

ANNUAL TOWN MEETING MINUTES

MONDAY, APRIL 13, 2015

The 223rd Annual Town Meeting of the Inhabitants of the Town of Carver was held on Monday, April 13, 2015 at the Carver High School Auditorium at 6:30 P.M., pursuant to a Warrant of the Board of Selectmen dated April 2, 2015. The meeting was called to order at 6:35 P.M. by the Moderator, Robert E. Bentley, there being a quorum 150 present. The total registered voters at this time were 245. Moderator, Robert E. Bentley, led the voters in the Pledge of Allegiance to the Flag and a moment of silence for our troops.

The appropriate tellers were duly sworn to their faithful performance of their duties by Town Clerk; Lynn A. Doyle. The tellers were as follows:

Ellen M. Blanchard, Kathy E. Doherty, Maureen A. Townsend and James F. Nauen

Members of the Finance Committee, Governance Committee, Capital Outlay Committee, Board of Selectmen and School Committee were introduced as well as School Superintendent; Liz Sorrell, Town Counsel; Gregg Corbo, Town Administrator; Michael Milanoski, Town Clerk; Lynn Doyle, Town Accountant; Meg LaMay, and Treasurer/Collector; Paula Nute.

Moderator; Robert E. Bentley reviewed the town meeting procedures as provided in the handouts.

Upon motion made by Robert E. Bentley, Moderator, and seconded it was ***unanimously voted*** for the town to dispense of the reading of the warrant.

ARTICLE 1: ANNUAL TOWN REPORT

To act upon the reports of the various Town Officers as printed in the Annual Town Report for 2014, and to hear the reports of any Committee heretofore chosen and act thereon, and 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.

BOARD OF SELECTMEN

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 2014 and also provides an opportunity for Boards and Committees to present a report directly to the Annual Town Meeting including report of the Governance Committee and their recommendations. Copies of the Town Report are available in the Town Clerk's Office and the Office of the Board of Selectmen.

Recommendation: Selectmen 5-0 Finance Committee 5-0

ARTICLE 1: VOTE

Upon motion made by Richard Ward, Selectman, and seconded it was ***unanimously voted*** for the town to approve the Fiscal Year 2014 Annual Town Report.

ARTICLE 2: UNPAID BILLS FROM PREVIOUS YEARS

To see if the Town will vote to transfer from available funds a sum or sums of money to be expended by the Town Administrator to pay any unpaid bills from previous fiscal years, including but not limited to the bills listed below, or to take any other action related thereto:

Margaret Blackwell	\$ 107.50
Medical Eval. Specialists	\$ 450.00
Robertson's Auto Salvage	\$ 50.00
Siemens	\$2,940.00
Standish Oil	\$ 253.75

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article is required to pay for bills incurred by the Town from previous fiscal years that for one reason or another were not submitted and paid during the particular fiscal year in which the bill was received.

Recommendation: Selectmen 5-0 Finance Committee 5-0

ARTICLE 2: VOTE

Upon motion made by Richard Ward, Selectman, and seconded it was a ***four-fifths vote, unanimously voted*** to transfer the sum of \$3,801.25 from the financial disclosure account (01-145-0058-5317) for the purpose and in the amount set forth in Article 2 of the Warrant.

ARTICLE 3: SUPPLEMENTAL APPROPRIATIONS FOR FISCAL 2015

To see if the Town will vote to transfer from available funds a sum or sums of money to be expended by the Town Administrator for various departmental budgets for the remainder of the fiscal year ending June 30, 2015, or to decrease or otherwise adjust any budget line item as appropriated by the Town at the Annual Town Meeting held on June 16, 2014, or to fund any other deficits for fiscal year 2015, or to take any other action related thereto.

BOARD OF SELECTMEN

*INFORMATIONAL SUMMARY: The Town Financial Policy #2 provides in part, "**The Town will avoid all budgetary procedures that balance current expenditures at the expense of meeting future years expenses, such as postponing expenditures....**" This article proposes transfers from various budgets that the Town Accountant has determined to have surplus funds to cover the historic Snow and Ice budget shortfall for Fiscal 2015 currently estimated to be slightly over \$400,000.*

As background, in early March the school administration was contacted with a request to share in the cost of this necessary deficit as their budget makes up over 70% of the Town expenditures. The School Committee promised that the school will return all unspent funds to the town in the second week of June. Unfortunately there is no legal mechanism to transfer funds from the school budget to the Snow and Ice budget deficit in FY15 under municipal finance law without town meeting approval and there is no town meeting scheduled for June this year.

Due to health care changes initiated by the Board of Selectmen that resulted in savings to the Town and School Health Insurance the Town Accountant has projected they will have a surplus of \$199,000 for the Town and \$318,000 for the school. In addition the Town is projected to have a surplus of \$48,000 in the Town Retirement Fund. The Board of Selectmen has transferred half of this deficit from the Town surplus Health Insurance and Retirement Account in the amount of \$200,000. This article transfers the remaining half of the snow and ice deficit of \$200,000 from the school budget approved by Town Meeting in the amount

of \$21,506,879 or less than one percent of what was previously approved with the knowledge there is a surplus of \$318,000 in the School's Health Care Account.

Recommendation: Selectmen 4-0-1 Finance Committee 5-0 School Committee 0-5

ARTICLE 3: VOTE

Upon motion made by Richard Ward, Selectman, and seconded, the *article failed as amended with 68 in the affirmative and 134 in the negative* for the Town to make the Fiscal Year 2014 budget transfer of \$200,000 from the FY15 school budget to the Finance Committee's reserve fund. The intent of this transfer is for the school to share equally with the town in covering the town-wide snow and ice deficit provided that if unforeseen circumstances change and the school district has insufficient funds remaining to close out the FY15 budget, the Finance Committee will transfer funds back to the school committee to balance their budget.

ARTICLE 4: ALLOCATION OF FUNDS FROM FREE CASH-

To see if the Town will vote to transfer from free cash, as specified below, or take any other action related thereto.

FY15 Finance Committee Reserve Fund	\$ 75,000
FY15 Capital Outlay Reserve Fund (ATM 2014, Art 15)	\$ 75,000
FY16 North Carver Water District Enterprise Fund (NCWD)	\$170,000
FY15 Transfer to General Stabilization Fund	\$757,446
FY16 BoS for Employment-related Health Insurance Transition/Restructuring Costs	\$100,000

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: Per the Town's Financial Policies, fund balances are only to be used for one-time expenditures. Earlier this year, the Finance Committee authorized transfers from the Reserve Fund and Capital Outlay Reserve Fund of \$75,000 each, for time sensitive expenditures made in connection with the Elementary School Project as required by MSBA. This article proposes transfers from Free Cash to replenish those accounts as previously agreed. The amount of \$170,000 for the NCWD Enterprise Fund is intended to close an anticipated FY2016 revenue deficit to cover capital cost.

Recommendation: Selectmen 5-0 Finance Committee 5-0

ARTICLE 4: VOTE

Upon motion made by Richard Ward, Selectman, and seconded it was a *two-thirds vote, unanimously voted* for the Town to approve Article 4 as set forth in the Warrant.

ARTICLE 5: SOLAR PAYMENT IN LIEU OF TAX AGREEMENTS

To see if the Town will vote in accordance with Massachusetts General Laws Chapter 59, §38H, or any other enabling authority, to authorize the Board of Selectmen to enter into the following three Payment In Lieu of Taxes (PILOT) Agreements for terms of 20 years each pursuant to which the Town will be paid a sum of money per year in lieu of real and/or personal property taxes upon such terms and conditions as the Board of Selectmen deem in the best interests of the Town in connection with solar photovoltaic renewable energy facilities installed or to be installed on the privately owned parcels of land identified below, and to take such other actions as are deemed necessary to implement such agreements and effectuate the purposes of this article; or take any other action related thereto:

A. With Borrego Solar Systems, Inc., its successors, assigns, or affiliates relative to a parcel of land located at 0 Federal Road, as shown as lots 2-1, 2-2, 2-5 on Assessor's Map 131; and

B. With Borrego Solar Systems, Inc., its successors, assigns, or affiliates relative to a parcel of land located off of 0 Solar Circle near the Carver/Plympton Town Boundary, as shown as lot 4-0 on Assessor's Map 32; and

C. With Entero, its successors, assigns, or affiliates relative to a parcel of land Project 3 off 0 Main Street, as shown as lot 7-B-R on Assessor's Map 64.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article is to authorize the Board of Selectmen enter into and execute Payment In Lieu of tax Agreements for three renewable energy facilities developed or to be developed at the locations specified. Given the uncertainty surrounding the valuation of such facilities, these agreements ensure that the Town receives a steady stream of income from these facilities for the next twenty years.

Recommendation: Selectmen 5-0 Finance Committee 0-5-1(recused)

ARTICLE 5: VOTE

Upon motion made by Sarah Hewins, Selectwoman, and seconded it was *so voted by majority vote* for the Town to authorize the Board of Selectmen to enter into the Payment in Lieu of Tax Agreement specified and approve Article 5 as printed in the Warrant.

ARTICLE 6: OPERATING BUDGETS FOR TOWN AND ENTERPRISE FUND; FUNDING FOR OPEB (Other Post Employment Benefits) TRUST AND STABILIZATION FUNDS.

To see if the Town will vote to raise and appropriate funds to fix salaries and compensation of Elected Officers, and to see what sums the Town will vote to raise and appropriate or transfer from available funds or otherwise provided, 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, and to modify the FY16 Wage and Salary Pay Scale, Wage & Salary Classification Plan for Elected and Non-union Employees, and Organizational Chart for all positions, and appropriate the difference between the levy net and the levy limit to the General Stabilization Fund, all as set forth below:

PART A

Approve Amendments to Town-Wide Organizational Chart FY16, FY16 Wage & Salary Pay Scale and Wage & Salary Classification Plan for Elected & Non-union Employees for FY16
(See Appendix A, B & C)

Recommendation: Selectmen 5-0 Finance Committee 5-0

PART B

Operating Budget (Funded from Taxation and Transfers from Available Funds), **see budget** detail in Appendix E for Informational Purposes,

General Government (salaries & expenditures)	\$2,083,999
Public Safety (salaries & expenditures)	\$3,234,822
Human Services (salaries & expenditures)	\$475,509
Culture, & Recreation (salaries & expenditures)	\$384,644
Shared Budget Expenses (Infrastructure, debt, pension, insurance etc.)	\$5,086,311

School Budget

School General Budget (salaries & expenditures)

\$21,954,223

Recommendation: Selectmen 5-0 Finance Committee 5-0

PART C

Special Funds (Funded from Taxation and Transfers from Available Funds)

OPEB Trust Fund	\$120,799
Town General Stabilization Fund	\$25,000
Town General Stabilization Fund	Amount is the difference between net levy and levy limit
Capital Stabilization Fund	\$2,116,812
North Carver Water District Enterprise Fund	\$70,472
Water Betterment Debt Stabilization Fund	\$28,359

Recommendation: Selectmen 5-0 Finance Committee 5-0

PART D

Enterprise Funds (funded from receipts)

North Carver Water District FY 16 (salary, expenses, capital, debt, etc.)	\$309,506
Cranberry Village FY 16 (salary, expenses, capital, debt, etc.)	\$64,771

Recommendation: Selectmen 5-0 Finance Committee 5-0

or to take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY:

Article 6 is divided into four parts.

- *Part A is a non-monetary portion of the article establishing the salaries and compensation of elected and appointed town officials and employees and for Town Meeting to approve the employee organizational chart;*
- *Part B presents the Town's operating budget by category;*
- *Part C provides annual funding for certain special purposes funds; and*
- *Part D establishes 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" for each category as shown in Part B, with a line-by-line breakdown by department provided in Appendix E for informational purposes. This year, we have again set forth in Appendix E, a summary of the detailed line-item budget approved by the Board of Selectmen and Finance Committee that must be followed by all departments. Once Town Meeting establishes the budget for each identified category, the Town's financial staff, with the approval of the Board of Selectmen, 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. However, it may still be necessary to return to Town Meeting during the fiscal year, as Town Meeting approval will still be required to transfer amounts between categories. Proceeding in this fashion will allow the Town to take advantage of operating efficiencies, provide Town government with financial flexibility needed to respond to unexpected changes, and help avoid additional Town Meetings during the course of the year. The Carver School Committee voted a FY16 budget of \$21,970,597 on March 24, 2015.

