

**TOWN OF NORTHBOROUGH**  
**ANNUAL TOWN MEETING WARRANT**  
**APRIL 22, 2024**  
**6:00 P.M.**

**WORCESTER, SS**

**GREETINGS:**

To any Constable in the Town of Northborough, County of Worcester:

In the name of the Commonwealth of Massachusetts, you are hereby commanded to warn and notify the legal voters of the Town of Northborough to meet at THE ALGONQUIN REGIONAL HIGH SCHOOL 79 Bartlett St. Northborough, MA on MONDAY the 22<sup>nd</sup> day of April 2024 at 6:00 p.m., to act on the following warrant articles:

Moderator Fred George announced that a quorum of at least 100 voters was present in the hall and explained the rules of the meeting. The meeting was called to order at 6:00 pm. The Moderator instructed participants on the use of the newly acquired electronic voting devices and conducted several practice votes.

**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: Appointing Deputy Moderator**

Laura Ziton, Select Board, moved the Town 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.

Recommendations: N/A

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 2: Compensating Balance Agreement**

To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, 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 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: Compensating Balance Agreement**

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

Recommendations: N/A

**Vote: Moderator declared the motion carried by majority vote**

**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 provides authorization for the Town to pay four bills for goods and services that were incurred in the prior fiscal year.

**MOTION ARTICLE 3: Prior Years’ Bills**

Laura Ziton, Select Board, moved that the Town vote to transfer from the FY2024 health insurance budget the sum of One Thousand Four Hundred Eighty-One Dollars (\$1,481) to pay one bill totaling six hundred sixty-six dollars (\$666) to Town of Grafton for prior fiscal year Veterans’ District Administration services and three bills totaling Eight Hundred Fifteen Dollars (\$815) to Community Advocate for prior fiscal year Planning Board advertising fees.

Recommendations: Appropriations Committee

**Vote: Moderator declared the motion carried by the required 4/5th majority vote**

**ARTICLE 4: Town Budget**

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty-Six Million Four Hundred Forty-Five Thousand Seven Hundred Eighty-Eight Dollars (\$26,445,788) 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 Sale of Lots	\$ 14,250
Transfer from Cemetery Trust Income	\$ 25,842
Transfer from Debt Exclusion Premium Reserve	\$ 454
Transfer from DPU Transportation Fund	\$ 2,982
Transfer from Conservation Commission Fees	\$ 175
Transfer from Fire Emergency Medical Services	\$377,861
Revolving Fund	
Transfer from Recreation Revolving Fund	\$100,000
Transfer from Animal Control Revolving Fund	\$ 30,600
Transfer from PEG Access Cable Related Fund	\$300,847
Transfer from Medicare Part D Subsidy	\$ 84,632
Transfer from Free Cash	\$500,000

for a total of One Million Four Hundred Thirty-Seven Thousand Six Hundred Forty-Three Dollars (\$1,437,643) and that the sum of Twenty-Five Million Eight Thousand One Hundred Forty-Five Dollars (\$25,008,145) be raised by taxation.

**MOTION ARTICLE 4: Town Budget**

Laura Ziton, Select Board, moved the Town vote to raise and appropriate and transfer from available funds the sum of Twenty-Six Million Four Hundred Forty-Five Thousand Seven Hundred Eighty-Eight Dollars (\$26,445,788) for Town Government as displayed in the warrant booklet distributed at this Town Meeting, and to meet said appropriation, the following sums available for appropriation be transferred:

From:

Transfer from Cemetery Sale of Lots	\$ 14,250
Transfer from Cemetery Trust Income	\$ 25,842
Transfer from Debt Exclusion Premium Reserve	\$ 454
Transfer from DPU Transportation Fund	\$ 2,982
Transfer from Conservation Commission Fees	\$ 175
Transfer from Fire Emergency Medical Services Revolving Fund	\$377,861
Transfer from Recreation Revolving Fund	\$100,000
Transfer from Animal Control Revolving Fund	\$ 30,600
Transfer from PEG Access Cable Related Fund	\$300,847
Transfer from Medicare Part D Subsidy	\$ 84,632
Transfer from Free Cash	\$500,000

For a total of One Million Four Hundred Thirty-Seven Thousand Six Hundred Forty-Three Dollars (\$1,437,643) and that the sum of Twenty-Five Million Eight Thousand One Hundred Forty-Five Dollars (\$25,008,145) be raised by taxation.

Recommendations: Select Board, Appropriations Committee

**Vote: Moderator declared the motion carried by majority vote**

**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 Six Million Nine Hundred Seventy-Three Thousand Three Hundred Thirty-Seven Dollars (\$6,973,337) 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	\$ 210,441
	Solid Waste Fund Free Cash	\$ 175,650

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy	\$597,000
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for a total of Nine Hundred Eighty-Three Thousand Ninety-One Dollars (\$983,091) and that the sum of Five Million Nine Hundred Ninety Thousand Two Hundred Forty-Six Dollars (\$5,990,246) be financed from Water, Sewer, and Solid Waste Revenues, with said sums to be allocated as follows:

Water Fund	\$2,910,441
Sewer Fund	\$2,760,246
Solid Waste	\$1,302,650
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Total	\$6,973,337

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

Laura Ziton, Select Board, moved the Town vote to raise and appropriate and transfer from available funds the sum of Six Million Nine Hundred Seventy-Three Thousand Three Hundred Thirty-Seven Dollars (\$6,973,337) for Water, Sewer and Solid Waste Funds as displayed in Article 5 of the warrant for the operation of the Water, Sewer and Solid Waste Utilities, in the amounts Two Million Nine Hundred Ten Thousand Four Hundred Forty-One Dollars (\$2,910,441) for the Water Fund, Two Million Seven Hundred Sixty Thousand Two Hundred Forty-Six Dollars (\$2,760,246) for the Sewer Fund, and One Million Three Hundred Two Thousand Six Hundred Fifty Dollars (\$1,302,650) for the Solid Waste Fund; and to meet said appropriation, the following sums available for appropriation be transferred:

From:	Water Fund Free Cash	\$ 210,441
	Solid Waste Fund Free Cash	\$ 175,650

Raise and Appropriate by Taxation:

Solid Waste General Fund Subsidy

\$ 597,000

for a total of Nine Hundred Eighty-Three Thousand Ninety-One Dollars (\$983,091) and that the sum of Five Million Nine Hundred Ninety Thousand Two Hundred Forty-Six Dollars (\$5,990,246) be financed from Water, Sewer, and Solid Waste Revenues.

Recommendations: Select Board, Appropriations Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 6: Northborough K-8 Schools Budget**

To see if the Town will vote to raise and appropriate by taxation the sum of Twenty-Nine Million One Hundred Nineteen Thousand Five Hundred Ninety-Seven Dollars (\$29,119,597) for the operation of the Northborough Public Schools, or take any action relative thereto.

**MOTION ARTICLE 6: Northborough K-8 Schools Budget**

Bryce McKnight, Northborough K-8 School Committee, moved the Town vote to raise and appropriate by taxation the sum of Twenty-Nine Million One Hundred Nineteen Thousand Five Hundred Ninety-Seven Dollars (\$29,119,597) for the operation of the Northborough Public Schools.

Recommendations: Select Board, K-8 School Committee, Appropriations

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 7: Algonquin Regional High School Budget**

To see if the Town will vote to raise and appropriate by taxation the sum of Fifteen Million One Hundred Ninety-Three Thousand Eight Hundred Forty-Seven Dollars (\$15,193,847) for Northborough's share of the assessment for the operation and debt service of the Northborough-Southborough Regional School District, or take any action relative thereto.

**MOTION ARTICLE 7: Algonquin Regional High School Budget**

Karen Ares, Regional School Committee, moved the Town vote to raise and appropriate by taxation the sum of Fifteen Million One Hundred Ninety-Three Thousand Eight Hundred Forty-Seven Dollars (\$15,193,847) for Northborough’s share of the assessment for the operation and debt service of the Northborough-Southborough Regional School District.

Recommendations: Select Board, Regional School Committee, Appropriations, Financial Planning

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 8: Assabet Valley Regional Vocational School District Budget**

To see if the Town will vote to raise and appropriate by taxation the sum of One Million Four Hundred Nine Thousand One Hundred Eighty-Six Dollars (\$1,409,186) for Northborough’s share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District, or take any action relative thereto.

**MOTION ARTICLE 8: Assabet Valley Regional Vocational School District Budget**

Virginia Simms George, Assabet Valley School Representative, moved the Town vote to raise and appropriate by taxation the sum of One Million Four Hundred Nine Thousand One Hundred Eighty-Six Dollars (\$1,409,186) for Northborough’s share of the assessment for the operation and debt service of the Assabet Valley Regional Vocational School District.

Recommendations: Appropriations

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 9: Establishment of Stabilization Fund by Assabet Valley Regional Vocational School District**

To see if the Town will vote to approve the Assabet Valley Regional Vocational Technical School Committee’s vote on **January 9, 2024**, to establish a Stabilization Fund for the Assabet Valley Regional Vocational Technical School District, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be invested and to retain its own interest earnings as provided by law and further set up an operational line item to be created to transfer available monies into said Stabilization Fund; or take any other action relative thereto.

- This Article provides for a contribution to the Stabilization Fund, or general savings account, for the Assabet Valley Regional Vocational School District.





**MOTION ARTICLE 9: Establishment of Stabilization Fund by Assabet Valley Regional Vocational School District**

Virginia Simms George, Assabet Valley School Representative, moved the Town vote to approve the Assabet Valley Regional Vocational Technical School Committee’s vote on **January 9, 2024**, to establish a Stabilization Fund for the Assabet Valley Regional Vocational Technical School District, pursuant to Section 16G ½ of Chapter 71 of the Massachusetts General Laws.

Recommendations: Appropriations (Split vote 3/3)

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 10: Revolving Funds Authorization of Expenditure Limits**

To see if the Town will vote to authorize revolving fund annual expenditure limits for Fiscal Year 2025 as shown in the table below:

<b>Revolving Fund</b>	<b>Annual Expenditure Limit</b>
Fire Department (EMS and Haz Mat)	\$750,000
Animal Control	\$50,000
Family & Youth Services	\$20,000
Council on Aging	\$300,000
Community Affairs	\$20,000
Library	\$20,000
Health Department	\$150,000

or take any other action relative thereto.

- Pursuant to the Town’s Revolving Fund Bylaw (Code § 1-56-051) and the provisions of Massachusetts General Laws Chapter 44, Section 53E½, an annual vote is required to establish expenditure 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 10: Revolving Funds Authorization of Expenditure Limits**

Mitch Cohen, Select Board, moved the Town vote to authorize revolving fund annual expenditure limits for Fiscal Year 2025 as shown in the table in the warrant and the warrant supplement distributed at this Town Meeting.

Recommendations: Appropriations

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 11: 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 the sum of 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 11: Appropriations Committee Reserve Fund**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000) from Free Cash to the Reserve Fund to provide for extraordinary or unforeseen expenditures.

Recommendations: Appropriations

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 12: Adoption of Provisions of Building Rental Fund for 4 West Main Street**

To see if the Town will vote to adopt the provisions of MGL Chapter 40 Section 3, which allow for the balances of rental receipts remaining at the end of a fiscal year in the building rental fund established for 4 West Main Street to remain in the fund to be expended without further appropriation for the upkeep and maintenance of the building.

- Rental receipts for 4 West Main Street are currently maintained in an account and the receipts may be expended by the Select Board during the year for the upkeep of the property. At present, any balance remaining in the account at the end of the fiscal year goes into the general fund. This Article would allow for the account balance to carry over to the next fiscal year rather than close to the general fund

**MOTION ARTICLE 12: Adoption of Provisions of Building Rental Fund for 4 West Main Street**

Mitch Cohen, Select Board, moved the Town vote to adopt the provisions of MGL Chapter 40 Section 3, which allow for the balances of rental receipts remaining at the end of a fiscal year in the building rental fund established for 4 West Main Street to remain in the fund to be expended without further appropriation for the upkeep and maintenance of the building.

Recommendations: Appropriations

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 13: 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 13: Stabilization Fund Contribution**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of Two Hundred Thousand Dollars (\$200,000) from Free Cash to the Stabilization Fund for transfer in Fiscal Year 2024.

Recommendations: Appropriations

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 14: Senior Tax Relief**

To see if the Town will vote:

- A. To accept section 5C ½ of Chapter 59 of the Massachusetts General Laws for the purpose of allowing a real estate tax exemption, up to 100 percent, for all persons who qualify for property tax exemptions under the clauses listed in the first paragraph of section 5 of Chapter 59, or take any action relative thereto.
- B. To increase the maximum qualifying gross receipts that seniors (persons 65 or older) may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws Chapter 59, section 5, clause 41A to \$69,000, or take any action relative thereto.
- C. To adjust the exemption authorized under Massachusetts General Laws, Chapter 59, Section 5K, concerning the so-called “Senior Work-Off Program” under which seniors may reduce their property tax liability in exchange for services provided to the Town by allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than the statutory dollar amount of \$2,000, or take any action relative thereto.

#### **MOTION ARTICLE 14: Senior Tax Relief**

Mitch Cohen, Select Board moved the Town vote to accept section 5C ½ of Chapter 59 of the Massachusetts General Laws for the purpose of allowing a real estate tax exemption, up to 100 percent, for all persons who qualify for property tax exemptions under the clauses listed in the first paragraph of section 5 of Chapter 59, and to increase the maximum qualifying gross receipts that seniors (persons 65 or older) may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws Chapter 59, section 5, clause 41A to \$69,000 and to adjust the exemption authorized under Massachusetts General Laws, Chapter 59, Section 5K, concerning the so-called “Senior Work-Off Program” under which seniors may reduce their property tax liability in exchange for services provided to the Town by allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than the statutory dollar amount of \$2,000, or whichever is more.

Recommendations: Select Board, Appropriations

**Vote: Moderator declared the motion carried by majority vote**

#### **ARTICLE 15: Appropriation of Funds for Legal Settlement for Marlborough Sewer Case**

To see if the Town will vote to appropriate a sum of money for payment toward the settlement of the sewer use fee litigation with the City of Marlborough in Worcester Superior Court, Civil Action No. 1685CV01772, including the entry of a legal judgment against the Town, and to meet said appropriation the sum be transferred from Sewer Enterprise Free Cash, such appropriation to be available for expenditure in Fiscal Year 2024, or take any other action relative thereto.

- The Town has been in litigation with the City of Marlborough following the 2010 expiration of the Intermunicipal Agreement (IMA) governing the Town’s use of the Westerly Sewer Treatment Plant located in Marlborough. The Town and City continued following the terms of the expired IMA whereby the Town paid an operating assessment for its share of the sewage processed at the plant until the City adopted an “out-of-city” rate and applied it to the Town’s use in 2015. The Town objected to the method, did not pay the fees, and instead continued paying estimated payments under the terms of the expired agreement with the hope agreement over a successor IMA could be reached. The City pursued a lawsuit against the Town to enforce its billed amounts. If a judgment is rendered or a settlement can be reached, the Town’s Sewer Free Cash should be applied to pay for it, as the Town has set its Sewer rates and retained Sewer Enterprise Fund balance in anticipation of the judgement and/or settlement.

