

TOWN OF WEST BOYLSTON
SEMI-ANNUAL TOWN CLERK MINUTES
MAY 20, 2013

Article 1, Section 3 of the Town of West Boylston General bylaws states that “One Hundred (100) legal voters, including the presiding officer and the clerk, shall constitute a quorum, provided that a number less than a quorum may vote an adjournment: and that not more than Seventy-five (75) shall be required to maintain a quorum once the meeting has been called to order by the Moderator and that a quorum of Seventy-five (75) be required to reconvene any adjourned session of any such meeting.”

The Moderator was informed that 100 registered voters were in attendance and that the quorum requirement has been met.

Town meeting was called to order at 7:12 p.m.

M.G.L 39 § 15 was accepted at the Oct 20, 2008 Semi-Annual Town Meeting and placed in the General Bylaws Article I § 7. This Bylaw Section states. “If a two-thirds vote of Town Meeting is required by statute, the Moderator may, at his or her discretion, decline to verify a voice vote by polling the voters or by dividing the meeting, and may record the vote as a two-thirds vote without taking such a count.”

Following the Pledge of Allegiance, a moment of silence was conducted for all the members of the community who have passed and the servicemen and women who have made the ultimate sacrifice serving in the armed forces in Iraq, Afghanistan and around the world.

The following people were sworn in as tellers by the Town Clerk;

Siobhan Bohanson	Elaine Novia
Marcia Cairns	Barbara Deschenes
Bruce Peterson	Mark Brodeur
Jacalyn Pruneau	Val Pruneau

Upon a motion by John Hadley and second by Christopher Rucho is was unanimously voted to waive the reading of the Warrant and refer it as subject matter only.

The following report was presented by Town Administrator Leon Gaumond;

Mr. Moderator

I request permission to speak through you to the attendees of the Annual West Boylston Town meeting for a brief presentation.

My name is Leon Gaumond, and I am the Town Administrator for the Town of West Boylston. As I have done for the past few years, I would like to take the time to recognize some dedicated individuals

who work on behalf of the residents of West Boylston every day. As you may know, the dedication of government employees who conduct the public's business is often unrecognized despite the essential services they perform. Teachers, fire fighters, police officers, and many others labor faithfully at the local level in the public interest, sometimes at risk for their own personal safety. Indeed, all government employees and appointed officials strive to fulfill the promises made by the founders of our republic while also trying to meet the challenging needs of a diverse population in a rapidly changing technological environment.

Mr. Moderator, there are several employees who are celebrating major anniversaries of working for the Town and I believe should be recognized by the citizens of West Boylston. With your permission, I would like to recognize the following individuals for all that they do on behalf of the Town of West Boylston.

45 years

Steve Osterberg, Fire Dept.

25 Years

Christian Koppetsch, Fire Dept.

Francis Glynn, Police Dept.

David Gustafson, School Dept.

15 Years

Sue Gomes, Library

Sue Abramson, a number of departments including Conservation Commission, Library, Planning Board and Town Clerk

Lois Mindardi, School

10 Years

Suzanne Gillman, School

Rosemary Palmi, School

5 Years

Jesse Boucher, Fire Dept.

Ted Flanagan, Fire Dept.

Dana Ford, Fire Dept.

Jenny Boudreau, School

There are several individuals whose work with the Town is coming to an end this year due to retirement. They are:

Retirees

Marcia Cairns, Council on Aging after 10 years of service

Nanci Bell, school 15 years of service

Lois Minardi, school, 16 years of service

Beverly Schofield, school 32 years of service

Karen McQuade, school 13 years of service

Linda Keifer, school 9 years of service

Sarah Holden, school 26 years of service

Rose St. Jean, school 14 years of service

Finally, I would like to recognize all those citizens of the Town who serve on elected and appointed boards, commissions and committees. It is on the backs of these essentially volunteer entities that the Town continues to operate in a productive manner. It is my hope that others in the community may be touched by the desire to serve the Town in some capacity.

This year there are several people who are leaving public service after many years of elected service to the Town. I would like to acknowledge Jackie Pruneau having served the Town for three years on the Board of Library Trustees, John O'Brien having served three years as a member of the Board of Selectmen, Susan Abramson having served 4 years on the Board of Library Trustees and Karen Pare having served 10 years as a member of the Planning Board. As the Town Administrator, I am proud of the contributions that all of these fine individuals have made to the Town.

I would especially like to recognize you, Mr. Moderator, as you lead us in your last Town Meeting as our Moderator. I have enjoyed working with you these many years and I wish you the very best in your political retirement.

Mr. Moderator, it would be my honor to lead the Town in a round of applause for all public servants of the Town of West Boylston.

ARTICLE 1 - Authorization to Hear the Reports of Officers and Committees of the Town

Motion- Christopher Rucho
Second- Kevin McCormick

It was unanimously voted to hear the reports of the officers and standing committees of the town. The following reports were given;

TWPC- Leon Gaumont, Jr.

The Town Wide Planning Committee is in the final stages of updating the 2005 Master Plan and the committee expects to be having public hearings on this matter sometime this summer with the final draft being brought forward to the October Town Meeting. We look forward to presenting this to the Town and look forward to its debate. In addition the committee has several vacancies at this time so we encourage any participation on the committee from the general public.

FISP-Leon Gaumont, Jr.

LIBRARY- Director Louise Howland gave the following report;

Thank you, Mr. Moderator.

My name is Louise Howland; I am the Director of the Beaman Memorial Public Library. The Trustees asked me to address Town Meeting this evening.

The proposed library budget, while increased by 5%, remains \$16,401 below the State's foundation budget for our community in regards to library funding.

While this budget allows the Trustees to maintain the current level of services and maintenance for the Library, the Town of West Boylston will, again, be required to submit an application for a waiver of the State’s certification requirements when filing the library’s annual report to the State this fall.

This waiver is essential to the future of library service to the Town of West Boylston and all its residents. I want to emphasize that without this waiver, town residents will not be able to borrow materials from other area libraries and the library would lose access to all grants, including the annual State Aid to Public Libraries grant which amounts to about \$9,000.

Will we be successful in our waiver application? As long as the State Legislature again approves the awarding of waivers sufficient to meet the state’s needs, I know that we will be able to show that the Library was not singled out in any way and that the leaders of Town of West Boylston did the very best that they could in very difficult times.

I would also like to take this opportunity to thank all the volunteers who ran both a successful Used Book Sale and the annual fundraiser for the Friends of Beaman Endowment. I thank those that planned, those that worked and, especially, those who attended these events. All money raised goes to support the programs of the library for the benefit of all.

Again, thank you all for your support.

CAPITAL INVESTMENT BOARD- Patrick Crowley gave the following presentation;

Capital Investment Board- Asset Review Update

Capital Asset Review – Goals

Update the all-inclusive “evergreen” list of the capital assets of the town for the purpose of assessing short and long term capital needs and develop a strategy to fund the upgrade or replacement of those assets

Capital Asset Review- Process

- Started with prior master list from 2012.
- Meetings with all town departments, conducted site inspections, met with Town Administrator and BOS.
- Reviewed last year’s asset list, updated timeline for expenditures and added/deleted assets based on department feedback.

Capital Asset Review – Summary of Findings

Total of Requests by Department

By Department	2014	2015	2016	2017	2018
Public Safety/Fire/Police	\$ 53,000	\$ 74,460	\$ 92,075	\$ 661,133	\$ 587,761
Municipal Office	\$ 24,000	\$ 87,720	\$ 18,727	\$ 130,529	\$ 19,484
DPW	\$ 256,000	\$ 311,540	\$ 15,606	\$ 212,242	\$ 124,480
School	\$ 252,000	\$ 467,160	\$ 312,120	\$ 3,184	\$ 40,050
Municipal Building Cmte.	\$ 294,000	\$ 0	\$ 0	\$ 12,734,496	\$ 0

All Others	\$	40,000	\$	1,836,000	\$	0	\$	0	\$	1,298,919
Total	\$	919,000	\$	2,776,880	\$	438,528	\$	13,741,584	\$	2,070,694

2013 Asset Review – Concerns

- Need to have a plan for the perpetuation of town buildings – perhaps \$10M-\$12M in next 5 yrs
- Relative priority of razing pool and Mixer unclear in view of other town priorities
- School Library structural deficiency to be addressed
- Fall town meeting to deal with street sweeper – perhaps \$175k?
- Need to have a plan for the perpetuation of town buildings – perhaps \$10M-\$12M in next 5 yrs
- Library Carpet Replacement - \$69,000
- Aging DPW Fleet – Additional \$500,000 in the next 1 to 3 years.
- School Conversion to Natural Gas - \$230,000

CABLE TV ADVISORY CMTE. - John Schlichte

**May 2013 Town Meeting
This is a brief Cable TV Advisory Cmte. Update**

- In November 2012 the CTAC continued meetings and negotiation sessions with Charter.
- A recommendation and detailed suggestions for contract renewal were presented at the December 5, 2012 Board of Selectmen Meeting. (Rebroadcast on WB Public Access Channel 13) Recommendation documents were then referred to Town Counsel for review
- Town Counsel and Charter Communications refined and developed agreement on terms for contract renewal in January 2013. This was then approved by counsel for Charter.
- A renewal contract, signed by Charter’s Chief Administrative Officer, was returned to the Town and Selectmen signed a finalized non-exclusive 10 year renewal contract at the 2/20/13 Board of Selectmen meeting.
- In March the contract was posted on the town’s web site. See Town Departments > WBPA-TV > CTAC The Town Administrator’s 3-5-13 Blog also posted information about the contract renewal completion, links, and suggestions for having complaints acknowledged.

The contract is for ten years and provides:

- \$100,000. to the Town within 90 days. (p.28)
- Annual payments to the Town of 2.5% of the previous year’s annual gross revenue within 90 days. (p.28) (Last estimated to be over \$50,000.)
- There is greater flexibility in use of funding for equipment and support for WBPA-TV (p.28) and 80 hours of Public Access Channel Equipment Related Technical Training is available, *Plus Production Training (p.30).

- There is an upgrade to fiber optic access channel origination sites (to allow onsite live broadcasting capabilities) at existing PEG locations within 120 days. (p.29-30)

The contract also provides:

- help to the town should it relocate the West Boylston cable TV Town facilities/equipment (PEG Studios). (13.1(b) p.28)
- and, upon request, up to 2 additional PEG origination sites (p.30)
- As part of the negotiations there is also a side letter to provide, upon request, additional training on use of remote/cable box/TV related equipment (i.e. Senior Center, Library, School).
- For more contract related information see the handout outside the auditorium or the town web site: See Town Departments > WBPA-TV > Cable TV Advisory Committee

Other Information

- In January Charter notified the town of rate changes (lowering basic rate to \$14.40, but adjusting other tier plans higher).
- In February Charter notified the town of some analog to digital channel changes that may require cable boxes to access those channels. Responding to requests for clarification Charter indicated the availability of 2 free cable boxes for 1 year, or 2 boxes for 2 years for eligible basic only subscribers.
- In March questions were sent to Charter and the Department of Telecommunications & Cable regarding Charter's completion of Form 500 (Outage and Complaint Report).

PARKS AND RECREATION- Steven Blake

The Recreation Department would like to give an update to the residents of West Boylston with respect to the programs and family events run by the department in the last six months as well as planned programs going forward.

Last fall the department held its first ever Halloween event, working in conjunction with the West Boylston Arts Foundation and the Masons. A free Halloween party with games, a costume parade and magic show was held on the town common.

It has always been the mission of the Recreation Department to provide family programs which are not only affordable, but that bring different organizations and groups together to work collaboratively for the town's residents benefit.

Over the winter we were able to continue programs like the gingerbread house making as well as adding new programs like Learn to Ski through Ward Hill and Learn to Skate through the Worcester Junior Sharks. We also worked with Worcester Fitness to offer swimming lessons for young children and installed the town skating rink, which got a huge amount of use and was enjoyed by many residents.

Current programs include flag football, tennis and soccer, with a large offering coming out for the summer.

We have worked to bring new programs like Learn to Sail and tennis for both children and adults as well as weeklong LEGO camps, sports camps and four weeks of our day camp program known as Days of Play for children ages 5-11.

We are also bringing back our summer basketball program, which was a great success last year. This year, we are looking to take the program a step further by incorporating tournament style play among set teams. The program is for children in grades 3-10 and will begin in early June.

