



COMMONWEALTH OF MASSACHUSETTS

Town of Carver
2010 Annual Town Warrant

Plymouth, ss. To either of the Constables of the Town of Carver.

GREETING:

In the name of the Commonwealth of Massachusetts you are directed to notify and warn the Inhabitants of the Town of Carver qualified to vote in elections and in Town affairs to meet at the Carver High School, all three precincts in said Carver, on Monday, the 17th of May, 2010 then and there to act on the following Articles, namely:

Article 1. To see if the Town will vote to hear the report of any standing committee, 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 relative thereto.

Article 2. To see what action the Town will take with regard to fixing the salaries of Elected Town Officers in accordance with General Laws, Chapter 41, and Section 108 as amended, namely:

	<u>Current Salary</u>	<u>Proposed Salary</u>
Treasurer/Collector	\$ 72,170.33	\$72,170.33
Town Clerk	\$ 59,271.67	\$59,271.67
Moderator	\$ 250.00	\$ 250.00
Chairman, Board of Selectmen	\$ 900.00	\$ 900.00
Board of Selectmen all other Members (each)	\$ 775.00	\$ 775.00
Board of Assessors, each member	\$ 750.00	\$ 750.00
Board of Public Works, each member	\$ 500.00	\$ 500.00
Planning Board, each member	\$ 700.00	\$ 700.00
Board of Health, each member	\$ 700.00	\$ 700.00

Library Trustees, each member	\$ 250.00	\$ 250.00
Chairman, School Committee	\$ - 0 -	\$ 1,500.00
School Committee, each member	\$ - 0 -	\$ 1,200.00

This Article is not an appropriation. Appropriation will be made within the respective department budgets.

(By Elected Officials)

Article 3. To see if the Town will vote to raise and appropriate, or transfer from available funds or borrow sums of money as may be necessary to defray Town charges from July 1, 2010 to June 30, 2011 as set forth in the budget contained in “Recommendations of the Board of Selectmen and Finance Committee”, which report is on file with the Town Clerk, or take any other action relative thereto.

(By Board of Selectmen & Finance Committee)

Article 4. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow sums of money for the purpose of funding operating expenses and debt service requirements of the North Carver Water District, or take any other action relative thereto.

(By North Carver Water District Commissioners)

Article 5. To see what amount the Town will vote to raise and appropriate or transfer from available funds for the purpose of providing a cost-of-living increase for FY2011 for non-union employees, or take any other action relative thereto.

(By Board of Selectmen)

Article 6. To see what amount the Town will vote to raise and appropriate or transfer from available funds for the purpose of funding a collective bargaining agreement with the Police Union or take any other action relative thereto.

(By Board of Selectmen)

Article 7. To see what amount the Town will vote to raise and appropriate or transfer from available funds for the purpose of funding a collective bargaining agreement with the Dispatcher’s Union, or take any other action relative thereto.

(By Board of Selectmen)

CAPITAL EXPENDITURES:

Article 8. To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or lease sums of money for the purpose of funding the following capital expenditures:

A. School Department:

a. Replace Septic System at Elementary School	\$150,000.
b. Replace 1994 John Deere Tractor for Primary/Elementary Schools	27,000.
c. Replace Hot Water Boiler at Middle/High School Building	20,000.
d. Two 77 Passenger School Buses	156,000.
e. Two Mini-Vans	46,000.
f. Two double-deck convection ovens for Food Services	<u>15,800.</u>
Total School Department Articles	\$414,800.

said sums to be expended by the School Superintendent.

(By the Superintendent and School Committee)

B. Department of Public Works:

a. The sum of One Hundred Fifty Thousand Dollars (\$150,000.) to purchase a cab and chassis with a dump body and combination sander 38,000 GVW for the Department of Public Works.

b. The sum of Thirty Six Thousand Dollars (\$36,000.) for the replacement of a 4x4 SUV Vehicle for the Department of Public Works Superintendent, and further to authorize the Board of Selectmen to dispose of any equipment that might be replaced by the new equipment by trade or sale for such price as is deemed reasonable by the Board of Selectmen.

(By the DPW)

C. Fire Department:

a. The sum of Forty-Five Thousand Dollars (\$45,000.) for the purpose of purchasing replacement Self-Contained Breathing Apparatus (SCBA) Air Tanks for the Fire Department, said sum to be expended by the Fire Chief.

(By the Fire Chief)

D. Buildings and Grounds Department:

a. The sum of Ten Thousand Dollars (\$10,000.) for the purpose of painting projects at the Town Hall, Library, Police Station, Fire Stations, and Ambulance Building. Said projects to be done by hire contractors, prison labor and/or town employees.

(By the Buildings and Grounds Department)

E. Police Department:

The sum of Twenty Six Thousand and Seven Hundred Forty Dollars (\$26,740.00) for the purpose of upgrading the Police Department Communications Console and supplementing the Fire Fighter Assistance Communication Grant recently awarded by the Federal Emergency Management Agency.

(By the Police Department)

or take any other action relative thereto.

(By the Capital Outlay Committee)

REVOLVING ACCOUNTS:

Article 9. To see if the Town will vote to dissolve the Carver Youth Needs Committee and to transfer all its powers and duties to the Carver Recreation Committee; and further to see if the Town will vote to discontinue the Carver Youth Needs Revolving fund established pursuant to G.L. c. 44, s. 53E1/2 and to transfer any remaining balance in said fund to the Carver Recreation Revolving Fund; or take any other action relative thereto.

(By the Recreation Committee)

Article 10. 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 1/2:

- Library Fine Revolving Account to which shall be deposited monies from overdue fines, damaged and lost books levies and from which the Director may make expenditures for the purpose of replacing damaged or lost materials. Expenditures for FY2011 from such fund not to exceed Seven Thousand Dollars (\$7,000.00).
(By Library Trustees)
- Transportation Revolving Account for the Council on Aging which in addition to items provided by said statute shall provide: (1) for payment of transportation needs, vehicles, repairs, maintenance, fuel lubricants, insurance (but not including insurance of any of the Greater Attleboro Taunton Regional Authority (“GATRA”) vehicles used by the Council on Aging) and salaries and expenses for part-time employees used relate thereto: (2) that departmental receipts consisting of reimbursement of GATRA of transportation expenditures, fares and all other receipts, shall be credited to the revolving fund: (3) that the Council on Aging Director shall be authorized to expend from such fund: and (4) that the total amount which may be expended from such fund during FY2011 shall be One Hundred Thousand Dollars (\$100,000.00) in accordance with the contract between the Town through its Council on Aging and GATRA.
(By Council on Aging)
- Council on Aging Nutrition Revolving Account for the purpose of depositing receipts from the lunch and meals on wheels programs, and any other Council on Aging sponsored meal functions to be expended by the Council on Aging for lunches, meals on wheels programs, and other Council on Aging sponsored meal functions, not to exceed Thirty Thousand Dollars (\$30,000.) or take any other action relative thereto.
(By Council on Aging)
- Earth Removal Fee Revolving Account to which shall be deposited fees collected for earth removal inspections for the purpose of making road repairs not to exceed One Hundred Thousand Dollars (\$100,000.00) for FY2011. Expenditures shall be under the direction of the Earth Removal Committee.
(By Earth Removal Committee)

