL YEAR 2002 BOARD OF
SELECTMEN OTHER CHARGES ACCOUNT**

To see if the town will vote to appropriate the sum of Three Thousand Dollars and No Cents (\$3,000.00) to the Fiscal Year 2002 Board of Selectmen Other Charges, Budget Line Item #01 - 22-6700, and to meet said appropriation by transferring the sum of Three Thousand Dollars and No Cents (\$3,000.00) from the Overlay Surplus Account, or take any other action relative thereto.

**ARTICLE 6- APPROPRIATION TO THE FISCAL YEAR 2002 TOWN ACCOUNTANT
PURCHASE OF SERVICES ACCOUNT**

To see if the town will vote to appropriate the sum of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00) to the Fiscal Year 2002 Town Accountant Purchase of Services Account, Budget Line Item #01-35-6200, for software installation and training, and to meet said appropriation by transferring the sum of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00) from the Overlay Surplus Account, or take any other action relative thereto.

**ARTICLE 7- APPROPRIATION TO THE FISCAL YEAR 2002 GENERAL
INSURANCE ACCOUNT**

To see if the town will vote to appropriate the sum of Eleven Thousand Dollars and No Cents (\$11,000.00) to the Fiscal Year 2002 General Insurance Account, Budget Line Item #09-45-6750, and to meet said appropriation by transferring the sum of Eleven Thousand Dollars and No Cents (\$11,000.00) from the Overlay Surplus Account, or take any other action relative thereto.

**ARTICLE 8- APPROPRIATION TO THE FISCAL YEAR 2002 FINANCE
COMMITTEE RESERVE ACCOUNT**

To see if the town will vote to appropriate the sum of Ten Thousand Dollars and No Cents (\$10,000.00) to the Fiscal Year 2002 Finance Committee Reserve Account, Budget Line Item #01-32-6700, and to meet said appropriation by transferring the sum of Ten Thousand Dollars and No Cents (\$10,000.00) from the Overlay Surplus Account, or take any other action relative thereto.

**ARTICLE 9- AUTHORIZATION TO AMEND ACTION TAKEN AT THE MAY 21,
2001 TOWN MEETING UNDER ARTICLE 23**

To see if the town will vote to amend action taken at the May 21, 2001 Semi-Annual Town Meeting under Article 23, so as to appropriate the sum of Ten Thousand Dollars and No Cents (\$10,000.00) in anticipation of reimbursement by the Metropolitan District Commission for comprehensive planning activities, and to meet said appropriation by transferring the sum of Ten Thousand Dollars and No Cents (\$10,000.00) from the Overlay Surplus Account, or take any other action relative thereto.

**ARTICLE 10- ACCEPTANCE OF THE PROVISIONS OF SECTION 114 OF THE
MASSACHUSETTS GENERAL LAWS CHAPTER 159**

To see if the town will accept the provisions of Section 114 of Massachusetts General Laws Chapter 159 establishing a minimum fair cash value for personal property to be assessed for taxation, or take any other action relative thereto.

**ARTICLE 11- AUTHORIZATION TO AMEND THE PERSONNEL BYLAW SO AS TO
CREATE THE POSITION OF DATA COLLECTOR**

To see if the town will vote to amend the Personnel Bylaw so as to create the position of Data Collector to be classified at Grade 3 as a non-exempt employee to be compensated as follows:

Grade 3	Step 1	Step 2	Step 3	Step 4	Step 5
	\$10.89	\$11.96	\$13.07	\$14.16	\$15.27

And to amend Section 5, Part AA of the Personnel Bylaw to read:

Grade 1.	Casual Labor Clerk/Typist Custodian/Maintenance Worker Minutes Clerk
Grade 2.	Animal Control Officer Dog Officer Treasurer/Tax Collector Clerk Van Driver
Grade 3.	Assistant Administrative Assessor Assistant Children's Librarian

Grade 3 Assistant to the Program Coordinator-COA
 Assistant Town Clerk
 Library Assistant
 Secretary
 Secretary/Bookkeeper
 Data Collector*

***This position is only to be filled as part of an intermunicipal or regional assessing operation authorized by the Board of Assessors and approved by the Board of Selectmen.**

Grade 4. Administrative Secretary for Public Works
 Administrative Assistant to the Chief of Police
 Assistant Tax Collector
 Assistant Treasurer
 Dispatcher

Grade 5. Assistant Town Accountant
 Municipal Assistant

Or take any other action relative thereto.

