



2022
Annual Town Meeting
Warrant

April 12, 2022

TOWN CLERK, CARVER, MA
2022 APR 5 PM3:24

GREETING:

ANNUAL TOWN MEETING WARRANT

And, you are further directed to notify and warn the Inhabitants of the Town of Carver qualified to vote in Town affairs, to meet at **60 South Meadow Road, the Carver Middle/High School Auditorium**, all three precincts in said Carver, on **Tuesday, the Twelfth Day of April, 2022 at 7:00 P.M.**, then and there to act on the following Articles, namely:

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: I move that the Town approve the 2021 Annual report.

(Majority Vote Required)

Recommendation: Select Board 5-0

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:

<u>Transfer to:</u>	<u>Amount (not to exceed)</u>
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. Emergency Radio Maintenance	\$12,000
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: I move 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 0-0, Finance Committee 0-0

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.

<u>Category</u>	<u>Amount (not to exceed)</u>
Town-Wide Shared Budget	
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
TOTAL SHARED COSTS:	\$12,205,256
General Government Budget	
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
TOWN SHARE OF BUDGET:	\$10,252,822
School Budget	
School General Budget (salaries & expenditures)	\$21,418,428

PART B

Enterprise Funds (<i>funded from receipts</i>)	
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:

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,*

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:

<u>Purpose (all in FY23 unless stated)</u>	<u>Amount (not to exceed)</u>
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
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	\$960,000
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 0-0, Finance Committee Part 0-0; Capital Outlay Committee 0-0

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 court and it was "adjudged and ordered" by said court on 6/28/21 that "all rights of redemption by the previous owner are forever foreclosed and barred" by said court.

PROPOSED MOTION: I move that the Town approve Article 5 as set forth in the Warrant.
(Two-Thirds Vote Required)

Recommendation: Select Board 5-0

ARTICLE 6: COMMUNITY PRESERVATION COMMITTEE REPORT & RECOMMENDATIONS

Part A: To see if the Town will vote to hear and act on recommendations by the Community Preservation Committee for Fiscal Year 2023 and, appropriate and/or reserve a sum or sums of money from the Community Preservation Fund Fiscal Year 2023 estimated annual revenues for the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee and in accordance with the provisions of G.L. c.44B, §6, for open space, land for recreational use, historic resources and community housing, and debt service on prior approved projects, and further, to transfer from the Community Preservation Fund for proposed projects recommended by the Community Preservation Committee, and for all incidental and related expenses, as follows:

Appropriations:

a) From FY23 estimated revenues for Committee Administrative Expenses \$30,450

Reserves

b) From FY 23 estimated revenues for MS/HS Track & Field Debt	\$331,400
c) From FY23 estimated revenues for Open Space	\$63,500
d) From FY23 estimated revenues for Community Housing Reserve	\$63,500
e) From FY23 estimated revenues for Historic Reserve	\$63,500
TOTAL	\$552,350

Part B: To see if the Town will vote to appropriate One Hundred Twenty Five Thousand (\$125,000.00) Dollars from the Community Preservation Housing Fund Revenues for a grant to Habitat for Humanity of Greater Plymouth for the purpose of purchasing materials needed to rehabilitate an existing home as shown on the Assessors' property card as Map16, Lot 8-0-R, with a street address of 11 Green Street, for the purpose of creating a three (3) bedroom affordable home. Funds are to be for materials only. Any monies not utilized will revert to the Community Preservation Unrestricted account. Said sums to be expended under the direction of the Community Preservation Committee in consultation with the Habitat for Humanity of Greater Plymouth and the Select Board in accordance with the terms of a Grant Agreement between Habitat and the Town;

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: I move that the Town approve Article 6 as set forth in the Warrant.
(Majority Vote Required)

Recommendation: Select Board 0-0, Finance Committee: 0-0,

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: I move 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

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

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: I move that the Town approve Article 9 as set forth in the Warrant.

(Two-Thirds Vote Required)

Recommendation: Select Board 5-0

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: I move that the Town approve Article 10 as set forth in the Warrant.
(Two-Thirds Vote Required)

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

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: I move that the Town approve Article 11 as set forth in the Warrant.
(Two-Thirds Vote Required)

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

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: I move 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

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: I move 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

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: I move that the Town approve Article 14 as set forth in the Warrant. **(Two-Thirds Vote Required)**

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

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 accessways 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: I move that the Town approve Article 15 as set forth in the Warrant. **(Two-Thirds Vote Required)**

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

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

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 ~~strike through~~, 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: I move that the Town approve Article 17 as set forth in the Warrant.

(Two Thirds Vote Required)

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

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

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, LA, 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: I move 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

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.

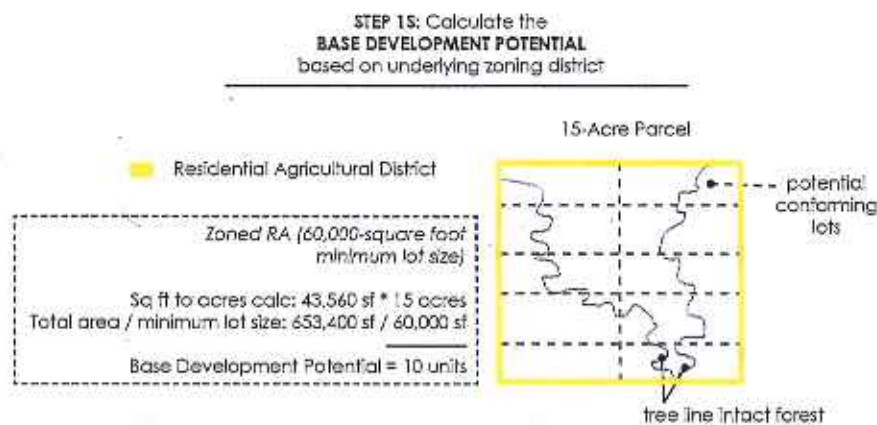
2721. Special Permit Requirement. Properties within the designated sending and/or receiving areas may either be developed under existing By- laws and regulations or may file for a Transfer of Development Rights (TDR) Special

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).

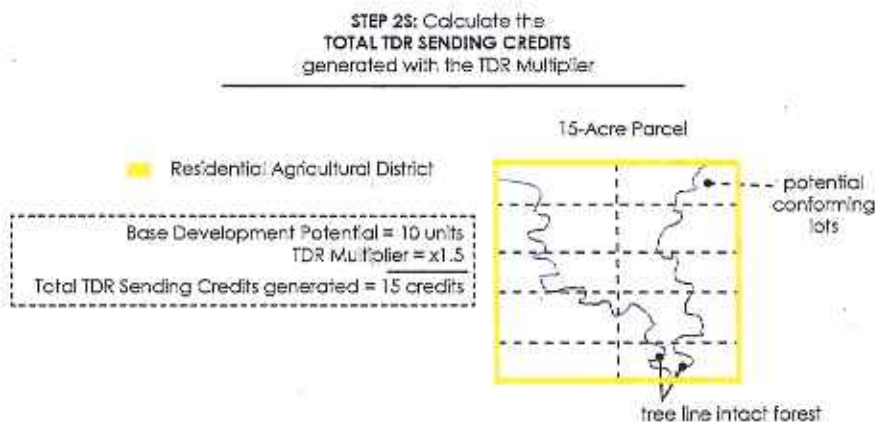
2722. Determination of Sending Area Development Credits. The total amount of development credits generated by a particular sending area parcel is a function of (1) the underlying zoning district density regulations; and (2) the TDR multiplier. To establish the development rights available for transfer,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

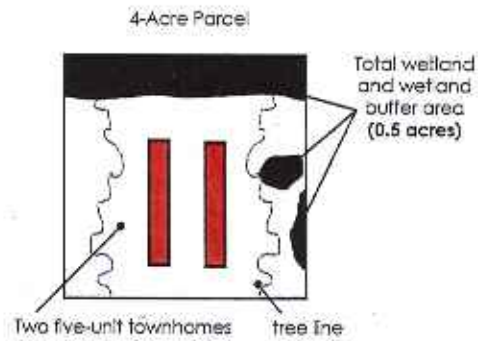
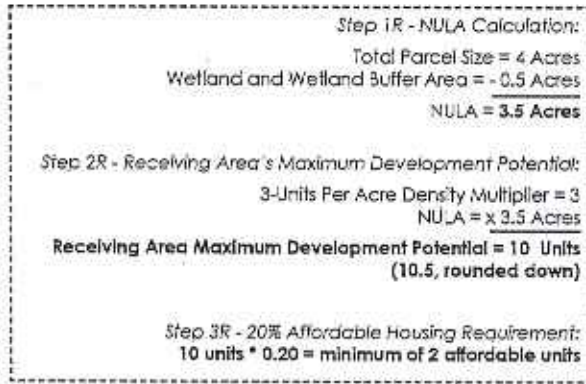
STEP 1R: Establish the Net Usable Land Area. The receiving area's maximum development potential shall be established through a Net Usable Land Area (NULA) Plan for the entire receiving area(s), which shall be submitted to the Planning Board. The NULA is established by subtracting all water bodies, wetlands, 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**