The Recreation Department is constantly working to improve and welcomes feedback from residents with regard to program ideas.

MUNICIPAL BUILDINGS MAINTENANCE COMMITTEE- Presented by Marc Trudeau, Chair

- I. My name is Marc Trudeau, Chair of the Municipal Buildings Maintenance Committee.
 - Members of the Committee are:
Bradford Dunn, Vice Chair
Gerald Espe, Clerk
Kevin McCormick
Ray Bricault

- II. Our Role:
 - Review annual budget requests submitted by town departments with oversight of a building.
 - Meet with Town Administrator to discuss the funding plan for municipal buildings maintenance for the next fiscal year.
 - Review copies of the invoices for all municipal building maintenance expenses.
 - Consider and disposition requests from department managers for expenditures to be made out of the Municipal Building Trust, with the understanding that the Committee's function is to protect the Town's assets.
 - Look out for your Municipal building assets so they remain in service for years to come; ensure that maintenance line item funds are spent appropriately.

- III. Since last year, the Committee, as guardian of the Town's building assets, considered notes and photographs from Mr. Espe and Mr. Trudeau, taken during February 2012 tours of all Municipal buildings, and made the following observations:
 - From member's perspectives as laypersons, the Public Library and Public Works Buildings appeared to be in good repair, and the managers aware of and in control of maintenance needs of their respective buildings.
 - In contrast, the Committee was concerned that the Public Safety Building appeared to have suffered significant neglect. Mr. Brodeur has since outlined a plan to rectify this situation. Warrant item to fund (in excess of normal maintenance) power washing, repointing, repair and sealing of the masonry. The masonry should be sealed every ten years, funded from the normal Public Safety Department line item. We strongly encourage you to approve Article 16.
 - The Committee requested the help of Building Inspector Brodeur to perform maintenance inspections of all three buildings, the results of which were reviewed at our 12 March 2013 meeting (with sincere thanks to Mr. Brodeur) and largely confirmed the Committee's initial

observations. The Committee hopes the inspection results will guide the Select Board, Town Administrator and building managers in budgeting maintenance in subsequent years.

- IV. The Committee has requested, with the support of Town Administrator Gaumond, that the directors responsible for the Public Works and Public Safety Buildings develop maintenance schedules, using the template developed by the Library Director and Trustees, to guide ongoing budget planning for maintenance and replacement of building components and subsystems.

ARTICLE 2 - Authorization to Borrow in Anticipation of Revenue and to Enter into a Compensating Balance Agreement with a Bank

Motion- Kevin McCormick

Second- John Hadley

It was unanimously voted to authorize the Town Treasurer/Tax Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year 2014, the period from July 1, 2013 through June 30, 2014, in conformity with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and to authorize the Treasurer/Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2014 pursuant to Massachusetts General Laws, Chapter 44, Section 53F.

ARTICLE 3-Departmental Revolving Funds Authorization

Motion- Kevin McCormick

Second- Christopher Rucho

It was unanimously voted to authorize revolving funds for certain town departments under Massachusetts General Law Chapter 44, § 53E½ for the fiscal year beginning July 1, 2013.

(see attached Revolving Funds)

ARTICLE 3 – DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	FY14 SPENDING LIMIT	SPENDING RESTRICTIONS OR COMMENTS
WBPA-TV	Board of Directors of WBPA-TV	Receipts submitted to WBPA-TV for the operation of WBPA-TV that have been authorized by the Board of Directors of WBPA-TV as well as the franchise license fee paid by Charter Communications to the town	Purchase equipment to enhance cable-casting abilities of the town and to purchase expendable material as needed such as videotape, batteries, gaffer's tape, lights, etc.	\$5,000	Not to be used for wages or salaries since WBPA-TV is a volunteer organization
Board of Health	Board of Health	Fees derived from permits issued to licensed sewage haulers in the Town of West Boylston, said fees shall cover the cost of dumping at the Upper Blackstone Water Pollution Abatement District, plus an administrative charge and fees derived from plan reviews, inspections, administrative charges and other fees for services rendered by the Board of Health	To pay Upper Blackstone Water Pollution Abatement District for sewage dumped at its facility in Millbury by sewage haulers licensed in the Town and to pay Board of Health inspectors and/or agents for services provided for food service, sanitary code compliance, public nuisance, noisome trade inspections; and for percolation and soil testing, septic system design review, septic system installation review, final septic inspection and engineering services, and to fund administrative expenses of the Board of Health, including wage and salary expenses of part-time employees of the Board of Health	\$50,000	
Cemetery Trustees	Cemetery Trustees	All fees collected by the Cemetery Department exclusive of perpetual case and sale of lots receipts	Ordinary operating costs of the Cemetery Dpt. including, but not limited to, part-time wages and	\$60,000	Not to be used for any full-time salaries and wages

			grave opening costs		or elected official stipends
Council on Aging	Council on Aging	Fees and donations derived from various fund raising activities collected by the COA and for revenue and reimbursements from the Worcester Regional Transit Authority and user fees and donations for transportation services provided by the COA	Activities related to COA programs not provided for in the FY14 budget, and to fund administrative expenses of the COA including, but not limited to, wages of part-time employees of the COA.	\$60,000	
Planning Board	Planning Board	Fees derived from plan review filing fees and all other fees charged by the Planning Board	Pay agents, attorneys, planners, and engineers of the Planning Board for services provided for permit application, plan review and consultant services	\$50,000	
Zoning Board of Appeals	Zoning Board of Appeals	Fees derived from variance, special permit, comprehensive permit filing fees and all other fees charged by the ZBA	Pay agents, attorneys, planners, and engineers of the ZBA for services provided for permit application, plan review and consultant services and to fund administrative and wage expenses of the ZBA, including wage and salary expenses of part-time employees of the ZBA.	\$25,000	
Conservation Commission	Conservation Commission	Fees derived from all Wetland Protection Act filing fees and all other fees charged by the Conservation Commission	Pay agents, attorneys, planners and engineers of the Cmsn. for services provided for permit application and plan review and consultant services and to fund administrative and wage expenses of the Cmsn. including, but not limited to, wage and salary expenses of part-time employees of the Cmsn.	\$25,000	
Parks, Playground & Fields	Parks Commission	Field user fees and donations collected by the Parks Commission	To fund costs of maintaining and operating the playgrounds, fields and facilities under the jurisdiction of the Parks Commission, including	\$50,000	

			the purchase of supplies and services, to fund the repair and maintenance of playgrounds, fields, parks and park facilities including, but not limited to, the tennis and basketball courts and playing fields; said activities to be undertaken in coordination with the DPW and in conformity with all applicable laws and permit requirements and to fund administrative and wage expenses associated with the administration of programs of the Parks Cmsn., including wage and salary expenses of the part-time employees of the Cmsn.		
Fire Alarm	Fire Chief	Fees charged to private property owners for use of the municipal fire alarm system by the Fire Dept.	To fund the cost of purchasing and installing equipment as well as the operation and maintenance associated with the municipal fire alarm system service and to fund administrative and wage expenses associated with the operation and maintenance of the municipal fire alarm system, including wage and salary expenses of part-time employees of the Fire Dept.	\$15,000	
Hazmat	Fire Chief	Fees and payments for services related to the mitigation of hazardous materials and other incidents as paid from traffic companies, insurance companies and the like for billable services	Fund costs of purchasing equipment, supplies and services related to hazardous material and other emergencies, and administrative and wage expenses associated with the operation and response to hazardous material and other incidents	\$10,000	
Recycling	DPW Director	Any revenues derived from the collection of funds for the receipt of electronic components or the sale of compost bins, kitchen scrap pails, recycling bins and scrap metal.	Pay expenses associated with the responsible recycling of electronic components that are banned from the waste stream, environmentally responsible recycling of yard waste	\$10,000	

			by the distribution of compost bins, the environmentally responsible recycling of kitchen waste by the distribution of kitchen scrap pails, environmentally responsible recycling of newsprint and commingled plastics by the distribution of recycling bins and the environmentally responsible recycling of scrap metal		
Celebrations	Municipal Assistant or Celebrations Cmte.	All gifts, donations and fees collected by the town for the sole purpose of financing the costs of the Memorial Day observance and the depository for all gifts, donations and fees collected by the town for the purpose of financing the costs of other Celebrations & Observances as deemed by the Board of Selectmen	Pay for expenses and costs necessary for the annual Memorial Day Observance and other Celebrations and Observances as deemed by the Board of Selectmen, including, but not limited to, purchase of supplies and services.	\$10,000	Excludes full and part-time employee salary or wage costs
Beaman Memorial Library	Library Trustees	Donations received in support of the library	Any Board of Trustees approved operational expenses of the library	\$15,000	
Economic Development Task Force	Municipal Assistant	Donations received in support of economic development and The Gateway Improvement Project	Any Town Administrator approved operational expenses of the Economic Development Task Force as well as The Gateway Improvement Project	\$15,000	
Recreation Program	Parks Commission	Recreation program user fees and donations collected by the Park Commission	Costs of operating the recreation program including wage and salary expenses of the part-time employees	\$50,000	

ARTICLE 4 – Authorization to expend funds in anticipation of Reimbursement of State Highway Assistance Aid

Motion- John Hadley
Second- Christopher Rucho

It was unanimously voted to accept any and all state highway assistance funds authorized by the state legislature and approved by the Massachusetts Highway Department under the so-called Chapter 90 Highway Assistance Program to be expended for the maintenance, repair and construction of Town roads in anticipation of reimbursement under the direction of the Board of Selectmen and the Town Administrator for work on roads located on the State Aid Primary System as approved by the Massachusetts Highway Department, and further to authorize the Town Treasurer/Tax Collector, with the approval of the Board of Selectmen, to borrow money from time to time during Fiscal Year 2014, for the period from July 1, 2013 through June 30, 2014, in anticipation of reimbursement of said highway assistance in conformity with the provisions of Massachusetts General Laws, Chapter 44, Section 6A.

ARTICLE 5 – Authorization to amend the Personnel Bylaw and to review the Classification and Compensation Plan so as to provide employees a Cost-of-Living pay increase (1.5%)

Motion- Christopher Rucho
Second- John Hadley

It was unanimously voted to amend Section 5, Part AA. Classification and Compensation Plan of the Personnel Bylaw by deleting the current language and inserting the following:

Non-Exempt Employees – Wage Earning Employees					
Grade	Step 1	Step 2	Step 3	Step 4	Step 5
1	\$11.39	\$12.53	\$13.64	\$14.83	\$15.94
2	\$12.49	\$13.76	\$14.99	\$16.23	\$16.70
3	\$13.60	\$14.94	\$16.33	\$17.70	\$19.08
4	\$14.71	\$16.21	\$17.66	\$19.15	\$20.63
5	\$15.85	\$17.45	\$19.03	\$21.28	\$22.20
Grade	Step 1	Step 2	Step 3	Step 4	Step 5
6					
Cemetery Superintendent	\$33,091.74	\$36,410.17	\$39,704.36	\$44,396.48	\$46,350.06
COA Director	\$33,087.26	\$36,411.23	\$39,704.51	\$44,397.62	\$46,350.17
7					
Children’s Librarian	\$30,673.06	\$33,689.97	\$36,800.15	\$39,859.15	\$42,923.85
Town Clerk	\$30,673.06	\$33,689.97	\$36,800.15	\$39,859.15	\$42,923.85

Assistant Library Director	\$33,076.71	\$36,280.46	\$39,627.17	\$42,927.25	\$46,225.07
8					
Building Inspector	\$25,041.76	\$27,554.92	\$30,048.73	\$32,566.45	\$35,056.85
9					
Principal Assessor	\$40,267.40	\$44,299.84	\$48,329.99	\$52,046.27	\$56,368.67
Town Accountant	\$40,267.40	\$44,299.84	\$48,329.99	\$52,046.27	\$56,368.67
10					
Library Director	\$42,040.26	\$47,546.48	\$50,853.38	\$56,105.98	\$60,514.82
Treasurer/Tax Collector	\$46,923.30	\$51,620.96	\$56,312.95	\$61,009.50	\$65,706.03
Non- Exempt Emergency Fire and Medical Services Employees					
Grade	Step 1	Step 2	Step 3	Step 4	Step 5
1F	\$9.12	\$10.01	\$10.95	\$11.85	\$12.80
2F	\$13.16	\$14.46	\$15.80	\$17.11	\$18.44
3F	\$14.50	\$15.84	\$17.16	\$18.49	\$19.95
4F	\$18.13	\$19.81	\$21.46	\$23.14	\$24.92

ARTICLE 6- Authorization to set the Salary of Elected Officials

Motion- Christopher Rucho

Second- Kevin McCormick

It was unanimously voted to determine and fix what salaries elective officers of the town shall receive for Fiscal Year 2014 in conformity with the provisions of Massachusetts General Laws, Chapter 41 Section 108:

Moderator	\$ 1.00;
Selectmen	\$ 1.00 each (5 members);
Town Clerk	\$42, 923.85 in conformity with Section 5, Part AA of the Classification & Compensation Plan of the Personnel Bylaw;
Planning Board	\$ 1.00 each (5 members);
Cemetery Trustees	\$ 1.00 each (3 members); and
Municipal Light Board	\$300.00 each (3 members)

ARTICLE 7 – Authorization to transfer unexpended funds from Fiscal Year 2013 appropriations

Motion- Kevin McCormick

Finance Cmte. recommends approval

Second- Christopher Rucho

It was unanimously voted to transfer the following unexpended balances of Fiscal Year 2013 appropriations, to Fiscal Year 2013 appropriation accounts.

