



# Annual Town Meeting Minutes

The 230<sup>th</sup> Annual Town Meeting of the Inhabitants of the Town of Carver was held on Tuesday April 12<sup>th</sup> 2022 at the Carver High School Auditorium at 7:00 P.M., pursuant to a Warrant of the Select Board dated April 5, 2022. The Meeting was called to order at 7:44P.M. by the Moderator, Sean Clancey, there being a quorum of 150 present. The Moderator led the voters in the pledge of allegiance to the Flag and a moment of silence.

The appropriate tellers were sworn to their faithful performance of their duties by Town Clerk; Cara L. Dahill. The Tellers for the evening were Donna Ignagni, Mary Ross, Amy McCain, Eileen Roussos and Geraldine Govoni.

Members of the Finance Committee , School Committee and Select Board were all introduced in addition to Superintendent Scott Knief, Town Counsel; Gregg Corbo, Town Clerk Cara Dahill, and Interim Town Administrator; Robert Fennessy as well as Finance Director Sue Moquin.

Town Clerk Cara L. Dahill introduced an electronic hand held voting system for use at town Meeting that the Moderator approved for use. Instruction was given by the Moderator and the meeting was opened with a test question and vote.

**MOTION:** Made by Mark Townsend and seconded to end the meeting by 10:30P.M

**VOTE:** 417 Yes /60 No Motion PASSES

The Following Articles were voted on April 12, 2022:

**ARTICLE 1: ANNUAL TOWN REPORT**

To act upon the reports of the various Town Officers as printed in the Annual Town Report for 2021, and to hear the reports of any Committee heretofore chosen and act thereon; to abolish any special committee not submitting a report which is required to do so, unless otherwise voted; and to establish any new committee or take any other action related thereto.

SELECT BOARD

*INFORMATIONAL SUMMARY: This article asks the Town Meeting to accept the reports of the Town Officers that are printed in the Annual Town Report for 2021 and provides an opportunity for Boards and Committees to present a report directly to the Annual Town Meeting. Copies of the Town Report are available in the Select Board office.*

**PROPOSED MOTION:** Mark Townsend moved and was seconded that the Town approve the 2021 Annual report.

**(Majority Vote Required)**

*Recommendation: Select Board 5-0*

**ARTICLE 1 VOTE: 407 Yes /20 No Motion PASSES**

**ARTICLE 2: ALLOCATION OF FUNDS FROM FISCAL 2022 FREE CASH**

To see if the Town will vote to transfer from free cash, in the amounts and for the purposes specified below, including all incidental and related costs:

<b><u>Transfer to:</u></b>	<b><u>Amount (not to exceed)</u></b>
A. Fund Health Mitigation Fund	\$20,000
B. North Carver Water District for well and infrastructure debt FY22	\$198,706
C. Landfill Monitoring	\$70,500
D. Replenish Stabilization Fund	\$250,000
E. Fund Compensated Absences	\$200,000
F. Fund OPEB	\$225,000
G. Capital Maintenance	\$88,000
H. <u>Emergency Radio Maintenance</u>	<u>\$12,000</u>
TOTAL	\$1,064,206

SELECT  
BOARD

***INFORMATIONAL SUMMARY:***

*This Article allocates available free cash for spending for the listed purposes as explained below. Please also note that additional free cash in the amount of \$2,147,735 will be used to fund the Capital Plan as shown in Article 4.*

- A. The Health Insurance Mitigation fund was established when the Town changed health care plans. This amount is for the administration fee for the third party contract.*
- B. An amount for the NCWD Enterprise Fund is intended to close an anticipated FY2022 revenue deficit to cover capital debt costs that is an obligation of the Town.*
- C. Sampling and Reporting results as required by DEP for the North Carver landfill.*
- D. This will restore funds that were drawn down at the previous Town Meeting*
- E. Compensated absences funds are used to mitigate the impact of a buyout on a department budget.*
- F. Other Post-Employment Benefits funding - Plymouth County Retirement assesses an amortization each town in the county is responsible for paying their share.*
- G. Town infrastructure needs to be maintained as repairs arise in town buildings. This fund will allow maintenance and repairs.*
- H. Emergency communication radio equipment for the public safety departments and schools need preventative maintenance, repairs and replacement.*

**PROPOSED MOTION:** Mark Townsend: and Seconded moved that the Town approve Article 2 in the amounts and for the purposes as set forth in the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board 4-0 (all except 'B'), Finance Committee 7-0 (all except 'B')*

**VOTE 2: 331 Yes /127 No Motion PASSES**

**ARTICLE 3: FISCAL YEAR 2023 OPERATING BUDGETS FOR TOWN AND ENTERPRISE FUNDS; FUNDING FOR OPEB TRUST, AND STABILIZATION FUNDS.**

To see if the Town will vote to raise and appropriate or transfer from available funds or otherwise provide the following sums to fix the salaries and compensation of Elected Officers, for the payment of Personnel Services, Expenses, Capital Outlays, Debt Service, OPEB Trust Fund, Capital Stabilization, Stabilization Fund, and otherwise, of Town Departments, Water Enterprise Funds, Water Betterment Debt Stabilization Fund, the FY23 Wage and Salary Classification Plan for Non-union Employees (*Appendix A*), and appropriate the difference between the levy net and the levy limit to the Capital and Debt Stabilization Fund, and to establish spending limits for the Town's revolving funds, all as specified below:

**PART A**

**Operating Budget** (Funded from Taxation and Transfers from Available Funds), see budget details (*Appendix B*) for Informational Purposes.

<b><u>Category</u></b>	<b><u>Amount (not to exceed)</u></b>
<b>Town-Wide Shared Budget</b>	
Snow & Ice	\$313,496
Old Colony Voc-Tech	\$1,185,321
Non-Excluded Debt	\$1,558,776
Excluded Debt	\$1,192,050
Reserve Fund	\$125,000
Town Wide IT	\$173,000
Health Insurance	\$5,061,368
Plymouth County Retirement	\$2,596,245
<b>TOTAL SHARED COSTS:</b>	<b>\$12,205,256</b>
<b>General Government Budget</b>	
General Government Budget (salaries & expenditures)	\$2,778,711
Public Safety (salaries & expenditures)	\$4,505,335
Public Works and Facilities (salaries & expenditures)	\$1,583,381
Human Services (salaries & expenditures)	\$582,026
Culture & Recreation (salaries & Expenditures)	\$483,369

Benefits and other town shared cost	\$320,000
<b>TOWN SHARE OF BUDGET:</b>	<b>\$10,252,822</b>

**School Budget**

School General Budget (salaries & expenditures)	\$21,418,428
---	--------------

**PART B**

**Enterprise Funds** *(funded from receipts)*

North Carver Water District FY 23 (salary, expenses, capital, debt, etc.)	\$265,934
Cranberry Village FY 23 (salary, expenses, capital, debt, etc.)	\$72,732

SELECT BOARD

*INFORMATIONAL SUMMARY:*

- *Part A presents the Town-wide shared cost, the Town’s operating budget, the general government budget, and the School budget*
- *Part B presents the annual budgets for the North Carver Water District and Cranberry Village Enterprise Funds.*

*The 2014 Annual Town Meeting approved a modified “bottom-line budget”, with a line-by-line breakdown by department for informational purposes. We have again set forth a summary of the detailed line-item budget approved by the Select Board and Finance Committee that must be followed by all departments. Once Town Meeting establishes the budget for each identified category, the Town Administrator and Finance Director, with the approval of the Select Board, will be able to allocate the funding amongst the various line items in each such category as needed during the course of the fiscal year to most efficiently manage operational requirements. The School Committee, as detailed in the Town Audit, is also required to vote on budget transfers within its School General Budget as approved by the School Committee.*

**PROPOSED MOTION:** I move that the Town: by Mark Townsend and Seconded Raise and appropriate the sum of \$45,128,662, transfer from Ambulance Receipts Reserved for Appropriation the sum of \$905,176 and the sum of \$14,000 for the cost of using Town fuel, transfer from the North Carver Water District receipts the sum of \$67,658, transfer from Cranberry Village receipts the sum of \$13,532 and transfer from Cemetery Receipts Reserved for Appropriation the sum of \$20,000, all to be allocated for the Town’s Operating budget as set forth in Article 3, Part A of the Warrant; and, that the Town appropriate the sum of \$396,982 from Estimated Water Receipts – North Carver Water to pay the salaries, expenses, capital, debt and other expenditures for the North Carver Water District Enterprise fund for FY23; to appropriate the sum of \$59,200 from Estimated Water Receipts – Cranberry Village to pay the salaries, expenses, capital, debt and other expenditures for the Cranberry Village Enterprise Fund: and to authorize the Select Board, upon recommendation of the Town’s financial staff, to allocate amounts within each such enterprise fund, respectively, to maximize fiscal efficiency and operations as set forth in Article 3, Part B of the Warrant; and further, to authorize the Select Board, upon recommendation of the Town’s financial staff, to allocate amounts within each such category to maximize fiscal efficiency and operations, provided, however, that any transfer between categories, other than as may be allowed under

G.L. c.44, §33B(b) during the last two months of the fiscal year, shall require approval by Town Meeting;

**(Majority Vote Required)**

*Recommendation: Part A: Select Board 5-0 Finance Committee 8-0  
School Committee: 5-0 for School Budget  
Part B: Select Board 5-0, Finance Committee 8-0,*

**VOTE 3: 395 Yes /51 No Motion PASSES**

**ARTICLE 38:** The Town hereby adopts a temporary 11 ½ month moratorium to March 26, 2023, on the new use of land for Battery Storage effective immediately upon Town vote. During the moratorium period, the Town shall adopt new zoning bylaws for battery storage and undertake a planning process that addresses the current and future impacts of battery storage facilities on Carver's residents, consider the long-term objectives for additional battery storage facilities in the town and their impact on health, safety and welfare of the town.

**Motion made by Justin Carpentar and Seconded to advance Art.38**

**VOTE: 2/3's 323 Yes 150 No Passes to advance Art 38**

**VOTE 38: 387 Yes /76 No Motion PASSES TO ADOPT A MORATORIUM**

**MOTION made and seconded to reconsider Art 38 by 2/3 vote**

**VOTE 38: Yes 46 /No 404 MOTION FAILS**

**ARTICLE 8: TRANSFER OF OWNERSHIP OF THE CRANBERRY VILLAGE WELL:**

To see if the Town will vote to authorize the Select Board to convey a parcel of land known as 86 Cranberry Road, described in a deed recorded with the Plymouth County Registry of Deeds in Book 8929, Page 94, and the water wells, pumping station, and other water infrastructure located thereon, to the Cranberry Village Residents Association, Inc. for the purpose of providing water to Cranberry Village, a manufactured housing community, and on such other terms and conditions as the Select Board deems to be in the best interest of the Town, and to execute any and all documents and instruments in furtherance of said article; and, further, to authorize the Select Board to petition the General Court for special legislation authorizing said conveyance, in the form set forth below, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments; or take any other action relative thereto.

The petition for special legislation shall take the following form:

AN ACT AUTHORIZING THE TOWN OF CARVER TO TRANSFER CERTAIN REAL PROPERTY, INCLUDING WATER WELLS AND A PUMPING STATION THEREON TO THE CRANBERRY VILLAGE RESIDENTS ASSOCIATION, INC.

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

*SECTION 1.* Notwithstanding the provisions of sections fifteen and fifteen A of chapter 40 of the General Laws and section sixteen of chapter 30B of the General Laws, or any other applicable law, the town of Carver, acting by its select board, upon the granting of approval by the Department of Environmental Protection as required by the regulations of said department, is hereby authorized and empowered to convey all or any portion of the town's interests in certain real property and the water wells, pumping station, and other water infrastructure located thereon, said property described in a deed recorded with the Plymouth County registry of deeds in book 8929, page 94, to the Cranberry Village Residents Association, Inc., a Massachusetts non-profit association organized under chapter 180 of the General Laws, established for the purpose of owning, operating and maintaining a manufactured housing community, for consideration of \$1.00, and subject to such terms and conditions as the select board deems to be in the best interests of the town, which shall include at least a deed restriction requiring that the property shall be used in perpetuity solely for the purpose of providing potable water to Cranberry Village and such uses as are incidental or related to the use and protection of the property as a potable water supply.

*SECTION 2.* The deed effectuating the conveyance authorized in section 1 shall provide that if the parcel ceases to be used for the purposes set forth in section 1 for more than one (1) continuous year, unless such cessation is caused by an uncontrollable force or natural disaster not within the power of the grantee or its assignee, title to the parcel shall, at the election of the town of Carver select board, revert to the town if the town: (i) provides the grantee or its assignee with written notification and an opportunity to cure; and (ii) records a notice of the reversion in the Plymouth County registry of deeds. In the event of reversion under this section, the parcel shall be held by the town for general municipal purposes.