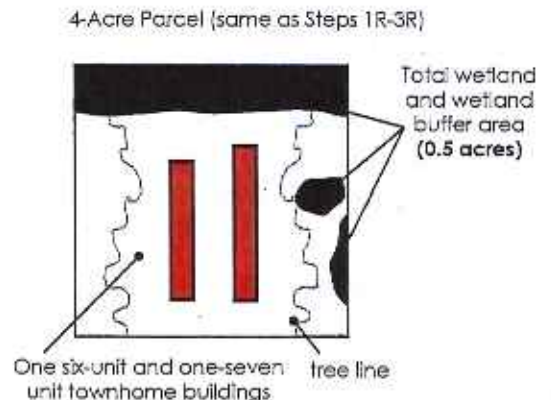
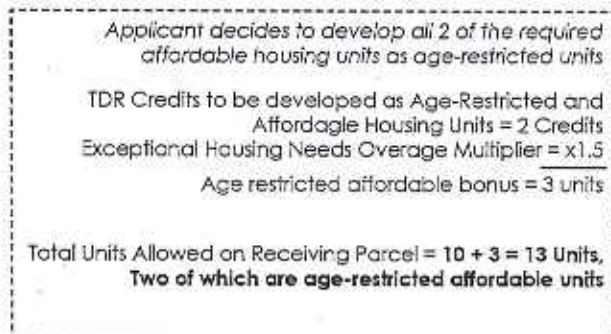


27AB40. Exceptional Housing Needs Overages. In one instance, it is possible for the total number of units on a receiving area parcel(s) to exceed the receiving area maximum development potential figure. Developments that add to Caver's supply of housing for seniors generate additional development potential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



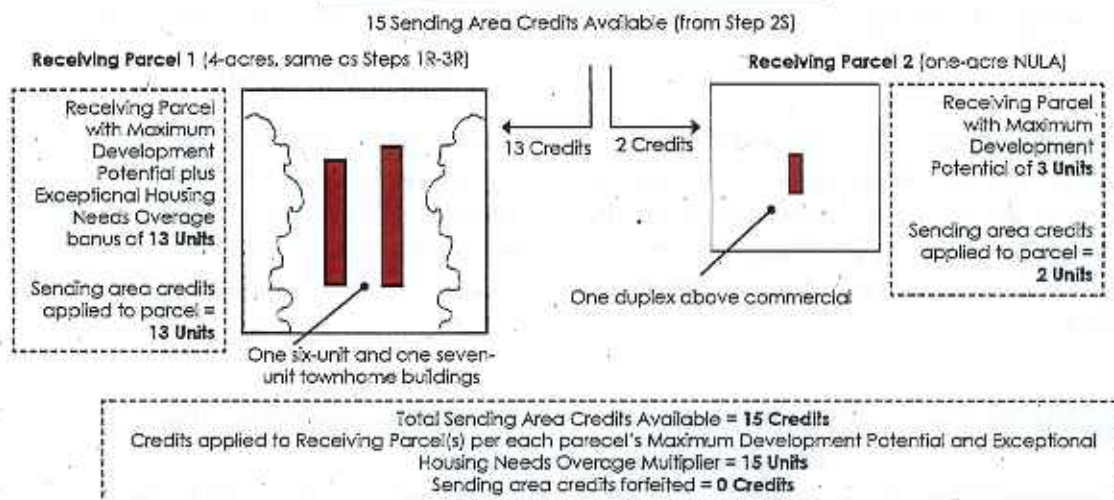
27BB50: Development Credits Equalization

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**



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

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: I move that the Town approve Article 21 as set forth in the Warrant.

(Majority Vote Required)

Recommendation: Select Board 5-0

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: I move that the Town approve Article 22 as set forth in the Warrant.

(Majority Vote Required)

Recommendation: Select Board 5-0

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: I move 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

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>

January 1, 2021	\$13.50	\$5.55	74 hours
January 1, 2022	\$14.25	\$6.15	70 hours
January 1, 2023	\$15.00	\$6.75	66.7 hours

PROPOSED MOTION: I move 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

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: I move 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

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: I move 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

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: I move that the Town approve Article 27 as set forth in the Warrant.
(Two-Thirds Vote Required)

Recommendation: Select Board 5-0

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: I move 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

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 ~~strike through~~ 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: I move that the Town approve Article 29 as set forth in the Warrant.
(Majority Vote Required)

Recommendation: Select Board 3-2

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 Town Clerk 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 15th in such Town on or before November 15th 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 21st 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 31st 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 up-date, 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 herein-after 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: I move that the Town approve Article 30 as set forth in the Warrant.
(Majority Vote Required)

Recommendation: Select Board 5-0

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.

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.

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.

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.

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.

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.

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.

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.

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.

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 addressess 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.

And you are directed to serve this warrant by posting attested copies thereof at the several places designated by vote of the Town seven (7) days at least before the time of holding said meeting.

Hereof fail not and make due return of this warrant **by your doing thereon to the Town Clerk at or before the time of the meeting aforesaid.**

Given under our hands this 5th Day of April in the Year Two Thousand and Twenty Two.

CARVER SELECT BOARD

Garth G. Hewins

James Phelan

Garth E. Townsend

Pursuant to the above warrant, I have notified and warned the inhabitants of Carver qualified to vote in Town affairs to meet at the time and place and for the purpose therein expressed by posting attested copies thereof in the Town Hall and in each of the Fire Stations and Post Offices in Carver as required by law seven days at least before the time of said meeting.

A True Copy Attest:

4/5/2022
Date

Print: John Woods O+M Dep Director
Name and Title

Sign: [Signature]

Wage and Salary Classification Plan for Elected and Non-Union Employees for FY23

Grade	Position	Annually
Grade A	Elected and Appointed Officials	
	Assistant Town Administrator/Human Resource Coordinator	\$ 750.00
	Deputy Director of Operations & Maintenance	\$ 1,000.00
	EMS Chief	\$ 700.00
	Town Planner	\$ 300.00
Grade C		
	Deputy Fire Chief (40 hours)	\$ 150.00
	Facilities Maintenance Manager	\$ 1,000.00
	Library Director	\$ 800.00
	Town Assessor	\$ 300.00
	Town Clerk	\$ 150.00
	Treasurer/Collector	\$ 300.00
Grade D		
	Assistant Deputy Fire Chief (40 hours)	\$ 150.00
	Building Commissioner	\$ 1,000.00
	Conservation Agent (Part-time)	\$ 800.00
	Emergency Management Director (Part-time)	\$ 300.00
	Health Agent (Part-time)	\$ 150.00
Grade F		
	COA Director	\$ 2,000.00
	Library Assistant Director	\$ 250.00
	Deputy EMS Chief (Part-time)	\$ 300.00
Grade G		
	Children's Librarian	\$ 150.00
	Procurement/Purchasing Coordinator	\$ 1,000.00
	COA Outreach Facilitator	\$ 800.00
Grade H		
	Police Administrative Assistant	\$ 300.00
	Council on Aging Site Manager and Cook	\$ 150.00
	Volunteer Agent (Part-time)	\$ 3,000.00
Grade I		
	Fire Dispatch (40 hours)	\$ 2,000.00
	T/A>Select Board Assistant	\$ 250.00
Grade K		
	Veterans' Clerk	\$ 300.00
Grade L		
	Fire Dispatch (Part-time)	\$ 150.00
	Police Records Clerk (Part-time)	\$ 150.00
	Assistant Annual Control Officer (Part-time)	\$ 150.00
Grade M		
	GATRA Drivers (Part-time)	\$ 150.00
	CYA Kitchen & Facility Assistant	\$ 150.00
Grade N		
	Maintenance Custodian (Part-time)	\$ 150.00
	Circulation Aide	\$ 150.00
	Seasonal/Summer employees	\$ 150.00

CONTRACTS
Town Administrator
Finance Director/Town Accountant
Fire Chief
Police Chief
EMS Chief - Grade A
Library Director - Grade C
Director of Operations & Maintenance (S/T contract)
Deputy Police Chief