ARTICLE 12- AUTHORIZATION TO AMEND THE PERSONNEL BYLAW SO AS TO CREATE THE POSITION OF REGIONAL ASSESSOR/APPRaiser

To see if the town will vote to amend the Personnel Bylaw so as to create the position of Regional Assessor/Appraiser to be classified at Grade 10 as an exempt employee to be compensated as follows:

Grade 10	Step 1	Step 2	Step 3	Step 4	Step 5
Regional Assessor/Appraiser	\$37,561	\$41,321	\$45,078	\$48,836	\$52,595

And to amend Section 5, Part AA Classification and **Compensation Plan** of the Personnel Bylaw as follows:

Exempt Employees - Salaried Supervisors

Grade	Step 1	Step 2	Step 3	Step 4	Step 5
6					
Cemetery Superintendent	\$21,521	\$23,681	\$25,824	\$28,875	\$30,146
COA Coordinator	\$26,485	\$29,146	\$31,783	\$35,538	\$37,102
7					
Children's Librarian	\$24,552	\$26,967	\$29,457	\$31,906	\$34,359
Town Clerk	\$24,522	\$26,967	\$29,457	\$31,906	\$34,359
Assistant Library Director	\$26,485	\$29,041	\$31,721	\$34,362	\$37,002
8					
Building Inspector	\$20,045	\$22,056	\$24,054	\$26,067	\$28,062

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Principal Assessor	\$32,233	\$35,460	\$38,687	\$41,661	\$45,121
Town Accountant	\$32,233	\$35,460	\$38,687	\$41,661	\$45,121

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Library Director	\$33,651	\$38,059	\$40,706	\$44,912	\$48,442
Treasurer/Tax Collector	\$37,561	\$41,321	\$45,078	\$48,836	\$52,595
Regional Assessor/Appraiser	\$37,561	\$41,321	\$45,078	\$48,836	\$52,595

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Superintendent of Streets and Parks	\$45,551	\$49,686	\$53,821	\$57,955	\$61,653
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***The position of Regional Assessor/Appraiser is only to be filled as part of an intermunicipal or regional assessing operation authorized by the board of Assessors and approved by the Board of Selectmen.**

Or take any other action relative thereto.

ARTICLE 13- AUTHORIZATION TO AMEND ZONING BYLAWS

To see if the Town will revise the site plan review regulations (*changes are italicized*), Section 3.6 (Site Plan Review), to maintain consistency, to reduce the threshold for applicability, specify shorter review times, clarify necessary contents and fees, clarify applicable design standards, clarify inspection process, and clarify supervisory needs by adopting the following set of site plan review regulations to replace Section 3.6 (Site Plan Review) of the Zoning By-Law:

Section 3.6 - Site Plan Review

A. Purpose:

The purpose of the Site Plan Review By-law hereby established is to protect the safety, public health, convenience and general welfare of the inhabitants of the town by ensuring that the design and layout of certain developments permitted by right or by special permit will constitute suitable developments and will not result in a detriment to the neighborhood or the environment.

B. Scope - Projects Requiring Site Plan Review:

1. New construction or exterior expansion of any non-residential building or multi-family dwelling *containing more than four (4) units*. "Expansion" shall include a floor space increase of *2,000 square feet* , or a floor space increase of 25% or more within any ten (10) year period, whichever is less.
2. The construction or enlargement of any multi-family dwelling containing more than four (4) units, or buildings accessory to such dwellings, including such dwellings on contiguous lots under the same ownership.
3. The construction, rehabilitation, or change of use of a building involving *ten (10)*

or more parking spaces.

4. The construction or renovation of parking facilities involving *ten (10)* or more spaces, with the exception of normal maintenance.
5. Any use designated “SPR” in Section 3.2, “Schedule of Use Regulations”.

C. Procedure:

1. Preliminary Site Plan:

A Preliminary Plan may be submitted to the Planning Board and any waivers concerning the required content may be requested at this time. The Planning Board shall act on any waiver requests submitted with the Preliminary Plan within thirty (30) days.