- Wiring, Plumbing and Gas Permit Fee Revolving Account to use Seventy-Five Percent (75%) of Wiring, Plumbing, and Gas permit fees collected to pay the wages of those Inspectors. Expenditures for FY2011 from such fund not to exceed One Hundred Thousand Dollars (\$100,000.00). Expenditures shall be under the direction of the Building Commissioner.
(By Board of Selectmen)
- Marcus Atwood House Revolving Account for rental and other fees collected for the use of the Marcus Atwood House to be used for the ongoing maintenance and upkeep of the Marcus Atwood House, said sums to be under the direction of the Marcus Atwood House Trustees. Expenditures for FY2011 from such funds not to exceed Twelve Thousand Dollars (\$12,000.00).
(By Marcus Atwood House Trustees)
- Cole Property Bog Maintenance Revolving Account for receipts and other fees collected for the ongoing maintenance of the Cole Property Cranberry Bogs and Cole Property Walking Trail, said sums to be under the direction of the Agricultural Commission. Expenditures for FY2011 shall not exceed Ten Thousand Dollars (\$10,000.00).
(By Agricultural Commission)
- Fire Department Revolving Account for reimbursable incidents allowed under Massachusetts General Laws Chapter 21E involving hazardous materials releases. Receipts generated shall be deposited into this revolving fund and expenditures to replace, repair or purchase equipment & supplies and to fund administrative and call firefighter wage expenses associated with fire operations and responses to hazardous material incidents, said sums to be under the direction of the Fire Chief. Expenditures for FY 2011 not to exceed Thirty Thousand Dollars (\$30,000.00).
(By Fire Department)
- Recreation Committee revolving account to collect and disburse of funds for services provided to Town residents for recreation activities. Such funds are to be expended under the jurisdiction of the Recreation Committee. Expenditures for FY 2011 not to exceed Twenty Thousand Dollars (\$20,000.00);
(By Recreation Committee)
or take any other action relative thereto.

Article 11. To see if the Town will vote to accept the provisions of MGL Chapter 60 Section 62A to authorize five year payment agreements for eligible Tax Title properties and to waive fifty per cent (50 %) of Treasurer's interest that has accrued in the Tax Title account. Eligible Tax Titles shall be defined as owner occupied residential properties, tax titles in excess of \$5,000.00, assessed values greater than \$200,000.00 and having been in tax title more than three years, or take any other action relative thereto.
(By Treasurer/Collector)

Article 12. POST EMPLOYMENT HEALTH INSURANCE LIABILITY FUND

To see if the Town will vote to accept the provisions of G.L. c. 32B, section 20 to establish an Other Post-Employment Benefits Liability Trust Fund; or take any other action relative thereto.

(By Treasurer/Collector & Town Accountant)

[Explanation: This article takes the first of many steps that will need to be taken to prepare Carver for the implementation of a new accounting requirement, known as GASB 45. The Governmental Accounting Standards Board (GASB) is a national association that promulgates accounting standards that it hopes government will follow. GASB 45 (also known as "Accounting and Financial Reporting by Employers for Post Employment Benefits Other than Pensions") is a new standard that will require non-pension (Other Post Employee Benefits or "OPEB") benefits for retirees, such as retiree health care, to be shown as an accrued liability on financial statements, similar to pension benefits. Towns that offer health care benefits to retired town and school employees should begin taking action to comply with this new accounting standard. GASB standards generally do not have the force of law, but failure to adhere to them results in poor audits and can affect credit ratings. Specifically, GASB 45 requires us to estimate the future value of such benefits for our retirees and then calculate an actuarially derived yearly liability to be shown on our financial statements, rather than using pay-as-you-go for retiree benefits, as Carver presently does. The Town of Carver has had it's first actuarial valuation performed and a report was issued on December 19, 2007. We will be required to identify and disclose the OPEB liability and funding status on our future financial statements. Once we have established this fund, the Town can begin to develop strategies for funding the calculated annual liability.]

Article 13. To see if the Town will vote to transfer from available funds a sum of money established by the State. Which may be used for State Aid Construction and Improvements under the acts of 2009 Chapter 90 apportionment to meet the States share of the cost of the work reimbursement received there from to be paid to the treasury, or take any other action relative thereto.

(By DPW)

Article 14. To see if the Town will vote to transfer the sum of Twenty Thousand Six Hundred Thirty Nine Dollars (\$20,639.00) from the sale of lots accounts in Central, Lakenham and Union Cemeteries and also vote to transfer the sum of Nine Thousand Three Hundred and Sixty-One Dollars (\$9,361.00) from the Expendable Trust Funds (cemetery perpetual care accounts only) for the purpose of meeting charges against the cemetery fund in the Town Treasury or take any other action relative thereto.

(By DPW)

Article 15. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of Fifteen Thousand Dollars (\$15,000.00) for the purpose of Repairing Private Ways under Massachusetts General Laws, Chapter 40,

Section 6N as amended, to be under the direction of the Department of Public Works, or take any other action relative thereto.

(By DPW)

Article 16. To see if the Town will vote to raise and appropriate or transfer from available funds Nine Thousand-Five Hundred Dollars (\$9,500.00) for the replacement of the carpeting at the Town Hall, or take any other action relative thereto.

(By Building and Grounds Department)

Article 17. To see if the Town will vote to raise and appropriate or transfer from available funds Five Thousand Five Hundred Dollars (\$5,500.00) for a safety upgrade to the Town Hall Elevator doors, or take any other action relative thereto.