APPENDIX A

FY 2023 Wage Scale

Grade	Step	1st - step	2nd - step	3rd - step	4th - step	5th - step	6th - step	7th - step	8th - step	9th - step	10th - step	11th - step	12th - step
N	Hourly	\$ 14.17	\$ 14.45	\$ 14.74	\$ 15.03	\$ 15.34	\$ 15.64	\$ 15.96	\$ 16.27	\$ 16.60	\$ 16.93	\$ 17.27	\$ 17.62
	35 hr/wk	\$ 492.87	\$ 505.79	\$ 515.91	\$ 526.72	\$ 536.75	\$ 547.48	\$ 558.43	\$ 569.80	\$ 581.99	\$ 594.61	\$ 607.67	\$ 621.16
	Annual	\$ 75,785.40	\$ 24,301.10	\$ 26,027.13	\$ 27,363.67	\$ 27,910.94	\$ 28,468.16	\$ 29,036.54	\$ 29,615.31	\$ 30,204.31	\$ 30,803.54	\$ 31,413.03	\$ 32,032.90
M	Hourly	\$ 16.31	\$ 16.64	\$ 16.97	\$ 17.31	\$ 17.65	\$ 18.01	\$ 18.37	\$ 18.73	\$ 19.11	\$ 19.49	\$ 19.88	\$ 20.28
	35 hr/wk	\$ 570.84	\$ 582.26	\$ 593.91	\$ 605.78	\$ 617.90	\$ 630.26	\$ 642.86	\$ 655.72	\$ 668.83	\$ 682.21	\$ 695.85	\$ 709.77
	Annual	\$ 29,683.94	\$ 30,277.51	\$ 30,883.06	\$ 31,500.72	\$ 32,130.74	\$ 32,773.35	\$ 33,428.87	\$ 34,097.40	\$ 34,779.34	\$ 35,474.93	\$ 36,184.43	\$ 36,908.12
K	Hourly	\$ 17.93	\$ 18.29	\$ 18.66	\$ 19.03	\$ 19.41	\$ 19.80	\$ 20.19	\$ 20.60	\$ 21.01	\$ 21.43	\$ 21.86	\$ 22.30
	35 hr/wk	\$ 627.61	\$ 640.19	\$ 652.96	\$ 665.92	\$ 679.34	\$ 693.29	\$ 707.79	\$ 722.82	\$ 738.34	\$ 754.35	\$ 770.85	\$ 787.85
	Annual	\$ 32,858.51	\$ 33,788.22	\$ 34,933.99	\$ 34,633.07	\$ 35,375.73	\$ 36,257.24	\$ 37,187.94	\$ 38,167.94	\$ 39,200.46	\$ 40,287.51	\$ 41,421.16	\$ 42,604.59
J	Hourly	\$ 19.73	\$ 20.12	\$ 20.52	\$ 20.93	\$ 21.35	\$ 21.78	\$ 22.22	\$ 22.66	\$ 23.11	\$ 23.58	\$ 24.05	\$ 24.53
	35 hr/wk	\$ 690.44	\$ 704.25	\$ 718.33	\$ 732.70	\$ 747.35	\$ 762.30	\$ 777.55	\$ 793.10	\$ 808.96	\$ 825.14	\$ 841.64	\$ 858.47
	Annual	\$ 35,902.78	\$ 36,020.83	\$ 37,583.25	\$ 38,100.31	\$ 38,662.32	\$ 39,273.57	\$ 40,032.36	\$ 40,844.00	\$ 41,703.82	\$ 42,617.14	\$ 43,589.28	\$ 44,616.59
I	Hourly	\$ 21.99	\$ 22.43	\$ 22.88	\$ 23.34	\$ 23.80	\$ 24.28	\$ 24.77	\$ 25.26	\$ 25.77	\$ 26.28	\$ 26.81	\$ 27.34
	35 hr/wk	\$ 769.69	\$ 785.09	\$ 800.79	\$ 816.80	\$ 833.14	\$ 849.80	\$ 866.80	\$ 884.13	\$ 901.82	\$ 919.85	\$ 938.25	\$ 957.02
	Annual	\$ 40,023.98	\$ 40,874.46	\$ 41,640.95	\$ 42,473.77	\$ 43,339.25	\$ 44,189.71	\$ 45,073.51	\$ 45,974.98	\$ 46,894.48	\$ 47,837.37	\$ 48,799.01	\$ 49,764.79
H	Hourly	\$ 22.97	\$ 23.43	\$ 23.90	\$ 24.38	\$ 24.86	\$ 25.36	\$ 25.87	\$ 26.39	\$ 26.91	\$ 27.45	\$ 28.00	\$ 28.56
	35 hr/wk	\$ 803.96	\$ 820.04	\$ 836.44	\$ 853.17	\$ 870.24	\$ 887.64	\$ 905.39	\$ 923.50	\$ 941.97	\$ 960.81	\$ 980.03	\$ 999.63
	Annual	\$ 41,806.13	\$ 42,612.25	\$ 43,495.10	\$ 44,365.00	\$ 45,252.30	\$ 46,157.34	\$ 47,080.48	\$ 48,022.10	\$ 48,982.54	\$ 49,962.19	\$ 50,961.41	\$ 51,980.67
G	Hourly	\$ 24.63	\$ 25.13	\$ 25.63	\$ 26.14	\$ 26.66	\$ 27.20	\$ 27.74	\$ 28.30	\$ 28.86	\$ 29.44	\$ 30.03	\$ 30.63
	35 hr/wk	\$ 862.16	\$ 879.40	\$ 896.99	\$ 914.93	\$ 933.22	\$ 951.89	\$ 970.93	\$ 990.35	\$ 1,010.15	\$ 1,030.36	\$ 1,050.96	\$ 1,071.98
	Annual	\$ 44,832.06	\$ 45,728.70	\$ 46,643.28	\$ 47,576.14	\$ 48,527.66	\$ 49,498.22	\$ 50,488.18	\$ 51,497.94	\$ 52,527.50	\$ 53,578.46	\$ 54,650.03	\$ 55,743.03
F	Hourly	\$ 27.71	\$ 28.27	\$ 28.83	\$ 29.41	\$ 30.00	\$ 30.60	\$ 31.21	\$ 31.83	\$ 32.47	\$ 33.12	\$ 33.79	\$ 34.46
	35 hr/wk	\$ 969.97	\$ 989.37	\$ 1,009.16	\$ 1,029.34	\$ 1,049.93	\$ 1,070.92	\$ 1,092.34	\$ 1,114.19	\$ 1,136.47	\$ 1,159.20	\$ 1,182.39	\$ 1,206.03
	Annual	\$ 50,039.39	\$ 51,497.16	\$ 52,476.10	\$ 53,525.62	\$ 54,596.13	\$ 55,688.06	\$ 56,801.92	\$ 57,937.85	\$ 59,096.61	\$ 60,278.54	\$ 61,484.11	\$ 62,713.80
E	Hourly	\$ 31.18	\$ 31.81	\$ 32.44	\$ 33.09	\$ 33.75	\$ 34.43	\$ 35.12	\$ 35.82	\$ 36.53	\$ 37.26	\$ 38.01	\$ 38.77
	35 hr/wk	\$ 1,091.35	\$ 1,113.18	\$ 1,135.44	\$ 1,158.15	\$ 1,181.31	\$ 1,204.94	\$ 1,229.04	\$ 1,253.62	\$ 1,278.69	\$ 1,304.26	\$ 1,330.35	\$ 1,356.96
	Annual	\$ 56,750.15	\$ 57,895.15	\$ 59,042.85	\$ 60,278.71	\$ 61,488.19	\$ 62,656.75	\$ 63,800.88	\$ 65,029.84	\$ 66,249.14	\$ 67,458.11	\$ 68,647.11	\$ 69,816.69
D	Hourly	\$ 35.07	\$ 35.77	\$ 36.48	\$ 37.21	\$ 37.96	\$ 38.72	\$ 39.49	\$ 40.28	\$ 41.09	\$ 41.91	\$ 42.75	\$ 43.60
	35 hr/wk	\$ 1,227.37	\$ 1,251.91	\$ 1,276.95	\$ 1,302.49	\$ 1,328.51	\$ 1,355.11	\$ 1,382.21	\$ 1,409.86	\$ 1,438.05	\$ 1,466.82	\$ 1,496.16	\$ 1,526.08
	Annual	\$ 63,023.03	\$ 65,099.49	\$ 66,401.48	\$ 67,729.51	\$ 69,094.10	\$ 70,495.78	\$ 71,933.00	\$ 73,406.34	\$ 74,916.33	\$ 76,463.54	\$ 77,948.52	\$ 79,471.82
C	Hourly	\$ 40.33	\$ 41.14	\$ 41.96	\$ 42.80	\$ 43.66	\$ 44.53	\$ 45.42	\$ 46.33	\$ 47.25	\$ 48.20	\$ 49.16	\$ 50.15
	35 hr/wk	\$ 1,411.58	\$ 1,443.81	\$ 1,476.61	\$ 1,509.98	\$ 1,543.94	\$ 1,578.49	\$ 1,613.64	\$ 1,649.39	\$ 1,685.74	\$ 1,722.71	\$ 1,760.31	\$ 1,798.55
	Annual	\$ 73,402.06	\$ 74,870.10	\$ 76,367.50	\$ 77,894.85	\$ 79,452.75	\$ 81,041.80	\$ 82,662.64	\$ 84,315.80	\$ 86,002.21	\$ 87,727.25	\$ 89,491.70	\$ 91,296.23
B	Hourly	\$ 43.37	\$ 44.24	\$ 45.12	\$ 46.03	\$ 46.95	\$ 47.88	\$ 48.84	\$ 49.82	\$ 50.81	\$ 51.83	\$ 52.87	\$ 53.93
	35 hr/wk	\$ 1,517.96	\$ 1,568.32	\$ 1,579.79	\$ 1,630.88	\$ 1,643.09	\$ 1,695.47	\$ 1,708.47	\$ 1,762.10	\$ 1,775.54	\$ 1,830.39	\$ 1,850.39	\$ 1,887.40
	Annual	\$ 78,934.13	\$ 80,511.81	\$ 82,123.07	\$ 83,765.53	\$ 85,440.84	\$ 87,149.66	\$ 88,892.65	\$ 90,670.50	\$ 92,483.91	\$ 94,333.59	\$ 96,220.26	\$ 98,144.67
A	Hourly	\$ 46.81	\$ 47.55	\$ 48.50	\$ 49.47	\$ 50.46	\$ 51.47	\$ 52.49	\$ 53.54	\$ 54.61	\$ 55.71	\$ 56.82	\$ 57.96
	35 hr/wk	\$ 1,631.49	\$ 1,664.12	\$ 1,697.40	\$ 1,731.35	\$ 1,765.98	\$ 1,801.30	\$ 1,837.32	\$ 1,874.07	\$ 1,911.55	\$ 1,949.78	\$ 1,988.78	\$ 2,028.55
	Annual	\$ 84,037.68	\$ 85,534.23	\$ 86,264.91	\$ 90,030.21	\$ 91,830.82	\$ 93,667.43	\$ 95,540.78	\$ 97,455.60	\$ 99,400.63	\$ 101,388.64	\$ 103,416.41	\$ 105,484.74