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

SELECT BOARD

*INFORMATIONAL SUMMARY: The Cranberry Village well was gifted to the Town in the 1980's. The Town expends resources to maintain the well. This article is requesting that the well go back to the ownership and control of Cranberry Village before it becomes more of a liability to the Town.*

**PROPOSED MOTION:** I move that the Town approve Article 8 as set forth in the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board 4-1*

**Motion made to advance Art.8 out of order by Brenda Bacall and Seconded**

**VOTE 8: 296 Yes / 58 No 2/3 vote PASSES**

**VOTE 8: 348 Yes /28 No Motion PASSES**

**Motion made to Reconsider Art. 8 Made by Alan Germain and seconded**

**FINAL VOTE 8: To reconsider Art. 8 37 Yes /262 No Motion to reconsider FAILS**

**PROPOSED MOTION: Motion made by Robert Belbin and seconded to advance Art. 30 out of order**  
**VOTE 30 : 92 Yes / 178 No by 2/3's Vote to advance FAILS**

**ARTICLE 4: CAPITAL IMPROVEMENTS BUDGET**

To see if the Town will vote to appropriate a sum of money for the purposes set forth below, and for the purchase of related equipment and supplies, for installations, furnishings and other related services and all costs incidental and related thereto, and to meet this appropriation as follows:  
 Transfer from the following prior town meeting articles: ATM FY14 unemployment reserve in the amount of \$35,249, ATM FY18 COA feasibility study in the amount of \$19,814, ATM FY19 snow reserves in the amount of \$102,843, ATM FY17 HS bleachers in the amount of \$25,000, ATM FY17 new hire equipment in the amount of \$15,000, ATM FY15 capital maintenance in the amount of \$140,302, ATM FY17 for land acquisition in the amount of \$13,252, ATM FY16 human resources startup in the amount of \$37,460 and ATM FY17 utility reserves in the amount of \$25,000;  
 Raise and appropriate the sum of \$1,217,463;  
 Transfer from free cash the sum of \$2,147,735;  
 Transfer from Ambulance Receipts Reserved for Appropriation the sum of \$260,000;  
 And to allocate said funds as set forth below:

<b><u>Purpose (all in FY23 unless stated)</u></b>	<b><u>Amount (not to exceed)</u></b>
a. Energy efficiency project to reduce electric consumption	\$100,000
b. Replacement of 1992 E-Z Beaver Wood Chipper	\$140,000
c. Scag Mower	\$10,000
d. Town-Wide Maintenance Contracts	\$80,767
e. Town Hall Siding (FY 22)	\$360,000
f. Ambulance, purchase and equip \$260,000	
g. Replace jaws of life tools/airbag on Rescue 1 (FY 22)	\$127,000
h. Replace Fire command car 2 (FY 22)	\$85,000
i. Police Fire Radio Infrastructure (FY 22)	\$623,000
j. Police cruiser replacements (2 vehicles), purchase and equip	\$110,000
k. Replace 4 external defibrillators (FY 22)	\$8,100
l. Town-wide technology infrastructure & equipment	\$56,000
m. Carver Elementary School education technology (FY 22)	\$68,750
n. Middle High School education technology	\$48,000
o. District-Wide curriculum upgrade modern education	\$130,000 HOLD
p. School bus replacement 71 passenger bus(es), purchase and equip. (FY 22)	\$103,000
q. School bus 32 passenger wheel chair bus (FY 22)	\$125,000
r. Classroom modernization plan	\$45,000
s. Middle High School Lobby renovation	\$55,000
t. Visual & performing arts pathway; tv studio (FY 22)	\$121,000
u. Middle High School Auditorium lighting & a/v booth (FY 22)	\$67,750
v. Curriculum equipment upgrade	\$20,000

w. Town-Wide Capital Network Implementation and Oversight	\$27,595
x. Annual reduction in debt exclusion for new elementary school (solar)	\$100,000
y. Project Management, Disclosure Statement & short-term interest	\$85,000
z. Reduction of Debt for Library HVAC System	\$960,000HOLD
aa. <u>Transfer to Capital Stabilization</u>	
	<u>\$123,156</u>

TOTAL \$4,039,118

And further, appropriate the sum of \$1,800,000 to replace the HVAC units at the Carver Public Library, and anything incidental or related thereto; and that to meet this appropriation the Treasurer, with the approval of the Select Board, be authorized to borrow said sum under M.G.L. Chapter 44, Section 7 and/or 8, or any other enabling authority, and to issue bonds or notes of the Town therefor;

and, to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend the funds appropriated hereunder for capital improvements, capital projects and/or purchase of capital equipment in the most fiscally responsible manner and to manage all approved projects, from planning and design to procurement, including negotiation of contracts and change orders, and to authorize the Town Administrator to take such additional action as may be necessary to carry-out the votes taken hereunder, or take any other action related thereto.

#### CAPITAL OUTLAY COMMITTEE AND SELECT BOARD

##### *INFORMATIONAL SUMMARY:*

*The town works within a Capital Improvement Plan, a 10-year fiscal planning process that identifies long-term improvements to the Town's infrastructure and facilities as presented (Appendix C). This article would provide for the funding for various capital projects and equipment for Town departments to be funded from amounts previously set aside in the Capital and Debt Stabilization Fund for such purposes, including authorization to borrow \$1,800,000 to replace the HVAC units at the Carver Public Library.*

##### **PROPOSED MOTION:**

I move that the town approve Article 4 in the amounts and for the purposes put forth in the Warrant; and to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend the funds appropriated hereunder for capital improvements, capital projects and/or purchase of capital equipment in the most fiscally responsible manner and to manage all approved projects, from planning and design to procurement, including negotiation of contracts and change orders, and to authorize the Town Administrator to take such additional action as may be necessary to carry-out the votes taken hereunder

**(Two-Thirds Vote Required)**

*Recommendation: Select Board 4-0, Finance Committee Part 5-1-1; Capital Outlay Committee 4-0*

**PROPOSED MOTION: Motion made and seconded to accept Art. 4 as amended in handout of warrant**

**VOTE 4: 235 Yes /10 No Motion PASSES**



**VOTE 4: Hold Over : O 184 Yes 32 No Passes Z 176 Yes 11 No PASSES**

**FINAL VOTE 4: 213 Yes /12 No Motion PASSES**

## 2<sup>nd</sup> Night - Annual Town Meeting Minutes

The 230<sup>th</sup> Annual Town Meeting of the Inhabitants of the Town of Carver continuation was held on Thursday April 14<sup>th</sup> 2022 at the Carver High School Auditorium at 6:00 P.M., pursuant to a Warrant of the Select Board dated April 5, 2022. The Meeting was called to order at 6:11 P.M. by the Moderator, Sean Clancey, there being a quorum of 150 present. The Moderator led the voters in the pledge of allegiance to the Flag and a moment of silence.

The appropriate tellers were sworn to their faithful performance of their duties by Town Clerk; Cara L. Dahill. The Tellers for the evening were Donna Ignagni, Mary Ross, Amy McCain, Eileen Roussos and Geraldine Govoni and Jeanne Taylor.

Members of the Finance Committee , School Committee and Select Board were all introduced in addition to Superintendent Scott Knief, Town Counsel; Gregg Corbo, Town Clerk Cara Dahill, and Interim Town Administrator; Robert Fennessy . Finance Director Sue Moquin was unable to attend, Laura Pettine Town Accountant was there in her place. Instruction was given by the Moderator regarding the electronic voting devices and the meeting was opened with a test question and vote.

The Following Articles were voted on:

### **ARTICLE 5: TRANSFER AND DISPOSITION OF 11 GREEN ST**

To see if the Town will vote, pursuant to Chapter 40, Section 15A of the Massachusetts General Laws, to transfer from the custody of the Treasurer to the Select Board, for general municipal purposes and for the purpose of disposition, including by sale or lease, the care, custody, management and control of the property located at 11 Green Street, Carver, containing 1.174 acres, more or less, of land and buildings thereon, being Map 16, Lot 8-0-R, any such disposition to be to a not-for-profit organization or other qualified entity for the purpose of providing affordable housing to eligible persons honorably discharged from the United States military service; and to authorize the Select Board to sell or lease said property pursuant to applicable procurement laws; and further to authorize the Select Board to take any action required to accomplish the purposes of this article; or take any other action relative thereto.

SELECT BOARD

*INFORMATIONAL SUMMARY: Passing this article will ensure that this parcel will be transferred to the care and custody of the Select Board for the purpose of sale as an affordable housing unit to an appropriate affordable housing organization. This property went through land*



and further, to authorize the Town Administrator, by a vote of the Community Preservation Committee, to expend such funds in the most fiscally responsible manner and to manage the approved project, from planning and design to procurement, including negotiation of contracts and change orders, with regular updates to the Select Board, and to authorize the Town Administrator to take such additional action as may be necessary to carry out the vote to be taken hereunder; or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

*INFORMATIONAL SUMMARY: Part A: Under the Community Preservation Act, the Community Preservation Committee is required to make these recommendations to Annual Town Meeting as to how the Community Preservation funds raised through local taxation and state matching funds are to be spent for Fiscal Year 2023. This includes Debt Service for year 4 of 10 for the Carver Track and Field Project located at the Middle High School.*

*Part B: The Habitat for Humanity of Greater Plymouth approached the CPC with a request for funding for the purpose of purchasing materials needed to rehabilitate an existing home at 11 Green Street to create a three (3) bedroom affordable home. Funds are for materials only. Any monies not utilized will revert to the Community Preservation Unrestricted account. This affordable home will be maintained as affordable in perpetuity and is intended to be awarded to a veteran of the armed services.*

**PROPOSED MOTION:** Robert Bentley moved that the Town approve Article 6 as set forth in the Warrant and was seconded.

**(Majority Vote Required)**

*Recommendation: Select Board 4-0, Finance Committee: 7-0,  
Community Preservation Committee: 6-1-1*

**PROPOSED MOTION:** A Motion was made to allow a Non Resident Mr. Middleton to speak.

**VOTE 6:** 148 Yes /19 No    **Motion PASSES by Majority Vote**

**FINAL VOTE 6:** 162 YES / 11 NO    **Motion PASSES AS SET FORTH IN  
WARRANT**

**ARTICLE 7: COLLECTIVE BARGAINING AGREEMENTS:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$154,860 to fund and implement the cost items of the first year of Collective Bargaining Agreements between the Town and its unions and/or for general collective bargaining settlement purposes, or take any other action relative thereto.

SELECT BOARD

*INFORMATIONAL SUMMARY: This article is to fund collective bargaining agreements with the Clerical, Operations & Maintenance, and Dispatch Unions:*

- 1. the sum of \$13,000 for salary costs and \$3000 for uniform costs for the collective bargaining agreement between the Town and the New England Police Benevolent Association, Dispatch Union;*
- 2. the sum of \$87,525 for salary cost and \$375 for clothing costs for the collective bargaining agreement between the Town and the AFSCME Council 93, Local 1700, DPW Union; and*
- 3. the sum of \$50,960 for salary cost for the collective bargaining agreement between the Town and the for the SEIU Local 888, Clerical Union.*

**PROPOSED MOTION:** Mark Townsend moved and was seconded that the Town raise and appropriate the sum of \$154,860 from local receipts for the purpose of funding and implementing the first-year costs for the following three union contracts:

**(Majority Vote Required)**

*Recommendation: Select Board 0-0*

**FINAL VOTE 7: 137 YES / 21 NO    MOTION PASSES**

**ARTICLE 9: ACCEPTANCE OF GREEN PARK WAY:**

To see if the Town will vote to accept as a public way the roadway known as Green Park Way , from Main Street (Route 58) to an intersection with Montello Street, all as shown on a plan entitled “Plan of Road in the Town of Carver, Mass. Plymouth County Showing Location of Easements for the Purpose of Reconstructing Montello Street and Green Park Way at Main Street for the Town of Carver,” dated March 22, 2022 (*Appendix D*), prepared by VHB, and on file with the Town Clerk, and authorize the Select Board to acquire, by gift, purchase, and/or eminent domain, the fee to and/or easements in Green Park Way) for all purposes for which public ways are used in the Town of Carver and any drainage, utility and/or other easements related thereto, or to take any other action related thereto.

SELECT BOARD

*INFORMATIONAL SUMMARY: Full ownership in the land within the layout of the way, will provide the municipality and the public the requisite rights (Appendix D)*

**PROPOSED MOTION:** Savery Moore moved and was seconded that the Town approve Article 9 as set forth in the Warrant.

**(Two-Thirds Vote Required)**

*Recommendation: Select Board 5-0*

**FINAL VOTE 9: 146 YES / 26 NO MOTION PASSES**

**ARTICLE 10: TABLE OF DIMENSIONAL REQUIREMENTS – BUILDING HEIGHT  
IN GREEN BUSINESS PARK (GBP):**

To see if the Town will vote to amend the Carver Zoning Bylaw, Section 2320. Table of Dimensional Requirements, Maximum Building Height (feet) to increase the maximum Building Height in the Green Business Park Zoning District from forty (40) feet to a maximum Building Height of sixty-five (65) feet, and by amending the language of footnote numbers 11 and 12 in the Max. Building Height column of said Table, as shown below with text additions shown in **bold** and deletions in ~~strike~~through, or take any other action relative thereto.

