



**TOWN OF EASTON
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING
WARRANT AND RESULTS
May 21, 2018**

BRISTOL, SS.

To either of the Constables of the Town of Easton in the County of Bristol:
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Easton qualified to vote in elections and Town affairs to meet in the Oliver Ames High School Auditorium in said Easton on Monday, the 21st day of May, next, at 7:00 P.M., then and there to act upon the following articles:

The Moderator reviewed some town meeting rules & procedures and noted that the glossary of terms is located at the back of the Warrant. She introduced several Girl Scouts from the Town of Easton who led the crowd in the Pledge of Allegiance.

A quorum of registered voters of the Town of Easton being present and the proper return of the Warrant being met, Town Moderator Kate Welch called the May 21, 2018 Annual Town Meeting, held in the Auditorium of Oliver Ames High School, to order at 7:32 PM.

A **MOTION** was made by recommendation of Moderator Kate Welch and seconded to appoint Walter Mirrione as the deputy Town Moderator as outlined in the Town of Easton’s Charter (C2-2) to serve as acting moderator in her absence.

DECLARED VOTED BY THE MODERATOR

ARTICLE 1. ACCEPTANCE OF ANNUAL REPORTS

To see if the Town will vote to accept the reports of the Selectmen, Town Administrator, Assessors, Board of Health, Town Clerk, Treasurer, Collector of Taxes, School Committee, Town Accountant, Director of Public Works, and other Departments, Boards and Committees of the Town, or take any other action relative thereto.

Submitted by Board of Selectmen

MOTION: Selectman Fulginiti moved that the Town vote to accept the reports of the Selectmen, Town Administrator, Assessors, Board of Health, Town Clerk, Treasurer, Collector of Taxes, School Committee, Town Accountant, Director of Public Works, and other Departments, Boards and Committees of the Town.

Explanation: This is an annual vote to accept the Town Report.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 2. BY-LAW AUTHORIZING REVOLVING FUNDS

To see if the Town will vote to amend § 26-6. Departmental Revolving Funds, section E. Authorized Revolving Fund, of the Chapter 26. Financial Affairs bylaw of the Town of Easton General Bylaws by adding four additional revolving funds to the table as follows:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Fiscal Year
ZBA Revolving	Planning & Economic Development	Fees received from applicants for variances, special permits, publication of notices and inspections	Services of expert engineers and consultants, related administrative costs deemed necessary by the Board; costs and expenses of application review and inspections during construction; the purchase of software; and any other related expenses	Fiscal Year 2019 and subsequent years
DPW Road Maintenance Fund	Department of Public Works	Fees received from applicants for street opening permits, forfeited refundable deposits for street openings, extended road maintenance fees for street openings made within moratorium	Expenses in connection with maintenance and repair of roads and sidewalks	Fiscal Year 2019 and subsequent years
DPW Vehicle and Equipment Revolving Fund	Department of Public Works	Funds received in connection with the sale of surplus DPW vehicles and equipment	Purchase of new or used vehicles and equipment or supplemental funding for the purchase of new or used vehicles and equipment	Fiscal Year 2019 and subsequent years
Police Cruiser Detail Fees	Police Department/Board of Selectmen	Usage Fees and other revenue directly related to the use of requested marked cruisers on police details	Repair, maintenance, and/or acquisition of police vehicles and related equipment.	Fiscal Year 2019 and subsequent years

or take any other action with relative thereto.

Submitted by Board of Selectmen

MOTION: Selectman Fulginiti moved that the Town vote to amend § 26-6 E.(6). Departmental Revolving Funds, section E. Authorized Revolving Fund, of the Chapter 26. Financial Affairs bylaw of the Town of Easton General Bylaws by adding four additional revolving funds to the table as printed in the warrant under Article 2.

Explanation: This amends the bylaw to add four additional revolving funds.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 3. SPENDING LIMITS FOR REVOLVING FUNDS

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to G.L. c44 Section 53E ½ for the fiscal year beginning July 1, 2018 to be expended in accordance with the bylaws heretofore approved.

FUND	Approved Total Expenditures
Conservation Commission Filing Fees	\$50,000
Planning Board Fees	\$50,000
Town Clerk Records	\$10,000
Recreation	\$300,000
Recreation Field Maintenance	\$50,000
Board of Health vaccinations	\$10,000
Board of Health Betterment Fees	\$5,000
Agricultural Commission	\$25,000
ZBA Revolving	\$10,000
DPW Road Maintenance Fund	\$25,000
DPW Vehicle and Equipment Revolving Fund	\$50,000
Police Cruiser Detail Fees	\$25,000

Submitted by Board of Selectmen

MOTION: Selectman Fulginiti moved that the Town vote to authorize the total expenditures for the revolving funds printed in the warrant under Article 3, pursuant to G.L. c44 Section 53E ½ for the fiscal year beginning July 1, 2018 to be expended in accordance with the bylaws heretofore approved.

Explanation: This article sets the annual spending limits for all revolving funds established pursuant to Massachusetts General Law Chapter 44, section 53E and 1/2. Actual expenditures cannot exceed the balance in the fund even if the expenditures are less than the established limits.

Vote Required: *SIMPLE MAJORITY*
 Selectmen Recommendation: *RECOMMENDED*
 Finance Committee Recommendation: *RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 4. ELECTED OFFICIALS' COMPENSATION

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108 of Chapter 41 of the General Laws, as follows:

Board of Selectmen, each member	\$1,800
Board of Health, each member	\$1,000
Board of Assessors, each member	\$1,800
Moderator	\$ 100

or take any other action relative thereto.

Submitted by Board of Selectmen

MOTION: Selectman Barger moved that the Town vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108 of Chapter 41 of the General Laws, as printed in the warrant.

Explanation: This is an annual article, required by statute, to set the salary levels for all compensated elected officials.

<i>Vote Required:</i>	<i>SIMPLE MAJORITY</i>
<i>Selectmen Recommendation:</i>	<i>RECOMMENDED</i>
<i>Finance Committee Recommendation:</i>	<i>RECOMMENDED</i>

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 5. APPROPRIATION AND AUTHORIZATION TO EXPEND CHAPTER 90 FUNDS

To see if the Town will vote to appropriate the sum of \$730,476 to be expended in anticipation of the reimbursement authorized for the State's share of the cost of work to be done under Chapter 90 of the General Laws, or to take any other action relative thereto.

Submitted by Board of Selectmen

MOTION: Selectman Barger moved that the Town vote to appropriate the sum of \$730,476 to be expended in anticipation of the reimbursement authorized for the State's share of the cost of work to be done under Chapter 90 of the General Laws.

Explanation: This is the Town's annual share of Chapter 90 funds provided by the State for road related improvements in the community.

<i>Vote Required:</i>	<i>SIMPLE MAJORITY</i>
<i>Selectmen Recommendation:</i>	<i>RECOMMENDED</i>
<i>Finance Committee Recommendation:</i>	<i>RECOMMENDED</i>

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 6. PAYMENT OF BILL(S) FROM A PRIOR FISCAL YEAR

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

Submitted by Board of Selectmen

MOTION: Selectman Barger moved to dismiss Article 6.

Explanation: There are no prior year bills at this time.

Vote Required: SIMPLE MAJORITY FOR DISMISSAL

DECLARED DISMISSED BY THE MODERATOR

ARTICLE 7. SUPPLEMENT FISCAL YEAR 2018 BUDGETS

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to supplement fiscal year 2018 budgets, or take any other action relative thereto.

Submitted by Board of Selectmen

MOTION: Selectman Brussard moved that the Town vote to appropriate the sum of \$182,400 to supplement the following fiscal year 2018 budgets:

Finance Committee	600
Town Accountant	1,800
Town Counsel	5,000
DPW Administration	<u>175,000</u>
TOTAL	<u>\$182,400</u>

and further, that to meet this appropriation, \$75,000 shall be transferred from the fiscal year 2018 Health & Community Services Budget and \$107,400 shall be transferred from the fiscal year 2018 Employee Benefits and Insurance Budget.

Explanation: The Finance Committee requires an additional \$600 for Recording Secretary Expenses, the Town Accountant requires \$1,800 for contractual items and training, the Town Counsel budget requires \$5,000 for additional legal expenses and the Department of Public Works requires \$175,000 for storm related cleanup costs and overtime expenses.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 8. FY 2019 OPERATING BUDGET

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money to defray the Town charges for the ensuing fiscal year including the salaries of the several elected and appointed officers of the Town, and make appropriations for the same as listed below, or take any other action relative thereto.

FD-DPT	DEPARTMENT NAME	AMOUNT
01.120	SELECTMEN	412,286
01.131	FINANCE COMMITTEE	2,000
01.132	RESERVE FUND	60,000
01.135	ACCOUNTANT	237,990

01.140	ASSESSORS	256,705
01.145	TOWN COLLECTOR/TREASURER	356,259
01.150	TOWN COUNSEL	170,000
01.155	INFORMATION TECHNOLOGY	218,334
01.160	TOWN CLERK	266,332
01.175	PLANNING AND ECONOMIC DEVELOPMENT	322,172
01.210	POLICE	4,308,209
01.211	PUBLIC SAFETY DISPATCH	620,547
01.220	FIRE	3,693,920
01.231	AMBULANCE	765,376
01.240	INSPECTIONAL SERVICES	307,043
01.310	SOUTHEASTERN REGIONAL SCHOOL	1,132,709
01.400	DPW ADMINISTRATION	3,298,405
01.500	HEALTH & COMMUNITY SERVICES	969,416
01.610	LIBRARY	548,410
01.700	MATURING DEBT & INTEREST	3,860,638
01.910	EMPLOYEE BENEFITS & INSURANCE	14,126,702
01.920	OTHER GENERAL GOVERNMENT	102,600
60.440	SEWER DEPARTMENT ENTERPRISE	360,000
61.450	WATER DIVISION	2,340,721
62.430	SOLID WASTE & RECYCLING	1,235,000
63.120	P.E.G. ACCESS & CABLE RELATED FEES ENTERPRISE	600,000
01.300	SCHOOL DEPARTMENT	<u>41,330,308</u>
	TOTAL FY 2019 BUDGET	\$ 81,902,082

Submitted by Town Administrator

MOTION: Selectman Brussard moved that the town vote to appropriate the sum of \$81,902,082, of which \$75,504,345 shall be raised from taxation, \$1,200,412 shall be transferred from free cash, \$5,300 shall be transferred from the conservation fund, \$98,551 shall be transferred from septic betterments receipts reserved for appropriation, \$2,898,474 shall be transferred from water enterprise receipts, \$360,000 shall be transferred from sewer enterprise receipts, \$1,235,000 shall be transferred from solid waste and recycling enterprise receipts and \$600,000 shall be transferred from cable franchise and related revenue enterprise receipts, all to meet the Town charges, including the salaries of several elected and appointed officers of the Town for fiscal year 2019 as printed in the Warrant under Article 8.