**MOTION ARTICLE 15: Appropriation of Funds for Legal Settlement for Marlborough Sewer Case**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of up to Seven Million Six Hundred and Nineteen Thousand Six Hundred and Seven Dollars (\$7,619,607) for payment toward the settlement of the sewer use fee litigation with the City of Marlborough in Worcester Superior Court, Civil Action No. 1685CV01772, subject to the execution of appropriate releases and a settlement agreement with the City, and the execution of an Intermunicipal Agreement with the City for shared wastewater services at the Westerly Plant for the maximum period allowed by law, and to meet said appropriation the sum of up to Seven Million Six Hundred and Nineteen Thousand Six Hundred and Seven Dollars (\$7,619,607) be transferred from Sewer Enterprise Free Cash.

Recommendations: Select Board, Appropriations

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 16 (CIP): Police – Police Cruiser Replacements**

To see if the Town will vote to appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) for the use of the Police Department for the purchase of two new police vehicles, and to meet said appropriation the sum of One Hundred Forty Thousand Dollars (\$140,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the purchase of two replacement patrol vehicles. This article supports the continued annual replacement of police vehicles on an established schedule of three vehicles one year, then two the next.

**MOTION ARTICLE 16 (CIP): Police – Police Cruiser Replacements**

Kristen Wixted, Select Board moved the Town vote to appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) for the use of the Police Department for the purchase of two new police vehicles, and to meet said appropriation the sum of One Hundred Forty Thousand Dollars (\$140,000) be transferred from Free Cash for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 17 (CIP): Fire – Rescue 1 Replacement**

To see if the Town will vote to appropriate the sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) for the use of the Fire Department for the purchase of new rescue truck, and to meet said appropriation the sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the replacement of a 2004 rescue pumper. It was designed to perform many functions, however, due to the design it is overloaded and overtasked. This proposal is to purchase a true rescue truck designed and equipped to function as a rescue truck.

**MOTION ARTICLE 17 (CIP): Fire – Rescue 1 Replacement**

Kristen Wixted, Select Board, moved the Town vote to appropriate One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) for the purchase of a new rescue truck for the Fire Department; and to meet this appropriation Four Hundred Ninety Two Thousand Nine Hundred Twenty Dollars (\$492,920) shall be transferred from Free Cash, Eleven Thousand Two Hundred Thirty Eight Dollars (\$11,238) shall be transferred from Premium Reserve, and Seven Hundred Forty Five Thousand Eight Hundred Forty Two Dollars (\$745,842) shall be raised by borrowing, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 7(1) or any other enabling authority, and the Treasurer, with the approval of the Select Board, shall be authorized to issue bonds or notes therefor.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 18 (CIP): DPW/FACILITIES – Facilities HVAC Upgrades/Modernization**

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 replacement of select heating, ventilation, and air conditioning equipment at the Police Station, Library and Senior Center, and to meet said appropriation the sum of Two Hundred Fifty Thousand Dollars (\$250,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the replacement of portions of the HVAC systems at the Police Station, Library, and Senior Center. As noted in the 2023 Facility Condition Assessment, there are several systems well past their useful life. Completing these replacements will ensure that potential future issues are addressed in a proactive manner. Thus, preventing the need for costly emergency repairs and/or the risk of additional damage caused by down systems.

**MOTION ARTICLE 18 (CIP): DPW/FACILITIES – Facilities HVAC Upgrades/Modernization**

Kristen Wixted, Select Board, moved the Town vote to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) for the use of the Department of Public Works to fund replacement of select heating, ventilation, and air conditioning equipment at the Police Station, Library and Senior Center and to meet said appropriation of Two Hundred Fifty Thousand Dollars (\$250,000) be transferred from Free Cash for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 19 (CIP): DPW/FACILITIES – Police Station Siding Replacement**

To see if the Town will vote to appropriate the sum of Five Hundred Forty Thousand Dollars (\$540,000) for the use of the Department of Public Works to fund the replacement of exterior building siding and trim at the Police Station building, and to meet said appropriation the sum of Five Hundred Forty Thousand Dollars (\$540,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the replacement of the building exterior at the Police Station building. Replacing deteriorating exterior materials is essential for safeguarding structural integrity and improving the energy efficiency of the building. This Article includes \$70,000 to be re-appropriated in from Article 16 of the 2023 Annual Town Meeting.

**MOTION ARTICLE 19 (CIP): DPW/FACILITIES – Police Station Siding Replacement**

Kristen Wixted, Select Board, moved the Town vote to appropriate the sum of Five Hundred Forty Thousand Dollars (\$540,000) for the use of the Department of Public Works to fund replacement of exterior building siding and trim at the Police Station building and to meet said appropriation transfer Four Hundred Seventy Thousand Dollars (\$470,000) from Free Cash for expenditure in Fiscal Year 2024 and Seventy Thousand Dollars (\$70,000) from the surplus balance in Article 16 from the April 2023 Annual Town Meeting for expenditure in Fiscal Year 2024.

**Motion to Amend:** Doug Stone moved to amend article 19 by reducing the appropriation from Four Hundred Seventy Thousand Dollars (\$470,000) to Two Hundred Thousand Dollars (\$200,000).

**Vote: Moderator declared the motion to amend carried by majority vote**

**MOTION TO MOVE THE QUESTION:**

**Vote:** Moderator declared the motion carried by the required 2/3<sup>rd</sup> majority vote

**MOTION AS AMENDED ARTICLE 19 (CIP): DPW/FACILITIES – Police Station Siding Replacement**

Kristen Wixted, Select Board moved the Town vote to appropriate the sum of Two Hundred Seventy Thousand Dollars (\$270,000) for the use of the Department of Public Works to fund replacement of exterior building siding and trim at the Police Station building and to meet said appropriation transfer Two Hundred Thousand Dollars (\$200,000) from Free Cash for expenditure in Fiscal Year 2024 and Seventy Thousand Dollars (\$70,000) from the surplus balance in Article 16 from the April 2023 Annual Town Meeting for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote:** Moderator declared the motion as amended carried by majority vote

10:05pm motion made to adjourn the meeting to Tuesday April 23, 2024 6pm

**Vote:** Moderator declared the motion carried by majority vote



**Town Meeting Adjourned Session**  
**Tuesday April 23, 2024**  
**Algonquin Regional High School 79 Bartlett St. Northborough, MA**

Moderator Fred George announced that a quorum of at least 100 voters was present in the hall and explained the rules of the meeting. The meeting was called to order at 6:01 pm.

**ARTICLE 20 (CIP): DPW/FACILITIES – Fire Station Brick Repointing and Sealing**

To see if the Town will vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the Department of Public Works to fund brick repointing and sealing at the Fire Station building, and to meet said appropriation the sum of Eighty Thousand Dollars (\$80,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for repointing and sealing of the bricks at the Fire Station at 11 Pierce Street. Repointing will restore the facade's strength and prevent future damage from water intrusion. Sealing the brick facade serves as an additional protective barrier against future moisture infiltration.

**MOTION ARTICLE 20 (CIP): DPW/FACILITIES – Fire Station Brick Repointing and Sealing**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) for the use of the Department of Public Works to fund brick repointing and sealing at the Fire Station building and to meet said appropriation of Eighty Thousand Dollars (\$80,000) be transferred from Free Cash for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

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

To see if the Town will vote to appropriate the sum of Three Hundred Ten Thousand Dollars (\$310,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Ten Thousand Dollars (\$310,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

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

**MOTION ARTICLE 21 (CIP): DPW/HIGHWAY – Road Improvements and Maintenance**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of Three Hundred Ten Thousand Dollars (\$310,000) for Road Improvements and Maintenance, and to meet said appropriation the sum of Three Hundred Ten Thousand Dollars (\$310,000) be transferred from Free Cash for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 22 (CIP): DPW/HIGHWAY – Enclosed Public Health Trailer**

To see if the Town will vote to appropriate the sum of Ninety-Five Thousand Dollars (\$95,000) for the use of the Department of Public Works for the purchase of an enclosed public health trailer, and to meet said appropriation the sum of Ninety-Five Thousand Dollars (\$95,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the purchase of a new enclosed trailer. The current enclosed trailer serves as an emergency facility with power, temperature control, cabinetry, and lighting. The new trailer will provide improved service for community events and activities such as elections, Applefest, health clinics, and other Town events.

**MOTION ARTICLE 22 (CIP): DPW/HIGHWAY – Enclosed Public Health Trailer**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of Ninety-Five Thousand Dollars (\$95,000) for the use of the Department of Public Works for the purchase of an enclosed public health trailer, and to meet said appropriation the sum of Ninety-Five Thousand Dollars (\$95,000) be transferred from Free Cash for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 23 (CIP): DPW/HIGHWAY – Drainage/Sidewalk Improvement Program**

To see if the Town will vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for the use of the Department of Public Works to fund the repair and replacement of drainage and/or sidewalks, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for repair and replacement of failing drainage and sidewalk infrastructure. The specific work funded herein will be derived through engineering analysis and may also vary based upon emergency needs.

**MOTION ARTICLE 23 (CIP): DPW/HIGHWAY – Drainage/Sidewalk Improvement Program**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for the use of the Department of Public Works to fund the repair and replacement of drainage and/or sidewalks, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be transferred from Overlay Surplus for expenditure in Fiscal year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 24 (CIP): DPW/HIGHWAY– Bucket Truck**

To see if the Town will vote to appropriate the sum of Three Hundred Thirty Thousand Dollars (\$330,000) for the use of the Department of Public Works for the purchase of a bucket truck, and to meet said appropriation the sum of Three Hundred Thirty Thousand Dollars (\$330,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds the purchase of a bucket truck to replace a 2010 model 30,000-pound GVW bucket truck that is used by the Highway and Tree Divisions. As part of this capital item the existing vehicle chassis will be repurposed to extend its useful life.

**MOTION ARTICLE 24 (CIP): DPW/HIGHWAY – Bucket Truck**

Mitch Cohen, Select Board, moved the Town vote to appropriate the sum of Three Hundred Thirty Thousand Dollars (\$330,000) for the use of the Department of Public Works for the purchase of a bucket truck, and to meet said appropriation the sum of Three Hundred Thirty Thousand Dollars (\$330,000) be transferred from Free Cash for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 25 (CIP): DPW/HIGHWAY – Sidewalk Plow Replacement**

To see if the Town will vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for the use of the Department of Public Works for the purchase of a sidewalk plow, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the purchase of a sidewalk plow to replace a 2012 model sidewalk plow with various attachments that is used by the Highway Division. As part of this capital item the existing equipment will be traded in.

**MOTION ARTICLE 25 (CIP): DPW/HIGHWAY – Sidewalk Plow Replacement**

Julianne Hirsh, Select Board moved the Town vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) for the use of the Department of Public Works for the purchase of a sidewalk plow, and to meet said appropriation the sum of Three Hundred Thousand Dollars (\$300,000) be transferred from Overlay Surplus for expenditure in Fiscal Year 2024.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 26 (CIP): DPW/HIGHWAY – Hook Lift Truck**

To see if the Town will vote to appropriate the sum of Zero Dollars (\$0) for the use of the Department of Public Works for the purchase of a hook lift truck, and to meet said appropriation the sum of Zero Dollars (\$0) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- The intent is to pass over this Article this year.

**MOTION ARTICLE 26 (CIP): DPW/HIGHWAY – Hook Lift Truck**

Julianne Hirsh, Select Board, moved the Town vote to pass over this article.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 27 (CIP): DPW/WATER – One-Ton Utility Truck with Plow Replacement**

To see if the Town will vote to appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) for the use of the Department of Public Works for the purchase of a one-ton utility body truck with plow, and to meet said appropriation the sum of One Hundred Forty Thousand Dollars (\$140,000) be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- This Article provides funds for the purchase of a utility body truck to replace a 2014 model one-ton utility body truck that is used by the Water and Sewer Divisions. As part of this capital item the existing vehicle will be transferred to the Northborough/Southborough Regional School District.

**MOTION ARTICLE 27 (CIP): DPW/WATER/SEWER – One-Ton Utility Truck with Plow Replacement**

Julianne Hirsh, Select Board, moved the Town vote to appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) for the use of the Department of Public Works for the purchase of a one-ton utility body truck with plow, and to meet said appropriation the sum of Seventy-Two Thousand Dollars (\$72,000) shall be transferred from Water Enterprise Fund Free Cash, the sum of Forty-Eight Thousand Dollars (\$48,000) shall be transferred from Sewer Enterprise Fund Free Cash and Twenty Thousand Dollars (\$20,000) from Water Enterprise Revenues.

Recommendations: Water & Sewer Commission, Appropriations, Financial Planning

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 28 (CIP): DPW/SEWER – Inflow & Infiltration (I&I) Mitigation**

To see if the Town will vote to appropriate the sum of Three Hundred Eighty Thousand Dollars (\$380,000) to perform the third year of inflow and infiltration elimination from the sanitary sewer system, and to meet said appropriation the sum of Three Hundred Eighty Thousand Dollars (\$380,000) be raised by taxation, transferred from available funds, borrowed or otherwise appropriated.

- This Article provides funds to remove non-sanitary flows from the sewer system as mandated by MassDEP under 314 CMR 12.04. The Town has a comprehensive 15-year inflow and infiltration elimination plan, and this is the third year of implementation. For each gallon of storm/groundwater that is removed from the sewer system, that is one less gallon that must be treated and one more gallon of capacity available for future use.

**MOTION ARTICLE 28 (CIP): DPW/SEWER – Inflow & Infiltration (I&I) Mitigation**

Julianne Hirsh, Select Board, moved that the Town vote to appropriate the sum of Three Hundred Eighty Thousand Dollars (\$380,000) to perform the third year of inflow and infiltration elimination from the sanitary sewer system, and to meet said appropriation the sum of Three Hundred Seventy-Two Thousand Three Hundred Ninety-Nine Dollars (\$372,399) be transferred from Sewer Enterprise Free Cash for expenditure in Fiscal Year 2024 and Seven Thousand Six Hundred One Dollars (\$7,601) be transferred from Sewer Premium Reserve for expenditure in Fiscal Year 2024.

Recommendations: Water & Sewer Commission, Appropriations, Financial Planning

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 29 (CIP): PEASLEE ELEMENTARY – Asbestos Encapsulation – Chimney**

To see if the Town will vote to appropriate the sum of Thirty Thousand Dollars (\$30,000) for the encapsulation of chimney ductwork at the Marguerite E. Peaslee Elementary School, including all costs incidental and related to be raised by taxation, transferred from available funds, borrowed, or otherwise appropriated.

- During the District’s 3-year Asbestos Hazard Emergency Response Act (AHERA) inspection and report, Hub Environmental Testing, Inc., identified the sheathing around the boiler chimney at the Marguerite E. Peaslee School is compromised and needs to be stabilized and rewrapped per AHERA regulations. This is a new project for the FY25 Capital Plan and requires our immediate attention. The estimated cost is \$30,000 and includes consultation services for AHERA compliance and the construction of the sheathing to secure the encapsulation. The goal of the project will be to provide compliance and safety to the boiler space.

**MOTION ARTICLE 29 (CIP): PEASLEE ELEMENTARY – Asbestos Encapsulation – Chimney**

Bryce McKnight, Northborough K-8 School Committee, moved the Town vote to appropriate the sum of Thirty Thousand Dollars (\$30,000) for the encapsulation of chimney ductwork at the Marguerite E. Peaslee Elementary School, and to meet said appropriation the sum of Thirty Thousand Dollars (\$30,000) be transferred from Free Cash for expenditure in Fiscal Year 2024.

Recommendations: K-8 School Committee, Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 30 (CIP): MELICAN MIDDLE – Hot Water System Upgrade**

To see if the Town will vote to appropriate the sum of Thirty Thousand Dollars (\$30,000) for upgrades to the hot water system at Melican Middle School, including all costs incidental and related, and to meet said appropriation transfer from the surplus balance in Article 28 from the April 2011 Annual Town Meeting for Robert E. Melican Middle School Green Repairs.