2. Submittal of Site Plan:

- a. An applicant for a Site Plan Review under this section shall file with the Planning Board twelve (12) copies of the site plan (drawn at a scale of 1” = 20’, *or other approved scale*) accompanied by a completed Site Plan Review Application, *all fees, and a list of abutting property owners*. The date of filing with the Town Clerk shall be the official filing date.

- b. The Planning Board will distribute copies of the plan to the following municipal departments, boards and commissions for review and comment:

Planning Board
Board of Health
Police Department
Sewer Department
Municipal Lighting Plant

Water Department
Building Inspector
Conservation Commission
Superintendent of Streets and Parks/DPW

Town Clerk
Fire Dept
Review Engineer

- c. Said departments, boards and commissions shall have *thirty (30)* days to submit recommendations/comments in writing to the Planning Board. Failure to report within the allotted time shall be interpreted as approval of the submitted site plan.
- d. The Planning Board is authorized to retain a registered professional engineer or other professional consultant to advise the Board on any or all aspects of the site plan. Site plan applicants shall pay all review fees before the site plan review process shall begin. Any portion of the fee not used shall be returned to the applicant.

e. Site plan applicants shall submit application and review fees in accordance with the Planning Board's Site Plan Review Fee Schedule.

f. Site plans depicting roadways, utilities, bridges, culverts, or drainage shall be prepared and stamped by a registered professional engineer licensed in Massachusetts. In specific cases, the Board may waive this requirement when deemed appropriate.

3. Public Hearing on Site Plans:

The Planning Board shall hold a public hearing within sixty-five (65) days of the receipt of an application and shall take final action within ninety (90) days from the time of the hearing, as provided for in MGL Chapter 40A, Sections 9 and 11. The Planning Board's final action, rendered in writing, shall consist of either:

- a. Approval of the site plan based upon determination that the proposed plan will constitute a suitable development and is in compliance with the standards set forth in this by-law; or
- b. Disapproval of the site plan based upon a determination that the proposed plan does not meet the standards set forth in this by-law; or
- c. Approval of the site plan subject to any condition, modification or restriction required by the Planning Board which will ensure that the project meets the standards set forth in this by-law.

Failure of the Board to take final action upon an application for site plan review within the time specified above shall be deemed to be approval of said application. Upon issuance by the Town Clerk of an appropriate certification that the allowed time has passed without Planning Board action, the required building permits may be issued.

D. Site Plan Contents and Submission Materials:

1. Site Plan Contents:

The purpose of this plan is to provide general information on the site, its existing conditions, and to illustrate and fully explain the proposed changes taking place within the site. All submitted site plans shall depict the following information:

- a. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
- b. Title, date, north arrow, names of abutters, and scale.

- c. A vicinity sketch showing the Zoning District(s) and the location of the land/site in relation to the surrounding public street system and other pertinent location features within a distance of 1,000-feet.*
- d. Natural features including watercourses and water bodies, tree lines, significant trees, and other significant vegetative cover, topographic features, soil properties, and any other environmental features of the landscape that are important to the site design process.*
- e. Existing and proposed contours at intervals of 2-feet with spot elevations provided when needed*
- f. Surveyed property lines including angles and bearings, distances, monument locations, and size of the entire parcel. A professional land surveyor licensed in Massachusetts must attest to said plan.*
- g. Lines of existing abutting streets and driveway locations within 200-feet of the site.*
- h. Location, elevation, and layout of existing and proposed storm drainage systems including catch basins and other surface drainage features.*
- i. Shape, size, height, location, and use of all existing and proposed structures on the site and approximate location of structures within 200-feet of the site.*
- j. Location of all existing and proposed easements, rights-of way, and other encumbrances.*
- k. All floodplain information, including the contours of the 100-year flood elevation based upon the most recent Flood Insurance Rate Map for West Boylston, or as calculated by a professional engineer for unmapped areas.*
- l. Shape, size, height, and location of all proposed structures, including expansion of existing structures on the site and first floor plan(s), and building elevation(s) of the proposed structure(s).*
- m. Location, flow, volume and timing patterns of existing and proposed traffic.*
- n. Location, width, curbing and paving of all existing and proposed streets, rights-of-way, easements, alleys, driveways, sidewalks and other public ways.*
- o. Location, size, and layout of all existing and proposed off street parking,*

including loading zones. The plan shall indicate the calculations used to determine the number of parking spaces required and provided

p. Size and location of all existing and proposed public and private utilities, including but not limited to: water lines, sewage disposal facilities, gas lines, power lines, telephone lines, cable lines, fire alarm connection, and other utilities.