Explanation: This is the annual operating budget for the Town. The Town Administrator and others will make a presentation at town meeting regarding this proposal.

Vote Required: *SIMPLE MAJORITY*
 Selectmen Recommendation: *RECOMMENDED*
 Finance Committee Recommendation: *RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

RECORD OF AMENDMENTS and MOTIONS FOR ARTICLE 8

A **MOTION to AMEND** Article 8 was made by Carol Nestler to amend the annual operating budget to move from free cash and into the school budget the amount of \$65,000 to cover the cost of one SRO for the High School. Motion was seconded.

AMENDMENT -- DECLARED FAILED BY THE MODERATOR

A **MOTION to AMEND the AMENDMENT** for Article 8 was made by Laura Fogel to move the appropriation request of \$65,000 from school department to the Police Department. Motion was seconded.

AMENDMENT to the AMENDMENT – DECLARED FAILED BY THE MODERATOR

A **MOTION** to move the Question was made by Benjamin Hampton and was seconded.

MOVING THE QUESTION - DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 9. FY 2019 CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, appropriate by borrowing, or appropriate by transfer from available funds a sum of money for the purpose of meeting the capital budget needs of the Town for fiscal year 2019 as follows:

Fire – Refurbish Engine 5	100,000
Fire – Tools/Equipment for New Engine (previously authorized)	20,000
Ambulance – LifePak Defibrillators	27,000
Ambulance – Wireless Air links for Dept. Vehicles	9,600
Fire – Protective Clothing	15,000
Fire / Ambulance – Station 2 Renovations / Furnishings	100,000
Fire / Ambulance – Station #3 Emergency Generator Replacement	75,000
DPW – Emergency Generator Replacement	75,000
DPW – Variable Message Board	21,000
DPW / Highway – Replace Vehicle # 22 (1999 Chevy C70) w/ 35K GVW Hooklift	210,000
DPW / Highway – Replace Vehicle #63 (2005 Holder Tractor) w/ Tractor and Flail	150,000
DPW / Buildings & Grounds – Municipal Facilities Capital Improvements	100,000
DPW/ Buildings & Grounds – Replace Vehicle #54 (2004 F350) with Service Body Truck	50,000
DPW – Radio Equipment	24,000
DPW – Personal Voltage Detectors	9,180
School – Replace RO Cafeteria Floor	30,000
School Technology – Computers, projectors, iPads, Smartboards	167,366
Information Technology – APC Symmetra LX UPS Console	9,961
Town Office Copy Machine	10,000
Assessors – Vision Upgrade	24,000
Sewer – Carbon Vessel Installation at NEV WWTP	125,000
Water - Replace vehicle #123 Hydraulic Service Truck	150,000
Water - Prospect Street Project (Water Main & Culvert)	100,000

Water - Replace vehicle #126 F-250 Utility Truck w/plow	48,000
Water - Water Rate Study	14,500
Total	\$1,664,607

or take any other action relative thereto.

Submitted by Town Administrator

MOTION: Selectman Brussard moved that the Town vote to appropriate the sum of \$1,664,607 for the purpose of meeting the capital budget needs of the Town for fiscal year 2019 as listed in the warrant under Article 9, and that to meet this appropriation, \$350,000 shall be transferred from free cash, \$12,000 shall be transferred from surplus funds voted pursuant to Article 21 of the May 19, 2014 Annual Town Meeting, \$15,840 shall be transferred from surplus funds voted pursuant to Article 3 of the November 17, 2008 Special Town Meeting, 15,000 shall be transferred from surplus funds voted pursuant to Article 29 of the May 21, 2012 Annual Town Meeting, \$12,611 shall be transferred from surplus funds voted pursuant to Article 17 of the May 18, 2015 Annual Town Meeting, \$1,656 shall be transferred from surplus funds voted pursuant to Article 4 of the November 14, 2016 Special Town Meeting, \$60,000 shall be transferred from overlay surplus, \$312,500 shall be transferred from water surplus, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$885,000 for the refurbishing of Fire Engine #5, Fire and DPW emergency generators, DPW Hooklift and tractor & flail, municipal facilities capital improvements, service body truck, and sewer carbon vessel installation under Massachusetts General Laws, Chapter 44 or any other enabling authority, provided that in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, and to authorize the Board of Selectmen to do or take all actions necessary to carry out these projects on behalf of or in the name of the Town.

Explanation: This is the annual capital budget for the Town.

Vote Required: TWO-THIRDS MAJORITY

Selectmen Recommendation: RECOMMENDED

Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 10. RESCIND PREVIOUSLY AUTHORIZED DEBT

To see if the Town will vote to rescind \$400,000 of the borrowing authorized under Article 12 of the May 20, 2002 Annual Town Meeting, said funding originally appropriated for the design and construction of a library access road from Lincoln Street to the Ames Free Library, but no longer needed as the project was not undertaken, or take any other action relative thereto.

Submitted by Board of Selectmen

MOTION: Selectman Mills moved that Town vote to rescind \$400,000 of the borrowing authorized under Article 12 of the May 20, 2002, Annual Town Meeting as printed in Article 10 of the warrant.

Explanation: The construction of an access road from Lincoln Street is no longer being considered. This “housekeeping” article will remove the authorization which would otherwise remain on the books indefinitely.

*Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 11. APPROPRIATION OF FUNDS FOR FIVE CORNERS DISTRICT IMPROVEMENT FINANCING FEASIBILITY STUDY

To see if the Town will vote to transfer a sum of money from available funds, for the purposes of funding a feasibility study to determine the economic development and fiscal viability of establishing a District Improvement Financing (DIF) District in the Five Corners Sewer Needs area as identified by the Town’s Comprehensive Wastewater Management Plan to support infrastructure improvements including but not limited to public wastewater collection systems in that area, or take any other action relative thereto.

Submitted by Town Administrator

MOTION: Selectman Mills moved that the Town vote to transfer the sum of \$30,000 from sewer mitigation funds for the purposes of funding a feasibility study as printed in the warrant under Article 11.

Explanation: This article will appropriate funds from available Avalon Bay sewer mitigation to finance a District Improvement Financing (DIF) Feasibility Study in the Five Corners Sewer Needs area. District Improvement Financing, if adopted, enables the Town to finance funds borrowed from the Commonwealth of Massachusetts with incremental new growth in the tax base following the construction of improved infrastructure. This type of financing could provide the Town with additional options to support the construction of Five Corners Sewer Phase II in addition to traditional sewer financing through betterment assessments. This article will fund the necessary professional study to determine whether DIF is appropriate for this area of Town. Any adoption of a DIF District would require public hearings and approval by Town Meeting at a future date.

*Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 12. ESTABLISH SEWER CAPITAL STABILIZATION FUND

To see if the Town will vote to transfer a sum of money from available funds, for the purpose of establishing a “Sewer Capital Stabilization Fund” in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 5B, for the specific purpose of providing available funds for future sewer capital needs of the Town of Easton, or take any other action relative thereto.

Submitted by Town Administrator

MOTION: Selectman Mills moved that the Town vote to transfer the sum of \$1,670,000 from sewer mitigation funds for the purpose of establishing a “Sewer Capital Stabilization Fund” in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 5B, for the specific purpose of providing available funds for future sewer capital needs of the Town of Easton.

Explanation: This article will appropriate sewer mitigation funds received from Avalon Bay for future sewer capital needs.

Vote Required: TWO-THIRDS MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 13. APPROPRIATION OF FUNDS FOR CONSTRUCTION OF FIVE CORNERS PHASE II SEWER

To see if the Town will vote to raise and appropriate, appropriate by borrowing, or by transfer of available funds, the sum of \$13,500,000 for the purpose of constructing a sanitary sewer collection system and appurtenances including any and all pumping stations, treatment works, and related sewer easements as part of Phase II of the Five Corners Sewer Project; to determine whether this appropriation shall be raised in whole or partly from borrowing from the Massachusetts Clean Water Trust or otherwise; to determine whether the Selectmen, acting as Sewer Commissioners, shall be authorized to apply for, accept, and expend any federal and/or state grants or other aid available for the project or for the financing thereof to help reduce the local share impacts of the project; and to take any other action relative thereto.

Submitted by Town Administrator

MOTION: Selectman King moved that \$13,500,000 is appropriated for the purpose of financing the construction of a sanitary sewer collection system and appurtenances including any and all pumping stations, treatment works, and related sewer easements as part of Phase II of the Five Corners Sewer Project, including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$13,500,000 and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Board of Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Clean Trust established pursuant to Chapter 29C; that the Board of Selectmen, acting as Sewer Commissioners, are authorized to apply for, accept, and expend any federal and/or state grants or other aid available for the project or for the financing thereof; and that the Board of Selectmen acting as Sewer Commissioners are authorized to enter into a project regulatory agreement with the Department of Environmental Protection, and to take any other action necessary or convenient to carry out the project. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Explanation: This article will appropriate funds in the amount of \$13,500,000 for the purpose of constructing Phase II of the Five Corners Sewer Project, and authorized the Board of Selectmen to acquire sewer easements that may be necessary and to utilize available low interest loan borrowing or other grant funds that may be available.