ARTICLE 6: VOTE

Upon motion made by Richard Ward, Selectman, and seconded it was a *two-thirds vote unanimously voted* for the Town to approve Article 6 of the Warrant as follows:

PART A

Approve Amendments to Town-Wide Organizational Chart FY16, FY16 Wage & Salary Pay Scale and Wage & Salary Classification Plan for Elected & Non-union Employees for FY16 as set forth in Appendix A, B & C respectively.

PART B

For the Town to raise and appropriate the sum of \$32,555,277, transfer from Ambulance Receipts Reserved for Appropriation the sum of \$592,822, transfer from Entergy Grant the sum of \$10,000, transfer from Septic Betterments the sum of \$11,101, transfer from the North Carver Water District receipts the sum of \$37,129, transfer from Cranberry Village receipts the sum of \$1,954 and transfer from Cemetery Receipts Reserved for Appropriation the sum of \$11,225, all to be allocated for the Town's Operating budget as set forth in Article 6 Part B of the Warrant.

PART C

For the Town to raise and appropriate the sum of \$2,290,522, as well as raise and appropriate an amount equal to the difference between the levy net and the levy limit, transfer from North Carver Water District Retained Earnings the sum of \$28,359 and transfer from Ambulance Receipt the sum of \$42,561, to be allocated as set forth in Article 6, Part C of the Warrant

PART D

For the Town to appropriate the sum of \$309,506 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 Fiscal Year 2016 and further to appropriate the sum of \$64,771 from Estimated Water Receipts – Cranberry Village to pay the salaries, expenses, capital, debt and other expenditures of the Cranberry Village Enterprise Fund for Fiscal Year 2016, and to authorize the Board of Selectmen, upon recommendation of the Town's financial staff, to allocate amounts within each such enterprise fund, respectively, to maximize fiscal efficiency and operations.

ARTICLE 7: CAPITAL IMPROVEMENTS BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow, sums of money for the following capital improvements, capital projects and/or purchase of capital equipment for the various departments, boards, commissions and agencies of the Town, and pay debt service on existing capital debt, annual payments for lease purchase agreements and leases, as listed below:

Part A. To transfer from the Capital and Debt Stabilization Fund the sum of \$2,672,640, and from the Capital Building Stabilization Fund the sum of \$37,883, for the following purposes and for all costs incidental and related thereto:

Upgrade to Municipal Well	\$50,000
Purchase and equip Dump Truck with a Sander, Plow, and Wing Plow	\$193,000
Town Wide Master Plan	\$50,000
Purchase and install Walk-in Combination Cooler and Freezer for COA	\$21,000
Supplemental Funding for Fire Station Project (2014 ATM Art. 16)	\$200,000
Purchase and Equip Two Police Cruiser Replacement	\$84,000

Install New Septic System and Decommission Sewer Plant at Middle/High School	\$300,000
Replace Gymnasium Floor at Middle/High School	\$400,000
Technology for School District	\$100,000
Text Books for School District	\$100,000
Purchase and equip Two 71 Passenger Busses	\$180,000
Supplemental Funding for Elementary School Schematic Design (2014 ATM, Art.17)	\$100,000
Debt Service, Lease Payments, Interest, Project Management, Disclosure Statement (with \$37,883 from Capital Building Stabilization Fund)	\$932,523

Part B. To appropriate the sum of \$1,800,000 to purchase, outfit and equip three new fire engines and rehabilitate and repair new engine #4, and as funding therefor, to authorize the Treasurer with the approval of the Board of Selectmen to borrow said sum pursuant to G.L. c.44, §.7, or any other enabling authority, and issue bonds and notes therefor; and

Part C. To appropriate, borrow or transfer from available funds the sum of \$7,430,000, to be expended under the direction of the Town Administrator with the approval of the School Building Committee for structural repairs at the Middle/High School located at 60 South Meadow Road, Carver, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program. The Massachusetts School Building Authority (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that Town of Carver may receive from the MSBA for the Project shall not exceed the lesser amount of the percent of eligible, approved project costs, as determined by the MSBA, or the total maximum grant amount determined by the MSBA, and further, at this time, the MSBA has not invited the Town to participate in its grant program; provided, however that any funds appropriated hereunder shall not be expended unless the Town enters into an agreement with the MSBA for the project and the MSBA funds no less than 50% of the project;

And, to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend such funds 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, with quarterly updates to the Capital Outlay Committee, and to authorize other appropriate Town officials to take such additional action as may be necessary to carry-out the votes taken hereunder.

Part D. To raise and appropriate or transfer from available funds, for the purpose of acquiring, by gift, purchase, eminent domain or otherwise, an easement, leasehold and/or other property interest in, over, across, under and along a parcel of land located at 19 West Street, parcel ID# 64-9-0-R for water supply purposes, including, but not limited to, expanding the well serving the Carver Elementary School, and for any and all purposes incidental or related thereto, on such terms and conditions as the Board of Selectmen determines are in the best interests of the Town, and to authorize the Board of Selectmen to accept such interest and to execute any and all instruments as may be necessary on behalf of the Town to effectuate the foregoing.

or take any other action related thereto.

CAPITAL OUTLAY COMMITTEE

INFORMATIONAL SUMMARY: The Capital Outlay Committee works within a Capital Improvement Plan, a 10 multi-year fiscal planning process that identifies long-term improvements to the Town’s infrastructure and facilities as presented in Appendix F. This article would provide for the funding for various capital projects and equipment for Town departments.

ARTICLE 7: VOTE

Upon motion made by Jack Angley, Capital Outlay Chair, and seconded it was a *two-thirds vote, 195 in the affirmative and 2 in the negative* for the Town to approve Article 7 as printed in the warrant and further to vote under:

Part A to approve the capital improvements, capital projects and/or purchase of capital equipment for the various departments, boards, commissions and agencies of the Town, and the debt service on existing capital debt, annual payments for lease purchase agreements and leases, and approve funding for the same, all as set forth in Article 7, Part A; and

Part B to appropriate and authorize a borrowing in the amount and for the purposes specified, all as set forth in Article 7, Part B; and

Part C to appropriate the sum of \$7,430,000 for structural repairs at the Middle/High School located at 60 South Meadow Road, Carver, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, said sum to be expended by the Town Administrator, and to meet said appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under M.G.L. Chapter 44, or any other enabling authority; that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that Town of Carver may receive from the MSBA for the Project shall not exceed the lesser amount of the percent of eligible, approved project costs, as determined by the MSBA, or the total maximum grant amount determined by the MSBA, and further, to recognize that at this time the MSBA has not invited the Town to participate in its grant program; provided, however that any funds appropriated hereunder shall not be expended until the Town enters into an agreement with the MSBA for the project and the MSBA funds no less than 50% of the project.

And, to authorize the Town Administrator, in consultation with the Capital Outlay Committee Chair, to expend such funds 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, with quarterly updates to the Capital Outlay Committee, and to authorize other appropriate Town officials to take such additional action as may be necessary to carry-out the votes taken hereunder.

Part D to raise and appropriate the sum of \$10,000 and to authorize the Board of Selectmen to acquire an interest in real property for water supply purposes as set forth in the warrant.

ARTICLE 8: COMMUNITY PRESERVATION COMMITTEE REPORT & RECOMMENDATIONS

To see if the Town will vote to hear and act on recommendations by the Community Preservation Committee for Fiscal Year 2016 pursuant to Chapter 44B of the General Laws, also known as the Community Preservation Act; to implement such recommendations by acting on the following:

1. appropriating and/or reserving a sum or sums of money from the Community Preservation Fund Fiscal Year 2016 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 FY2016 estimated revenues for Committee Administrative Expenses \$21,305
- B. From FY2016 estimated revenues for Cole Property Bond Payment \$106,540
- C. From FY2016 estimated revenues for construction and/or restoration and rehabilitation of the Forest St. Recreation Field \$178,161
- D. From Community Preservation Undesignated Fund Balance for construction and/or restoration and rehabilitation of the Forest St. Recreation Field \$283,499
- E. From FY2016 estimated revenues for the preservation of historic resources in connection with the creation of a display of Carver Fire Historical materials \$56,875
- F. From FY2016 estimated revenues for Carver Master Plan elements related to Community Housing \$20,600
- G. From Community Preservation Fund Undesignated Fund Balance for creation, for recreation purposes, of a so-called “pocket park” on Route 58 \$30,543

Reserves

- H. From FY2016 estimated revenues for Community Housing Reserve \$42,609
2. authorizing the Town Administrator, in consultation with the Community Preservation Committee Chairman, with monthly updates to the Community Preservation Committee to manage all approved projects, from planning and design to procurement, including negotiation of contracts and change orders, and construction and authorizing the Town Administrator to take such action as may be necessary to carry out the votes taken hereunder;

or take any other action related thereto

COMMUNITY PRESERVATION COMMITTEE

INFORMATIONAL SUMMARY: Under the Community Preservation Act, the Community Preservation Committee is required each year to make a recommendation to the Annual Town Meeting as to how the Community Preservation funds raised through local taxation and state matching funds are to be spent.

Recommendation: Selectmen 5-0 Finance Committee 5-0 CPC 5-0

ARTICLE 8: VOTE

Upon motion made by Kevin Tracey, Community Preservation Committee member, and seconded it was ***unanimously voted*** for the town to approve Article 8 as set forth in the warrant.

ARTICLE 9: REVOLVING ACCOUNTS

To see if the Town will vote to re-authorize the establishment of the following Revolving Accounts in accordance with Massachusetts General Laws, Chapter 44, §53E ½ for the purposes and in the amounts, and subject to the expenditure limits, specified as follows:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenditures	Expenditure Limit
Library Fines and Passport	Library Director	Overdue fines, damaged/lost	Purchasing library materials	\$15,000

		books levies and passport revenues		
Council on Aging Nutrition	Council on Aging	Receipts from the lunch and Meals on Wheels programs, and any other Council on Aging sponsored meal functions	Lunches, Meals on Wheels programs, and other Council on Aging sponsored meal functions	\$30,000
Earth Removal Fee	Earth Removal Committee	Fees collected for earth removal inspections	Making road repairs	\$200,000
Marcus Attwood House	Marcus Atwood House Trustees	Rental and other fees collected for the use of the Marcus Atwood House	Ongoing maintenance, and upkeep expenses for the Marcus Atwood House	\$12,000
Cole Property Maintenance	Conservation Commission and Agricultural Commission	Receipts and other fees	maintenance of Town-owned cranberry bogs on the 221 acre Town-owned property known as the "Cole Property," and for the maintenance, upgrading and construction of trails and general maintenance and land stewardship on said Cole Property	\$20,000
Fire Department Revolving Account for Fire Prevention/Code Enforcement	Fire Chief	Revenue and reimbursable incidents allowed under Massachusetts General Laws Chapter 21E involving hazardous materials releases	Replace, repair or purchase equipment and supplies and to fund administrative and firefighter wage expenses associated with Fire Prevention / Code Enforcement activities and fire operations and responses to hazardous material incidents	\$40,000
Recreation Committee	Recreation Committee	Funds from services provided to Town residents for recreation activities	Services provided to Town residents for recreation activities	\$20,000

or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: Under Massachusetts General Laws, Chapter 44, §53E ½, a Revolving Fund is an accounting system for revenues for a specific service. Revenues in a revolving fund can be used to support the associated service without appropriation. Massachusetts law requires that each such fund be re-authorized each year at the Annual Town Meeting and that a limit on the total amount that may be spent from each be established at that time. This year, we have placed the information in a chart; however, no changes have been made to the particular revolving funds listed, the receipts to be credited to those accounts, the purposes from which the funds can be expended, or the expenditure limits identified.