Transfer From			Transfer To		
Account #	Description	Amount Required	Account #	Description	Amount Required
010-09-14-05170.000	Group Health Insurance Premiums	\$26,000.00	010-05-43-06780.000	Veterans Benefits	\$26,000.00
010-09-14-05170.000	Group Health Insurance Premiums	\$7,125.00	010-04-20-06700.000	DPW Other Charges	\$7,125.00
010-01-36-06200.000	Town Audit Purchased Services	\$5,000.00	010-04-20-06200.000	DPW Purchased Services	\$5,000.00
010-01-36-06200.000	Town Audit Purchased Services	\$2,200.00	010-04-20-06400.000	DPW Supplies	\$5,000.00
010-09-11-05170.000	County Retirement Assessment	\$2,800.00			
010-04-30-06200.000	Trash Removal & Tipping Fees	\$3,200.00	010-04-34-06300.000	Landfill Monitoring	\$3,200.00
010-04-23-05100.000	Snow Removal Salary & Wages	\$10,337.00	010-04-23-06400.000	Snow Removal Supplies	\$10,337.00
010-09-14-05170.000	Group Health Insurance Premiums	\$170,916.00	010-04-23-06400.000	Snow Removal Supplies	\$170,916.00
010-09-14-05170.000	Group Health Insurance Premiums	\$5,896.00	010-04-23-06200.000	Snow Removal Purchased Services	\$5,896.00
010-09-12-05170.000	Workers Comp Insurance Premiums	\$3,150.00	010-01-94-06450.000	Town Hall Consolidated Supplies	\$5,275.00
010-01-95-06200.000	Town Report	\$1,125.00			
010-09-14-05170.000	Group Health Insurance Premiums	\$1,000.00			
	Total Reductions	\$238,749.00		Total Appropriations	\$238,749.00

ARTICLE 8 – Authorization to pay bills from a previous Fiscal Year

Motion- Kevin McCormick
Second- John Hadley

Finance Cmte. recommends approval

It was unanimously voted to transfer the sum of \$2,410.27 from Overlay Surplus to pay the following bills which were incurred from a previous fiscal year: Belmont Springs Water \$14.94, reimburse retiree for overbilling premiums \$965.33 and Siemens \$1,430.

ARTICLE 9 – Authorization to appropriate money to the Sewer Enterprise Account for Fiscal Year 2014

Motion- John Hadley
Second- Christopher Rucho

Finance Cmte. recommends approval

It was unanimously voted to raise and appropriate or transfer from available funds the sum of One Million Eight Hundred Thirty-Six Thousand Four Hundred Sixteen Dollars and No Cents (\$1,836,416.00) to the West Boylston Sewer Enterprise Account to be expended by the Board of Selectmen, acting as the Board of Sewer Commissioners, for sewer development, administration, assessment, operation, and maintenance expenses in Fiscal Year 2014 as follows:

Fiscal Year 2014 West Boylston Sewer Department Budget

Administration	\$ 135,625
Operations and Maintenance	\$1,315,865
Reserve Fund	\$ 20,000
Debt and Interest Payments	\$ 361,926
Capital Reserve	<u>\$ 3,000</u>
Total Budget Appropriation	\$ 1,836,416

and to meet said appropriation through:

- (1) the appropriation of One Million One Hundred Eighty Thousand Dollars and No Cents (\$1,180,000.00) from Fiscal Year 2014 Sewer Enterprise Fund User Revenue, and
- (2) the appropriation of Three Hundred Sixty-One Thousand, Nine Hundred Twenty-Six Dollars and No Cents (\$361,926.00) from the Fund Balance Reserved For Sewer Betterment Debt Service, and
- (3) the appropriation of Two Hundred Ninety-Four Thousand, Four Hundred Ninety Dollars and No Cents from Sewer Enterprise Retained Earnings (\$294,490.00)

ARTICLE 10 - Fiscal Year 2014 Omnibus Budget Appropriation Article

Motion- Kevin McCormick
Second- John Hadley

Finance Cmte. recommends approval

It was unanimously voted to raise and appropriate the sum of \$21,047,384 as printed in the town meeting warrant, necessary to defray the expenses and charges of the Town of West Boylston in Fiscal Year 2014, the period of July 1, 2013 through June 30, 2014, including the costs of public education, debt and interest payments, and providing municipal services, and reduce the tax rate by transferring the following sums:

Raise & Appropriate:	\$ 20,419,384
From Ambulance Receipts Reserved	\$ 362,000
From Wachusett EMS Fund	\$ 18,000
From Free Cash	\$ 220,000
From Overlay Surplus	\$ 28,000
	\$21,047,384

Fiscal Year 2014 Budget

				FY 2013	FY 2014
10	1	14	5100	Moderator Salary	1
				50	50
10	1	14	6700	Moderator Other Charges	

				TOTAL MODERATOR	51	51
10	1	22	5100	Selectmen Salaries	5	5
				Other Expenses	6,150	6,150
				TOTAL SELECTMEN	6,155	6,155
				Town Administrator Salaries	173,220	173,970
				Other Expenses	10,300	10,800
				TOTAL TOWN ADMINISTRATOR	183,520	184,770
10	1	31	6200	Finance Committee Purchased Services	0	0
10	1	32	6700	Reserve Fund	43,200	43,200
				TOTAL FINANCE COMMITTEE	43,200	43,200
10	1	35	5100	Finance Director Salary and Wages	32,225	32,988
				Other Expenses	129,825	135,175
				TOTAL FINANCE DIRECTOR	162,050	168,163
10	1	36	6200	Town Audit	30,000	35,000
12	1	36	6200	Town Audit (Enc)		
				TOTAL TOWN AUDIT	30,000	35,000
10	1	41	5100	Assessor's Salaries	21,343	21,877
				Other Expenses	56,270	56,100
				TOTAL ASSESSORS	77,613	77,977
10	1	45	5100	Treasurer/Collector Salaries	141,171	143,272
				Other Expenses	23,800	23,800
				TOTAL TREASURER/COLLECTOR	164,971	167,072
10	1	51	6200	Town Counsel	60,000	60,000
				TOTAL TOWN COUNSEL	60,000	60,000
10	1	52	6700	Personnel Board Other Charges	0	0
				TOTAL PERSONNEL BOARD	0	0
10	1	55	5100	Computer Salaries & Wages	0	0
				Other Expenses	69,600	73,200
10	1	55	6800	Computer Capital Outlay	8,250	10,500
				TOTAL DATA PROCESSING	77,850	83,700
10	1	61	5100	Town Clerk Salaries	64,990	67,865
				Other Expenses	2,750	2,750
				TOTAL TOWN CLERK	67,740	70,615

10	1	62	5100	Elections Salaries	12,250	12,500
				Other Expenses	13,415	14,220
TOTAL ELECTIONS & REGISTRATIONS					25,665	26,720
10	1	75	5100	Planning Board Salaries	3,121	3,183
10	1	92	5100	Public Safety H.Q. Salaries	0	0
				Other Expenses	37,220	37,220
				<i>Municipal Building Maintenance</i>	9,900	9,900
TOTAL PUBLIC SAFETY HEADQUARTERS					47,120	47,120
10	1	94	051**	Town Hall Salaries	10,500	10,658
				Other Expenses	138,726	140,462
TOTAL TOWN HALL BUILDING					149,226	151,120
10	1	95	6200	Print Town Report	1,500	1,000
TOTAL PRINT TOWN REPORT					1,500	1,000
TOTAL GENERAL GOVERNMENT					1,099,782	1,125,846
10	2	10	051**	Police Salaries	1,237,620	1,263,890
				Other Expenses	39,750	41,780
12	2	10	5800 207	Police Capital Outlay	33,000	38,000
TOTAL POLICE					1,310,370	1,343,670
10	2	20	051**	Fire Salaries	534,249	547,149
				Other Expenses	75,800	76,900
10	2	20	6800	Ambulance expenses		34,250
TOTAL FIRE					610,049	658,299
10	2	35	5100	Communications Salaries	221,891	220,971
				Other Expenses	48,055	38,055
TOTAL PUBLIC SAFETY COMMUNICATIONS					269,946	259,026
10	2	41	051**	Building Inspector Salaries	74,672	74,642
				Other Expenses	9,003	8,500
TOTAL BUILDING INSPECTOR					83,675	83,142
10	2	44	6200	Sealer of Weights Purchased Services	1,775	1,775
TOTAL SEALER OF WEIGHTS					1,775	1,775
10	2	91	6200	Other Emergency Management	7,500	7,500
TOTAL EMERGENCY MANAGEMENT					7,500	7,500

10	2	92	051**	Animal Control Salary	8,800	8,800
				Other Expenses	900	1,300
				TOTAL ANIMAL CONTROL	9,700	10,100
				TOTAL PUBLIC SAFETY	2,293,015	2,363,512
310				Education-Expenses	8,958,918	9,158,280
				Vocational Education	1,192,176	1,286,400
				TOTAL EDUCATION	10,151,094	10,444,680
10	4	20	051**	Highway Salaries	367,270	381,468
				Other Expenses	259,585	280,022
				Municipal Building Maintenance	9,900	9,900
				TOTAL STREETS AND PARKS	636,755	671,390
10	4	23	051**	Snow Removal Salaries	55,629	56,742
				Other Expenses	52,000	52,000
				TOTAL SNOW REMOVAL	107,629	108,742
10	4	24	6200	Street Lighting	80,561	80,561
				TOTAL STREET LIGHTING	80,561	80,561
10	4	30	6200	Trash Removal and Tipping Fees	397,699	384,288
10	4	34	6300	Landfill Monitoring Expenses	5,500	9,000
				TOTAL TRASH REMOVAL & TIPPING	403,199	393,288
10	4	91	051**	Cemetery Salaries	45,669	46,355
				TOTAL CEMETERY	45,669	46,355
				TOTAL PUBLIC WORKS	1,273,813	1,300,336
10	5	11	5100	Board of Health	30,000	13,000
				TOTAL BOARD OF HEALTH	30,000	13,000
10	5	41	5100	Council on Aging Salaries	45,666	39,707
				Other Expenses	2,639	2,639
				TOTAL COUNCIL ON AGING	48,305	42,346
10	5	43	051**	Veteran's Services Salary	1,645	1,669
				Other Expenses	1,200	1,200
10	5	43	6780	Veteran's Benefits	88,000	88,000
				TOTAL VETERANS SERVICES	90,845	90,869