(By Building and Grounds Department)

Article 18. To see if the Town will vote to raise and appropriate or take from available funds in the Treasury or borrow under the provisions of Chapter 44, or any other lawful authority, Eleven Thousand Dollars (\$11,000.00) to fund a contract with the Cape Cod Visiting Nurse Association for professional services to be provided to the public generally for the fiscal year July 2010 - June 2011, or take any other action relative thereto.

(By Board of Health)

Article 19. To see if the Town will vote to raise and appropriate or transfer from available funds Ten Thousand Dollars (\$10,000) to be used by the Inspector of Buildings for the purpose of razing, boarding up of or fencing of buildings that have been found by the town to be dangerous, unused, uninhabitable, open to the weather, a fire hazard, a health hazard, or structurally unsound or take any other action relative thereto.

(By Inspections Department)

Article 20. To see if the town will vote to raise and appropriate or transfer from available funds the sum of Five Hundred Dollars (\$500.00) for the purpose of meeting expenses associated with Old Home Day, said sums to be expended under the direction of the Board of Selectmen, or take any other action relative thereto.

(By Board of Selectmen)

Article 21. To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of Six Hundred Dollars (\$600.00) for the purposes of meeting the expenses of the Green Committee, said sums to be expended by the Green Committee, or take any other action relative thereto.

(By the Green Committee)

Article 22. To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of Three Hundred Dollars (\$300.00) to meet the expenses of the Town's Commission on Disability, said sums to be expended by the Commission Disability, or take any other action relative thereto.

(By the Commission on Disability)

Article 23. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money in the amount of One Hundred Seventy-Five Dollars (\$175.00) to be expended to the Trustees for Plymouth County Cooperative Extension Service, and choose a Director in accordance with the provisions of M.G.L. Chapter 128 § 41 and 42, said expenditure to be under the direction of the Board of Selectmen, or take any other action relative thereto.

(By the Board of Selectmen)

Article 24. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Five Thousand Dollars (\$5,000) for the purpose of continuing maintenance on the Marcus Atwood House, or take any other action relative thereto.

(By the Marcus Atwood House Trustees)

NON-MONEY ARTICLES

Article 25. To see if the Town will vote to appropriate Three Hundred Twenty Five Thousand Dollars (\$325,000.00) from the Community Preservation FY 2011 Estimated Annual Fund Revenues to acquire approximately +/- 33 acres of land known as “Savery Meadows” for open space, conservation and active/passive recreational use. This land is adjacent to the Savery Avenue and to the Savery Avenue Conservation Land, is in the Savery Historic District and is shown on Assessors’ Map 89, Lot 1-0. Said sums to be expended under the direction of the Community Preservation Committee in consultation with the Conservation Commission, Recreation Committee and the Board of Selectmen, or take any other action relative thereto.

(By the Community Preservation Committee)

Article 26. To see if the Town will vote to appropriate Eighty Nine Thousand, Eight Hundred Fifty Dollars (\$89,850.00) from the Community Preservation FY 2011 Estimated Annual Fund Revenues to develop final plans and bid documents, solicit proposals and make award, and provide construction oversight for the reconstruction of Lakenham Green according to the Lakenham Green Committee’s Master Plan. Said sums to be expended under the direction of the Community Preservation Committee in consultation with the Lakenham Green Committee and the Board of Selectmen, or take any other action relative thereto.

(By the Community Preservation Committee)

Article 27. To see if the Town will vote to appropriate One Hundred Four Thousand, Four Hundred Dollars (\$104,400.00) from the Community Preservation FY 2011 Estimated Annual Fund Revenues to develop final plans and bid documents, solicit proposals and make award, and provide construction oversight for the construction of Buckman Park in accordance with the Buckman Park Assessment. Said sums to be expended under the direction of the Community Preservation Committee in consultation with the Carver Redevelopment Authority, the Buckman Park & Beach Committee and the Board of Selectmen, or take any other action relative thereto.

(By the Community Preservation Committee)

Article 28. To see if the Town will vote to appropriate Ninety Seven Thousand, Seven Hundred Dollars (\$97,700.00) from the Community Preservation FY 2011 Estimated Annual Fund Revenues to develop final plans and bid documents, solicit proposals and make award, and provide construction oversight for the historically accurate restoration of the Benjamin Ellis School. Said sums to be expended under the direction of the Community Preservation Committee in consultation with the Carver Redevelopment Authority and the Board of Selectmen, or take any other action relative thereto.
(By the Community Preservation Committee)

Article 29. To see if the Town will vote to appropriate One Hundred Twenty-Two Thousand Eight Hundred Ninety Dollars (\$122,890.00) from the Community Preservation FY 2011 Undesignated Fund Balance to make the required annual debt service payment on the purchase of +/-98 acres of land known as the western portion of the Cole property as referred to as Parcel 1 in Article 1 at the Special Town Meeting held on December 11, 2006, which purchase was authorized thereunder, said sums to be expended under the direction of the Community Preservation Committee in consultation with the Conservation Commission and the Board of Selectmen, or take any other action relative thereto.

(By the Community Preservation Committee)

Article 30. To see if the Town will appropriate One Hundred and Seventeen Thousand, Four Hundred Dollars (\$117,400.00) from the Community Preservation Act reserve for Community Housing to the Town of Carver's Municipal Affordable Housing Trust Fund as established Pursuant to the authority of Chapter 491 of Legislative Acts of 2004 and adopted by an act of Town Meeting dated May 19, 2009 Article # 40. Such funds paid to the affordable housing trust will be handled in accordance with the Grant Agreement between the Community Preservation Committee and the Carver Municipal Affordable Housing Trust.

(By the Community Preservation Committee)

Article 31. To see if the Town will vote to transfer a sum of money from the FY11 Community Preservation Act Estimated Annual Fund Revenues to the Community Preservation Fund Historic Resources Reserve, the Community Open Space Reserve and the Community Housing Reserve to meet the requirement that 10% of the Estimated Annual Fund Revenues be spent or set aside for future spending for each of the three purposes of the Community Preservation Act, or take any other action relative thereto.

(By the Community Preservation Committee)

Article 32. To see if the Town will appropriate a sum of money from the FY11 Community Preservation Act Estimated Annual Fund Revenues that will bring the annual distribution total to 5% of the FY11 Community Preservation Fund Estimated Annual Fund Revenues or _____ (an amount to be finalized by the Town Accountant) for the purpose of meeting annual operating expenses of the Community Preservation Committee. Funds not expended in the Fiscal Year shall be returned to the general Community Preservation Act account; or take any other action relative thereto.