- The Public Schools of Northborough identified that the valving system for the Robert E. Melican Middle School hot water system is original to the 1971 construction. The ability to modulate the mixing valve is compromised and needs to be brought

up to code from cast iron to copper and bronze piping, valves, and fittings. The replacement provides the ability to control the temperature of hot water to all Robert E. Melican Middle School fixtures.

**MOTION ARTICLE 30 (CIP): MELICAN MIDDLE – Hot Water System Upgrade**

Bryce McKnight, Northborough K-8 School Committee, moved the Town vote to appropriate the amount of Thirty Thousand Dollars (\$30,000) for upgrades to the hot water system at Robert E. Melican Middle School and to meet said appropriation transfer Thirty Thousand Dollars (\$30,000) from the surplus balance in Article 28 from the April 2011 Annual Town Meeting for Robert E. Melican Middle School Green Repairs for expenditure in Fiscal Year 2024.

Recommendations: K-8 School Committee, Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 31 (CIP): MELICAN MIDDLE – Pneumatic Control Repairs**

To see if the Town will vote to appropriate the sum of Seventy-Two Thousand Dollars (\$72,000) for repairs to the pneumatic controls at the Robert E. Melican Middle School, including all costs incidental and related, and to meet said appropriation transfer from the surplus balance in Article 28 from the April 2011 Annual Town Meeting for Robert E. Melican Middle School Green Repairs.

- The Public Schools of Northborough has identified the air pressure-based pneumatic control needs restoration. The air pressure provided to each univent heating unit controls the outside air dampers and hot water valves that support the heating system. By restoring the air pressure to consistent levels, the system will work more efficiently and can be calibrated to support a more comfortable learning environment. The restoration of air pressure to the three floors of Robert E. Melican Middle School will add efficiency and comfort to the building.



**MOTION ARTICLE 31 (CIP): MELICAN MIDDLE – Pneumatic Control Repairs**

Bryce McKnight, Northborough K-8 School Committee, moved the Town vote to appropriate the amount of Seventy-Two Thousand Dollars (\$72,000) for repairs to the pneumatic controls at Robert E. Melican Middle School and to meet said appropriation transfer Seventy-Two Thousand Dollars (\$72,000) from the surplus balance in Article 28 from the April 2011 Annual Town Meeting for Robert E. Melican Middle School Green Repairs for expenditure in Fiscal Year 2024.

Recommendations: K-8 School Committee, Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 32 (CIP): Feasibility Study for Marguerite E. Peaslee Elementary School**

To see if the Town will vote to appropriate, borrow, or transfer from available funds, an amount of money to be expended under the direction of the Marguerite E. Peaslee School Building Committee for a feasibility study for the options related to renovating or rebuilding the Marguerite E. Peaslee Elementary School at 31 Maple Street, Northborough, MA, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority (MSBA), with the Town’s acknowledgement that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

- The Massachusetts School Building Authority (the “MSBA”) Board of Directors has voted to invite the Statement of Interest (the “SOI”) for the Marguerite E. Peaslee Elementary School in the Town of Northborough into the MSBA’s Eligibility Period. The invitation for the Marguerite E. Peaslee Elementary School is for grades Kindergarten through Grade 5 and the potential during the feasibility study phase to examine the reconfiguration of the Town’s elementary school grades to create districtwide grade spans for Pre-K through Grade 2 and Grades 3-5, resulting in two schools with Grades 3-5 including the Marguerite E. Peaslee Elementary School. The future plans for the renovation or rebuilding of the Peaslee School have been part of the Capital Plan for almost ten years. The estimated cost of a Feasibility Study is \$900,000. This study will provide the town with the options of what to do with the aging capital asset. The Peaslee School was built in 1962 and has not been significantly renovated. It is clear through the analysis of major building systems including - HVAC, electrical, and plumbing that the Peaslee School is ready for modernization and enhancement.

**MOTION ARTICLE 32 (CIP): Feasibility Study for Marguerite E. Peaslee Elementary School**

Bryce McKnight, Northborough K-8 School Committee, moved that the Town of Northborough appropriate the sum of Nine Hundred Thousand (\$900,000) Dollars for the purpose of paying costs for a feasibility study for the options related to renovating or rebuilding the Marguerite E. Peaslee Elementary School at 31 Maple Street, Northborough, MA, including the payment of all costs incidental or related thereto, and for which the Town of Northborough may be eligible for a grant from the Massachusetts School Building Authority (MSBA), said amount to be expended under the direction of the Peaslee School Building Committee, and to meet this appropriation the Town Treasurer, with the approval of the Select Board, shall be authorized to borrow, in accordance with the provisions of M.G.L. Chapter 44, Section 7(1) or any other enabling authority, and the Treasurer, with the approval of the Select Board, shall be authorized to issue bonds or notes therefor.

Recommendations: Select Board, K-8 School Committee, Appropriations Committee, Financial Planning

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 33: Lease and Power Purchase Agreement (PPA) for Solar Power Purchase for Roof of Proctor Elementary School**

To see if the Town will authorize the Select Board to lease all or a portion of the roof of Fannie E. Proctor Elementary School located at 26 Jefferson Road for a term of 20 years, upon such terms and conditions as are acceptable to the Select Board, to solar energy providers for the purposes of constructing, maintaining, and operating a solar facility on the property and to enter into a power purchase agreement with the solar energy providers; and further, to authorize the Select Board to grant an easement to National Grid and other utility companies and/or providers to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility project, or take any other action in relation thereto.

- The Solar Feasibility Study Group and leadership team have identified the new Proctor Modified Bitumen EPDM roof system as a viable option for the installation of a 168 kW solar system. The request to enter into a lease and PPA is a new request for FY25. There is no outlay for the town as the construction of the solar system is built into the 20-year PPA, which in return will be energy efficient and cost savings to the school at approximately \$10,000 and would significantly reduce our carbon footprint. No funding is required to enter into a lease and PPA.

**MOTION ARTICLE 33: Lease and Power Purchase Agreement (PPA) for Solar Power Purchase for Roof of Proctor Elementary School**

Bryce McKnight, Northborough K-8 School Committee, moved the Town vote to transfer the custody, care and control of the roof of Fannie E. Proctor Elementary School located at 26 Jefferson Road from the School Committee to the Select Board for the purpose of

lease, and to authorize the Select Board to lease all or a portion of the roof for a term of 20 years, upon such terms and conditions as are acceptable to the Select Board, to a solar energy provider for the purposes of constructing, maintaining, and operating a solar facility on the property and entering into a power purchase agreement with the solar energy provider; and further, to authorize the Select Board to grant an easement to National Grid to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility project; and to authorize the Select Board to take any and all action necessary to accomplish such transactions.

Motion made by Charles Frankian to combine articles 33 & 34.

**Vote: Moderator declared the motion carried by the required majority vote**

Motion as amended to approve articles 33 & 34: Lease and Power Purchase agreement (PPA) for Solar Power Purchase for roof of Proctor & Lincoln Elementary schools

Recommendations: K-8 School Committee, Appropriations Committee

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

#### **ARTICLE 34: Lease and Power Purchase Agreement (PPA) for Solar Power Purchase for Roof of Lincoln Street Elementary School**

To see if the Town will authorize the Select Board to lease all or a portion of the roof of Lincoln Street Elementary School located at 76 Lincoln Street for a term of 20 years, upon such terms and conditions as are acceptable to the Select Board, to solar energy providers for the purposes of constructing, maintaining, and operating a solar facility on the property and to enter into a Power Purchase Agreement (PPA) with the solar energy providers; and further, to authorize the Select Board to grant an easement to National Grid and other utility companies and/or providers to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility project, or take any other action in relation thereto.

- The Solar Feasibility Study Group and leadership team have identified the metal roof sections at the Lincoln Street School as a viable option for the installation of a 237 kW solar system. The metal roof section was part of the 2016 renovation project. The request to enter into a lease and PPA is a new request for FY25. There is no outlay for the Town as the construction of the solar system is built into the 20-year PPA, which in return will be energy efficient and cost savings to the school at approximately \$15,000 per year and would significantly reduce our carbon footprint. No funding is required to enter into a lease and PPA.

**MOTION ARTICLE 34: Lease and Power Purchase Agreement (PPA) for Solar Power Purchase for Roof of Lincoln Street Elementary School**

Bryce McKnight, Northborough K-8 School Committee, moved the Town vote to transfer the custody, care and control of the roof of Lincoln Street Elementary School located at 76 Lincoln Street from the School Committee to the Select Board for the purpose of lease, and to authorize the Select Board to lease all or a portion of the roof for a term of 20 years, upon such terms and conditions as are acceptable to the Select Board, to a solar energy provider for the purposes of constructing, maintaining, and operating a solar facility on the property and entering into a Power Purchase Agreement with the solar energy provider; and further, to authorize the Select Board to grant an easement to National Grid to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility project; and to authorize the Select Board to take any and all action necessary to accomplish such transactions.

Motion as amended to approve articles 33 & 34: Lease and Power Purchase agreement (PPA) for Solar Power Purchase for roof of Proctor & Lincoln Elementary schools

Recommendations: K-8 School Committee, Appropriations Committee

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 35: Lease and Power Purchase Agreement (PPA) for Solar Power Purchase for Roof of Zeh Elementary School**

To see if the Town will authorize the Select Board to lease all or a portion of the roof of Marion E. Zeh Elementary School located at 33 Howard Street for a term of 20 years, upon such terms and conditions as are acceptable to the Select Board, to solar energy providers for the purposes of constructing, maintaining, and operating a solar facility on the property and to enter into a Power Purchase Agreement with the solar energy providers; and further, to authorize the Select Board to grant an easement to National Grid and other utility companies and/or providers to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility project, or take any other action in relation thereto.

- The Marion E. Zeh Elementary School roof is an optimal location for a solar system. However, in order for a system to be installed the roof will need to be replaced. The Public Schools of Northborough with the support of the Select Board have submitted a Statement of Interest (SOI) to the Massachusetts School Building Authority (MSBA) Accelerated Repair Program for a full roof replacement. If that SOI is accepted and a new roof is installed the Solar Feasibility Study Group and leadership team have identified that a new roof for the Marion E. Zeh School is a viable option. The roof replacement has been part of the Capital Plan since 2021, however, the solar proposal is new for the FY25 Capital Plan. There is no outlay

for the town as the construction of the solar system is built into the 20-year PPA, which in return will be energy efficient and provide cost savings to the school at approximately \$10,000 per year and would significantly reduce our carbon footprint. No funding is required to enter into a lease and PPA. However, this is contingent upon the roof replacement project being completed.

**MOTION ARTICLE 35: Lease and Power Purchase Agreement (PPA) for Solar Power Purchase for Roof of Zeh Elementary School**

Bryce McKnight, Northborough K-8 School Committee, moved the Town vote to transfer the custody, care and control of the roof of Marion E. Zeh Elementary School located at 33 Howard Street from the School Committee to the Select Board for the purpose of lease, and to authorize the Select Board to lease all or a portion of the roof for a term of 20 years, upon such terms and conditions as are acceptable to the Select Board, to a solar energy provider for the purposes of constructing, maintaining, and operating a solar facility on the property and entering into a Power Purchase Agreement with the solar energy provider; and further, to authorize the Select Board to grant an easement to National Grid to install, maintain, operate, repair, reinstall, or replace any utilities required for interconnection to the solar facility project; and to authorize the Select Board to take any and all action necessary to accomplish such transactions.

Recommendations: K-8 School Committee, Appropriations Committee

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 36: Consolidated Personnel Bylaw**

To see if the Town will vote to amend the Consolidated Personnel Bylaw as shown in a supplemental handout entitled “Article 36 – Consolidated Personnel Bylaw Amendments – 2024 Annual Town Meeting,” a copy of which is viewable on the Town’s website at <https://www.town.northborough.ma.us>.

**MOTION ARTICLE 36: Consolidated Personnel Bylaw**

Julianne Hirsh, Select Board, moved the Town vote to amend the Consolidated Personnel Bylaw as reflected in the supplemental handout entitled “Article 36 – Consolidated Personnel Bylaw Amendments – 2024 Annual Town Meeting,” and to authorize and approve payment of FY2025 wage increases pursuant to Section 1-64-040(H)(1) of the Personnel Bylaw.

Recommendations: Personnel Board

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 37: Amendment to Town Code Chapter 1-40 Human Services Division, Sections 1-40-010, 1-40-030, 1-40-050, and the new proposed Section 1-40-060**

To see if the Town will vote to amend Part 1 of the Northborough Town Code, Administrative Legislation, Chapter 1-40 Human Services Division, Sections 1-40-010, 1-40-030, 1-40-050, and the new proposed Section 1-40-060 by adding the text shown as underlined text and deleting the text shown with strike-through, or take any action relative thereto.

**§ 1-40-010 Human Services Division established.**

It is the intent of this Administrative Code to consolidate into an operating division similar and related functions of municipal government and services that involve special services for the benefit of residents of the town. The division shall be known as the "Human Services Division" and shall include all present and future line operating functions that pertain to education, recreation, veterans services, ~~youth services~~ health and human services and the like. The Division shall include all such functions that are performed on a daily or regular basis.

**§ 1-40-020 Library Services Department.**

**A.** Composition, mode of appointment, term of office. There shall be a Library Services Department composed of an operating head known as the "Head Librarian" and operating personnel. The Board of Library Trustees shall be responsible for the appointment of the Head Librarian and all personnel. Such appointments shall be made for an indefinite term.

**B.** Powers and duties. The Library Services Department shall work under the general policy direction of the Select Board and the specific policy directives of the Board of Library Trustees. The Department shall operate and maintain and develop the resources of the Northborough Free Library and shall have all of the powers and duties and obligations that such head librarians and departments may have under the Constitution and laws of the commonwealth, the Town Charter, town bylaws and this Administrative Code.

~~**§ 1-40-030 Office of Youth Services.**~~

~~**A.** Composition, mode of appointment, term of office. There may be an office of Youth Services composed of an operating head known as the "Director of Youth Services" and operating personnel. The Administrative Officer shall be responsible for the appointment of the Director and all other personnel. The Director and all other personnel shall serve an indefinite term.~~

~~**B.** Powers and duties. The Office of Youth Services shall work under the general policy direction of the Select Board and the general administration direction of the Administrative Officer. The Office shall work under the specific policy directives of the Youth Commission. The Office of Youth Services shall operate, develop, and promote programs that benefit the young people of the community. The Office shall have all of the powers and duties and obligations that are assigned to it by the Town Charter, town bylaws and this Administrative Code.~~

**§ 1-40-030 Office of Veterans Services.**

**A.** Composition, mode of appointment, term of office. There shall be an office of Veterans Services composed of an operating head known as the “Director of Veterans Services” and operating personnel. The Select Board shall be responsible for the appointment of the Director, who shall be a veteran. The Administrative Officer shall be responsible for the appointment of all other personnel. Such appointments shall be for an indefinite term.

**B.** Powers and duties. The Office of Veterans Services shall work under the general policy direction of the Select Board and the general administrative direction of the Administrative Officer. The Office shall furnish information, advice and assistance to veterans and their families relative to employment, education, medical care, and other benefits and shall have all the powers and duties and obligations that veterans’ agents have under the Constitution and laws of the commonwealth, the Town Charter, town bylaws and this Administrative Code.