				TOTAL HUMAN SERVICES	169,150	146,215
10	6	10	051**	Library Salaries	200,146	212,312
				Other Expenses	111,660	115,634
				Building Maintenance	9,900	9,900
				TOTAL LIBRARY	321,706	337,846
10	6	92	6400	Celebrations Supplies	0	0
10	6	95	6200	Arts Council Purchased Services	350	350
				TOTAL OTHER CULTURE AND RECREATION	350	350
				TOTAL CULTURE AND RECREATION	322,056	338,196
10	7	10	6910	Maturing Debt-Principal	1,045,301	1,090,301
10	7	50	6915	Maturing Debt-Interest	201,233	116,795
10	7	53	6925	Interest on Temporary Loans	10,350	1,350
				TOTAL DEBT SERVICE	1,256,884	1,208,446
10	8	40	6780	Regional Planning Assessment	1,848	1,894
10	8	43	6780	Wachusett Earthday Collaborative	2,132	2,587
				TOTAL INTERGOVERNMENTAL	3,980	4,481
10	9	11	5170	County Retirement Assessment	760,073	801,370
10	9	12	5170	Workers Compensation Insurance	48,000	48,000
10	9	13	5170	Unemployment Compensation	47,500	62,500
10	9	14	5170	Group Health Insurance Premiums	2,885,935	2,895,802
10	9	15	5170	Group Life Insurance Premium	13,000	13,000
10	9	16	5170	Medicare-Town's Share	165,000	170,000
10	9	45	6740	General Insurance	125,000	125,000
12	9	45	7740	Self-Insurance Deductible Expenses	0	0
				TOTAL EMPLOYEE BENEFITS/RISK MANAGEMENT	4,044,508	4,115,672
				GRAND TOTALS	20,614,282	21,047,384

ARTICLE 11 - Authorization to Appropriate funds from the Community Preservation Revenues

Motion- Patrick Crowley
Second- Christopher Rucho

Finance Cmte. recommends approval

It was unanimously voted to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2014, with each item to be considered a separate appropriation:

Appropriations:

From FY 2014 estimated revenues for Committee Administrative Expenses \$ **7,500.00**

Reserves:

From FY 2014 estimated revenues for Historic Resources Reserve \$ **21,500.00**
 From FY 2014 estimated revenues for Community Housing Reserve \$ **21,500.00**
 From FY 2014 estimated revenues for Open Space Reserve \$ **21,500.00**
 From FY 2014 estimated revenues for Budgeted Reserve \$ **143,000.00**

ARTICLE 12 – Vote to appropriate funds for Capital Improvement Purchases

Motion- Christopher Rucho

Finance Cmte./CIB recommend approval

Second- John Hadley

It was unanimously voted to purchase or enter into contract for the following capital items by June 30, of 2014, and if not purchased or contract for by that date the funding will flow back to the source it came from with each appropriation being treated as a separate item.

A	DPW	Street Sweeper	\$185,000
B	DPW	Tractor	\$71,000
C	SCHOOL	Security Package	\$42,000
D	SCHOOL	Repairs to Structural deficiencies at Middle/High School	\$88,500

Each Voted as a Separate Item;

A. \$185,000 DPW Street Sweeper - unanimously voted

B. \$71,000 DPW Tractor – unanimously voted

C. School Superintendent Elizabeth Schaper issued the following Report;

After the tragic events In Newtown, we convened a group of local officials to examine the safety of our schools. All school administrators met with the police chief, fire chief, and a representatives from the MEMAgency, to review issues related to safety. This package will fund safety components that we do not currently have available in our schools. Specifically, we are requesting funds for door locks and surveillance cameras for public spaces. Door locks were requested by the teachers at both schools. Currently in order to lock the door, the teacher must leave the room and use the key to lock the door. The new locking mechanisms will allow them to lock the door from inside. The second request is for a surveillance system for public spaces inside and outside the building. Cameras are a deterrent to crime and can also be used to help solve crimes should the occur. Additionally, cameras can be used by school administration in the investigation of school incidents.

\$42,000 School Security Package- Unanimously voted

D. School Superintendent Elizabeth Schaper issued the following Report;

The funds that we are requesting through the CIB tonight will remedy a problem with leakage around the windows in the media center. The Library Media Center was constructed in 1996. Some years ago, leaks began to appear near many of the windows. An investigation revealed that the leakage was caused by corrosion of the screws that held in place the troughs into which the windows were placed when they were installed. The remedy we are seeking will reinstall the windows using proper materials and establish a watertight barrier through a roofing process that will seal the windows from moisture. Additionally, reapplying roofing material around the windows will correct a flaw in the design that provided only a few inches of flashing below the windows. The funds will also allow us to replace six auditorium roof vents that are wooden and rotting. It will also replace the roof access door.

\$88,500 Repairs to structural deficiencies at the Middle High School- unanimously voted

ARTICLE 13 – Authorization to appropriate funds for Real Estate Periodic Inspections

Motion- Kevin McCormick
Second- Christopher Rucho

Finance Cmte. recommends approval

It was unanimously voted to transfer the sum of \$10,000 from Overlay Surplus to fund Real Estate Periodic Inspections.

ARTICLE 14 – Authorization to appropriate funds for the purchase of a Tractor and accessories for the Cemetery Department

Motion- Christopher Rucho
Second- John Hadley
Finance Cmte/CIB. recommend approval

It was unanimously voted to appropriate and transfer the sum of **\$30,000** from the Sale of Lots Account to purchase a tractor and its accessories and expenses related to the care and maintenance of the town's cemetery.

ARTICLE 15 – Appropriation to fund an Elderly Community Services Program

Motion- John Hadley
Second- Christopher Rucho
Finance Cmte. recommends approval

It was unanimously voted to transfer the sum of **\$9,000** from Overlay Surplus to fund the Elderly Community Services Program for the purpose of providing a payment voucher for services rendered for the departments, boards, and committees of the municipality to resident property owners who have attained the age of sixty (60) years, to be used to reduce the real estate property taxes for the property in which the elderly owner resides. Said program shall be subject to the following conditions in addition to any and all eligibility requirements promulgated by the Board of Selectmen:

1. participation in the program shall be limited to elderly residents of the town who own property and are willing and able to provide services to the town;
2. program participants shall receive compensation at the basic minimum wage rate for the Commonwealth of Massachusetts as promulgated by the Department of Labor and Workforce Development, Division of Occupational Safety for each hour of service rendered for a total not to exceed One Thousand Three Hundred Dollars and No Cents (\$1,300) in any calendar year;
3. the Treasurer/Tax Collector shall comply with the wage, tax, and payroll deduction requirements of the state Department of Revenue and the Federal Internal Revenue Service, prior to compensating program participants; and
4. program participants who meet the eligibility guidelines established by the Board of Selectmen shall be selected for participation on a first come, first served basis.

ARTICLE 16 – Authorization to appropriate funds for the Bruce I. Shepard Public Safety Headquarters

Motion- Christopher Rucho
Second- John Hadley
Finance Cmte. recommends approval

It was unanimously voted to transfer the sum of **\$25,000.00** from Overlay Surplus to fund the sealing and power washing of the Bruce L. Shepard Public Safety Headquarters.

ARTICLE 17 – Authorization to appropriate funds to purchase a new Lawn Mower for the Department of Public Works

Motion- Christopher Rucho
Second- John Hadley
Finance Cmte. recommends approval

It was unanimously voted to transfer the sum of **\$17,000** from Overlay Surplus to fund the purchase of a new lawn mower for the Department of Public Works.

ARTICLE 18 – Authorization to appropriate funds to purchase Bleachers for the Parks

Motion- Kevin McCormick
Second- Christopher Rucho
Finance Cmte. recommends approval

It was unanimously voted to transfer the sum of **\$8,500** from Overlay Surplus to fund the purchase and installation of bleachers for the parks.

Tennis and Basketball Courts-

- 1-3 row 15' bleacher
- 1-5 row 15' bleacher
- 2-15' team bench seats

Girls Softball Field

- 2-15' bench seats

Mixer Field

- 2 replacement aluminum planks for existing team bench seats

Woodland Field

- 1-3 row 15' bleacher
- 2- 15' team bench seats

ARTICLE 19 – Authorization to appropriate funds to Raze the Mixer Municipal Office Building and the Joseph Amello Town Pool

Motion- Kevin McCormick

Second- Christopher Rucho

Finance Cmte. recommends approval

DEFEATED- This article failed to meet the 2/3rds required vote. Defeated by a hand count of 49 Yes, 44 No. This article would have voted to transfer the sum of \$300,000 from the Stabilization Fund to fund the razing of the Mixer Municipal Office Building and the Joseph Amello Town Pool.





ARTICLE 20 – Authorization to transfer funds to support the Fire Department computer needs

Motion- John Hadley
Second- Christopher Rucho
Finance Cmte. recommends approval

It was unanimously voted to transfer the sum of \$5,000 from account #010.0155.06800 Computer Capital Account for the purchase of computer hardware, software and/or purchased services for the Fire Department.

ARTICLE 21 - Authorization to replace section 5.6 of the Zoning Bylaws, Signs and Billboards 2/3rds

Motion- Mark Frieden
Second- Karen Pare
Bylaws Cmte. recommends approval

AMENDMENT

Selectman John Hadley moved to remove Section B(7) entitled Informational & Directional Signs

and replace with the following:

7) Informational and Directional Signs

Signs that give specific instructions to the public using a building or facility that comply with the following standards, shall be allowed. These signs must be located on the property to which such information and directional messages pertain.

- a. **Letters.** Sign letters and logos shall not exceed 4 inches in height;
- b. **Size.** Signs shall not exceed two (2) square feet in area;
- c. **Message.** Informational signs shall display instructional information pertaining to the use of the site (such as, “Enter,” “Exit,” “Warning,” “Self Service”, “Drive-Thru”, “One-Way”, etc.) and may display words, symbols, or images identifying the owner, tenant, or use of the building or facility provided that such words, symbols or images do not exceed four (4) inches in height; and
- d. **Height.** Signs shall not exceed four feet in height.

VOTE on Amendment

After a short discussion the amendment was voted by a simple majority as declared by the Moderator.

The following pictures taken by Selectman Christopher Rucho, as examples pertaining to the Board of Selectmen amendment;



Planning Board Member Mark Frieden gave the following PowerPoint Presentation;

Article 21: Replace Sign Bylaw

Authorization to replace Section 5.6 of the Zoning Bylaws, Signs and billboards.

Why replace the Sign Bylaw?

- Requests from the Economic Development Task Force (EDTF) for changes
- Current bylaw was enacted in 1981 with only minor changes in 1990 and 2008.
- Current bylaw is unclear, contradictory in some places and reportedly is difficult to enforce.
- Many signs are not currently allowed:
 - Menu-board signs for restaurants
 - Signs for residential developments
 - “Adopt-an-Island” signs
 - Canopy and awning signs
 - Light-pole banners
 - Many others
- Requests for definitions and clarity

Our Goals

When re-writing the Signs and Billboard bylaw we wanted to:

- Make specific changes requested by the Economic Development Task Force but leave many regulations alone – not change “everything at once.”
- Add structure so that future changes would be easier

General Proposed Changes

- Added a comprehensive and expanded definition section
- Re-organized the structure of the bylaw to
 - define and differentiate between signs allowed **without a permit** and those that are allowed **only with a permit**
 - Detail the general standards for all signs, standards for specific uses (e. g. gas stations) and standards for different types of signs.

Specific Changes to Regulations

- Business Center Identification Sign: increase maximum area to 64 sq. ft. (from 40 sq. ft.)
- Business Center Signs listing tenants: increase max. for each tenant to 8 sq. ft. Maximum for the entire sign remains at 80 sq. ft.
- Moveable signs: permits can be issued for continuous periods of 30, 60 or 90 days – but no more than 90 days per year. Must be on property.
- Digital Copy Signs:
 - Allowed with a permit for the first time

- Maximum area of 12 sq. ft. or 33% of permitted sign area
 - May change no more often than 60 seconds
 - No fade in or out
 - No sequential messaging
 - Text only
- Allow with a permit (for first time) and set standards for menu-board signs for restaurants, canopy signs and residential development signs.
 - Allow without a permit (for first time) and set standards for historical signs, sponsorship signs and others.
 - Change the time frame to respond to application to 45 days (same as building permit.)
 - Standing Sign for building with 2 businesses: change maximum area to 50 sq. ft. (from 40 sq. ft.)
 - Allow without a permit (for first time) an “Open” flag mounted on a pole on a building
 - Allow without a permit (for first time) a **lighted** “Open” window sign

VOTE on Article as Amended

It was unanimously voted as amended , to amend the Town’s Zoning Bylaw as moved by deleting the current Section 5.6 Signs and Billboards and replacing it with the text that follows:

5.6 Signs and Billboards

A. General Provisions

1) Purpose

This section 5.6 of this bylaw is adopted for the regulation and restriction of signs within the Town of West Boylston. The intent of these regulations is to coordinate the type, placement, and physical dimensions of signs within zoning districts; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment through accurate record keeping and uniform enforcement. It is further the intent of this section to encourage signs that are attractive and compatible with the adjacent property; that will preserve and enhance property values within the community and provide for the public’s safety; that will prevent overload of visual stimuli; and that will promote safe visual perception from a moving vehicle.