~~11 If a building contains more than two (2) stories, then this minimum requirement shall be increased by twenty-five (25) feet per story for each story that the building exceeds two stories in height up to a maximum setback requirement of two hundred (200) feet. For example, a building containing three (3) stories shall not be located closer than seventy-five (75) feet from the boundary line of the District and a building containing four (4) stories shall not be located closer than one hundred (100) feet from the boundary line of the District. Where a building or improvement is not divided into stories, a story shall be considered fifteen (15) feet in height.~~  
**Notwithstanding anything to the contrary in this Zoning Bylaw, Building Height shall mean the vertical distance measured from the mean finished grade of the ground adjoining the building or improvement to the highest point of such building or improvement, provided that steeples, cupolas, stage lofts, penthouses, bulkheads, and rooftop mechanicals, rooftop solar, and other appurtenances above roof line shall not be considered as additional stories or considered in determining the height of a building or other improvement. Rooftop mechanicals and rooftop solar will be included in determining the overall height of the building.**

12 Municipal Facilities may be increased to 40 feet in height provided they meet all public safety standards, **except that a water tower owned or operated by the North Carver Water District shall be considered a Municipal Facility, and shall not be subject to such height limitation within the GBP District provided they meet all public safety standards.**

REDEVELOPMENT AUTHORITY

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. Designed to establish a clear maximum building height within the Green Business Park District, and by amending footnote no. 11 to define what improvements are considered to be considered under the description of building height, and by amending footnote no. 12 to provide an exemption from the definition of height for Municipal Facilities such as water towers that are owned or operated by the North Carver Water District that are needed to allow for more effective water pressure for public safety purposes.*

**PROPOSED MOTION:** Bruce Maki moved and was seconded that the Town approve Article 10 as amended by Appendix G and set forth in the Warrant.

**(Two-Thirds Vote Required)**

*Recommendation: Select Board - No Action Taken; Planning Board: 3-2 As Amended*

**Motion was made by Alan Dunham and Seconded to suspend the rules of debate**

**VOTE 10: 95 YES /73 NO Motion FAILS 2/3's vote**

**PROPOSED MOTION: Motion made by Cornelius Shea to return Art. 10 back to planning board for further review without prejudice.**

**FINAL VOTE 10: Majority required YES 47 / NO 129 MOTION FAILS**

**FINAL VOTE 10: 131 YES / 44 NO MOTION PASSES AS AMENDED BY APPENDIX G AND SET FORTH IN THE WARRANT**

**PROPOSED MOTION: Motion made to Reconsider Art. 10 Made by Savery Moore and Seconded**

**VOTE 10: 40 YES /128 NO Motion to reconsider Art. 10 FAILS**

**ARTICLE 11: DEFINITIONS - HEIGHT OF CERTAIN ACCESSORY**

**STRUCTURES** To see if the Town will vote to amend the Carver Zoning Bylaw, Article VI, Definitions, "Accessory Building and Structure" as shown below, with additions shown in bold and deletions in strikethrough, or take any other action related thereto:

Accessory Building or Structure shall mean a building or structure subordinate to a principal building or structure and customarily used to serve the purposes of that principal building. A building is accessory only where a principal building exists on the same lot. No accessory building or structure may be higher than twenty feet, or ten feet less than the height of the principal building or structure on the lot, whichever is greater **except that a structure or structures such as a water tower or tank used for potable water supply or fire protection purposes for a nonresidential use shall not be subject to such height limitation.** An accessory building serving the needs of residents of a dwelling may include the following:

- a. Garage; tool shed; shop; well house; not exceeding a floor area of 700 square feet.
- b. Barn or building used to house animals or poultry and not exceeding a floor area of 600 square feet.

REDEVELOPMENT AUTHORITY

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. The purpose of this Article is to ensure that the height of any accessory water storage facilities for on-site fire protection can be designed to meet zoning requirements. For*

*example, if a water tank needs to be 70 feet, a height variance would need to be issued unless a zoning amendment as proposed was approved.*

**PROPOSED MOTION:** Bruce Maki Moved and was Seconded that the Town approve Article 11 as amended by Appendix G and set forth in the Warrant.

**(Two-Thirds Vote Required)**

*Recommendation: Select Board -No Action Taken, Planning Board: 5-0 As Amended*

**Motion was made and seconded to table Art. 11**

**VOTE 11: 122 YES/ 38 NO MOTION to table PASSES**

**Motion was made and seconded to take Art 11 off table**

**VOTE 11: 109 YES/ 48 NO MOTION return to table PASSES**

**FINAL VOTE 11: 135 YES / 32 NO MOTION PASSES AS AMENDED BY APPENDIX G AND AS SET FORTH IN THE WARRANT**

**PROPOSED MOTION:** Motion made to Reconsider Art. 11 Made by Savery Moore and Seconded

**VOTE 11: 29 YES /127 NO Motion to reconsider Art. 11 FAILS**

**ARTICLE 12: ACCESS DRIVEWAYS - NONRESIDENTIAL PREMISES** To see if the Town will vote to amend the Carver Zoning Bylaw, Section 3350, Driveway Design, as shown below, with additions shown in bold and deletions in strikethrough, or take any other action related thereto:

3350. Driveway Design. Access driveways to nonresidential premises shall be **a minimum of** 12 feet wide for one-way traffic and **a minimum of** 24 feet for two-way traffic.

REDEVELOPMENT

AUTHORITY

*INFORMATIONAL SUMMARY: The current zoning provision requires a 1-way driveway to be exactly 12 feet in width, and a 2-way driveway to be exactly 24 feet in width. The purpose of the amendment is designed to ensure these driveway widths are minimum standards, and to provide flexibility to increase driveway width to provide for safe vehicular driveway access to accommodate operational needs and/or the recommendations of public safety officials to increase driveway width to enhance public safety.*

**PROPOSED MOTION:** Bruce Make moved and was seconded that the Town approve Article 12 as set forth in the Warrant.

**(Two Thirds Vote Required)**

*Recommendation: Select Board -No Action Taken, Planning Board: 5-0*

**FINAL VOTE 12: 146 YES / 19 NO MOTION PASSES AS SET FORTH IN WARRANT**

**Motion made to Reconsider Art. 12 Made by Savery Moore and Seconded**

**VOTE 12: 13 YES /133 NO Motion to reconsider Art. 12 FAILS**

**ARTICLE 13: REZONE FROM HIGHWAY COMMERCIAL (HC) to GREEN BUSINESS PARK (GBP) DISTRICT:** To see if the Town will vote to amend the Carver Zoning Bylaw and Zoning Map by rezoning, from Highway Commercial (HC) to Green Business Park (GBP), a parcel of land located off Park and Montello Street, consisting of approximately 7.48 acres, and identified on the Assessors Maps as Map 20, Lot 14 [Kuhn, 0 Cobbs Pond]; a copy of said map having been filed with the Town Clerk or take any other action relative thereto.

REDEVELOPMENT

AUTHORITY

*INFORMATIONAL SUMMARY: The so-called Kuhn parcel appears to be the only parcel within the project area which has not been rezoned to Green Business Park (GBP), presumably due to the fact this parcel was not yet under agreement when other parcels were rezoned to GBP at the November 8, 2010 Special Town Meeting [Article 18; November, 2010 STM]. (Appendix E)*

**PROPOSED MOTION:** Bruce Maki Moved and was seconded that the Town approve Article 13 as set forth in the Warrant.

**(Two Thirds Vote Required)**

*Recommendation: Select Board – No Action Taken, Planning Board: 5-0*

**FINAL VOTE 13 : 140 YES / 126 NO MOTION PASSES AS SET FORTH IN WARRANT**

**Motion made to Reconsider Art. 13 Made by Savery Moore and Seconded**

**VOTE 13: 20 YES /134 NO Motion to reconsider Art. 13 FAILS**

**ARTICLE 14: AMEND SECTION 3580 - EXEMPTIONS FROM LARGE SCALE GROUND MOUNTED SOLAR VOLTAIC INSTALLATIONS:**

To see if the Town will vote to amend the Carver Zoning Bylaw, Section 3580.10, Purpose, by deleting the exemptions from the third paragraph of Section 3580.10 as shown below, and by replacing the language with a new Section 3580.15 "Exemptions" with additions shown in **bold** and deletions in ~~strikethrough~~, or take any other action related thereto:



3580.00. LARGE-SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS

3580.10. Purpose. The purpose of this bylaw is to promote the creation of new large-scale ground-mounted solar photovoltaic installations (LSGMSPI) defined as those with a minimum nameplate capacity of 250 kW or greater or covering 1 acre or more of land, by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources, and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of LSGMSPI proposed to be constructed or materially altered after the effective date of this section. To the extent that any particular provision of this bylaw is determined to be invalid, such invalidation shall not affect the validity of any other provision.

~~Smaller scale ground or building mounted solar electric installations which are an accessory structure to an existing residential or non-residential use do not need to comply with this Section, but must comply with the other provisions of Carver's Zoning Bylaws as applicable.~~

**3580.15 Exemptions. Notwithstanding any other Zoning Bylaw provisions to the contrary, the following types of solar uses and structures are exempt from the provisions of Section 3580 and are considered as allowed accessory uses and structures by right and customarily accessory and incidental to permitted principal uses:**

- a. **Roof-mounted solar electric installations on a new non-residential building within the GBP District;**

**provided, however, that such uses and structures above shall comply with the other provisions of the Carver Zoning Bylaws as applicable, and with health and safety requirements of the Building Inspector and Fire Chief, and/or his/her designee.**

REDEVELOPMENT AUTHORITY

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. This Warrant Article proposes a limited exemption for roof mounted solar for a new non-residential building in the GBP District.*

**PROPOSED MOTION:** Bruce Maki moved and was seconded that the Town approve Article 14 as shown in Appendix G and as set forth in the Warrant.

**(Two-Thirds Vote Required)**

*Recommendation: Select Board – No Action Taken, Planning Board: 4-1 As Amended*

**FINAL VOTE 14: 128 YES / 33 NO MOTION PASSES TO ADOPT ART.14 AS SHOWN IN APPENDIX G OF THE WARRANT**

**Motion made to Reconsider Art. 14 Made by Savery Moore and Seconded**

**VOTE 14: 24 YES /134 NO Motion to reconsider Art. 14 FAILS**

**ARTICLE 15: AMEND SECTIONS 3166 and 3347 — SITE PLAN REVIEW PERFORMANCE AND PARKING LOT LIGHTING STANDARDS:**

To see if the Town will vote to amend the Carver Zoning Bylaw, Section 3166, Site Plan Review Performance Standards , and Section 3347, Parking Lot Design, as shown below, with additions shown in **bold** and deletions in ~~strike through~~, or take any other action related thereto:

3166. Minimize lighting intrusion through use of such devices as cut-off luminaires confining direct rays to the site, with fixture mounting not higher than 11 feet in pedestrian areas; and 15 feet in parking lots, **except as otherwise provided under Section 3347.**

3347. All artificial lighting shall be not more than twenty (20) feet in height in pedestrian areas, and twenty (20) feet in parking lots **except that site lighting in the GBP Zone may be no more than 40 feet in height**, and shall be arranged and shielded so as to prevent direct glare from the light source onto any public way or any other property **except at driveways and access ways where illumination is desirable for public safety purposes.** All parking facilities which are used at night shall be lighted as evenly and fully as possible. The Planning Board shall require the applicant to provide the type and wattage of all proposed lighting for the parking areas.

REDEVELOPMENT

AUTHORITY

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. The lighting standards as proposed to be amended are designed to add flexibility for the Planning Board to accommodate standards for an industrial facility while allowing lighting to be more focused in driveway areas to accommodate public safety.*

**PROPOSED MOTION:** Bruce Maki moved and was seconded that the Town approve Article 15 as amended by Appendix G and as set forth in the Warrant.

**(Two-Thirds Vote Required)**

*Recommendation: Select Board - No Action Taken, Planning Board: 3-2 As*

*Amended*

**FINAL VOTE 15: 134 YES / 23 NO MOTION PASSES TO ACCEPT ART.15 AS SHOWN IN APPENDIX G AND AS APPROVED IN THE WARRANT**

**ARTICLE 16: AMEND SECTION 3521. PERMITTED SIGNS FOR GREEN BUSINESS PARK (GBP) DISTRICT:**

To see if the Town will vote to amend the Carver Zoning Bylaw, Section 3521, Permitted Signs, by replacing the title “HIGHWAY COMMERCIAL/INDUSTRIAL DISTRICTS” above the applicable sign regulations for such Districts with the title “HIGHWAY COMMERCIAL/INDUSTRIAL/GREEN BUSINESS PARK DISTRICTS” such that said sign regulations will apply to the Green Business Park District, or take any other action related thereto.

REDEVELOPMENT

AUTHORITY

*INFORMATIONAL SUMMARY: At the time the Green Business Park District was adopted, it appears that sign regulations were not assigned to property zoned under this GBP District. This proposed zoning amendment serves to assign specific sign regulations to the GBP District.*

**PROPOSED MOTION:** I move that the Town approve Article 16 as set forth in the Warrant.  
**(Two Thirds Vote Required)**

*Recommendation: Select Board - No Action Taken, Planning Board: 5-0*

**FINAL VOTE 16 : 139 YES / 17 NO    MOTION PASSES AS SET FORTH IN WARRANT**

**ARTICLE 17: AMEND SECTION 2230. Use Regulation Schedule – INDUSTRIAL – ALLOW PRIVATELY OWNED WASTEWATER TREATMENT FACILITIES AS AN ACCESSORY USE:**

To see if the Town will vote to amend the Carver Zoning Bylaw, Section 2230, Footnote 5 with additions shown below in **bold** and deletions in ~~striketrough~~, or take any other action related thereto;

5 Does not include package treatment plants as accessory uses to subdivision, commercial or industrial development **which are permitted by right as an accessory use and structure.**

REDEVELOPMENT

AUTHORITY

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. The Zoning Bylaw regulates private wastewater treatment plants as a principal use, and appears to be geared toward regulating sewage sludge plants which had historically been permitted within the Town. The Article seeks to clarify the intent of having privately owned wastewater treatment facilities which are needed to treat wastewater as a part of a subdivision or*

*commercial or industrial development not otherwise served by public sewer are allowed as a customary accessory use and structure by right.*

**PROPOSED MOTION:** Bruce Maki moved and was seconded that the Town approve Article 17 as amended by Appendix G and as set forth in the Warrant.

