

Town of Northborough



Annual Town Meeting
July 18, 2020

Warrant Supplement & Reference Material

2020 ANNUAL TOWN MEETING INTRODUCTION

On the following pages you will find the Articles from the posted Warrant for the 2020 Annual Town Meeting. In addition to the Articles themselves, the motions that are intended to be made at Town Meeting are also included. Some of the motions reflect changes to budgets and proposed appropriations since the time the Warrant was posted. This Warrant supplement document follows the culmination of the Town Boards & Committees having revised budgets downward to reflect the realities of the economic fallout of the COVID-19 pandemic, which resulted in a swift and dramatic impact following the posting of the original Warrant on March 23, 2020.

The Warrant sets the format for Annual Town Meeting, which usually commences on the fourth Monday in April. Due to the ongoing pandemic, the Town took advantage of new enabling state legislation to reschedule Town Meeting to Saturday, July 18, 2020 at 9:00 a.m. in an outdoor venue at the Algonquin Regional High School. This year's Warrant is composed of 46 Articles. An Article is the mechanism by which residents are asked to consider some form of action during Town Meeting. For example, Article 6 asks residents to consider acceptance of the Northborough School K-8 operational budget. Following some Articles, you will find a brief explanation (unless it is self-explanatory).

Additionally, to maximize safety of participants at Town Meeting, the Moderator will be seeking to conduct this annual meeting as efficiently as possible. Many budget presentations and hearings have been recorded and posted online. Therefore, it will be incumbent on participants to review the basic information in advance. Likewise, presentations at Town Meeting will be substantially limited and the Moderator will also introduce the concept of a "consent agenda." This is a process whereby routine articles, including those proposed to be passed over, will be grouped and voted on as a block. The consent agenda approach will not compromise the ability to take any of those articles out of the grouping and handle them separately if that is the will of Town Meeting. Following this introduction is a brief explanation of the Moderator's proposed consent agenda process and the articles which will be included on that agenda.

Also included in this document is a summary of the Town's operational budget, a summary of revenues and expenditures for the Town and Schools, the Financial Planning Committee's report and the Appropriations Committee's report and recommendations.

I wish to recognize the efforts of the Town's Boards, Committees, Commissions and Town Departments in contributing to the preparation of the FY2021 Budget and the drafting of the Warrant.

Respectfully submitted,

John W. Coderre
Town Administrator

Moderator's Consent Agenda For Annual Town Meeting

In order to reduce the time during which the voters are gathered for the Annual Town Meeting during this time of the COVID-19 pandemic, and to account for the fact that a longer meeting in an outdoor setting poses possible discomfort for some voters and is subject to disruption by inclement weather, the Moderator will use a procedure known as a consent agenda. It is the bundling of articles considered to be non-controversial, and/or related by subject matter, into a single motion to be voted on by Town Meeting. This practice has been used in other towns, and in some towns, it is a routine part of Town Meeting. A consent agenda can save time by eliminating the need for an individual motion, a second, an explanation and a vote on individual articles that are capable of being considered together.

What Articles Are Included?

There will be one consent agenda for this Town Meeting, as follows:

Consent Agenda 1:

Article 1 – Appoint Deputy Moderator: Article 1 ratifies routine appointment by the Moderator of Gerry Hickman to serve as Deputy Moderator in the event the Moderator is unable to continue.

Article 2 – Authorize Compensating Balance Agreements: This annual Article provides authorization for the Town to enter into a compensating balance agreement in order to obtain banking services. A compensating balance agreement is an arrangement by which a town maintains municipal funds on deposit in return for banking services.

Article 3 – Prior Years' Bills: There are no prior years' bills, so this Article will be passed over.

Article 9 – Authorize Revolving Fund Limits for FY2021: This is a housekeeping article that sets expenditure limits for special funds used to hold fees associated with providing certain Town services which are then used to offset the cost of providing the services (i.e., ambulance services).

Article 11 – Stabilization Fund Contribution: Given the amended FY2021 budget proposals, a planned contribution to the Stabilization (rainy day) Fund is not needed to maintain reserves at an acceptable level, so this Article will be passed over.

Article 15 – DPW Loader Replacement; Article 18—DPW Culvert & Drainage Replacement; Article 19 – DPW One-Ton Dump Truck Replacement; Article 20—DPW One-Ton Pickup Truck: Due to the financial impacts of COVID-19 and the revised Capital Improvement Plan approved by the Financial Planning Committee and the Appropriations Committee, it is proposed that the Town pass over these four articles.

Article 29 – Authorize School Bus Transportation Contracts of Up to Five Years: Under state law Town Meeting must authorize contracts in excess of three years and this Article allows the School Department to entertain a five-year contract option if it is deemed to be in the Town's best interest.

Article 32 – Community Preservation Fund Disc Golf at Edmunds Hill: Support for this article has been withdrawn by the Community Preservation Committee, so it will be passed over.

How The Consent Agendas Will Work

When the meeting reaches the first article to be included in the consent agenda, which will be Article 1, the Moderator will explain the process. The Moderator will read the title of each article included in the consent agenda. He will pause after each article to allow any voter who has a question on the article to say, “hold.”

Held articles will be set aside for separate consideration, apart from the consent agenda. Voters who hold an article will be asked to identify themselves and should be prepared to speak to the article later in the meeting.

After the meeting agrees on which articles to include in the consent agenda, there will be no debate and the Moderator will immediately call for a vote. Every article included in the consent agenda will either pass or fail depending on the single vote taken.

The articles removed from the consent agenda by a hold will be taken up individually in the order in which they appear in the Warrant.

What Voters Should Do To Prepare

Town Meeting voters should review the Warrant in advance and be ready to state which article(s) in the consent agenda they wish to hold for individual consideration.

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TOWN OF NORTHBOROUGH

ANNUAL TOWN MEETING HANDOUT

JULY 18, 2020

9:06am Moderator Fred George called the meeting to order, a quorum of at least 100 voters is present. Moderator Fred George explained the rules of the meeting and reviewed the consent agenda process.

Consent Agenda:

Passed

Articles 1, 2, 3, 9, 11, 15, 19, 29, and 32 are included in the consent agenda. Moderator George read each article included in the consent agenda.

ARTICLE 1: Appointing Deputy Moderator

To see if the Town will vote to ratify the appointment by the Moderator of Gerald Hickman as Deputy Moderator, as provided by Article II, Section 2-2 of the Northborough Home Rule Charter.

MOTION ARTICLE 1:

Consent - Passed

I move the Town vote to ratify the appointment by the Moderator of Gerry Hickman as Deputy Moderator, as provided by Article II, Section 2-2 of the Northborough Home Rule Charter.

WARRANT ARTICLE 2: Compensating Balance Agreement

To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to enter into a Compensating Balance Agreement or Agreements pursuant to Massachusetts General Laws, Chapter 44, Section 53F, if necessary.

- This Article provides authorization for the Town to enter into a compensating balance agreement in order to obtain banking services. A compensating balance is an arrangement by which a town maintains municipal funds on deposit in return for banking services. Under such an arrangement, the earnings retained by the bank on the account balances “compensate” the bank for the services provided.

MOTION ARTICLE 2:

Consent – Passed

I move the Town vote to authorize the Treasurer, with the approval of the Board of Selectmen, to enter into a Compensating Balance Agreement or Agreements pursuant to Massachusetts General Laws, Chapter 44, Section 53F.

WARRANT ARTICLE 3: Prior Years' Bills

To see if the Town will vote to raise and appropriate or transfer from unappropriated available funds in the Treasury, or other available funds, a sum of money to pay bills incurred in prior years, or take any action relative thereto.

- Town Meeting action is required to pay bills incurred in prior fiscal years. This Article will be passed over if no bills for goods and services incurred in prior fiscal years are presented to the Town.

MOTION ARTICLE 3:

I move the Town vote to pass over this article.

Consent - Passed

WARRANT ARTICLE 4: Town Budget

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty-Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten Dollars (\$23,448,710) for Town Government as displayed in the warrant booklet, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Trust Fund Income	\$ 4,161
Transfer from Cemetery Sale of Lots	\$ 5,250
Transfer from Debt Exclusion Premium Reserve	\$ 10,880
Transfer from DPU Transportation Fund	\$ 2,899
Transfer from Conservation Commission Fees	\$ 5,678
Transfer from Fire Emergency Medical Services Revolving Fund	\$342,829
Transfer from Recreation Revolving Fund	\$ 78,010
Transfer from Animal Control Revolving Fund	\$ 31,791
Transfer from Regional School District Stock Sale Receipts	\$ 88,007
Transfer from Medicare Part D Subsidy	\$ 48,152
Transfer from PEG Access Cable Related Fund	\$304,246
Free Cash	\$500,000

for a total of One Million Four Hundred Twenty-One Thousand Nine Hundred Three Dollars (\$1,421,903) and that the sum of Twenty-Two Million Twenty-Six Thousand Seven Eight Hundred Seven Dollars (\$22,026,807) be raised by taxation.

MOTION ARTICLE 4: Town Budget

Passed

I move the Town vote to raise and appropriate and transfer from available funds the sum of Twenty-Two Million One Hundred Ninety-Two Thousand One Hundred Eighty-Six Dollars (\$22,192,186) for Town Government as displayed in the warrant handout distributed at this Town Meeting, and to meet said appropriation, the following sums available for appropriation be transferred:

Transfer from Cemetery Trust Fund Income	\$ 4,161
Transfer from Cemetery Sale of Lots	\$ 5,250
Transfer from Debt Exclusion Premium Reserve	\$ 10,880
Transfer from DPU Transportation Fund	\$ 2,899
Transfer from Conservation Commission Fees	\$ 5,678
Transfer from Fire Emergency Medical Services	\$342,829
Revolving Fund	
Transfer from Animal Control Revolving Fund	\$ 31,791
Transfer from Medicare Part D Subsidy	\$ 48,152
Transfer from PEG Access Cable Related Fund	\$304,246
Free Cash	\$878,000

for a total of One Million Six Hundred Thirty-Three Thousand Eight Hundred Eighty-Six Dollars (\$1,633,886) and that the sum of Twenty Million Five Hundred Fifty-Eight Thousand Three Hundred Dollars (\$20,558,300) be raised by taxation.