2) Authority and Interpretation

This section of this bylaw is adopted as a zoning bylaw pursuant to Chapter 40A of the Massachusetts General Laws.

3) Conflicts

In the event that any provision in this section conflicts with the Massachusetts Outdoor Advertising Regulations issued by the Department of Transportation, the regulations of the Commonwealth shall control. Furthermore, nothing contained in this section shall be deemed a waiver of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinances or applicable regulations shall comply will all such

ordinances and regulations. If there is a conflict between this bylaw and any other ordinances or regulations, the more restrictive shall apply.

4) **Permitting Process Streamlining**

For projects that require Site Plan Review, the Planning Board may waive strict compliance with Section 5.6 during the Site Plan Review process. Waivers to this section may be granted when the board determines that a waiver will enhance the public's safety, aesthetics and promote safe visual perception from a moving vehicle.

5) **Sign Permits**

- a. **Required.** Except as provided in this Section 5.6, no person shall erect, move, re-erect, construct, alter, enlarge, repair, or allow the erection of any sign **without first obtaining a sign permit from the Inspector of Buildings.**
 - i. For the purposes of this section, the term “*alter*” means changing the size, shape or height of a sign, changing the construction material of a sign, changing the copy of a sign except as allowed pursuant to Section 5.6 D.3 (*Changeable Copy Signs*), or adding lighting to a sign.
 - ii. Signs may be repainted in place, or removed for maintenance and replaced on the same support, without obtaining a new permit.
 - iii. Sign permits shall be issued for five year periods. Renewal permits lasting 5 years shall be issued after inspection and approval by the Inspector of Buildings, and receipt of the appropriate fee as established by the Board of Selectmen.
- b. **Applications.** Applications for sign permits shall be made in writing upon forms furnished by the Inspector of Buildings, and unless specifically waived by the Inspector of Buildings, shall include all information and material required by that form. A completed Sign Permit Application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected and a Sign Permit Fee as established by the Board of Selectmen.
 - i. Any sign of more than twelve feet in height above the average adjoining grade or any roof sign, projecting sign or standing sign shall have structural drawings, including foundations, submitted by a registered professional engineer.
 - ii. Within thirty days after the application for a permit has been submitted, the Inspector of Buildings shall approve or disapprove the application. If the Inspector of Buildings does not take any action on the application within thirty days, the application shall be deemed approved.
- c. **Application Standards.** In acting on each sign permit, the Inspector of Buildings shall apply the following standards, unless otherwise specifically provided:
 - i. The sign will not cause visual confusion, glare, or offensive lighting in a public way or neighborhood.
 - ii. The sign will not interfere with traffic safety in the area.
 - iii. The sign conforms to the standards and requirements of this bylaw.
- d. **Non-compliant Signs.** No sign permit shall be issued or renewed for the benefit of any property where any sign is currently displayed in violation of this zoning code, except to replace the non-compliant sign with a compliant sign. *This section does not apply to legal non-conforming signs. Please see*

the definitions

- e. **Non-conforming Signs.** Applications for renewal of sign permits for non-conforming signs must include documentation to support the claim of non-conformity. *Please see the definitions.*
- f. **Deviations Prohibited.** It shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of a sign permit without prior approval of the Inspector of Buildings.
- g. **Expiration.** If construction of a sign is not completed within six months of permit issuance, the permit shall expire and a new permit shall be required.
- h. **Fees.** All fees shall be paid to the Town of West Boylston and collected by the Inspector of Buildings. Sign permit fees shall be set by the Board of Selectmen.

6) Permit Revocation

- a. **Authority to Revoke.** The Inspector of Buildings may revoke any sign permit that was issued by mistake, as the result of incorrect information, which results in a violation of any ordinance or regulation, or causes a public safety hazard. It shall be unlawful for any person to continue to erect, move, construct, alter, enlarge, repair or display any sign after receiving notice of the revocation of the applicable sign permit.
- b. **Fee Non-Refundable.** When any permit has been revoked under the terms of this section, permit fees shall not be refunded.

7) General Standards

Unless specifically exempted, all signs shall be governed by the provision of this section.

- a. Signs not specifically permitted by this bylaw shall not be allowed.
- b. Signs shall only be located on the premises of the use being advertised or identified. For purposes of this section, the term “*premises*” does not include easements or similar adjacent parcels of land.
- c. **Sign Location.** No sign or sign structure may project closer than 10 feet to the owner’s property line. No sign shall be erected in the public right of way.
- d. A sign attached to a building shall not project above the top of that building.
- e. No flags, banners, or air-filled devices shall be anchored to, or in any way displayed from poles or standards placed on the roof of a building or structure.
- f. **Movement.** No sign shall contain any moving, flashing or animated lights, reflective elements or visible moving parts. No rotating or pivotal signs shall be permitted. No moving inflatable signs shall be permitted.
- g. **Sight triangle.** No sign shall be constructed in the area along any public ways that shall impede the sight line within the public ways or when entering or exiting a property.
- h. **Traffic Hazard.** No sign shall be erected that shall in any way create a traffic hazard, nor shall it in any way obscure or confuse traffic control.
- i. **Maintenance.** Every sign shall be maintained by the owner in a safe and well-maintained condition. Every standing sign shall be kept free and clear of all obnoxious substances, rubbish and waste.
- j. **Attachment.** Every sign must be securely attached to either a building, or in the case of a standing sign, an adequate foundation.
- k. **Billboards.** Billboards and similar non-accessory signs are specifically prohibited in the Town of West Boylston unless allowed under the provisions

of the Department of Transportation's Office of Outdoor Advertising of the Commonwealth of Massachusetts.

- l. Materials for construction of signs and sign structures shall be of the quality and grade as specified for buildings in the building code.
- m. Except for ornamental mountings, no visible guy wires, structural cables or turnbuckles shall be allowed.
- n. No sign shall be attached to utility poles, stakes, or fences unless explicitly authorized by this section.
- o. No sign shall contain light strings.
- p. No sign shall be displayed on the surface of a street, parking lot or sidewalk.
- q. Any signs displaying individual product brands or manufacturers shall be included in the total number and area of signs allowed per property.

8) Sign Measurements

a. Size/Area

- i. **Can, cabinet or frame sign.** The area of any sign contained within a can, cabinet or frame shall be determined by calculating the total area of the sign including the can, cabinet or frame.
 - ii. **Individual Letter Sign.** The area of any sign displaying individual letters or symbols on a background (façade, wall, divisional wall, awning, or canopy) shall be measured by encompassing all the letters and symbols in the smallest regular geometric shape (rectangle, triangle, circle, trapezoid, etc.)
 - iii. **Three-dimensional Sign.** The area of a sign consisting of a three-dimensional object shall be considered to be the area of the largest vertical cross-section of that object.
 - iv. **Bracing not included.** The structure or bracing of a sign shall not be included in calculating the sign area unless such structure or bracing is made part of the message or face of the sign.
 - v. **Illumination.** Neon lighting or other outdoor building illumination, which do not identify, highlight or convey information, shall not be included in calculating the sign area.
 - vi. **Architectural Treatments.** Architectural treatments that aid in integrating the signage with the building design are encouraged, but any such treatment shall not be created for the purpose of visually enlarging the size of the sign.
 - vii. **Distinctive Surfacing.** If more than 25-percent of a wall structure of any non-residential building or any accessory structure to a non-residential use is painted, finished, or surfaced in a distinctive color scheme that includes some or all of the same colors, shapes, symbols, images, patterns, or textures used on any sign identifying an owner, tenant, or user of the building, and the Inspector of Buildings determines that such wall or roof surfaces serve as a sign for an owner, tenant, or user of the building, such wall or roof area shall be counted as wall signage and shall be subject to the limitations on wall signage in the Sign Schedule.
- b. **Height.** The maximum height of any sign shall not exceed the height of the roof or the ridge line of any associate structure. In no case shall the height of

the sign exceed twenty (20) feet from the ground.

- c. **Location and Number.** The setback and number of signs allowed for any given use shall be governed by the limitations contained in Section 5.6.C Sign Schedule unless provided for otherwise in the bylaw.

9) **Illumination**

- a. Illuminated signs are not allowed in Single Residence or General Residence districts.
- b. Signs shall not be illuminated directly or indirectly between the hours of 12:00 a.m. and 6:00 a.m. unless the business establishment is open to the public during those hours.
- c. Permitted methods of illumination are:
 - i. Internally illuminated signs
 - ii. Luminous signs
 - iii. Signs illuminated from an external source directed solely toward the sign
- d. The light for any sign shall be so maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect the neighboring premises or the safe vision of operators of vehicles moving on public ways.

10) **Nuisances Prohibited**

Signs that are unauthorized or which have fallen into disrepair are deemed to be a nuisance. By way of example and not limitation, the following signs shall constitute a nuisance:

- a. Signs that neither meet the requirements set forth in the bylaw nor qualify as a Previously-Permitted Non-conforming Sign under Section 5.6.F.5;
- b. Signs erected, or in the process of being erected, without a valid permit;
- c. Signs that are in disrepair or unsafe, as determined by the Inspector of Buildings; or
- d. Signs that advertise defunct businesses or unavailable products or services.

Once notified by the Inspector of Buildings that the sign has been deemed a nuisance, the property owner where such sign is located must, within 60 days of such notice, either bring the sign into compliance or remove it.

The aforementioned signs are unlawful and the town may restrain, prevent, abate and enjoin such signs through any remedy available to it by law, including without limitation the penalties allowed in Section 6.3 of the Zoning Bylaws.

B. Signs Allowed Without a Permit

Due to their small size, temporary nature, limited time duration, limited aesthetic impact and/or strong community interest in identifying land uses, locations and historical structures, the signs contained in this Section 5.6 B (*Signs Allowed Without a Permit*) may be erected without a sign permit so long as they meet:

- a. The general sign standards contained in Section 5.6 A 7 above; and
- b. The standards specific to the type of sign erected, if any, that are outlined below.

Unless specifically provided otherwise, the types of signs contained in this section are allowed in all Zoning Districts.

1) Public Signs

Signs that are erected or displayed by the Town of West Boylston shall not require a permit. Nevertheless, such signs must comply with the standards applicable to the type of sign being erected or displayed unless a deviation from that standard is approved in accordance with the provisions of this bylaw.

Traffic and Directional Signs owned and installed by a government agency are permitted and not subject to terms and conditions set forth in this bylaw.

2) Historical Signs

No permit is required for historical commemorative plaques, memorials, or tablets that are :

- a. Built into a building or mounted flat against the wall of a building or erected in a location designated by the town as having historical significance; and
- b. Contain the name of the building, the date of erection and use of the building, or the name of the location, its historical significance, and a date relating to the historical significance.

3) Real Estate Signs

One unlighted temporary freestanding or wall mounted sign per parcel that advertises the sale, rental, or lease of the property on which the sign is located may be erected without a permit, provided that such signs comply with the following standards.

- a. **Single Residence and General Residence Districts.** Signs shall not exceed four (4) square feet in surface area and shall be set back at least ten (10) feet from the street lot line.
- b. **All Other Districts.** Signs shall not exceed sixteen (16) square feet in area and shall be set back at least ten (10) feet from the street lot line.

4) Political Signs

Political signs are allowed in all districts but must comply with the following standards.

- a. Signs must be stationary and unlighted.
- b. No sign shall exceed four (4) square feet.
- c. Political signs shall be displayed no earlier than thirty (30) days prior to a voting day and shall be removed within five (5) days after the voting day.
- d. No sign may be placed on private property without permission of the property owner.
- e. The location of any political sign must not create a hazard for automobile or pedestrian traffic.
- f. Political signs are not allowed on Town or State property, and may be removed without notice.

5) Address and Building Identification Signs

Whether illuminated or not, signs that identify an individual building for purposes of information and not for advertising, including an individual house address sign, shall be allowed without permit, provided that such signs:

- a. Are attached to the building identified;
- b. Are limited to one per building; and
- c. Do not exceed two (2) square feet in area.