q. Location, type, and size of all existing and proposed landscaping, screening, green space, and open space areas.

r. Location and type of all existing and proposed on-site lighting including the proposed cone(s) of illumination to a measurement of 0.5 foot-candle.

s. Location, size, and exterior design of all existing and proposed signs to be located on-site.

t. Type and location of all existing and proposed solid waste disposal facilities and accompanying screening

u. Location of all existing and proposed on-site snow storage areas.

v. A signature block for Planning Board approval.

2. Additional Submission Materials:

a. The applicant shall submit such material as may be required to ensure the proposed development will not pollute surface or ground water, cause soil erosion, increase runoff, change ground water levels, nor increase flooding during or after construction.

b. The applicant shall submit such materials as may be required regarding design features intended to integrate the proposed new development into the existing landscape, to enhance aesthetic assets, and to screen objectionable features from neighbors.

c. The applicant shall submit such materials as may be required regarding the projected traffic flow patterns into and upon the site for both vehicles and pedestrians and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours.

E. Site Design Standards:

All site plan review applicants shall adhere to the following general principles when designing a

site plan for land within the Town of West Boylston.

- 1. Landscaping Within the Setbacks: Site plan applicants are required to landscape the setbacks as part of the site plan approval process. Site plan applicants are expected to maintain the landscaping approved for the site and replace any landscaping that has not fully established itself within two growing seasons, after which all failed landscaping shall be replaced. Front yard setback landscaping shall consist of street trees and low-level plantings. Landscaping within 20 feet of a driveway shall consist solely of low-level plantings such that vehicular and pedestrian sight lines are not restricted*
- 2. Driveways and Curb Cuts: Each property shall be limited to one entrance and one exit per street unless the Planning Board determines that the specific site conditions warrant an alternative configuration. At the main entrance, one combined entrance/exit location is encouraged to facilitate traffic movement. Unless deemed appropriate by the Planning Board, the combined entrance/exit shall be separated by a traffic island with separate in and out movements. For corner lots fronting on two public ways, the Planning Board may require the lot's exit to be located on the public way having the lesser traffic volume.*
- 3. Service Roads/Connection of Parking Lots: To minimize turning movements onto adjacent public ways, developers are encouraged to provide internal circulation systems (service roads) that connect to adjacent developments (parking area to parking area). Site plans that propose service roads and/or connection of parking areas shall show on the plan how the connection of parking areas will be achieved and have an agreement from the abutter.*
- 4. Parking and Loading Areas. All parking and loading areas shall be striped and marked on the ground as a condition of site plan approval. All off street parking and loading spaces shall be provided with safe and convenient access and shall not be located within a public right-of-way or within required setbacks. Access locations shall be designed to encourage unimpeded traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. See Section 5. 2.A. 4 of the Zoning By-Law for the Town 's parking and loading standards.*
- 5. Parking Area Landscaping: Site plans involving more than thirty (30) parking spaces shall provide interior landscaping covering not less than five percent (5%) of the total area of the parking area. In total, there shall be provided one shade tree placed within the parking lot for every ten (10) spaces and complimented by shrubs and other planting material. Such trees shall be at least two (2) inches in trunk diameter at the time of planting, and shall be located in planting beds at least six feet (6') in width or diameter. In case it can be shown to the Planning Board that the planting of trees is impractical, the Planning Board may authorize plantings and shrubbery instead of trees.*
- 6. Interior Walkways and Pedestrian Paths. Site plans involving more than thirty*

(30) parking spaces shall provide walkways and pedestrian paths that safely connect the parking areas to the principal uses they will serve. Such walkways shall be constructed with brick decorative pavers, or other materials, and may be bordered with fencing or shrubbery to clearly separate pedestrians from automobile traffic. Facilities and access routes for deliveries, service and maintenance shall be separated, where practical, from public access routes and parking areas. Car stops shall be provided to prevent parked cars from damaging trees, shrubs and curbing, and shall not disrupt pedestrian walkways.