(By the Community Preservation Committee)

Article 33. To see if the Town will vote to transfer a sum of money from the FY11 Community Preservation Act Estimated Annual Fund Revenues to the Community Preservation Fund Unrestricted Reserve Account, or take any other action relative thereto.
(By the Community Preservation Committee)

Article 34. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, \$650,000.00, according to M. G. L. Chapter 44, particularly Section 8C, \$325,000.00 of which to be funded by the monies appropriated in Article 25 of the 2010 Annual Town Meeting, and to authorize the Treasurer with the approval of the Selectmen, to borrow \$325,000.00, for the purpose of purchasing for public parks and playgrounds purposes, to acquire by eminent domain, or negotiated purchase or otherwise, a certain property known as the "Savery Meadows" property consisting of 33 acres, more or less, 6.3 acres of which will be dedicated as active recreational parkland, as shown on a conceptual plan entitled "Proposed Sports Facility in Carver, prepared by SITEC, dated January 5, 2009"; that said 6.3 acres of land to be conveyed to said Town of Carver under the provisions of Massachusetts General Laws, Chapter 45, Section 14, and as it may hereafter be amended and other Massachusetts statutes relating to public parks and playgrounds, to be managed and controlled by the Board of Selectmen of the Town of Carver, and the remainder of said land be conveyed to the Town of Carver under the provisions of Massachusetts General Laws Chapter 40, Section 8C, and as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission, and the Conservation Commission be authorized to file on behalf of the Town of Carver any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the PARC Act (Chapter 933 Acts of 1977, as amended) and/or any others in any way connected with the scope of the Article, and Town of Carver and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Carver to affect said purchase; and to see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, \$650,000.00, according to M. G. L. Chapter 44, particularly Section 8C, \$325,000.00 of which to be funded by the monies appropriated in Article 25 of the 2010 Annual Town Meeting, and to authorize the Treasurer with the approval of the Selectmen, to borrow \$325,000.00, for the purpose of purchasing for passive recreation and conservation purposes, by eminent domain, or negotiated purchase or otherwise, a certain property known as the "Savery Meadows" property consisting of 33 acres, more or less, 26.7 acres of which will be dedicated as passive recreational parkland and conservation land, as shown on a plan entitled "Proposed Conservation Land in Carver, prepared by SITEC, dated January 5, 2009"; that 6.3 acres of land be conveyed to said Town of Carver under the provisions of Massachusetts General Laws, Chapter 45, Section 14, and as it may hereafter be amended and other Massachusetts statutes relating to public parks and playgrounds, to be managed and controlled by the Board of Selectmen of the Town of Carver, and that 26.7 acres of said land be conveyed to the Town of Carver under the provisions of Massachusetts General Laws Chapter 40, Section 8C, and as it may hereafter be amended and other

Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission, and the Conservation Commission be authorized to file on behalf of the Town of Carver any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Self-Help Act (Chapter 132A, Section 11) and/or any others in any way connected with the scope of the Article, and Town of Carver and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Carver to affect said purchase; or take any other action relative thereto.

(By the Board of Selectmen and the Conservation Commission)

[Explanation: This article authorizes the Town of Carver to borrow money to purchase land for active recreation, passive recreation, and conservation purposes and authorizes the Town of Carver, through its Conservation Commission, to apply for state grant monies to reimburse the Town for the total amount of this borrowing.]

Article 35. To see if the Town will vote to establish a water enterprise fund in accordance with the provisions of Section 5(e) of Chapter 124 of the Acts of 2008 for the operation of the North Carver Water System, or to take any other action relative thereto.

(By North Carver Water District)

Article 36. To see if the Town will vote to amend Chapter 4, Section 4.6, Historic District, of the Town of Carver By Laws by adding the following provisions:

4.6.8 The Preservation of Historically Significant Buildings

4.6.8.1 Intent and Purpose

This by-law is enacted for the purpose of preserving and protecting significant buildings within Carver which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the town and to limit the detrimental effect of demolition on the character of the town. Through this by-law, owners of preferably preserved buildings are encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings and residents of the town are alerted to impending demolitions of significant buildings. By preserving and protecting significant buildings, streetscapes and neighborhoods, this by-law promotes the public welfare by making the town a more attractive and desirable place in which to live and work. To achieve these purposes the Historical Commission is authorized to advise the Building Commissioner with respect to demolition permit applications. The issuance of demolition permits is regulated as provided by this by-law.

4.6.8.2 Definitions

APPLICANT - Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

APPLICATION - An application for the demolition of a building.

BUILDING - Any combination of materials forming a shelter for persons, animals, or property.

BUILDING COMMISSIONER – The person occupying the office of Building Commissioner or otherwise authorized to issue demolition permits.

COMMISSION – The Carver Historical Commission or its designee.

DEMOLITION - Any act of pulling down, destroying, removing, dismantling or razing a building or commencing the work of total substantial destruction with the intent of completing the same.

DEMOLITION PERMIT – The building permit issued by the Building Commissioner for a demolition of a building, excluding a building permit issued solely for the demolition of the interior of a building.

PREFERABLY PRESERVED – Any significant building which the Commission determines, following a public hearing, that it is in the public interest to be preserved rather than demolished. A preferably preserved building is subject to the six month demolition delay of this by-law.

SIGNIFICANT BUILDING – Any building within Carver which is in whole or in part one hundred years or more old and which has been determined by the Commission or its designee to be significant based on any of the following criteria:

- The Building is listed on, or is within an area listed on, the National Register of Historic Places; or
- The Building has been found eligible for the National Register of Historic Places; or
- The building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of Carver or the Commonwealth; or
- The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

4.6.8.3 Procedure

1. No demolition permit for a building which is in whole or in part one hundred years or more old shall be issued without following the provisions of this by-law. If a building is of unknown age, it shall be assumed that the building is over one hundred years old for the purposes of this by-law.

2. An applicant proposing to demolish a building subject to this by-law shall file with the Building Commissioner an application containing the following information:

- The address of the building to be demolished.
- The owner's name, address and telephone number.
- A description of the building.
- The reason for requesting a demolition permit.
- A brief description of the proposed reuse, reconstruction or replacement.
- A photograph or photographs of the building.