APPENDIX B
FY23 Town Operating Budget

	2021 Original	2021 Revised	2021 Actual	2022 Original	2022 Revised	2022 Actual	Department Requested	Department Requested
	250	250	250	250	250	0	250	%
Moderator Salaries								0.00%
Town Administration								
Town Administrator Salaries	618,398	554,030	537,876	573,094	576,327	348,804	439,253	-23.78%
Town Administrator Operating	365,225	404,105	379,954	430,348	430,348	367,586	488,445	13.50%
Total Town Administrator	983,623	958,135	917,830	1,003,442	1,006,675	716,390	927,698	-7.85%
Total Utilities	360,000	360,000	355,445	369,000	369,000	237,345	395,500	7.18%
FinCom & Capital Commission								
FinCom Salaries	1,800	1,800	900	1,800	1,800	0	1,800	0.00%
FinCom Operating/Grant	28,075	28,075	7,200	28,075	28,075	20,103	29,225	4.10%
Total FinCom	29,875	29,875	8,100	29,875	29,875	20,103	31,025	3.85%
Capital Outlay Commissions Salaries	750	750	0	0	0	0	750	100.00%
Total Capital Outlay	750	750	0	0	0	0	750	100.00%
Finance Department								
Finance Director Salaries	167,750	177,507	175,250	187,038	189,937	107,243	199,679	5.13%
Finance Director Operating	86,030	86,030	75,431	87,730	87,730	72,637	89,500	2.02%
Assessing Salaries	132,181	134,285	109,714	119,515	119,515	69,374	139,287	16.54%
Assessing Operating	72,600	72,600	58,673	72,715	72,715	54,628	73,865	1.58%
Treasurer/Collector Salaries	205,726	211,629	195,782	215,216	216,003	125,440	232,650	7.71%
Treasurer Collector Operating	73,132	73,132	54,350	68,717	68,717	32,845	78,950	14.89%
Tax Title							20,000	
Total Finance Department	737,419	755,183	669,200	750,931	754,617	462,167	833,931	10.51%
Total Legal Services	100,000	100,000	91,291	100,000	100,000	62,915	100,000	0.00%
Total Computer Operating							46,550	100.00%
Clerk and Registrars								
Town Clerk Salaries	130,604	130,604	121,280	138,169	138,169	70,412	141,425	2.36%
Town Clerk Operating	3,650	3,650	3,593	6,075	6,075	4,440	10,210	68.07%

APPENDIX B
FY23 Town Operating Budget

	2021 Original	2021 Revised	2021 Actual	2022 Original	2022 Revised	2022 Actual	Department Requested	Department Requested	%
Total Town Clerk	134,254	134,254	124,873	144,244	144,244	74,852	151,635	151,635	5.12%
Election & Registrars Salaries	17,500	17,500	14,704	15,000	15,000	0	19,800	19,800	32.00%
Elections & Registrars Operating	17,650	17,650	17,469	15,760	15,760	283	15,720	15,720	-0.25%
Total Elections & Registrars	35,150	35,150	32,173	30,760	30,760	283	35,520	35,520	15.47%
Land Use									
Conservation Salaries	48,234	49,352	48,138	54,309	54,701	29,623	55,711	55,711	1.85%
Conservation Operating	600	600	2,099	1,700	1,700	1,544	1,700	1,700	0.00%
Total Conservation	48,834	49,952	50,237	56,009	56,401	31,167	57,411	57,411	1.79%
Planning Board Salaries	153,716	157,130	149,418	159,614	161,122	82,098	164,166	164,166	1.89%
Planning Board Operating	9,825	9,825	5,444	32,425	32,425	2,709	32,725	32,725	0.93%
Total Planning Board	163,541	166,955	154,862	192,039	193,547	84,807	196,891	196,891	1.73%
Total Zoning Board	1,550	1,550	1,600	1,800	1,800	600	1,800	1,800	0.00%
Total General Government	2,719,996	2,693,974	2,405,610	2,803,100	2,811,919	1,690,629	2,778,711	2,778,711	-1.18%
Police Department									
Police Salaries	1,892,898	1,919,829	1,923,041	1,996,336	1,998,730	1,250,716	2,110,350	2,110,350	5.58%
Dispatch Salaries	313,397	313,397	305,246	333,040	333,040	216,939	361,208	361,208	8.46%
Police Operating	119,783	119,783	122,317	120,750	120,750	74,873	151,362	151,362	25.35%
Total Animal Control	44,424	45,448	38,219	41,974	42,354	23,437	44,818	44,818	5.82%
Total Police	2,370,502	2,398,456	2,388,822	2,492,100	2,494,874	1,565,965	2,667,738	2,667,738	6.93%
Fire Department									
Fire Salaries	611,180	630,147	632,708	646,464	652,930	352,991	686,512	686,512	5.14%
Fire Operating	94,580	94,580	91,479	96,580	96,580	47,764	99,080	99,080	2.59%
Total Fire	705,760	724,727	724,187	743,044	749,510	400,755	785,592	785,592	4.81%
Ambulance									
EMS Salaries	710,950	669,111	669,111	732,278	732,278	445,501	765,231	765,231	4.50%
EMS Operating	133,527	119,922	119,922	135,868	135,868	75,986	139,945	139,945	3.00%
Total EMS	844,477	789,033	789,033	868,146	868,146	521,487	905,176	905,176	4.27%
Inspectional Services									

APPENDIX B

FY23 Town Operating Budget

	2021 Original	2021 Revised	2021 Actual	2022 Original	2022 Revised	2022 Actual	Department Requested	Department Requested	%
Building Inspections Salaries	44,988	45,908	50,209	46,878	47,272	41,627	88,559	87,34%	
Building Inspections Operating	2,100	2,100	914	2,738	2,738	2,066	3,530	28.95%	
Plumbing & Gas Insp Salaries	20,271	20,880	21,013	20,676	20,883	12,180	21,500	2.95%	
Plumbing & Gas Operating	620	620	140	620	620	27	740	19.35%	
Wiring Salaries	20,271	20,880	21,147	20,676	20,883	12,312	21,500	2.95%	
Wiring Operating	500	500	36	500	500	100	1,000	100.00%	
Total Inspectional Services	88,750	90,888	93,460	92,088	92,896	68,311	136,829	47.29%	
Emergency Management									
Total Emergency Management Salaries	0	0	0	0	0	0	5,000	100.00%	
Emergency Management Operating	0	0	0	0	0	0	5,000	100.00%	
Total Emergency Management	0	0	0	0	0	0	10,000	100.00%	
Total Public Safety	4,009,489	4,003,104	3,995,502	4,195,378	4,205,425	2,556,518	4,505,335	163.30%	
Operation & Maintenance									
O&M Salaries	829,125	1,105,072	1,093,754	1,098,912	1,101,132	651,682	1,180,031	7.17%	
O&M Operating	282,865	289,220	277,306	297,350	297,350	147,339	323,350	8.74%	
Total O&M	1,111,990	1,394,292	1,371,061	1,396,262	1,398,482	799,021	1,503,381	7.50%	
Total Cemetary Operating	20,000	20,000	19,137	20,000	20,000	12,157	20,000	0.00%	
Snow & Ice Overtime Salaries	83,500	83,500	54,943	83,500	83,500	38,211		-100.00%	
Snow & Ice Operating	229,996	229,996	197,236	229,996	229,996	114,666		-100.00%	
Total Snow & Ice	313,496	313,496	252,179	313,496	313,496	152,877	0	-100.00%	
Total Landfill Engineering	30,000	30,000	30,000	60,000	60,000	22,706	60,000	0.00%	
Total Public Works	1,475,486	1,757,788	1,672,376	1,789,758	1,791,978	986,761	1,583,381	-11.64%	
Board of Health									
Board of Health Salaries	89,695	90,835	90,076	93,549	93,949	37,199	112,537	19.79%	
Board of Health Operating	16,730	16,730	6,479	16,163	16,163	4,516	16,200	0.23%	
Total Board of Health	106,425	107,565	96,555	109,712	110,112	41,715	128,737	16.92%	
Council on Aging									
Council on Aging Salaries	86,272	108,020	110,349	109,264	109,786	64,037	152,304	38.73%	
Council on Aging Operating	16,970	16,970	14,641	15,650	15,650	8,348	26,850	71.57%	

APPENDIX B

FY23 Town Operating Budget

	2021 Original	2021 Revised	2021 Actual	2022 Original	2022 Revised	2022 Actual	Department Requested	Department Requested	%
Total Council On Aging	103,242	124,990	124,990	124,914	125,436	72,385	179,154	42.83%	
Veterans Department									
Veteran's Agent Salaries	36,191	37,277	36,923	41,844	42,936	24,568	66,478	54.83%	
Veteran's Agent Operating	7,600	7,600	4,395	5,850	5,850	2,277	7,350	25.64%	
Veteran's Benefits	240,000	240,000	196,637	235,000	235,000	117,468	235,000	0.00%	
Total Veteran's	283,791	284,877	237,955	282,694	283,786	144,313	308,828	8.82%	
Library Department									
Library Salaries	344,053	346,807	260,874	322,419	325,633	187,308	336,104	3.22%	
Library Operating	96,500	96,500	86,164	94,946	94,946	64,904	99,645	4.95%	
Total Library	440,553	443,307	347,038	417,365	420,579	252,212	435,749	3.61%	
Recreation Department									
Recreation Salaries	0	0	0	22,500	22,500	13,125	22,500	0.00%	
Recreation Operating	4,500	4,500	4,301	0	2,611	2,620	25,120	862.18%	
Total Recreation	4,500	4,500	4,301	22,500	25,111	15,745	47,620	89.64%	
Interest on Temporary Loans	50,000	50,000	23	50,000	50,000	0	70,000	40.00%	
Call Firefighters LOSAP Retirement	120,000	120,000	122,667	135,000	135,000	140,292	145,000	7.41%	
Life Insurance Premiums	5,500	5,500	5,872	5,000	5,000	2,942	5,000	0.00%	
Social Security/Medicare	93,000	93,000	103,528	95,500	95,500	63,643	100,000	4.71%	
Total Employee Benefits	98,500	98,500	109,400	100,500	100,500	66,585	105,000	4.48%	
Town Total General Fund Budget	9,361,982	9,638,606	9,116,396	9,980,920	10,009,845	5,967,155	10,287,515	1.84%	
Town School General Fund Budget				24,611,532			21,418,428		