7. *Storm water Management (Grading and Drainage): All site plan applicants must submit drainage calculations to show compliance with DEP (Department of Environmental Protection) Stormwater Guidelines.*

8. *Lighting: All exterior lights shall be designed and installed in such a manner as to prevent objectionable light at (and glare across) the property lines. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Each outdoor luminaire shall be a full cutoff luminaire, and the use of decorative luminaires with full cutoff optics is desired. A full cutoff luminaire is an outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal plane. Developments shall eliminate glare onto adjacent properties through the use of lighting shields, earthen berms, or retention of existing natural vegetation. All outdoor lighting fixtures, including display lighting, shall be turned off within one hour after close-of business, unless needed for safety or security, in which case the lighting shall be reduced to the minimum level necessary.*

F. Standards for Site Plan Review:

In reviewing a site plan application, the Planning Board shall take the following items into consideration:

1. *Compliance with all applicable provisions of the West Boylston Zoning By-Law and those provisions of the Subdivision Regulations that are deemed applicable by the Planning Board*
2. *Traffic safety and ease of access at street and highway entrances and exits, taking into account grades, sight distances, distance between such exits and entrances, and the proximity of existing street and driveway entrances.*
3. *Safety and adequacy of driveway layout and pedestrian walkways; off-street parking areas; off-street loading areas for materials and products; adequate access for service and emergency vehicles such as electricity, gas, fuel, telephone, laundry, rubbish removal, water, sewage, fire, police, ambulance and other routine emergency vehicles.*
4. *Safe and adequate means of disposal of sewage, garbage and rubbish.*

5. Safe and adequate water supply and distribution; including sufficient water and facilities for fire fighting on the site.
6. Safe and adequate storm drainage consistent with building and surface coverage, grades, slopes, soils and water table which shall result in zero increase in the rate of runoff from the site, as measured by *the 2-Year (24-hour) and 10-Year (24-hour) Storm Event Standards; that there will be no negative impacts to downstream property-owners in a 100-year (24-hour) storm event.*
7. Prevention of soil erosion during and after construction; provisions for an increase in the volume of runoff of surface water from the site and the protection of adjacent areas against detrimental or offensive uses on the site by the provision of adequate buffers against light, sight, sound, dust and vibrations.
8. Open space provisions and landscaping, including the maximum retention of on-site natural features.
9. Placement of underground utilities, night lighting and signs.
10. Compatibility of soil and subsoils to type and intensity of development.

G. Modifications to an Approved Site Plan:

Once a site plan has been approved by the Planning Board, said plan shall not be changed, amended or modified without approval of the Board. There shall be only one final site plan in effect for a parcel of land at a time.

H. Construction of an Approved Site Plan:

1. Construction on a site with an approved site plan must be started within one (1) year from the date of the Planning Board's approval of the site plan. Site plan approval may be extended for one (1) year at the discretion of the Board after receipt of a written request from the landowner, showing good cause. If one year has elapsed from the date of approval, and no extensions have been granted, or if one year has elapsed since the granting of said extension, the final site plan approval shall become null and void without requiring any further action by the Planning Board. This time period shall not include delays resulting from litigation.
2. No permit to build, alter or expand any building or structure, or change of use requiring Site Plan Review under this by-law shall be issued by the Building Inspector; nor shall any construction commence before a written statement of Final Approval has been

issued by the Planning Board.