3. The Building Commissioner shall within seven days forward a copy of the application to the Commission. The Commission shall within fifteen days after receipt of the application, make a written determination of whether the building is significant.
4. Upon determination by the Commission that the building is not significant, the Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.
5. Upon determination by the Commission that the building is significant, the Commission shall so notify the Building Commissioner and the applicant in writing. No demolition permit may be issued at this time. If the Commission does not notify the Building Commissioner within fifteen days of receipt of the application, the Building Commissioner may proceed to issue the demolition permit.
6. If the Commission finds that the building is significant, it shall hold a public hearing within thirty days of the written notification to the Building Commissioner. Public notice of the time, place and purpose of the hearing shall be posted in a conspicuous place in Town Hall for a period of not less than seven days prior to the date of said hearing and the applicant and the Building Commissioner shall be notified in writing of the meeting time and place.
7. The Commission shall decide at the public hearing or within fourteen days after the public hearing whether the building should be preferably preserved. If agreed to in writing by the applicant, the determination of the Commission may be postponed.
8. If the Commission determines that the building is not preferably preserved, the Commission shall so notify the Building Commissioner and applicant in writing. The Building Commissioner may then issue the demolition permit.
9. If the Commission determines that the building is preferably preserved, the Commission shall notify the Building Commissioner and applicant in writing. No demolition permit may then be issued for a period of six months from the date of the determination unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Commissioner in writing within twenty one days of the public hearing, the Building Commissioner may issue the demolition permit.
10. Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved building, no demolition permit may be issued for a period of six months from the date of the determination unless otherwise agreed to by the Commission.
11. During the six month delay period, the Applicant or the owner may work with the Commission to develop plans or locate a purchaser to preserve, rehabilitate or restore the subject building.
12. Notwithstanding anything contained in this by law, the Building Commissioner

may issue a demolition permit for a preferably preserved building during the six month delay period if the Commission notifies the Building Commissioner and the applicant in writing that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building.

13. The Building Commissioner may issue a demolition permit or a building permit for a preferably preserved building within the six months if the Commission notifies the Building Commissioner in writing that the Commission finds that the intent and purpose of this by-law is served even with the issuance of the demolition permit or the building permit.

14. Following the six month delay period, the Building Commissioner may issue the demolition permit.

4.6.8.4 Administration

The Commission may adopt such rules and regulations as are necessary to administer the terms of this by-law. The Commission is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this by-law.

The Commission may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

The Commission may pro-actively develop a list of significant buildings that will be subject to this by-law. Buildings proposed for the significant building list shall be added following a public hearing.

4.6.8.5 Emergency Demolition

If after an inspection, the Building Commission finds that a building subject to this by-law is found to pose an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building or structure, then the Building Commissioner may issue an emergency demolition permit to the owner or the building or structure. The Building Commissioner shall then prepare a report explaining the condition of the building and the basis for his decision which shall be forwarded to the Commission.

4.6.8.6 Enforcement and Remedies

1. The Commission and/or the Building Commissioner are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this by-law or to prevent a threatened violation thereof.

2. Any owner of a building subject to this by-law that demolished the building without first obtaining a demolition permit in accordance with the provisions of this by-law shall be subject to a fine of not more than Three Hundred Dollars (\$300.00). Each day the violation exists shall constitute a separate offense until a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission.

Such violations may be enforced by the non-criminal procedure authorized by M.G.L. c. 40, §21D.

3. If a building subject to this by-law is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of two years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission.

4.6.8.7 Historic District Act

Following a determination that the building is significant and preferably preserved, the Commission may recommend to Town Meeting that the building be protected through the provisions of Massachusetts General Law, Chapter 40C, the Historic Districts Act. The steps required under M.G.L. Chapter 40C shall be followed prior to the establishment of a local historic district. Nothing in this by-law shall be deemed to conflict with the provisions of the Historic District Act, Massachusetts General Laws Chapter 40C. If any of the provisions of this by-law do so conflict, that act shall prevail.

4.6.8.8 Severability

In case any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.;

or take any other action relative thereto.

(By Historical Commission)

Article 37. To see if the Town will vote to transfer from the Tax Collection for purposes of sale at auction to the Conservation Commission for conservation and passive recreation purposes the following parcel: Map 75, Lot 6-0, located at 0 Main Street, and recorded at the Plymouth County Registry of Deeds in Book 4706, Page 456; or take any other action relative thereto.

(By Conservation Commission)

Article 38. To see if the Town of Carver will vote, pursuant to the provisions of M.G.L. Chapter 40, Section 15C to designate the following roads within the Town as “SCENIC ROADS” in order to preserve the natural character and physical appearance of said roads; and to instruct the Planning Board, in exercising its responsibilities hereunder, to take into consideration sound planning principles, aesthetic consideration, and preservation of natural resources, as well as public safety when considering these roads; or take any other action relative thereto.

“SCENIC ROADS”:

Beaver Dam Road
Captain Perkins Drive
Center Street

Godfrey Circle
Green Street
Hammond Street

Pine Street
Pleasant Street
Plymouth Street

Commons Drive	High Street	Pond Street
Cranberry Road	Hines Avenue	Pope's Point Road
Crescent Street	Holmes Street	Purchase Street
Cross Street	Indian Street	Rochester Road
East Head Road	Lakenham Drive	Seipet Street
East Street	Lakeview Street	Shaw Road
Federal Road	Linton Drive	Snappitt Street
Fosdick Road	Mayflower Road	Tremont Street
France Street	Meadow Street	Wareham Street
Fuller Street	Old Center Street	Wenham Road
Gate Street		

(By the Conservation Commission, Historic District Commission, Historical Commission, Planning Board, Lakenham Green Preservation Committee, South Carver Furnace Village District Committee)

ZONING BY-LAWS

Article 39. To see if the Town will vote to amend Article III, Section 3000 of the Town of Carver Zoning By-Laws by deleting in it's entirety Section 3030 and inserting the following, or take any other action relative thereto:

3030. Inclusionary Units; Bonus Units. Where a special permit is required for development as described in this section, fifteen per cent (15%) of the units proposed for the development shall be Inclusionary Units and shall be reserved for sale or rental to Eligible Households. In the case of an existing residential property, the inclusionary requirement shall be 15 per cent of the net new units to be created on the property. For purposes of calculating the number of Inclusionary Units required in a proposed development, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

In order to mitigate the costs of this requirement, developments covered by this Section excepting conventional subdivisions shall be allowed a bonus of one Market Rate unit of the same bedroom size for each Inclusionary Unit provided. If, in the opinion of the Planning Board, the total amount of bonus units cannot be built on site in full conformance with all applicable zoning, subdivision regulations, health regulations, wetlands regulations and other applicable requirements, then, for each such bonus unit that cannot be built on site, the Applicant shall, in lieu of providing the associated Inclusionary Unit, make a cash payment in the amount set forth in Section 3035.