Vote Required: TWO-THIRDS MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 14. RE-ACCEPTANCE OF M.G.L c. 32B s. 20

To see if the Town will vote to accept the provisions of G.L. c. 32B, §20, as revised, or take any other action relative thereto

Submitted by Town Administrator

MOTION: Selectman King moved that the Town vote to accept the provisions of G.L. c. 32B, §20, as revised.

Explanation: The Town of Easton established an Other Post-Employment Benefits Liability (OPEB) Trust Fund at Annual Town Meeting, May 20, 2013, however, amendments to G.L. c. 32B, s 20 made by the Municipal Modernization Act of 2016 require that the law be re-accepted by Town Meeting. Amendments made by the Municipal Modernization Act of 2016 allow for employee contributions to the OPEB Trust Fund, subject to applicable collective bargaining agreements, local bylaws, and state and federal law.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 15. ACCEPTANCE OF MGL CHAPTER 64G SECTION 3A TO ENACT A LOCAL OPTION ROOM OCCUPANCY EXCISE TAX

To see if the Town will vote to accept G.L. c. 64G, §3A, which allows the Town to enact a local excise tax on the rental of rooms in hotels, motels, lodging houses and bed and breakfast establishments at the rate of 6 percent. The local excise applies to all room occupancies subject to the state room occupancy excise.

Submitted by Town Administrator

MOTION: Selectman King moved that the Town vote to accept G.L. c. 64G, §3A, which allows the Town to enact a local excise tax on the rental of rooms in hotels, motels, lodging houses and bed and breakfast establishments at the rate of 6 percent. The local excise applies to all room occupancies subject to the state room occupancy excise.

Explanation: M.G.L. c. 64G, §3A allows municipalities to enact and collect excise tax on the rental of rooms subject to the existing State excise tax. The Town is exploring the viability of bringing a hotel to Easton and

wishes to be proactive in the acceptance of this provision of general law. Much like the local options meal tax adopted by Town Meeting, this tax could generate significant, recurring revenue for the Town.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

**ARTICLE 16. FILING DEADLINE FOR TOWN CLERKS OFFICE –
MGL CHAPTER 41, SECTION 110A**

That the Town vote, in accordance with G.L. Chapter 41, §110A, to authorize the Town Clerk’s office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office or take any action relative thereto.

Submitted by Town Clerk

MOTION: Selectman Fulginiti moved that the Town vote in accordance with G.L. Chapter 41, §110A, to authorize the Town Clerk’s office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office.

Explanation: A vote under this MGL essentially allows the Town Clerks Office to treat Saturdays as a legal holiday when calculating filing deadlines, such as voter registrations or submittal of nomination papers.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

**ARTICLE 17. NON-SUBSTANTIVE RENUMBERING OF THE TOWN’S GENERAL
AND ZONING BYLAWS**

To see if the Town will vote to amend the General Bylaws by inserting a new Section as follows; or take any other action relative thereto.

Non-Substantive Renumbering

The Town Clerk, or an agent designated by the Town Clerk, shall be authorized to assign appropriate numbers to sections, subsections, paragraphs and subparagraphs of Town general bylaws and zoning bylaws, where no such numbers are approved by Town Meeting, and if such are approved by Town Meeting, after consultation with the Town Administrator, to make non-substantive, editorial revisions to ensure consistent and appropriate sequencing and numbering, provided that such editorial revisions shall be identified by a footnote or other convention, or take any other action relative thereto.

Submitted by Town Clerk

MOTION: Selectman Fulginiti moved that the Town vote to amend the General Bylaws by inserting a new Section as printed in the warrant under Article 17.

Explanation: Acceptance of this bylaw will allow the Town Clerk to make non-substantive renumbering changes to the Town general and zoning bylaws that were approved at Town Meeting, and then subsequently by the Attorney General’s Office, to correct non substantive numbering issues.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 18. REPORT AND FY 2019 BUDGET OF THE COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation Budget and to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year, or take any other action relative thereto.

PROPOSED FISCAL YEAR 2019 COMMUNITY PRESERVATION BUDGET

<u>Purpose</u>	<u>Amount</u>
Appropriations	
Administrative Expenses	\$ 73,000
Debt Service	\$ 525,263
Reserves	
Community Housing	\$ 46,000
Annual Budgeted Reserve	\$ 815,737

Submitted by Community Preservation Committee

MOTION: Selectman Fulginiti moved that the Town vote to appropriate or reserve from Community Preservation Fund annual revenues, the amounts recommended by the Community Preservation Committee for administrative expenses, community preservation projects, the payment of debt service and other expenses in fiscal year 2019, with each item to be considered a separate appropriation, all as printed in the warrant.

Explanation: This article proposes the fiscal year 2019 budget for the Community Preservation Committee. Amounts to be funded shall be considered separate appropriations.

Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 19. CPA FUNDING – AFFORDABLE HOUSING TRUST FY19 PROGRAMS

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$100,000 from available Community Preservation Funds to the Affordable Housing Trust Fund or take any other action relative thereto.

Submitted by Community Preservation Committee

MOTION: Selectman Barger moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$100,000 from Community Preservation Unreserved Fund Balance for the purpose of funding the Affordable Housing Trust Fund.

Explanation: This article would fund the Affordable Housing Trust’s activities for FY 2019. The Trust works to implement the Affordable Housing Action Plan which provides resources and affordable housing options to low and moderate income residents. FY2019 activities will include funding of the Homebuyer Assistance Program, support for creation of group housing for acquired brain injury individuals on Foundry Street, matching funds for rebuilding a Housing Authority family unit on Poquanticut Avenue, support for a non-profit developer to create a family unit on Electric Avenue, and support for planning work and related administration for the Town to meet its Chapter 40B requirements.

Vote Required: *SIMPLE MAJORITY*
Selectmen Recommendation: *RECOMMENDED*
Finance Committee Recommendation: *RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 20. CPA FUNDING – DEER RUN TRAIL & BRIDGE CONNECTOR

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$3,800 from available Community Preservation Funds for the purpose of constructing a trail and stream crossings between Chickadee Lane and Deer Run Road contingent on the donation and execution of a perpetual easement granted to the town by the property owner at 2 Chickadee Lane, or take any other action relative thereto.

Submitted by Community Preservation Committee

MOTION: Selectmen Barger moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$3,800 from Community Preservation Unreserved Fund Balance for the purpose of constructing a trail and stream crossings between Chickadee Lane and Deer Run Road contingent on the donation and execution of a perpetual easement granted to the town acting by and through its Conservation Commission by the property owner at 2 Chickadee Lane as printed in the warrant.

Explanation: This article would provide \$3,800 in funding towards an estimated \$8,000 Eagle Scout-led project to create a trail and bridge(s) between Chickadee Lane (via an already agreed-to easement over private property) and through the Town-owned Flyaway Pond conservation to Deer Run Road.

Vote Required: *SIMPLE MAJORITY*
Selectmen Recommendation: *RECOMMENDED*
Finance Committee Recommendation: *RECOMMENDED*

A MOTION to move the Question was made by Charles Malo and was seconded.

MOVING THE QUESTION - DECLARED VOTED BY MAJORITY BY THE MODERATOR

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 21. CPA FUNDING – EASTON HISTORICAL SOCIETY FIRE SUPPRESSION & ARCHIVE STORAGE DESIGN & ENGINEERING

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$40,000 from available Community Preservation Funds for the purpose of funding an engineering study of the former Old Colony Railroad Station and create architectural and engineering drawings and specifications for a fire suppression system and climate controlled archival storage area, and to authorize the Selectmen to accept or convey a Historic Preservation Restriction, if required under G.L. c. 44B, or take any other action relative thereto.

Submitted by Community Preservation Committee

MOTION: Selectman Barger moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$40,000 from Community Preservation Unreserved Fund Balance for the purpose of funding an engineering study of the former Old Colony Railroad Station and create architectural and engineering drawings and specifications for a fire suppression system and climate controlled archival storage area, and to authorize the Selectmen to accept or convey a Historic Preservation Restriction, if required under G.L. c. 44B, as printed in the warrant.

Explanation: This article would provide up to \$40,000 in funding for the Easton Historical Society to obtain a study with architectural and engineering drawings and specifications for a fire suppression system and climate controlled archival storage area in the former Old Colony Railroad Station, which is a National Historic Landmark and is owned and operated by the Historical Society. Engineered drawings and specifications will enable the Historical Society to create an accurate budget and to seek funds and contractors to install a fire suppression system and create a climate-controlled storage space for archival materials, including historically significant Town documents.

Vote Required: *SIMPLE MAJORITY*
Selectmen Recommendation: *RECOMMENDED*
Finance Committee Recommendation: *RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 22. CPA FUNDING – HISTORIC RESOURCES SURVEY & INVENTORY

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$30,000 from available Community Preservation Funds for the purpose of performing survey work to inventory and document potential historic resources in various locations throughout Easton or take any other action relative thereto.

Submitted by Community Preservation Committee

MOTION: Selectman Mills moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$30,000 from Community Preservation Unreserved Fund Balance for the purpose of performing survey work to inventory and document potential historic resources in various locations throughout Easton as printed in the warrant.

Explanation: This article would fund survey and inventory work to document potential historic resources in various locations. Previous survey work has inventoried and documented more than 400 historic and potentially historic resources and areas throughout Easton. This survey round will identify presently under-

documented potential historic resources in town and will focus on areas and resources in facing development pressure. Comprehensive, reliable professional survey and inventory forms provide the Historical Commission with the most useful and relevant data to determine if a structure proposed for demolition is historically significant.

*Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 23. CPA FUNDING – OAKES AMES MEMORIAL HALL PARKING LOT DESIGN & ENGINEERING

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$150,000 for development of a schematic and final engineering design for construction of a parking lot on the Town-owned property located at 5 Theater Way, Assessor’s Map 16U Parcel 162 or take any other action relative thereto. Viability of this National Historic Landmark building is dependent on the ability to generate income through programming and rental for functions and events. The small parking lot behind the Hall only accommodates ten vehicles and is insufficient to support revenue generating programs or functions.

Submitted by Community Preservation Committee

MOTION: Selectman Mills moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$150,000 from Community Preservation Unreserved Fund Balance for the purpose of development of a schematic and final engineering design for construction of a parking lot on the Town-owned property located at 5 Theater Way, Assessor’s Map 16U Parcel 162 or take any other action relative thereto. Viability of this National Historic Landmark building is dependent on the ability to generate income through programming and rental for functions and events. The small parking lot behind the Hall only accommodates ten vehicles and is insufficient to support revenue generating programs or functions, as printed in the warrant.

Explanation: This article would provide up to \$150,000 in funding for surveys, schematics, and final engineered construction documents to build a public parking lot behind Oakes Ames Memorial Hall (the Hall).

*Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED*

A **MOTION** to move the Question was made by Joan Lundgren and was seconded.

MOVING THE QUESTION - DECLARED VOTED BY THE MODERATOR

A counted vote was taken:
YES - 140 NO - 169

DECLARED FAILED BY THE MODERATOR

**ARTICLE 24. CPA FUNDING – OAKES AMES MEMORIAL HALL
ELEVATOR/ACCESSIBILITY & HVAC DESIGN & ENGINEERING**

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$120,000 from available Community Preservation Funds for the purpose of preparing construction documents for modifications to provide emergency egress from the second floor major assembly room; an elevator to the second floor; and air conditioning and heating upgrades. Lack of ADA access to and emergency egress from the main hall and stage area on the second floor of the building prevent individuals with limited mobility from fully accessing this important historical structure and also limits, along with the lack of air conditioning, the ability to advance revenue-generating uses and events.

Submitted by Community Preservation Committee

MOTION: Selectman Mills moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$120,000 from Community Preservation Unreserved Fund Balance for the purpose of preparing construction documents for modifications to provide emergency egress from the second floor major assembly room; an elevator to the second floor; and air conditioning and heating upgrades. Lack of ADA access to and emergency egress from the main hall and stage area on the second floor of the building prevent individuals with limited mobility from fully accessing this important historical structure and also limits, along with the lack of air conditioning, the ability to advance revenue-generating uses and events, as printed in the warrant.

Explanation: This article would fund preparation of construction plans and specifications for the installation of an elevator and extensive work to the electrical and HVAC systems at Oakes Ames Memorial Hall, as recommended in the CPA-funded 2015 Comprehensive Needs Assessment. These plans and specifications will enable the Hall to create an accurate budget, secure funding, and procure contractors to build an elevator addition and to install new HVAC systems.

*Vote Required: SIMPLE MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 25. CPA FUNDING – 524 DEPOT STREET LAND SURVEY

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$48,000 from available Community Preservation Funds for the purpose of delineating wetland resources and map the topography of the property acquired by the Town in 2014, or take any other action relative thereto.

Submitted by Community Preservation Committee

MOTION: Selectman Brussard moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$48,000 from Community Preservation Unreserved Fund Balance for the purpose of delineating wetland resources and map the topography of the property acquired by the Town in 2014, as printed in the warrant.

Explanation: This project will fund procurement of a service provider to delineate the wetland resources, locate the wetland lines by GPS, and use a photogrammetry and analysis of existing imagery to define the site's topography to the two-foot contour; this data will then be used to develop a perimeter plot plan

depicting wetland resources and topography at the site. 2014 Annual Town Meeting acquired 146 acres of a 156 acre property located off Depot Street for conservation and recreation purposes, with the remaining 10 acres for municipal use. This survey will support a master plan identifying suitable purposes on the property for protected open space, passive recreation, active recreation, and municipal use, appropriate and consistent with the site’s geography and the Town’s needs.

Vote Required: *SIMPLE MAJORITY*
Selectmen Recommendation: *RECOMMENDED*
Finance Committee Recommendation: *RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 26. CPA FUNDING – SMITH FARMHOUSE AT BORDERLAND STATE PARK EXTERIOR SIDING

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$49,500 from available Community Preservation Funds to fund exterior renovations at the historic Asahel Smith Farmhouse at Borderland State Park, or take any other action relative thereto.

Submitted by Community Preservation Committee

MOTION: Selectman Brussard moved that the Town vote in accordance with the recommendation of the Community Preservation Committee to appropriate the sum of \$49,500 from Community Preservation Unreserved Fund Balance for the purpose of funding exterior renovations at the historic Asahel Smith Farmhouse at Borderland State Park, as printed in the warrant.

Explanation: This article would fund costs associated with completing exterior renovations of the circa-1880s Asahel Smith Farmhouse at Borderland State Park. Work would include exterior cladding, trim, and entryways. The Smith Farmhouse is managed by a health and wellness non-profit under the State Department of Conservation & Recreation’s “Historic Curatorship Program”; the non-profit renovates and maintains a historic building in a State park in return for a long-term lease.

Vote Required: *SIMPLE MAJORITY*
Selectmen Recommendation: *RECOMMENDED*
Finance Committee Recommendation: *RECOMMENDED*

DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 27. ZONING AMENDMENT; ARTICLE VIII; § 235-37 SPECIAL RESIDENTIAL REGULATIONS

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 15, 2017, by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

§ 235-37 **Flexible development.**

A. Purpose. The purpose of this section, Flexible Development, is to:

- (1) Promote more sensitive siting of buildings and better overall site planning;
- (2) Encourage the preservation of open land for its scenic beauty and to enhance agricultural, open space, forestry, and recreational use;
- (3) Preserve historical and archeological resources; to protect the natural environment, including the Town's varied landscapes and water resources;
- (4) Protect the value of real property;
- (5) Perpetuate the appearance of the Town's traditional New England landscape;
- (6) Facilitate the construction, operation and maintenance of streets, utilities, and public services in a more economical and efficient manner;
- (7) Offer an alternative to standard subdivision development; and
- (8) Promote the development of housing affordable to low and moderate income households.

B. Definitions. See Article **XI**, definition of "Flexible Development."

C. Applicability. In accordance with the following provisions, a Flexible Development project may be created, whether a subdivision or not, from any parcel or set of contiguous parcels with more than five acres held in common ownership and located entirely within the Town.

D. Procedures. Flexible Development may be authorized upon the issuance of a special permit by the Planning & Zoning Board (PZB). See the PZB's Rules and Regulations for specific application and procedural requirements. Applicants for Flexible Development shall file with the PZB the following:

- (1) A development plan conforming to the requirements for a preliminary plan as set forth in the Subdivision Rules and Regulations of the PZB.
- (2) Where wetland delineation is in doubt or dispute, the PZB may require appropriate documentation.
- (3) Data on proposed wastewater disposal, which shall be referred to a consulting engineer for review and recommendation.
- (4) The PZB may also require as part of the development plan any additional information necessary to make the determinations and assessments cited herein, including proposed deed restrictions and condominium documents.

E. Design Process. Each development plan shall follow the design process outlined below. When the development plan is submitted, applicants shall be prepared to demonstrate to the Planning & Zoning Board that this Design Process was considered in determining the layout of proposed streets, houselots, and contiguous open space.

- (1) Understanding the Site. The first step is to inventory existing site features, taking care to identify sensitive and noteworthy natural, scenic and cultural resources on the site, and to determine the connection of these important features to each other.
 - (2) Evaluating Site Context. The second step is to evaluate the site in its larger context by identifying physical (e.g., stream corridors, wetlands), transportation (e.g., road and bicycle networks), and cultural (e.g., recreational opportunities) connections to surrounding land uses and activities.
 - (3) Designating the Contiguous Open Space. The third step is to identify the contiguous open space to be preserved on the site. Such open space should include the most sensitive and noteworthy resources of the site, and, where appropriate, areas that serve to extend neighborhood open space networks.
 - (4) Location of Development Areas. The fourth step is to locate building sites, streets, parking areas, paths and other built features of the development. The design should include a delineation of private yards, public streets and other areas, and shared amenities, so as to reflect an integrated community, with emphasis on consistency with.
 - (5) Lot Lines. The final step is simply to draw in the lot lines (if applicable).
- F. Modification of Lot Requirements. The PZB encourages applicants for Flexible Development to modify lot size, shape, and other dimensional requirements for lots within a Flexible Development, subject to the following limitations:
- (1) Lots having reduced area or frontage shall not have frontage on a street other than a street created by the Flexible Development; provided, however, that the PZB may waive this requirement where it is determined that such reduced lot(s) are consistent with existing development patterns in the neighborhood.
 - (2) Side and rear yards shall be at least 10 feet, except as otherwise provided in this Section.
- G. Basic Maximum Number of Dwelling Units. The Basic Maximum Number of dwelling units allowed in a Flexible Development shall not exceed the number of lots which could reasonably be expected to be developed upon the site under a conventional plan in full conformance with all zoning, subdivision regulations, health regulations, wetlands regulations and other applicable requirements. The proponent shall have the burden of proof with regard to the design and engineering specifications for such conventional plan.
- H. Density Bonus. The PZB may award a density bonus to increase the Basic Maximum Number of Dwelling Units in accordance with the following:
- (1) Transfer Lot. For each transfer lot, as defined in Article XI, up to two dwelling units may be added as a density bonus; provided, however, that this density bonus shall not exceed 20% of the Basic Maximum Number of Dwelling Units.
 - (2) Additional Open Space. For an increase in the amount of required contiguous open space of more than 15%, up to two dwelling units may be added as a density bonus; provided, however, that this density bonus shall not exceed 10% of the Basic Maximum Number of Dwelling Units.
 - (3) Cap. Any award of a Density Bonus shall not increase the number of dwelling units by more than 30%

of the Basic Maximum Number.