3. *The Building Inspector may inspect a site under construction for compliance with the approved site plan.*

I. Enforcement:

1. It shall be the duty of the Building Inspector to administer and enforce the provisions of this by-law,
2. The Planning Board shall provide a schedule of inspection fees to be paid by the applicant prior to the start of construction.
3. The Planning Board may use inspection fees paid by the applicant to offset the cost of hiring any additional engineers or inspectors necessary to monitor all phases of construction covered by an approved site plan.
4. The Planning Board may suspend its site plan approval when work is not performed as required by the approved site plan.
5. “As Built” plans, *certified by a registered professional*, shall be filed with the Building Inspector and the Planning Board before a Certificate of Completion shall be issued.
6. The Building Inspector shall issue a Certificate of Completion when all construction has been performed and all other requirements have been met in compliance with the approved site plan. A copy of the Certificate of Completion will be filed with the Planning Board.
7. No Certificate of Occupancy shall be issued for any structure or use subject to site plan review unless a Certificate of Completion has been issued.
8. The Building Inspector may issue a Temporary Certificate of Occupancy for a period of one (1) year if the required construction has been substantially completed and the permitted uses of the development can be carried on in a safe and convenient manner.
9. Any person aggrieved by any decision of the Planning Board or Building Inspector *regarding a site plan review application* may appeal that decision to the Zoning Board of Appeals as provided in Article 6.2 of this by-law.

J. Rules and Regulations:

1. The Planning Board may adopt such rules and regulations for carrying out its

duties under this section. The Board may, where such action allowed by law, in the public interest and not inconsistent with the purpose and intent of this by-law, waive strict compliance with any requirement of this site plan review by-law or its rules and regulations.

2. The Planning Board may periodically amend or add rules and regulations relating to the procedures and administration of this site plan review by-law, by majority vote of the Board, after conducting a public hearing to receive comments on any proposed revisions. Such hearing: dates shall be advertised in a newspaper of general local circulation, at least seven (7) days prior to the hearing date.

AND

Vote to amend Section 4.2 of the Zoning By-Law (Schedule of Dimensional Requirements) to reduce the required front yard setback in the Business District from twenty-five (25) feet to ten (10) feet.

AND

Vote to amend the screening provisions to clarify the needs and acceptable methods as outlined in the first paragraph of Section 5.3.D (Special Regulations - Screening). The first paragraph of Section 5.3.D will now read as follows:

Outside storage areas for materials, equipment, or trash, shall be provided with an opaque screen a minimum of five feet (5') in height to shield such areas from view from adjacent streets and residential districts. Such screens may consist of walls, fences, landscaped berms, evergreen plantings, or any combination thereof. Fences shall consist of wood, stone, or brick materials; chain link fences are prohibited. Walls or fences exceeding four and one-half (4 1/2) feet shall have plantings on any side facing a residential district. Elements such as HVAC units, telephone boxes, or electrical transformers shall be screened from public view through use of landscaping, berms or fences and shall be as unobtrusive as possible. Where possible, HVAC units shall be screened or located behind roof ridge lines so they are not visible from the front view of the building.

AND

Vote to amend the Town's dimensional standards for off-street parking as outlined in Section 5.2.B. 1 (Off-Street Parking Requirements) by adding the following new item n:

n. Automobile/Vehicle Sales

One (1) customer parking space for every four hundred (400) square feet of showroom and office, plus one (1) customer parking space for every two thousand (2,000) square feet of exterior display area.

AND

Vote to amend the Town's dimensional standards for off-street parking as outlined in Section 5.2.B.2 (Off-Street Parking - Location and Dimensions) by adding the following new items e. and f.

e. Uses that propose drive-through facilities such as automatic teller machines and restaurants shall be designed to be an integral component of the building complex and shall not be located within a public right-of way. Such uses shall be safely and conveniently accessible from surrounding uses via a clearly defined circulation system that minimizes points of conflict between vehicular and pedestrian traffic. The queue length shall be arranged so that there will be no spillage onto a public right-of way. See Section 4.B. J.d of the Zoning By-Law for the Town 's parking standards for drive through facilities.

f. Use of Parking Areas for Retail Sales: The use of designated parking areas for outdoor sales events shall be limited to five (5) days per year, unless the Building Inspector determines that public safety and welfare will not be harmed by allowing additional days.

AND

Vote to replace Section 4.3.F of the Zoning By-Law (Building Height) to allow an increased building height in the Business District from thirty-five (35) feet to fifty (50) feet and increase the buffer to these taller buildings with the following:

F. Building Height Limitations

In All Districts, except the Multi-Story District as specified within Section 2.8, and the Business District, no building shall be erected or altered to an average height of more than thirty-five feet (35'). Average height is calculated by taking the average of the heights, as measured from the ground surface to the eaves, at every exterior building corner. The maximum building height allowed within the Business District shall be fifty feet (50'). Where such building is proposed to be greater than thirty-five feet (35'), it shall be set back from the property line abutting a Residential District a horizontal distance the same as the height of the building.