ARTICLE 5: Water, Sewer and Solid Waste Enterprise Funds

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Five Million Seven Hundred Ninety-Eight Thousand Nine Hundred Sixty-Five Dollars (\$5,798,965) for Water, Sewer and Solid Waste Funds as displayed below for the operation of the Water, Sewer and Solid Waste Utilities, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Water Fund Free Cash	\$233,511
Solid Waste Fund Free Cash	\$ 48,390

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$337,160
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for a total of Six Hundred Nineteen Thousand Sixty-One Dollars (\$619,061) and that the sum of Five Million One Hundred Seventy-Nine Thousand Nine Hundred Four Dollars (\$5,179,904) be financed from Water, Sewer and Solid Waste Revenues.

Water Fund	\$2,619,543
Sewer Fund	\$2,305,872
Solid Waste	<u>\$ 873,550</u>
Total	\$5,798,965

MOTION ARTICLE 5: Water, Sewer and Solid Waste Enterprise Funds **Passed**

I move the Town vote to raise and appropriate and transfer from available funds the sum of Five Million Seven Hundred Seventy Thousand Eight Hundred Fifteen Dollars (\$5,770,815) for the operation of the Water, Sewer and Solid Waste Utilities, in the amounts of Two Million Six Hundred Thousand Nine Hundred Seventy Dollars (\$2,600,970) for the Water Enterprise Fund, Two Million Two Hundred Ninety-Six Thousand Two Hundred Ninety Five Dollars (\$2,296,295) for the Sewer Enterprise Fund, and Eight Hundred Seventy Three Thousand Five Hundred Fifty Dollars (\$873,550) for the Solid Waste Enterprise Fund; and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Water Fund Free Cash	\$214,938
Solid Waste Fund Free Cash	\$ 48,390

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$337,160
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for a total of Six Hundred Thousand Four Hundred Eighty-Eight Dollars (\$600,488) and that the sum of Five Million One Hundred Seventy Thousand Three Hundred Twenty-Seven Dollars (\$5,170,327) be financed from Water, Sewer and Solid Waste Revenues and allocated as stated above.

ARTICLE 6: Northborough K-8 Schools Budget

To see if the Town will vote to raise and appropriate by taxation the sum of Twenty-Five Million Seven Hundred Fourteen Thousand Four Hundred Seventeen Dollars (\$25,714,417) for the operation of the Northborough Public Schools, or take any action relative thereto.

MOTION ARTICLE 6: Northborough K-8 Schools Budget

Passed

I move the Town vote to raise and appropriate by taxation the sum of Twenty-Five Million One Hundred Seventy-Seven Thousand Eight Hundred Forty-Four Dollars (\$25,177,844) for the operation of the Northborough K-8 Public Schools.

ARTICLE 7: Algonquin Regional High School Budget

To see if the Town will vote to raise and appropriate by taxation Northborough's share of the assessment for the operation of the Northborough-Southborough Regional School District, the sum of Thirteen Million Four Hundred Eighteen Thousand Seven Hundred Twenty-Two Dollars (\$13,418,722), or take any action relative thereto.

MOTION ARTICLE 7: Algonquin Regional High School Budget

Passed

I move the Town vote to raise and appropriate by taxation Northborough's share of the assessment for the operation and debt service of the Northborough-Southborough Regional School District, the sum of Thirteen Million Two Hundred Nineteen Thousand Four Hundred Four Dollars (\$13,219,404).

ARTICLE 8: Assabet Valley Regional Vocational School District Budget

To see if the Town will vote to raise and appropriate by taxation Northborough's share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District, the sum of One Million Two Thousand Eight Hundred Forty-Six Dollars (\$1,002,846), or take any action relative thereto.

MOTION ARTICLE 8: Assabet Valley Regional Vocational School District Budget

Passed

I move the Town vote to raise and appropriate by taxation Northborough's share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District, the sum of One Million Two Thousand Eight Hundred Forty-Six Dollars (\$1,002,846).

ARTICLE 9: Revolving Funds Authorization of Expenditure Limits

To see if the Town will vote to authorize revolving fund annual expenditure limits for Fiscal Year 2021 as shown in the table below:

Revolving Fund	Annual Expenditure Limit
Fire Department (EMS and Haz Mat)	\$500,000
Animal Control	\$50,000
Family & Youth Services	\$20,000
Council on Aging	\$300,000
Community Affairs	\$20,000
Library	\$20,000

or take any other action relative thereto.

- Pursuant to Town’s Revolving Fund Bylaw and the provisions of Massachusetts General Laws Chapter 44, Section 53E½, an annual vote is required to establish expenditures limits for the revolving funds. The Recreation Department revolving fund is authorized under Massachusetts General Laws Chapter 44, Section 53D, and does not require annual reauthorization.

MOTION ARTICLE 9: Revolving Funds Authorization of Expenditure Limits **Consent - Passed**

I move the Town vote to authorize revolving fund annual expenditure limits for Fiscal Year 2021 as shown in the table in the warrant handout distributed at this Town Meeting.

ARTICLE 10: Appropriations Committee Reserve Fund

To see if the Town will vote to appropriate the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) for a Reserve Fund to provide for extraordinary or unforeseen expenditures in accordance with Massachusetts General Laws Chapter 40, Section 6, and to meet said appropriation, One Hundred Seventy-Five Thousand Dollars (\$175,000) be transferred from Free Cash, or take any action relative thereto.

- This Article provides the Town operations with an option for the funding of extraordinary or unforeseen expenditures during the year.

MOTION ARTICLE 10: Appropriations Committee Reserve Fund **Consent - Passed**

I move the Town vote to appropriate the sum of Three Hundred Seventy-Five Thousand Dollars (\$375,000) for a Reserve Fund to provide for extraordinary or unforeseen expenditures in accordance with Massachusetts General Laws Chapter 40, Section 6, and to meet said appropriation, Three Hundred Seventy-Five Thousand Dollars (\$375,000) be transferred from Free Cash.

- The proposed amount for funding was increased by \$200,000 to prepare for COVID-19 related expenses, such as unemployment.

ARTICLE 11: Stabilization Fund Contribution

To see if the Town will vote to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) for transfer to the Stabilization Fund, and to meet said appropriation, the sum of Two Hundred Thousand Dollars (\$200,000) be transferred from Free Cash, or take any action relative thereto.

- This Article provides for a contribution to the Stabilization Fund or general savings account for the Town.

MOTION ARTICLE 11:

Consent - Passed

I move the Town vote to pass over this article.

- With CIP articles proposed to be passed over and overall lower budgets, a contribution to Stabilization is not needed to maintain reserves at an acceptable level

ARTICLE 12 (CIP): Police – Police Cruiser Replacements

To see if the Town will vote to appropriate the sum of Ninety-Eight Thousand Dollars (\$98,000) for the use of the Police Department for the purchase of two new police vehicles and to meet said appropriation the sum of Ninety-Eight Thousand Dollars (\$98,000) be transferred from Free Cash.

- This Article provides funds for the purchase of two patrol vehicles. Included in the funding request is the cost of outfitting the vehicles with ancillary equipment.

MOTION ARTICLE 12: Police – Police Cruiser Replacements

Passed

I move the Town vote to appropriate the sum of Fifty Thousand Dollars (\$50,000) for the use of the Police Department for the purchase of one new police vehicle and related equipment and to meet said appropriation the sum of Fifty Thousand Dollars (\$50,000) be transferred from Free Cash.

- This appropriation has been amended to reduce the number of cruisers from two to one.

ARTICLE 13 (CIP): Town Offices – Town Offices Feasibility Study

To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000) for a feasibility study to evaluate the programmatic space needs and location options for Town Offices, including renovation, relocation or building a new facility, and to meet said appropriation the sum of One Hundred Thousand Dollars (\$100,000) be transferred from Free Cash.

- This Article provides funds for a feasibility study that will evaluate the programmatic space needs of the Town Offices operation and assess the pros and cons of the various options, including renovation of the existing building, possible relocation or building a new facility. The study will take into consideration the possible sale or reuse of existing facilities.

MOTION ARTICLE 13 (CIP): Town Offices – Town Offices Feasibility Study **Passed**

I move the Town vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000) for a feasibility study to evaluate the programmatic space needs and location options for Town Offices, including renovation, relocation or building a new facility, and to meet said appropriation the sum of One Hundred Thousand Dollars (\$100,000) be transferred from Free Cash.

ARTICLE 14 (CIP): DPW – Wing Mower Replacement

To see if the Town will vote to appropriate the sum of Seventy-Five Thousand Dollars (\$75,000) for the use of the Department of Public Works for the purchase of a wing mower, and to meet said appropriation the sum of Seventy-Five Thousand Dollars (\$75,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a wing mower to replace a 2013 wing mower that is nearing the end of its useful life expectancy.

MOTION ARTICLE 14: DPW – Wing Mower Replacement **Passed**

I move the Town vote to appropriate the sum of Seventy-Five Thousand Dollars (\$75,000) for the use of the Department of Public Works for the purchase of a wing mower, and to meet said appropriation the sum of Seventy-Five Thousand Dollars (\$75,000) be transferred from Free Cash.