ARTICLE 9: VOTE

Upon motion made by Richard Ward, Selectman, and seconded it was ***unanimously voted*** for the town to reauthorize the several revolving accounts of the Town, all as specified in Article 9 of the warrant.

ARTICLE 10: MUNICIPAL AGGREGATION OF ELECTRICITY

To see if the Town will vote to grant the Board of Selectmen authority to initiate, research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, and to authorize the Board of Selectmen to execute such instruments and take such action as may be necessary to effectuate the purposes of this vote, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: The Commonwealth of Massachusetts, by enacting Chapter 164 of the Acts of 1997, has established a competitive marketplace through deregulation and restructuring of the electric utility industry. The residents and businesses of Carver have substantial economic, environmental and social interests at stake and are interested in reducing their electricity rates. If an aggregation of electricity load is implemented in Carver, individual residents and businesses would retain the right to opt-out of the aggregation with no penalty and to choose any other competitive supplier or stay with the default utility.

Recommendation: Selectmen 5-0 Finance Committee 5-0

ARTICLE 10: VOTE

Upon motion made by Richard Ward, Selectman, and seconded it was ***unanimously voted*** for the Town to approve Article 10 as set forth in the Warrant.

ARTICLE 11: GOVERNANCE COMMITTEE BY-LAW AMENDMENTS:

To see if the Town will vote to:

- A. Amend Chapter 4.3 of the Town's General Bylaws, "FINANCE COMMITTEE", by inserting the language indicated in **bold** and deleting language shown in ~~strikethrough~~ below:

4.3.4 ~~On or before January 10 of each year the~~ **All** officers, boards, committees and departments authorized to expend town money shall transmit in writing to the Board of Selectmen their estimate of the appropriation necessary for the conduct of their business for the next fiscal year **at least seventy-five (75) days prior to the date of the Annual Town Meeting. At least sixty (60) days prior to the date of the Annual Town Meeting,** the Board of Selectmen shall assemble these requests in such form as the Finance Committee may reasonably request, and submit them to the Finance Committee, ~~and on or before January 21. On or before February 15,~~ the officers, boards, departments, or committees authorized to expend town money shall present to the Finance Committee, in writing, a detailed list of their expenditures during the previous year. **At least thirty (30) days prior to the date of the Annual Town Meeting, the Board of Selectmen and Finance Committee shall vote on their budget recommendations. Said votes shall be final and shall not be subject to change except by vote at the Annual Town meeting.**

- B. Amend Chapter 2.2 of the Town's General Bylaws, "BOARD OF SELECTMEN", by adding a new section 2.2.9 as follows:

2.2.9. In exercising its authority in making appoints to the various offices, boards, commissions and committees within its jurisdiction, the Board of Selectmen will honor the will of the voters and will

endeavor to avoid appointing anyone to a position who ran for but was not elected to that position within one year prior to the date of the appointment.

- C. Amend Chapter 4.6 of the Town's General Bylaws, "Historic District", by adding a new section 4.6.8 as follows:

4.6.8. Additional Duties of the Historic District Commission

4.6.8.1. In addition to the powers and duties set forth in Sections 4.6.1 to 4.6.7 of this bylaw, the Commission shall have all of the powers and duties vested by the Massachusetts General Laws, Town Bylaws, Town Meeting votes and/or votes of the Board of Selectmen in the Historical Commission, Lakenham Green Preservation Committee and Marcus Atwood House Trustees and shall act as the same.

4.6.8.2. The Commission may create one or more subcommittees to serve in an advisory capacity and to make recommendations concerning the expenditure of funds relative to matters previously assigned to the Historical Commission, Lakenham Green Preservation Committee and/or Marcus Atwood House Trustees.

4.6.8.3 Any funds held by the Town as of the effective date of this bylaw, whether received, as gifts, grants, or donations, for matters previously assigned to the Historical Commission, Lakenham Green Preservation Committee and Marcus Atwood House Trustees, shall continue to be held and accounted for separately and shall only be expended for their designated purposes, all as required, and to the extent permitted, by law.

And to rescind the Town's acceptance of G.L. c.40, §8D creating an appointed Historical Commission, and terminate the terms of any incumbent members of said Historical Commission; provided, however, that this portion of the vote shall not take effect until the Attorney General approves the amendment to Chapter 4.6 of the Town's General Bylaws hereunder and the amended bylaw is posted or published as required by law.

- D. Authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, creating the appointed position of Constable; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An Act Relative to the Position of Constable in the Town of Carver

SECTION 1. Notwithstanding section 91A of chapter 41 of the General Laws or any other general or special law to the contrary, the Town Administrator, in consultation with the Police Chief, may from time to time appoint as many constables as he deems necessary, which constables shall have all the powers, duties, and responsibilities of and be subject to the liabilities and penalties conferred and imposed by law on the offices of constable under the general laws.

SECTION 2. Appointment of such constables shall be made by the Town Administrator of said town, in consultation with the Police Chief, subject to the provisions of the bylaws of said town of Carver, as they may be amended from time to time, applicable to the appointment by the Town Administrator of other officers of the town, which, as of the effective date of this act, allow the board of selectmen, within 15 days of notice of said appointment, to reject the same. The Town Administrator, with the approval of the Board of Selectmen of said town of Carver, may establish an employment contract for

a period of up to three years with the each constable so appointed for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 3. Upon the effective date of this act, the position of elected constable shall be abolished and the elected incumbents serving at the time of passage of this Act shall serve for the remaining time, or their sooner vacating of office. No contracts or liabilities in force on the effective date of this act shall be affected by abolition of the elected office of constable, and the appointed office created hereunder shall in all respects be the lawful successor of the elected offices so abolished or consolidated.

SECTION 4. This act shall take effect upon passage.

or take any action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY:

- A. *The purpose of this Bylaw amendment is to address a recurring problem wherein some officers, boards, committees, and departments authorized to spend Town money have been finalizing their budget recommendations and sending them to the Finance Committee and the Board of Selectmen within 30 days of Town Meeting. This Article would establish firm timelines so that budgets are prepared sufficiently in advance so that the Finance Committee and the Board of Selectmen may review them and vote on them no later than 30 days before Town Meeting. This will allow residents a reasonable period of time to study and consider the budget prior to Town Meeting. Any changes to the budget recommendations voted by the Board of Selectmen would need to be made by vote at Town Meeting.*
- B. *The purpose of this Bylaw amendment is to discourage appointment of individuals for a period of one year to a position to which they were not elected, thereby honoring the will of the voters.*
- C. *The purpose of this Bylaw amendment is to consolidate the four (4) committees whose purpose is to protect the historic heritage of the Town. Currently, many members of these committees are the same and sometimes they meet on the same night, consecutively. It is expected that consolidation will improve efficiencies and the ability to achieve a quorum.*
- D. *The purpose of this Bylaw is to reduce the number of Constables in Town from 9 to 3 who would be appointed by the Town Administrator in consultation with the Chief of Police and, further, to abolish the positions of the 3 elected Constables after completion of their terms in 2016. Constables serve legal papers but also have the authority to serve arrest warrants and to make arrests under certain circumstances. It has been determined that Constables are largely inactive in Town these days, apparently due to the growth of a professional police department. Also, individuals wanting to be elected Constable need not demonstrate any professional qualifications, training, education, or experience, thereby raising potential liability concerns.*

Recommendation: Selectmen 5-0, Finance Committee 5-0, Governance Committee 4-0

ARTICLE 11: VOTE

Upon motion made by Jack Angley, Capital Outlay Chair, and seconded, it was *so-voted by majority vote* to **Amend Part D, Section 1** by deleting the words “*as many*” and replacing them with “*no more than three*”.

Motion made by Robert Belbin, 26 Gate St., and seconded, to segregate the sections within Article 11. ***Motion failed by majority vote.*** Article 11 remains as a whole.

Upon motion made by Richard Ward, Selectman, and seconded, it was a *two-thirds vote, 167 in the affirmative and 6 in the negative* for the Town to approve Article 11 as set forth in the Warrant ***and as amended in Part D, Section 1.***

A. Amend Chapter 4.3 of the Town’s General Bylaws as follows:

4.3.4 All officers, boards, committees and departments authorized to expend town money shall transmit in writing to the Board of Selectmen their estimate of the appropriation necessary for the conduct of their business for the next fiscal year at least seventy-five (75) days prior to the date of the Annual Town Meeting. At least sixty (60) days prior to the date of the Annual Town Meeting, the Board of Selectmen shall assemble these requests in such form as the Finance Committee may reasonably request, and submit them to the Finance Committee, and the officers, boards, departments, or committees authorized to expend town money shall present to the Finance Committee, in writing, a detailed list of their expenditures during the previous year. At least thirty (30) days prior to the date of the Annual Town Meeting, the Board of Selectmen and Finance Committee shall vote on their budget recommendations. Said votes shall be final and shall not be subject to change except by vote at the Annual Town meeting.

B. Amend Chapter 2.2 of the Town’s General Bylaws, “BOARD OF SELECTMEN”, by adding a new section 2.2.9 as follows:

2.2.9. In exercising its authority in making appoints to the various offices, boards, commissions and committees within its jurisdiction, the Board of Selectmen will honor the will of the voters and will endeavor to avoid appointing anyone to a position who ran for but was not elected to that position within one year prior to the date of the appointment.

C. Amend Chapter 4.6 of the Town’s General Bylaws, “Historic District”, by adding a new section 4.6.8 as follows:

4.6.8. Additional Duties of the Historic District Commission

4.6.8.1. In addition to the powers and duties set forth in Sections 4.6.1 to 4.6.7 of this bylaw, the Commission shall have all of the powers and duties vested by the Massachusetts General Laws, Town Bylaws, Town Meeting votes and/or votes of the Board of Selectmen in the Historical Commission, Lakenham Green Preservation Committee and Marcus Atwood House Trustees and shall act as the same.

4.6.8.2. The Commission may create one or more subcommittees to serve in an advisory capacity and to make recommendations concerning the expenditure of funds relative to matters previously assigned to the Historical Commission, Lakenham Green Preservation Committee and/or Marcus Atwood House Trustees.

4.6.8.3 Any funds held by the Town as of the effective date of this bylaw, whether received, as gifts, grants, or donations, for matters previously assigned to the Historical Commission, Lakenham Green Preservation Committee and Marcus Atwood House Trustees, shall continue to be held and accounted for separately and shall only be expended for their designated purposes, all as required, and to the extent permitted, by law.

And to rescind the Town's acceptance of G.L. c.40, §8D creating an appointed Historical Commission, and terminate the terms of any incumbent members of said Historical Commission; provided, however, that this portion of the vote shall not take effect until the Attorney General approves the amendment to Chapter 4.6 of the Town's General Bylaws hereunder and the amended bylaw is posted or published as required by law.

- D. Authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, creating the appointed position of Constable; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An Act Relative to the Position of Constable in the Town of Carver

SECTION 1. Notwithstanding section 91A of chapter 41 of the General Laws or any other general or special law to the contrary, the Town Administrator, in consultation with the Police Chief, may from time to time appoint ***no more than three*** constables as he deems necessary, which constables shall have all the powers, duties, and responsibilities of and be subject to the liabilities and penalties conferred and imposed by law on the offices of constable under the general laws.

SECTION 2. Appointment of such constables shall be made by the Town Administrator of said town, in consultation with the Police Chief, subject to the provisions of the bylaws of said town of Carver, as they may be amended from time to time, applicable to the appointment by the Town Administrator of other officers of the town, which, as of the effective date of this act, allow the board of selectmen, within 15 days of notice of said appointment, to reject the same. The Town Administrator, with the approval of the Board of Selectmen of said town of Carver, may establish an employment contract for a period of up to three years with the each constable so appointed for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 3. Upon the effective date of this act, the position of elected constable shall be abolished and the elected incumbents serving at the time of passage of this Act shall serve for the remaining time, or their sooner vacating of office. No contracts or liabilities in force on the effective date of this act shall be affected by abolition of the elected office of constable, and the appointed office created hereunder shall in all respects be the lawful successor of the elected offices so abolished or consolidated.