~~§ 1-40-050 Office of District Nurse.~~

~~**A.** Composition, mode of appointment, term of office. There shall be an Office of the District Nurse composed of an operating head known as the "District Nurse" and operating personnel. The Administrative Officer shall be responsible for the appointment of all personnel in cooperation with the Northborough District Nurse Association. Such appointments shall be made for an indefinite term.~~

~~**B.** Powers and duties. The Office of District Nurse shall work under the general policy direction of the Select Board and the general administrative direction of the Administrative Officer. The District Nurse shall be the Public Health Nurse and visiting nurse for the town and shall have all of the powers and duties, and obligations that such registered nurses may have under the Constitution and laws of the commonwealth and the rules and regulations established by state and regional health authorities, including the Northborough District Nurse Association, with the Town Charter, town bylaws and this Administrative Code.~~

**§ 1-40-040 Recreation Department.**

**A.** Composition, mode of appointment, term of office. There shall be a Recreation Department composed of an operating head known as the "Recreation Director" and operating personnel. The Administrative Officer shall be responsible for the appointment of all personnel. Such appointments shall be made for an indefinite term.

**B.** Powers and duties. The Recreation Department shall work under the general policy direction of the Select Board and the specific policy directives of the Recreation Commission. The Department shall work under the general administrative direction of the Administrative Officer. The Recreation Department shall organize and operate public recreation programs and activities within the town.

The Department shall have all of the powers and duties and obligations that such departments may have under the Constitution and laws of the commonwealth, the Town Charter, town bylaws and this Administrative Code.

**§ 1-40-050 Town Undertaker.**

**A.** Composition, mode of appointment, term of office. There shall be a Town Undertaker appointed by the Administrative Officer for an indefinite term.

**B.** Powers and duties. The Town Undertaker shall work under the general policy direction of the Select Board and the general administrative direction of the Administrative Officer. The Town Undertaker shall have all of the powers and duties and obligations that such officers may have under the Constitution and laws of the commonwealth, the Town Charter, town bylaws and this Administrative Code.

**§ 1-40-060 Health and Human Services Department.**

**A.** Composition, mode of appointment, term of office. There shall be a Health Department composed of the Director of Health and Human Services, Social Worker, Community Outreach Worker, Health Agent, Sanitarian, Drug-Free Communities Coordinator, Clerical/Administrative Position, Public Health Nurse, Epidemiologist, and Shared Services Coordinator. The Administrative Officer shall be responsible for their appointments, except where state statutes otherwise provide. Such appointments shall be for an indefinite term. There will also be an animal inspector appointed by the Board of Health.

**B.** Powers and duties. The Health and Human Services Department shall work under the general policy direction of the Select Board and the specific policy directives of the Board of Health and Youth Commission. The Department shall work under the general administrative direction of the Administrative Officer. The Director of Health and Human Services shall manage staff and lead the department, facilitate interdepartmental coordination, and oversee grant management. The Administrative Assistant shall support all administrative tasks, scheduling, and document management and serve as the first point of contact for the department. The Shared Services Coordinator shall foster collaboration within Greater Boroughs Health Partnership, support the Director and any regional staff.

**C.** The Health Agent shall act as an agent of the Board of Health in inspecting facilities, including food establishments. The Sanitation Inspector shall perform inspections of septic systems and approve permits for installations of septic systems and other inspections, as necessary. The Public Health Nurse shall provide community health screenings, vaccinations, prevention programs, and health education. The Epidemiologist shall monitor and analyze health data, disease surveillance, and assist with grant writing and administration. The Animal Inspector shall regularly and thoroughly inspect all meat cattle, sheep and swine, and domestic animals within the town. As agents of the Board of Health, each official shall have that Board's authority and may complain about violations of any law, regulation, or bylaw relative to public health. They shall report their actions to the Board of Health for approval within two



days of said action. Each official shall have all the powers, duties, and obligations that such official may have under the Constitution and laws of the Commonwealth, the Town Charter, town bylaws, and this Administrative Code.

D. The Social worker shall lead human services work, case management, and program development. The Community Outreach Worker shall identify needs and promote services, public education, and prevention programs. The Drug-Free Communities Coordinator shall manage initiatives to reduce drug use among youth, coordinating with schools, law enforcement, and community groups. The Department shall have all of the powers, duties, and obligations that are assigned to it by the Town Charter, town bylaws, and this Administrative Code.

**MOTION ARTICLE 37: Amendment to Town Code Chapter 1-40 Human Services Division, Sections 1-40-010, 1-40-030, 1-40-050, and the new proposed Section 1-40-060**

Mitch Cohen, Select Board, moved the Town vote to amend Part 1 of the Northborough Town Code, Administrative Legislation, Chapter 1-40 Human Services Division, Sections 1-40-010, 1-40-030, 1-40-050, and the new proposed Section 1-40-060 by adding the text shown as underlined and deleting the text shown with strike-through as set forth in Article 37 of the warrant.

**Motion by Mitch Cohen to combine Articles 37 & 38**

**Vote: Moderator declared the motion carried by majority vote**

**I move to amend the Northborough Town Code as printed in Article 37 and Article 38 of the warrant**

Recommendations: Select Board, Board of Health

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 38: Amendment to Town Code Chapter 1-44 Health and Inspection Division, Sections 1-44-010 and 1-44-080**

To see if the Town will vote to amend Part 1 of the Northborough Town Code, Administrative Legislation, Chapter 1-44 Health and Inspection Division, Sections 1-44-010 and 1-44-080 by adding the text shown as underlined text and deleting the text shown with strike-through, and renumbering the remaining sections in sequential order, or take any action relative thereto.

**§ 1-44-010 ~~Health and Inspection Division~~ established.**

It is the intent of this Administrative Code to consolidate into an operating division similar and related functions of municipal government and services that involve the protection of the public ~~health and~~ welfare. The division shall be known as the “~~Health and Inspection Division~~” and shall include all present and future line operating functions that pertain to the inspection of buildings and

facilities and the issuance of permits and the enforcement of town bylaws and state regulations protecting the public health and general welfare and the like. The Division shall include all such functions that are performed on a daily or regular basis.

**~~§ 1-44-080 Health Department.~~**

~~A. Composition, mode of appointment, term of office. There shall be a Health Department composed of the Plumbing Inspector, Health Officer, Pesticide Control Supervisor, Sanitation Inspector and Animal Inspector. The Administrative Officer shall be responsible for their appointments, except where state statutes otherwise provide. Such appointments shall be for an indefinite term.~~

~~B. Powers and duties. The Health Department shall work under the general policy direction of the Select Board and the specific policy directives of the Board of Health. The Department shall work under the general administrative direction of the Administrative Officer. The Plumbing Inspector shall inspect and approve all plumbing installations. The Health Officer shall act as an agent of the Board of Health in the inspection of facilities, including food establishments. The Pesticide Control Supervisor shall administer such pest control programs as may be approved by the Board of Health. The Sanitation Inspector shall perform inspections of septic systems and approve permits for installations of septic systems. The Animal Inspector shall make regular and thorough inspections of all meat cattle, sheep, and swine and of domestic animals within the town. As agents of the Board of Health, each official shall have the authority of that Board and may make complaints of violations of any law or regulation or bylaw relative to the public health. They shall report their actions to the Board of Health for approval within two days of said action. Each official shall have all of the powers and duties and obligations that such official may have under the Constitution and laws of the commonwealth, the Town Charter, town bylaws and this Administrative Code.~~

**MOTION ARTICLE 38: Amendment to Town Code Chapter 1-44 Health and Inspection Division, Sections 1-44-010 and 1-44-080**

Mitch Cohen, Select Board, moved the Town vote to amend Part 1 of the Northborough Town Code, Administrative Legislation, Chapter 1-44 Health and Inspection Division, Sections 1-44-010 and 1-44-080 by adding the text shown as underlined text and deleting the text shown with strike-through, and renumbering the remaining sections in sequential order as set forth in Article 38 of the warrant.

**I move to amend the Northborough Town Code as printed in Article 37 and Article 38 of the warrant**

Recommendations: Select Board, Board of Health

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 39: Authorization to Fund Spaces for Public Parking**

To see if the town will vote to appropriate and/or transfer the sum of Ten Thousand Dollars (\$10,000) for the purpose of leasing land along route 20 for the purpose of providing public parking, or take any other relative action thereto.

**MOTION ARTICLE 39: Authorization to Fund Parking Spaces for Public Parking**

Mitch Cohen, Select Board, moved the Town vote to raise and appropriate by taxation the sum of Ten Thousand Dollars (\$10,000) for the purpose of leasing land along route 20 for public parking.

Recommendations: Select Board, Appropriations Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 40: Community Preservation Fund – Acquisition of 432 Whitney Street**

To see if the Town will vote to appropriate the sum of Eight Hundred Seventeen Thousand Six Hundred Fifty-Three Dollars (\$817,653), or any other sum, from the Community Preservation Unreserved Fund, the sum of Six Hundred Sixty-Four Thousand Seventy-Three Dollars (\$664,073), or any other sum, from the Conservation Fund, and the sum of Two Hundred Eighteen Thousand Two Hundred Seventy-Four Dollars (\$218,274), or any other sum, from the Community Preservation Fund revenues, for a total of One Million Seven Hundred Thousand Dollars (\$1,700,000), to the Select Board for the purpose of acquiring the 23.77± acres of land located at and known as 432 Whitney Street, and shown on Northborough Assessors’ Map 15 as Parcel 22, for open space/passive recreation purposes and the development of up to eight affordable low-income dwelling units, or take any other action relative thereto.

- This Article would fund the purchase of 23.77 acres of undeveloped land for open space/recreation purposes and development of a small-scale affordable housing project consisting of 4-8 multi-family dwelling units.

**MOTION ARTICLE 40: Community Preservation Fund – Acquisition of 432 Whitney Street**

John Campbell, CPC Chair, moved the Town vote to appropriate the sum of Eight Hundred Seventeen Thousand Six Hundred Fifty-Three Dollars (\$817,653) from the Community Preservation Unreserved Fund, the sum of Six Hundred Sixty-Four Thousand Seventy-Three Dollars (\$664,073) from the Conservation Fund, and the sum of Two Hundred Eighteen Thousand Two Hundred Seventy-Four Dollars (\$218,274), from Community Preservation Fund revenues for a total of One Million Seven Hundred Thousand Dollars (\$1,700,000) to the Select Board for the acquisition of the property located at and known as 432 Whitney Street, containing

approximately 23.77 acres of land and shown on Northborough Assessors' Map 15 as Parcel 22, for open space/passive recreation purposes and the development of up to eight affordable low-income dwelling units, and authorize the Select Board to convey any and all restrictions on the property as the Select Board deems appropriate, including, but not limited to, a conservation restriction.

**Amended Motion** made by Jacob Jones, 106 Green St and seconded from the floor to amend Article 40 by striking out the words “and the development of up to eight affordable low-income dwelling units”

**Vote:** Moderator declared the motion to amend failed

**Motion made to move the question**

**Vote:** Moderator declared the motion passed by the required 2/3rds vote

**Vote** on the original motion for Article 40:

Recommendations: Select Board, Appropriations Committee – did not recommend, Financial Planning Committee

**Vote:** Moderator declared the motion carried by majority vote

10:08pm motion made to adjourn the meeting to Wednesday April 24, 2024 6pm

**Vote: Moderator declared the motion carried by majority vote**

**Town Meeting Adjourned Session  
Wednesday April 24, 2024  
Algonquin Regional High School 79 Bartlett St. Northborough, MA**

Moderator Fred George announced that a quorum of at least 100 voters was present in the hall. The meeting was called to order at 6:03 pm.

**ARTICLE 41: Community Preservation Fund – Soundproofing of Outdoor Pickleball Courts at Ellsworth McAfee Park**

To see if the Town will vote to appropriate the sum of Fifty-Four Thousand Five Hundred Dollars (\$54,500), or any other sum, from the Community Preservation Fund revenues to the Northborough Recreation Department for the installation of soundproofing at the pickleball courts at Ellsworth McAfee Park, or take any other action relative thereto.

- This Article would fund installation of ultraviolet (UV) tolerant soundproofing onto the top line of the existing fencing system to block the impact noise generated by pickleball sports.

**MOTION ARTICLE 41: Community Preservation Fund – Soundproofing of Outdoor Pickleball Courts at Ellsworth McAfee Park**

John Campbell, CPC Chair, moved the Town vote to appropriate the sum of Fifty-Four Thousand Five Hundred Dollars (\$54,500) from the Community Preservation Fund revenues to the Northborough Recreation Department for installation of soundproofing at the pickleball courts at Ellsworth McAfee Park.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 42: Community Preservation Fund – Affordable Housing Corporation**

To see if the Town will vote to appropriate the sum of One Hundred Twenty-Six Thousand Eight Hundred Fifty-Six Dollars (\$126,856), or any other sum, from the Community Preservation Fund revenues to the Northborough Affordable Housing Corporation, for the purpose of the creation of affordable housing, or take any other action relative thereto.

- This Article would set aside funds for the future creation of affordable housing.

**MOTION ARTICLE 42: Community Preservation Fund – Affordable Housing Corporation**

John Campbell, CPC Chair, moved the Town vote to appropriate the sum of One Hundred Twenty-Six Thousand Eight Hundred Fifty-Six Dollars (\$126,856) from the Community Preservation Fund revenues to the Northborough Affordable Housing Corporation for the purpose of creating affordable housing.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 43: Community Preservation Fund – Restoration of First Parish Church Steeple**

To see if the Town will vote to appropriate the sum of Two Hundred and Ten Thousand Dollars (\$210,000), or any other sum, from the Community Preservation Fund revenues to the First Parish Northborough Unitarian-Universalist Church for the structural restoration of the steeple, or take any other action relative thereto.

- This Article would fund structural repairs to the steeple, including replacement of wood stairs, wood flooring, wood trusses that support the flooring and stairs, and wood “cradle” that supports the brass bell.

**MOTION ARTICLE 43: Community Preservation Fund – Restoration of First Parish Church Steeple**

John Campbell, CPC Chair, moved the Town vote to appropriate the sum of Two Hundred and Ten Thousand Dollars (\$210,000), from the Community Preservation Fund revenues to the First Parish Northborough Unitarian-Universalist Church for the structural restoration of the steeple.

Recommendations: Appropriations Committee – did not recommend, Financial Planning Committee – did not recommend

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 44: Community Preservation Fund – Aqueduct Historic Marker**

To see if the Town will vote to appropriate the sum of Four Thousand Seven Hundred Twenty-Nine Dollars (\$4,729), or any other sum, from the Community Preservation Fund revenues to the Northborough Historic District Commission for the purchase and installation of a historic marker for the Aqueduct Bridge, or take any other action relative thereto.

- This duplicate marker would replace one stolen in October 2023. Originally installed in 2013, the Aqueduct Historic Marker celebrates the history of the eight arch stone bridge, which carried water from the Wachusett Reservoir to the Sudbury Reservoir for Greater Boston’s drinking water supply.

**MOTION ARTICLE 44: Community Preservation Fund – Aqueduct Historic Marker**

John Campbell, CPC Chair, moved the Town vote to appropriate the sum of Four Thousand Seven Hundred Twenty-Nine Dollars (\$4,729) from the Community Preservation Fund revenues to the Northborough Historic District Commission for the purchase and installation of a historic marker for the Aqueduct Bridge.