**(Two Thirds Vote Required)**

*Recommendation: Select Board – No Action Taken, Planning Board: 4-1 As Amended*

**FINAL VOTE 17: 134 YES / 24 NO MOTION PASSES TO APPROVE ART. 17 AS SHOWN IN APPENDIX G AND AS SET FORTH IN THE WARRANT**

**ARTICLE 18: 9.1.8 EARTH REMOVAL CONDITIONAL EXEMPTIONS:** To see if the Town will vote to amend the Carver General Bylaw, Chapter 9.1, "Earth Removal," Section 9.1.8, Earth Removal Conditional Exemptions, as shown below, to add a new exemption as Subparagraph E., to address work done in accordance with approved subdivision plans and building permits and other similar projects, or take any other action related thereto:

**E. Removal or filling performed in connection with the moving of earth materials under the provisions of a duly approved subdivision plan; work required as a part of a state and/or federal permit or other requirement; work necessary for the construction of streets and the installation of utilities; or, work in connection with the excavation, removal, filling, and/or grading of land incidental to construction of a duly permitted structure and associated improvements approved as a part of site plan review pursuant to the Town of Carver Zoning Bylaw, Section 3100.**

REDEVELOPMENT

AUTHORITY

**INFORMATIONAL SUMMARY:** *The purpose of this Article is to eliminate duplicate review by exempting review under the Earth Removal General Bylaw where earth removal is reviewed for example, by the Planning Board pursuant to a subdivision or site plan review process. The General Bylaw is intended to apply to a commercial sand and gravel operation, and the proposed modifications preserve the Town's rights to continue to regulate a commercial sand and gravel operation. With such exemption, the Town remains protected as such earth removal operations would still be reviewed as a part of site plan review, or subdivision review, in addition to review by the Conservation Commission.*

**PROPOSED MOTION:** I move that the Town approve Article 18 as set forth in the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board – No Action Taken*

**Motion made by Bruce Maki and seconded to postpone Art. 18 indefinitely**

**VOTE 18: 103 YES /40 NO MOTION PASSES**

**PROPOSED MOTION: Motion made by Robert Belbin and seconded to take Art. 30 Out of Order**

**VOTE 30: 60 YES /94 NO MOTION FAILS**

**ARTICLE 19: ZONING BY-LAW SECTION 3500, SIGNS:** To see if the Town will vote to amend the Carver Zoning Bylaw, Section 3500, Signs, by replacing the Planning Board as the permitting authority with the Building Commissioner in Sections 3531(e); 3551(a); 3561(a); 3562; and 3563 and by deleting Sections 3551(d); 3561(b); 3561(c); and 3570 and by removing the authority of the Planning Board to issue Special Permits in certain circumstances, as shown below with deletions shown in ~~strike through~~ and additions shown in **bold**, or take any other action related thereto

3530. Standards.

3531. Illumination Standards.

- a. Signs shall be illuminated only with steady, stationary light sources directed solely onto the sign without causing glare. Internal illumination is prohibited. Lightbulbs and gas-filled tubes providing external illumination shall be shielded in such a way as to be hidden from view from any point along the roadway or sidewalk.
- b. Strings of bulbs are not permitted, except as part of a holiday celebration; provided, however, that strings of bulbs may be permitted to decorate trees where such display does not interfere with neighboring land uses.
- c. Signs may be illuminated during business hours and for thirty (30) minutes before and after the hours of operation of the business advertised thereon.
- d. No person may erect a sign that constitutes a hazard to pedestrian or vehicular traffic because of intensity or direction of illumination.
- e. Decorative neon window signs may be permitted where the ~~Planning Board~~ **Building Commissioner** determines that such window signs are compatible with the building's historic or architectural character in style, scale and color.
- f. Canopies shall not be illuminated from behind in such a way that light shines through canopy material creating the effect of an internally illuminated sign.

3550. Additional Regulations For Specific Types Of Signs

3551. Directional Signs on Public Property

- a. Such signs may be allowed with permission of the ~~planning board~~. **Building Commissioner**
- b. Signs shall contain the business name and logo only (logo allowed for seasonal attractions only), with no additional advertising.
- c. Signs shall not exceed 3 sq. ft. and shall not be illuminated.
- d. ~~The Planning Board may formulate additional rules and regulations for such signs, including duration of display, appearance, number of signs allowed per location, fees, etc.~~

3560. Administration

3561. Sign Permits

- a. No sign shall be erected, displayed, altered or enlarged until an application has been filed, and until a permit for such action has been issued by the ~~Planning Board~~. **Building Commissioner** Applications may be filed by the owner of the land or building, or any person who has the authority to erect a sign on the premises, and shall be on forms prescribed by the ~~Planning Board~~. **Building Commissioner** At a minimum, all applications shall include a scale drawing specifying dimensions, materials, illumination, letter sizes, color, support systems, and location on land or buildings with all relevant measurements. Permits shall be issued only if the ~~Planning Board~~ **Building Commissioner** determines that the sign complies or will comply with all applicable provisions of this Sign By-Law.
- b. ~~The Planning Board shall act within 30 days of receipt of such application together with the required fee. The Planning Board's action or failure to act may be appealed to Superior Court within sixty (60) days after the expiration of said 30 day period.~~
- c. ~~After the Planning Board has issued a sign permit, a copy of the permit shall be transmitted to the Building Inspector, who shall assign a registration number to the sign, issue a building permit if required, and monitor compliance with the terms of the permit.~~

3562. Fees. A schedule of fees of such permits may be established and amended from time to time by the ~~Planning Board~~. **Building Commissioner**

3563. Duration of Permits. The ~~Planning Board~~ **Building Commissioner** may limit the duration of any sign permit and may condition said permit upon continued ownership or operation of the business advertised upon the sign.

~~3570. Special Permit to Exceed Dimensional and Lighting Requirements for Signs. The Carver Planning Board, acting as the Special Permit Granting Authority, may issue a Special Permit to exceed the number and size of signs and to allow “internally lit” signs within the HC, BG, V, GBP, IC, IA, IB and AP zoning districts. The Board’s decision shall be based upon the following criteria:~~

~~3571. Signs are compatible with surrounding Neighborhood.~~

~~3572. Signs are not considered visual pollution.~~

~~3573. There is no obstruction to traffic, and or public safety.~~

~~3574. Amount and number of signs will be of a benefit to the community as a whole.~~

~~1. Planning Board may also provide for other conditions that it deems necessary.~~

BUILDING  
COMMISSIONER

*INFORMATIONAL SUMMARY: The purpose for this change is to give the applicant more flexibility for attaining a sign permit. The applicant would need to file a building permit application with the Building Department and not have to wait for a Planning Board meeting that may happen twice a month. Also this would give the Planning Board more time for the planning duties that they are required to do. At their meeting on 11-23- 21, the Planning Board agreed to support this change.*

**PROPOSED MOTION:** Bruce Maki moved and was seconded that the Town approve Article 19 as set forth in the Warrant.

**(Two Thirds Vote Required)**

*Recommendation: Select Board – No Action Taken, Planning Board: 4-1*

**FINAL VOTE 19: 129 YES / 18 NO    MOTION PASSES**

**ARTICLE 20: ZONING BY-LAW SECTION 2700 TRANSFER OF DEVELOPMENT RIGHTS BY-LAW AMENDMENT:**

To see if the Town will vote to amend the Carver Zoning Bylaw, Article Section 2700 as shown below and including a TDR Overlay Map (Appendix F) , with additions shown in **bold** and deletions in ~~strikethrough~~, or take any other action related thereto:

**2700. TRANSFER OF DEVELOPMENT RIGHTS**

**2710. Purpose and Intent.** The purpose of this By-law is to allow the development rights from one property (the sending parcel) to be transferred to another property (the receiving parcel) while contemporaneously restricting the sending parcel from future development. The TDR program is consistent with the Carver Master Plan’s goals.

The Transfer of Development Rights (TDR) By-law allows for the maintenance of low-density land uses, open spaces, historical features, critical environmental resources, and other sensitive features of the sending parcel to be preserved while providing compensation to the property owner, while also sending development to areas of town with adequate water service and transportation infrastructure for appropriate growth.

The purpose of the sending area is to further the conservation and preservation of natural and undeveloped areas, wildlife, flora, and habitats for endangered species; protection of ground water, surface water, as well as other natural resources; and the preservation of historical, cultural, archaeological, architectural, recreational, community character, and scenic values of Carver. As such, they are areas with one or more of the following attributes: location on a scenic road or vista; aquifer protection land; intact forest areas; significant wildlife habitat as determined through field investigation or designation in datasets like the BioMap2 state dataset or Natural Heritage and Endangered Species program; area in the 100-year Special Flood Hazard Area or 500-year flood hazard area; adjacent to other preserved lands; significant wetland and bog areas; or areas with significant agricultural soils and practices; and areas that can host uses for passive recreation as defined per MGL 301 CMR 5.00.

The purpose the receiving area is to provide opportunity for economic growth; the provision of adequate capital facilities, including transportation, water supply, and solid, sanitary, and hazardous waste disposal facilities; the coordination of the provision of adequate capital facilities with the achievement of other goals; and the development of an adequate supply of affordable housing. As such, they are areas with one or more of the following attributes: connection or potential connection to water service; and proximity and access to arterial transportation routes.

**2711 DEFINITIONS.**

Sending Parcel(s) shall mean land from which development rights may be transferred to a receiving parcel(s).

Receiving Parcel(s) shall mean land that may receive development rights from a sending parcel(s).

Transfer of Development Rights (TDR) shall mean the process by which a development right (house lot) can be severed and transferred from a sending parcel(s) in the mapped designated sending area to a receiving parcel(s) in the mapped designated receiving area.

**272015. Applicability.** The provisions of Section 2700 shall apply to land identified as follows:

- a) **Sending areas.** Sending areas are those parcels or portions of parcels categorized as sending area on TDR Overlay Map. Any land that falls within the designated sending area on the map is part of the sending area and eligible to generate sending area development credits as part of the TDR program.
- b) **Minimum Sending Area.** A sending area must be a minimum of five acres. These five acres can be comprised of multiple adjacent parcels.
- c) **Receiving areas.** Receiving areas are those parcels or portions of parcels categorized as receiving area on TDR Overlay Map. Any land that falls within the designated receiving area on the map is part of the receiving area and eligible to receiving development credits as part of the TDR program.
- d) The minimum gross area of a receiving area shall be 5 acres, except for (a) receiving areas in the village district, and (b) receiving areas having frontage on Route 58, which have no minimum area.

**2720. Permitted Uses on Sending and Receiving Parcels**



- a) Uses Permitted on Sending Parcels. After development rights have been severed from a sending parcel and transferred to a receiving parcel or into the TDR credit bank, the following uses are the only uses permitted on the parcel:
  - i. Open space conservation.
  - ii. Passive recreation.
  - iii. Agricultural fields and support structures, with the exception of farmland workforce housing, which is not permitted.
- b) Uses Permitted on Receiving Parcels.
  - i. Certain residential uses, limited to:
    - 1. Townhouse dwellings;
    - 2. Condominium dwellings;
    - 3. Multi-family dwellings containing no more than eight dwelling units per building
  - ii. Commercial uses.
  - iii. Mixed-use buildings with residential and commercial uses.
- c) Receiving parcel mixed-use commercial space requirement. In each receiving area development, a minimum of twenty-five percent (25%) and a maximum of sixty six percent (66%) of all new constructed floor area must consist of commercial space. For the purpose of the TDR by-law, commercial space includes office space. This commercial space may be located within a stand-alone building that is fully occupied by commercial uses, or may be located in the same building as residential units. In cases where commercial uses and residential uses are located in the same building, commercial units must be located on the ground floor, with residences on the stor(ies) above.

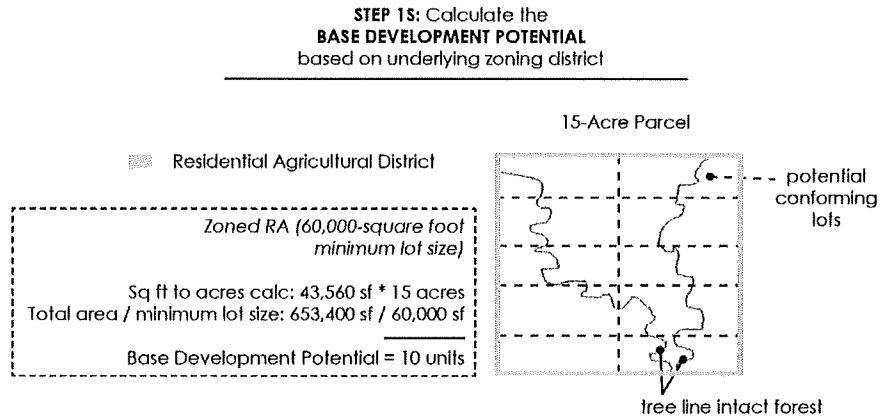
**2721. Special Permit Requirement.** Properties within the designated sending and/or receiving areas may either be developed under existing By- laws and regulations or may file for a Transfer of Development Rights (TDR) Special Permit. A TDR Special Permit shall be required for the determination of sending area development rights and for the approval of receiving area development plan. **The TDR Special Permit requires sending area development potential and receiving area plans to be part of a single application.** ~~The two Special Permits may be combined into one single concurrent Special Permit or may be filed separately.~~ The Special Permit shall ~~determination of development rights shall~~ require an **applicant to follow the steps described below, including the preparation of a preliminary** plan submittal for the sending parcel(s). The Planning Board shall be the Special Permit Granting Authority for TDR special permit(s).