SECTION 4. This act shall take effect upon passage.

ARTICLE 12: CABLE TELEVISION FUND:

(Receipts Reserved From Appropriation – assumes the Town has receipts ON HAND at this time)

To see if the Town will vote to accept the provisions of G.L. c.44, §53F¾ (inserted by c.352 of the Acts of 2014) for the purpose of establishing a separate revenue account (a receipts reserved for appropriation account) to be known as the “PEG Access and Cable Related Fund”, into which shall be deposited cable television license proceeds, which funds may be appropriated by Town Meeting for cable-related purposes in accordance with law, including, but not limited to: (1) support of public, educational, or governmental (“PEG”) access cable television services; (2) monitoring compliance of the cable operator with the cable television license(s); or (3) preparing for the renewal of the cable license(s); and to transfer from said fund or from previously received cable television license proceeds or otherwise fund a sum of money as a grant for PEG purposes, and to authorize the Board of Selectmen to enter into a grant agreement for the expenditure of such funds for cable-related purposes in accordance with the law, or to take any other action related thereto.

(Enterprise Fund – appropriation from receipts TO BE collected)

To see if the Town will vote to accept the provisions of G.L. c.44, §53F ½ for the purpose of creating a Cable Television Enterprise Fund, and to establish a budget for said enterprise fund for the fiscal year beginning July 1, 2015 to be funded from cable television-related receipts and, as may be necessary therefor, to raise and appropriate, or transfer from available funds for such purposes; and further, to transfer from said fund or from previously received cable television license proceeds or otherwise fund a sum of money as a grant for PEG purposes, and to authorize the Board of Selectmen to enter into a grant agreement for the expenditure of such funds for cable-related purposes in accordance with the law, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: To be provided at Town Meeting.

Recommendation: Selectmen – to vote at Town Meeting Finance Committee 5-0

ARTICLE 12: VOTE

Upon motion made by Ronald Clarke, Selectman, and seconded it was ***unanimously voted*** for the Town to ***withdraw*** Article 12 of the Warrant.

ARTICLE 13: LAND TRANSFERS

To see if the Town will vote to transfer from the Tax Collector for purposes of sale at auction, to the Board of Selectmen for purposes of sale, in accordance with MGL Chapter 40, Sections 15 and 15A, and to authorize the Board of Selectmen to convey on terms and conditions as determined by the Board of Selectmen, to be in the best interests of the Town, an interest in the parcel of land identified on the Town Assessor's Maps as 4 Oak Drive: Map 62 Parcel 167; 0 Meadow Street: Map 80 Parcel 7-R ; 0 Montello Street: Map 24 Parcels 1 &2; 0 North Main Street: Map 49 -61 and 0 Shoestring Road: Map 124-15, Carver, Massachusetts, including all land and buildings thereon, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: These four parcels have been taken by the Town for back taxes. The Town's “Town Owned Property” committee is recommending three be sold to abutters (Oak Shoestring, and Meadow) or one for economic development (North Main). The two Montello Street parcels should be used for transportation infrastructure improvements.

Recommendation: Selectmen 5-0 Finance Committee 5-0

ARTICLE 13: VOTE

Upon motion made by Helen Marrone, Selectwoman, and seconded it was a *two-thirds vote unanimously voted* for the Town to *approve* Article 13 as set forth in the Warrant.

ARTICLE 14: PLANNING BOARD ZONING ARTICLES:

To see if the Town will vote to:

- A. Amend Article II, Section 2100 Establishment of the Town of Carver Zoning Bylaws by adding the following district:

Spring Street Innovation District SSID

- B. Amend Article II, Section 2230 Use Regulation Schedule of the Town of Carver Zoning Bylaws by adding the following use schedule for the Spring Street Innovation District (SSID); to provide separate use schedules for Mixed Use Structures and for Dwelling Units Above Commercial or Office Uses; and to add Footnote 6, as shown below with changes in **bold**:

Principal Use	USE REGULATION SCHEDULE										
<u>A. RESIDENTIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Detached single-family dwelling	Y	N	Y	N	Y	N	N	N	N	N	N
Conservation subdivision	SP*	N	N	N	N	N	N	N	N	N	N
Duplex and Two Family Dwelling	SP*	N	SP*	SP*	SP*	N	N	N	N	N	N
Planned Neighborhood Development	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Townhouse Development	SP*	SP*	SP*	N	SP*	N	N	N	N	N	N
Mixed Use Structures	N	N	Y	Y	Y	N	N	N	Y	N	SP*
Dwelling units above commercial or office uses	N	N	SP*	SP*⁶	SP*⁶	N	N	N	SP*	N	SP*
Agricultural use exempted by G.L. c. 40A, s. 3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Agricultural use not exempted by G.L. c. 40A, s. 3	SP	N	Y	Y	Y	N	Y	Y	Y	Y	N
Cranberry receiving station	SP	N	SP*	N	N	N	Y	Y	Y	Y	N
Child care facility or day care facility exempted by GL c. 40A, s. 3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Municipal facilities	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

⁶ see Section 2273

Airport	N	N	N	N	N	N	N	N	N	Y	N
Heliport	N	N	N	N	N	N	SP*	SP*	N	SP*	N
Cemetery	SP	N	SP	N	SP	N	N	N	N	SP	N
<u>A. RESIDENTIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Earth Removal+	Y	N	Y	N	N	N	Y	Y	N	Y	N
Mobile Home Park	SP	N	N	N	N	N	SP	SP	N	SP	N
<u>B. COMMERCIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Office	N	Y	Y	Y	SP*	Y	Y	N	Y	SP*	Y
Bank, including free-standing ATM & drive-in facilities	N	Y	Y	Y	SP*	Y	SP*	N	SP*	SP*	SP*
Retail sales with manufacturing or assembly in a building less than 20,000 sq. ft. building footprint.	N	Y	SP*	Y	SP*	Y	SP*	SP*	N	SP*	SP*
Retail sales or rental less than 80,000 square feet in gross floor area for a single structure without display outdoors	N	Y	Y	N	SP*	Y	SP*	N	N	N	SP*
Retail sales or rental less than 80,000 square feet in gross floor area for a single structure with display outdoors	N	Y	SP*	N	N	SP*	SP*	N	N	N	SP*
Retail sales or rental less than 25,000 sq. ft. in gross floor area for a single structure without display outdoors	N	Y	SP*	Y	N	Y	SP*	N	N	N	SP*
Retail sales or rental less than 25,000 sq. ft. in gross floor area for a single structure with display outdoors ¹	N	Y	SP*	Y	N	Y	SP*	N	N	N	SP*
Motor vehicle service station	N	SP*	SP*	SP*	N	N	Y	N	N	N	N
<u>B. COMMERCIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID

Motor vehicle repair shop	N	SP*	SP*	SP*	N	N	Y	N	N	N	N
Establishment for the sale or consumption of alcoholic beverages, with or without entertainment, including clubs, whether for profit or not for profit	N	SP	SP	SP	SP	N	SP	SP	N	SP	SP
Junkyard or automobile graveyard	N	N	N	N	N	N	N	N	N	N	N
Hospital or sanitarium	N	Y	SP	N	N	Y	SP	N	N	N	SP
Convalescent or nursing home, or assisted elderly housing	SP	Y	SP	N	N	N	SP	N	N	N	Sp
Hotel or motel	N	Y	SP*	N	N	Y	SP*	N	N	N	SP
Bed and Breakfast	SP*	N	Y	Y	SP*	N	N	N	N	N	SP
Print shop	N	Y	SP*	Y	N	Y	Y	N	Y	N	Y
Craftsman/Tradesman	N	Y	Y	Y	Y	Y	N	N	Y	N	Y
Essential services	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Service shop	N	Y	Y	Y	Y	N	N	N	Y	N	Y
Restaurant, not including fast-food or drive-in restaurant	N	Y	Y	Y	SP*	SP*	SP*	N	N	SP*	Y
Fast-Food or drive-in restaurant	N	SP*	SP*	SP*	SP*	N	N	N	N	SP*	SP*
Places of assembly	N	SP*	SP*	N	SP*	N	SP*	N	N	N	N
Animal Hospital or Hobby or Commercial Kennel ²	SP*	SP*	SP*	SP*	SP*	SP*	Y	SP*	N	N	SP*
<u>B. COMMERCIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Drive-in service at facility other than restaurant or bank	N	SP*	SP*	SP*	SP*	SP*	SP*	N	SP*	SP*	SP*

Adult Use	N	N	N	N	N	N	SP	SP	N	N	N
Landscaping business ³	SP*	N	SP*	N	SP*	N	Y	N	N	N	N
Nursery/Greenhouse	Y	N	Y	SP*	SP*	N	Y	Y	Y	N	N
Car wash	N	N	SP*	N	N	N	Y	N	N	N	N
Commercial recreation, outdoors ³	SP*	N	SP*	N	N	N	SP*	N	N	N	N
Major Commercial Project	N	SP*	SP*	N	SP*	SP*	SP*	SP*	N	SP*	SP*
Tattoo Parlor/Body Piercing	N	SP*	N	N	N	N	SP*	SP*	N	N	N
Non-Exempt educational use	N	Y	N	SP*	N	Y	SP*	SP*	N	N	Y
<u>C. INDUSTRIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Light manufacturing in a building with less than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	Y*	Y*	N	SP*	Y
Light manufacturing in a building with more than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	Y	Y	N	Y
Manufacturing, processing, assembly, or fabrication in a building with less than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	SP*	N	N	N
<u>C. INDUSTRIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Manufacturing, processing, assembly, or fabrication in a building with more than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	SP*	N	N	N
Wholesale, warehouse, or distribution facility in a building with less than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	Y	Y	Y	SP*	SP*

Wholesale, warehouse, or distribution facility in a building with more than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	SP*	N	SP*	SP*
Bituminous concrete or concrete batching plant	N	N	N	N	N	N	N	SP*	N	N	N
Contractor's yard	N	N	N	N	N	SP*	SP*	SP*	Y	N	SP*
Sawmill ⁴	SP	N	SP*	N	N	SP*	SP*	SP*	N	N	N
Truck, bus or freight terminal	N	N	N	N	N	SP*	SP*	SP*	N	SP*	N
Auto Body Shops	N	N	N	N	N	N	Y	Y	N	N	N
Self-Storage Facility	N	N	N	N	N	Y	Y	N	N	Y	N
Research and Development facilities, not limited to Renewable or Alternative Energy research and development facilities	N	N	N	N	N	Y	Y	Y	Y	N	Y
<u>C. INDUSTRIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Manufacturing, processing, assembly, or fabrication of alternative energy components	N	N	N	N	N	Y	N	N	Y	N	Y
Publicly Owned Treatment Works or POTW	N	N	N	N	N	Y	Y	Y	N	N	Y
Privately Owned Wastewater Treatment Facility or PWTF ⁵	N	N	N	N	N	SP*	SP*	SP*	N	N	SP*
Large-scale ground mounted solar photovoltaic installations	SP	N	N	N	N	SP++	SP	SP	SP	SP++	N