6) Window Signs

Signs in windows within non-residential districts are subject to these conditions:

- a. **Prohibitions.** Window signs shall not be:
 - i. Animated or lighted;
 - ii. Occupy more than twenty-five percent (25%) of the window area; or
 - iii. Displayed in windows above the ground floor level.
- b. **Limitations.** Window signs shall contain only information and wording related to the service or merchandise offered in the building on which they appear. Such signs shall be located only at those windows of the unit or space occupied by the business.
- c. **Special Considerations.**
 - i. Temporary window signs promoting activities that are public, civic, non-profit **and** non-political are allowed and shall not be counted against the allowable twenty-five percent (25%).
 - ii. One sign denoting “Open”, “Closed”, “Be Back”, etc. shall be allowed if less than one square foot in size and shall not be counted against the allowable twenty-five percent (25%). These signs may be lighted but not flashing.

7) Informational and Directional Signs

Signs that give specific instructions to the public using a building or facility that comply with the following standards, shall be allowed. These signs must be located on the property to which such information and directional messages pertain.

- a. **Letters.** Sign letters and logos shall not exceed 4 inches in height;
- b. **Size.** Signs shall not exceed two (2) square feet in area;
- c. **Message.** Informational signs shall display instructional information pertaining to the use of the site (such as, “Enter,” “Exit,” “Warning,” “Self Service”, “Drive-Thru”, “One-Way”, etc.) and may display words, symbols, or images identifying the owner, tenant, or use of the building or facility provided that such words, symbols or images do not exceed four (4) inches in height; and
- d. **Height.** Signs shall not exceed four feet in height.

8) Sponsorship Signs

The following signs that identify the sponsors or contributors to various civic, public, and non-profit organization and activities shall be allowed. These signs may only identify sponsors and may not contain advertising speech.

- a. **Adopt-a-Square/Island Program signs:** signs erected in accordance to the Board of Selectmen’s *Beautification of Town Squares and Islands Policy* and are limited to less than six square feet.
- b. **Light Pole Banners:** the size of the banners is limited to 2 feet by 3 feet and

no more than 30% of the banner may be used to identify the sponsor. The use of these banners is subject to approval by the Board of Selectmen and is intended for the promotion of civic and community events, celebrations or other efforts. These banners may be attached to the light poles in non-residential districts and along all state highways.

- c. **Paving bricks/stones.**

9) **Miscellaneous Signs**

The following signs may be erected and displayed without a permit. With the exception of nameplates and Open flags, these signs need not be attached to a permanent structure.

- a. **Road Hazard Signs.** Signs erected in conjunction with construction for the purpose of alerting drivers to potential hazards or safety concerns.
- b. **Interior Signs.** Signs located within any structure that is not visible from adjacent properties or from the public streets.
- c. **Holiday Displays.** Temporary decorations or light strings associated with any national, local or religious holiday. These displays shall not contain any advertising or branding.
- d. **Nameplates.** Nameplates that are not more than two square feet in area, fastened directly to the building and do not project more than six inches.
- e. **Utility Signs.** Signs placed by or at the direction of a public utility showing the location of underground facilities.
- f. **Temporary Vehicle Signs.** Temporary signs affixed to delivery vehicles, such as pizza delivery and couriers, provided that such vehicle is being used for bona fide delivery purposes, away from a fixed place of business, and the sign is appropriately scaled to the size of the vehicle.
- g. **Contractor/Artisan Signs.** Temporary signs that identify a contractor, painter or other artisan engaged in work on the property on which the sign is erected, provided that it shall not exceed four (4) square feet in surface area and it shall be set back at least ten (10) feet from the street lot line. This temporary sign must be removed no later than 30 days following final inspection, issuance of a certificate of occupancy, or when the work has been completed, whichever comes first.
- h. **Yard/Garage Sales.** Signs advertising owner's property for sale, i.e. yard sales, shall be allowed for not more than five (5) days. Signs shall not exceed four (4) square feet in area.
- i. **Service Entrance.** The rear service entrance to any business establishment may have one sign, no greater than two square feet in area, stating only the name of business and/or address.
- j. **Gasoline Pump.** The standard type of gasoline pumps bearing thereon, in the customary size and form generally accepted in the industry, the name or type of gasoline and the price thereof shall not be deemed to be a sign under this bylaw.
- k. **Open Flags.** Any business establishment may display a flag with the message "Open" as long as the flag is hung from a pole mounted to the building and does not exceed 3 feet by 5 feet in size. **Feather or blade flags are not allowed under this provision.**
- l. **No Trespassing Signs.**

C. Signs Allowed With a Permit

1) **Allowed with Permit.** The following types of signs are allowed with a sign permit, subject to the conditions listed in Section 5.6.C.2 Sign Schedule: Wall Signs, Projecting Signs, Standing Signs, Moveable Signs, Menu Board Signs, Home Occupation Signs, Multi-family Development Signs, Subdivision/Residential Development Greater Than Three Buildings Signs, Temporary Residential Development Signs, Temporary Model Home Signs and Special Signs.

2) **Sign Schedule**

Signs Allowed in Business, Industrial and Commercial/Limited Industrial Districts			
	Single Business in Single Building	Two Businesses in Single Building	Business Center (3 or more businesses)
Wall Signs OR Projecting Signs	<p>1 Wall Sign not to exceed 30 square feet OR 1 Projecting Sign not to exceed 24 square feet</p> <p>Location: on each side of the building facing a public way, and 10' off property line.</p>	<p>1 Wall Sign not to exceed 30 square feet per business OR 1 Projecting Sign not to exceed 24 square feet per business</p> <p>Total square footage not to exceed 10% of the wall area to which it is affixed.</p> <p>Location: on each side of the building facing a public way, and 10' off property line.</p>	<p>1 Wall Sign not to exceed 30 square feet OR 1 Projecting Sign not to exceed 24 square feet per business</p> <p>Total square footage not to exceed 10% of the wall area to which it is affixed.</p> <p>Location: on each side of the building facing a public way, and 10' off property line.</p>
Standing Sign	<p>1 per lot</p> <p>Not to exceed 40 square feet in area.</p> <p>Height: not to exceed building height or 20 feet whichever is less.</p> <p>Location: at least 10 feet from property line.</p>	<p>1 per lot</p> <p>Not to exceed 50 square feet in area.</p> <p>Height: not to exceed building height or 20 feet whichever is less.</p> <p>Location: at least 10 feet from property line.</p>	<p>1 per lot</p> <p>For identification of business center, shopping center, industrial park and/or business therein: not to exceed 64 square feet in area.</p> <p>OR</p> <p>Portion identifying business center, shopping center or industrial park not to exceed 20 square feet</p>

			<p>and portion identifying individual business or industrial units not to exceed 8 square feet per unit and not to exceed 80 square feet in total.</p> <p>Height: not to exceed height of highest building or 20 feet whichever is less.</p> <p>Location: at least 10 feet from property line.</p>
Moveable Signs	<p>1 at a time.</p> <p>Not to exceed 6 square feet in area per side.</p> <p>Location: on the property of advertising business</p>	<p>1 at a time</p> <p>Not to exceed 6 square feet in area per side.</p> <p>Location: on the property of advertising business</p>	<p>1 for each business at a time.</p> <p>Not to exceed 6 square feet in area per side.</p> <p>Location: on the property of advertising business</p>
Menu Board Signs (for restaurants only)	<p>1 changeable-copy sign in addition to signs allowed above.</p>	<p>1 changeable-copy sign for each restaurant in addition to signs allowed above.</p>	<p>1 changeable-copy sign for each restaurant in addition to signs allowed above.</p>
Signs Allowed in All Districts			
Use		Signage	
Home Occupation Sign		<p>One sign, not to exceed two square feet in area.</p> <p>Must be attached to building and may only display the occupant's name and occupation.</p>	
Multi-Family Development		<p>(Not allowed in Single Residence Districts.)</p> <p>One standing sign per parcel developed for multi-family use: not to exceed 20 square feet; located at least 10 feet from property line; no part shall exceed 15 feet in height.</p> <p>AND</p> <p>One directional or informational sign per dwelling unit not to exceed two square feet.</p>	

Sub-Divisions/Residential Developments Greater than 3 Buildings	Up to 2 signs at principal street entrance(s); not to exceed 20 square feet; located at least 10 feet from property line; maximum height of 6 feet.
Temporary Residential Development Sign	One standing sign per housing type located at entrance: not to exceed 30-square feet; located at least 10 feet from property line; not to exceed 8 feet in height.
Temporary Development Sign	(Not allowed in Single Residence Districts.) One standing sign: not to exceed 30-square feet; located at least 10 feet from property line; not to exceed 8 feet in height.
Temporary Model Home Sign	Group Sign: one wall or standing sign; not to exceed 20-square feet in area and 8 feet in height; Home/ multi-family sign: not to exceed 5-square feet in area or 6 feet in height.
Special Signs	According to the provisions in Section 5.6 F 4.

D. Standards Related to Sign Types

1) Standing Signs

- a. **Illumination.** Standing signs may be illuminated.
- b. **Location.** Standing signs over 8 feet in height shall be placed no less than 50 feet from all residential district boundaries or residential development. All standing signs shall be set back from the public way in such a manner that the forward-most projection of the sign remains at least ten (10) feet from the lot line.
- c. **Supporting Structures.**
 - i. Supporting structures of monument signs must be solid construction at least two-thirds the dimension of the width and thickness of the sign it supports.
 - ii. All standing signs shall be firmly anchored to an approved foundation.
- d. **Landscaping.** To the maximum extent feasible, each sign should be located in a planted landscaped area, which is of a shape, design and size that will provide a compatible setting for the sign. The planted landscaped area shall be maintained by the property owner and can be counted as part of the landscape area.

2) Wall Signs

- a. **Projecting Signs.** Any sign which projects from a building shall not exceed 24 square feet in area. No sign shall project over public rights-of-way or more than five feet from the building wall.
- b. **Size Standards.** See Section 5.6.C.1
- c. **Illumination.** Illuminated signs are permitted in compliance with Section

5.6.A.9.

- d. **Location Standards.**
 - i. For multi-tenant buildings, wall signs must be located on the portion of the building in which the business being advertised is located.
 - ii. Wall signs may not be located on the rear of buildings which abut a residential zone, district or property.
- e. **Awnings and Canopies.** Signs on awnings and canopies shall count towards the wall signage area allowed in the Sign Schedule. Awnings and canopies may be backlit.

3) **Changeable Copy Signs**

- 1) **Types.** The copy of the following signs may be changed without obtaining a new sign permit, as long as such signs comply with the standards contained in these bylaws. The copy of signs not listed in this section shall not be changed unless a new sign permit has been issued by the Inspector of Buildings.
 - a. **Identification Signs.** Up to 33% of any allowable building identification sign or center identification sign allowed in the sign schedule may have changeable copy.
 - b. **Theater Marquees.** One changeable copy theater or movie marquee sign identifying current offerings may be incorporated into, or may be substituted for, one building or center identification sign permitted by the sign schedule. The area of any marquee sign, including any changeable copy, shall be included in calculating the total area of the sign it is incorporated into or replaces, and shall not increase the permitted sign area of any such sign.
 - c. **Church Signs.** Any portion of a church sign permitted by the sign schedule may have changeable copy.
 - d. **Gasoline price signs.** One changeable copy gasoline price sign listing only the types and prices of gasoline may be incorporated into each freestanding or wall sign permitted by the sign schedule. The area of the changeable copy shall not exceed 8 square feet per side on any sign, and the area of changeable copy shall be included in calculating the total area of the sign it is incorporated into.
 - e. **Digital Display signs.** Digital display signs shall have a maximum display area of twelve (12) square feet or 33% of the permitted sign area for the sign type in the zoning district, whichever is less.
 - i. **Duration.** The full digital image or portion thereof may change no more than once per minute. No portion of the image may scroll, twirl, change color, imitate movement in any manner, or meet the characteristics of a flashing sign.
 - ii. **Transition.** Where the digital display sign or any portion thereof changes, the change sequence shall be accomplished by means of nearly instantaneous re-pixelization (less than one second.) Messages shall not fade in or fade out, or have the appearance of dissolving.
 - iii. **Brightness.** The maximum luminance level for digital display signs shall not exceed 350 (cd/m²) nits from sunset to sunrise, and 6,000 (cd/m²) nits from sunrise to sunset.
 - iv. **Sequential Messaging Prohibited.** All electronic display frames shall be complete messages and shall not require or induce drivers to watch a sign for several seconds.