**2722. Determination of Sending Area Development Credits.** The total amount of development credits generated by a particular sending area parcel is a function of (1) the underlying zoning district density regulations; and (2) the TDR multiplier. To establish the development rights available for transfer, the sending parcel(s)'s owner shall undertake the following steps.

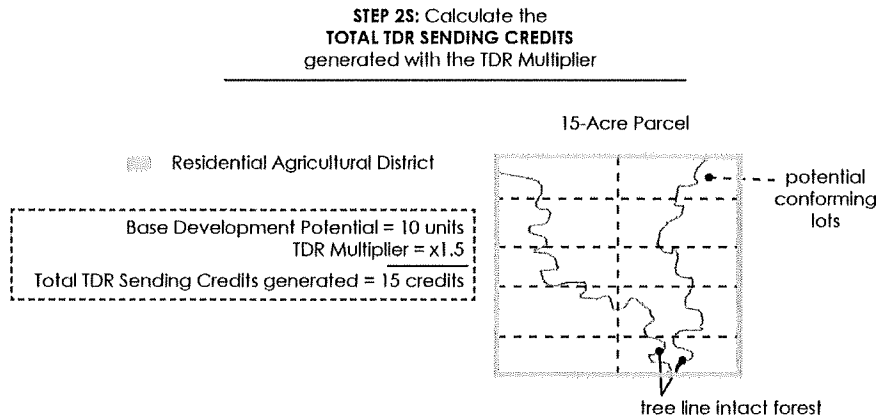
STEP 1S: Determine the base development potential. First the parcel(s) owner shall file a preliminary plan for the sending parcel(s) with the Planning Board. The preliminary plan with supporting information

as deemed necessary by the Planning Board shall comply with all existing density and dimensional limitations of the base zoning district in effect at the time of application. The preliminary plan for the sending parcel(s) shall also comply with Planning Board’s Rules and Regulations without the need for major waivers. The submitted preliminary plan defines the base development rights of the sending parcels by showing the number of units that could be achieved thereon in compliance with the established zoning district in which the parcel(s) are located.

**Example:**



STEP 2S: Apply the TDR multiplier. The base development rights (number of units) of the sending parcel(s) as established by the Planning Board from the Preliminary Plan shall be multiplied by 1.5, and this increased amount shall be the number of development rights available under a potential TDR application. Fractions of a unit shall be rounded down. For example, if the base development rights equal 10 units,  $10 \times 1.5 = 15$  units available for a TDR application. If the base development rights equal 15 units,  $15 \times 1.5 = 22.5$ , which is rounded down to 22 units.



The Planning Board shall note the importance of the sending parcel in the Sending lot(s) Special Permit decision. The Planning Board shall note the total number of development rights generated by the sending area.

**2724.** Subsequent to the issuance of a certificate of development rights to the owner of a sending parcel(s), and prior to the approval of a transfer of the development rights to a receiving parcel(s), said certificate shall be assignable as a matter of right by a recordable document from the assignor to the assignee. The assignee shall, within fourteen (14) days of recordation of an assignment, transmit to the Planning Board a certified copy of the same, in order to enable the Planning Board to keep current its

certificate ledger. The assignment of a certificate of development rights shall not be deemed to be a transfer of those development rights.

**2725. Sending area land preservation requirements.** Any lot or lots from the sending parcel(s) deemed to qualify for a transfer of development rights must, prior to any utilization of transferred development rights on a receiving parcel(s), be permanently and wholly restricted from future development by way of a permanent conservation restriction in accordance with Massachusetts General Law Chapter 184, Section 31-33, as most recently amended, running in favor of the Town or non-profit organization, the principal purpose of which is conservation of open space, or by being donated to the Town of Carver for conservation purposes or by being conveyed to a nonprofit organization, the principal purpose of which is the conservation of open space, and any other purposes set forth by the Planning Board. Draft restriction(s) or donation language on the sending lot(s) shall be submitted to the Planning Board with the application. The Planning Board shall require the restriction or donation language on the sending parcel(s) to be recorded at the Plymouth County Registry of Deeds/Land Court prior to the issuance of any building permit on the receiving parcel(s). On property which will be protected by way of a conservation restriction, a management plan(s) shall be provided to the Planning Board, which describes how existing woods, fields, meadows or other natural areas shall be maintained in accordance with best management practices. Applicants cannot claim a portion of unused development potential on a sending area as a TDR credit. To qualify as a sending area, a parcel must remain wholly in a natural state.

**2726.** All instruments implementing the Transfer of Development Rights shall be recorded in the manner of a deed(s) at the Plymouth County Registry of Deeds for both the sending and, when identified, the receiving parcel(s). The instrument evidencing such TDR's shall specify the map and lot numbers of the sending and receiving parcel(s).

**2727.** The Carver Town Assessor shall be provided by applicant, all pertinent information required by such Assessor to value, assess and tax the respective parcels at their fair market value as enhanced or diminished by the TDR's. This information shall include both the sending parcel(s) and, when identified, the receiving parcel(s) and shall be obtained from the clerk of the Plymouth County Registry of Deeds.

**2728.** The record owner of the sending parcel(s) or the receiving parcel(s) shall, within thirty days of the expiration of the appeal period from the special permit decision authorizing TDR's (or within thirty (30) days of the date on which the disposition of any such appeal is filed in the Town Clerk's office), record at the Registry of Deeds the special permit decision. Evidence of said recording shall be transmitted to the Planning Board within twenty (20) days of the recording of the special permit document with the Registry of Deeds. Evidence to the Planning Board shall include the date of recording and the deed book and page at which the recording can be located.

**2729.** The record owner of the sending parcel(s) shall, prior to the issuance of any building permit for the receiving parcel(s) and only after discussion and written agreement with the Planning Board, record at the Registry of Deeds either: a Conservation Restriction as defined by M.G.L. c. 184 §31-33, running in favor of the Town or non-profit organization, the principal purpose of which is conservation of open space, prohibiting in perpetuity the construction, placement, or expansion of any new or existing structure or other development on said sending parcel(s); or a transfer of the deed of said sending parcel(s) to a nonprofit organization, the principal purpose of which is conservation of open space, or by being donated to the Town of Carver for conservation purposes. Evidence of said recording shall be transmitted to the Planning Board indicating the date of recording and the deed book and page number at which the recording can be located. The grant of the special permit to transfer development rights shall be expressly conditioned upon evidence of the recordation of such restriction or donation prior to the issuance of any building permit for the receiving parcel.

**2730. Approval of Receiving Area Development Plan.** To establish the development potential available on a receiving parcel(s), the owner shall follow the following steps to calculate the receiving area maximum development potential. After calculations are complete, the owner shall submit a development plan(s) for the receiving parcel(s). The development plan shall conform to all regulations applicable in the zoning district in which the receiving area is located, except density and dimensional requirements.

STEP 1R: Establish the Net Usable Land Area. The receiving area’s maximum development potential shall be established through a Net Usable Land Area (NULA) Plan for the entire receiving area(s), which shall be submitted to the Planning Board. The NULA is established by subtracting all water bodies, wetlands, marshes, bogs and land within a sixty-five (65) foot wetland buffer area around these regulated lands. The remaining upland area is the NULA.

STEP 2R: Establish the receiving area’s maximum development potential. The receiving area’s maximum development potential is equal to three (3) times the NULA. The resultant figure is the number of units that can be developed on the receiving parcel(s). Fractions of a unit shall be rounded down. The total number of units allowed on the receiving parcel is equal to the receiving area maximum development potential calculation, with the exception of bonuses for any Exceptional Housing Need Overage as described below.

STEP 3R: Calculate the Affordable Housing Requirement. **For any receiving area development of five or more units, a minimum of 20% of the housing units constructed in a receiving area that generated from the application of TDR credits onto the receiving area shall qualify as affordable housing for low- and moderate-income households as qualified and required per Massachusetts Chapter 40B regulations. Unit calculations are rounded down to the nearest whole number.**

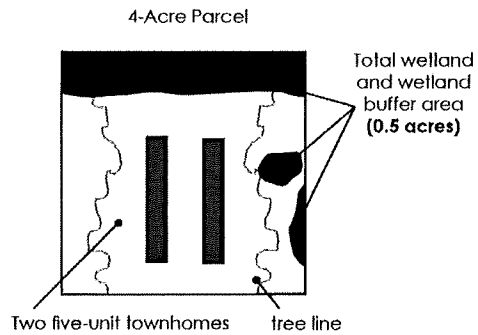
**Example:**

**STEPS 1R, 2R and 3R: Calculate the Receiving Area Maximum Development Potential And Affordable Housing Requirement**

*Step 1R - NULA Calculation:*  
 Total Parcel Size = 4 Acres  
 Wetland and Wetland Buffer Area = - 0.5 Acres  
**NULA = 3.5 Acres**

*Step 2R - Receiving Area's Maximum Development Potential:*  
 3-Units Per Acre Density Multiplier = 3  
 NULA = x 3.5 Acres  
**Receiving Area Maximum Development Potential = 10 Units (10.5, rounded down)**

*Step 3R - 20% Affordable Housing Requirement:*  
**10 units \* 0.20 = minimum of 2 affordable units**



**27AB40. Exceptional Housing Needs Overages.** In one instance, it is possible for the total number of units on a receiving area parcel(s) to exceed the receiving area maximum development potential figure. Developments that add to Caver’s supply of housing for seniors generate additional development potential overages on a receiving area parcel.

Each transferred TDR credit that is to be used in the receiving area for either affordable housing that meets the requirements of Massachusetts Chapter 40B regulations that is also age-restricted housing may be multiplied by 1.5, allowing for additional TDR credit units to be applied and increasing the overall maximum permitted on the receiving parcel(s). Fractions of a unit shall be rounded down. Units constructed as a result of this allowed overage consume TDR sending credits, and cannot be constructed in absence of enough sending credits to cover the additional units.

**Example:**

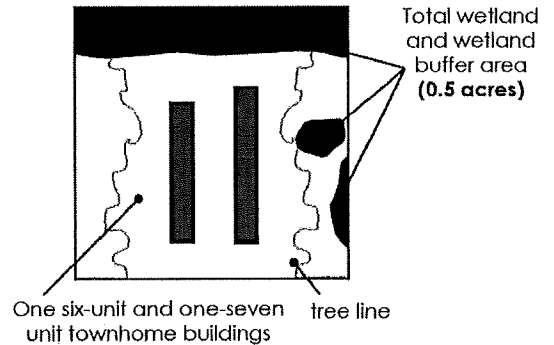
**EXCEPTIONAL HOUSING NEEDS OVERAGE (optional)**  
 Apply **MULTIPLIER FOR AFFORDABLE AND AGE-RESTRICTED**  
**TRANSFER CREDITS (1.5X)**

*Applicant decides to develop all 2 of the required affordable housing units as age-restricted units*

TDR Credits to be developed as Age-Restricted and Affordable Housing Units = 2 Credits  
 Exceptional Housing Needs Overage Multiplier =  $\times 1.5$   
 Age restricted affordable bonus = 3 units

**Total Units Allowed on Receiving Parcel = 10 + 3 = 13 Units, Two of which are age-restricted affordable units**

4-Acre Parcel (same as Steps 1R-3R)



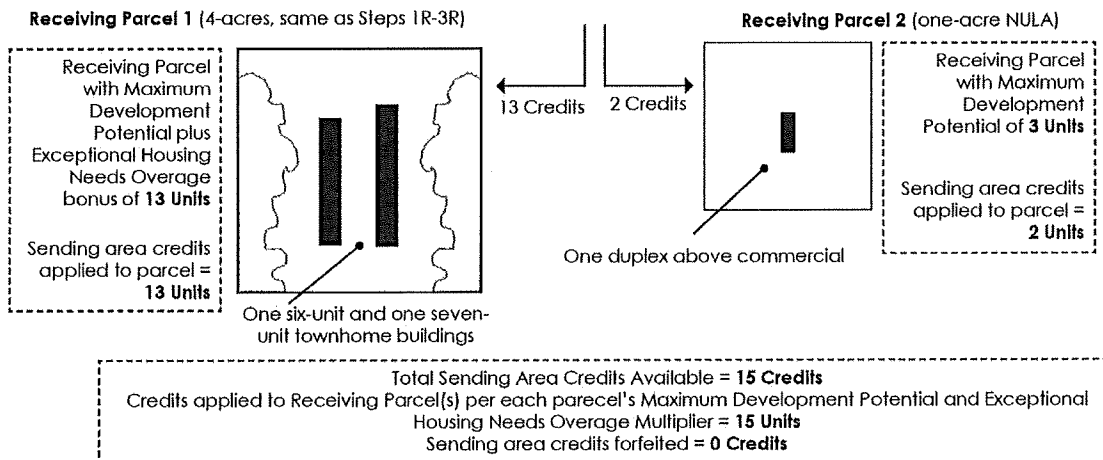
**27BB50: Development Credits Equalization**

The calculation of total sending area credits is a separate process from the determination of the maximum number of units that can be placed on a receiving parcel, the process for which is outlined below. If the number of credits generated by a sending parcel(s) is less than or equal to the maximum number of units that can be placed on a receiving parcel in the current TDR project under review, the sending area credits can be transferred to the receiving parcel in question. If, however, the number of credits generated by a sending parcel exceeds the maximum number of units that can be placed on a receiving parcel in a current TDR project under review, the exceeding number of credits will be forfeited. Multiple receiving parcels can be proposed to accommodate sending area credits, but the maximum development potential calculated must be respected and not exceeded for each receiving parcel that is part of an individual TDR project special permit process.