⁶ see Section 2273

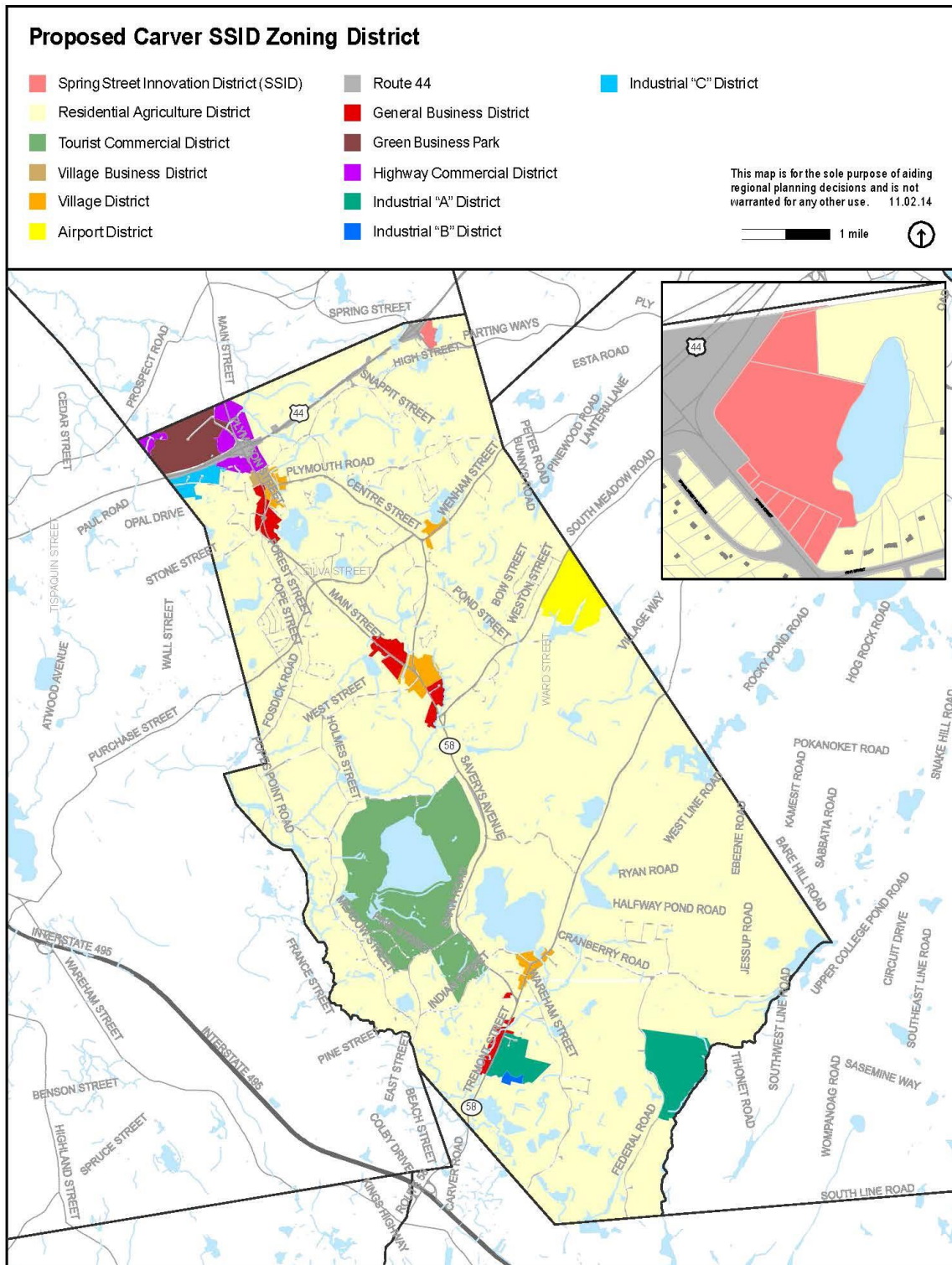
C. amend Article II, Section 2320 Table of Dimensional Requirements of the Town of Carver Zoning Bylaws by adding the following requirements for the Spring Street Innovation District (SSID) as shown in the far right-hand column:

REQUIREMENT	RA	HC	GB	VB ^a	V (Com.)	V (Res.)	GBP ^b	IA	IB	IC ^c	AP	SSID ^d
Min. Lot Size ^{4, 5, 10} (X 1000 square feet)	60	60	40	30	30	30	60	60	60	60	40	60
FRONTAGE (feet)	150	250	200	100	100	100	175	175	175	250	150	175
FRONT SETBACK (feet) ⁶	50	40	40	15	15	40	50	50 ⁷	50 ⁷	40	40	50
REAR YARD (feet)	50	40	25	15	15	40	40	30	30	40	30	40
SIDE YARD (feet)	30	40	25	15	15	25	40	30	30	40	30	40
REQUIREMENT	RA	HC	GB	VB ^a	V	V (Res.)	GBP ^b	IA	IB	IC ^c	AP	SSID ^d
MAX. BUILDING HEIGHT (feet) ^{8, 9, 11}	35	40	40	30	30	30	40 ¹¹	40	40	40	40	40
MINIMUM LOT WIDTH at building line (% of frontage in district)	80	80	80	80	80	80	80	80	80	80	80	80
MAXIMUM % OF LOT COVERED BY BUILDINGS	30	60	50	70	70	70	70	50	50	60	50	25

^d based on GBP

D. amend Article III, Section 3521 Permitted Signs of the Town of Carver Zoning Bylaws by changing the title of the “General Business” table to “General Business and Spring Street Innovation District (SSID)” to the General Business table, thereby applying all relevant requirements for signage in General Business Districts to the SSID.

E. amend the Town of Carver Zoning Bylaws by adding the Spring Street Innovation District and General Business District to the Zoning Map as pictured below which include the following parcels (Map 32 Parcel 5 –AN; Map 32 Parcel 6-EN; Map 32 Parcel 6-DN; Map 32 Parcel 6 CN; Map 32 Parcel 6 –BN; Map 32 Parcel 6-A; Map 32 Parcel 5- E and Map 32 Parcel 3):



INFORMATIONAL SUMMARY: The Town through its Business Development Committee has been working with MASS DOT on the disbursement of State property originally taken for the construction of Route 44 at the Route 44/Spring Street interchange. This proposal allows for the rezoning of 25 acres to a new zoning district allowing for the development of a Business Park with a small commercial component.

F. amend Article II, Section 2320 Table of Dimensional Requirements of the Town of Carver Zoning ByLaws, by inserting a new footnote 12 as shown in **bold** below:

2320. Table of Dimensional Requirements.

REQUIREMENT	RA	HC	GB	VB ^a	V (Com.)	V (Res.)	GBP ^b	IA ^d	IB	IC ^c	AP
Min. Lot Size ^{4, 5, 10} (X 1000 square feet)	60	60	40	30	30	30	60	60	60	60	40
FRONTAGE (feet)	150	250	200	100	100	100	175	175	175	250	150
FRONT SETBACK (feet) ⁶	50	40	40	15	15	40	50	50 ⁷	50 ⁷	40	40
REAR YARD (feet)	50	40	25	15	15	40	40	30	30	40	30
SIDE YARD (feet)	30	40	25	15	15	25	40	30	30	40	30
MAX. BUILDING HEIGHT (feet) ^{8, 9, 11, 12}	35	40	40	30	30	30	40 ¹¹	40	40	40	40
MINIMUM LOT WIDTH at building line (% of frontage in district)	80	80	80	80	80	80	80	80	80	80	80
MAXIMUM % OF LOT COVERED BY BUILDINGS	30	60	50	70	70	70	70	50	50	60	50

^a Same as V (Comm.); ^b mix of HC and IA, IB; ^c IC same as HC since that is what the existing structures were under at the time of development; ^d Registered Marijuana Dispensaries, see Section 4950.

⁴ At least 70% of the minimum lot size shall be dry land; i.e., not taken up in streams, bogs, wetland and/or flood plain.

⁵ Portions of the lot less than 40 feet in width shall not be counted as any part of the minimum lot size.

⁶ Front setbacks shall be measured from the street layout line.

⁷ Provided, however, that this requirement shall be 60 feet where the subject property has frontage on a state numbered highway.

⁸ Provided, however, that chimneys, spires, silos, and unoccupied towers erected on the roof of a principal structure may be erected to a height of 70 feet from the base of the principal structure on which it is erected where no detrimental effects on the surrounding area are caused.

⁹ In order to prevent the erection of structures which, due to height, would create hazardous obstacles to air navigation in the vicinity of the Plymouth Municipal Airport, the applicable requirements of Chapter Ninety of the General Laws of Massachusetts and the standards of the Federal Aviation Regulations shall be met. No structure shall be erected which exceeds the height limitations of the above regulations unless appropriate authority shall have been issued by the Plymouth Airport Commission or the Federal Aviation Agency.

¹⁰ Lot shape shall mean lots that are so distorted in configuration as to be detrimental to public health, safety, welfare or convenience, even though complying with the dimensional requirements established herein, shall not be allowed. The minimum width of a lot from the front setback line to the rear house line shall be not less than 75 feet. The 75 ft. minimum shall not apply to rear lots, village districts or TDR overlay areas. Any lot to be created having frontage on an existing or proposed roadway, must

meet the minimum lot size requirement for the zoning district *wherein* it is located, minus any easements and/or rights of way, except those for a governmental agency or public utility.

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. 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 other appurtenances above roof line shall not be considered as additional stories or considered in determining the height of a building or improvement.

12 Municipal Facilities may be increased to 40 feet in height provided they meet all public safety standards

INFORMATIONAL SUMMARY: It recently came to the Planning Board's attention that both the new fire station and proposed elementary school may exceed the minimum height requirements under the current Zoning By-Laws. This amendment would allow Public Facilities to be 40 feet or less in height.

G. amend Article II, Section 2273 Design Requirements of the Town of Carver Zoning ByLaws by inserting the words shown in **bold** below:

2273. Design Requirements

- a. All commercial developments with accessory dwelling units shall be limited to a maximum of two stories.
- b. The primary entrance/stairway to the second story accessory dwelling units shall be enclosed.
- c. One clearly marked parking space within 100 feet of the primary entrance should be provided per unit. This space may be double counted towards the total parking requirement of the development depending on the commercial uses, traffic flow and other site conditions as determined by the Board. In cases where the Board may have concerns about the total number of parking spaces, a condition of the permit may require the applicant to provide additional spaces.
- d. The development shall conform to the applicable requirements of Title V of the State Environmental Code and compliance with any conditions which may be imposed by the Board of Health with regard to sanitary wastewater disposal on the site.
- e. The Architectural details including the textures of the walls and roof materials of new building or additions to existing buildings should enhance the rural character of the development and surrounding area. The use of pitched roofs, dormers and setbacks to alter the roofline is encouraged.
- f. Design shall meet Massachusetts State Building Code.
- g. All commercial developments with accessory dwelling units shall be limited to 1,000 square feet of total gross livable space/unit.
- h. **Dwelling units may be allowed on the ground floor under this Special Permit provision in a Village (V) or Village Business (VB) District provided they meet all other requirements under Section 2270.**

or take any other action relative thereto.

INFORMATIONAL SUMMARY: This amendment will allow dwelling units on the ground floor by Special Permit in a Village District provided they are existing in a commercial structure.