Recommendations: Appropriations Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 45: Community Preservation Fund – White Cliffs Debt Service**

To see if the Town will vote to appropriate the sum of One Hundred Seventy-Six Thousand Dollars (\$176,000), with One Hundred Sixty-Four Thousand Six Hundred Forty-One Dollars (\$164,641) from the Community Preservation Fund revenues and Eleven Thousand Three Hundred Fifty-Nine Dollars (\$11,359) from the Community Preservation Premium Reserve, or any other sum, to the Northborough Community Preservation Committee for Fiscal Year 2025 debt service and expenses associated with the acquisition of the property at 167 Main Street, or take any other action relative thereto.

- This Article would fund the seventh debt service payment associated with the purchase of the White Cliffs facility at 167 Main Street.

**MOTION ARTICLE 45: Community Preservation Fund – White Cliffs Debt Service**

John Campbell, CPC Chair, moved the Town vote to appropriate the sum of One Hundred Sixty-Four Thousand Six Hundred Forty-One Dollars (\$164,641) from the Community Preservation Fund revenues and Eleven Thousand Three Hundred Fifty-Nine Dollars (\$11,359) from the Community Preservation Premium Reserve, for a total of One Hundred Seventy-Six Thousand Dollars (\$176,000), to the Northborough Community Preservation Committee for Fiscal Year 2025 debt service and expenses associated with the acquisition of the property at 167 Main Street.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 46: Community Preservation Fund – Administrative Fund**

To see if the Town will vote to appropriate the sum of Forty-One Thousand Dollars (\$41,000), 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 2025, or take any other action relative thereto.

- This Article would fund the administrative expenses of the Community Preservation Committee.

**MOTION ARTICLE 46: Community Preservation Fund – Administrative Fund**

John Campbell, CPC Chair, moved the Town vote to appropriate the sum of Forty-One Thousand Dollars (\$41,000) 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 2025.

Recommendations: Appropriations Committee, Financial Planning Committee

**Vote: Moderator declared the motion carried by majority vote**



**ARTICLE 47: Rescission of Authorized, Unissued Debt for Various Capital Projects**

To see if the Town will vote to rescind the authorization to borrow the following amounts representing the unissued borrowing capacity no longer needed for the purposes for which borrowing was initially approved:

Original Purpose	Date of Approval	Warrant Article Number	Amount Authorized	- Issued - Retired - Rescinded	= Unissued Amount
Church St Bridge	04/25/2016	23	1,027,000	927,000	100,000
Lincoln St School Add/Ren	04/21/2014	19	25,530,553	24,740,921	789,632
Edmunds Hill Water Tank	04/21/2014	32	325,000	0	325,000
Lincoln St School Feasibility	04/23/2012	31	500,000	484,535	15,465
Middle School Green Repair	04/25/2011	28	780,000	712,921	67,079
Brigham St Well	04/27/2009	22	4,000,000	223,370	3,776,630
Total					5,073,806

**MOTION ARTICLE 47: Authorization to Rescind Unissued Borrowing Authority**

Kristen Wixted, Select Board moved the Town vote to rescind borrowing authorizations per the table displayed in the warrant.

Recommendations: Appropriations Committee

**Vote: Moderator declared the motion carried by majority vote**

**ARTICLE 48: Amendment to Town Code Chapter 2-28 Earth Removal, Section 2-28-060**

To see if the Town will vote to amend Part 2 of the Northborough Town Code, General Legislation, Chapter 2-28 Earth Removal, Section 2-28-060, by adding the underlined text and deleting the text shown with strike-through, or take any action relative thereto.

**“2-28-060 Performance bond; duration of permit; public hearing**

The Earthwork Board, or in the case of land in the Industrial zoning district, the Planning Board, may require, as a condition to the granting of a permit for the removal or importation of soil, loam, sand, gravel, stone or other earth material, that the permittee furnish cash, a certified check or a surety company bond to the town as obligee in a penal sum to be fixed by said Earthwork Board as it shall deem sufficient to cover the cost of the performance of all labor and material as shall be required to carry out all the conditions, limitations and safeguards as may be imposed by said Earthwork Board in connection with the removal or importation of the particular substances for which the permit is issued. No permit shall be issued under the provisions of this chapter for a period of more than ~~one~~ three years, though permits may be renewed upon written request by the permittee. Prior to issuing ~~or renewing or amending~~ any permit, the Earthwork Board shall appoint a time and place for a public hearing, notice of which shall be given to the applicant and all abutters and shall be published at least ~~21~~ 14 days before such hearing in a newspaper having a circulation in the town.”

**MOTION ARTICLE 48: Amendment to Town Code Chapter 2-28 Earth Removal, Section 2-28-060**

Kristen Wixted, Select Board, moved the Town vote to amend Part 2 of the Northborough Town Code, General Legislation, Chapter 2-28 Earth Removal, Section 2-28-060, by adding the underlined text, by deleting the text shown in strikethrough all as set forth in Article 48 in the warrant.

Recommendations: Earthwork Board

**Vote: Moderator declared the motion carried by majority vote**

**Motion made by William Pierce to combine articles 49 & 50**

**Vote: Moderator declared the motion carried by majority vote**

**Motion made by Lois A. Vandekopple-Smith to amend the Downtown sub-district Zoning Map in Article 49 to reduce the amount of the Harvey property from 5 acres to 3 acres.**

**Vote: Moderator declared the motion carried by majority vote**

**Motion to move the question**

**Vote: The Moderator declared the motion carried by the required 2/3rds majority vote.**

**ARTICLE 49: Zoning Map – Multi-family Development Overlay District**

To see if the Town will vote to amend the Northborough Zoning Map to create the “Multifamily Development Overlay District (MDOD)” consisting of subdistricts “Southwest Connector Multifamily Development Sub-District” and “Downtown Multifamily Development Sub-District” shown on the map entitled “Multifamily Development Overlay District Map” placed on file with the Town Clerk and Planning Department, or take any action relative thereto.

**MOTION ARTICLE 49: Zoning Map - Multi-family Development Overlay District**

Bill Pierce, Planning Board, moved the Town vote to amend the Northborough Zoning Map to superimpose the “Multifamily Development Overlay District (MDOD)” consisting of subdistricts “Southwest Connector Multifamily Development Sub-District” and “Downtown Multifamily Development Sub-District” on land as shown on the map entitled “Multifamily Development Overlay District Map,” as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion as amended carried by majority vote**

**ARTICLE 50: Zoning Bylaw Section 7-04-010 Classification of Districts and Section 7-07-050, Multifamily Development Overlay District**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-04-010 and add a new Section 7-07-050 as set forth in the underlined text below, or take any action relative thereto.

1: Amend Section 7-04-010 Classification of districts.

B. Overlay districts. There are hereby established the following overlay districts:

- (1) Groundwater Protection Overlay District (GPOD).
- (2) Floodplain Overlay District (FOD).
- (3) Major Commercial Development Overlay District (MCDOD).
- (4) Residential- Open Space Planning Overlay District (ROPOD).
- (5) Multifamily Development Overlay District (MDOD).

2: Add Section 7-07-050 Multifamily Development Overlay District.

7-07-050 Multifamily Development Overlay District.

- A. Purposes. The purposes of the Multifamily Development Overlay District, hereinafter referred to as the “MDOD,” are:
- (1) To comply with the requirements for MBTA communities as set forth in MGL c. 40A, § 3A;
  - (2) To diversify the Northborough housing stock and create pedestrian-friendly development by promoting the creation of multi-family housing within close proximity to shopping, eateries, local services, and major transportation corridors;
  - (3) To encourage the adaptive reuse, development and redevelopment of vacant and underutilized buildings and properties;
  - (4) To support local businesses and promote the revitalization of downtown Northborough by increasing the size of the customer base;
  - (5) To respond to the local and regional need for affordable housing by requiring housing options that are affordable and add to the Northborough SHI (Subsidized Housing Inventory);
  - (6) To meet the housing and economic development goals articulated in the 2020 Master Plan.
- B. Applicability. The MDOD is an overlay district superimposed over the underlying zoning districts as set forth on the map entitled “Multifamily Development Overlay District Map.” This map is hereby made part of the Zoning Map – Town of Northborough, and is on file in the Office of the Town Clerk.

The MDOD contains the following sub-districts:

- (1) Southwest Connector Multifamily Development Sub-District
- (2) Downtown Multifamily Development Sub-District

- C. Relationship to existing zoning. In the MDOD, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. Where the provisions of the MDOD are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

Permitted Uses in the MDOD as set forth in Section E, herein, are exempt from the requirements of the Groundwater Protection Overlay District provided that the proponent shall demonstrate and certify that: a) runoff waters leaving the site via surface flow will not violated Class B water quality standards (314 CMR 4.00) and that runoff waters leaving the site via groundwater recharge will not violate Class 1 groundwater quality standards (314 CMR 6.00); b) the increase in post-development net runoff volume shall not exceed existing conditions by more than fifteen percent (15%); and c) any on-site sewage disposal is less than or equal to one hundred ten (110) gallons per day per ten thousand (10,000) square feet of lot area, such determinations to be made by the Building Inspector in conjunction with a staff/consulting civil engineer and other relevant Town staff.

D. Procedures and Regulations. Development under this section requires Site Plan Review by the Planning Board under Section 7-03-050 and design review by the Design Review Committee under Section 7-03-060. The Planning Board may adopt design guidelines for the MDOD that are not inconsistent with this Section or other applicable sections of the Northborough Zoning Bylaws.

E. Use regulations.

(1) Permitted uses. The following uses shall be permitted by-right in the MDOD, subject to site plan approval under Section 7-03-050. Uses are as defined in Section 7-05-020 unless otherwise specified below:

(a) Attached single-family dwelling or townhouse.

(b) Multifamily dwelling, defined as a building with three (3) or more residential dwelling units or two (2) or more buildings on the same lot with more than one (1) residential dwelling in each building.

(c) Mixed-Use Development containing a mix of residential uses and non-residential uses. Developments in the MDOD may include the following non-residential uses within a vertical or horizontal mixed-use development provided that non-residential uses are located on the first floor and, when combined, do not exceed 8,000 square feet within the Southwest Connector Multifamily Development Sub-District. Non-residential uses that require a special permit or are otherwise not permitted in the underlying district shall require a special permit by the Planning Board in the MDOD.

1. Retail store.

2. Personal service establishment.

3. Professional, medical, and dental, or business office.

4. Bank or automated teller machine.

5. Deli, sandwich shop, pizza shop, or take-out food service.

6. Restaurant, excluding alcoholic beverages.

7. Restaurant, including alcoholic beverages.

8. Brew pub.

9. Commercial recreation, indoor.

10. Cultural use.

11. Co-Working space.

12. Artist studio or gallery.

13. Catering services.

14. Educational uses, nonexempt.

15. Exempt uses in accordance with MGL C. 40A, § 3.

(2) The following accessory uses are permitted by-right in the MDOD:

- (a) Clubhouse for residents of the development.
- (b) Home professional office with no employees and who do not have regular customers/clients come to the office.
- (c) Parking.
- (d) Garage or carport.
- (e) Solar photovoltaic installation, roof-mounted.
- (f) Solar photovoltaic installation, canopy-mounted.
- (g) Passive recreation, open space, or conservation.

F. Density and dimensional regulations. The density and dimensional regulations of the underlying zoning districts are to be adhered to within the MDOD, except as follows:

Southwest Connector Multifamily Development Sub-District:

<u>Use</u>	<u>Maximum Height (stories)</u>	<u>Maximum Height (feet)</u>	<u>Maximum Density (dwelling units per acre)</u>
<u>Attached single-family or townhouse</u>	<u>3</u>	<u>40</u>	<u>8</u>
<u>Multi-family dwelling</u>	<u>5</u>	<u>60</u>	<u>15</u>
<u>Vertical mixed-use development</u>	<u>5</u>	<u>60</u>	<u>15</u>
<u>Horizontal mixed-use development</u>	<u>5</u>	<u>60</u>	<u>15</u>
<u>Clubhouse</u>	<u>=</u>	<u>35</u>	<u>N/A</u>

Downtown Multifamily Development Sub-District:

<u>Use</u>	<u>Maximum Height (stories)</u>	<u>Maximum Height (feet)</u>	<u>Maximum Density (units per acre)</u>
<u>Attached single-family or townhouse</u>	<u>2.5</u>	<u>35</u>	<u>8</u>

<u>Multi-family dwelling</u>	<u>3</u>	<u>35*</u>	<u>15</u>
<u>Vertical mixed-use development</u>	<u>4</u>	<u>45</u>	<u>15</u>
<u>Horizontal mixed-use development</u>	<u>4</u>	<u>45</u>	<u>15</u>
<u>Clubhouse</u>	<u>=</u>	<u>35</u>	<u>N/A</u>

\*Where parking is to be provided on the first floor of a multi-family dwelling, the maximum height may increase to 45 feet.

G. Affordable housing.

- (1) Number of Affordable Dwelling Units. For all MDOD Projects containing a minimum of 10 dwelling units, not less than 15% of dwelling units constructed shall be permanently restricted to households who qualify as low income, as that term is defined for the area by the Massachusetts Executive Office of Housing and Liveable Communities (EOHLC), or successor agency. For purposes of calculating the number of units of Affordable Dwelling Units required within the Project, any fractional unit shall be deemed to constitute a whole unit.
- (2) Affordable Dwelling Units shall be constructed on the same site as market rate units and shall be indistinguishably interspersed throughout the MDOD Project. The Affordable Dwelling Units shall be equal in quality, layout, construction materials, fixtures, and interior and exterior finishes to the base level market rate units in the MDOD.
- (3) Occupants of Affordable Dwelling Units shall have the same access to common areas, facilities, and services as occupants of market rate units in the MDOD.
- (4) The total number of bedrooms in Affordable Dwelling Units shall be proportionate to the total number of bedrooms in all units of the MDOD Project.
- (5) In Projects that are constructed in phases, Affordable Dwelling Units shall be constructed and occupied in proportion to the number of units in each phase of the Project.
- (6) To the extent permitted by applicable law, otherwise qualified Northborough residents shall have a first opportunity and preference for the Affordable Housing Dwelling Units in the MDOD. For the purposes of this requirement, “Northborough residents” shall be defined as a current Town of Northborough resident (as established through certification by the Northborough Town Clerk based on census, voting registration, or other acceptable evidence), or a current employee of the Town of Northborough or business establishment located in Northborough, or household with children attending the Northborough/Southborough Regional Public School District.
- (7) Affordable Housing Restriction. Affordable Dwelling Units shall be Local Action Units developed in compliance with the requirements for the same as specified by Commonwealth of Massachusetts Executive Office of Housing and Liveable Communities (EOHLC), or successor agency as part of the Local Initiative Program, 760 CMR 56.00, or otherwise. All such affordable dwelling units shall qualify for inclusion of the Subsidized Housing Inventory (SHI) maintained by the EOHLC,

and shall be subject to an affordable housing restriction, consistent with the universal deed rider used in the Local Initiative Program, 760 CMR 56.00, which shall be recorded with the Worcester Registry of Deeds or district registry of the Land Court. The term of the Affordable Housing Restriction shall be in perpetuity. Each Affordable Dwelling Unit shall comply with MA Executive Office of Housing and Livable Communities' Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines. No certificate of occupancy for a dwelling unit in a MDOD Project shall be issued until the Affordable Housing Restriction is recorded.

H. Design Standards. In addition to the Site Design Standards set forth in Section 7-09-020 and the Off-street parking and loading requirements set forth in Section 7-09-030, the following standards shall apply to any use or activity approved under this Section.