- v. **Text only.** The digital display is restricted to text messages and therefore should consist only of alpha-numeric characters and special characters found on a typical keyboard, e.g. \$, %, *, etc.
- f. **Menu boards.** One changeable copy menu board sign is permitted for each restaurant **in addition** to those signs listed in the sign schedule.
 - i. **Drive-through restaurants.** Menu board signs may be free standing or wall mounted. The maximum area of a menu board sign is ten (10) square feet and the maximum height is six feet.
 - ii. **Non-drive-through restaurants.** Menu board signs must be wall mounted. The maximum area of the size must not exceed two square feet.

4) **Movable Signs**

Moveable signs are allowed by permit in the non-residential districts and shall be limited to self-supporting pavement or sidewalk signs such as A-Frame or sandwich board type signs.

- a. Moveable sign permits may be issued to individual business by the Inspector of Buildings for continuous periods of 30, 60 or 90 days, but no more than 90 days in the aggregate per calendar year;
- b. No permits for moveable signs shall be issued until the Inspector of Buildings has determined that all other signs on the property, including window signs, conform to all of the provisions of this bylaw;
- c. Only one moveable sign shall be permitted per business at any time;
- d. Signs shall be placed only on the property of the business displaying such a sign;
- e. Signs shall be removed from the exterior of the property at the end of each business day;
- f. Moveable signs shall not be larger than six (6) square feet per face, and shall not exceed four feet in height;
- g. Where there is more than one business on a lot, only one moveable sign may be displayed at any time. Except that within a Business Center, one sign per business may be displayed at any time, provided that those signs are located not more than five (5) feet from the store front;
- h. Moveable signs shall be located on the lot of the business being advertised;
- i. Moveable signs shall not be illuminated, nor shall they contain moving parts or have attached to them any balloons, streamers, pennants, or similar adornment;
- j. Signs must be constructed of materials that present a finished appearance. Rough-cut plywood is not allowed. The sign lettering shall be painted or applied in a professional manner, a “yard sales” or “graffiti” look with roughly hand-painted or paint-stenciled letters shall not be allowed;
- k. Signs placed in violation of this section will be subject to immediate removal or impounding of the sign, and the business’s moveable sign permit privileges will be denied for the remainder of that year; and
- l. Existing moveable signs shall be subject to the conditions of this section as soon as their present permit expires.

5) **Temporary Signs**

Unless otherwise noted in this section, any permit for a temporary sign contained in this section shall be valid for a period of not more than 12-consecutive calendar months.

a. **Residential Builder signs**

Each builder of a subdivision or development having more than three buildings may have one information sign for each type of housing unit to be built (e.g. single-family, townhouse and condominium) provided that each sign:

- i. Is located at a major entrance to the subdivision;
- ii. Only includes images and text indicating layout, price of homes and directing visitors to the construction or sales site;
- iii. Has a maximum area of 30 square feet;
- iv. Has a maximum height of 8 feet;
- v. Is located at least 10 feet from the public right-of-way; and
- vi. Is not lighted.

Such sign may remain in place as long as there continues active initial sales of the type of housing shown on the sign.

b. **Development Signs**

Except for single-family residential districts, each new development lot may have one sign that:

- i. Has a maximum area of 30 square feet;
- ii. Has a maximum height of 8 feet;
- iii. Is located at least 10 feet from the public right-of-way;
- iv. Contains text that is limited to announcing the future development of the lot; and
- v. Is not lighted.

Such sign may remain in place until the first certificate of occupancy is issued for a building on the lot.

c. **Model Home Signs**

Each builder within a subdivision or development may have the following types of model home signs under the following conditions, and each such sign may remain until the model home is sold to a private buyer for use.

- i. **Group signs.** Each builder may have one freestanding OR one wall sign within each group of model homes that are constructed, provided that such sign:
 - a. Is located on a model home lot;
 - b. Has a maximum area of 20 square feet;
 - c. Has a maximum height of 8 feet;
 - d. Has a minimum setback of ten feet; and
 - e. Is not lighted.
- ii. **Home sign.** Each model home may have one freestanding OR one wall sign, provided that such sign:
 - a. Is located on the same lot as the model multi-family building;
 - b. Has a maximum area of five-square feet;
 - c. Has a maximum height of six feet; and

- d. Is not lighted.
- iii. **Multi-family signs.** Each builder may have one freestanding OR one wall sign at the entrance to each multi-family building it constructs, provided that such sign:
 - a. Is located on the same lot as the model multi-family building;
 - b. Has a maximum area of five-square feet;
 - c. Has a maximum height of six feet; and
 - d. Is not lighted.

E. Sign Standards Related to Specific Uses

1) Fuel Sales With or Without Convenience Stores

All signs located on a lot with fuel sales, whether or not accompanied by a convenience store, shall comply with provisions of this section.

- a. **Price Sign.** The fuel price sign shall be integrated into a standing sign that identifies the business.
- b. **Number.** Only one fuel price sign shall be allowed per property.
- c. **Height.** Fuel price signs shall not exceed eight (8) feet in height, shall not exceed 32 square feet in sign area per face.
- d. **Canopy Signs.** Canopy signs shall be located on the canopy fascia and shall be limited to one corporate or business logo of the principal use on each side of the canopy that is visible from a public or private street. Such logos shall have a vertical dimension no greater than 75% of the vertical dimension of the canopy fascia and shall be no greater than eight (8) square feet in sign area per logo.
 - i. No more than one wall sign, whether located on the primary structure or the canopy, shall face in any given direction (i.e., there shall not be a wall sign and a canopy sign facing the same direction.)

2) Business Centers

Standing signs identifying retail, business centers, or office/industrial/technical parks or centers shall contain the name, address and logo or trademarks of the office park or center. Such signs may include the name of not more than 12 of the tenants therein, with said names to be integrated into the overall design of the sign. The name of the center must utilize at least 20% of the sign area. Minimum letter height for tenant names shall be eight inches for signs up to 32 square feet and 10 inches for signs up to 64 square feet. No part of the sign shall exceed the height of the building or 20 feet, whichever is less; and be located at least 10 feet from the property line.

3) Subdivisions and Residential Developments Greater Than Three Buildings

Residential subdivisions shall be allowed up to two signs, provided that the applicant can demonstrate that adequate provisions are in place to ensure proper maintenance of the sign(s) and associated landscaping by the homeowner association and that such signs:

- a. Include only the name of the subdivision or development;
- b. Are located at the principal street entrance(s) to the subdivision or development, as determined by the Planning Board, and not interfere with sight lines entering or exiting the public way;
- c. Are not located within ten (10) feet of a property line;
- d. Have a maximum sign area of twenty (20) square feet each;

- e. Have a maximum height of six (6) feet; and
- f. Are constructed of masonry or other substantial materials.
- g. Other types of decorative/architectural features that are higher than six (6) feet may be allowed provided they are not classified as a sign.

F. Miscellaneous Provisions

1) Prohibited Signs and Practices.

The following types of signs, except for signs within buildings, are prohibited in all zoning districts. No exceptions shall be allowed and no variances may be granted.

- a. Any moving sign, including pennants, shark fins, and streamers, other than one explicitly permitted by this bylaw.
- b. Any sign displaying flashing or intermittent lights, or lights of varying intensity, except those portions of an electronic changeable copy sign with intermittent lights due to the change of copy.
- c. Any sign with direct or indirect lighting that causes glare into or upon any lot or tract with a residential use that is adjacent to the lot or tract where the sign is located.
- d. Any sign that is an imitation of any official government protective or warning sign, including stop signs using the words “stop” or “danger” to imply a need or requirement to stop or a caution for the existence of danger, and including signs that are copies of, or that are likely to be confused with, any official government protective or warning sign. This prohibition does not apply to Informational and Directional signs within a developed property and allowed under Section 5.6 B.8.
- e. Except as specifically provided otherwise in this section, any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ventilation, ingress, or egress for any building as required by law.
- f. Any sign not permanently affixed to a permanent, rigid structure, unless explicitly authorized by this bylaw.
- g. Any fabric sign, other than an awning sign.
- h. Any portable sign or similar objects/signs are prohibited, except as authorized by the bylaws of the Town of West Boylston and then only in accordance with the provisions thereof.
- i. Any balloons, inflatable devices, or similar types of objects, unless specifically authorized in the bylaw.
- j. Search lights except by municipal entities.
- k. Except as specifically authorized by this bylaw, signs attached to vehicles or movable storage containers that are parked or stored on property as a mechanism for displaying the message in the sign.
- l. Wheeled advertising devices, except for permanent signs on licensed, operable vehicles used daily for service and/or delivery purposes.
- m. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, destroy or remove any trees or shrubs located within a right of way, unless the work is done pursuant to written authorization of the town or unless the removal of landscaping has been provided in compliance with another section of the Zoning Bylaws.

2) Architectural Features

Architectural features that are integral to the design of the building or provide an artistic accent shall be exempt from the sign regulations provided that they:

- a. Do not identify or advertise a business, business activity, or product that is available for sale on the premises;
- b. Do not consist of a company name, symbol, or trademark designed to be readily identifiable as a logo; and
- c. Comply with building height limits and setback requirements applicable to the property on which they are located.

3) Murals that do not convey a commercial message shall be exempt from the standards contained in this sign bylaw. Any mural that conveys a commercial message or occupies more than 10% of any wall, roof or accessory structure may be allowed upon the issuance of a permit.

A mural may be located on the same building face as a wall sign, provided they are graphically incorporated into each other.

4) Special Signs

The following special signs may be allowed by permit:

- a. Temporary signs for a public, civic or non-profit organization;
- b. Town Banner: temporary use of the town banner for the use of public, civic or non-profit organizations; and
- c. Special district and historical district signs.

5) Non-conforming Signs

Signs that were legally established but which no longer comply with the provisions of this bylaw are nonconforming and are governed by the provisions of Section 5.6.A.5.d Non-conforming Signs. These signs may continue to be maintained subject to the requirements of the original permit, provided that no such sign shall be enlarged, reworded, redesigned or altered in any substantial way, except to conform to the requirements of this bylaw.

6) Variances

- a. **Approval Criteria.** Variances may be granted by the Zoning Board of Appeals if it is determined that the approval criteria contained in Section 6.2 F have been met. The following factors may be considered to demonstrate substantial hardship:
 - i. The sign has historical value; or
 - ii. The sign has unique architectural features.

G. Definitions

ACCESSORY SIGN: A sign that advertises, directs attention to, or identifies entities, products or activities located or offered on the same property as the sign.

AWNING: A permanent roof-like structure attached to a building, above storefront windows or entries, extending from an exterior wall of a building and composed of non-rigid materials except for the supporting framework.

AWNING SIGN: A permanent accessory sign attached to the surface of an awning with no part of the sign extending beyond the awning in any way.

BANNER SIGN: A permanent or temporary sign made of fabric or other similar nondurable material with no closing framework or electrical components that is supported or anchored on two or more edges or at all four corners to a building. Banners that are displayed lengthwise so that the longer side extends vertically and that are attached to a building at the top and bottom of the banner with permanent brackets shall be considered projecting signs. All other banners shall be considered temporary wall signs.

BILLBOARD SIGN: A non-accessory sign, typically located on a flat panel structure, subject to M.G.L. § 93, sections 29-33.

CANOPY: A freestanding permanent roof-like shelter not attached to or requiring support from an adjacent structure. [i.e., gas stations frequently have a canopy over the fueling pump areas.]

CANOPY SIGN: A permanent accessory sign painted on, printed on or otherwise attached to the surface of a canopy which is otherwise allowed according to the by-laws of the Town of West Boylston.

CHANGEABLE COPY SIGN: A sign or portion thereof that displays information in which each alphanumeric character, graphic, or symbol can be changed or re-arranged. The alphanumeric characters, graphics or symbols may be changed electronically, manually, or mechanically without altering the face or the surface of the sign. Electronic changeable copy signs display information in which each alphanumeric character, graphic or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area, and include, but are not limited to, computer programmable, microprocessor or controlled electronic displays, projected images or messages with these characteristics onto buildings or other objects.

DIGITAL DISPLAY SIGN: A sign or portion thereof that incorporates light emitting diode (LED), fiber optic or similar technology to allow messages to change.

FLASHING SIGN: An internally or externally illuminated sign or portion thereof that consists of intermittent illumination that changes light intensity in sudden transitory bursts or creates the illusion of intermittent flashing light by streaming graphic bursts or any mode of lighting which resembles scrolling, sparkling or twinkling.