AND

Vote to limit the reduction of frontage by Special Permit in Residential Districts only by replacing Section 4.2.C of the Zoning By-Law (Schedule of Dimensional Requirements) with the following:

C. The Board of Appeals shall hear and decide upon applications for special permits for the reduction of the minimum *residential* lot frontage requirements outlined in Section 4.2 of this by-law. Special permits shall be granted only for *residential* lots with a minimum of 40,000 sq. ft. and only in those cases the Board finds that a lot frontage which is less than the required minimum, but not less than 100 feet, shall provide adequate access for the intended use of that lot and the Board may restrict or otherwise limit the use of said lot. Adequate access shall be defined for the purpose of this by-law as sufficient frontage to ensure safe access for vehicular traffic and for the provision of municipal services and utilities to the lot.

AND

Vote to amend Section 4.2 of the Zoning By-Law (Schedule of Dimensional Requirements) to reduce the minimum frontage in the Industrial District from two hundred and fifty (250) feet to one hundred and fifty (150) feet.

AND

Vote to amend Section 5.2.B. (Off-Street Parking) to allow a reduction in the number of required parking spaces for adjacent uses with different hours of normal activity by adding the following new Section 5.2.B.3:

3. *Shared Parking*

The Board of Appeals shall hear and decide upon applications for Special Permits for the reduction of the required number of parking spaces by up to twenty-five percent (25%), if it can be demonstrated that two or more uses within a single development can share parking areas due to different hours of normal activity.

or take any other action relative thereto.

ARTICLE 14- GENERAL BYLAW AMENDMENT RELATIVE TO BUILDING REGULATIONS

To see if the town will vote to amend Article XV (Building Regulations) Section 2 of the Town's General By-Laws to read as follows (*changes are italicized*):

"No portion of any building or structure, except in the Business District, shall hereafter be constructed nearer than twenty-five feet (25') to the line of any highway, street, or way, as laid out, except where there are buildings within one hundred feet (100') on either side which are nearer to the street than above specified. No portion of any building or structure in the Business District shall hereafter be constructed nearer than ten feet (10') to the line of any highway, street, or way, as laid out."

or take any other action relative thereto.

**ARTICLE 15- AUTHORIZATION TO AMEND THE GENERAL BYLAWS
EXTENDING THE TERM OF APPOINTMENT OF THE BOARD OF FIRE
ENGINEERS**

To see if the town will vote to amend the General Bylaws, Article II, Section 2 and replace the sentence that states “All annual appointments shall be made subsequent to the Annual Town Election, unless otherwise provided by law” to read as follows:

“All annual appointments, except the appointment of the Fire Engineers, shall be made subsequent to the Annual Town Election, unless otherwise provided by law. The Board of Fire Engineers will consist of five (5) members. One (1) will be appointed for one (1) year; two (2) for two years and two (2) for three (3) years and thereafter each reappointment will be for three years,”

or take any other action related thereto.

And you are directed to serve this Warrant by posting an attested copy thereof at the place of said meeting as aforesaid and at the Post Office in said Town fourteen (14) days at least before the time of said meeting.

Hereof, fail not, make due return of this warrant with your doings thereon to the Town Clerk at the time and place of said meeting as aforesaid.

Given under our hands this 10th day of October in the year of our Lord, Two Thousand and One.

Wayne M LeBlanc, Chairman
Alexander Fallavollita Sr. Selectman
Kevin M McCormick, Clerk
Charles A. Stevens, Selectman

Board of Selectmen
Town of West Boylston

A true copy attest

Barbara M. Deschenes, Town Clerk

Honorable Board of Selectmen:

I have served this Warrant by posting duly attested copies thereof at the following

places:

Mixer Municipal Office Building 10-11-01
West Boylston Middle/High School 10-11-01
West Boylston Post Office 10-11-01
Pruneau's Barber Shop 10-11-01
Municipal Lighting Plant 10-11-01
Beaman Library 10-11-01