(1) Buildings

- (a) Multiple buildings are allowed on one lot.
- (b) The front façade of new building(s) shall be oriented parallel to the public street that provides the lot with frontage. For a MDOD Project with buildings set back from the public street, buildings shall face the access way that serves them or a courtyard.
- (c) New building(s) parallel to the public street shall be compatible with the height and architecture of noteworthy buildings that share a functional or visual relationship to the proposed buildings. For a MDOD Project with multiple buildings, taller buildings shall be set back from the public street. To create a unified and defined street, consistent alignment of buildings is encouraged.
- (d) Stucco, metal, or fiberglass as a primary building finish material shall not be used.
- (e) Front building facades shall be modulated with horizontal offsets, recessed entries, or protrusions, where applicable. Vertical articulation may include colonnades, bay windows, porches or balconies, architectural detailing, and fenestration patterns.
- (f) Buildings with multiple non-residential tenants on the first floor shall articulate the façade in a manner that distinguishes the location of tenants through the use of decorative raised or depressed vertical surfaces, variations in signage, awnings, marquees, colonnades, or arcades.
- (g) Blank walls adjacent to streets, parking lots or open spaces shall not be permitted. Where windows are not possible or appropriate given the intended use, vertical articulation in the form of raised or recessed surfaces, shall be used to break up blank walls.
- (h) Flat roofs shall only be allowed if they are capped by an architectural parapet or cornice that acts as a structural expression of the building façade and materials.



- (i) Rooftop mechanical equipment shall be screened so it is not visible from the pedestrian level. It can be integrated into the overall design of the building by use of materials, placement, roof shape or form, or other means.
- (j) The placement of gas meters, electric meters, compressors, transformers, etc. along the street-facing façade should be avoided unless there are compelling reasons to do so, and they are screened from view.

(2) Site Design

- (a) Clearly delineated pedestrian walkways or pathways shall be provided between buildings on the same lot and between buildings and parking areas, recreation facilities, and adjacent lots to ensure a continuous pedestrian pathway throughout the district. All new sidewalks and pedestrian walkways shall be designed and constructed to be accessible in accordance with applicable laws, including the Rules and Regulations of the Massachusetts Architectural Access Board (AAB).
- (b) No use other than landscaping, pedestrian amenities, outdoor dining, sidewalks, and signs shall be permitted within the minimum required front yard of any lot.
- (c) Outdoor lighting for streets, parking areas, walkways, and gathering spaces shall be decorative and of a scale that is appropriate for a multi-family or mixed-use development. Light poles and fixtures shall not exceed 20 feet in height measured from the base to the highest point of the fixture.

(3) Off-Street Parking

- (a) Parking requirements shall be consistent with Section 7-09-030 except MDOD Projects approved under this section may provide fewer parking spaces where, in the determination of the Planning Board, proposed parking is found to be sufficient to meet the needs of the Project. The Planning Board may consider proximity to municipal and on-street parking, mixed uses, as well as the existence of a reciprocal agreement for shared parking that is consistent with Section 7-09-030C.(3). The Applicant shall demonstrate that parking will meet demand by using accepted methodologies (e.g. the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other approved studies).
- (b) Parking areas shall be located to the side and rear of buildings, underground, within a parking garage, or on the first floor of multifamily structures.
- (c) Abutting property owners are encouraged to coordinate parking layouts, including combining and connecting with adjacent parking lots, and coordinating access to their parking lots, including utilizing common curb-cuts and driveways under reciprocal agreements. The Planning Board may permit such shared driveways, curb cuts and combined parking lots if the applicant can demonstrate that the proposed design improves on-site and off-site circulation and/or results in a small parking area.

(4) Common Open Space

Within the Southwest Connector Multifamily Development Sub-District, common open space requirements shall be as follows:

- (a) Common open space shall comprise a minimum of 40% of the tract.
- (b) Common open space shall be large, contiguous and of a location suitable to assure its use for conservation, park, and recreation purposes.
- (c) Common open space shall not include parking lots, driveways, roads, or ways necessary for access and egress to the site.
- (d) Common open space shall be left in its natural state, landscaped, or developed for outdoor recreational facilities. Outdoor recreational facilities may include features and incidental recreational structures such as courtyards, boardwalks, walkways, trails, a clubhouse, swimming pools, decks, patio areas, grill stations, fire pits, seating and tables, playgrounds, basketball courts, tennis courts and/or bocce courts, dog parks, gardens, boat launch and fishing areas, and other similar features.
- (e) MDOD Projects containing 40 or more dwelling units shall include an appropriate outdoor amenity.

Within the Downtown Multifamily Development Sub-District, common open space requirements shall be as follows:

- (a) Common open space shall comprise a minimum of 20% of the tract.
- (b) Common open space should be visible to the public wherever possible.
- (c) Common open space shall not include parking lots, driveways, roads, or ways necessary for access and egress to the site.
- (d) Common open space shall be left in its natural state, landscaped, or developed for outdoor recreation purposes. Outdoor recreation amenities may include features and incidental recreational structures such as courtyards, gardens, walkways, trails, decks, patio areas, seating, pocket parks, and similar amenities. MDOD Projects containing 40 or more dwelling units shall include an appropriate outdoor amenity such as boardwalks, grill stations, tables, fire pits, playgrounds, boat launch and fishing areas, dog parks, community gardens, and similar amenities.

- I. Waivers. The Planning Board is authorized to waive any requirements of this Section for compelling reasons of safety, aesthetics, site design, or to lessen environmental, neighborhood or public service impacts.

**MOTION ARTICLE 50: Zoning Bylaw Section 7-04-010 Classification of districts and Section 7-07-050, Multifamily Development Overlay District**

Bill Pierce, Planning Board, moved the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, by adding the underlined text to Section 7-04-010, and adding a new Section 7-07-050, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion as amended carried by majority vote**

**ARTICLE 51: Zoning Bylaw – Sections 7-03-030 and 7-050-010.A Use Variances**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Sections 7-03-030 Board of Appeals and 7-05-010 General Provisions by deleting the text shown below in strikethrough, and adding the text shown as underlined, or take any action relative thereto.

1: Amend Section 7-03-030.B.(2) as follows:

(2) To hear and decide appeals or petitions for variances from ~~the use,~~ dimensional or density requirements of this bylaw, with respect to particular land or structures, as set forth in MGL C. 40A, § 10. Use variances are prohibited.

2: Amend Section 7-05-10.A. as follows:

A. No building or structure shall be erected and no building or structure or land or water area shall be used for any purpose or in any manner except in accordance with this chapter. Use variances are prohibited.

**MOTION ARTICLE 51: Zoning Bylaw – Sections 7-03-030 and 7-050-010.A Use Variances**

Bill Pierce, Planning Board, moved the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Sections 7-03-030 Board of Appeals and 7-05-010 General Provisions, by deleting the text shown in strikethrough, and adding the text shown as underlined, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion failed to meet the required 2/3rds majority vote**

**Motion made by Leslie Harrison to suspend the rules and continue beyond 10:00pm in order to complete the remaining articles.**

**Vote: Moderator declared the motion passed by majority vote.**

**Motion made by Amy Poretsky to combine Articles 52 & 53**

**Vote: Moderator declared the motion passed by majority vote**

**ARTICLE 52: Zoning Map –Re-Zoning Industrial District off of Southwest Connector**

To see if the Town will vote to amend the Northborough Zoning Map to rezone that portion of the Industrial District located in the vicinity of the Southwest Connector as a new Highway Business Southwest (HBSW) District, as shown on the map entitled “Southwest Cutoff Rezoning Map” placed on file with the Town Clerk and the Planning Department, and further to delete the Major Commercial Development Overlay (MCDOD) District from the Zoning Map, or take any action relative thereto.

**MOTION ARTICLE 52: Zoning Map –Re-Zoning Industrial District off of Southwest Connector**

Amy Poretsky, Planning Board, moved the Town vote to amend the Northborough Zoning Map by rezoning that portion of the Industrial District located in the vicinity of the Southwest Connector as a new Highway Business Southwest (HBSW) District, as shown on the map entitled: “Southwest Cutoff Rezoning Map”, and deleting the Major Commercial Development Overlay (MCDOD) District from the Zoning Map, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 53: Zoning Bylaw Section 7-03-060 Design Review, Section 7-04-010 Classification of Districts, Section 7-05-030, Table of Uses, Table 1, Part B. Commercial and Industrial Districts, Section 7-06-020, Table 2. Table of Density and Dimensional Regulations, Section 7-09-020 Site design standards, Section 7-09-030 Off-street parking and loading, Section 7-09-040 Signs, Section 7-07-030 Major Commercial Development Overlay District**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Sections 7-03-060, 7-04-010, 7-05-030, 7-06-020, 7-09-020, 7-09-030, and 7-09-040 by adding the text shown below as underlined, and deleting Section 7-07-030 Major Commercial Development Overlay in its entirety, or take any action relative thereto.

1: Amend Section 7-03-060 Design review, as follows:

B. Applicability.

- (1) Design review by the design review committee shall be required as part of the site plan approval or a special permit with site plan approval for any of the following:
  - (a) In any business district, new construction or exterior alterations or expansion of any commercial, municipal, institutional or multifamily structure;
  - (b) In the Downtown Neighborhood District, new construction or exterior alterations or expansion of any multifamily structure or any structure requiring a special permit;
  - ~~(c) In the Major Commercial Development Overlay District, new construction or exterior alterations or expansion of any multifamily structure or any structure requiring a special permit;~~
  - ~~(d)~~ (c) In any industrial district, new construction of any extensive uses, institutional uses, mixed uses, business uses, public service or public utility, or industrial uses; ~~or~~
  - ~~(e)~~ (d) In the RC, GR, MSR, and DN districts, any special permit application to the Planning Board for a two-family dwelling;

2: Amend Section 7-04-010 Classification of districts, as follows.

A. Districts

- (2) Nonresidential districts.
  - (a) Business districts.
    - [1] Downtown Business (DB).
    - [2] Business East (BE).

- [3] Business West (BW).
- [4] Business South (BS).
- [5] Highway Business (HB).
- [6] Highway Business Southwest (HBSW)

B. Overlay districts. There are hereby established the following overlay districts:

- (1) Groundwater Protection Overlay District (GPOD).
- (2) Floodplain Overlay District (FOD).
- ~~(3) Major Commercial Development Overlay District (MCDOD).~~
- (3) Residential- Open Space Planning Overlay District (ROPOD).

3: Amend Section 7-05-030, Table 1. Table of Uses. Part B. Commercial and Industrial Districts, as follows:

USES	DB	BE	BW	BS	HB	<u>HBSW</u>	I
<b>EXEMPT USES</b>							
See Section 7-05-020(A)	Y	Y	Y	Y	Y	<u>Y</u>	Y
<b>RESIDENTIAL USES</b>							
<b>A. Principal Uses</b>							
Single-family dwelling, attached <sup>9</sup>	BA	N	N	N	N	<u>N</u>	N
Multifamily dwelling <sup>10</sup>	BA	N	BA	N	N	<u>N</u>	N
Congregate residence	BA	BA	BA	N	N	<u>N</u>	N
Assisted living facility	BA	BA	BA	N	N	<u>BA</u>	N
<b>B. Accessory Uses</b>							
Accessory dwelling unit	BA	BA	BA	N	N	<u>N</u>	N

Boarding house	BA	N	N	N	N	<u>N</u>	N
Solar photovoltaic installation, roof-mounted	Y	Y	Y	Y	Y	<u>Y</u>	Y
Solar photovoltaic installation, canopy-mounted <sup>11</sup>	Y	Y	Y	Y	Y	<u>Y</u>	Y
Small-scale ground-mounted solar photovoltaic installation	Y	Y	Y	Y	Y	<u>Y</u>	Y
<b>Home occupation</b>							
Home professional office	N	N	N	N	N	<u>N</u>	N
Home personal service	N	N	N	N	N	<u>N</u>	N
Home business workshop	N	N	N	N	N	<u>N</u>	N
Home hospitality or tourism establishment	N	N	N	N	N	<u>N</u>	N
Home specialty retail	N	N	N	N	N	<u>N</u>	N
<b>EXTENSIVE USES</b>							
Golf course	N	N	N	N	BA	<u>N</u>	PB
<b>INSTITUTIONAL USES</b>							
Cultural use	Y	Y	Y	N	BA	<u>BA</u>	N
Hospital	N	N	N	N	N	<u>PB</u>	PB
Medical clinic or ambulatory surgery center	N	N	BA	BA	Y	<u>Y</u>	Y

Nursing home or rest home	BA	BA	BA	N	BA	<u>BA</u>	N
Adult day care	BA	BA	BA	BA	BA	<u>BA</u>	BA
Non-profit club or membership organization	Y	Y	Y	Y	BA	<u>BA</u>	N
<b>MIXED USES</b>							
Limited mixed-use building	Y	Y	Y	BA	N	<u>N</u>	N
Artist live/work unit	Y	BA	BA	BA	N	<u>N</u>	N
Shop for custom work	Y	Y	Y	BA	BA	<u>PB</u>	PB
Vertical mixed-use development	Y	Y	Y	BA	N	<u>N</u>	N
Horizontal mixed-use development	BA	N	BA	BA	N	<u>N</u>	N
Farm business	N	Y	Y	N	N	<u>N</u>	N
Continuing care retirement community	N	N	BA	N	N	<u>BA</u>	N
<b>BUSINESS USES</b>							
<b>Trade</b>							
Retail store <sup>12</sup>	Y	Y	Y	Y	Y	<u>Y</u>	N
Drive-through retail <sup>13</sup>	N	BA	BA	BA	BA	<u>BA</u>	N
Art studio or gallery	Y	Y	Y	N	Y	<u>Y</u>	N
Commercial greenhouse	N	Y	Y	BA	Y	<u>PB</u>	N



Wholesale trade	N	N	BA	BA	Y	<u>PB</u>	Y
Grain, lumber, construction, or garden supply sales	N	N	BA	N	Y	<u>PB</u>	Y
Temporary outdoor sales of holiday horticultural products	Y	Y	Y	Y	Y	<u>Y</u>	Y
<b>Hospitality and Food Services</b>							
Bed and breakfast; inn	Y	Y	Y	BA	BA	<u>BA</u>	N
Hotel, motel, or conference center	BA	N	BA	BA	Y	<u>PB</u>	PB
Restaurant, excluding alcoholic beverages	Y	Y	Y	BA	Y	<u>Y</u>	N
Restaurant, including alcoholic beverages	BA	BA	BA	BA	Y	<u>Y</u>	N
Nanobrewery or brew pub	BA	BA	BA	BA	BA	<u>Y</u>	PB
Microbrewery	N	BA	BA	BA	BA	<u>Y</u>	PB
Brewery, distillery, or winery	N	N	N	N	N	<u>PB</u>	PB
Deli, sandwich shop, pizza shop	Y	Y	Y	Y	Y	<u>Y</u>	N
Drive-through food service	N	BA	BA	BA	BA	<u>BA</u>	N
Catering service	BA	Y	Y	Y	Y	<u>Y</u>	N
<b>Recreation and Entertainment</b>							
Commercial recreation, indoor	BA	BA	BA	BA	BA	<u>Y</u>	Y
Commercial recreation, outdoor	N	N	BA	N	BA	<u>PB</u>	PB