ILLUMINATED SIGN: A sign which is lit, whether internally or externally.

INFORMATIONAL/DIRECTIONAL SIGN: A permanent accessory sign intended to provide instructions or directions, as determined by the Inspector of Buildings. Said signage shall not be included in the total permitted wall signage nor shall be counted as a standing sign, provided said sign is not larger than necessary to serve the intended purpose and provided said sign is neither in a location nor contains design characteristics that constitute or serve the purposes of identification of products or services.

MARQUEE: A permanent canopy-like structure attached to a building with no supporting

structure except where attached to the building, composed of rigid materials extending along and projecting beyond the wall of a building.

MARQUEE SIGN: A permanent sign painted on, printed on or otherwise attached to the surface of a marquee generally designed to have changeable copy, either manually or electronically, as permitted by this by-law.

MENU BOARD SIGN: A permanent sign, not attached to a building, displaying the type and price of goods sold in connection with drive-through services.

MONUMENT SIGN: A permanent, standing sign which is anchored to the ground, but which has a monolithic or columnar line, which maintains essentially the same contour from grade to top and which has a horizontal dimension equal to or greater than its vertical dimensions.

MOVEABLE SIGN: A type of temporary standing sign capable of being readily moved from one location to another and having no permanent or in-ground supporting structures or braces. This includes sidewalk signs and signs attached to wood, plastic, or metal frames and wheeled trailers, whose primary function is to carry a sign that can be loaned, rented or leased. It excludes signs on cars, trucks, buses, or trailers that identify the owner or products of the owner and whose function includes regular transport operations of the business.

MURAL: A noncommercial picture or decoration, typically painted, which is for artistic, cultural or societal purposes. However, a mural is considered a commercial sign if it is related by language, logo or pictorial depiction to the advertisement of any product or service or the identification of any business.

NON-ACCESSORY SIGN: A sign that advertises, directs attention to, or identifies entities, products or activities conducted, sold or offered at a location other than the premises on which the sign is located. See also BILLBOARD SIGN.

NON-CONFORMING SIGN: A sign that while not in conformance with the current zoning bylaw was in compliance with the bylaw in effect at the time the sign was erected; or was granted a variance from the Board of Appeals; or received a waiver during Site Plan Review process. Such a sign is considered to be “grand-fathered.”

NON-COMPLIANT SIGN: A sign in violation of the zoning bylaw in effect at the time the sign was erected.

PERMANENT SIGN: A sign attached to a building, structure, or the ground and intended for long term use.

POLE SIGN: A standing sign supported permanently upon the ground by poles or braces, not attached to any building and which provides air space between the ground and the sign face.

POLITICAL SIGN: Any sign designed to influence the action of voters for the passage or defeat of a measure, or the election of a candidate to a public office at a national, state, county or local election, excluding handheld signs.

PROJECTING SIGN: A permanent sign which projects from and is supported by a wall or

parapet of a building with the display surface of the sign in a plane perpendicular to or approximately perpendicular to the wall. Projecting signs shall also include:

- 1) banners that are displayed lengthwise, where the longer side of the sign is vertical and attached with two or more permanent brackets, one at the top and one at the bottom of the banner but does not include temporary banner signs; and
- 2) signs suspended from a building overhang. See also SUSPENDED SIGN.

ROOF SIGN: A permanent or temporary sign which is erected, constructed or maintained above the roof or architectural projection of a building and does not project beyond the wall line of the building.

ROTATING SIGN: A sign or portion of any sign which in any physical part or in total, turns about on an axis, rotates, revolves or is otherwise in motion.

SIDEWALK SIGN: A temporary, portable and self-supporting sign which includes but is not limited to: A-frame or sandwich board signs. Sidewalk signs are located, in whole or in part, on a sidewalk immediately adjacent to the building or lot for which the sign is intended.

SIGN: Any device consisting of any letter, figure, character, mark, point, design, poster, mural, stroke, stripe, line, trademark, banner, insignia, or other reading matter that is used to attract or direct attention of the public to any object, product, place, activity, facility, event, attraction, person, institution, service organization or business displayed out-of doors for recognized advertising or identification purposes excluding supporting structure except where the sign structure itself consists of advertising. Window signs located inside a building within three (3) feet of the window, but viewable from a street are also considered a sign.

STANDING SIGN, PERMANENT: A permanent accessory or non-accessory sign not attached to a building and supported upon the ground, including but not limited to: pole, monument and menu board signs.

STANDING SIGN, TEMPORARY: A temporary sign, generally made of non-rigid materials, attached to the ground, generally with poles or braces but which is not permanently supported nor is attached to any building. See also MOVEABLE SIGN.

SUSPENDED SIGN: A type of projecting sign that is suspended from a building overhang either parallel or perpendicular to the building wall.

TEMPORARY SIGN: A non-motion sign that is neither permanently attached nor affixed to a building nor permanently anchored in the ground, intended to be displayed for a seasonal or brief activity, including, but not limited to: sales, specials, promotions, grand openings, political signs and lease or vacancy of rental units. It includes temporary banner signs, temporary standing signs, moveable signs, temporary wall signs, temporary roof signs and temporary window signs.

WALL SIGN: A permanent or temporary sign which is applied, painted on or supported in whole or in part by an exterior wall of a building or structure and does not extend more than fourteen (14) inches from the wall and does not extend beyond the ends of the wall to which it is attached.

WINDOW SIGN: A permanent or temporary sign (but excluding merchandise in a window display) that is posted, painted, placed or affixed to the interior of a window. An interior sign that faces a window viewable from a street and located within three (3) feet of the window is considered a window sign for the purpose of calculating the total area of all window signs. The word “window” shall refer to any transparent surface that comprises part of the surface of the wall, including but not limited to glass doors, regardless of its movability.

H. Severability Clause

If any section, paragraph, or part of this bylaw be for any reason declared invalid or unconstitutional by a court of competent jurisdiction, every other section, paragraph and part shall continue in full force and effect.

Article 22 – Authorization to amend the Zoning Bylaws by adding section 3.12 - Medical Marijuana Treatment Center Moratorium 2/3rds

Motion- Karen Pare

Second- Vincent Vignaly

Bylaws Cmte. recommends approval

The motion was unanimously voted as read, which enables the Town to amend the Zoning Bylaws to insert Section 3.12 to enact a Temporary Moratorium on Medical Marijuana Treatment Centers as printed in the warrant except that the moratorium shall be in effect through June 30, 2014 instead of Dec. 31, 2014. That would provide as follows;

TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

Section 3.12.A. PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law’s effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town of West Boylston and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

Section 3.12.B. DEFINITION

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

Section 3.12.C. TEMPORARY MORATORIUM

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

Article 23 - Authorization to Petition the Legislature for Special Legislation relative to Affordable Housing

Motion- Christopher Rucho

Second- John Hadley

It was unanimously voted to authorize the Board of Selectmen to seek special legislation as set forth below for the purpose of ensuring that low or moderate income housing authorized by the Town to be built or created under G.L. chapters 40A, 40B, or 40R shall be included for purposes of G.1. c.40B, §20 on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development as "affordable housing"; provided, however, 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 prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to Affordable Housing in the Town of West Boylston

Section 1. Notwithstanding the provisions of sections 20 through 23 of chapter 40B of the General Laws, or of any other general or special law or state regulation to the contrary, the determination of whether the Town of West Boylston has low or moderate income housing in excess of ten per cent of the total housing units reported in the latest federal decennial census for the Town of West Boylston for purposes of section 20 of said Chapter 40B, which determination is reflected in a list known as the Subsidized Housing Inventory ("SHI") as maintained by the Massachusetts Department of Housing and Community Development or by a successor department regardless of its name, shall be calculated as follows. As of the date an approval decision is filed with the West Boylston Town Clerk and through and including the expiration date of the decision as provided by applicable statute or regulation and any extension of such decision granted by action of the Town or the General Court, the SHI shall include all of the following:

1. Any affordable housing unit approved under any local zoning provision under G.L.

c.40A, including a so-called Local Initiative Program project, provided that the affordable unit shall be required to have a permanent deed restriction to restrict occupancy or ownership of the unit to an "Income Eligible Household" as presently defined under the Department's regulations at 760 CMR 56.02;

2. Any affordable housing unit in a home ownership project approved under G.L. c.40B or G.L. c.40R; and

3. Any rental housing unit in a rental project approved under G.L. c.40B or G.L. c.40R.

Provided further that if any such approval decision is appealed, the unit or units at issue shall continue to be listed on the SHI unless and until the approval decision is finally overturned by a court of competent jurisdiction.

Section 2. This act shall apply to all housing units meeting the requirements of section 1 wherein the relevant approval decision was filed with the West Boylston Town Clerk on or before January 1, 2000.

Section 3. This act shall take effect upon passage.

Article 24 - Authorization to support the Amendment of MGL Chapter 40B

Motion- Christopher Rucho

Second- John Hadley

It was unanimously voted to support the amendment of G.L. c.40B for the purpose of providing relief to cities and towns from the financial and administrative burdens imposed upon municipalities by the approval of affordable housing under said chapter, which approved housing units do not count as "affordable housing units" for purposes of G.L. c.40B, §20 for inclusion on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development, and, for such purposes, to authorize the Board of Selectmen to submit to its State Representative and State Senator the below legislation for consideration by the General Court, or take any other action relative thereto:

An Act Relative to Municipal Relief with Respect to Temporary Recognition of Affordable Housing Approved by Municipalities

Section 1. It is hereby recognized that, due to fiscal circumstances beyond the control of municipalities and developers of affordable housing, it can be difficult to build affordable housing projects even after such projects have been locally approved.

Section 2. It is hereby further recognized that there are municipalities who have approved low and moderate income housing that would provide low or moderate income housing of ten per cent or greater of the total housing units reported in the latest federal decennial census for purposes of section 20 of chapter 40B of the General Laws; however, not all of the approved and still eligible to be constructed projects have been constructed.

Section 3. It is hereby further recognized that low and moderate income housing projects that have been approved and are still eligible to be constructed should be included in the calculation of whether a municipality has low or moderate income housing of ten per cent or greater of the total housing units reported in the latest federal decennial census for purposes of section 20 of chapter 40B of the General Laws and, so, shall be reflected in the list known as the Subsidized Housing Inventory ("SHI") maintained by the Massachusetts Department of Housing and Community Development.

Section 4. Section 20 of Chapter 40B of the General Laws is hereby amended by deleting in its entirety subsection (1) of the definition of "Consistent with Local Needs" and by inserting in place thereof the following: (D) low or moderate income housing units, which either exist or have been locally approved and notice of the approval has been filed with the city or town clerk and the approval has not yet expired and which are in excess of ten percent of the housing units reported in the latest federal decennial census of the city or town or on sites comprising one and one half per cent or more of the total land area zoned for residential, commercial or industrial use.

Section 5. This act shall be applicable to all low or moderate income housing approved by municipalities under chapter 40B and filed with the respective city or town clerk on or before January 1, 2000. Furthermore, any approval for any housing unit that was in effect (and for which appeals regarding the initial permit were resolved) on or before January 1, 2004 shall expire on January 1, 2014 for any unit for which a building permit has not issued on or before that or for any unit that has a building permit on or before January 1, 2014 but for which an occupancy permit is not issued on or before January 1, 2016.

Section 6. This act shall expire, without any further action of the General Court seven years from the date of approval, unless sooner renewed; provided, however, that any low or moderate income housing appearing on the above-referenced SHI at the time of expiration of this act shall continue to be governed by the provisions of this act until expiration of local approval.

Section 7. This act shall take effect 120 days after its passage.

Article 25 – Authorization to appropriate funds to the Stabilization Fund

Motion- Kevin McCormick

Second- Christopher Rucho

PASSED OVER

It was unanimously voted to pass over this article. This article would have allowed the town to raise and appropriate or transfer from available funds a sum of money to the Stabilization Fund.

Article 26 – Authorization to appropriate funds to the Capital Investment Fund

Motion- Kevin McCormick

Second- Christopher Rucho

PASSED OVER

It was unanimously voted to pass over this article. This article would have allowed the town to raise and appropriate or transfer from available funds a sum of money to the Capital Investment Fund.

Upon a motion and second the meeting was dismissed at 9:27 p.m.

Attest:

Kim D. Hopewell
Town Clerk