Recommendation: Selectmen 5-0 Finance Committee 5-0 Planning Board 5-0

ARTICLE 14: VOTE

Upon motion made by James Hoffman, Planning Board Member, and seconded, it was ***unanimously voted***, for the Town to ***Amend Article 14 Section C*** by changing the proposed SSID footnote from ‘D’ to ‘E’ and by adding footnote ‘D’ to the IA dimensional use column as follows:

2320. Table of Dimensional Requirements.

REQUIREMENT	RA	HC	GB	VB ^a	V (Com.)	V (Res.)	GBP ^b	IA ^d	IB	IC ^c	AP	SSID ^e
Min. Lot Size ^{4, 5, 10} (X 1000 square feet)	60	60	40	30	30	30	60	60	60	60	40	60
FRONTAGE (feet)	150	250	200	100	100	100	175	175	175	250	150	175
FRONT SETBACK (feet) ⁶	50	40	40	15	15	40	50	50 ⁷	50 ⁷	40	40	50
REAR YARD (feet)	50	40	25	15	15	40	40	30	30	40	30	40
SIDE YARD (feet)	30	40	25	15	15	25	40	30	30	40	30	40
REQUIREMENT	RA	HC	GB	VB ^a	V	V (Res.)	GBP ^b	IA ^d	IB	IC ^c	AP	SSID ^e
MAX. BUILDING HEIGHT (feet) ^{8, 9, 11}	35	40	40	30	30	30	40 ¹¹	40	40	40	40	40
MINIMUM LOT WIDTH at building line (% of frontage in district)	80	80	80	80	80	80	80	80	80	80	80	80
MAXIMUM % OF LOT COVERED BY BUILDINGS	30	60	50	70	70	70	70	50	50	60	50	25

^a Same as V (Comm.); ^b mix of HC and IA, IB; ^c IC same as HC since that is what the existing structures were under at the time of development;
^d Registered Marijuana Dispensaries, see Section 4950; ^e based on GBP

Upon motion made by James Hoffman, Planning Board Member, and seconded, it was a ***two-thirds vote, unanimously voted***, for the Town to approve Article 14 as set forth in the Warrant ***and as amended in Section C*** as follows:

A. ARTICLE II. USE, DIMENSIONAL, AND TIMING REGULATIONS.

2100. DISTRICTS.

2110. Establishment. For the purposes of this By-Law, the Town of Carver is hereby divided into the following districts:

RESIDENTIAL-AGRICULTURAL	.	.	.	.	RA
GENERAL BUSINESS	.	.	.	.	GB
VILLAGE BUSINESS	.	.	.	.	VB
GREEN BUSINESS PARK	.	.	.	.	GBP
HIGHWAY COMMERCIAL	.	.	.	.	HC
VILLAGE	.	.	.	.	V
INDUSTRIAL "A"	.	.	.	.	IA
INDUSTRIAL "B"	.	.	.	.	IB
INDUSTRIAL "C"	.	.	.	.	IC
AIRPORT	.	.	.	.	AP
SPRING STREET INNOVATION DISTRICT	.	.	.	.	SSID

"Overlay" districts are also hereby created:

- (1) WATER RESOURCE PROTECTION DISTRICT (see Section 4300)
- (2) WETLAND DISTRICT (see Section 4400)
- (3) PLANNED TOURIST COMMERCIAL DISTRICT (PTCD) (see Section 4500)
- (4) WIRELESS COMMUNICATION FACILITIES DISTRICT(WCF) (see Section 4600)
- (5) PLANNED NEIGHBORHOOD DEVELOPMENT (PND) OVERLAY DISTRICT (see Section 2800)
- (6) LANDFILL OVERLAY DISTRICT (see Section 4680)

The boundaries of these districts are defined and set forth on the map entitled, "Zoning Map, Town of Carver, Massachusetts", dated September 1999, as amended June, 2010 and as may be

subsequently amended by vote of Town Meeting. This map is on file with the Town Clerk. This map and all explanatory matter therein are hereby made a part of this Zoning By-Law.

- B. Amend Article II, Section 2230 Use Regulation Schedule of the Town of Carver Zoning Bylaws by adding the following use schedule for the Spring Street Innovation District (SSID); to provide separate use schedules for Mixed Use Structures and for Dwelling Units Above Commercial or Office Uses; and to add Footnote 6, as shown below with changes in **bold**:

C.

Principal Use	USE REGULATION SCHEDULE										
A. RESIDENTIAL	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Detached single-family dwelling	Y	N	Y	N	Y	N	N	N	N	N	N
Conservation subdivision	SP*	N	N	N	N	N	N	N	N	N	N
Duplex and Two Family Dwelling	SP*	N	SP*	SP*	SP*	N	N	N	N	N	N
Planned Neighborhood Development	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Townhouse Development	SP*	SP*	SP*	N	SP*	N	N	N	N	N	N
Mixed Use Structures	N	N	Y	Y	Y	N	N	N	Y	N	SP*
Dwelling units above commercial or office uses	N	N	SP*	SP*⁶	SP*⁶	N	N	N	SP*	N	SP*
Agricultural use exempted by G.L. c. 40A, s. 3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Agricultural use not exempted by G.L. c. 40A, s. 3	SP	N	Y	Y	Y	N	Y	Y	Y	Y	N
Cranberry receiving station	SP	N	SP*	N	N	N	Y	Y	Y	Y	N
Child care facility or day care facility exempted by GL c. 40A, s. 3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Municipal facilities	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Airport	N	N	N	N	N	N	N	N	N	Y	N
Heliport	N	N	N	N	N	N	SP*	SP*	N	SP*	N
Cemetery	SP	N	SP	N	SP	N	N	N	N	SP	N
A. RESIDENTIAL	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Earth Removal+	Y	N	Y	N	N	N	Y	Y	N	Y	N
Mobile Home Park	SP	N	N	N	N	N	SP	SP	N	SP	N

⁶ see Section 2273

<u>B. COMMERCIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Office	N	Y	Y	Y	SP*	Y	Y	N	Y	SP*	Y
Bank, including free-standing ATM & drive-in facilities	N	Y	Y	Y	SP*	Y	SP*	N	SP*	SP*	SP*
Retail sales with manufacturing or assembly in a building less than 20,000 sq. ft. building footprint.	N	Y	SP*	Y	SP*	Y	SP*	SP*	N	SP*	SP*
Retail sales or rental less than 80,000 square feet in gross floor area for a single structure without display outdoors	N	Y	Y	N	SP*	Y	SP*	N	N	N	SP*
Retail sales or rental less than 80,000 square feet in gross floor area for a single structure with display outdoors	N	Y	SP*	N	N	SP*	SP*	N	N	N	SP*
Retail sales or rental less than 25,000 sq. ft. in gross floor area for a single structure without display outdoors	N	Y	SP*	Y	N	Y	SP*	N	N	N	SP*
Retail sales or rental less than 25,000 sq. ft. in gross floor area for a single structure with display outdoors ¹	N	Y	SP*	Y	N	Y	SP*	N	N	N	SP*
Motor vehicle service station	N	SP*	SP*	SP*	N	N	Y	N	N	N	N
<u>B. COMMERCIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Motor vehicle repair shop	N	SP*	SP*	SP*	N	N	Y	N	N	N	N
Establishment for the sale or consumption of alcoholic beverages, with or without entertainment, including clubs, whether for profit	N	SP	SP	SP	SP	N	SP	SP	N	SP	SP

or not for profit											
Junkyard or automobile graveyard	N	N	N	N	N	N	N	N	N	N	N
Hospital or sanitarium	N	Y	SP	N	N	Y	SP	N	N	N	SP
Convalescent or nursing home, or assisted elderly housing	SP	Y	SP	N	N	N	SP	N	N	N	Sp
Hotel or motel	N	Y	SP*	N	N	Y	SP*	N	N	N	SP
Bed and Breakfast	SP*	N	Y	Y	SP*	N	N	N	N	N	SP
Print shop	N	Y	SP*	Y	N	Y	Y	N	Y	N	Y
Craftsman/Tradesman	N	Y	Y	Y	Y	Y	N	N	Y	N	Y
Essential services	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Service shop	N	Y	Y	Y	Y	N	N	N	Y	N	Y
Restaurant, not including fast-food or drive-in restaurant	N	Y	Y	Y	SP*	SP*	SP*	N	N	SP*	Y
Fast-Food or drive-in restaurant	N	SP*	SP*	SP*	SP*	N	N	N	N	SP*	SP*
Places of assembly	N	SP*	SP*	N	SP*	N	SP*	N	N	N	N
Animal Hospital or Hobby or Commercial Kennel ²	SP*	SP*	SP*	SP*	SP*	SP*	Y	SP*	N	N	SP*
<u>B. COMMERCIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Drive-in service at facility other than restaurant or bank	N	SP*	SP*	SP*	SP*	SP*	SP*	N	SP*	SP*	SP*
Adult Use	N	N	N	N	N	N	SP	SP	N	N	N
Landscaping business ³	SP*	N	SP*	N	SP*	N	Y	N	N	N	N
Nursery/Greenhouse	Y	N	Y	SP*	SP*	N	Y	Y	Y	N	N
Car wash	N	N	SP*	N	N	N	Y	N	N	N	N
Commercial recreation, outdoors ³	SP*	N	SP*	N	N	N	SP*	N	N	N	N

Major Commercial Project	N	SP*	SP*	N	SP*	SP*	SP*	SP*	N	SP*	SP*
Tattoo Parlor/Body Piercing	N	SP*	N	N	N	N	SP*	SP*	N	N	N
Non-Exempt educational use	N	Y	N	SP*	N	Y	SP*	SP*	N	N	Y
<u>C. INDUSTRIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Light manufacturing in a building with less than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	Y*	Y*	N	SP*	Y
Light manufacturing in a building with more than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	Y	Y	N	Y
Manufacturing, processing, assembly, or fabrication in a building with less than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	SP*	N	N	N
<u>C. INDUSTRIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Manufacturing, processing, assembly, or fabrication in a building with more than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	SP*	N	N	N
Wholesale, warehouse, or distribution facility in a building with less than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	Y	Y	Y	SP*	SP*
Wholesale, warehouse, or distribution facility in a building with more than 20,000 sq.ft. building footprint	N	N	N	N	N	Y	SP*	SP*	N	SP*	SP*

Bituminous concrete or concrete batching plant	N	N	N	N	N	N	N	SP*	N	N	N
Contractor's yard	N	N	N	N	N	SP*	SP*	SP*	Y	N	SP*
Sawmill ⁴	SP	N	SP*	N	N	SP*	SP*	SP*	N	N	N
Truck, bus or freight terminal	N	N	N	N	N	SP*	SP*	SP*	N	SP*	N
Auto Body Shops	N	N	N	N	N	N	Y	Y	N	N	N
Self-Storage Facility	N	N	N	N	N	Y	Y	N	N	Y	N
Research and Development facilities, not limited to Renewable or Alternative Energy research and development facilities	N	N	N	N	N	Y	Y	Y	Y	N	Y
<u>C. INDUSTRIAL</u>	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP	SSID
Manufacturing, processing, assembly, or fabrication of alternative energy components	N	N	N	N	N	Y	N	N	Y	N	Y
Publicly Owned Treatment Works or POTW	N	N	N	N	N	Y	Y	Y	N	N	Y
Privately Owned Wastewater Treatment Facility or PWTF ⁵	N	N	N	N	N	SP*	SP*	SP*	N	N	SP*
Large-scale ground mounted solar photovoltaic installations	SP	N	N	N	N	SP++	SP	SP	SP	SP++	N

+ Allowed by right with approval by the Earth Removal Committee under the General Bylaws.

++ Denotes Large Scale Ground Mounted Solar Photovoltaic limited to 15% maximum area within the underlying zoning district

+++ See Section 4950

¹ Outdoor displays and sales of flowers and plants are allowed by special permit in the Village District.

² The raising, breeding, and training of dogs that qualifies as agricultural use under G.L.c. 40A Section 3 shall be allowed on parcels of more than 5

acres in any district. See Section 6.1 of the General By-laws

³ Minimum sites of 5 acres in RA district

⁴ Minimum sites of 5 acres in RA District

⁵ Does not include package treatment plants as accessory uses to subdivision, commercial or industrial development

⁶ see Section 2273

D. amend Article II, Section 2320 Table of Dimensional Requirements of the Town of Carver Zoning Bylaws by adding the following requirements for the Spring Street Innovation District (SSID) as shown in the far right-hand column:

2320. Table of Dimensional Requirements.

REQUIREMENT	RA	HC	GB	VB ^a	V (Com.)	V (Res.)	GBP ^b	IA ^d	IB	IC ^c	AP	SSID ^e
Min. Lot Size ^{4, 5, 10} (X 1000 square feet)	60	60	40	30	30	30	60	60	60	60	40	60
FRONTAGE (feet)	150	250	200	100	100	100	175	175	175	250	150	175
FRONT SETBACK (feet) ⁶	50	40	40	15	15	40	50	50 ⁷	50 ⁷	40	40	50
REAR YARD (feet)	50	40	25	15	15	40	40	30	30	40	30	40
SIDE YARD (feet)	30	40	25	15	15	25	40	30	30	40	30	40
REQUIREMENT	RA	HC	GB	VB ^a	V	V (Res.)	GBP ^b	IA ^d	IB	IC ^c	AP	SSID ^e
MAX. BUILDING HEIGHT (feet) ^{8, 9, 11}	35	40	40	30	30	30	40 ¹¹	40	40	40	40	40
MINIMUM LOT WIDTH at building line (% of frontage in district)	80	80	80	80	80	80	80	80	80	80	80	80

MAXIMUM % OF LOT COVERED BY BUILDINGS	30	60	50	70	70	70	70	50	50	60	50	25
----------------------------------------------	----	----	----	----	----	----	----	----	----	----	----	-----------

^a Same as V (Comm.); ^b mix of HC and IA, IB; ^c IC same as HC since that is what the existing structures were under at the time of development;
^d Registered Marijuana Dispensaries, see Section 4950; ^e based on GBP

⁴ At least 70% of the minimum lot size shall be dry land; i.e., not taken up in streams, bogs, wetland and/or flood plain.