Commercial amusement	BA	BA	BA	BA	BA	<u>BA</u>	N
<b>Financial or Professional Services</b>							
Bank	Y	Y	Y	BA	Y	<u>Y</u>	N
Automated teller machine <sup>14</sup>	Y	Y	Y	BA	Y	<u>Y</u>	N
Professional or business office	Y	Y	Y	Y	Y	<u>Y</u>	Y
Medical or dental office	Y	Y	Y	Y	Y	<u>Y</u>	Y
<b>Services</b>							
Personal service establishment	Y	Y	Y	Y	Y	<u>Y</u>	N
Postal service	Y	Y	Y	BA	N	<u>N</u>	N
Educational use, nonexempt	N	N	BA	BA	N	<u>Y</u>	PB
Repair shop	BA	Y	Y	BA	Y	<u>PB</u>	N
<b>Vehicle Sales and Service</b>							
Auto filling or service station	N	N	N	N	BA	<u>PB</u>	PB
Auto repair shop	N	N	N	BA	BA	<u>PB</u>	PB
Auto body shop	N	N	N	N	BA	<u>PB</u>	PB
Auto sales	N	N	N	N	BA	<u>PB</u>	PB
Commercial parking	N	BA	BA	N	BA	<u>PB</u>	PB
<b>Other Business Uses</b>							

Veterinary clinic	N	BA	BA	BA	BA	<u>Y</u>	N
Kennel	N	N	BA	N	N	<u>PB</u>	Y
Funeral home	BA	BA	BA	N	N	<u>N</u>	N
Adult uses	N	N	N	N	BA	<u>N</u>	N
Commercial storage facility	N	N	N	BA	N	<u>N</u>	PB
Marijuana establishment <sup>15</sup>	N	N	N	N	N	<u>N</u>	N
Medical marijuana treatment center <sup>15</sup>	N	N	N	N	N	<u>N</u>	N
<b>PUBLIC SERVICE OR PUBLIC UTILITY</b>							
Bus stop, sheltered	BA	BA	BA	BA	BA	<u>PB</u>	PB
Public transportation terminal	N	N	N	N	BA	<u>PB</u>	PB
Public service or public utility	BA	BA	BA	BA	BA	<u>PB</u>	Y
Communication tower (including wireless communication facility)	PB	PB	PB	PB	PB	<u>PB</u>	PB
<b>INDUSTRIAL USES</b>							
Light manufacturing	N	N	N	BA	N	<u>N</u>	PB
Research and development	N	N	N	N	N	<u>N</u>	Y
Data processing center and records storage	N	N	N	BA	N	<u>N</u>	Y
Printing and publishing	N	N	N	N	N	<u>N</u>	Y

Large-scale ground-mounted solar photovoltaic installation	N	N	N	N	N	<u>N</u>	Y
<b>Transportation and Distribution Uses</b>							
Warehouse	N	N	N	BA	N	<u>N</u>	PB
Trucking, rail or freight facility, or parcel distribution facility	N	N	N	N	N	<u>N</u>	PB
<b>Other Industrial Uses</b>							
Natural resource extraction	N	N	N	N	N	<u>N</u>	PB
Fuel storage	N	N	N	N	N	<u>N</u>	PB
Contractor's yard or lumber yard	N	N	N	N	N	<u>N</u>	PB
Heliport	N	N	N	N	N	<u>N</u>	PB
Accessory uses; see Section 7-05-020(J)	N	N	N	BA	N	<u>N</u>	Y
Hazardous waste facility	N	N	N	N	N	<u>N</u>	PB
Solid waste disposal facility	N	N	N	N	N	<u>N</u>	PB

4: Amend Section 7-06-020, Table 2. Table of Density and Dimensional Regulations, as follows:

District	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Width	Minimum Yard Setbacks			Maximum Front Setback <sup>2</sup>	Maximum Lot Coverage	Minimum Open Space	Maximum Height	
	(sq. ft.)	(feet)	(feet)	Front	Side	Rear				Stories	Feet
RA	80,000	200	200	30	15	25	-	25%	-	-	35

<b>RB</b>	40,000	150	150	30	15	25	-	25%	-	-	35
<b>RC<sup>3</sup></b>	20,000	100	100	30	15	25	-	30%	-	-	35
<b>GR<sup>3</sup></b>	15,000	100	100	30	15	25	-	30%	-	-	35
<b>MSR<sup>3</sup></b>	15,000	100	100	30	15	25	-	30%	-	-	35
<b>DN<sup>3</sup></b>	10,000	50	None	15	20	20	30	30%	20%	-	35
<b>DB</b>	4,000	50	None	6	None	None	20	-	15%	-	45
<b>BE</b>	20,000	150	None	15	20	25	75	-	20%	3.0	45
<b>BW</b>	20,000	150	None	15	20	25	75	-	20%	3.0	45
<b>BS</b>	40,000	150	None	40	25	25	-	-	25%	3.0	45
<b>HB</b>	40,000	150	None	50	25	25	-	-	25%	-	-
<b><u>HBSW</u></b>	<u>40,000</u>	<u>150</u>	<u>None</u>	<u>50</u>	<u>25</u>	<u>25</u>	<u>=</u>	<u>50%</u>	<u>25%</u>	<u>=</u>	<u>=</u>
<b>I<sup>4</sup></b>	60,000	150	None	40	20	25	-	50%	25%	-	60

5: Amend Section 7-09-020 Site design standards, as follows:

D. Additional standards for business uses. New construction or substantial alteration of existing nonresidential buildings in the Downtown Business District, the Business East District, Business West District, Business South District, Highway Business District, Highway Business Southwest District, or the Downtown Neighborhood District shall conform to the following standards. Where any of the standards in this subsection conflict with subsection (C) of this section, this subsection shall govern.

6: Amend Section 7-09-030 Off-street parking and loading, as follows:

C. Off-street parking design standards. The following design standards shall apply in the Downtown Business, Business East, Business West, Business South, Highway Business, Highway Business Southwest, and Downtown Neighborhood Districts to all uses except detached single-family or two-family dwellings, and shall be addressed in any plans submitted under Section 7-03-050. Where physical constraints on a site make it infeasible to comply with any standard in this section, the proponent may request a modification or waiver and propose an alternative design. In such cases, it shall be the proponent's burden to demonstrate that it is infeasible to comply and that the proposed alternative meets the intent of the standard for which a waiver has been requested.

7: Amend Section 7-09-040 Signs, as follows:

G. Signs in business districts.

(c) Highway Business and Highway Business Southwest Districts.

**MOTION ARTICLE 53: Zoning Bylaw Section 7-03-060 Design Review, Section 7-04-010 Classification of Districts, Section 7-05-030, Table of Uses, Table 1, Part B. Commercial and Industrial Districts, Section 7-06-020, Table 2. Table of Density and Dimensional Regulations, Section 7-09-020 Site design standards, Section 7-09-030 Off-street parking and loading, Section 7-09-040 Signs, Section 7-07-030 Major Commercial Development Overlay District**

Amy Poretsky, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Sections 7-03-060, 7-04-010, 7-05-030, 7-06-020, 7-09-020, 7-09-030, and 7-09-040 by adding the underlined text and deleting Section 7-07-030 Major Commercial Development Overlay in its entirety, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 54: Zoning Bylaw Section 7-09-030, Off-street parking and loading**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-09-030.C.(2)(a), by adding the text shown below as underlined and deleting the text shown with strike-through, or take any action relative thereto.

- (a) Off-street parking spaces shall be located behind or beside the principal structure on the lot. No parking shall be located closer to the front lot line than the nearest point ~~front line~~ of the principal structure nearest to the front lot line. However, the applicable special permit granting authority may grant a special permit to locate up to twenty-five percent (25%) of the required off-street parking spaces in front of a principal structure, except in the Downtown Business District, and may also authorize a change in any maximum front yard setback where necessary to accommodate such parking. In granting a special permit, the special permit granting authority may impose design, surface treatment, landscaping, lighting and other requirements to mitigate the visual impact of parking areas on views from the road, and may regulate the location of the remaining parking to achieve the purposes of this section.

**MOTION ARTICLE 54: Zoning Bylaw Section 7-09-030, Off-street parking and loading**

Millie Milton, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-030.C.(2)(a), by adding the underlined text and deleting the text shown with strike-through, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 55: Zoning Bylaw Section 7-05-020, Classification of uses and Section 7-05-030, Table 1. Table of Uses. Part B. Commercial and Industrial Districts**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Sections 7-05-020 and 7-05-030 by adding the text shown below as underlined, or take any action relative thereto.

1: Amend Section 7-05-020 Classification of Uses, as follows:

Section 7-05-020G.(4)(e) Co-working space: A building or part thereof consisting of a shared office environment, which contains desks or other workspaces and facilities, including but not limited to, dedicated workstations, office suites, meeting rooms, event space,

resource libraries, and business or administrative support services, and is used by a recognized membership who share the site to interact and collaborate with each other as part of a community. Rules for membership and participation in the co-working space are explicit, transparent, and available to the public. Co-working spaces may host classes or networking events which are open either to the public or to current and prospective members.

7-05-020 I.(1)(a) Maker space: A building or part thereof used for the on-site production of parts or finished products by individual or shared use of hand-tools, mechanical tools, and electronic tools. Maker Spaces may include space for design and prototyping of new materials, fabrication methodologies, and products, as well as space for packaging, incidental storage, sales, and distribution of such projects. Typical uses include but are not limited to: electronic goods; printmaking; leather products; jewelry and clothing/apparel; metal work; furniture; woodworking and cabinet shops; glass or ceramic production; and paper manufacturing. Maker Spaces may host classes or networking events which are open to the public. Maker Spaces may also include a membership component.



2: Amend Section 7-05-030, Table 1. Table of Uses. Part B. Commercial and Industrial Districts, as follows:

<b>Financial or Professional Services</b>							
	<b>DB</b>	<b>BE</b>	<b>BW</b>	<b>BS</b>	<b>HB</b>	<b>HBSW</b>	<b>I</b>
<u>Co-working space</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

<b>INDUSTRIAL USES</b>							
	<b>DB</b>	<b>BE</b>	<b>BW</b>	<b>BS</b>	<b>HB</b>	<b>HBSW</b>	<b>I</b>
<u>Maker space</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>

**MOTION ARTICLE 55: Zoning Bylaw Section 7-05-020, Classification of uses and Section 7-05-030, Table 1. Table of Uses. Part B. Commercial and Industrial Districts**

Anthony Ziton, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Sections 7-05-020 and 7-05-030 by adding the underlined text as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**Motion made by Anthony Ziton to combine Articles 56 & 57**

**Vote: Moderator declared the motion carried by majority vote.**

**ARTICLE 56: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-07-010, by adding the text shown below as underlined and deleting the text shown with strike-through, and renumber the remaining internal sections of Subsection D.(3)(c) accordingly, or take any action relative thereto.

Subsection D.(1)(c)[3]:

Commercial development as allowed per underlying zoning that does not involve as accessory uses the manufacture, storage, application, transportation and/or disposal of toxic or hazardous materials, limited to retail shopping, business or professional office, on lots of at least twenty thousand (20,000) square feet in area where sewage disposal is on-site, such that; a) the impervious cover of the building lot is increased over existing conditions by no more than forty percent (40%) or, where lot coverage will comply with underlying zoning, the proponent can demonstrate and certify that runoff waters leaving the site via surface flow will not violate Class B water quality standards (314 CMR 4.00) and that runoff waters leaving the site via groundwater recharge will not violate Class I groundwater quality standards (314 CMR 6.00); b) the increase in post-development net runoff volume shall not exceed existing conditions by more than fifteen percent (15%);; and c) any on-site sewage disposal is less than or equal to one hundred ten (110) gallons per day per ten thousand (10,000) square feet of lot area, such determination to be made by the Building Inspector in conjunction with a staff/consulting civil engineer and other relevant Town staff.

Subsection (3)(c)[3]:

~~[3] Commercial development as allowed per underlying zoning, such that the increase in post-development net runoff volume shall not exceed existing conditions by more than fifteen percent (15%), the impervious cover of the building lot is increased over existing conditions by no more than forty percent (40%) or there is no restriction of lot coverage beyond that provided by underlying zoning where proponent can demonstrate and certify that runoff waters leaving the developed site via surface flow will not violate Class B water quality standards (314 CMR 4.00) and runoff waters leaving the site via groundwater recharge will not violated Class I groundwater quality standards (314 CMR 6.00), and any on-site sewage disposal is less than or equal to one hundred ten (110) gallons per day per ten thousand (10,000) square feet of lot area.~~

**MOTION ARTICLE 56: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District**

Anthony Ziton, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-07-010 by adding the underlined text, deleting the text shown with strike-through, and renumbering the remaining internal sections of Subsection D.(3)(c) accordingly, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 57: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-07-010, by adding the text shown below as underlined and deleting the text shown with strike-through, and renumber the remaining internal sections of Subsection D.(3)(c) accordingly, or take any action relative thereto.

Subsection D.(1)(c)[2]

Residential development of single-family, two-family and multifamily dwellings as allowed in the underlying district on lots of at least twenty thousand (20,000) square feet in area where sewage disposal is on-site, such that the increase in post-development net runoff volume shall not exceed existing conditions by more than fifteen percent (15%) or such that the impervious cover of the building lot is increased over existing conditions by no more than fifteen percent (15%) and any on-site sewage disposal is less than or equal to two hundred twenty (220) gallons per day per ten thousand (10,000) square feet of lot area, such determination to be made by the Building Inspector ~~Department~~ in conjunction with a staff/consulting civil engineer and other relevant Town staff. ~~the Town Engineer.~~

Subsection D.(3)(c)[6]

~~[6] Two family and multifamily residential development on lots of at least twenty thousand (20,000) square feet in area, such that the increase in post-development net runoff volume shall not exceed existing conditions by more than fifteen percent (15%) or such that the impervious cover of the building lot is increased over existing conditions by no more than fifteen percent (15%) and any on-site sewage disposal is less than or equal to two hundred twenty (220) gallons per day per ten thousand (10,000) square feet of lot area.~~

~~[7]~~

**MOTION ARTICLE 57: Zoning Bylaw Section 7-07-010, Groundwater Protection Overlay District**

Anthony Ziton, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-07-010 by adding the underlined text, deleting the text shown with strike-through, and renumbering the remaining internal sections of Subsection D.(3)(c) accordingly, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 58: Zoning Bylaw Section 7-03-060, Design Review**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-03-060, by adding the text shown below as underlined and deleting the text shown with strike-through, or take any action relative thereto.

**B. Applicability.**

(1) Design review by the design review committee shall be required as part of sign permit approval in the Downtown Business District, ~~the~~ or site plan approval or a special permit with site plan approval for any of the following:

- (a) In any business district, new construction or exterior alterations or expansion of any commercial, municipal, institutional or multifamily structure;
- (b) In the Downtown Neighborhood District, new construction or exterior alterations or expansion of any multifamily structure or any structure requiring a special permit;
- (c) In the Major Commercial Development Overlay District, new construction or exterior alterations or expansion of any multifamily structure or any structure requiring a special permit;
- (d) In any industrial district, new construction of any extensive uses, institutional uses, mixed uses, business uses, public service or public utility, or industrial uses; ~~or~~
- (e) In the RC, GR, MSR, and DN districts, any special permit application to the Planning Board for a two-family dwelling;
- (f) In the DB District, any wall, freestanding, or permanent window sign;
- (g) In the Multifamily Development Overlay District, new construction or expansion of any structure.

**C. Submission requirements and procedures.** The submission requirements and procedures for design review shall be in accordance with the Design Review Committee's rules and regulations.

(1) As a part of the sign permit, site plan approval or special permit with site plan approval process, the Design Review Committee shall review a proposed project and provide written recommendations to the applicable issuing authority within the review periods prescribed in Section 7-03-050. The Design Review Committee may conduct one (1) or more pre-application meetings with the proponent.