ARTICLE 15 (CIP): DPW – Loader Replacement and Repair

To see if the Town will vote to appropriate the sum of Two Hundred Forty Thousand Dollars (\$240,000) for the use of the Department of Public Works for the purchase of a new loader and repair of an existing loader, and to meet said appropriation the sum of Two Hundred Forty Thousand Dollars (\$240,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a loader to replace a 2006 loader that has surpassed its useful life expectancy. This capital request includes \$7,600 for body repair and painting of the 2014 model year loader as well.

MOTION ARTICLE 15: DPW – Loader Replacement and Repair **Consent - Passed**

I move the Town vote to pass over this article.

ARTICLE 16 (CIP): DPW – Highway Garage Generator

To see if the Town will vote to appropriate the sum of Thirty-Five Thousand Dollars (\$35,000) for the use of the Department of Public Works for the purchase of an emergency generator at the highway garage, and to meet said appropriation the sum of Thirty-Five Thousand Dollars (\$35,000) be transferred from Free Cash.

- This Article provides funds for the replacement and upgrade of the emergency generator at the highway garage. The current generator is undersized such that it cannot provide power to critical components of the facility. The Town submitted a grant application to the Federal Government requesting the balance of the \$130,000 total project cost, resulting in an anticipated Town expense of approximately \$35,000.

MOTION ARTICLE 16: DPW – Highway Garage Generator

Passed

I move the Town vote to appropriate the sum of Thirty-Five Thousand Dollars (\$35,000) for the use of the Department of Public Works for the purchase of an emergency generator at the highway garage, and to meet said appropriation the sum of Thirty-Five Thousand Dollars (\$35,000) be transferred from Free Cash; provided, however, that no expenditure of said sum shall be made unless and until the Town receives confirmation of state or federal grant funding for all or a portion of the cost of such generator.

ARTICLE 17 (CIP): DPW – Assabet Park Accessibility Improvements

To see if the Town will vote to appropriate the sum of One Hundred Two Thousand Seven Hundred Seventy-Five Dollars (\$102,775) for the use of the Department of Public Works to make accessibility improvements to Assabet Park, and to meet said appropriation the sum of One Hundred Two Thousand Seven Hundred Seventy-Five Dollars (\$102,775) be transferred from Free Cash.

- This Article provides funding to make the minimum legally required accessibility improvements at Assabet Park, which would entail the installation of a rubberized surface around the old play equipment. However, it is a companion to CPC Article 30, which provides an additional \$452,225 in funding for a complete rehabilitation of the park, including the installation of all new accessible play equipment, shade structures and open free play space for pre-school aged children. If CPC Article 30 does not pass, the Town is still required to make the minimal ADA compliance improvements funded under this Article.

MOTION ARTICLE 17: DPW – Assabet Park Accessibility Improvements

Passed

I move the Town vote to appropriate the sum of One Hundred Two Thousand Seven Hundred Seventy-Five Dollars (\$102,775) for the use of the Department of Public Works to make accessibility improvements to Assabet Park, and to meet said appropriation the sum of One Hundred Two Thousand Seven Hundred Seventy-Five Dollars (\$102,775) be transferred from Free Cash.

ARTICLE 18 (CIP): DPW – Culvert and Drainage Replacement

To see if the Town will vote to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) for the use of the Department of Public Works to fund the repair and replacement of drainage culverts and drainage system components, and to meet said appropriation the sum of Two Hundred Fifty Thousand Dollars (\$250,000) be transferred from Free Cash.

- This Article provides funds to replace/rehabilitate culverts and failing drainage systems, including anticipated replacement of culverts on Ridge Road, Lyman Street and Davis Avenue.

MOTION ARTICLE 18: DPW – Culvert and Drainage Replacement **Consent - Passed**

I move the Town vote to pass over this article.

ARTICLE 19 (CIP): DPW – One-Ton Dump Truck with Plow

To see if the Town will vote to appropriate the sum of One Hundred Ten Thousand Dollars (\$110,000) for the use of the Department of Public Works for the purchase of a one-ton dump truck with a plow, and to meet said appropriation the sum of One Hundred Ten Thousand Dollars (\$110,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a one-ton dump truck with a plow to replace a 2008 one-ton dump truck that has surpassed its useful life expectancy of 10 to 12 years.

MOTION ARTICLE 19: DPW – One-Ton Dump Truck with Plow **Consent - Passed**

I move the Town vote to pass over this article.

ARTICLE 20 (CIP): DPW – One-Ton Pickup Truck with Plow

To see if the Town will vote to appropriate the sum of Sixty-Five Thousand Dollars (\$65,000) for the use of the Department of Public Works for the purchase of a one-ton pickup truck with a plow, and to meet said appropriation the sum of Sixty-Five Thousand Dollars (\$65,000) be transferred from Free Cash.

- This Article provides funds for the purchase of a one-ton pickup truck with a plow to replace a 2003 one-ton pickup truck that has surpassed its useful life expectancy of 10 to 12 years.

MOTION ARTICLE 20: DPW – One-Ton Pickup Truck with Plow **Consent - Passed**

I move the Town vote to pass over this article.

ARTICLE 21 (CIP): DPW – Road Improvements and Maintenance

To see if the Town will vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be transferred from Free Cash.

- This Article provides funds in addition to the State’s Chapter 90 transportation funding in order to maintain current road conditions in accordance with the Pavement Management Plan.

MOTION ARTICLE 21: DPW – Road Improvements and Maintenance **Passed**

I move the Town vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be transferred from Free Cash.

ARTICLE 22 (CIP): DPW/Water & Sewer – Water & Sewer Garage Construction

To see if the Town will vote to appropriate the sum of Nine Hundred Thousand Dollars (\$900,000) to fund construction of a new operations garage for the Water and Sewer Divisions of the Department of Public Works, and to meet said appropriation the sum of Nine Hundred Thousand Dollars (\$900,000) be raised by transfer from available funds, borrowing or otherwise.

- This Article provides funding for construction of a new Water and Sewer operations building. The existing garage was constructed in 1964 to house only the Water Division. The Town installed sewers in the 1970’s, which required additional staff and equipment not contemplated when the original garage was built. The existing garage will be reconfigured for equipment storage as part of the project. It is anticipated that the cost of the project will be funded from the Water and Sewer Enterprise Funds.

MOTION ARTICLE 22: DPW/Water & Sewer – Water & Sewer Garage Construction **Passed**

I move the Town vote to appropriate the sum of Nine Hundred Thousand Dollars (\$900,000) to fund construction of a new operations garage for the Water and Sewer Divisions of the Department of Public Works, including the payment of all other costs incidental and related thereto, and to meet said appropriation the sum of Sixty Thousand (\$60,000) shall be transferred from Water Enterprise Fund Free Cash, the sum of Forty Thousand (\$40,000) shall be transferred from Sewer Enterprise Fund Free Cash, and the Treasurer, with the approval of the Selectmen, is authorized to borrow Eight Hundred Thousand Dollars (\$800,000) under and pursuant to Massachusetts General Laws Chapter 44, Section 7 Clause 1, or any other enabling authority, and to issue bonds or notes of the Town therefor, and provided that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 23 (CIP): DPW/Water – Assabet Storage Tank Rehabilitation

To see if the Town will vote to appropriate the sum of Seven Hundred Twenty-Five Thousand Dollars (\$725,000) for the rehabilitation of the Assabet Hill Water Tank, and to meet said appropriation the sum of Seven Hundred Twenty-Five Thousand Dollars (\$725,000) be raised by transfer from available funds, borrowing or otherwise.

- This Article provides funds for the repair and coating of the tank, installation of a non-mechanical mixing system to improve water quality, and updated controls and communication equipment. It is anticipated that the cost of the project will be funded from the Water Enterprise Fund.

MOTION ARTICLE 23: DPW/Water – Assabet Storage Tank Rehabilitation **Passed**

I move the Town vote to appropriate the sum of Seven Hundred Twenty-Five Thousand Dollars (\$725,000) to fund the rehabilitation of the Assabet Hill Water Tank, including the payment of all other costs incidental and related thereto, and to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Massachusetts General Laws Chapter 44, Section 8 Clause 4, or any other enabling authority, and to issue bonds or notes of the Town therefor, and provided that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 24 (CIP): School Department – Melican Middle School Paving Improvements and Accessibility Upgrades

To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars (\$100,000) for the purpose of making improvements to the Melican Middle School parking lot and back walkway, and to meet this appropriation the sum of One Hundred Thousand Dollars (\$100,000) be transferred from Free Cash.

- This Article provides funds for paving improvements and accessibility upgrades for the Melican Middle School. Approval of this article will extend the life of the paving, enhance safety and provide improved community access to the facility.

MOTION ARTICLE 24: School Department – Melican Middle School Paving Improvements and Accessibility Upgrades **Passed**

I move the Town vote to appropriate the sum of Fifty Thousand Dollars (\$50,000) for the purpose of making improvements to the Melican Middle School parking lot and back walkway, and to meet this appropriation the sum of Fifty Thousand Dollars (\$50,000) be transferred from Free Cash.

- This Article will still provide funds for paving improvements and accessibility upgrades for the Melican Middle School; however project management work will be undertaken by the department of public works.

ARTICLE 25: Consolidated Personnel Bylaw

To see if the Town will vote to amend the Consolidated Personnel Bylaw as shown in the warrant handout distributed at this Town Meeting and as shown in the document entitled “Article 25 – Consolidated Personnel Bylaw Amendments – 2020 Annual Town Meeting” copies of which were available in the Town Clerk’s Office continuously prior to the posting of the Warrant until the time of Town Meeting .