**Example:**

**REQUIRED ALIGNMENT BETWEEN SENDING CREDITS AND RECEIVING AREA MAXIMUM DEVELOPMENT POTENTIAL**

15 Sending Area Credits Available (from Step 2S)



**2760: Dimensional Standards and Parking Requirements**

The following Dimensional Standards shall apply:

Frontage: 40'

Front Setback: 30' from street layout line or edge of pavement, whichever is less

Rear Setback: 25' to property line or edge of pavement (if alley access is used), whichever is less.

Side Setback: 25' to property line or edge of pavement (if alley access is used), whichever is less.

Route 58 Setback: 40' (notwithstanding the foregoing)

Building to Building Setback: One-half (1/2) of the sum of the heights of the buildings, provided that the Fire Chief certifies that there is adequate fire access to all sides of each building.

Height: 35' or 3.5 stories (subject, however, to Footnote 8 in Section 2320)

The Planning Board shall have the authority to negotiate with the applicant to modify the dimensional standards the least amount required in order to ensure that the proposed development can fit on the receiving area parcel so that the receiving area maximum development potential and all allowed unit overages can be accommodated on the receiving parcel.

The Planning Board shall have the authority to modify the number of parking spaces otherwise required by Section 3300 if one or more of the units are age-restricted.

The Receiving Area Development Plan shall show all existing legal restrictions, easements or limitations on development. The receiving parcel(s) shall have public water and public septic services available or said services shall be provided as part of the TDR special permit development approval. Packaged treatment plans can meet this requirement.

**275070. TDR Special Permit Criteria.** A TDR special permit may be granted by the Planning Board for the receiving parcel(s) upon its written determination that the benefits of the proposed transfer of development rights to the receiving parcel(s) outweigh the detrimental impacts of the development in the receiving area, the surrounding neighborhood, and the Town. The Board shall review and establish the positive finding for each of the following criteria:

- a) The development complies with the Carver Master Plan and Open Space and Recreation Plan;
- b) The development preserves or provides one or more of the following: water source protection land; intact forest areas; significant wildlife habitat as determined through field investigation or designation in datasets like the BioMap2 state dataset or Natural Heritage and Endangered Species program; area in the 100-year Special Flood Hazard Area or 500-year flood hazard area; adjacency to other preserved lands; significant wetland areas; significant agricultural soils and practices; or scenic vistas;
- c) The development provides adequate water and sanitary facilities;
- d) The development design is appropriate to the natural topography, soils and other characteristics of the site and to the visual character of its surroundings;
- e) Projected traffic generation from development onto local roads and intersections is within the capacity of the road network and does not create any safety concerns. If deemed necessary by the Planning Board a traffic study and/or mitigation improvements may be required to address capacity, safety and access management issues;
- f) The design and layout of streets, parking and loading of the development is acceptable to the Planning Board.

**276080.** Governance: Special permit applications and decisions shall be governed by the filing and public hearing requirements set forth in M.G.L. c. 40A, §.9. The Planning Board as S.P.G.A. shall have the ability to adopt rules and regulations governing the granting of special permits following the procedures set forth in MGLc.40A.

#### PLANNING BOARD

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. The new TDR Bylaw and Map better defines the areas and requirement for the transfer of*

*development rights providing compensation to the property owner and allowing for the maintenance of low-density land uses, open spaces, historical features, critical environmental resources, and other sensitive features by sending those development rights to areas of town with adequate water service and transportation infrastructure for appropriate growth.*

**PROPOSED MOTION:** I move that the Town approve Article 20 as set forth in the Warrant.  
**(Two Thirds Vote Required)**

*Recommendation: Select Board – No Action Taken, Planning Board: 5-0 As Amended*

**Motion was made by Robert Belbin and seconded to amend and remove the Carver Sportsman’s Club property Map 75 Lot 1 from the TDR overlay map.**

**VOTE 20: 96 YES /53 NO MOTION TO AMEND PASSES**

**FINAL VOTE 20: 121 YES / 29 NO MOTION PASSES**

**ARTICLE 21: HOME RULE PETITION TO EXEMPT POLICE DEPARTMENT FROM CIVIL SERVICE:**

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation providing that all of the positions in the Police Department after passage of the Act not be subject to the Civil Service statute, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Select Board to approve such amendments, or take any other action related thereto:

AN ACT EXEMPTING ALL POSITIONS IN THE POLICE DEPARTMENT OF THE TOWN OF CARVER FROM THE CIVIL SERVICE LAW

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

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the police department of the town of Carver shall be exempt from chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. Notwithstanding the provisions of Section 2, no appointments or promotions made after the effective date of this act will be governed in any way by chapter 31 of the General Laws.

SECTION 4. This act shall take effect upon its passage.

## SELECT BOARD

*INFORMATIONAL SUMMARY: The Carver Police Department has an acute challenge with respect to filling vacant positions. Over the course of several years, the Massachusetts civil service hiring process has become longer and less reliable. The civil service hiring process is administered by a state agency that is chronically understaffed. The exams that individuals must take to be hired as a patrol officer or promoted to a supervisory position are offered only once every two years. There is then a delay of several months to get the results. Recently, there have not been enough qualified candidates available on the civil service list to fill existing vacancies which has left vacancies unfilled for over a year in some cases. Many Massachusetts communities including Franklin, Lexington, North Reading, Norwood, Sudbury, Wellesley and Westwood have removed their police departments from civil service. Others including Brewster, Harwich, Mashpee, and Yarmouth were never in the civil service system. These communities that are not part of the civil service system are able to offer exams as often as they need. There are qualified professional firms that administer exams which meet all state and federal requirements and are able to provide the test results within days instead of months. Non-civil service police departments are able to fill positions more quickly. Removal from the state civil service system also affords the Town greater local control of the hiring, promotion and discipline process.*

**PROPOSED MOTION:** Mark Townsend moved and was seconded that the Town approve Article 21 as set forth in the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board 5-0*

**FINAL VOTE 21: 115 YES / 33 NO    MOTION PASSES**

**ARTICLE 22: ACCEPTANCE OF MASSACHUSETTS GENERAL LAW FOR UNCLAIMED PROPERTY:** To see if the Town will vote to accept the provisions of Mass General Law Chapter 200A, Section 9A, so that the funds from unclaimed property, after proper procedure, escheat to the Town, to be recorded by the Treasurer as General Fund revenue, for appropriation by Town Meeting for any other public purpose, or take any other action related thereto.

TREASURER

*INFORMATIONAL SUMMARY: All unclaimed property generally reverts to the State. If the Town accepts this provision of the General Laws, checks issued by the Town will be presumed abandoned after one year and the money may revert to the Town's general fund if the money remains unclaimed after further notice procedures are followed.*



**PROPOSED MOTION:** Ellen Blanchard moved and was seconded that the Town approve Article 22 as set forth in the Warrant.

**(Majority Vote Required)**  
*Recommendation: Select Board 5-0*

**FINAL VOTE 22: 125 YES / 11 NO MOTION PASSES**

**ARTICLE 23: SENIOR, SURVIVING SPOUSE, OR MINOR – EXEMPTION:**

To see if the Town will vote to increase, starting with fiscal year 2023, the property tax exemption granted to eligible seniors, surviving spouses, and minors of a deceased parent, as set forth in M.G.L. c.59, §5, Clause 17D, from \$262.50 to \$500.00, or take any other action related thereto.

BOARD OF

ASSESSORS

*INFORMATIONAL SUMMARY: This article would increase a property tax exemption for eligible seniors, surviving spouses, and minors of a deceased parent. Eligibility is determined through age and assets. The allowable assets limits are determined through M.G.L. c.59, §5, Clause 17D.*

*This cost is paid for through the Overlay, an account set aside for abatements and exemptions, the Overlay is managed by the Board of Assessors. This exemption was last increased in Fiscal Year 2006.*

**PROPOSED MOTION:** Ellen Blanchard moved and was seconded that the Town vote to increase the tax exemption for eligible seniors, surviving spouses, and minors of a deceased parent as set forth in Article 23 of the Warrant.

**(Majority Vote Required)**  
*Recommendation: Select Board 5-0, Board of Assessors 3-0*

**FINAL VOTE 23: 145 YES / 1 NO MOTION PASSES**

**ARTICLE 24: SENIOR / VETERAN TAX WORK OFF PROGRAM:**

To see if the Town will vote to increase the maximum property tax exemption for qualifying participants in the Senior / Veteran Tax Work-Off program as set forth in M.G.L. c.59, §5K, from \$750.00 to \$1,000.00, or take any other action related thereto.

BOARD OF

ASSESSORS

*INFORMATIONAL SUMMARY: Senior / Veteran Tax Work-Off participants are paid at the standard minimum wage. As the minimum wage increases, the number of hours worked by Senior / Veteran Work-Off participants decreases by approximately four hours per year.*

*In order to maintain the benefit to both the resident and the Town, the Board of Assessors recommends increasing the exemption to \$1,000.00. This increase will maintain 70 hours worked per applicant.*

<i>Date</i>	<i>Standard Minimum Wage</i>	<i>Tipped Minimum Wage</i>	<i>Work-Off Hours Maximum</i>
<i>January 1, 2020</i>	<i>\$12.75</i>	<i>\$4.95</i>	<i>78 hours</i>
<i>January 1, 2021</i>	<i>\$13.50</i>	<i>\$5.55</i>	<i>74 hours</i>
<i>January 1, 2022</i>	<i>\$14.25</i>	<i>\$6.15</i>	<i>70 hours</i>
<i>January 1, 2023</i>	<i>\$15.00</i>	<i>\$6.75</i>	<i>66.7 hours</i>

**PROPOSED MOTION:** Ellen Blanchard moved and was seconded that the Town vote to increase the maximum property tax exemption for qualifying participants in the Senior / Veteran Tax Work-Off program as set forth in Article 24 of the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board 5-0, Board of Assessors 3-0*

**FINAL VOTE 24: 142 YES / 2 NO MOTION PASSES**

**ARTICLE 25: SENIOR TAX EXEMPTION:**

To see if the Town will vote to increase, the exemption from property taxes granted to eligible seniors pursuant to M.G.L. c. 59, §5, Clause 41C, from \$750.00 to \$1,000.00, or take any other action related thereto.

BOARD OF

ASSESSORS

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. This article would increase a property tax exemption for elderly taxpayers with low income and assets, the limits of which are determined under M.G.L. c.59, §5, Clause 41C. This cost is paid for through the Overlay, an account set aside for abatements and exemptions, the Overlay is managed by the Board of Assessors.*

*This exemption was last increased in Fiscal Year 2006.*

**PROPOSED MOTION:** Ellen Blanchard moved and was seconded that the Town vote to increase the property tax exemption granted to eligible seniors pursuant to M.G.L. c. 59, §5, Clause 41C, as set forth in article 25 of the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board 5-0, Board of Assessors 3-0*

**FINAL VOTE 25: 143 YES / 3 NO MOTION PASSES**

**ARTICLE 26: MORATORIUM ON MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS:**

To see if the Town will vote to amend Section 3580 of the Town's Zoning Bylaws, Large-Scale Ground Mounted Solar Photovoltaic Installations, to add a new section adopting a twelve month moratorium on the issuance of special permits for new Installations or the expansion of existing Installations, not including expansions that do not increase the footprint of existing installations, for the period of twelve months from the effective date of this zoning bylaw amendment, as set forth below; or take any other action relative thereto.

3580.01. Moratorium. Notwithstanding any other provision of the Town of Carver Zoning Bylaws to the contrary, the Town hereby adopts a temporary moratorium on the issuance of special permits for the new use of land for Large-Scale Ground Mounted Solar Photovoltaic Installations (hereinafter referred to as "Installations") or for the expansion of any existing Installations for a period of one (1) year from the effective date of this bylaw, provided that such moratorium shall not apply to the expansion of any existing Installation that does not increase the footprint thereof. During the moratorium period, the Planning Board, Select Board and other Town officials shall conduct a review of Carver Zoning By-law 3580, review solar bylaws in other communities, undertake a planning process that addresses potential impacts of solar photovoltaic installations in Carver, consider the long-term objective for solar photovoltaic installations and their impact on health, safety, and welfare of Carver's citizenry, determine how the Town shall reasonably and thoroughly regulate and approve solar electric installations, shall review and address the impacts of current, impending and potential Installations and they may develop a plan to mitigate future impacts of such Installations on the general health, safety, welfare and quality of life of the residents of the Town of Carver, which may include but not be limited to the presentation of a suggested bylaw amendments to a future town meeting.