APPENDIX C

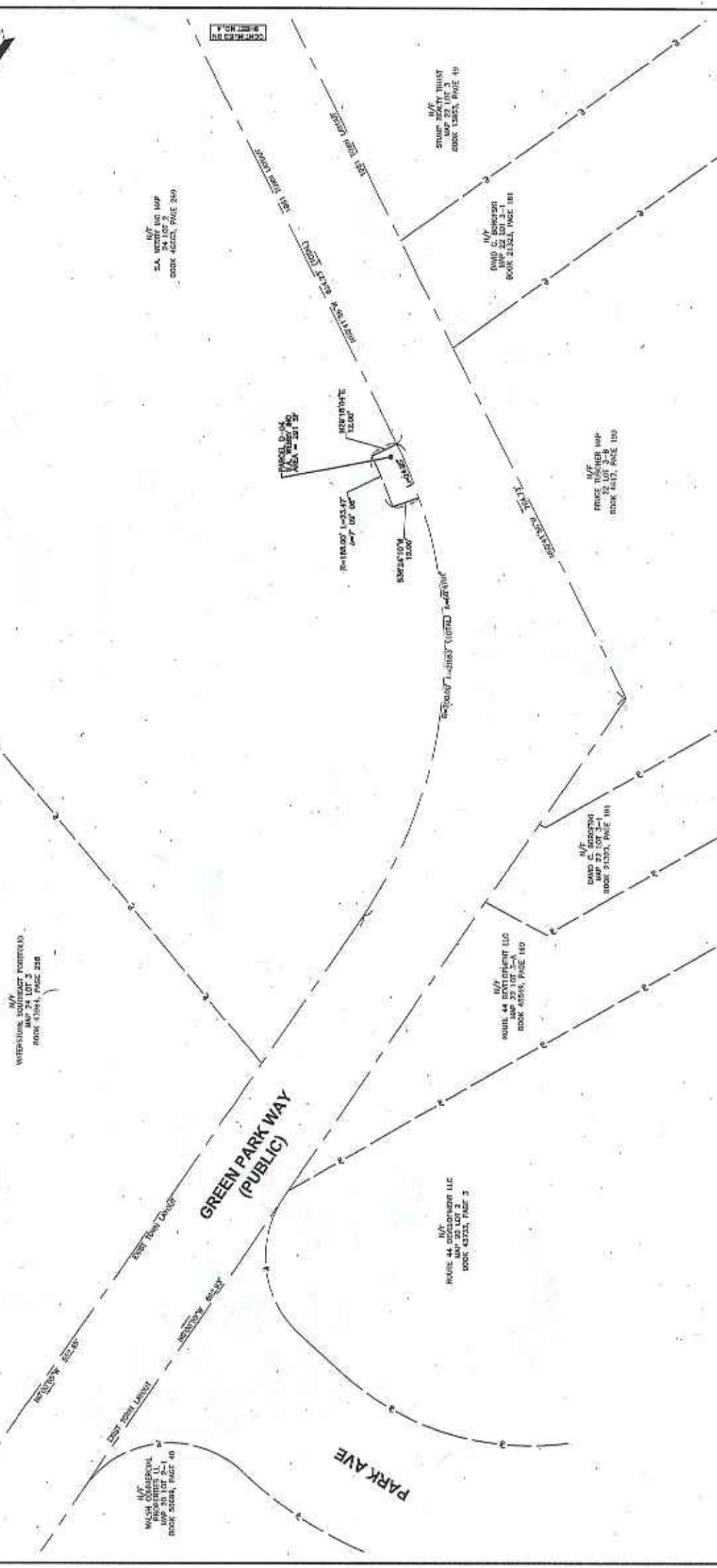
Department	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
O&M Carver 10 year Capital Plan DRAFT Energy Efficiency Project to reduce electric consumption	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000					
O&M Library Mechanical Replacement Town Hall Exterior Siding & Trim Replacement (\$390,000 already appropriated)	\$ 960,000	\$ 500,000								
O&M Repaint Tennis/Basketball Courts at MHS	\$ 380,000								\$ 70,000	
O&M Scag mower	\$ 30,000									
O&M Sealcoating at the Library and Town Hall		\$ 50,000								
O&M One Ton Dump Truck w/Plow - replace 697			\$ 80,000					\$ 90,000		
O&M Dump Truck 6 wheel w/sander/plow - replace 694			\$ 200,000							
O&M Replace roof - library			\$ 120,000							
O&M Library - replace heating/roofing/ventilation	1.6M Bonded									
O&M Replace 2006 Elgin Pelican Street Sweeper				\$ 200,000						
O&M Town Hall vinyl floor replacement				\$ 50,000						
O&M Town Hall - replace generator (look at combining)				\$ 45,000						
O&M Replace one-ton dump truck with plow - #696	\$110,000									
O&M Bobcat with trailer					\$ 100,000					
O&M Repaint Ambulance exterior painting					\$ 50,000					
O&M Repaint library interior						\$ 140,000				
O&M Dump truck 6-wheel w/sander/plow - replace 699						\$ 180,000				
O&M Repaint town hall interior						\$ 60,000				
O&M Repave parking lots MHS							\$ 100,000	\$ 600,000		
O&M Replace interior light fixtures					\$ 30,000					
O&M Replace 1992 E-Z Beaver Wood Chipper	\$ 140,000									
O&M Replace library generator									\$ 45,000	
O&M Repave #3 So Carver Fire Station									\$ 40,000	
O&M Replace truck #699 bucket truck									\$ 200,000	

APPENDIX C

Department	Carver 10 year Capital Plan DRAFT	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
O&M	Carver 10 year Capital Plan DRAFT										
O&M	Replace 6 wheel dump truck with plow - #610								\$ 200,000		
O&M	Cold storage building 60'X100'								\$	\$ 100,000	
NCWD	NCWD Debt Service for well & infrastructure	\$190K	\$180K	\$170K	\$160K	\$150K	\$140K	\$130K	\$120K	\$110K	
EMS	Replace 2011 Amb & equip w/power stretcher	\$260,000X						\$300K			
EMS	EKG replacement										
FIRE	Rehab Brush Breaker 29	\$	\$ 175,000								
FIRE	Rehab Brush Breaker 27										
FIRE	Replace jaw of life tools/airbag on Rescue 1	\$ 127,000									
FIRE	Fire Station 2&3 Interior Improvements	\$									\$ 200,000
FIRE	Purchase of used tower truck (\$1.1mil new)		\$ 1,000,000								
FIRE	Replace Olive/Rehab Rescue 2	\$ 85,000								\$ 75,000	
FIRE	Replace command car 2	\$	\$ 80,000								
FIRE	Replace command car 3										
FIRE	Rehab brush breaker 28		\$ 175,000								
FIRE	Replace command car 1	\$ 90,000									
FIRE	Replace existing SCRA Air Tanks	\$ 130,000									
FIRE	Replace Air Cascade Unit										
FIRE	Replace portable light tower (lum1)			\$ 35,000							
FIRE	Rehab of CFD training facility burn rooms			\$ 75,000							
FIRE	Replace existing heavy rescue 1				\$ 700,000						
FIRE	Replace existing tanker 1					\$ 550,000					
FIRE	Replace water rescue boat						\$ 70,000.00				
FIRE	Replace forestry 25 (Polaris 6X6 UTV)						\$ 40,000				
FIRE	Replacement of existing CFD PPE						\$ 500,000				
FIRE	Replace squad 1 - type 4 response vehicle							\$ 150,000			

APPENDIX C

Department	Carver 10 year Capital Plan DRAFT	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
FIRE	Replace generator at station 2							\$ 40,000			
FIRE	Replace generator at station 3								\$ 40,000		
FIRE	Replace ice rescue hovercraft									\$ 70,000	
FIRE	Equipment for new hires	\$ -	\$ 15,000	\$ 15,000	\$ 30,000	\$ 30,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
FIRE	Replace fire apparatus defibrillators									\$ 32,000	
POLICE	Cruiser replacements	\$ 110,000	\$ 59,000	\$ 114,000	\$ 64,000	\$ 124,000	\$ 69,000	\$ 134,000	\$ 139,000	\$ 75,000	\$ 140,000
Police	Replace 4 external defibrillators	\$ 8,100									
POLICE	Body cams	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
POLICE	Tasers		\$ 18,200								
TOWNWIDE	Replace Town-wide radio system/infrastructure	\$ 623,000	\$ 288,000		\$ 300,000						
TOWNWIDE	Town wide Technology (infrastructure/equip)	\$ 56,000	\$ 369,000	\$ 776,000	\$ 683,000	\$ 314,000	\$ 371,000	\$ 373,000	\$ 815,000	\$ 817,000	\$ 354,000
TOWNWIDE	Server leases (main & backup)		\$ 55,000	\$ 10,000	\$ 55,000	\$ 10,000					
TOWNWIDE	Town wide Meraki license		\$ 40,000	\$ 40,000	\$ 42,000						
TOWNWIDE	Town wide 26 town(annual)		\$ 28,000	\$ 28,000	\$ 31,000	\$ 31,000					
TOWNWIDE	Town wide copiers	\$ -	\$ 90,000	\$ 90,000	\$ 96,000	\$ 96,000					
TOWNWIDE	District-wide student devices (grant offset)	100k	160k	100k	176k	132k					
TOWNWIDE	CES - Education Technology	\$ 66,790	\$ 75,625	\$ 105,000	\$ 80,000	\$ 84,000					
TOWNWIDE	MHS - Education Technology	\$ 48,000	\$ 75,000		\$ 85,000						
SCHOOL-WIDE	District-wide curriculum upgrade modern education	\$ 130,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
SCHOOL-BUS	Replace 71 passenger buses	\$ 103,000	\$ 216,300	\$ 114,000	\$ 239,400	\$ 126,000	\$ 180,000	\$ 95,000	\$ 97,500	\$ 185,000	\$ 100,000
SCHOOL-BUS	Replace mini bus				\$ 110,000						
SCHOOL-BUS	32 passenger wheel chair bus	\$ 135,000									
SCHOOL-BUS	Replace minivan		\$ 30,000		\$ 60,000	\$ 62,500	\$ 32,000		\$ 65,000		\$ 60,000
SCHOOL-BUS	12 Passenger Van			\$ 60,000							
SCHOOL-BUS	Wheel chair van			\$ 70,000							