⁵ Portions of the lot less than 40 feet in width shall not be counted as any part of the minimum lot size.

⁶ Front setbacks shall be measured from the street layout line.

⁷ Provided, however, that this requirement shall be 60 feet where the subject property has frontage on a state numbered highway.

⁸ Provided, however, that chimneys, spires, silos, and unoccupied towers erected on the roof of a principal structure may be erected to a height of 70 feet from the base of the principal structure on which it is erected where no detrimental effects on the surrounding area are caused.

⁹ In order to prevent the erection of structures which, due to height, would create hazardous obstacles to air navigation in the vicinity of the Plymouth Municipal Airport, the applicable requirements of Chapter Ninety of the General Laws of Massachusetts and the standards of the Federal Aviation Regulations shall be met. No structure shall be erected which exceeds the height limitations of the above regulations unless appropriate authority shall have been issued by the Plymouth Airport Commission or the Federal Aviation Agency.

¹⁰ Lot shape shall mean lots that are so distorted in configuration as to be detrimental to public health, safety, welfare or convenience, even though complying with the dimensional requirements established herein, shall not be allowed. The minimum width of a lot from the front setback line to the rear house line shall be not less than 75 feet. The 75 ft. minimum shall not apply to rear lots, village districts or TDR overlay areas. Any lot to be created having frontage on an existing or proposed roadway, must meet the minimum lot size requirement for the zoning district *wherein* it is located, minus any easements and/or rights of way, except those for a governmental agency or public utility.

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. 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 other appurtenances above roof line shall not be considered as additional stories or considered in determining the height of a building or improvement.

E. amend Article III, Section 3521 Permitted Signs of the Town of Carver Zoning Bylaws by changing the title of the “General Business” table to “General Business and Spring Street Innovation District (SSID) to the General Business table, thereby applying all relevant requirements for signage in General Business Districts to the SSID as follows:

3521. Permitted Signs. Only signs which refer to a use permitted by the Zoning By-Law or protected by statute are permitted, provided such signs conform to the provisions of this Sign By-Law.

VILLAGE AND AGRICULTURAL/ RESIDENTIAL DISTRICTS[#]

Sign	Permitted	Max. Number	Max Area	Max Height	Clearance/ Setback
Address*	Yes	1 per building	2 square feet	4 feet	Setback at least 3 feet from right of way
Traffic Flow*	Yes	Unlimited	3 sq. feet per sign	4 feet	
Directory*	Yes	1 per multiple- occupancy commercial building	4 sq. ft. for the name of the building; 2 sq. ft. for each business	5 feet	
Freestanding ♣	Yes	1 per single- occupancy commercial building	4 square feet	5 feet	
Marquee/ Canopy	Yes	1 per business	4 square feet; letters may not exceed 12" in height	Lowest point of the roof	10 foot clearance above sidewalk
Monument	No	1 per single- occupancy commercial building or business park			
Wall	Yes	1 per business♦	10% of wall area	Lowest point of the roof	Shall not project more than 6" from building
Window	Yes	1 per business	30% of the window area		
Individual letters or symbols	No				
TOTAL OF ALL SIGNS		2 per business	8 sq. ft. per business		

[#] Signs for home occupations are subject to the provisions of Sections 2241 and 2242

GENERAL BUSINESS AND SPRING STREET INNOVATION DISTRICT

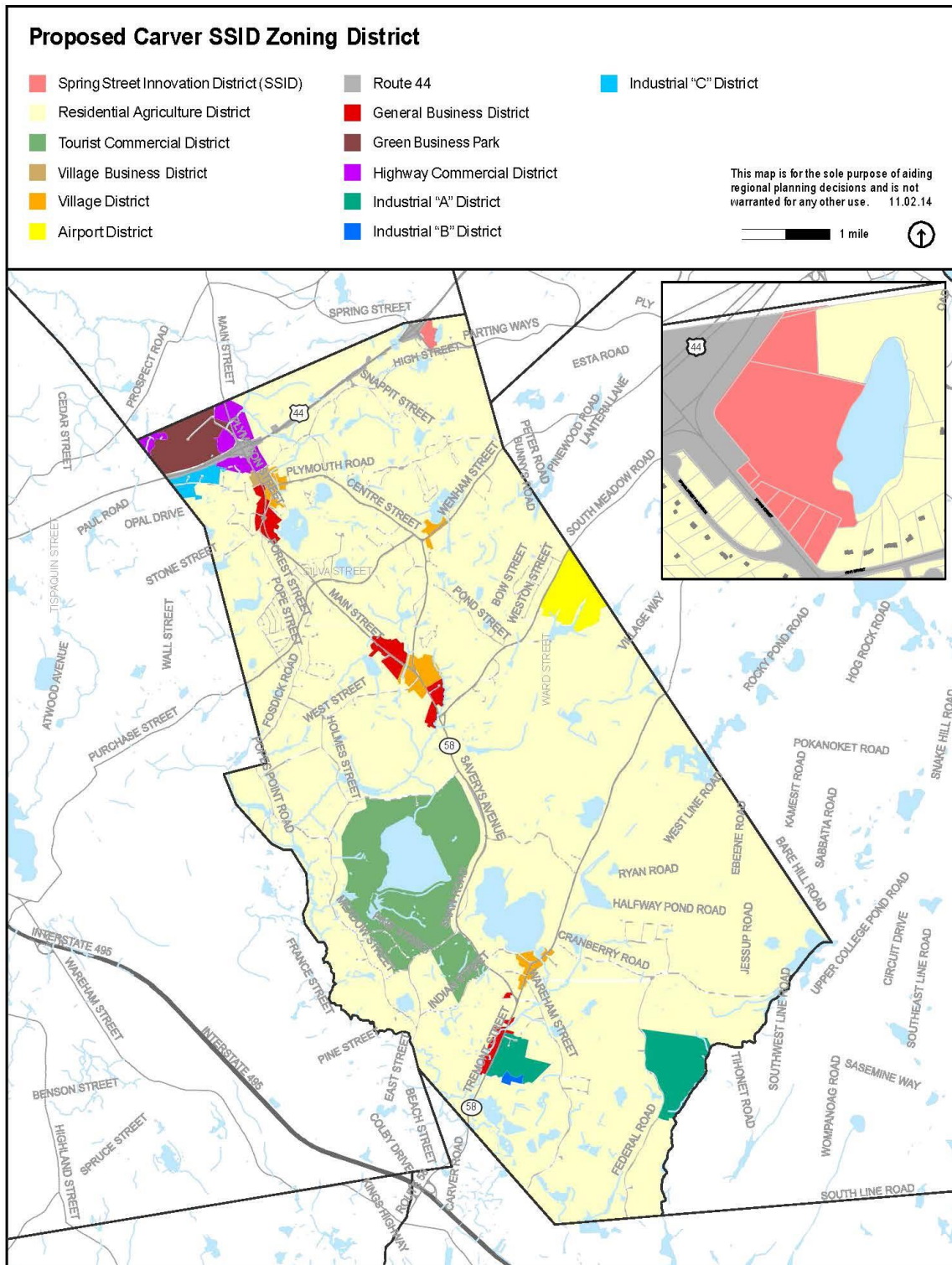
Sign	Permitted	Max. Number	Max. Area	Max. Height	Clearance/ Setback
Address*	Yes	1 per building	2 sq. feet	4 feet	setback at least 3 feet from right of way
Traffic Flow*	Yes	unlimited	3 sq. ft. per sign	4 feet	
Directory*	Yes	1 per multiple-occupancy commercial building	16 sq. ft. for the name of the building; 2 sq. ft. for each business	10 feet	
Freestanding	Yes	1 per single-occupancy commercial building	10 sq. feet	10 feet	
Marquee/ Canopy	Yes	1 per business	8 sq. feet; letters may not exceed 12" in height	lowest point of roof	10 foot clearance above sidewalk
Monument	Yes	1 per single-occupancy commercial building or business park	10 square feet	4 feet	
Projecting	Yes	1 per business	10 square feet	Bottom sill of the second story window or the lowest point of the roof of a 1 story building	setback at least 2 ft from the curb; 8" clearance above sidewalk; 13" clearance above driveway
Wall	yes	1 per business•	10% of wall area	lowest point of the roof	shall not project more than 6" from building
Window	Yes	1 per business	30% of the window area		
Individual letters of symbols	Yes		10% of wall area		shall not project more than 12" from building surface
TOTAL OF ALL SIGNS		2 per business	16 sq. ft. per business		

HIGHWAY COMMERCIAL/INDUSTRIAL DISTRICTS

Sign	Permitted	Max. Number	Max. Area	Max. Height	Clearance/ Setback
Address*	Yes	1 per building	2 square feet	4 feet	setback at least 3 feet from right of way
Traffic Flow*	Yes	unlimited	3 sq. ft per sign	4 feet	
Directory*	Yes	1 per multiple- occupancy commercial building	16 sq. ft for the name of the building; 2 sq. ft for each business	10 feet	
Freestanding	Yes	1 per single- occupancy commercial building	16 sq. feet	10 feet	
Marquee/ Canopy	Yes	1 per business	8 sq. feet letters may not exceed 12" in height	lowest point of the roof	10 foot clearance above sidewalk
Monument	Yes	1 per single- occupancy commercial building or business park	16 square feet	4 feet	
Projecting	Yes	1 per business	10 square feet	bottom sill of the second story window or the lowest point of the roof of a 1 story building	setback at least 2 ft from the curb; 8' clearance above sidewalk; 13' clearance above driveway
Wall	Yes	1 per business•	10% of wall area	lowest point of the roof	Shall not project more than 6" from building
Window	Yes	1 per business	30% of the window area		
Individual letters or symbols	Yes		10% of wall area		Shall not project more than 12" from building surface
TOTAL OF ALL SIGNS		2 per business	32 sq. ft per business		

- * Shall not count in the total number or area of signs allowed per business.
- 2 wall signs may be permitted per business where the business has frontage on two streets.
- ♣ Free standing signs over six feet in height may have no more than two sides; those less than six feet in height may have three or four sides.
- # The name of the business included within a directory sign will not count as the one sign per business. However, the aggregate area will include both the directory sign and the additional sign permitted per business.

- F. amend the Town of Carver Zoning Bylaws by adding the Spring Street Innovation District and General Business District to the Zoning Map as pictured below which include the following parcels (Map 32 Parcel 5 –AN; Map 32 Parcel 6-EN; Map 32 Parcel 6-DN; Map 32 Parcel 6 CN; Map 32 Parcel 6 –BN; Map 32 Parcel 6-A; Map 32 Parcel 5- E and Map 32 Parcel 3):



G. amend Article II, Section 2320 Table of Dimensional Requirements of the Town of Carver Zoning ByLaws, by inserting a new footnote 12 as shown in **bold** below:

2320. Table of Dimensional Requirements.

REQUIREMENT	RA	HC	GB	VB ^a	V (Com.)	V (Res.)	GBP ^b	IA ^d	IB	IC ^c	AP
Min. Lot Size ^{4, 5, 10} (X 1000 square feet)	60	60	40	30	30	30	60	60	60	60	40
FRONTAGE (feet)	150	250	200	100	100	100	175	175	175	250	150
FRONT SETBACK (feet) ⁶	50	40	40	15	15	40	50	50 ⁷	50 ⁷	40	40
REAR YARD (feet)	50	40	25	15	15	40	40	30	30	40	30
SIDE YARD (feet)	30	40	25	15	15	25	40	30	30	40	30
MAX. BUILDING HEIGHT (feet) ^{8, 9, 11, 12}	35	40	40	30	30	30	40 ¹¹	40	40	40	40
MINIMUM LOT WIDTH at building line (% of frontage in district)	80	80	80	80	80	80	80	80	80	80	80
MAXIMUM % OF LOT COVERED BY BUILDINGS	30	60	50	70	70	70	70	50	50	60	50

^a Same as V (Comm.); ^b mix of HC and IA, IB; ^c IC same as HC since that is what the existing structures were under at the time of development; ^d Registered Marijuana Dispensaries, see Section 4950; ^e based on GBP.