- I. Affordable Component. As a condition of the grant of any special permit for a Flexible Development, a minimum of 10% of the Basic Maximum Number of Dwelling Units (without inclusion of any density bonus) shall be restricted in perpetuity or for the longest period allowed by law. The affordable dwelling units shall be added onto the Basic Maximum Number of dwelling units, not subtracted from it. Any calculation resulting in a fractional unit of more than 0.4, shall be rounded up.
 - (1) ~~The restriction shall be approved as to form by legal counsel to the PZB, and a right of first refusal upon the transfer of such restricted units shall be granted to the local Housing Authority for a period not less than 120 days after notice thereof. As required for affordable housing to count towards the Easton's Subsidized Housing Inventory ("SHI"), the applicant must comply with low- or moderate-income housing regulations and guidelines of the Local Initiative Program (LIP), 760 CMR 45.00, or another similar state-approved program in effect on the date of application. The Board shall condition any permit granted hereunder on the receipt of any and all approvals by DHCD or any other applicable authority, to ensure that the affordable units will be included on the Town's SHI.~~
 - (2) *Evidence must be provided to the PZB of a recorded Town and DHCD approved deed restriction, designation of a monitoring agent acceptable to the PZB, and a DHCD approved affirmative marketing plan prior to issuance of the first occupancy permit.*
- J. Types of Buildings. The Flexible Development shall consist exclusively of single-family and/or two-family residential structures.
- K. Association Required. The applicant shall provide to the PZB for its approval association documents to provide for the maintenance of the roads, stormwater management facilities, and any common areas in the Flexible Development.
- L. Roads. The principal roadway(s) serving the site shall be designed to conform with the standards of the Planning & Zoning Board's Subdivision Rules and Regulations and shall be maintained by an association of unit owners or by the Applicant.
- M. Parking. Each dwelling unit shall be served by two off-street parking spaces, unless this requirement is reduced by the PZB. Parking spaces in front of garages may count in this computation.
- N. Contiguous Open Space. A minimum of 20% of the parcel shown on the development plan shall be contiguous open space. Any proposed contiguous open space, unless conveyed to the Town or its Conservation Commission, shall be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in an open state, that it shall be preserved for exclusively agricultural, horticultural, educational or recreational purposes, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.
 - (1) The percentage of the contiguous open space which is wetlands shall not normally exceed the percentage of the tract which is wetlands or ledge; provided, however, that the applicant may include a greater percentage of wetlands in such open space upon a demonstration that such inclusion promotes the purposes set forth in Subsection A, above. In no case shall the percentage of contiguous open space which is wetlands exceed 50% of the tract.
 - (2) The contiguous open space shall be used for conservation, historic preservation and education, outdoor

education, recreation, park purposes, agriculture, horticulture, forestry, or for a combination of these uses, and shall be served by suitable access for such purposes.

- (3) The contiguous open space shall remain unbuilt upon, provided that the PZB may permit up to 20% of such open space to be paved or built upon for structures accessory to the dedicated use or uses of such open space, pedestrian walks, and bike paths.
 - (4) Underground utilities to serve the Flexible Development site may be located within the contiguous open space.
- O. Ownership of the Contiguous Open Space. The contiguous open space shall, at the PZB's election, be conveyed to:
- (1) The Town or its Conservation Commission;
 - (2) A nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above;
 - (3) A corporation or trust owned jointly or in common by the owners of lots within the Flexible Development. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots in perpetuity. Maintenance of such open space and facilities shall be permanently guaranteed by such corporation or trust which shall provide for mandatory assessments for maintenance expenses to each lot. Each such trust or corporation shall be deemed to have assented to allow the Town to perform maintenance of such open space and facilities, if the trust or corporation fails to provide adequate maintenance, and shall grant the town an easement for this purpose. In such event, the town shall first provide 14 days written notice to the trust or corporation as to the inadequate maintenance, and, if the trust or corporation fails to complete such maintenance, the town may perform it. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions designed to effect these provisions. Documents creating such trust or corporation shall be submitted to the Planning & Zoning Board for approval, and shall thereafter be recorded.
- P. Buffer Areas. A buffer area of 25 feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties, except for driveways necessary for access and egress to and from the site. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance. The PZB may waive the buffer requirement (i) where the land abutting the site is the subject of a permanent restriction for conservation or recreation or the Board determines that a smaller buffer will suffice to accomplish the objectives set forth herein.
- Q. Stormwater Management. Stormwater management shall be consistent with the requirements for subdivisions set forth in the Rules and Regulations of the Planning & Zoning Board.
- R. Former OSRD. Any dwelling located in an Open Space Residential Development may be altered pursuant to the procedures set forth in § 235-23.
- S. Decision. The PZB may approve, approve with conditions, or deny an application for a Flexible Development after determining whether the Flexible Development better promotes the purposes of § 235-37A of this Flexible Development By-Law than would a conventional subdivision development of the same locus.

T. Relation to Other Requirements. The submittals and permits of this section shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this chapter.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman Brussard moved that the Town vote to amend § 235-37 Special Residential Regulations of the Town of Easton Zoning Bylaws as printed in the warrant under Article 27 and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: The proposed amendment ensures that the Affordable Units constructed under the Flexible Development Special Permit are eligible to be included in the Town's Subsidized Housing Inventory.

<i>Vote Required:</i>	TWO-THIRDS MAJORITY
<i>Selectmen Recommendation:</i>	RECOMMENDED
<i>Finance Committee Recommendation:</i>	RECOMMENDED
<i>Planning Board Recommendation:</i>	RECOMMENDED

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 26, 2018 and voted 5-0 in favor to recommend Article 27.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 28. ZONING AMENDMENT; ARTICLE VI; § 235-29 Signs

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 15, 2017, by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

§ 235-29 Signs.

A. Purpose. The purpose of this Section is:

- (1) To promote the public safety and convenience of streets, highways, sidewalks and other pedestrian spaces, and public and private property within public view;
- (2) To reduce distractions, hazards and obstructions from signage that will have an adverse impact on vehicular safety;
- (3) To discourage excessive visual competition in signage;
- (4) To ensure that signage will adequately aid communication and orientation, identify uses and activities, and express local history and character;
- (5) To preserve or enhance town character by requiring new and replacement signage which is compatible with the surroundings, appropriate to the type of activity to which it pertains, expressive of the identify of individual proprietors or of the community as a whole, and appropriately sized in its content, and
- (6) To encourage the use of the Town's Sign and Design Guidelines as a recourse to assist in the development of appropriate commercial signage and building design.

B. Definitions. See Article XI, "Signs."

C. Permitted Signs in ~~Residence~~ Residential and Eleemosynary Districts. The following signs may be erected or maintained in Residential Districts and Eleemosynary District provided such signs are in compliance with all conditions set forth in this Section. The calculation of maximum number of signs and maximum area of signs does not include directional signs.

- (1) All signs as permitted in § 235-29G;
- (2) One non-illuminated sign displaying the street number, or name of the occupant of premises, or both, not exceeding four square feet in area. Such signs may be attached to a building or may be on a rod or post not more than six feet high and less than three feet from the property lot line. Such sign may include identification of an accessory studio or professional office in the dwelling or on the premises, or may identify other permitted accessory uses, including allowed home occupations.
- (3) One bulletin or announcement board or identification sign for a permitted nonresidential building or use, not more than 10 square feet signboard area. For churches and institutions, membership clubs, funeral establishments, hospital, other places of public assembly, community facilities or public utilities, one bulletin or announcement board or identification sign is permitted on each building. Each such sign shall be not more than 20 feet signboard area. No such sign shall be located nearer a street than one-half the required front yard depth.
- (4) Two subdivision identification signs per neighborhood, subdivision, or development, not to exceed 32 square feet each in sign area during construction only.
- (5) On the premises with a lawfully nonconforming use, one sign not more than six square feet.
- (6) One "For Sale" or "For Rent" sign not more than six square feet and advertising only the premises on which the sign is located. It shall be set back at least 15 feet from the property lot line.
- (7) No sign or advertising device shall be illuminated after 11:00 P.M.

D. Permitted Signs in Business and Industrial Districts. Signs are allowed as follows in Business and Industrial Districts:

- (1) All signs permitted in the definition set forth in Article XI and § 235-29G.
- (2) One freestanding sign per street frontage, up to a maximum of 100 square feet for a single or double occupancy building. If three or more multiple tenants occupy a building maximum given sign may be increased to 150 square feet provided that all tenants occupying the building be allocated sign space in proportion to the amount of building space they occupy. Such signs may not exceed a height of 30 feet.
- (3) One wall sign per occupancy up to a maximum of 100 square feet.
- (4) One under-canopy sign per occupancy, not to exceed 20 square feet in gross sign area.
- (5) Incidental signs, not to exceed 20 square feet in aggregate sign area per occupancy.
- (6) The top edge of a sign shall be placed not higher than the main roof of the highest building located on the premises, or if no building exists, the average height of the main roofs of the buildings on the next adjacent properties where buildings do exist and not to exceed 30 feet above ground or sidewalk.

E. Special Regulations and Allowances for Business and Industrial Districts.

- (1) Where a lot is on a corner or has more than one entrance way, each entrance being a minimum of 300 feet apart, more than one free standing sign is permitted. The total sign area of all free standing signs in no case can exceed two times that of a single free standing sign. The top edge of any such free standing sign shall not be higher than 30 feet vertical measure.
- (2) Free standing and under-canopy, awning and marquee signs shall have a setback of 15 feet from any property lot line and a minimum clearance of 15 feet over vehicular use area and 10 feet over any pedestrian use area.