SELECT BOARD

*INFORMATIONAL SUMMARY: Refer to APPENDIX G for Planning Board Amendments. As there has been an increase in the numbers of large-scale ground mounted solar photovoltaic installations throughout the town in recent years (defined as those with a minimum nameplate capacity of 250 kW or greater or covering 1 acre or more of land), this article would implement a 12-month hold on all new special permits or expansion of existing installations. Additionally, this would give the town officials adequate time to review Carver solar bylaws, policies, and procedures, as well as research bylaws in other communities to address the potential impact that*

*these solar arrays may have on the health, safety and welfare of the citizens. This moratorium will have no effect on roof mounted solar programs.*

**PROPOSED MOTION:** Mark Townsend moved and was seconded that the Town approve Article 26 as set forth in the Warrant.

**(Two Thirds Vote Required)**

*Recommendation: Select Board 3-2, Planning Board: 5-0 As Amended*

**FINAL VOTE 26: 114 YES / 34 NO MOTION PASSES**

**ARTICLE 27: LAND TRANSFERS:**

To see if the Town will vote to transfer the care, custody and control of two parcels of land, and any improvements thereon, located on Roberts Way and identified on the Town Assessor's Maps as 62-221-0 and 62-222-0 from the Treasurer to the Select Board of purposes of conveyance, and to authorize the Select Board to convey said parcels on such terms and conditions as determined by the Select Board, to be in the best interests of the Town, or take any other action related thereto.

TREASURER

*INFORMATIONAL SUMMARY: These two parcels were taken by the Town and are currently held in the custody of the Treasurer for purposes of sale at auction. A transfer to the Select Board will enable the Town greater flexibility in conveying these parcels subject to the requirements of Chapter 30B of the General Laws.*

**PROPOSED MOTION:** Mark Townsend moved and was seconded that the Town approve Article 27 as set forth in the Warrant.

**(Two-Thirds Vote Required)**

**FINAL VOTE 27: 112 YES / 22 NO MOTION PASSES**

**Motion was made and seconded to take a vote to see if we maintained quorum we lost the quorum of 150 and a Motion was made to extend Town meeting to April 19<sup>th</sup> 2022 at 6PM Motion was then made to Adjourn the Second night of Town Meeting at 10:42 PM**

# 3rd Night - Annual Town Meeting Minutes

The 230<sup>th</sup> Annual Town Meeting of the Inhabitants of the Town of Carver continuation was held on Thursday April 19<sup>th</sup> 2022 at the Carver High School Auditorium at 6:00 P.M., pursuant to a Warrant of the Select Board dated April 5, 2022. The Meeting was called to order at 6:10 P.M. by the Moderator, Sean Clancey, there being a quorum of 150 present. The Moderator led the voters in the pledge of allegiance to the Flag and a moment of silence.

The appropriate tellers were sworn to their faithful performance of their duties by Town Clerk; Cara L. Dahill. The Tellers for the evening were Donna Ignagni, Mary Ross, Amy McCain, Eileen Roussos and Geraldine Govoni and Jeanne Taylor.

Instruction was given by the Moderator regarding the electronic voting devices and the meeting was opened with a test question and vote.

The Following Articles were voted on:

**ARTICLE 28: TOWN ADMINISTRATOR BYLAW CHANGE:** To see if the Town will vote to amend Chapter 3.0 of the Town's General Bylaws as follows (with deletions shown in ~~strikethrough~~ and additions shown in **bold**):

**PART A:** 3.1.1.1 The ~~Board of Selectmen~~ **Select Board** shall appoint a Town Administrator from a list prepared by a screening committee. **The Screening Committee shall be appointed by the Select Board for the purpose of identifying qualified candidates for the position. Whenever the office of Town Administrator is vacant or about to become vacant, the Select Board shall convene said Search Committee and establish rules and regulations for its work, including but not limited to the number of members who will serve and when its work is to be completed.**

**PART B:** 3.1.1.2 The ~~Board of Selectmen~~ **Select Board** shall appoint the Town Administrator to serve for ~~an indefinite~~ **a term not to exceed five (5) years** and shall fix compensation for such person, annually, within the amount appropriated by the Town. **At no time shall a contract be more than five (5) years; provided however that a contract of five years or less may be renewed for subsequent terms of five years or less by vote of the Select Board only in the last year of the contract.**

**PART C:** 3.3.1.4 **Whenever the office of Town Administrator is vacant or about to become vacant, the Select Board may appoint an Interim Town Administrator for an initial period not to exceed six (6) months. The Select**

**Board may then appoint an Interim Town Administrator for successive periods as they deem necessary. The appointment of an Interim Town Administrator is not subject to the Screening Committee requirement set forth in Section 3.3.1.1 of this bylaw.**

**PART D: 3.3.3.4 The Town Administrator shall devote full time to the office and shall not hold any other public office, elected or appointive office in the Town of Carver. ~~nor engage in any business or occupation during such service, unless such action is approved in advance by the Board of Selectmen.~~ The Town Administrator may engage in such part-time activities that are typically permitted to other appointed officials in the Town of Carver, if they do not conflict with or negatively affect performance of the duties outlined in these bylaws or the employment agreement between the Town and the Town Administrator. These include, but are not limited to, elected and appointed positions in other municipalities or organizations, activities related to professional development such as attending conferences, attending or delivering courses, and remunerative activities undertaken outside of full-time hours devoted to the position of Town Administrator, or activities that are required under an existing contractual agreement the existence of which was communicated to the Select Board prior to appointment to the position of Town Administrator.**

SELECT BOARD

*INFORMATIONAL SUMMARY: The purpose of this change is to make clarifications in the bylaw concerning the procedures for appointment of the Town Administrator and Interim Town Administrator, the term of office for said positions and limitations on activities outside of working hours.*

**PROPOSED MOTION:** Mark Townsend moved and was seconded that the Town approve Article 28 as set forth in the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board Part A: 5-0 Part B: 4-1 Part C: 5-0 Part D: 3-2*

**PROPOSED MOTION:** Mark Townsend moves to amend to add new Section E as set forth on the Amendments to Motions handout

**VOTE 28: 151 YES /24 NO MOTION TO AMEND PASSES**

**PROPOSED MOTION:** Jennifer Pratt moved and was seconded that the Town amend Part A concerning membership of the screening committee.

*Amendment: 3.1.1.1 Strike "The screening committee shall be appointed by the Select board" and replace with The Screening Committee shall consist of 9 members. The composition of the committee will be 1 member chosen by the respective board: 1 member of School Committee, 1 member of the Finance Committee, 1 member of the Planning Board, 1 member of the business community, a Carver resident(business stakeholder), 3 members at-large(Carver residents) to be appointed by the select board 2 public safety representatives who are not appointed by the Town Administrator who will be appointed by the select board.*

**VOTE 28: 130 YES/69 NO PASSES**

Town Council Greg Corbo made note that the numbering must be corrected to reflect  
PART A 3.3.1.1 PART B 3.3.1.2

**VOTE 28 MAIN MOTION AS TWICE AMENDED: 166 YES / 28 NO MOTION  
PASSES**

**ARTICLE 29: YARD SALE BYLAW CHANGE:** To see if the Town will vote to amend  
Chapter 8.3 of the Town's General Bylaws as follows (with deletions shown in ~~strikethrough~~ and  
additions shown in **bold**):

**8.3. FLEA MARKETS ~~OR YARD SALES~~**

All Flea Markets ~~or Yard Sales~~ held in the Town of Carver shall require a permit issued by the  
~~Board of Selectmen~~ **Select Board**, at no charge.

SELECT BOARD

*INFORMATIONAL SUMMARY: The purpose of this is to remove yard sales from the bylaw this  
bylaw.*

**PROPOSED MOTION:** Mark Townsend moved and was seconded that the Town approve  
Article 29 as set forth in the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board 3-2*

**FINAL VOTE 29 : 161 YES / 27 NO MOTION PASSES**

**ARTICLE 30: CARVER MARION WAREHAM REGIONAL REFUSE DISPOSAL**

**DISTRICT AGREEMENT:** To see if the Town will vote to adopt the Amended and Restated  
Carver, Marion and Wareham Regional Refuse Disposal District Agreement, as shown below, or  
take any other action related thereto.

AMENDED AND RESTATED AGREEMENT  
CARVER MARION AND WAREHAM  
REGIONAL REFUSE DISPOSAL DISTRICT

The Towns of Carver and Wareham hereby amend and restate in full that certain  
agreement entered into by them and the Town of Marion on February 7, 1973, as amended  
and restated in April 1995, by which they established and affirmed the Carver, Marion,  
Wareham Regional Refuse District (the "District"); and as further amended in September  
2020 by agreement between the District and the Town of Marion for that town's  
withdrawal from the District, that agreement for Withdrawal of the Town of Marion  
attached hereto as Appendix A, and made a part of this Agreement; intending hereby to  
supersede those agreements and all previous amendments to those agreements.

SECTION I -THE REGIONAL REFUSE DISPOSAL DISTRICT COMMITTEE

(A) *Composition*

The powers and duties of the Regional Refuse District shall be vested in and exercised by a Regional Refuse Disposal District Committee, hereinafter sometimes referred to as "the Committee" which consist of three members from each of the member towns. All appointments to the Committee shall be made by the Boards of Selectmen of each member town. All members of the Committee shall serve until their successors are appointed and qualified.

(B) *Membership*

In every year in which the term of office of a member expires, the member Town involved shall appoint one member to serve on the Committee for a term of three years from May 1 of the year in which the appointment is required to be made.

(C) *Vacancies*

If a vacancy occurs among the members appointed under subsection I (B), the member Town involved shall, within thirty days after such vacancy occurs, appoint a member to serve for the balance of the unexpired term.

Any member wishing to resign from the Committee shall file with the Committee a written notification of resignation with a copy thereof to the Board of Selectmen and the TownClerk of the Town which he represents. No vacancy shall exist by resignation without compliance with the above provision.

(D) *Organization*

At its first meeting in a calendar year, the Committee shall organize and choose by ballot a chairman from among its own membership.

The Committee shall (i) appoint a treasurer and secretary, who may be the same person, but who need not be members of the Committee, (ii) choose such other officers as it deems advisable, (iii) determine the terms of office of its officers (except the chairman, who shall be elected as provided above) (iv) describe the powers and duties of any of its officers, and (v) fix the time for its regular meetings and provide for the calling of special meetings.

(E) *Powers and Duties*

Except as limited by the terms of this Agreement, including the limitation on the functions of the District as set forth in Section II, the Committee shall have all the powers and duties conferred and imposed upon regional refuse disposal district committees by law and conferred and imposed upon it by this Agreement, and other additional powers and duties as are specified in sections 44A and 44K inclusive of Chapter 40 of the General Laws and any amendments thereof or additions thereto, now or hereafter enacted, or as may be specified in any other applicable general law or special law.

(F) *Quorum*



The quorum for the transaction of business shall be a majority of the Committee, but a number less than a majority may adjourn.

## SECTION II – REGIONAL REFUSE DISPOSAL FACILITIES

The District is the licensed operator of the Carver, Marion, Wareham Regional Landfill located in Carver, Massachusetts.

The District owns a transfer station and public convenience facility located on Route 28, Cranberry Highway, Rochester, Massachusetts. From time to time, the District, acting through the Committee, may lease the transfer station or assign the operation of the transfer station to a third party, including, but not limited to, a member Town of the District.

In addition to those functions that the Committee may adopt from time to time, the principal ongoing functions of the District shall be the maintenance and monitoring of the Carver Marion Wareham landfill located in Carver, Massachusetts; the maintenance of insurance coverage to protect the District and its member towns from liability for environmental claims relating to that landfill; the payment of the ongoing salaries and benefits of current employees, and the pensions and related benefits of former employees; the disposal of assets; and other functions necessary to effect the winding-down of the District's former waste disposal activities.

## SECTION III - APPORTIONMENT AND PAYMENT OF COSTS

### (A) *Apportionment of Costs*

Operating costs shall be apportioned equally among the member towns and charged annually.

### (B) *Times of Payment of Apportioned Costs*

Each member Town shall pay to the District in each fiscal year its proportionate share, certified as provided by subsection IV (B) of the capital and operating costs. The annual share of each member Town shall be paid in such amounts and at such times that at least the following percentages of such annual share shall be paid on or before the dates indicated, respectively:

July 10	25%
October 10	50%
January 10	75%
April 10	100%

## SECTION IV - BUDGET

### (A) *Tentative Annual Budget*

The Committee shall annually prepare a tentative budget for the ensuing fiscal year, attaching thereto provisions for any installment of principal or interest to become due in such fiscal year on any bonds or other evidence of indebtedness of the District and any other capital costs to be apportioned to the member towns. The Committee shall mail a copy thereof to the Chairman of the Board of Selectmen and the finance

or advisory committee, if any, of each member Town on or before November 15<sup>th</sup> in such Town on or before November 15<sup>th</sup> in such detail as the Committee may deem advisable.

(B) *Final Operating and Maintenance Budget*

The Committee shall adopt an annual operating and maintenance budget, including debt and interest charges and any other current capital costs as separate items, on or before December 21<sup>st</sup> for the ensuing fiscal year and the Committee shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of Section III. The amount so apportioned to each member Town shall, prior to December 31<sup>st</sup> of each year preceding the fiscal year to which said budget relates, be certified by the district treasurer to the treasurer of such towns, and such towns shall, at the next annual meeting, appropriate the amounts so certified.