(By Planning Board)

Article 40. To see if the Town will vote to amend Article VI of the Zoning By-Laws by inserting the following definitions:

CAMPGROUND, NET USABLE LAND AREA (NULA) - The NULA acreage is established by subtracting all water bodies, wetlands, marshes,

bogs, land actively mined, buffers, easements, slopes over 25%, land within a sixty-five (65) foot wetland buffer area to these regulated lands and any other land legally restricted from development.

CAMPGROUND ROADS:

(1) **ACCESS:** The way which leads from the street, as herein defined, to the main office/facility.

(2) **SERVICE :** Ways serving the campsites and different areas within the campgrounds, main service being a two-way collector and minor service being a one-way minor.

(3) **EMERGENCY:** Way to be used exclusively for emergency vehicles and gated if necessary

RECREATIONAL CAMPSITE: A plot of ground within a recreational campground intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis.

RECREATIONAL VEHICLE: A vehicular type of unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, truck camper, and motor home.

PERSONAL RECREATIONAL VEHICLES: Motorized All Terrain Vehicles (“ATV’s”); Quads, Dirt Bikes or other similar vehicles including motorcycles.

COMMERCIAL RECREATIONAL CAMPGROUND: A parcel or contiguous parcels of land upon which campsites are located, established, and maintained for occupancy by campers or recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes from May 1 to November 1 for commercial purposes.

PRIVATELY OWNED WASTEWATER TREATMENT FACILITY OR PWTF: Any device or system owned by a private entity that is used for the treatment and disposal (including recycling and reclamation) of sewage and/or industrial wastewater. A Privately Owned Wastewater Treatment Facility includes the sewers, pipes, or other conveyances that convey the wastewater to the treatment facility.

PUBLICLY OWNED TREATMENT WORKS OR POTW: Any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature, which is owned

by a local government unit. A POTW includes any sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

or take any other action relative thereto.
(By Planning Board)

Article 41. To see if the Town will vote to amend the Zoning By-laws Section 2230 Use Regulation Schedule as follows:

Modify the uses in the Principal Use Table to read as follows:

2230. Use Regulation Schedule PRINCIPAL USE	RA	HC	GB	VB	V	GBP	IA	IB	IC	AP
A. RESIDENTIAL Commercial Campgrounds	N	N	N	N	N	N	N	N	N	N

or take any other action relative thereto.
(By Planning Board)

Article 42. To see if the Town will vote to amend Article IV, of the Town of Carver Zoning By-Laws by inserting the following:

4000. COMMERCIAL RECREATIONAL CAMPGROUNDS

4010. Objectives. The purpose of this bylaw is to allow for an adequate number of recreational campsites to service the family tourist trade in the Town of Carver during the camping season in such a manner as to protect the health, safety, and general welfare of the community as well as the campers by establishing specific design criteria for and requirements and regulations governing the design, construction, establishment, occupancy and maintenance of recreational campgrounds.

4020. Permit and administration.

4021. Upon receipt (time stamped) of an application for a campground, the ZBA shall submit the application to the Planning Board to conduct an administrative Site Plan Review of the project. In doing so the Planning Board shall, at a public meeting, discuss the proposal and recommend to the ZBA any changes, amendments and/or conditions the Planning Board would like to see in the ZBA deliberations and/or decision. Planning Board recommendations shall be submitted to the ZBA within 60 days of receipt of the plans. The ZBA shall at it's initial Public Hearing make known the date of the Planning Board's public meeting to discuss such plans and shall make available to the Planning Board all review consultants as needed for the Planning Board to properly review said

application. The Planning Board shall also distribute the plans and application to any Town Department deemed necessary for proper review of the plans.

4022. Special permits for campgrounds will be:

- (a) Seasonal for operation from May 1 to November 1.
- (b) Subject to review every five years for conformance to the requirements of the special permit, as originally granted.

4023. Campgrounds are allowed in the RA (Residential/Agricultural) Zone by Special Permit subject to environmental design conditions.

(a) Submission materials shall include:

- [1] The site plan shall be prepared by a professional engineer, architect, or landscape architect licensed in the Commonwealth of Massachusetts and duly signed and sealed. Said site plan shall be duly certified as to accuracy of everything represented thereon.
- [2] The name and title of the applicant and the owner(s) and name(s) of the person preparing the plan maps and accompanying data.
- [3] Plat(s) and lot(s) number of the intended project area, including all properties to be considered for the NULA calculations affecting the final build out density of the project and subject to a Conservation Restriction and/or Deed Restriction.
- [4] Date, scale and North arrow.
- [5] Names, plots and lots of adjacent property owners and property within 300 feet of the boundaries of the affected premises, as identified in Section a (3) of this by law.
- [6] Boundary limit of premises, setback lines, lines of existing easements and proposed easements.
- [7] Any proposed regulations or restrictive covenants which would affect the premises.
- [8] Detailed architectural and engineering plans of all permanent structures.
- [9] Location of all existing and proposed storm and water drainage systems.

[10] Location of all existing and proposed utilities systems.

[11] Location of all recreational areas and storage areas.

[12] Location of all signs, including directional, temporary and permanent business signs.

[13] Location and layout of campsites and parking areas.

[14] Topography of existing and proposed grades, with contours taken at two-foot intervals.

[15] Location of all access, emergency and service roads within the affected premises, showing access points to already existing streets.

[16] Location of all wetlands resource areas of any size (jurisdictional under the Carver Wetlands By Law and the State wetlands Protection Act).

[17] Legend: "For the purposes of this Special Permit, parcels shown hereon are for the purposes of designating campsites for temporary rental. This plan does not constitute a subdivision of land. The entire tract shown hereon is considered a single lot and may not be subdivided."

(b) All construction shall be completed in one year after issuance of a building permit or in self-sufficient phases that can be completed in one year after issuance of a building permit for each phase. Failure to comply will render the permit null and void.

(c) If phasing of the development is requested, a phasing plan must be submitted and approved by the SPGA.

4024. Location and density.

(1) Commercial Recreational Campgrounds may be permitted by the Zoning Board of Appeals in the RA Zone by special permit subject to conditions outlined in this by law.