⁴ At least 70% of the minimum lot size shall be dry land; i.e., not taken up in streams, bogs, wetland and/or flood plain.

⁵ Portions of the lot less than 40 feet in width shall not be counted as any part of the minimum lot size.

⁶ Front setbacks shall be measured from the street layout line.

⁷ Provided, however, that this requirement shall be 60 feet where the subject property has frontage on a state numbered highway.

⁸ Provided, however, that chimneys, spires, silos, and unoccupied towers erected on the roof of a principal structure may be erected to a height of 70 feet from the base of the principal structure on which it is erected where no detrimental effects on the surrounding area are caused.

⁹ In order to prevent the erection of structures which, due to height, would create hazardous obstacles to air navigation in the vicinity of the Plymouth Municipal Airport, the applicable requirements of Chapter Ninety of the General Laws of Massachusetts and the standards of the Federal Aviation Regulations shall be met. No structure shall be erected which exceeds the height limitations of the above regulations unless appropriate authority shall have been issued by the Plymouth Airport Commission or the Federal Aviation Agency.

¹⁰ Lot shape shall mean lots that are so distorted in configuration as to be detrimental to public health, safety, welfare or convenience, even though complying with the dimensional requirements established herein, shall not be allowed. The minimum width of a lot from the front setback line to the rear house line shall be not less than 75 feet. The 75 ft. minimum shall not apply to rear lots, village districts or TDR overlay areas. Any lot to be created having frontage on an existing or proposed roadway, must meet the minimum lot size requirement for the zoning district *wherein* it is located, minus any easements and/or rights of way, except those for a governmental agency or public utility.

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. 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 other appurtenances above roof line shall not be considered as additional stories or considered in determining the height of a building or improvement.

¹² **Municipal Facilities may be increased to 40 feet in height provided they meet all public safety standards**

H. amend Article II, Section 2273 Design Requirements of the Town of Carver Zoning ByLaws by inserting the words shown in **bold** below:

2274. Design Requirements

- i. All commercial developments with accessory dwelling units shall be limited to a maximum of two stories.
- j. The primary entrance/stairway to the second story accessory dwelling units shall be enclosed.
- k. One clearly marked parking space within 100 feet of the primary entrance should be provided per unit. This space may be double counted towards the total parking requirement of the development depending on the commercial uses, traffic flow and other site conditions as determined by the Board. In cases where the Board may have concerns about the total number of parking spaces, a condition of the permit may require the applicant to provide additional spaces.
- l. The development shall conform to the applicable requirements of Title V of the State Environmental Code and compliance with any conditions which may be imposed by the Board of Health with regard to sanitary wastewater disposal on the site.
- m. The Architectural details including the textures of the walls and roof materials of new building or additions to existing buildings should enhance the rural character of the development and surrounding area. The use of pitched roofs, dormers and setbacks to alter the roofline is encouraged.
- n. Design shall meet Massachusetts State Building Code.
- o. All commercial developments with accessory dwelling units shall be limited to 1,000 square feet of total gross livable space/unit.
- p. **Dwelling units may be allowed on the ground floor under this Special Permit provision in a Village (V) or Village Business (VB) District provided they meet all other requirements under Section 2270.**

ARTICLE 15: NON- MONEY PETITION ARTICLES

A. To see if the Town will vote to: add the following words to the Carver By- Laws :

No one (1) resident may serve on more than one Elected or appointed Authority, Board, Committee or Commission in Carver, Massachusetts, unless the Appointment to a committee is a requirement of that one (1) office held by the Elected or Appointed resident.

Currently Elected Officials that hold more than one elected or Appointed Authority, Board, Committee or Commission position by continue that elected position until the next election. Appointed Officials must resign that position upon adoption of this article.

This By-Law does not apply to a Governor Appointment.

or take any other action related thereto.

- B. To see if the Town will vote to: add the following words to the Carver By-Laws 2260. Accessory Apartments. New 2263 : If an addition/alteration/construction to a residential property is used for family, related to this section only as (blood, marriage or adoption) is exempt from 2260 as long as there are no locking door or inaccessible way of gaining access to the whole structure. The structure must have complete access to all inside areas of the house without walking outside or take any other action related thereto.
- C. To see if the Town will vote to: delete the following words to the Carver By-Laws 2260. Accessory Apartments. For the purpose of enabling elderly (as defined by 55 years of age and older) and /or handicapped persons and for the reason of (a) enabling elderly/handicapped owners of single family dwellings to share space and the burdens of home ownership or (b) providing an alternative housing option for elderly/handicapped persons. Also, 2263. Conditions of Issuance of Permit. Permit for an accessory apartment is only good for three (3) years. Subsequent permits issued for an existing accessory apartment shall be granted after certification by affidavit is made by the applicant to the Building Commissioner that the accessory apartment has not been extended, enlarged or altered to increase its original dimensions, as defined in the initial permit application, and that the unit still meets the requirements of 2262 or take any other action related thereto.
- D. To see if the Town will vote to: add the following bold words to the Zoning By-law Article VI. Definitions. Terms and words not defined herein but in the Commonwealth of Massachusetts Building Code **or by Massachusetts Department of Public Health 105 CMR 410.000 : Minimum Standards of Fitness for Human Habitation (state sanitary code, Chapter II)** shall have meanings given therein unless a contrary intention clearly appears. Words not defined in either this by-law or the State Building Code **or by Massachusetts Department of Public Health 105 CMR 410.000** shall have the meaning given in the most recent edition of Webster's Unabridged Dictionary. Uses listed in the Table of Use Regulations under the categories "Commercial" and "Industrial" shall be defined by the Standard Industrial Classification Manual published by the U.S. Bureau of the Census or take any other action related thereto.
- E. To see if the Town will vote to: add the following words to the Carver By-Laws: The Carver Assessing Department and Board of Assessors will use terms and words not defined by the Assessing Classification Manual but defined in the Commonwealth of Massachusetts Building Code or by Massachusetts Department of Public Health 105 CMR 410.000: Minimum Standards of Fitness for Human Habitation (State Sanitary Code, Chapter II) shall have meanings given therein unless a contrary intention clearly appears. Words not defined in either this by-law or the State Building Code or by Massachusetts Department of Public Health 105 CMR 410.000 shall have the meaning given in the most recent edition of Webster's Unabridged Dictionary. Uses listed in the Table of Use Regulations under the categories "Commercial" and "Industrial" shall be defined by the Standard Industrial Classification Manual published by the U.S. Bureau of the Census or take any other action related thereto.

Recommendation: Selectmen - no action, Finance Committee--no action, Governance Committee 0-4 (A), Planning Board 0-5 (B, C, D), Board of Assessors 0-2 (E).

ARTICLE 15: VOTE

Upon motion made by Moderator, Robert E. Bentley, and seconded, it was *unanimously voted* for the Moderator to declare the two-thirds vote for Article 15 of the Warrant.

Upon motion made by Robert Belbin, 26 Gate Street, Carver, and seconded, it was a *two-thirds vote declared failed by the Moderator*.

ARTICLE 16: MONEY PETITION ARTICLES

- A. Health Imperatives' Violence Intervention & Prevention Programs (formerly Womansplace Crisis Center) requests \$5,000 from the Town of Carver for services provided to survivors of sexual assault and their families in Fiscal Year 2016
- B. South Shore Community Action Council, Inc. is requesting that the Town of Carver vote to raise and appropriate, or transfer from available funds, the sum of Five Thousand Dollars (\$5,000.00) to South Shore Community Action Council, Inc. for services to low income families and elderly residents in the Town of Carver.
- C. To see if the Town of Carver will vote to raise and appropriate or transfer from available funds the sum of \$4,000 to support South Coastal Counties Legal Services, Inc.'s continued free legal services in civil matters to low-income and elderly families, or take any action thereon.
- D. To see if the town will vote to raise, appropriate, or transfer from available funds, a sum of money to support the Plymouth Coalition for the Homeless, Inc. in their services to the homeless and other low income families. Amount Requested: \$5,000.00
- E. To ask the Town of Carver to vote to raise or appropriate or transfer from available funds the sum of \$3,000 to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents.

or take any other action related thereto.

VARIOUS PETITIONED ARTICLES

INFORMATIONAL SUMMARY: The above funding requests have been properly petitioned for inclusion in the Town of Carver's Annual Town Meeting.

Recommendation: Selectmen - no action, Finance Committee 5-0

ARTICLE 16: VOTE

Upon motion made by Helen Marrone, Selectwoman, and seconded, it was *unanimously voted* for the Town to raise and appropriate the total sum of \$22,000 as grants for the purposes and in the amounts specified in Article 16 of the Warrant.

ARTICLE 17: HOME RULE PETITION REGARDING GROUP HEALTH INSURANCE FOR ELIGIBLE EMPLOYEES AND RETIREES:

To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, a draft of which is set forth below, ratifying the actions of the Town of Carver and its Board of Selectmen to provide health insurance and other benefits since acceptance by the Town of section 10 of G.L. c. 32B in 1966, and authorizing the Town to modify the percentage contribution made by the Town towards the cost of the premium for group health insurance for the Town's eligible retirees:, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the

Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

An Act Relative to the Provision of Health Insurance and other Benefits in the Town of Carver.

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the actions of the town of Carver and its Board of Selectmen with respect to the provision of health insurance and benefits provided to its employees and retirees since acceptance by the town of section 10 of chapter 32B of the general laws in 1966, and all actions taken pursuant thereto, are hereby ratified, validated and confirmed as if the town of Carver and its Board of Selectmen had properly voted to approve the provision of health insurance benefits to its employees and retirees in accordance with law.

SECTION 2. Notwithstanding the provision of any general or special law to the contrary, the town of Carver shall contribute 75 per cent of the cost of the premium for group health insurance provided by the town to any eligible retiree who retires ~~after~~ on or before June 30, 2025 and who elects coverage under the Town's group health insurance.

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, the Town of Carver shall contribute 50 per cent of the cost of the premium for group health insurance provided by the Town to any eligible retiree who retires after June 30, 2025 and who elects coverage under the Town's group health insurance.

SECTION 4. Upon separation from employment with the Town of Carver, an eligible retiree may elect at the time of separation of employment to continue their participation in the Town's group health care insurance program subject to the terms and underwriting conditions of the Town's in-force insurance providers. An eligible retiree, who fails to exercise his or her election opportunity within thirty (30) calendar days of retirement, will be deemed to have waived his or her right to participate in the town's group insurance program.

SECTION 5. This act shall take effect upon passage.

or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: Earlier this spring, during the course of responding to an administrative request from a state agency, Town officials learned that certain local option statutes pertaining to municipal health insurance have never been properly accepted or adopted by the Town. Specifically, the statutes in question permit a municipality to pay for a portion of retirees' health insurance premiums. To correct this oversight, the Board has proposed special legislation that would ratify the Town's prior actions, and further, with eye towards the Town's long-term financial health, decrease the Town's premium contributions for future retirees, which currently stands at 75%. The proposed legislation would grandfather current retirees at the present rate.

Recommendation: Selectmen 3-0, Finance Committee 5-0

ARTICLE 17: VOTE

Upon motion made by Alan Dunham, Selectman, and seconded, it was ***Unanimously Voted*** for the Town to approve Article 17 as set forth in the Warrant as amended.

Upon motion made by Moderator; Robert Bentley and seconded it was ***Unanimously Voted*** to adjourn the Annual Town Meeting at 9:52 P.M.

A True Record, Attest:

Lynn A. Doyle
Town Clerk