(3) Temporary signs and banners:

- (a) Erection of a temporary sign shall require a permit from the Building Commissioner. The fee for each fourteen-day period shall be determined by the Building Commissioner. No more than two permits shall be granted in one calendar year.
- (b) Such sign shall be erected for no more than a period of 14 days, two times per year, for a total of 28 days per year.
- (c) No temporary sign shall exceed 30 square feet gross display area; a double face sign shall be computed in determining gross display area.
- (d) Such signs shall be securely attached to the premises or to an existing free standing sign.
- (e) Farm stands shall be permitted seasonal temporary signs not to exceed a total of 30 square feet gross display area for an annual fee of \$10.
- (f) A-frame signs or trailer signs shall not be permitted.

F. Permitted Signs in Local Historic Districts. All signs in the Ames Local Historic District shall be subject to review by the Easton Historical Commission prior to submission to the Easton Planning & Zoning Board.

G. Signs Permitted in All Districts. The following signs are allowed in all districts:

- (1) All signs not requiring permits (see § 235-29L);
- (2) One construction sign for each street frontage of a construction project, not to exceed six square feet in sign area in residential zones of ~~r~~ 32 square feet in sign area in all other zones. Such signs may be erected 15 days prior to beginning of construction and shall be removed following completion of construction.
- (3) One non-illuminated real estate sign per lot or premises, not to exceed six square feet in sign area. Signs used to advertise commercial property not to exceed three by five feet. Signs must be removed following sale, rental or lease. It shall be set back at least 15 feet from the property lot line.
- (4) Two attached nameplates per occupancy, not to exceed four square feet in sign area.
- (5) Directional/Information signs not to exceed six feet in sign area or 10 feet in height.

H. Signs Prohibited in All Districts. The following types of signs are prohibited in all districts:

- (1) Abandoned signs.
- (2) Any sign which by reason of its location, shape, size, or color; will interfere with traffic signs, signals, or markings.
- (3) Signs imitating or resembling official traffic or government signs or signals.
- (4) Snipe signs or signs attached to trees, utility poles, streetlights, or placed on public property or public right-of-way.
- (5) Flashing, animated or internally illuminated, including LED and neon, not specifically allowed by the Planning & Zoning Board and as *further prohibited in § 235-29J(4)*.
- (6) Portable signs.
- (7) Other signs specifically excluded by this chapter.
- (8) Signs attached to motor vehicles, trailers, or other movable objects regularly or recurrently located for fixed display.
- (9) Changing image sign.

- I. General Provisions. It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the Town of Easton except in accordance with the provisions of this Section.
 - (1) Determination of Sign Area. Sign measurement shall be based upon the entire area of the sign, with a single continuous perimeter enclosing the extreme limits of the actual sign surface. For a sign painted on or applied to a building or structure, the area shall be considered to include all lettering, wording and accompanying designs or symbols together with any background of a different color than the natural color or finish material of the building or structure. For a sign consisting of individual letters or symbols attached to or painted on a surface, building wall or window, the area shall be considered to be that of the smallest rectangle, circle, oval or other simple straight-lined shape which encompasses all of the letters and symbols. The area of supporting framework, such as the brackets and posts, shall not be included in the area if such framework is incidental to the display. When a sign has two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.
 - (2) Sign Height. No part of any sign or light illuminating a sign shall be at a height in excess of the maximum height as specified in this Section with respect to the height of the building or structure situated on the premises to which the sign relates. No part of any freestanding sign or any light illuminating a sign shall be higher than the highest point of any building or other structure on the premises on which such sign is located or if a vacant lot, at a height of no more than 10 feet above ground.
 - (3) Sign Setbacks. Signs over one square foot in area which are not temporary signs shall be set back at least 15 feet from the street line. Temporary signs in Nonresidential Districts shall be set back at least 10 feet from the street line.
- J. ~~Illumination and Movement.~~ *Internally illuminated and moving signs, must meet all requirements set forth in this Section and shall require review and approval by the Planning and Zoning Board*
 - (1) Illumination in Residential Zones. Illumination of a sign shall be by steady white light which shall be properly shielded. Internally illuminated signs shall not be permitted.
 - (2) Illumination in Business and Industrial Zones. Illumination of a sign shall be by steady white light which shall be properly shielded or by internal illumination of only the lettering, wording or insignia within the sign.
 - (3) Illumination in Local Historic Districts. Illumination of a sign shall be by steady white light which shall be properly shielded as approved by the Easton Historical Commission.
 - (4) Movement Prohibited in All Districts.
 - (a) Flashing signs shall not be permitted in any District.
 - (b) Movement of a sign body or any segment thereof, such as rotating, revolving, moving up or down or any other type of action involving a change of position of a sign body or segment thereof, whether caused by mechanical or other means, shall not be permitted in any District.
 - (c) No neon or external florescent lighting shall be permitted in any District.
- K. Permits and Approvals.
 - (1) Permits. Unless otherwise provided by this chapter, all signs shall require permits and payment of fees. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.
 - (2) Approval. All applicants for sign permits, as required by this Section, in Business and Industrial Districts shall submit plans and supporting materials to the ~~Planning & Zoning Board~~ *Building Inspector* for approval.
- L. Signs Not Requiring Permits. The following types of signs are exempted from permit requirements, but must be in conformance with all other requirements of this chapter:
 - (1) One construction sign of 32 square feet or less.
 - (2) Directional/Information signs of six square feet or less.

ATM 05.21.18

- (3) Holiday or special event decorations and/or festoons.
 - (4) Nameplates of six square feet or less.
 - (5) Political signs.
 - (6) Public signs or notices, or any sign relating to an emergency.
 - (7) Real estate signs.
 - (8) Window signs.
 - (9) Incidental signs.
- M. Maintenance. All signs shall be maintained in a safe and neat condition to the satisfaction of the Building Commissioner and in accordance with requirements of the State Building Code. Structural damage, missing letters, or other deterioration obscuring content shall be remedied or the sign removed within 60 days.
- N. Construction Specifications. All signs shall be constructed in accordance with all requirements of the State Building Code and the National Electrical Code and Town of Easton By-laws.
- (1) No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.
 - (2) All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.
 - (3) Applicants shall refer to the Town of Easton Sign and Design Guidelines adopted by the Planning & Zoning Board in its rules and regulations for additional guidance in building and signage design.
- O. Nonconforming Signs. Existing signs which do not conform to the specific provisions of this chapter may be eligible for designation as "lawfully nonconforming." A nonconforming sign is subject to all requirements this code regarding safety, maintenance, and repair. A nonconforming sign may remain in place provided that:
- (1) The Building Commissioner determines that such signs are properly maintained and do not in any way endanger the public.
 - (2) The sign was properly covered by a valid permit or variance or complied with all applicable laws on the date of adoption of this chapter.
 - (3) Sign, or signs, were constructed or present prior to zoning.
- P. Loss of Nonconforming Status. A lawfully nonconforming sign may lose this designation if:
- (1) The sign is relocated.
 - (2) The structure or size of the sign is altered in any way except towards compliance with the By-law. This does not refer to change of copy of normal maintenance.
- Q. Special Permit. The Planning & Zoning Board may grant a special permit for on-premises larger signs or additional on-premises signs, provided that no substantial detriment shall result to the neighborhood or the Town.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman King moved that the Town vote to amend § 235-29 Signs of the Town of Easton Zoning Bylaws as printed in the warrant under Article 28 and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: Currently, the bylaw requires all signs be approved by the Planning and Zoning Board. The proposed amendment requires that only internally illuminated signs be approved by the Planning and Zoning Board.

Vote Required:	TWO-THIRDS MAJORITY
Selectmen Recommendation:	RECOMMENDED
Finance Committee Recommendation:	RECOMMENDED
Planning Board Recommendation:	RECOMMENDED

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 26, 2018 and voted 5-0 in favor to recommend Article 28.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 29. ZONING AMENDMENT; ARTICLE XI; § 235-60 DEFINITIONS

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 15, 2017, by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

§ 235-60 Definitions.

- C. **LOT FRONTAGE** The ~~greatest~~ uninterrupted *contiguous* linear or curvilinear distance measured along a front lot line *between each side lot line* where it is co-linear with the right-of-way of an abutting street or way, such that:
- (1) Where a single lot ~~abuts a street at more than one location (as with a U-shaped lot)~~ or abuts more than one street (as with a corner lot), the greatest uninterrupted linear or curvilinear measurement of a front lot line along one side of one street shall be considered the frontage.
 - (2) On lots abutting curved streets or cul-de-sacs, the arc length between the side lot lines will be considered the frontage.
 - (3) The ends of streets without a turning circle shall not be considered frontage.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman King moved that the Town vote to amend § 235-60 Definitions of the Town of Easton Zoning Bylaws as printed in the warrant under Article 29 and further, that non-substantive

changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: The current definition of frontage allows the property line fronting a right-of-way to be interrupted. This amendment is intended to reduce or eliminate such irregularly shaped building lots in order to preserve neighborhood character.

<i>Vote Required:</i>	<i>TWO-THIRDS MAJORITY</i>
<i>Selectmen Recommendation:</i>	<i>RECOMMENDED</i>
<i>Finance Committee Recommendation:</i>	<i>RECOMMENDED</i>
<i>Planning Board Recommendation:</i>	<i>RECOMMENDED</i>

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 26, 2018 and voted 5-0 in favor to recommend Article 29.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 30. ZONING AMENDMENT; ARTICLE VIII, § 235-44 IN-LAW APARTMENTS

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 15, 2017, by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

§ 235-44 In-law apartments.