FOR RECORD - 110C

2/24/2021 DATE

Russell J. Russell, PLS 8181817111

LEGEND

RE	ROWAY EASEMENT
PE	PERMANENT EASEMENT (MULTIPLE USES)
PUB	PUBLIC UTILITY EASEMENT
U	UTILITY EASEMENT (MULTI-USE UTILITIES)
SW	SIDEWALK EASEMENT
TE	TEMPORARY EASEMENT
NF	NOW OR FORMERLY
SF	SQUARE FEET

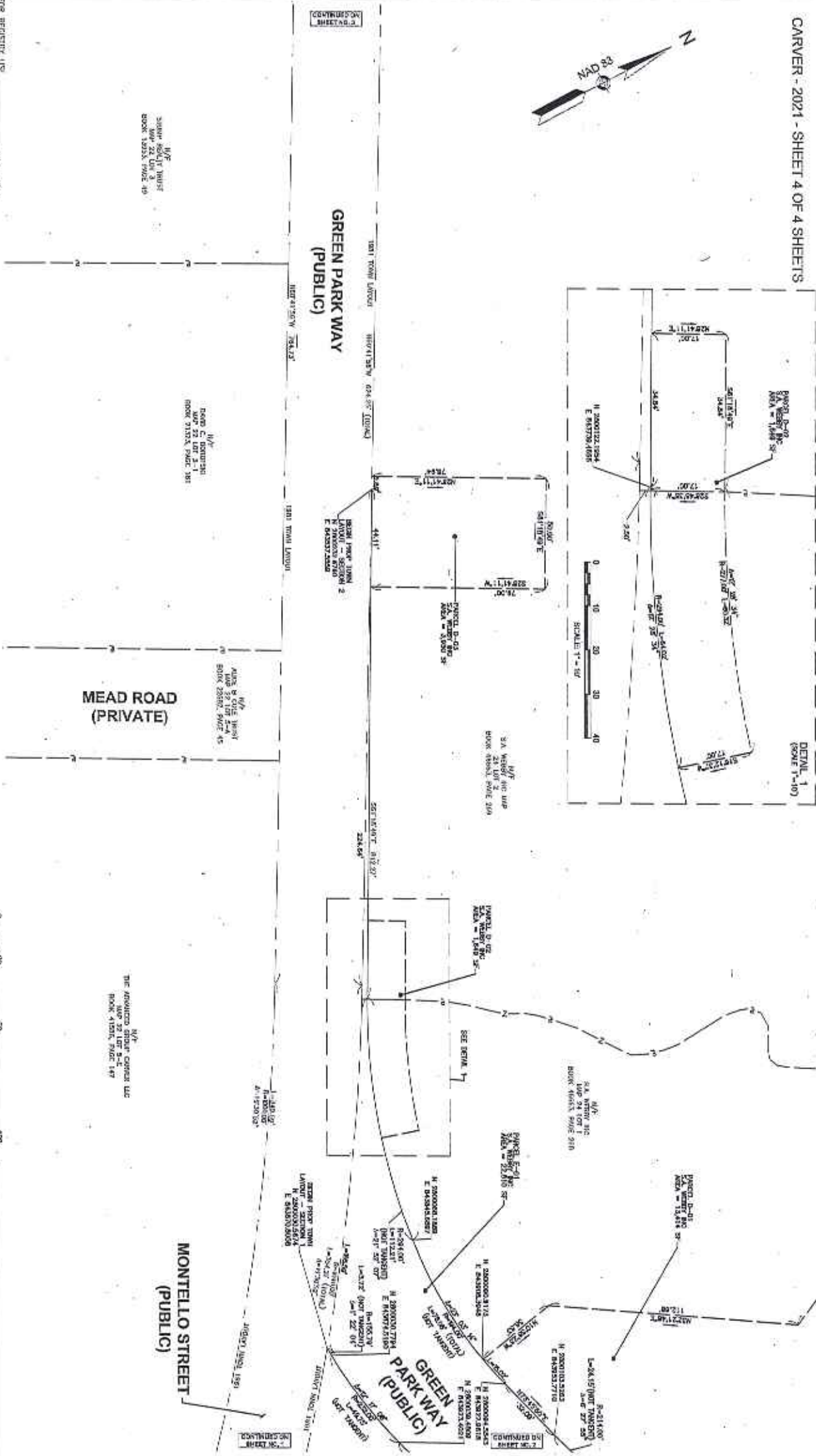
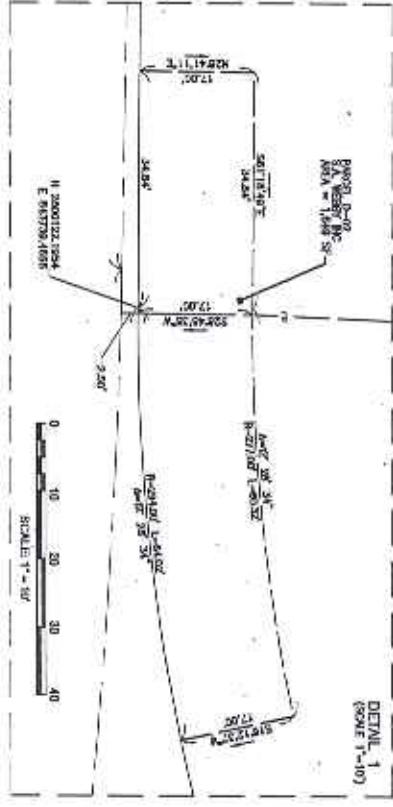
NOTES:

1. THE EXISTING MONUMENTATION AND TIES FOR THE CITY AND COUNTY LAYOUTS SHOWN ON THIS PLAN WERE LOCATED DURING A FIELD SURVEY PERFORMED BY VIB BETWEEN THE DATES OF JULY 2017 AND OCTOBER 2018.
2. THE LOCATION OF ABUTTER PROPERTY LINES SHOWN ON THIS PLAN ARE BASED ON RECORDED DEEDS, PLANS AND TOWN OF CARVER ASSESSOR'S MAPS. PROPERTY LINES ARE APPROXIMATE AND THEIR DETERMINATION AND LOCATION WAS NOT BASED ON ANY SURVEY.
3. THE PURPOSE OF THIS PLAN IS TO CREATE PERMANENT AND TEMPORARY EASEMENTS FOR ROADWAY PURPOSES FOR THE TOWN OF CARVER.

SCALE: 1" = 20'

PLAN PREPARED BY:
VIB
101 WALNUT STREET
WATERTOWN, MA 02472
817-407-3817

PLAN OF ROAD IN THE TOWN OF
CARVER, MASS
PLYMOUTH COUNTY
SHOWING LOCATION OF EASEMENTS
FOR THE PURPOSE OF RECONSTRUCTING
MONTELO STREET AND GREEN PARK WAY
AT MAIN STREET
FOR THE TOWN OF CARVER
SCALE: 20 FEET TO THE INCH



FOR RECORD USE

Certification

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS. I HEREBY CERTIFY THAT THIS PLAN SHOWS THE PROPERTY LINES THAT ARE THE BASIS OF EXISTING OWNERSHIP, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS AS SHOWN. (M.A.S.S. GEN. LAWS CHAPTER 41, SEC. 81-X)

Russell A. Boisjorie, P.L.S.
 RUSSELL A. BOISJORIE, P.L.S.
 REGISTRAR



LEGEND	
P	PERMANENT EASEMENT
PE	PERMANENT EASEMENT (MULTIPLE USES)
PU	PUBLIC UTILITY EASEMENT
U	UTILITY EASEMENT
SW	SIDEWALK EASEMENT
TE	TEMPORARY EASEMENT NOW OR FORMERLY
SF	SQUARE FEET

NOTES:

1. THE EXISTING MONUMENTATION AND TIES FOR THE CITY AND COUNTY LAYOUT IS SHOWN ON THIS PLAN WHERE LOCATED DURING JULY 2017 AND OCTOBER 2018.
2. THE LOCATION OF ADJUTER PROPERTY LINES SHOWN ON THIS PLAN ARE BASED ON RECORD DEEDS, PLANS AND TOWN OF CARVER ASSESSORS MAPS. PROPERTY LINES ARE APPROXIMATE AND THEIR DETERMINATION AND LOCATION WAS NOT BASED ON ANY SURVEY.
3. THE PURPOSE OF THIS PLAN IS TO CREATE PERMANENT AND TEMPORARY EASEMENTS FOR ROADWAY PURPOSES FOR THE TOWN OF CARVER.