(2) Commercial Recreational Campgrounds shall;

(a) Provide access from an accepted way that has a minimum of 24 feet of pavement which is not part of an approved subdivision by the Carver Planning Board under the Subdivision Control Law. A traffic study may be required to assess whether the proposed access

is adequate and meets all State and local by laws as well as ASHTO standards.

- (b) Have no less than 50 contiguous acres, pursuant to Section C (2)16 of this By Law and must be under one ownership;
- (c) Have no more than six campsites per NULA acre, as defined in this By-Law;
- (d) At no time be occupied by the same person and/or family for more that fourteen (14) consecutive days;
- (e) Have no more than 200 campsites total or be comprised of clusters of no more than 200 campsites separated by one-hundred-foot buffer zones;
- (f) Have center-to-center separation of campsites of not less than 40 feet;
- (g) Have no tenting campsites within 65 feet of a shoreline or no recreational vehicle campsites within 100 feet of a shoreline;
- (h) Have campsites with minimum dimensions of 2,500 square feet;
- (i) Have the sites numbered using reflective numbering so that the numbers can be seen from the service road;
- (j) Have a Security gate established, with each occupant receiving gate cards;
- (l) Have no off-road, all-terrain vehicles, or no other personal recreational motorized vehicles at any campsite, or shall any such vehicles be used to access any campsite;
- (m) Have no campsite located within 100 feet of any wetland resource area without first obtaining a permit from the Carver Conservation Commission.

4025. Planning principles and requirements. It is intended that campgrounds will be laid out in a logical manner with uses and functions located efficiently and compatibly within a matrix of green space. Each campground shall provide its own recreational facilities. Buffers of green space shall separate the campground from streets, rights-of-way, and abutters, as well as provide privacy and separation where needed within the campground.

(1) National Fire Protection Association (NFPA) Standards. All facets of the proposed campground including design, management, operation and buildings must adhere to NFPA 1194 (Standard for Recreational Vehicle Parks and Campgrounds; NFPA 1141 (Standard for Fire Protection Infrastructure for Land Development in Suburban and Rural Areas); and NFPA 1144 (Standard for Reducing Structure Ignition Hazards from Wildland Fire).

(2) Drainage. The site plan shall be developed to permit the unobstructed flow of all natural watercourses, including existing natural topography and surface runoff to existing low areas, to ensure adequate drainage of all low points along streets, and to provide a proper means for stormwater runoff from the roads (access and service), the campsites, recreational areas, and all developed areas being drained. There shall be no construction in low areas (kettleholes) and no filling of any wetlands in conjunction with construction of a campground. Applicant is encouraged to use Low Impact Design (LID) techniques to the fullest extent feasible.

(3) Roads. The Board of Appeals shall designate all roads shown on the plan as "access", "service" or "emergency". All roads shall be marked and named as approved by all Carver Public Safety departments.

(a) Access roads shall be 24 feet wide and paved according to the standards of the Subdivision Rules and Regulations, as shall all parking areas associated with the main office or facility. The horizontal alignment of the access road shall be curved in such a way that no facilities shall be visible from the public way.

(b) Service roads within the campground shall be a minimum 12 feet one-way and 20 feet two-way and constructed of a suitable hard surface, such as gravel, crushed stone or other comparable material, and shall be well drained. The service road network shall allow easy passage of fire vehicles. Service roads shall not be allowed within the 100 foot buffer pursuant to Section E (3) of this by law.

(c) Access roads shall not exceed a ten-percent grade. Service roads shall not exceed a twelve-percent grade.

(4) Buffer. There shall be a minimum buffer zone of 100 feet of dense, mature, living vegetation along all Town roads, rights-of-way or abutters and appropriately dimensioned buffers along all private ways. There shall be a minimum 150 foot buffer from the edge of all cranberry bogs to any campsites or recreational campsite areas. In the event that there is no pre-existing natural vegetative buffer, the applicant may provide non-invasive plantings; an 8 foot stockade fence; a 200 foot buffer; and/or an earthen

berm or any combination of the four as an alternative, subject to the review of the Planning Board and approval of the ZBA.

(5) Recreation facilities. Approximately 5% of the total area shall be set aside for designated and equipped recreation areas; for example: swimming ponds/pools, playing fields, bocce, function hall, tennis, volleyball, horseshoes, or other similar activities not previously prohibited.

(a) Unpaved bike or walking trails shall not exceed 10 feet in width and shall be a minimum of 50 feet from all town roads, rights-of-ways or abutters.

(6) Water. The distance from potable water to any campsite shall be no more than 300 feet maximum.

(7) Sanitary facilities. Sanitary facilities shall comply with all state and local health codes.

(8) Sanitary Disposal Waste Station. There shall be one Sanitary Disposal Waste Station, for the emptying of waste holding tanks, per 100 Recreational Vehicle sites or fraction thereof.

(9) Parking.

(a) Parking space for trailers and car or vehicle pulling trailer within the campsite shall be a maximum of two-percent grade.

(b) One parking space at a maximum of five-percent grade shall be provided at each tent site.

(c) One additional parking space shall be provided per 10 campsites.

(d) Parking for a minimum of two cars shall be provided at each sanitary facility.

(e) One additional parking space for each 20 sites or fraction thereof shall be provided at the reception area.

(10) Reception area.

(a) The reception area shall be designed to accommodate through traffic in both directions without interruption and shall also accommodate parking and provide an area for registration.

(b) A large map of the campground with numbered sites shall be installed at the entrance reception area. The map shall be lighted.

(11) Rubbish. A rubbish plan shall be submitted and proper rubbish receptacles shall be provided.

(12) Permits. All permits required by the Carver Fire Department must be obtained annually prior to May 1. These include but are not limited to “campfire permits”.

(13) 911 “Call Boxes”. 911 “Call Boxes” shall be located as directed by the Carver Fire Department.

(14) Telephone. A telephone shall be available within view of the office for use of campground occupants in an emergency during staffed and non-staffed hours.

(15) Maps. Site maps of the campground including street names, campsite numbers and pertinent information regarding public safety must be distributed to all Carver Public Safety departments on an annual basis.

(16) First Aid Station. A well marked, easily accessible and highly visible location shall be provided for a “First Aid Station within the Campground site.

(17) Lighting. Lighting shall be provided in strategic locations for Public Safety and shall be shown on the site plans and shall adhere to all applicable Carver By Laws.

(18) Plowing. Unless all power is being terminated on the campground and the facility is to be unoccupied during the “off season”, all access roads and emergency roads to all permanent structures and storage areas shall be plowed in a timely fashion.