A. Purpose. The purpose of this Section is:

- (1) To provide an opportunity for family members who choose to live in close proximity, but separate from other family members, to remain within that family environment;
- (2) To provide for the health and security concerns of elder or disabled homeowners who wish to remain in their homes;
- (3) To protect residential stability, property values and the single-family character of neighborhoods;
- (4) To make it possible for the Town to supervise and monitor such additions for code compliance and safety;

B. Definitions. See Article XI, "In-Law Apartments."

C. Use and Dimensional Regulations. The Building Commissioner may issue a building permit authorizing the installation and use of an In-Law Apartment within or attached to an existing or new owner-occupied, single-family dwelling only when the following conditions are met:

- (1) The In-Law Apartment will be a complete, separate housekeeping unit containing both kitchen and bath.

- (2) The In-Law Apartment must be accessory to a single family dwelling and only one In-Law Apartment may be created on any lot.
 - (3) The owner(s) of the single family dwelling for which the In-Law Apartment is created must continue to occupy at least one of the dwelling units on the property as their primary residence, except for bona fide temporary absences.
 - (4) Any new separate outside entrance serving an In-Law Apartment shall be located on the side or in the rear of the building. However, numbering in a form acceptable to the Fire Department must indicate to emergency personnel the existence of an additional unit on the lot.
 - (5) The gross floor area of an In-Law Apartment (including any additions) shall not be greater than 25% of the *gross habitable living area of the primary single family dwelling unit*, or 900 square feet, whichever is smaller. *However, where 25% of the primary single family dwelling unit would be less than 900 square feet, the SPGA may permit up to 900 square feet floor area where they determine the apartment will be constructed so as to maintain the appearance and essential character of a one-family dwelling, and any existing accessory structures and the character of the existing neighborhood.*
 - (6) Once an In-Law Apartment has been added to a single family residence or lot, the In-Law Apartment shall never be enlarged beyond the 900 square feet allowed by this chapter.
 - (7) One additional off-street parking space shall be provided for use by the occupant(s) of the In-Law Apartment.
- D. Notarized Letter. Prior to issuance of a building permit, the owner(s) must send a notarized letter to the Building Commissioner stating that the owner will occupy one of the dwelling units on the premises as the owner's primary residence, except for bona fide temporary absences. The owner shall also record a copy of the letter at the Registry of Deeds.
- E. Floor Plan. Prior to issuance of a building permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.
- F. Transfer. When a single family dwelling, which has received a permit for an In-Law Apartment, is sold, the new owner(s), if they wish to continue the use, must, within 30 days of the sale, submit a notarized letter to the Building Commissioner stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences. The new owner shall also record a copy of the letter at the Registry of Deeds.
- G. Administration and Enforcement. It shall be the duty of the Building Commissioner to administer and enforce the provisions of this Section.
- (1) No In-Law Apartment may be created or constructed until the Building Commissioner has issued a permit. No permit shall be issued until a sewage disposal works permit, when applicable, has first been obtained from the Board of Health and the proposed building and location thereof conform with the town's laws and bylaws. Any new building or structure shall conform to all adopted state and town laws, bylaws, codes and regulations. No In-Law Apartment shall be occupied until a certificate of occupancy has been issued by the Building Commissioner where required.
 - (2) The Building Commissioner shall refuse to issue any permit for an In-Law Apartment which would

result in a violation of any provision of this chapter or in a violation of the conditions or terms of any special permit or variance granted by the Board of Appeals or its agent.

- (3) The Building Commissioner shall issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this Section.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman King moved that the Town vote to amend § 235-44 In-Law Apartments of the Town of Easton Zoning Bylaws as printed in the warrant under Article 30 and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: The bylaw as written restricts the size of an in-law apartment to the lesser of 900 s.f. or 25% of the gross floor space of the existing dwelling. This restriction has the ability to render construction of an in-law apartment unfeasible where the existing dwelling is more modest in size. The proposed amendment grants the Planning & Zoning Board the ability to allow a unit of up to 900 s.f.

Vote Required: TWO-THIRDS MAJORITY
Selectmen Recommendation: RECOMMENDED
Finance Committee Recommendation: RECOMMENDED
Planning Board Recommendation: RECOMMENDED

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 26, 2018 and voted 5-0 in favor to recommend Article 30.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 31. ZONING AMENDMENT; ARTICLE VI; § 235-28 OFF STREET PARKING AND LOADING REQUIREMENTS

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 15, 2017, by making the following changes thereto, by deleting the text shown with a ~~strike through~~, and inserting the text shown in *italics*:

§ 235-28E (18) Multiple Use Parking Reference

TABLE OF OFF-STREET PARKING REGULATIONS [Amended 5-15-2017ATM by Art. 29]

Uses	Number of Parking Spaces per Unit
1. 1 single- or two-family dwelling	2 for each dwelling unit

TABLE OF OFF-STREET PARKING REGULATIONS [Amended 5-15-2017ATM by Art. 29]
Uses **Number of Parking Spaces per Unit**

2.	Multifamily apartments	1.25 for each dwelling unit
3.	Lodging unit	1 for each bedroom in a lodging unit
4.	Theater, auditorium, church or similar place of public assembly with seating facilities	1 for each 5 seats of total seating capacity
5.	New and used car sales and automotive service establishment and other retail and service establishments utilizing extensive display areas, either indoor or outdoor which are unusually extensive in relation to customer traffic	1 per 1,000 sq. ft. of gross floor space In the case of outdoor display areas, 1 for each 1,000 sq. ft. of lot area in such use
6.	Other retail, service, offices, finance, insurance, real estate establishment, or shopping center	1 per each 500 sq. ft. of gross floor space
7.	Hotel, motel, tourist court	1 for each sleeping room
8.	Wholesale establishment, warehouse or storage establishment	1 per each 1,000 sq. ft. of gross floor space
9.	Manufacturing or industrial establishment	1 per each 600 sq. ft. of gross floor space OR 0.75 per each employee of the combined employment of the two largest successive shifts, whichever is larger
10.	Hospital	2 per bed at design capacity
11.	Nursing home	2 per 1,000 sq. ft. of gross floor space
12.	Business, trade or industrial school or college	1 for each 200 sq. ft. of gross floor area in classrooms
13.	Other school	2 per classroom in an elementary and junior high school; 4 per classroom in a senior high plus 1 space for every 10 seats of total seating capacity in auditorium or

**TABLE OF OFF-STREET PARKING REGULATIONS [Amended 5-15-2017ATM by Art. 29]
Uses Number of Parking Spaces per Unit**

		gymnasium, whichever has the larger capacity
14.	Community facility (Town building, recreation, etc.)	1 per each 400 square feet of gross floor space
15.	Dormitory, fraternity, sorority, YMCA or similar use	1 for each sleeping room
16.	Public utility	1 for each 400 square feet of gross floor area devoted to office use
17.	Transportation terminal establishment	1 for each 600 square feet of gross floor area
18.	Multiple use	Shared parking requirement calculated per § 7-16 K.6 shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other accepted procedures approved by the Planning & Zoning Board.
19.	Bank	2 for each 1,000 square feet
20.	Drive-Thru Restaurant	2 for each 1,000 square feet
21.	Restaurant	1 for each 4 seats of total seating capacity
22.	Any use permitted by this by-law not interpreted to be covered by this schedule	Closest similar use as determined by the Planning and Zoning Board

F. Location of Loading Spaces. The loading spaces required for the uses listed in the Table of Off-Street Loading Requirements shall in all cases be on the same lot as the use they are intended to serve. In no case shall the required loading spaces be part of the area used to satisfy the parking requirements of this chapter.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman Fulginiti moved that the Town vote to amend § 235-28 Off Street Parking and Loading Requirements of the Town of Easton Zoning Bylaws as printed in the warrant under Article 31 and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: The Multiple Use Parking requirement referenced a section that was deleted from the Zoning Bylaw when it was recodified in 2016. The language that established the requirement for such parking has been added to the table in place of referencing another section of the bylaw.

Vote Required: *TWO-THIRDS MAJORITY*
 Selectmen Recommendation: *RECOMMENDED*
 Finance Committee Recommendation: *RECOMMENDED*
 Planning Board Recommendation: *RECOMMENDED*

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 26, 2018 and voted 5-0 in favor to recommend Article 31.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 32. ZONING AMENDMENT; A § 235 Attachment 1, Town of Easton, Appendix A, Table of Use Regulations, Principal Uses A. Residential Uses

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 15, 2017, by making the following changes thereto, by deleting the text shown with a ~~strike through~~ and by inserting the text shown in *italics*:

Appendix A: TABLE OF USE REGULATIONS

R - Residential, R1 - Residential 1, B - Business, BN - Business Neighborhood, I - Industrial, E - Eleemosynary, M - Municipal or Open Space, QCD – Queset Commercial District and vbd – village business district. ZBA – Special Permit/Zoning Board of Appeals, PZB – Special Permit/Planning & Zoning Board, Queset Commercial District (QCD) with Sub-Districts A, B, C.

In the Queset Commercial (QCD) District, the following shall apply: N (or blank) – not permitted; Y – permitted in Subzones A, B, and C; A – permitted in Subzone A only; B – permitted in Subzone B only; C – permitted in Subzone C only; SP (PZB)– permitted by special permit of the Planning and Zoning Board; SP (ZBA) – permitted by special permit of the Zoning Board of Appeals; SP (BOS) – permitted by special permit of the Board of Selectmen.

PRINCIPAL USES									
A. Residential Uses	R	R1	B	BN	I	E	M	QCD ₁	VB D
1. Single family dwelling	Y	Y	Y	ZB A	N	ZB A	N	N	ZBA

2. One 2-family or one duplex dwelling	PZ B	PZB	PZ B	N	N	N	N	B	PZB
3. Multifamily Dwellings (See Sec. 40)	N	N	Y	N	N	N	N	N ²	N

¹ Under Queset Commercial (QCD), letter designations A, B, or C refer to the subdistricts. Where Y appears the use is permitted anywhere in the QCD.