PLAN OF ROAD IN THE TOWN OF
CARVER, MASS
PLYMOUTH COUNTY
 SHOWING LOCATION OF EASEMENTS
 FOR THE PURPOSE OF RECORD INCLUDING
 MONTELLO STREET AND GREEN PARK WAY
 AT MAIN STREET
 FOR THE TOWN OF CARVER
 SCALE: 20 FEET TO THE INCH

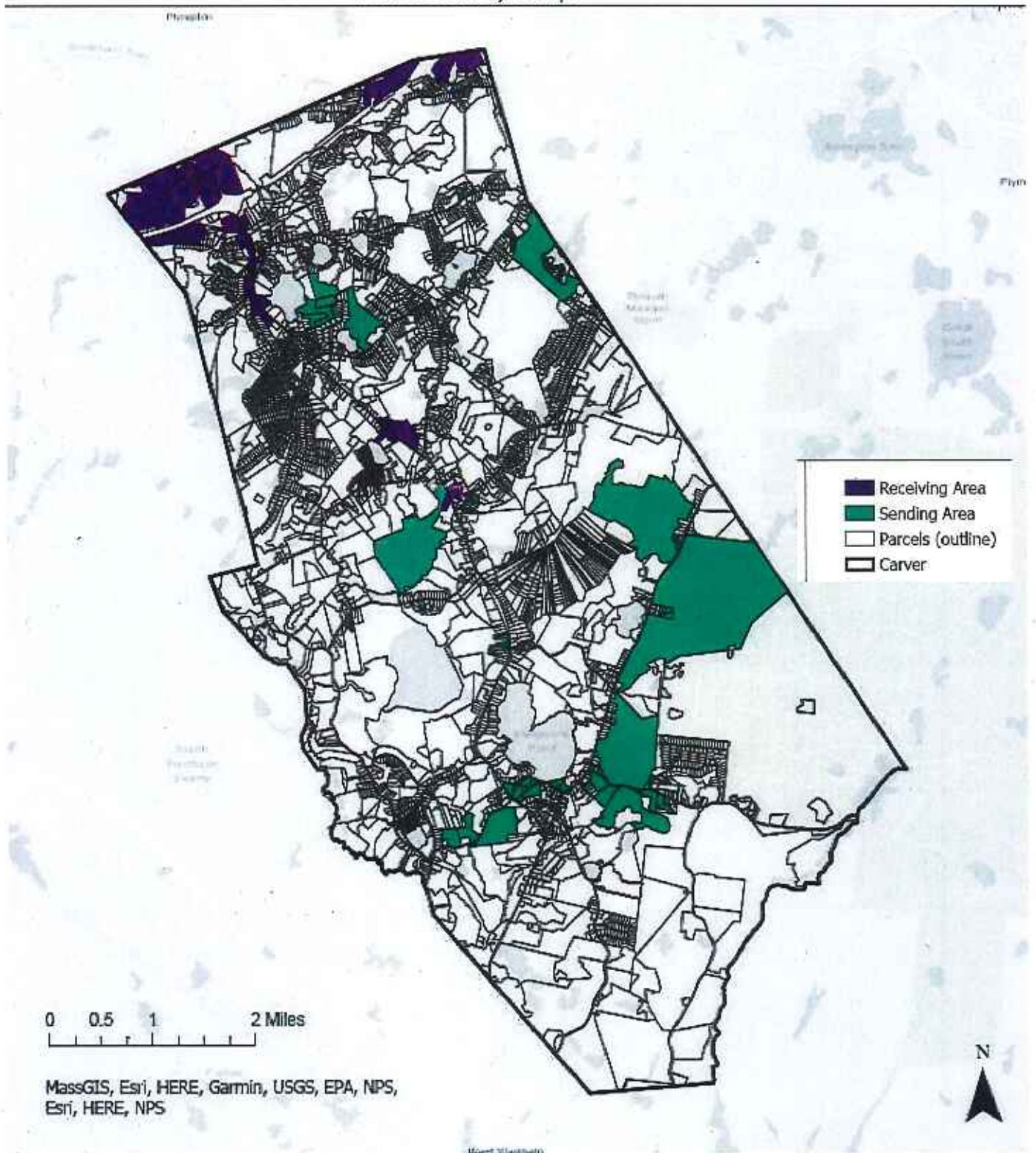
APPENDIX E



ZONING

- | | | | |
|---------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------|---------------------|
|  | Residential Agricultural |  | General Business |
|  | Tourist Commercial |  | Green Business Park |
|  | Village Business |  | Highway Commercial |
|  | Village District |  | Industrial "A" |
|  | Airport District |  | Industrial "B" |
|  | Route 44 |  | Industrial "C" |
|  | Spring Street Innovation District | | |

APPENDIX F
TDR Overlay Map



TDR Overlay Map of Sending and Receiving Areas

APPENDIX G

AMENDMENTS TO BYLAWS FROM PLANNING BOARD HEARINGS

Amendments to the warrant articles are noted as **additions in blue** and **deletions in red**.

ARTICLE 10: TABLE OF DIMENSIONAL REQUIREMENTS – BUILDING HEIGHT IN 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 replacing the language of footnote numbers 11 **and 12**, with a new footnotes 11 **and 12 designated in the Max. Building Height column of said Table** with **text** additions shown in bold and deletions in strikethrough, 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 Municipal Facilities, and shall not ~~be subject to such height limitation~~ exceed 175 feet in height within the GBP District provided they meet all public safety standards.**

ARTICLE 11 DEFINITIONS - HEIGHT OF CERTAIN ACCESSORY STRUCTURES

To see if the Town will vote to amend the Carver Zoning Bylaw, Article VI, "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 in the Green Business Park.** 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.

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

APPENDIX G

To see if the Town will vote to amend Section 3580 LARGE SCALE GROUND MOUNTED SOLAR VOLTAIC INSTALLATIONS of 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 uses and structures **by-right and customarily accessory and incidental to permitted principal uses, **subject to Planning Board Site Plan Review:****

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.

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 Site Plan Review Performance Standards for Lighting in Parking Lots under Sections 3166. And 3347, as shown below, with additions shown in bold and deletions in strikethrough, 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 poles 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 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.

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.C Use Regulation Schedule – Industrial, under the use category PRIVATELY OWNED WASTEWATER TREATMENT FACILITIES, under Footnote 5 with additions shown in bold and deletions in strikethrough, or take any other action related thereto:

APPENDIX G

5 Does not include package treatment plants as accessory uses to subdivision, commercial or industrial development **which are allowed permitted-by-right as an accessory use and structure subject to Planning Board Site Plan Review.**

ARTICLE 20: Transfer of Development Rights

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.

2715 ~~2720~~. 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.

APPENDIX G

- 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 Units** Permitted on Receiving Parcels.
- i. Certain residential **Uses units**, limited to:
 1. Townhouse dwellings;
 2. Condominium dwellings;
 3. **Multi-family dwellings containing no more than eight dwelling units per building**
 - ii. Commercial **Uses units**.
 - iii. Mixed-use buildings with residential and commercial **Uses units**.
- 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.

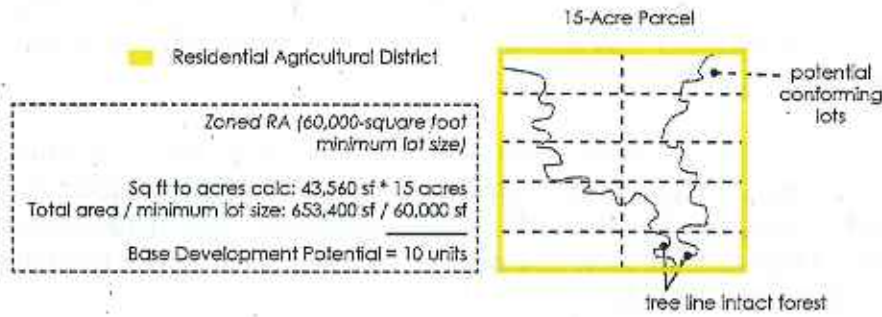
2721. Special Permit Requirement. Properties within the designated sending and/or receiving areas may either be developed under existing By- laws and regulations or may file for a Transfer of Development Rights (TDR) Special Permit. A TDR Special Permit shall be required for the determination of sending 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.

APPENDIX G

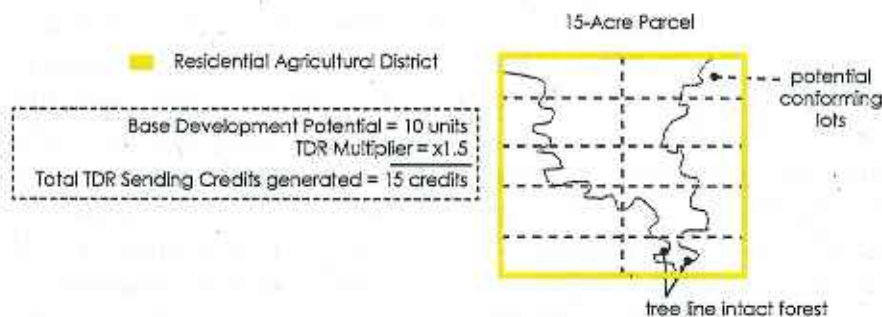
Example:

**STEP 1S: Calculate the
BASE DEVELOPMENT POTENTIAL**
based on underlying zoning district



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.