MOTION ARTICLE 25: Consolidated Personnel Bylaw

Passed

I move the Town vote to amend the Consolidated Personnel Bylaw as shown in the warrant handout distributed at this Town Meeting, and as shown in the document entitled “Article 25 – Consolidated Personnel Bylaw Amendments – 2020 Annual Town Meeting,” copies of which were available in the Town Clerk’s Office continuously prior to the posting of the Warrant until the time of Town Meeting.

ARTICLE 26: Old Fire Station, 13 Church Street

To see if the Town will vote to authorize the Board of Selectmen to sell the old Fire Station property located at 13 Church Street.

MOTION ARTICLE 26: Old Fire Station, 13 Church Street

Passed

I move the Town vote to transfer the custody and control of the old Fire Station property located at 13 Church Street, containing approximately 0.425 acres and shown as parcel 64 on Assessors’ Map 63, from the Board of Selectmen to the Board of Selectmen, for the purpose of sale, and to authorize the Board of Selectmen to sell and convey such property in accordance with the requirements of Chapter 30B of the General Laws at such price and on such terms as it deems appropriate, and to take all actions and execute all documents necessary or convenient to accomplish a sale of the property.

ARTICLE 27: CELL TOWER LEASE, BEARFOOT ROAD

To see if the Town will vote to authorize the Board of Selectmen to lease all or a portion of the below-referenced property, currently the site of an existing telecommunications tower, to one or more telecommunications companies for the location of telecommunications facilities thereon, and to grant such easements upon said land as are necessary for utility services in support of such use; and further to authorize the Board of Selectmen to enter into such lease or leases for said purposes for all or a portion of the land located on 119 Colburn Street, as shown on Assessors' Map 34 as Block 5, upon such terms and conditions, and for a period in excess of three years, as the Board of Selectmen shall determine to be in the best interest of the Town; and to authorize the Board of Selectmen to enter into such agreements and execute such documents and instruments as are necessary to effectuate the purposes of this article; or take any action relative thereto.

MOTION ARTICLE 27: Cell Tower Lease, Bearfoot Road **Passed**

I move the Town vote to authorize the Board of Selectmen to lease all or a portion of the land located on 119 Colburn Street, as shown on Assessors' Map 34 as Block 5, currently the site of an existing telecommunications tower, to one or more telecommunications companies for the location of telecommunications facilities thereon, and to grant such easements upon said land as are necessary for utility services in support of such use; and further to authorize the Board of Selectmen to enter into such lease or leases for said purposes for all or a portion of such land upon such terms and conditions, and for a period in excess of three years, as the Board of Selectmen shall determine to be in the best interest of the Town; and to authorize the Board of Selectmen to enter into such agreements and execute such documents and instruments as are necessary to effectuate the purposes of this article.

ARTICLE 28: Town Meeting Start/End Time change to 6:00/10:00 pm

To see if the Town will vote to amend the Northborough Town Code, Section 1-80-020 Holding of Annual Town Meeting and Special Town Meeting, by changing the start and end times to 6:00 pm and 10:00 pm, respectively; or take any action relative thereto.

MOTION ARTICLE 28: Town Meeting Start/End Time change to 6:00/10:00 pm **Passed**

I move the Town vote to amend the Northborough Town Code, Section 1-80-020 Holding of Annual Town Meeting and Special Town Meeting, by changing the start and end times, wherever stated, to 6:00 pm and 10:00 pm, respectively.

ARTICLE 29: School Department – Bus Transportation Contract

To see if the Town will vote to authorize the School Committee to enter three-year bus transportation contracts with the option to renew the contracts for a fourth and fifth year in accordance with Chapter 30B Section 12(b); or take any action relative thereto.

MOTION ARTICLE 29: School Department – Bus Transportation Contract **Consent - Passed**

I move the Town vote to authorize the School Committee to enter three-year bus transportation contracts with the option to renew the contracts for a fourth and fifth year in accordance with Massachusetts General Laws Chapter 30B Section 12(b).

ARTICLE 30: Community Preservation Fund – Assabet Park Renovations

To see if the Town will vote to appropriate the sum of Four Hundred Twenty Thousand Dollars (\$420,000), or any other sum, from the Community Preservation Unreserved Fund and the sum of Thirty-Two Thousand Two Hundred Twenty-Five Dollars (\$32,225) from Community Preservation Fund revenues, for a total of Four Hundred Fifty-Two Thousand Two Hundred Twenty-Five Dollars (\$452,225) to the Northborough Department of Public Works, for the renovation of the Assabet Park Playground, or take any action relative thereto.

- This is the companion appropriation to the CIP appropriation under Article 17, which provides for the minimal ADA compliance improvements. This CPC Article includes removal of existing playground equipment and basketball courts; installation of a poured rubber accessible play surface; new accessible play equipment; shade elements; sitting area; and an open free-play space. Assabet Park is not a fully accessible play area and the equipment is in excess of twenty years old. This renovation will make the entire playground accessible.

MOTION ARTICLE 30: Community Preservation Fund – Assabet Park Renovations Passed

I move the Town vote to appropriate the sum of Four Hundred Twenty Thousand Dollars (\$420,000) from the Community Preservation Unreserved Fund and the sum of Thirty-Two Thousand Two Hundred Twenty-Five Dollars (\$32,225) from Community Preservation Fund revenues, for a total of Four Hundred Fifty-Two Thousand Two Hundred Twenty-Five Dollars (\$452,225) to the Northborough Department of Public Works, for the renovation of the Assabet Park Playground.

ARTICLE 31: Community Preservation Fund – Vegetation Management of Town Ponds To see if the Town will vote to appropriate the sum of One Hundred Thirty-Five Thousand Dollars (\$135,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Conservation Commission for a multi-year program for long-term vegetation management of Town ponds, including Bartlett Pond, or take any other action relative thereto.

- This work will include monitoring, surveying, application of herbicide, and mechanical harvesting of nuisance vegetation with the long-term goal of eradication of invasives.

MOTION ARTICLE 31: Community Preservation Fund – Vegetation Management of Town Ponds Passed

I move the Town vote to appropriate the sum of One Hundred Thirty-Five Thousand Dollars (\$135,000) from the Community Preservation Fund revenues to the Northborough Conservation Commission for a multi-year program for long-term vegetation management of Town ponds, including Bartlett Pond.

ARTICLE 32: Community Preservation Fund – 18-hole Disc Golf Course at Edmunds Hill

To see if the Town will vote to appropriate the sum of Twenty-Six Thousand Seventy-One Dollars (\$26,071), or any other sum, from the Community Preservation Fund revenues to the Northborough Recreation Department and the Disc Golf Association, for the creation of an 18-hole disc golf course at Edmunds Hill, or take any other action relative thereto.

- This popular sport is a low cost, low impact, environmentally friendly activity for all ages and abilities. The proposed course would be laid out over the existing trail system and the game would be played through the trees and brush.

MOTION ARTICLE 32: Community Preservation Fund – 18-hole Disc Golf Course at Edmunds Hill **Consent - Passed**

I move the Town vote to pass over this Article

- The Community Preservation Committee voted on June 30th to withdraw support for this Article

ARTICLE 33: Community Preservation Fund – White Cliffs Debt Service

To see if the Town will vote to appropriate the sum of Two Hundred Twenty-Five Thousand Three Hundred Dollars (\$225,300), with Two Hundred Fourteen Thousand One Hundred Fifty-One Dollars (\$214,151) from the Community Preservation Fund revenues and Eleven Thousand One Hundred Forty-Nine Dollars (\$11,149) from the Community Preservation Premium Reserve, or any other sum, to the Northborough Community Preservation Committee for Fiscal Year 2021 debt service and expenses associated with the acquisition of the property at 167 Main Street, or take any other action relative thereto.

- Third debt service payment associated with the purchase of the White Cliffs property at 167 Main Street.

MOTION ARTICLE 33: Community Preservation Fund – White Cliffs Debt Service **Passed**

I move the Town vote to appropriate the sum of Two Hundred Twenty-Five Thousand Three Hundred Dollars (\$225,300), with Two Hundred Fourteen Thousand One Hundred Fifty-One Dollars (\$214,151) from the Community Preservation Fund revenues and Eleven Thousand One Hundred Forty-Nine Dollars (\$11,149) from the Community Preservation Premium Reserve to the Northborough Community Preservation Committee for Fiscal Year 2021 debt service and expenses associated with the acquisition of the property at 167 Main Street.

ARTICLE 34: Community Preservation Fund – Northborough Free Library Repairs

To see if the Town will vote to appropriate the sum of Seventy-One Thousand Two Dollars (\$71,002), or any other sum, from the Community Preservation Fund revenues and the sum of Thirty-Eight Thousand One Hundred Ninety-Two Dollars (\$38,192), or any other sum, from the Community Preservation Fund Historic Reserves to the Northborough Gale Library, for repairs and restoration, or take any other action relative thereto.

- For repairs and restoration to the slate roof and chimney masonry and interior painting and molding repairs necessary due to damage caused by leaking roof.

MOTION ARTICLE 34: Community Preservation Fund – Northborough Free Library Repairs **Passed**

I move the Town vote to appropriate the sum of Seventy-One Thousand Two Dollars (\$71,002), or any other sum, from the Community Preservation Fund revenues and the sum of Thirty-Eight Thousand One Hundred Ninety-Two Dollars (\$38,192) from the Community Preservation Fund Historic Reserves to the Northborough Gale Library, for repairs and restoration.

ARTICLE 35: Community Preservation Fund – Howard Street Burial Ground and Cemetery Nomination for National Register of Historic Places

To see if the Town will vote to appropriate the sum of Eight Thousand Dollars (\$8,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Historic District Commission for document preparation to nominate the Howard Street Burial Ground and Cemetery for listing in the National Register of Historic Places, or take any other action relative thereto.