4026. Utilities and facilities.

(1) All facilities shall comply with any and all applicable regulations of the Commonwealth of Massachusetts, Department of Public Health, and Carver Board of Health and other sections of the Zoning or Town Bylaws where applicable.

(2) Limited commercial activities may be provided to serve the campers but are subject to the basic seasonal and temporary permit restrictions of the recreational campground. These facilities are intended for the convenience of the campers and may be permitted by the Zoning Board of Appeals only if they are to be located in conjunction with the main office

or recreation facility central to the campground. They shall not be advertised from any public way and are not intended for use by the general public. They may not exceed 250 square feet per 100 campsites or 500 square feet total.

4027. Regulations. No vehicle may have its wheels or apparatus for mobility removed other than for emergency repairs. No recreational vehicle shall be occupied for habitation in the campground after November 1 or before May 1. Storage of unoccupied recreational vehicles after November 1 and before May 1 may be allowed by the Zoning Board of Appeals after a finding that such storage shall not be substantially detrimental to the neighborhood and will not create a nuisance and then only in designated areas in compliance with the requirements of Subsection E hereof. The maximum number of unoccupied recreational vehicles designated for storage shall be limited to the number of approved recreational vehicle campsites for each application. The storage of Recreational Vehicles on approved Recreational Campsites is prohibited.

4028. Campground Operational Management Plan/ Emergency Services Plan.

(a) A Campground Operational Management Plan shall include a security plan; hours of operation; and all other facets necessary to protect the patrons of the facility as well as the residents of the Town of Carver shall be submitted to the Zoning Board of Appeals for review. Included in a Campground Operational Management Plan shall be a procedure requiring the owner/operator of a Recreational Campground located next to an agricultural use or facility to be obligated to provide proper notification to all campground residents of all and any normal agricultural best practices which may include the application of chemicals. The Campground Operational Management Plan shall also provide a “noise free” period with provisions for violations of such periods.

(b) Emergency Services Plan. An Emergency Services Plan shall include accommodations for an “Emergency Attendant” trained in Basic First Aid on duty 24 hours a day, emergency contact information, Emergency Evacuation Outlines, Evacuation Routes, Maps, and Emergency Meeting Locations. The plan should also include Campground operational procedures for Incidents related to each of our Emergency Services Disciplines – Fire Operations, Police Services, and EMS Services. The plan shall include accommodations for an Automatic External Defibrillator (AED) on hand for use by Campground Staff.

or take any other action relative thereto.

(By Planning Board)

Article 43 To see if the Town will vote to amend Article II, Section 2850 of the Town of Carver Zoning By-Laws by deleting in it’s entirety Section 2851 and inserting the following,

2850. Design Standards/Requirements.

2851. Green/Square and other Public Open Spaces. A public green/square shall be required within a PND. The green/square shall be a minimum of one (1) acre in size and shall be designed as a pedestrian friendly park. The green/square shall contain some combination of benches, tables, playground equipment, sidewalks, lighting and landscaping. The green/square shall be easily accessible to pedestrians and shall be properly maintained. The green/square shall be used solely for active and passive recreation purposes and shall be open to the public.

- a. The green/square should be surrounded by buildings with complementary ground floor uses such as restaurants and cafes (preferably with seasonal outdoor seating), and other businesses that operate in both daytime and evening hours, to create a festive, welcoming, well-populated attraction for pedestrians.
- b. Additional public open spaces as needed to meet the 20% open space requirement or the active/passive recreation requirement should be sited throughout the district to serve a variety of purposes, such as commons or greens, walking trails, bikeways, neighborhood pocket parks, community gardens, civic gathering places, and passive and/or active recreation. All public land for active/passive recreation shall be accessible via pedestrian connections and shall be properly maintained. Small-scale “pocket parks” and community gardens are encouraged in all residential areas, particularly adjacent to multi-family dwellings with limited private open space.
- c. The total acreage of all public land for active/passive recreation may be used toward calculating the allowable density for one of the nearby land uses within that phase.

or take any other action relative thereto.

(By Planning Board)

PETITION ARTICLES

Article 44 To see if the Town of Carver will vote to amend the Town’s General By-Laws, Chapter 5, Personnel Administration, by adding the following section:

5.10 RESIDENCY

The following positions shall be subject to this by-law: Town Administrator, Chief of Police, Fire Chief, Superintendent of Schools, and School Business Manager.

Appointees to the above listed positions need not be a resident of the Town or the Commonwealth at the time of appointment, but shall within six (6) months of such appointment become a resident of Carver and maintain such status for the duration of said appointment and any subsequent reappointments. No person shall be eligible for reappointment to the positions enumerated above who is not a Carver resident at the time

of such appointment. Violation of this by-law shall be cause for termination of employment. The provisions of this by-law shall not apply to the incumbents occupying the enumerated positions at the time the by-law is adopted unless he/she relocates from his/her current address. If he/she relocates after adoption of this by-law, the provisions of this by-law shall apply. (By Petition)

Article 45 To see if the Town of Carver will vote to raise, appropriate, or transfer from available funds, the sum of Four Thousand Dollars (\$4,000.00) to Womansplace Crisis Center in lieu of services provided to the sexual assault survivors and their families, or take any other action relative thereto (By Petition)

Article 46 To see if the Town of Carver will vote to raise and appropriate or transfer from available funds, the sum of Three Thousand Dollars (\$3,000.00) to support South Coastal Counties Legal Services, Inc.'s continued free legal services in civil matters to low-income families and their children, or take any action thereon. (By Petition)

Article 47 To see if the Town of Carver will vote to raise, appropriate or transfer from available funds, the sum of Three Thousand Dollars (\$3,000.00) to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents. (By Petition)

Article 48 To see if the Town of Carver will vote to raise, appropriate, or transfer from available funds, the sum of Four Thousand Dollars (\$4,000.00) to South Shore Community Action Council, Inc. for services to low-income families and elderly residents who live in the Town of Carver. (By Petition)

Article 49 To see if the Town of Carver will vote to raise, appropriate, or transfer from available funds, the sum of Five Thousand Dollars (\$5,000.00) to support the Plymouth Area Coalition for the Homeless, Inc. in their services to homeless and other low-income families. (By Petition)

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

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

Given under our hands this 27th Day of April in the Year Two Thousand and Ten

CARVER BOARD OF SELECTMEN

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

Date
A True Copy Attest

Constable