**STEP 2S: Calculate the
TOTAL TDR SENDING CREDITS**
generated with the TDR Multiplier



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

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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:

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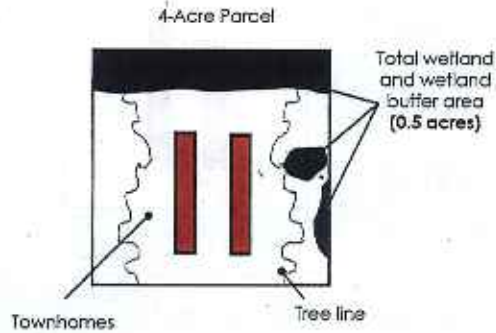
STEPS 1R, 2R and 3R: Calculate the Receiving Area Maximum Development Potential, Commercial Requirement, and Affordable Housing Requirement

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 - 25% Commercial Requirement
 10 units * 0.25 = 3 Commercial Units (2.5 rounded up)
7 Residential Units

20% Affordable Housing Requirement:
 7 units * 0.20 = minimum of 1 affordable unit (1.4 rounded down)
7 Total Units - 20% Affordable Requirement = 6 Market Rate Units



2740. 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.

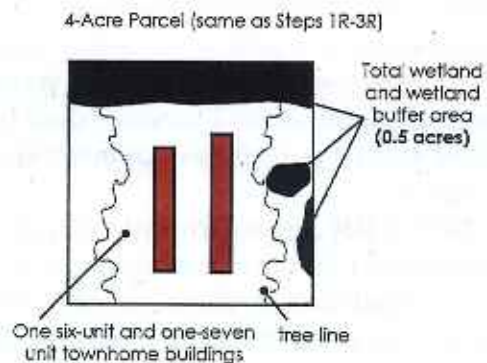
Example:

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 = x1.5
 Age restricted affordable bonus = 3 units

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



2750: Development Credits Equalization

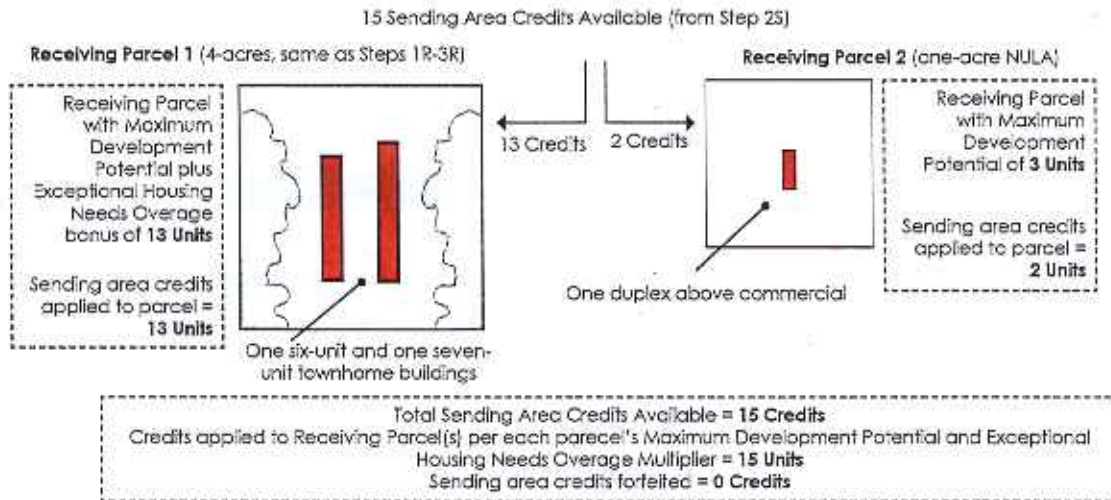
The calculation of total sending area credits is a separate process from the determination of the maximum number of units that can be placed on a receiving parcel, the process for which is outlined below.

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:

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REQUIRED ALIGNMENT BETWEEN SENDING CREDITS AND RECEIVING AREA MAXIMUM DEVELOPMENT POTENTIAL



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.~~ **The receiving parcel(s) shall have public water and public septic services available or said services shall be provided privately by the developer as part of the TDR special permit development approval.** Packaged treatment plants can meet this requirement.

2770 2750. 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:

- The development complies with the Carver Master Plan and Open Space and Recreation Plan;
- 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;
- The development provides adequate water and sanitary facilities;
- The development design is appropriate to the natural topography, soils and other characteristics of the site and to the visual character of its surroundings;
- 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

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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.

2780 2760. 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.

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 one year from the effective date of the bylaw, 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 shall** include but not be limited to the presentation of a suggested bylaw amendments to a future town meeting.

PLANNING BOARD RECOMMENDATIONS FOR PETITION ARTICLES

- ARTICLE 31 Amend Article 21 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

Planning Board **DOES NOT** recommend favorable action on Article 31 as amended. 5-0-0

- ARTICLE 38 Temporary 11 ½ month moratorium to March 26, 2023, on the new use of land for Battery Storage

Planning Board recommends favorable action on Article 38. 5-0-0

- ARTICLE 39 Temporary, 12 month moratorium to April 11, 2023, on the new use of land for Large-Scale Ground Mounted Solar Photovoltaic Installations

Planning Board **DOES NOT** recommend favorable action on Article 39 as amended. 5-0

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- ARTICLE 40 Temporary 11 ½ month moratorium to March 26, 2023, on the new use of land for Large Scale Ground-Mounted Solar Voltaic Installations (LSGMSI)

Planning Board **DOES NOT** recommend favorable action on Article 40 as amended. 5-0

Definitions of Common Terms Used at Town Meeting

- **Article** – An item of business for Town Meeting to discuss and decide on. Per Carver By-Laws, articles are taken up in the order they are printed in the warrant unless Town Meeting Wishes to change the order which can be accomplished with a motion made, seconded and approved by a 2/3 vote.
- **Budget** – Financial plan for the fiscal year of proposed expenditures and proposed means of financing them.
- **Capital Exclusion** – A referendum procedure in which the Town can vote to collect property taxes in excess of its levy limit to pay for a specified period of time.
- **Cherry Sheet** – Named for the color of paper traditionally printed on, details the estimate State aid to be received by the Town.
- **Debt Exclusion** – A referendum procedure in which the Town can vote to collect property taxes in excess of its levy limit to pay for a specific expenditure (usually for a specific time period).
- **Fiscal Year** – The town fiscal year for the proposed budget begins on July 1 and ends on June 30.
- **Free Cash** – The amount of surplus revenue not spent from previous fiscal year over and above uncollected taxes that is certified by the State. It is available for appropriation by Town Meeting.
- **Hand Count** – When a majority or 2/3 vote can not be determined by the Moderator, a hand count is called for. Each voter is given a card upon entering the meeting. When the Moderator calls for those in favor and against you simply raise your card at the appropriate time and keep it in the air as the tellers count the cards. The tellers will give the count to the Moderator and the Moderator will read the final results.
- **Levy Limit** – Under Proposition of 2 ½ the maximum amount that the town can raise in property taxes is 2 ½ more that the maximum it was allowed to raise for the prior fiscal year plus adjustment for growth.
- **Majority Vote** – A vote of one half plus one of the Town Meeting Members present to pass an article.
- **Moderator** – The Moderator’s job is to preside over and regulate the proceedings of Town Meeting. They declare the outcome of all votes. It is also the Moderator’s duty to rule on all points of order. In Carver, the Moderator is elected during the town election and serves a term of three years.
- **Motion** – There are many different types of motions however what they have in common is proposing some sort of action at Town Meeting. The most common, the “Main Motion”, is used to open the warrant article for debate. Another common one is the motion to “amend” which allows a Town Meeting member to make changes or additions to a pending motion.
- **Move the Question** – A motion to vote to end debate on a pending motion. It may not proceed by an opinion on the motion by the maker, is not debatable, and requires a 2/3 vote to pass.
- **Point of Order** – When a member of Town Meeting has a question as to Town Meeting procedure, that member should rise and state “Point of Order”. That member should not interrupt another speaker unless allowing that speaker to continue would cause a furthering of procedural error. After stating your point of order it will be ruled on by the Moderator.
- **Reconsideration** – To bring previously discussed article back on the table for renewed attention and a new vote on the original question after further debate.
- **Reserve Fund** – The fund established by Town Meeting for extraordinary or unforeseen expenditures. Transfers from fund need to be approved by the Finance Committee.
- **Unanimous Vote** – When all of the Town Meeting Members present vote in favor of a motion.
- **Voice Vote** – The Moderator may decide a 2/3 or majority vote by voice in situations where the result is obvious. When the motion is put to vote, the Moderator will say “all those in favor” at which point those in favor of the motion should “yay”. The Moderator will then say “all those opposed” at which point those opposed should say “nay” or “no”.

If the vote is unanimous or only a handful or less of people vote on one side while everyone else votes on the other, the Moderator may call the vote. Otherwise, the Moderator may find it difficult to call the vote and will call for a hand count. If seven or more members question the vote immediately by rising and saying "I doubt the vote", the Moderator will ask for a hand count and declare the counted vote as final.

- **Warrant** – Published at least 7 days prior to Town Meeting at the hands of the Select Board, the warrant lists a meeting's time, place and agenda. A warrant is also known as a warning. A Town Meeting's action is not valid unless the subject was listed on the warrant. The Select Board will insert into the warrant all subjects which are requested of them by 10 or more registered voters in the town.
- **2 ½ Override** – A referendum procedure in which the Town can vote to permanently increase its levy limit.
- **2/3 Majority Vote** – The appropriation of money requires a vote of 2/3 of the Town.