- A listing in the National Register of Historic Places provides the Town access to grant opportunities at a 50/50 match.

MOTION ARTICLE 35: Community Preservation Fund – Howard Street Burial Ground and Cemetery Nomination for National Register of Historic Places **Passed**

I move the Town vote to appropriate the sum of Eight Thousand Dollars (\$8,000) from the Community Preservation Fund revenues to the Northborough Historic District Commission for document preparation to nominate the Howard Street Burial Ground and Cemetery for listing in the National Register of Historic Places.

ARTICLE 36: Community Preservation Fund – Affordable Housing Reserve

To see if the Town will vote to appropriate the sum of Sixty-Two Thousand Three Hundred Fifty Dollars (\$62,350), or any other sum, from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve Fund, or take any other action relative thereto.

- Fund for future creation of affordable housing.

MOTION ARTICLE 36: Community Preservation Fund – Affordable Housing Reserve Passed

I move the Town vote to appropriate the sum of Sixty-Two Thousand Three Hundred Fifty Dollars (\$62,350) from the Community Preservation Fund revenues and place said amount in the Community Preservation Affordable Housing Reserve Fund.

ARTICLE 37: Community Preservation Fund – CPA Administration

To see if the Town will vote to appropriate the sum of Thirty-One Thousand Dollars (\$31,000), or any other sum, from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for expenses associated with the implementation of the Community Preservation Act including but not limited to clerical assistance, office supplies, property surveys, appraisals, attorney’s fees, and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2021, or take any other action relative thereto.

- Funds used for the administration of the Community Preservation Act.

MOTION ARTICLE 37: Community Preservation Fund – CPA Administration Passed

I move the Town vote to appropriate the sum of Thirty-One Thousand Dollars (\$31,000) from the Community Preservation Fund revenues to the Northborough Community Preservation Committee for expenses associated with the implementation of the Community Preservation Act including but not limited to clerical assistance, office supplies, property surveys, appraisals, attorney’s fees, and other professional services, recording fees, printing and all other necessary and proper expenses for the Fiscal Year 2021.

ARTICLE 38: Zoning Bylaw – 7-05-030, Table of Uses, Table 1, Part A

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts, by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts

USES	RA	RB	RC	GR	MSR	DN
Other Business Uses						
Funeral home	N	N	BA <u>N</u>	BA <u>N</u>	N <u>BA</u>	N

MOTION ARTICLE 38: Zoning Bylaw – 7-05-030, Table of Uses, Table 1, Part A Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 39: Zoning Bylaw 7-05-020, Classification of uses, G. Business uses, (7) Other business uses, (b) Kennel; 7-05-030, Table of Uses, Table 1, Part A. and; 7-05-030, Table of Uses, Table 1, Part B.

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of Uses, G. Business uses, (7) Other business uses, (b) Kennel; Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts; and Table of Uses, Table 1, Table of Uses, Part B. Commercial and Industrial Districts, by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

Section 7-05-020 Classification of uses, G. Business uses, (7) Other business uses, (b) Kennel

~~Kennel: Facility for breeding, sale, boarding or training of more than three (3) dogs or other domestic nonfarm animals.~~ An establishment used for boarding, holding, day care, dog walking on premise, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal that includes more than three (3) dogs, three (3) months or older; provided, however, that “boarding or training kennel” shall not include an animal shelter or animal control facility, a pet shop licensed under MGL chapter 129 section 39A, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts

USES	RA	RB	RC	GR	MSR	DN
Other Business Uses						
Kennel	BA <u>N</u>	N	N	N	N	N

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts

USES	DB	BE	BW	BS	HB	I
Other Business Uses						
Kennel	N	N	BA	N	N	N <u>Y</u>

Motion made to pass over this article

Fails

Motion made to amend this article – remove “dog walking on premise”

Passed

MOTION ARTICLE 39: Zoning Bylaw 7-05-020, Classification of uses, G. Business uses, (7) Other business uses, (b) Kennel; 7-05-030, Table of Uses, Table 1, Part A. and; 7-05-030, Table of Uses, Table 1, Part B.

Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of Uses, G. Business uses, (7) Other business uses, (b) Kennel; Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part A. Residential Districts; and Table of Uses, Table 1, Table of Uses, Part B. Commercial and Industrial Districts, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 40: Zoning Bylaw – 7-05-030, Table of Uses, Table I, Part B

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts, by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts

USES	DB	BE	BW	BS	HB	I
Recreation and Entertainment						
Commercial recreation, indoor	BA	BA	BA	BA	BA	N <u>Y</u>

Motion to amend the article by removing Y under table I

FAILS

MOTION ARTICLE 40: Zoning Bylaw – 7-05-030, Table of Uses, Table I, Part B **Passed**

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 41: Zoning Bylaw – 7-05-020, Classification of uses I. Industrial uses, (1) Light manufacturing and 7-05-030, Table of Uses, Table 1, Part B

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of uses, I. Industrial uses, (1) Light manufacturing and Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts, by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

Section 7-05-020 Classification of uses, I. Industrial uses, (1) Light manufacturing

Light manufacturing: Fabrication, processing, packaging, or assembly operations, employing only electric or other substantially noiseless and inoffensive motor power, utilizing hand labor or quiet machinery and processes, and free from neighborhood-disturbing agents such as odors, gas, fumes, smoke, cinders, refuse matter, electromagnetic radiation, heat, vibration, or noise; ~~(delete semi-colon and add period)~~ provided, that all ~~Further, all~~ operations are located entirely within an enclosed building and there is no outside storage of materials or finished goods.

Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts

USES	DB	BE	BW	BS	HB	I
INDUSTRIAL USES						
Light manufacturing	N	N	N	BA	N	☒ <u>PB</u>
Research and development	N	N	N	N	N	Y
Data processing center and records storage	N	N	N	BA	N	Y
Printing and publishing	N	N	N	N	N	Y
Transportation and Distribution Uses						
Warehouse	N	N	N	BA	N	☒ <u>PB</u>
Trucking, rail or freight facility, or parcel distribution facility	N	N	N	N	N	☒ <u>PB</u>
Other Industrial Uses						
Natural resource extraction	N	N	N	N	N	PB
Fuel storage	N	N	N	N	N	PB
Contractor's yard or lumber yard	N	N	N	N	N	☒ <u>PB</u>
Heliport	N	N	N	N	N	PB
Accessory uses; see Section 7-05-020(J)	N	N	N	BA	N	Y

MOTION ARTICLE 41: Zoning Bylaw – 7-05-020, Classification of uses I. Industrial uses, (1) Light manufacturing and 7-05-030, Table of Uses, Table 1, Part B **Passed**

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of uses, I. Industrial uses, (1) Light manufacturing and Section 7-05-030 Table of Uses, Table 1, Table of Uses. Part B. Commercial and Industrial Districts, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 42: Zoning Bylaw – 7-05-020, Classification of uses, C. Residential uses; (6) Home occupation

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of uses, Part C. Residential uses; (6) Home occupation, by deleting the text shown below in strikethrough and adding the text shown as underlined, or take any action relative thereto.

Section 7-05-020 Classification of Uses, Part C. Residential uses; (6) Home occupation

(6) Home occupation: An occupation conducted as an accessory use in an owner-occupied detached single-family dwelling or a detached accessory structure, by the resident owner or members of the owner's family. The home occupation shall be clearly incidental and secondary to the use of the dwelling as a residence.

(b) The following conditions shall apply to any home occupation:

[1] Not more than ~~one (1)~~ two (2) nonresidents shall be employed on the premises ~~except by special permit from the Zoning Board of Appeals;~~

[2] Not more than twenty-five (25) percent of the existing gross floor area of the dwelling shall be devoted to the home occupation, including any stock-in-trade, commodities, or products associated with said use, ~~except by special permit from the Zoning Board of Appeals;~~

[7] No more than two commercial motor vehicles may be parked in the driveway.

Motion to amend to read “one nonresident and 1 vehicle...”

Amendment Failed

MOTION ARTICLE 42: Zoning Bylaw – 7-05-020, Classification of uses, C. Residential uses; (6) Home occupation

Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-05-020 Classification of uses, Part C. Residential uses; (6) Home occupation, by deleting the text shown in strikethrough and adding the text shown as underlined, as set forth in the Warrant.

ARTICLE 43: Zoning Bylaw 7-06-030J, Supplemental Density and Dimensional Regulations for Certain Use Classes

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-06-030(J) Supplemental density and dimensional regulations for certain use classes, paragraph (5), by deleting the text shown below in strikethrough, or take any action relative thereto.

(5) The following shall apply to two-family dwellings in the RC, GR, MSR, and DN districts, except that the Planning Board may approve a waiver to reduce one side to 15 feet as long as the remaining five feet are added to the other side yard, such that the sum of the setbacks on each side shall not be less than 40 feet:

District	Minimum Lot Area (sq. ft.)	Minimum Lot Frontage (feet)	Minimum Lot Width (feet)	Minimum Yard Setbacks		
				Front	Side	Rear
RC	30,000	150 ¹	150 ¹	See Table 2	20	See Table 2
GR	25,000	150	150	See Table 2	20	See Table 2
MSR	25,000	100	100	See Table 2	20	See Table 2
DN	20,000	100	100	See Table 2	20	See Table 2

~~¹The Planning Board may approve a waiver to reduce the minimum lot frontage and minimum lot width to 100 feet by special permit upon a determination that it would not be detrimental to the neighborhood, would be appropriate with respect to the surrounding properties and activities, and would not disturb any consistency of the neighborhood.~~

MOTION ARTICLE 43: Zoning Bylaw 7-06-030J, Supplemental Density and Dimensional Regulations for Certain Use Classes

Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-06-030(J) Supplemental density and dimensional regulations for certain use classes, paragraph (5), by deleting the text shown in strikethrough , as set forth in the Warrant.