(C) *Stabilization Accounts*

Commencing with the first fiscal year of this Agreement, the Committee shall establish and fund an account in the amount of \$150,000.00 to pay for post-employment benefits, including health insurance, for retirees. These accounts shall be maintained from year to year, and the funds therein shall be spent-down, to pay only for post-employment benefits, including health insurance, for retirees. None of the funds in the account shall be used for any other purpose, and none of those funds shall be distributed to the member towns pursuant to Section VIII, until all retiree obligations have been met, and no further retiree obligations are anticipated. Except as provided herein these accounts shall be subject to all applicable laws.

(D) *Long Term Financial Planning*

The Committee shall prepare and maintain, and shall annually review and update, an analysis of expected assets and liabilities for the then following five year period, and may supplement that analysis to cover such longer time periods as the Committee may deem appropriate. In the event the Committee determines that there will be no additional expenses beyond the five-year period, the Committee will so state and enumerate the reasons for such a determination.

SECTION V - AMENDMENTS

(A) *Limitation*

This Agreement may be amended from time to time in the manner hereinafter provided, but no such amendment shall be made which shall substantially impair the rights of the holders of any bonds or other notes or other evidence of indebtedness of the District then outstanding, or the rights of the District to procure the means for payment thereof.

(B) *Procedure*

Any proposal for amendment may be initiated by a vote of a majority of all members of the Committee. The secretary of the Committee shall mail or

deliver a notice in writing to the Board of Selectmen of each of the member towns that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal. Such amendment shall take effect upon its acceptance by all the member towns, acceptance by each Town to be by a majority vote of the Board of Selectmen.

#### SECTION VI - FISCAL YEAR

Except as may otherwise be provided by law, the fiscal year of the District shall be the same as the fiscal period of the member towns and the word "year" or "fiscal year" as it relates in this Agreement to a fiscal or budget period shall be the fiscal year of the District. If the fiscal year of the District shall be other than the calendar year, the dates on or before which the respective percentages of the annual share of each member Town shall be paid as provided in subsection III (F) shall be adjusted so that not less than 25% thereof shall be paid not later than the tenth day of the first month of such fiscal year, 50% shall be paid not later than the tenth day of the fourth month of such fiscal year, 75% shall be paid not later than the tenth day of the seventh month of such fiscal year and 100% shall be paid not later than the tenth day of the tenth month of such fiscal year.

#### SECTION VII - INCURRING OF DEBT

Within seven days after the date on which the Committee authorizes the incurring of debt, other than temporary debt in anticipation of revenue to be received from member towns, the said Committee shall cause written notice of the date of said authorization, the sum authorized and the general purpose or purposes for authorizing such debt, to be given to the Board of Selectmen of each member town. The notice for which provision is herein made shall be deemed to have been duly given to a Board of Selectmen of a member Town if delivered to the Chairman of said Board or, if mailed, by registered or certified mail within the time specified, postage prepaid and addressed to the Chairman of said Board at the Selectmen's office or at his last known permanent address in such Town. Within 180 days after the date on which the Committee authorized the incurring said debt, each member Town shall hold a Town meeting for the purpose of expressing approval or disapproval of the amount of said debt and, if at such Meeting a majority of the voters present and voting thereon express disapproval of the amount authorized by the Committee, the said debt shall not be incurred and the Committee shall thereupon prepare another proposal which may be the same as any prior proposal and an authorization to incur debt therefor.

#### SECTION VIII - DISTRIBUTION TO MEMBER TOWNS

##### (A) *Distribution to Member Towns*

Upon a determination by the Committee that there will be no future operational costs beyond those anticipated for the then current fiscal year, the Committee shall distribute all surplus cash to the member towns. For the purpose of this paragraph surplus cash shall mean cash on hand in excess of the amount needed to pay anticipated costs for the then current year. Any distribution authorized under this Section VIII must be approved by a vote of two thirds (2/3) of the members of the Committee, including an affirmative vote of approval by at least one member from each of the member towns.

(B) *Distribution of Cash*

Cash distributions shall be apportioned to the member towns in the ratios that their respective total equalized tax valuations, averaged over the last five full years prior to the date of distribution, bear to each other.

(C) *Charges Against Distribution*

In the event a member Town has failed to pay any amount due under the provision of Section III (F) a distribution under this provision will first be credited toward the amount owed to the District by that member town.

SECTION IX – SALE OF SURPLUS SUPPLIES OR REAL PROPERTY

(A) *Sale of Surplus Supplies*

The Committee may from time to time determine to sell surplus supplies. The Committee shall first offer to sell any such surplus supply to the member towns. Any member Town may buy such supply at a price established by generally accepted appraisal methods. In the event more than one of the member towns wishes to purchase a surplus supply the Committee shall receive sealed bids from those member towns and shall sell such supply to the Town submitting the highest bid which equals or exceeds the appraised value. The terms of payment by a purchasing Town shall be determined by agreement between the Committee and that town, and may include payment over time, and the payment due may be carried as a charge to be made against future disbursements payable by the District to the purchasing town.

(B) *Sale of Real Property*

The Committee may from time to time determine to sell real property. The Committee shall first offer to sell any such real property to the member towns. The price for such property shall be the average of the values determined by two independent appraisals using generally accepted appraisal methods. Any member Town may buy such real property at that price. In the event more than one of the member towns wishes to purchase the real property the Committee shall receive sealed bids from those member towns and shall sell such real property to the Town submitting the highest bid which equals or exceeds the appraised value. The terms of payment by a purchasing Town shall be determined by agreement between the Committee and that town, and may include payment over time, and the payment due may be carried as a charge to be made against future disbursements payable by the District to the purchasing town.

SECTION X - DISSOLUTION

The Committee may at any time determine to petition the legislature to dissolve the District provided that such petition shall be approved by a vote of two thirds (2/3) of the members of the Committee, and that such petition for dissolution will provide that (i) liability for the on-going obligations of the District shall be apportioned to the member towns in the same proportions as set forth in Section III (A); (ii) the remaining assets of the District shall be distributed to the member towns pursuant to the provisions of Section VIII; and (iii) the member towns will continue to be jointly liable in the proportions set forth in this Agreement for any claims arising against the District prior to its dissolution, and each of the towns shall have a cause of action against the others for indemnity to enforce such proportional liability.

SECTION XI – EFFECTIVE DATE

This Agreement shall become effective on upon its having been accepted by the Town meetings of both member towns.

**CERTIFICATES OF VOTE ATTACHED  
TOWN OF CARVER**

I, \_\_\_\_\_, Town Clerk for the Town of Carver, hereby certify that on \_\_\_\_\_, 20\_\_\_\_, at a meeting properly noticed and held, the Town of Carver voted to accept this AMENDED AND RESTATED AGREEMENT.

**TOWN OF WAREHAM**

I, \_\_\_\_\_, Town Clerk for the Town of Wareham, hereby certify that on \_\_\_\_\_, 20\_\_\_\_, at a meeting properly noticed and held, the Town of Wareham voted to accept this AMENDED AND RESTATED AGREEMENT.

*SELECT BOARD*

*INFORMATIONAL SUMMARY: This is a new agreement between Carver and Wareham to replace the agreement approved at the October 15, 2020 Special Town Meeting.*

**PROPOSED MOTION:** Robert Belbin moved and was seconded that the Town approve Article 30 as set forth in the Warrant.

**(Majority Vote Required)**

*Recommendation: Select Board 5-0*

**FINAL VOTE 30: 157 YES / 29 NO MOTION PASSES**

**PETITION ARTICLES: (Recommendations from Planning Board for Petition Articles 31, 38, 39**

**& 40 are in Appendix G)**

**ARTICLE 31:** Respectfully requesting the Town of Carver to amend Article 21. Purposing a change to non-medical marijuana overlay districts (NMOD) North Overlay to accept and approve Map 21 Lot 4-4 for use as a marijuana cultivation and processing facility.

**PROPOSED MOTION:** Bruce Maki moved and was seconded that the Town **not approve** Article 31 as set forth in the Warrant

**FINAL VOTE 31: 156 YES / 39 NO MOTION PASSES TO NOT APPROVE**

**ARTICLE 32:** To see if the Town of Carver will vote to amend the following provision to the Town of Carver By-laws under Article 34, established on June 6, 1990 at the Annual Town Meeting to add “No person shall be appointed to the Earth Removal Committee for more than

two (2) terms for a total of six years on the Earth Removal Committee.” This provision will be effective immediately upon town vote and anyone currently serving with two (2) or more terms cannot be re-appointed.

**PROPOSED MOTION:** Dan Ferrini moved and was seconded that the Town to approve Article 32 as set forth in the Warrant

**FINAL VOTE 32: 59 YES / 150 NO MOTION FAILS**

**ARTICLE 33:** To see if the Town of Carver will vote to amend the following provision to the Town of Carver By-laws under Section 4.1.3 to add “No person shall be appointed to the Zoning Board of Appeals for more than two (2) terms.” This provision will be effective immediately upon town vote and anyone currently serving with two (2) or more terms cannot be re-elected.

**Town Council declared Article 33 Out of order**

**ARTICLE 34:** To see if the Town of Carver will vote to amend the following provision to the Town of Carver By-laws under Section 2.2.1 to add “No person shall be elected to the Select Board more than two (2) terms for a total of six years on the Select Board.” This provision will be effective immediately upon town vote and anyone currently serving with two (2) or more terms cannot run for re-election.

**Town Council declared Article 34 Out of order**

**ARTICLE 35:** To see if the Town of Carver will vote to amend the following provision to the Town of Carver By-laws under Section 4.1.3 to add “No person shall be appointed to the Finance Committee for more than two (2) terms for a total of six years on the Finance Committee.” This provision will be effective immediately upon town vote and anyone currently serving with two (2) or more terms cannot be re-appointed.

**PROPOSED MOTION:** Mary Dormer moved and was seconded that the Town to approve Article 35 as set forth in the Warrant

**FINAL VOTE 35: 43 YES / 164 NO MOTION FAILS**

**ARTICLE 36:** To see if the Town of Carver will vote to amend the following provision to the Town of Carver By-laws under Section 4.1.3 to add “No person shall be elected to the Planning Board more than two (2) terms.” This provision will be effective immediately upon town vote and anyone currently serving with two (2) or more terms cannot be re-elected.

**PROPOSED MOTION:** Mary Dormer moved and was seconded that the Town **postpone** Article 36

**FINAL VOTE 36: 187 YES / 21 NO MOTION PASSES**

**ARTICLE 37:** To see if the Town of Carver will vote to amend the following provision to the Town of Carver By-laws under Section 4.1.3 to add “No person shall be elected to the ReDevelopment Authority for more than two (2) terms.” This provision will be effective immediately upon town vote and anyone currently serving with two (2) or more terms cannot be re-elected.

**PROPOSED MOTION:** Mary Dormer moved and was seconded that the Town **postpone** Article 37

**FINAL VOTE 37:** 186 YES / 11 NO MOTION PASSES

**ARTICLE 39:** Notwithstanding any other provision of the Zoning Bylaws to the contrary, the Town hereby adopts a temporary, 12 month moratorium to April 11, 2023, on the new use of land for Large-Scale Ground Mounted Solar Photovoltaic Installations effective immediately upon Town vote, provided that such moratorium shall not apply to previously approved specially permitted projects provided that any such amendment shall not increase the footprint. During the moratorium period, the Town shall conduct a review of Carver Zoning By-law 3580, review solar bylaws in other communities, undertake a planning process that addresses potential impacts of solar photovoltaic installations in Carver, consider the long-term objective for solar photovoltaic installations and their impact on health, safety and welfare of Carver’s citizenry, determine how the Town shall reasonably and thoroughly regulate and approve solar photovoltaic installation, and finally, to amend Carver Zoning Bylaw 3580 accordingly, or to take any other action relative thereto.

**PROPOSED MOTION:** Mary Dormer moved and was seconded that the Town **postpone** Article 39

**FINAL VOTE 39:** 176 YES / 20 NO MOTION PASSES

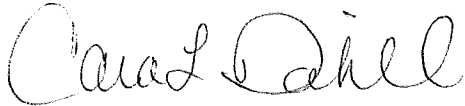
**ARTICLE 40:** The Town hereby adopts a temporary 11 ½ month moratorium to March 26, 2023, on the new use of land for Large Scale Ground-Mounted Solar Voltaic Installations (LSGMSI) effective immediately upon Town vote, provided that such moratorium shall not apply to a LSGMSI previously issued a special permit by the Planning Board and approved by the Conservation Commission, provided that any amendment to a special permit shall not increase the footprint. During the moratorium period, the Town shall conduct a review of its zoning bylaws for solar electric installations and undertake a planning process that addresses the current and future impacts of LSGMSI on Carver’s residents, consider the long-term objectives for additional solar-electric installations in the town and their impact on health, safety and welfare of the town.

**PROPOSED MOTION:** Mary Dormer moved and was seconded that the Town **postpone** Article 40

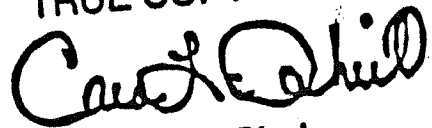
**FINAL VOTE 40:** 183 YES / 14 NO MOTION PASSES

**MOTION TO ADJOURN** made by Mark Townsend and seconded.  
A voice Vote was taken and it was unanimous to adjourn the meeting at 7:54 P.M.

A True Record, Attest:



Cara L. Dahill  
Town Clerk

TRUE COPY ATTEST  
  
Town Clerk