**E. Appointment of the Design Review Committee.**

(1) The Planning Board shall appoint a Design Review Committee. Such Committee shall be chaired by a member of the Planning Board, and shall additionally consist of four (4) members, who shall be residents or employed within the Town of Northborough, with a preference given to the following disciplines for three-year terms:

- (a) ~~Two (2)~~ One (1) degreed architects;
- (b) One (1) degreed landscape architect or person qualified by training in landscape design; ~~and~~
- (c) ~~One (1)~~ Two (2) residents of the town with a related background such as real estate development, landscape design, architecture, historic preservation, interior design, graphic design, lighting design, civil engineering, or building/construction; or
- (d) A balance of representation as close as possible to this mix.

**MOTION ARTICLE 58: Zoning Bylaw Section 7-03-060, Design Review**

Amy Poretsky, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-03-060, by adding the underlined text and deleting the text shown with strike-through, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 59: Zoning Bylaw Section 7-09-020, Site design standards**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-09-020.C., by adding the text shown below as underlined and deleting the text shown with strike-through, or take any action relative thereto.

- (2) Outdoor lighting. In the area of the new construction or addition, outdoor lighting, including lighting on the exterior of a building or lighting in parking areas, shall be full cutoff and conform to “Dark Skies” guidelines, as stated by the International Dark Sky Association (IDA), arranged to minimize glare and light spilling over to neighboring properties. Energy-efficient lighting with timers or motion sensors are strongly encouraged. ~~Except for low level intensity pedestrian lighting with a height of less than eight (8) feet, all outdoor lighting shall be designed and located so that the luminaire has an angle of cutoff less than seventy six degrees (76 degrees) and a line drawn from the height of the luminaire along the angle of cutoff intersects the ground at a point within the development site.~~
- (6) Primary entrances to buildings shall be situated on pedestrian ways (i.e. sidewalks, plazas or open space) and shall have a minimum width of seven (7) feet.
- (7) New sidewalks shall be composed of four (4) inch thickness of reinforced cement concrete, however they may include a decorative band of brick or pavers.
- (8) Curbing shall be either vertical granite or vertical concrete with a minimum reveal of six (6) inches.

**MOTION ARTICLE 59: Zoning Bylaw Section 7-09-020, Site design standards**

Amy Poretsky, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-09-020.C., by adding the underlined text and deleting the text shown with strike-through, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 60: Zoning Bylaw Section 7-09-020, Site design standards**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw Section 7-09-020.D.(1), by adding the text shown below as underlined, or take any action relative thereto.

(1) Building placement, design, and orientation.

(e) Metal or fiberglass as a primary building finish material shall not be used;

(f) Flat roofs may be allowed on buildings as long as the roofline projects upward from the building surface as a decorative cornice or parapet;

**MOTION ARTICLE 60: Zoning Bylaw Section 7-09-020, Site design standards**

Amy Poretsky, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-020.D.(1), by adding the underlined text, as set forth in the Warrant.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 61: Zoning Bylaw – Section 7-09-040, Signs**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-040 Signs, by adding the text shown below as underlined and deleting the text shown below in strikethrough, or take any action relative thereto.

**7-09-040 Signs.**

A. Purpose. Signs are a necessary means of communicating information. Since signs are intended to be seen, they attract attention and are one (4) of the most visible and apparent aspects of a town's character. They tend to produce a lasting impression on residents and visitors, and they provide an indication of the commercial health of a business area and a town as a whole. Simplicity in design and restrained use of signs are necessary to prevent a sign overload, which creates clutter and is as confusing as no signs at all.

D. Basic Requirements.

(12) Window signs are allowed in business districts only. All combined window signage shall be limited to 10% of the total glass area on any one façade/side of a building.

E. Construction and maintenance of signs.

(1) All signs shall be constructed of durable and weatherproof material. They shall be maintained in safe structural condition and good visual appearance at all times, and no sign shall be left in a dangerous or defective state. The Building Inspector shall have the authority to inspect any sign and order the owner to paint, repair or remove a sign which constitutes a hazard or a nuisance due to improper or illegal installation, dilapidation, damage, or inadequate maintenance.

(3) Any sign, together with its structural elements, which advertises or calls attention to any business or services of owner or tenant which are no longer operational shall be removed by the owner within thirty (30) days of the date on which the operation ceased.

G. Signs in business districts.

(1) Type, size, and number of signs. There shall not be more than the following on each lot:

(c) Highway Business District.

[1] Lot with one (1) or two (2) tenants.

[a] Freestanding sign. Not more than one (1) freestanding sign, size not to exceed one hundred (100) square feet, height not to exceed twenty (20) feet as measured from the ground to the highest point of the sign. The freestanding sign shall indicate the name(s) of the tenant(s) and address of the facility, in a fixed manner, and may have an additional fifty (50) square feet of space for changeable-copy message. Electronic message centers may be used as part of a freestanding sign.

[b] Wall sign: one (1) wall sign, size not to exceed 10% of the wall size to which the sign is affixed or two-one hundred fifty (250+100) square feet, whichever is smaller, for each tenant, or two (2) wall signs with a combined total area not to exceed two hundred fifty (250) one hundred (100) square feet for each tenant.

[2] Lot with three (3) or more tenants.

[a] Freestanding sign. Not more than one (1) freestanding sign for each ten (10) tenants located on the lot; size not to exceed one hundred (100) square feet, height not to exceed twenty (20) feet as measured from the ground to the highest point of the sign. The freestanding sign shall indicate the name and address of the facility in a fixed manner and may have space for listings of individual tenants and may have an additional fifty (50) square feet of space for changeable-copy message. When there is more than one (1) freestanding sign on a lot, there shall be not less than fifty (50) feet between signs, and no sign shall be located to obstruct the viewing of any other sign.

[3][b] Wall sign: one (1) wall sign, size not to exceed 10% of the wall size to which the sign is affixed or two ~~one~~ hundred fifty (250)~~100~~ square feet, whichever is smaller, for each tenant, or two (2) wall signs with a combined total area not to exceed two hundred fifty (250) ~~one hundred (100)~~ square feet for each tenant.

[4][c] Directory sign. There may be not more than one (1) directory of the tenants of the building affixed to the exterior wall of the building. Such directory sign shall not exceed an area determined on the basis of one (1) square foot for each occupant or tenant of the building.

(3) Temporary signs. Signs for the purpose of announcing a special day or event and not to exist more than ~~fifty-six (56)~~ thirty (30) days per calendar year shall be permitted. The Select Board may grant an extension of this time period. One (1) exterior movable sign shall be limited to fifteen (15) square feet. One (1) temporary sign shall be permitted for each freestanding sign as permitted by this section. Temporary signs shall be placed a minimum distance of thirty (30) feet apart from each other. Temporary signs affixed to the inside of a window shall not exceed thirty percent (30%) of the window area of the storefront. To place a temporary sign on property other than that which is being advertised, the applicant must have written permission from the landowner and the Select Board.



K. Permit not required. The following types of signs do not require a permit from the Building Inspector:

(10) Historic Signs, markers, and municipal plaques. Signs and markers signifying historical importance and municipal plaques shall not be subject to this Bylaw and shall be permitted in all use districts without permit.

**MOTION ARTICLE 61: Zoning Bylaw – Section 7-09-040, Signs**

Amy Poretsky, Planning Board, moved the Town vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-040 Signs, by adding the underlined text and deleting the text shown in strikethrough, as set forth in the Warrant.

**Motion to Amend:** Andy Clark moved to amend Article 61: 7-09-040 section (E) 3 by deleting “together with its structural elements”

**Vote on amendment:** Moderator declared the motion passed by majority vote

Recommendations: Planning Board

**Vote:** Moderator declared the motion as amended carried by the required 2/3rds majority vote

**ARTICLE 62: Street Acceptances**

To see if the Town will vote to accept as a public way the roadway known as Harrington Lane, situated west of Washburn Street in the central section of the Town of Northborough, as heretofore laid out by the Select Board and shown on a plan entitled: “Roadway Acceptance Plan of Harrington Lane in Northborough, MA”, prepared by Connorstone Engineering Inc., dated December 4, 2023, last revised March 6, 2024, a copy of which has been placed on file at the Town Clerk’s Office, and to authorize the Select Board to acquire on behalf of the Town, by purchase, gift, eminent domain, or otherwise, interests in property, including public way, drainage and open space easements, sufficient to use said way for all purposes for which public ways are used in the Town of Northborough, or take any action relative thereto.

- This Article provides for the acceptance of Harrington Lane as a Town Street and authorizes acquisition of related easements in connection with the subdivision approval process.

**MOTION ARTICLE 62: STREET ACCEPTANCES**

Millie Milton, Planning Board, moved the Town vote to accept as a public way the roadway known as Harrington Lane, situated west of Washburn Street in the central section of the Town of Northborough, as heretofore laid out by the Select Board and shown on a plan entitled: “Roadway Acceptance Plan of Harrington Lane in Northborough, MA”, prepared by Connorstone Engineering Inc., dated December 4, 2023, last revised March 6, 2024, a copy of which has been placed on file at the Town Clerk’s Office, and to authorize the Select Board to acquire on behalf of the Town, by purchase, gift, eminent domain, or otherwise, interests in property, including public way, drainage and open space easements, sufficient to use said way for all purposes for which public ways are used in the Town of Northborough.

Recommendations: Planning Board

**Vote: Moderator declared the motion carried by the required 2/3rds majority vote**

**ARTICLE 63: Citizen Petition – Section 7-03-060 Design Review**

To see if the Town will vote to amend Part 7 of the Northborough Town Code, and the Northborough Zoning Bylaw Section 7-03-060, by removing the text in its entirety (as shown below in strikethrough).

The Design Review and “Design Review Committee” would be terminated and no longer a function within the Town of Northborough. Removing Design Review and Design Review Committee from all references in the Northborough Zoning Bylaw and the Northborough Town Code wherever it appears.

7-03-060 ~~Design review:~~

- A. ~~Purpose. The purpose of design review is to preserve historic land uses and structures and to promote architectural and ecological considerations for the betterment of the community. Further, the design review process is intended to provide guidance to the proponent in the development or evaluation of site and building design, to establish principles and standards to guide development, and to promote the following objectives:~~
  - ~~(1) To strengthen the character of Downtown Northborough as the focal point of a prosperous rural New England community and as a destination for shopping, services and government;~~
  - ~~(2) To encourage development that is distinctive and appropriate to locations within other business districts, supportive of the function of the Highway Business District and Business South District as gateways into Northborough, and supportive of the function of the Business East and Business West Districts as neighborhood business areas and as gate ways to Downtown Northborough;~~
  - ~~(3) To encourage development within the Downtown Neighborhood District that respects the character of established~~

neighborhoods; and to encourage that more intensive uses, where they occur, draw upon appropriate local or regional models of traditional neighborhood design; and

- (4) ~~To assure that future construction, alterations, or additions maintain a relationship to the historic development of the town through appropriate design.~~

~~B.—Applicability.~~

- (1) ~~Design review by the design review committee shall be required as part of the site plan approval or a special permit with site plan approval for any of the following:~~
  - (a) ~~In any business district, new construction or exterior alterations or expansion of any commercial, municipal, institutional or multifamily structure;~~
  - (b) ~~In the Downtown Neighborhood District, new construction or exterior alterations or expansion of any multifamily structure or any structure requiring a special permit;~~
  - (c) ~~In the Major Commercial Development Overlay District, new construction or exterior alterations or expansion of any multifamily structure or any structure requiring a special permit;~~
  - (d) ~~In any industrial district, new construction of any extensive uses, institutional uses, mixed uses, business uses, public service or public utility, or industrial uses; or~~
  - (e) ~~In the RC, GR, MSR, and DN districts, any special permit application to the Planning Board for a two-family dwelling.~~
- (2) ~~Nothing in this section shall be construed to conflict with MGL C. 40, § 3, which prohibits the regulation or restriction of the use of materials or methods of construction of structures regulated by the State Building Code. In addition, nothing in this section shall be constructed to conflict with Chapter 1-60, Historic District Commission. Where there is a conflict between this section and said Chapter 1-60, that latter shall govern.~~

~~C.—Submission requirements and procedures. The submission requirements and procedures for design review shall be in accordance with the Design Review Committee's rules and regulations.~~

- (1) ~~As a part of the site plan approval or special permit with site plan approval process, the Design Review Committee shall review a proposed project and provide written recommendations to the applicable issuing authority within the review periods prescribed in Section 7-03-050. The Design Review Committee may conduct one (1) or more pre-application meetings with the proponent.~~
- (2) ~~When a proponent applies for a special permit prior to submitting a site plan for review by the special permit granting authority, the Design Review Committee's review shall occur in conjunction with the special permit granting authority's review of the site plan under Section 7-03-050(D). The Design Review Committee shall review such plans in accordance with its design guidelines and any special permit conditions imposed by the special permit granting authority.~~

~~D. Design guidelines. The Design Review Committee shall prepare and adopt design guidelines to assist property owners, proponents, architects, and landscape architects with project planning and developing submissions for review under this section. The guidelines shall serve as a supplement to, and shall not be inconsistent with, the site development standards in Section 7-09-020. The guidelines shall be on file in the Office of the Town Clerk and the Planning Department.~~

~~E. Appointment of the Design Review Committee.~~

~~(1) The Planning Board shall appoint a Design Review Committee. Such Committee shall be chaired by a member of the Planning Board, and shall additionally consist of four (4) members, who shall be residents, with a preference given to the following disciplines for three year terms:~~

~~(a) Two (2) degreed architects;~~

~~(b) One (1) degreed landscape architect; and~~

~~(c) One (1) resident of the town with a related background such as real estate development, interior design, graphic design, lighting design, or building/construction; or~~

~~(d) A balance of representation as close as possible to this mix.~~

~~(4 27 09 ATM, Art. 31; 4 26 10 ATM, Art. 28; 4 27 15 ATM, Art. 47; 4 23 18 ATM, Art. 39; 4 22 19 ATM, Art. 29.)~~

### **MOTION ARTICLE 63: Citizen Petition – Section 7-03-060 Design Review**

Richard Rand moved the Town vote to amend the Northborough town Code and the Northborough Zoning Bylaw Section 7-03-060 Design Review by removing the text in its entirety (as show below in strikethrough).

The Design Review and “Design Review Committee” would be terminated and no longer a function within the Town of Northborough. Removing Design Review and Design Review committee from all references in the Northborough Zoning Bylaw and the Northborough Town Code wherever it appears.

**Vote: Moderator declared the motion failed to meet the required 2/3rds majority vote**

### **ARTICLE 64: Status Report from Fire Station Building Committee**

To see if the Town will vote to hear an update from the Fire Station Building Committee on the fire station building project.

### **MOTION ARTICLE 64: Status Report from Fire Station Building Committee**

Mitch Cohen, Select Board, moved the Town vote to hear an update from the Fire Station Building Committee on the fire station building project.

**Motion made by Mitch Cohen to pass over Article 64**

**Vote: Moderator declared the motion passed by majority vote**

**ARTICLE 65: Reports**

**MOTION ARTICLE 65: Reports**

**Motion made by Mitch Cohen to pass over Article 65**

**Vote: Moderator declared the motion passed by majority vote**

**11:36 pm motion made to dissolve the meeting**

**Vote: Moderator declared the motion carried by majority vote**

- Attendance 4/22/2024: 441
- Attendance 4/23/2024: 350
- Attendance 4/24/2024: 201

**Total Registered Voters: 11865**

**A True Copy Attest:**

*Andrew T. Dowd*

**Andrew T. Dowd, Town Clerk**