ARTICLE 44: Zoning Bylaw – Solar Photovoltaic Installation

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Chapter 7-05 Use Regulation, Section 7-05-020 Classification of uses, by adding

the text shown below as underlined; Section 7-05-030 Table 1. Table of Uses. Part A. Residential Districts, by adding the text shown below as underlined; Section 7-05-030 Table 1. Table of Uses. Part B. Commercial and Industrial Districts, by adding the text shown below as underlined; Chapter 7-03 Administration and Enforcement, Section 7-03-050 Site plans, by adding the text shown below as underlined; Chapter 7-06 Density and Dimensional Regulations, Sections 7-06-020 and 7-06-030, by adding the text shown below as underlined; and Chapter 7-10 Special Regulations, by adding Section 7-10-060 shown below as underlined, or take any action relative thereto.

7-05-020 Classification of uses

C. (7) SMALL-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION - A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted and occupies less than 1,000 square feet of surface area.

C. (8) SOLAR PHOTOVOLTAIC INSTALLATION, ROOF-MOUNTED - A solar photovoltaic system of any size that is structurally mounted to the roof of a building.

I. (6)(e) LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION - A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted and occupies 1,000 square feet or more.

J.(2)(b)[4] SOLAR PHOTOVOLTAIC INSTALLATION, CANOPY MOUNTED - A solar photovoltaic system that is structurally mounted on a canopy over a parking area.

7-05-030 Table of Uses

Table 1. Table of Uses. Part A. Residential Districts.

USES	RA	RB	RC	GR	MSR	DN
RESIDENTIAL USES						
Accessory Uses						
Garage or carport ⁶	Y	Y	Y	Y	Y	Y
Storage of recreational vehicle	Y	Y	Y	Y	Y	Y
Other accessory structure	Y	Y	Y	Y	Y	Y
Accessory dwelling unit	BA	BA	Y	Y	Y	Y
Boarding house	N	N	BA	BA	BA	Y
Home occupation (See Section 7-05-020(C)(6))						

Home professional office	Y	Y	Y	Y	Y	Y
Home personal service	BA	BA	BA	BA	BA	Y
Home business workshop	Y	Y	Y	Y	Y	Y
Home hospitality or tourism establishment	BA	BA	BA	BA	BA	Y
Home specialty retail	N	N	N	N	BA	Y
Solar Photovoltaic Installation, Roof-Mounted	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
Solar Photovoltaic Installation, Canopy Mounted	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Small-Scale Ground-Mounted Solar Photovoltaic Installation	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
Large-Scale Ground-Mounted Solar Photovoltaic Installation	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

Table 1. Table of Uses. Part B. Commercial and Industrial Districts							
Uses	DB	BE	BW	BS	HB	I	
B. Accessory Uses							
Accessory dwelling unit	BA	BA	BA	N	N	N	
Boarding house	BA	N	N	N	N	N	
<u>Solar Photovoltaic Installation, Roof-Mounted</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	
<u>Solar Photovoltaic Installation, Canopy Mounted¹¹</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	
<u>Small-Scale Ground-Mounted Solar Photovoltaic Installation</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	Y	
INDUSTRIAL USES							
Light manufacturing	N	N	N	BA	N	Y	
Research and development	N	N	N	N	N	Y	

Data processing center and records storage	N	N	N	BA	N	Y
Printing and publishing	N	N	N	N	N	Y
<u>Large-Scale Ground-Mounted Solar Photovoltaic Installation</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>

11 Canopy Installations may be sited in Business and Industrial zoning districts when the entire array is located over a single, contiguous parking area.

12 Retail is subject to the following maximum gross floor area requirements per individual retail establishment: Downtown Business, up to five thousand (5,000) sq. ft. permitted, maximum of fifteen thousand (15,000) sq. ft. by special permit; Business East, up to fifteen thousand (15,000) sq. ft. permitted, maximum of twenty-five thousand (25,000) sq. ft. by special permit; Business West, up to fifteen thousand (15,000) sq. ft. permitted, maximum of twenty-five thousand (25,000) sq. ft. by special permit; Business South, up to fifteen thousand (15,000) sq. ft. permitted, maximum of fifty thousand (50,000) sq. ft. by special permit.

13 Drive-through retail shall be subject to the same maximum gross floor area requirements that apply to retail.

14 In the Downtown Business or Business East District, an ATM shall be located inside a building with other permitted uses, or mounted on an exterior wall of a bank for walk-up or drive-through service. A free-standing or kiosk-style ATM or an ATM mounted on an exterior wall of a building for drive-through service is permitted only in the Business West, Business South (by special permit), or Highway Business District.

15 Notwithstanding the provisions of Section [7-03-030](#) or any other provision of this zoning bylaw, no use variance for a marijuana establishment, medical marijuana treatment center, or sale of marijuana accessories shall be permitted.

7-03-050 Site plans.

A. Applicability.

(1) Site plan approval by the Planning Board shall be required for the following uses or activities except where such uses or activities require a special permit:

(a) All new construction of any municipal, institutional, commercial, industrial, or multifamily structure or purpose;

(b) All nonresidential additions, expansions or reconstruction exceeding one thousand (1,000) gross square feet or that would require a total of ten (10) or more parking spaces to serve both existing and new development, or any change of use which would require ten (10) or more additional parking spaces based only on new development;

(c) Construction or creation of any new parking lot or the expansion or redesign of an existing parking lot with ten (10) or more parking spaces for a municipal, institutional, commercial, industrial, or multifamily structure or purpose; or

(d) Land clearing or grading in accordance with Section 7-09-010, except as provided under subsection (A)(2) of this section

(e) Construction of a Large-Scale Ground-Mounted Solar Photovoltaic Installation.

Chapter 7-06-020 Table of Density and Dimensional Regulations

Table 2. Table of Density and Dimensional Regulations

Add Footnote #4. See Section 7-06-030(C)(4) for lot regulations that apply to industrial uses that abut residential districts.

Chapter 7-06-030 Supplemental regulations

C. Yard requirements

(4) In nonresidential (business and industrial) districts:

(a) No accessory structure or use shall be established within the front, side or rear setbacks on a lot, except for driveways and permitted signs. The location of off-street parking shall be in accordance with Section 7-09-030.

(b) In the Industrial District, the minimum setback along the lot line adjacent to a residential or business district shall be one hundred (100) feet from a residential district and fifty (50) feet from a business district. When the residential zoning district boundary is located in or at a street, the setback may be reduced by the width of the street which is in the residential zone.

(c) For any new or substantially improved Large-Scale Ground-Mounted Solar Photovoltaic Installation, the minimum setback along the lot line adjacent to a residential district shall be 100 feet.

7-10-060 Large-Scale Ground-Mounted Solar Photovoltaic Installation

A. Purpose.

The purpose of this bylaw is to provide a permitting process for the development of new Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations. This bylaw seeks to address issues of public safety; prevent undesirable impacts on residential properties and neighborhoods; protect scenic, natural and historic resources; and/or preserve wildlife corridors. Additionally, it is the intent of this bylaw to encourage the siting of Solar Photovoltaic Installations at previously developed sites and to discourage the clearing of natural vegetation to the maximum extent practicable.

B. Applicability.

This section applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

Solar installations with a footprint of less than 1,000 square feet of surface area of solar panel proposed as an accessory use in Residential zoning districts are not subject to this Bylaw. Roof-Mounted systems are allowed as an accessory use by-right in all districts. Canopy Installations are allowed by-right as an accessory use in Business and Industrial zoning districts when the entire

array is located over a single, contiguous parking area. No Solar Photovoltaic Installation shall be constructed, installed or modified without first obtaining a building permit.

C. Definitions.

As used in this Section, the following terms shall have the meanings indicated:

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted and occupies 1,000 square feet or more.

Solar Photovoltaic Array: An arrangement of solar photovoltaic panels.

D. General Requirements for all Large-Scale Ground-Mounted Solar Photovoltaic Installations.

The following requirements apply to all Large-Scale Ground-Mounted Solar Photovoltaic Installations:

1. Compliance with Laws, Bylaws and Regulations: The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent in compliance with the provisions of this section and all other applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed in accordance with the State Building Code and shall require a building permit.
2. Site Plan Approval: Large-Scale Ground-Mounted Solar Photovoltaic Installations are subject to site plan approval by the Planning Board. Site plans shall contain all the requirements of 7-03-050 (Site plans), Section 7 of the Northborough Planning Board Rules and Regulations (Site Plan Approval) and, in addition, include:
 - a. A site plan detailing the array arrangement, control panels or enclosures, inverter assemblies, step-up transformers, the utility interconnection point, and energy storage systems (if proposed).
 - b. A one-line diagram showing the array panel interconnections, inverter arrangement, step-up transformer connections, the utility interconnection including reclosure(s) (if required), and energy storage systems (if proposed). The one-line diagram shall identify all the protection devices in the circuit including electrical isolation disconnects.
 - c. The site safety electrical grounding plan including the grid design and location of ground rods, fence and gate grounds.
 - d. A protection scheme coordination study certified as correct and stamped by a registered Professional Engineer from the Commonwealth of Massachusetts shall be provided that indicates the equipment protection is properly coordinated.
 - e. An equipment table or documentation shall be provided detailing the various components, oil filled apparatus (transformers or high voltage switches).
 - f. All provisions of the National Electrical Code and National Electrical Safety Code shall apply.
 - g. Details of the array foundations and structural mounting shall be provided.

- h. Calculations shall be provided for all structural loading (including but not limited to wind and ice). Electrical cable, array interconnection and feeder calculations shall be provided, along with the grounding calculations.
 - i. The information provided above shall be certified as correct and stamped by a registered Professional Engineer from the Commonwealth of Massachusetts.
 - j. All requirements of the Massachusetts Fire Prevention Code shall apply.
 - k. All requirements of National Fire Protection Association Standard 855 (Standard for the Installation of Stationary Energy Storage Systems) shall apply.
3. Site Control: The project Applicant or Operator shall submit documentation of actual or prospective access and control of the project site which is sufficient to allow for construction and operation of the proposed Large-Scale Ground-Mounted Solar Photovoltaic Installation.
4. Payment in Lieu of Taxes (PILOT): If payment of a PILOT is proposed, the Applicant shall submit a draft PILOT agreement as part of its application for Site Plan Approval and shall submit the amount of the PILOT payment in the first year, the basis for annual escalation, and a statement comparing the annual PILOT payment to what might be paid to the Town in property taxes based on the Town's current mil rate and estimated assessed value of the installation. The Town understands that PILOT agreements have the advantage of removing uncertainty from the Applicant's economic position. However, Applicants are advised that PILOT agreements are subject to Town Meeting approval.
5. Security: Security measures and fencing shall be provided for Large-Scale Ground-Mounted Solar Photovoltaic Installations in order to prevent unauthorized access. All equipment, stored materials, etc. within the fence perimeter shall be set back from the fence a minimum of 10 feet. Gates shall be locked at all times when not actually in use. The use of barbed wire or razor wire fencing is prohibited. The following signage shall be required: high voltage warning signs on the fence every 20 feet or in accordance with OSHA or other safety criteria, and the entry gate shall have signage using 2 inch or higher letters identifying the facility Applicant or owner and providing emergency contact information.
- The Owner or Operator shall be required to provide a Knox Box (a secure, tamper-proof storage box for keys or other access tools) at each locked entrance to the facility and maintain a complete set of all keys or devices required to gain emergency access to all areas, buildings and equipment of the facility in each Knox Box and shall coordinate the location, size, and installation of each Knox Box with the Fire Department.
6. Operations & Maintenance Plan: The project Applicant or Operator shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation which shall include measures for maintaining safe access to the installation, stormwater controls and general procedures for operations and maintenance of the installation. The Operations & Maintenance Plan should address maintenance of site screening in perpetuity and plowing access roads for emergency access after a snow event. All electrical panels shall be labeled using 2-inch-high numbers and letters with the highest voltage level within the panel or enclosure.

7. Notifications, Safety Reviews and Training:
 - a. The Applicant shall meet with the Town of Northborough Police Chief or their designated representative to review the security plan and provide emergency call contact information. If requested by local emergency services, the Owner or Operator shall be required to provide emergency response personnel with training on all equipment and emergency response procedures.
 - b. The Applicant shall meet with the Town of Northborough Fire Chief to review the installation including potential fire sources, including but not limited to oil filled apparatus. Material Safety Data Sheets (MSDS) for any construction use or planned storage of hazardous materials including cleaning solvents, oils, etc. shall be provided to the Fire Chief.
 - c. Upon request, the Applicant or Operator shall cooperate with local emergency services and/or the Department of Public Works in developing an emergency response plan. All means of shutting down the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be clearly marked. The Applicant or Operator shall identify a responsible person for public inquiries throughout the life of the installation and immediately notify the Planning Board and local emergency services of any change to the responsible person and/or his contact information.
 - d. Upon request, the Applicant or Operator shall provide a copy of the project summary, electrical schematic, and the approved site plan to the Police Chief, the Fire Chief, and/or the Department of Public Works Director.
 - e. Annually the Applicant or owner shall meet on-site or as mutually agreed with representatives of the Fire and Police departments to review any changes or concerns with the installation.
8. Utility Notification: No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the Installation is to be located has approved, or provided evidence that the utility will approve, the Applicant's proposed solar array interconnection. Off-grid Installations or systems shall be exempt from this requirement.
9. Appurtenant Structures: All appurtenant structures to Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be subject to provisions of the Zoning Bylaw concerning the bulk and height of structures, lot area, open space, parking and building coverage requirements, and sound or noise level generated by equipment. All such appurtenant structures, including but not limited to equipment shelters or enclosures, storage facilities, batteries, transformers, and substations, shall be architecturally compatible with each other. Setbacks shall conform to Subsection E. of this bylaw.

E. Dimensional Requirements.

1. Front Yard Setback: The front yard shall have a depth of at least 40 feet provided, however, that where the lot abuts a Residential district or residential use within the district allowing Large-Scale Ground-Mounted Solar Photovoltaic Installations, the front yard shall not be less than 100 Feet.
2. Side Yard Setback: Each side yard shall have a depth of at least 20 feet provided, however, that where the lot abuts a Residential district or residential use within the district allowing Large-Scale Ground-Mounted Solar Photovoltaic Installations, the side yard shall not be less than 100 feet.
3. Rear Yard Setback: The rear yard shall have a depth of at least 25 feet provided, however, that where the lot abuts a Residential district or residential use within the district allowing Large-Scale Ground-Mounted Solar Photovoltaic Installations, the rear yard shall not be less than 100 feet.
4. Maximum Coverage: No more than 50-percent of the total land area proposed for the Large-Scale Ground-Mounted Solar Photovoltaic Installation may be occupied by the solar panels, accessory structures, and appurtenances, with the remainder of the land remaining as open space either in its natural state, developed as community recreation, agricultural use, or similar state as approved by the Planning Board.

F. Design Standards.

1. Lighting: Lighting of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, including all ancillary and appurtenant structures shall be limited to that required for safety, security, and operational purposes, and shall be of reasonable height and appropriately shielded from abutting properties. All lighting shall be switchable and not “on” unless required for security or operations purposes.
2. Visual Impacts: The visual impact of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, including all accessory structures and appurtenances shall be mitigated to the maximum extent feasible. All accessory structures and appurtenances shall be architecturally compatible with each other. Structures shall be shielded from view and/or located within the site to avoid adverse visual impacts as deemed reasonable by the Planning Board. Methods such as the use of landscaping, natural features and opaque fencing shall be utilized.
3. Screening/Landscape Buffer: At a minimum, half of the provided front, side and rear yard setback areas shall be designed to reduce the visual impact of the Solar Photovoltaic Array upon adjacent property by use of trees, shrubs, walls, fences, or other landscape elements with the exception of the location of the driveway access. Where the area to be developed abuts land developed for residential use, suitable landscaping shall consist of a substantial sight-impervious screen of evergreen foliage at least eight (8) feet in height or planting of shrubs and trees (to be maintained in perpetuity by the Owner or Operator) complemented by a sight-impervious fence of a minimum six (6) feet in height, or such other type of landscaping as may be required under site plan review. Site fencing must provide top and bottom rails.

4. Utility Connections: All utility connections from the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be underground unless specifically permitted otherwise by the Planning Board based on soil conditions, shape, and topography of the site and any requirements of the utility provider.
5. Stormwater Management: Best management practice shall be used for controlling and managing stormwater run-off and drainage for the Large-Scale Ground-Mounted Solar Photovoltaic Installation in compliance with all applicable federal, state and local regulations.

G. Environmental Standards.

- a. Land Clearing, Soil Erosion and Habitat Impacts: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation or otherwise prescribed by applicable laws, regulations and bylaws.
- b. Public Nuisance: Such use shall not create a nuisance by virtue of noise, vibration, smoke, dust, odors, heat, glare, and radiation, unsightliness or other nuisance as determined by the Planning Board under Site Plan review. Noise generated by Large-Scale Ground-Mounted Solar Photovoltaic Systems and associated equipment and machinery shall conform to applicable regulations, including the Massachusetts DEP's Division of Air Quality noise regulations, 310 CMR 7.10.
- c. Stormwater Management Plan: The Stormwater Management Plan submitted with the permit application shall contain sufficient information for the Planning Board to evaluate the environmental impact and effectiveness of the measures proposed for reducing adverse impacts from stormwater runoff. This plan must be submitted with the stamp and signature of a Registered Professional Engineer who is licensed in the Commonwealth of Massachusetts. The Stormwater Management Plan shall fully describe the project in drawings, narrative, and calculations. It shall include:
 - a. The site's existing & proposed topography with contours at 2-foot intervals;
 - b. A description and delineation of existing stormwater conveyances, impoundments, environmental resources on or adjacent to the site into which stormwater flows;
 - c. A delineation of 100-year flood plains, if applicable;
 - d. Estimated seasonal high groundwater elevation in areas to be used for stormwater retention, detention, or infiltration;
 - e. The existing and proposed vegetation and ground surfaces with runoff coefficients for each;
 - f. A drainage area map showing pre- and post-construction watershed boundaries, drainage area and stormwater flow paths, including municipal drainage system flows, at a scale that enables verification of supporting calculations;
 - g. A recharge area analysis that calculates pre-and post-project annual groundwater recharge rates on the parcel;

- h. A description and drawings of all components of the proposed stormwater management system;
 - i. Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in the Massachusetts Stormwater Handbook;
 - j. Soils information from test pits performed at the location of proposed Stormwater Management facilities, including soil descriptions, depth to seasonal high groundwater and depth to bedrock. Soils information will be based on site test pits logged by a Massachusetts Certified Soil Evaluator;
 - k. Landscaping plan describing the woody and herbaceous vegetative stabilization and management techniques to be used within and adjacent to the stormwater impact area; and
 - l. A Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements of the Massachusetts Department of Environmental Protection (MassDEP) and the federal Environmental Protection Agency (EPA).
- H. Modifications. All substantial modifications or changes to a Large-Scale Ground-Mounted Solar Photovoltaic Installation require Site Plan Approval by the Planning Board. This requirement shall apply to the addition or modification of associated battery storage systems.
- I. Ownership Changes. If the Owner or Operator of the Large-Scale Ground-Mounted Solar Photovoltaic Installation changes or the owner of the property changes, the site plan approval shall remain in effect, provided that the successor Owner or Operator assumes in writing all of the obligations of the Site Plan Approval, Operations and Maintenance Plan, and a decommissioning plan. A new Owner or Operator of the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall notify the Planning Board and local emergency personnel of such change in ownership or Operator within [30] days of the ownership change.
- J. Abandonment or Decommissioning. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has failed to operate for more than one year, as determined by the interconnected utility's revenue metering equipment or billing records, without the written consent of the Planning Board, shall be considered abandoned and shall be removed. The Applicant or Operator shall physically remove the Installation no more than 150 days after the date of discontinued operations. If more than 150 days pass the Town may enter and physically remove the installation. The Applicant or Operator shall notify the Building Inspector by certified mail of the proposed date of discontinued operations and plans for removal. The Applicant or Operator shall be responsible for all associated decommissioning activities and associated costs. Decommissioning shall consist of:
- 1. Physical removal of all Large-Scale Ground-Mounted Solar Photovoltaic Installation structures, foundations, equipment, security barriers, control buildings or enclosures, underground wiring, cables or grounding conductors and the utility interconnection equipment and lines from the site;
 - 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

3. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the Applicant or Operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
- K. Financial Surety. Prior to issuance of a building permit, the applicant shall provide a form of surety through a cash deposit, which sum shall be held by the by the Town pursuant to M.G.L. c. 44, § 53 ½ to cover the cost of removal in the event the Town must remove the installation and remediate the landscape. The applicant shall submit a fully inclusive estimate, prepared by a professional engineer. This estimate shall include the costs associated with removal and disposal of all materials including fluids and hazardous materials, without including any potential salvage and recycling estimates. The Planning Board and Town Treasurer shall accept the form and amount of surety. Surety shall include an escalator for calculating increased removal costs due to inflation.
- L. Use variances. No use variances shall be granted for the development of a Large-Scale Ground-Mounted Solar Photovoltaic Installation in any zoning districts other than those specified in Table 1: Table of Uses.
- M. Severability. The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

MOTION ARTICLE 44: Zoning Bylaw – Solar Photovoltaic Installation

Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, by adding the text shown as underlined, as set forth in the Warrant, to the following chapters and sections: Chapter 7-05 Use Regulation, Section 7-05-020 Classification of uses; Section 7-05-030 Table 1. Table of Uses. Part A. Residential Districts; Section 7-05-030 Table 1. Table of Uses. Part B. Commercial and Industrial Districts; Chapter 7-03 Administration and Enforcement, Section 7-03-050 Site plans; Chapter 7-06 Density and Dimensional Regulations, Sections 7-06-020 and 7-06-030; and Chapter 7-10 Special Regulations, by adding Section 7-10-060.

ARTICLE 45: Zoning Bylaw – Hazardous Materials

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Chapter 7-02 General Provisions, Section 7-02-040 Definitions, by adding the text shown below as underlined; Chapter 7-05 Use Regulations, Section 7-05-020 Classification of uses, Section 7-05-030 Table of Uses, Table 1. Table of Uses. Part B. Commercial and Industrial Districts, Section 7-05-040 Environmental performance standards, by adding the text shown below as underlined; and Chapter 7-06 Density and Dimensional Regulations, Section 7-06-030 Supplemental regulations, by adding the text shown below as underlined, or take any action relative thereto.

Chapter 7-02

GENERAL PROVISIONS

Section 7-02-040 - Definitions

Hazardous Materials means a product or waste or combination of substances which because of quantity, concentration, or physical, or chemical, or infectious characteristics may reasonably pose, in the determination of the Zoning Enforcement Officer, a substantial present or potential hazard to the human health, safety or welfare, or the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed. Any substance which may create a special hazard in the event of a spill, leak, fire, or exposure and all substances deemed a hazardous waste in M.G.L., Chapter 21C and the United States Environmental Protection Agency's priority pollutants as described in Section 307(a) of the Clean Water Act shall also be considered a hazardous material for the purpose of the Bylaw.

Chapter 7-05

USE REGULATIONS

Section 7-05-020 Classification of uses

I.(6)(f) Hazardous Waste Facility means (a) Any new or substantially improved site or structure which will be used for the production, storage, recycling, treatment, incineration, dewatering, refining, reclamation, stabilization, solidification, landfilling or disposal of any of the dangerous materials or substances defined as "hazardous materials" per this Bylaw, or other processes where hazardous wastes can be stored, treated or disposed of; (b) Any new or substantially improved site or structure which will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any hazardous materials or substances on the premises; or (c) Any new or substantially improved site or structure that will involve the production, storage, treatment or use of any amount of radioactive substances. All Hazardous Waste Facilities as defined herein shall be subject to the provisions of §7-05 and §7-05-040, in addition to all other applicable provisions. This definition does not include a municipal or industrial wastewater treatment facility if permitted under M.G.L. Chapter 21, Section 43.

I.(6)(g) Solid Waste Disposal Facility: Refuse transfer station, composting plant, solid waste recycling operation and any other works or use approved by the Massachusetts Department of Public Health and the Board of Health of the Town of Northborough for processing, handling, treating, incinerating and disposing of solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk items, and sludges but not raw sewage, and similar waste items.

Chapter 7-05

USE REGULATIONS

Table 1. Table of Uses. Part B. Commercial and Industrial Districts

Uses	DB	BE	BW	BS	HB	I
Other Industrial Uses						
Natural resource extraction	N	N	N	N	N	PB
Fuel storage	N	N	N	N	N	PB
Contractor's yard or lumber yard	N	N	N	N	N	Y
Heliport	N	N	N	N	N	PB

Accessory uses; see Section 7-05-020(J)	N	N	N	BA	N	Y
Hazardous Waste Facility	N	N	N	N	N	<u>PB</u>
Solid Waste Disposal Facility	N	N	N	N	N	<u>PB</u>

Section 7-05-040 Environmental performance standards

E. Miscellaneous standards.

(1) Cinders, fumes, toxic gases, smoke, refuse, or other waste materials shall be effectively confined to the premises and treated or disposed of in accordance with state and federal regulations governing air, water, and soil pollution.

(2) No emission of any dirt, dust, fly ash and other forms of particulate matter, or any other air, water, or other pollutants shall exceed the emission levels of state and federal regulations governing air, water, and soil pollution.

(3) No emission of radioactive material shall exceed the limitations of state and federal regulations governing air, water, and soil pollution.

(4) All activities involving, and all storage of, inflammable and explosive materials shall be provided with adequate safety devices against hazards from fire and explosion, and with adequate firefighting and fire suppression equipment as determined by the Northborough Fire Department, and shall be conducted in accordance with permits and licenses issued by the Fire Department and the Board of Selectmen under MGL C. 148, where applicable. Burning of waste materials in the open contrary to state law is prohibited.

(5) No release of toxic or biohazardous material shall be allowed except in conformance with state and federal regulations and unless all applicable permits therefor have been granted by the appropriate issuing authorities.

(6) The Planning Board shall consider impacts on traffic, parking, noise, light, hours of operation, unsightly storage or conditions, objectionable odors, neighborhood character, safety, public services and utilities, overcrowding, and pollution, and the environment when granting a Special Permit for any industrial uses.

DENSITY AND DIMENSIONAL REGULATIONS

Chapter 7-06-030

C. Yard requirements

(4) In nonresidential (business and industrial) districts:

(a) No accessory structure or use shall be established within the front, side or rear setbacks on a lot, except for driveways and permitted signs. The location of off-street parking shall be in accordance with Section 7-09-030.

(b) In the Industrial District, the minimum setback along the lot line adjacent to a residential or business district shall be one hundred (100) feet from a residential district and fifty (50) feet from a business district. When the residential zoning district boundary is located in or at a street, the setback may be reduced by the width of the street which is in the residential zone.

(c) For any new or substantially improved Large-Scale Ground-Mounted Solar Photovoltaic Installation, the minimum setback along the lot line adjacent to a residential district shall be 100 feet.

(d) For any new or substantially improved Hazardous Waste Facility or Solid Waste Facility, the minimum setback along the lot line adjacent to a residential district shall be 1,500 feet.

Table 2. Table of Density and Dimensional Regulations

Add Footnote #4. See Section 7-06-030(C)(4) for lot regulations that apply to industrial uses that abut residential districts.

MOTION ARTICLE 45: Zoning Bylaw – Hazardous Materials

Passed

I move the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, by adding the text shown as underlined, as set forth in the Warrant, to the following sections: Chapter 7-02 General Provisions, Section 7-02-040 Definitions; Chapter 7-05 Use Regulations, Section 7-05-020 Classification of uses, Section 7-05-030 Table of Uses, Table 1. Table of Uses. Part B. Commercial and Industrial Districts, Section 7-05-040 Environmental performance standards; and Chapter 7-06 Density and Dimensional Regulations, Section 7-06-030 Supplemental regulations.

ARTICLE 46: Reports

Passed over

1:40pm motion made to dissolve the meeting

Motion Passed

Attendance 7/18/2020: 245

Total Registered Voters: 11,290

A True Copy Attest:

Andrew T. Dowd

**Andrew T. Dowd,
Town Clerk**