² Multi-family may be allowed in Queset Commercial District C with the following conditions:

- (a) The Multi-family units must be part of a mixed-use project;
- (b) The maximum number of dwelling units permitted in the district shall be no more than four (4) units per developable acre;
- (c) The maximum number of bedrooms per unit shall be no more than three;
- (d) A bonus allowing up to eight (8) rental dwelling units per acre is provided where 25% of such units shall be restricted to occupancy by households earning at or below 80% of area median income. The project must be eligible for approval as Local Action Units (LAU) through the Local Initiative Program (LIP) or otherwise included on the Town's Subsidized Housing Inventory (SHI).
- (e) The maximum number of bedrooms per developable acre shall not exceed eight (8), except that the maximum number of bedrooms shall be no more than sixteen (16) per developable acre where the affordability density bonus (item d above) is met.
- (f) Detailed design plans depicting elevations of the proposed dwelling units and landscaping shall be submitted with the Application to the Planning and Zoning Board for approval.

4. Conversion of an existing dwelling to two dwelling units	PZ B	PZB	Y	N	N	N	N	B	PZB
5. Mixed Use ^{2,3}	N	N	PZ B	N	N	N	N	PZB	Y
6. Assisted living residence	PZ B	PZB	PZ B	N	N	N	N	N	PZB
7. Bed and breakfast (See Sec. 8.3) * ZBA for 5 to 10 rooms for rent	Y	Y	Y	N	N	N	N	N	Y
8. Nursing or convalescent home	ZB A	ZBA	Y	N	N	N	N	N	N
9. Flexible Development	PZ B	PZB	N	N	N	N	N	N	N
10. Adult Retirement Development	PZ B	PZB	N	N	N	N	N	N	N

³ Provided that in the Queset Commercial District, mixed-use development shall be permitted only if at least 2/3 of the total gross floor area in the project is used for Office, Retail or Restaurant Uses permitted under this Appendix A Table of Use Regulations Subsections D and E of Section 5.3. For Projects approved and developed in phases, throughout each phase of the project, the required two-to-one ratio of Office, Retail or Restaurant uses to residential use shall be adhered to.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman Fulginiti moved that the Town vote to amend § 235 Attachment 1, Town of Easton, Appendix A, Table of Use Regulations, Principal Uses A. Residential Uses of the Town of

Easton Zoning Bylaws as printed in the warrant under Article 32 and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: The proposed amendment provides for multifamily housing when mixed-use is proposed within Queset Commercial District C; defines the maximum number of residential units allowed as mixed use in Queset Commercial District C and provides a density bonus when 25% of such units are affordable to households earning at or below 80% of area median income.

<i>Vote Required:</i>	<i>TWO-THIRDS MAJORITY</i>
<i>Selectmen Recommendation:</i>	<i>RECOMMENDED</i>
<i>Finance Committee Recommendation:</i>	<i>RECOMMENDED</i>
<i>Planning Board Recommendation:</i>	<i>RECOMMENDED</i>

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on April 23, 2018 and voted 5-0 in favor to recommend Article 32.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 33. ZONING AMENDMENT; ARTICLE IX; § 235-52 COMPACT NEIGHBORHOOD OVERLAY DISTRICTS

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Bylaw of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through May 15, 2017, by adding the following section 235-52:

§235-52 Compact Neighborhood Overlay Districts

1. General regulations that apply to all Compact Neighborhood Zoning Overlay Districts

A. Purpose

It is the purpose of this Section to establish Compact Neighborhood Overlay Districts and to encourage development in accordance with the goals of the Envision Easton Master Plan adopted by the town on December 8, 2014 by creating diverse housing types that are not readily available in current housing stock and that meets the needs of residents seeking smaller homes in a neighborhood setting; and to foster a range of housing opportunities to be proposed in a distinctive and attractive site development program that promotes compact design, preservation of open space, proximity to services and employment opportunities. Projects proposed hereunder shall apply for a Special Permit consistent with the following provisions.

Objectives of this Section are to:

- (1) Provide a mechanism by which residential development can contribute directly to increasing the supply and diversity of housing;
- (2) Provide an opportunity for a variety of residential development and, where appropriate, mixed-use development, including both new construction and renovation of existing buildings, within a distinctive, attractive and livable environment;
- (3) Promote continuing development and redevelopment in Easton that is pedestrian friendly and consistent with Easton’s history and architecture;

- (4) Provide for a diversified housing stock, by means of smaller lots that minimize the footprint of development and enhance open space at a variety of costs within walking distance of services;
- (5) Ensure high quality site planning, architecture and landscape design that enhances the distinct visual character and identity of Easton and provides an environment with safety, convenience and amenity;
- (6) Encourage adoption of energy efficient building practices and sustainable construction methods.

B. Definitions

For purposes of this Section, the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under this Section 235-52 B. To the extent that there is any conflict between the definitions set forth in this Section and the Zoning Bylaw, the terms of this Section shall govern.

COMPACT NEIGHBORHOOD OVERLAY DISTRICTS

Zoning overlay districts established by this Section and as delineated in Subsection 2 below, for the purposes of creating diverse housing types meeting the needs of residents seeking smaller homes in a neighborhood setting.

DEVELOPABLE ACRE

A contiguous acre of land where full development, compliant with the Zoning established in this Section 235, is not limited by wetlands or other constraints.

FRONTAGE

The length of a front lot line adjacent to a street, provided however that the minimum frontage required by this By-Law shall be satisfied by a continuous, uninterrupted segment of such frontage.

HEIGHT

Measured as the vertical distance from the mean grade of the natural ground contiguous to the building, as such ground existed prior to construction at the location of existing or proposed exterior walls ("Grade Plane"), to the mean height of the highest roof surface. For new subdivisions the Grade Plane shall be calculated based upon finished grades as shown on site plans approved by the Planning & Zoning Board. The limitation shall not apply to chimneys, vents, and other similar features provided such features do not cover more than 15% of the area of the roof of the building or other structure and in no way are used for human occupancy.

LOT

A parcel of land which is or may be occupied by a principal building and its accessory buildings, together with such open yard areas as are required under the provisions of this Section 235-52. To be used for building purposes, such lot must have frontage on a street as defined in this Section, excepting only a preexisting lot exempted by the provisions of Section 6 of Chapter 40A of the Mass. General Laws. A lot line is a boundary of a lot.

MASTER PLAN

The Envision Easton Master Plan adopted by the Easton Planning and Zoning Board and Zoning Board, as amended

MIXED USE

Structure in which multifamily use is permitted as of right or by special permit with allowed commercial uses.

PRINCIPAL BUILDING

The primary structure located on any Lot, wherein the Principal Use is conducted.

PRINCIPAL USE

The primary use to which the premises are devoted, and the main purpose for which the premises exist.

RECREATIONAL USES

Active and passive recreational uses, including but not limited to ball fields; and passive recreational uses, including but not limited to walking and bicycle paths. Amusements or motorized uses shall not be considered eligible recreational uses.

SITE PLAN

A plan depicting a proposed Development Project for all or a portion of the Compact Neighborhood Overlay District and which is submitted to the Planning and Zoning Board for its review and approval in accordance with provisions of this Bylaw.

ZONING BYLAW

The Zoning Bylaw of the Town.

C. Overlay Districts

- (1) General Establishment - A Compact Neighborhood Overlay Districts (CNOD) is established pursuant to this section 235-52, and as delineated in Subsection 2 hereof, and shall be deemed to overlay the parcels as shown on the Zoning Map of the Town of Easton, as amended. Each district shall consist of greater than three (3) contiguous acres of developable land
- (2) Underlying Zoning - The CNOD is an overlay district superimposed on all underlying zoning districts. Except as limited herein, the underlying zoning shall remain in full force and effect, and the Applicant shall have the option of applying for a Special Permit pursuant to the zoning controls set forth in this Section 235-52 or complying with all applicable zoning controls set forth in the Zoning Bylaw of the Town of Easton for the underlying district(s) or for other overlay zoning that may be therein defined
- (3) Applicability of CNOD - In accordance with the provisions provided herein, an Applicant for a Project located within the CNOD may seek a Special Permit in accordance with the requirements of this Section 235-52. Projects proposed hereunder shall not be subject to any limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits, or to building permit or dwelling unit limitations, including but not limited to any rate of development limitations provided in the Zoning By-law. When a building permit is issued for any Project approved in accordance with this Section 235-52, the dimensional and use provisions of the underlying district(s) shall no longer be applicable to the land shown on the plan which was submitted pursuant to Section 235-52 for such Project.

D. Performance Standards

All permitted uses must comply with the Performance Standards set forth in Section 235-30.

E. Procedures

- (1) Development under this Section 235-52 may be authorized upon the issuance of a Special Permit by the Planning & Zoning Board. See the Planning & Zoning Board's Rules and Regulations for specific application and procedural requirements.
- (2) Prior to submitting an application for Special Permit the applicant shall schedule a pre-application meeting through the Planning & Economic Development Office to discuss the proposed project.

F. Decision

The Planning & Zoning Board may approve, approve with conditions, or deny an application for development under the CNOD after determining the development promotes the purposes of this section.

2. Establishment and Delineation of Compact Neighborhood Overlay Districts

A. Foundry Compact Neighborhood Zoning Overlay

Establishment and Delineation of the Foundry CNOD - The Foundry CNOD is an overlay district that is superimposed over the Underlying District. The boundaries are delineated as the "Foundry Compact Neighborhood Overlay District" on the Official Zoning Map of the Town of Easton on file in the office of the Town Clerk, said map hereby made a part of the Easton Zoning Bylaw.

- (1) Allowed uses include
 - a. Residential
 - b. Home occupation
 - c. Other uses as allowed in the Business District as set forth in Appendix A Table of Use Regulations of this Zoning Bylaw
- (2) Density, Dimensional and Other Requirements - Applications for a Special Permit shall be governed by this Section and the Design Standards for the Foundry CNOD.
 - a) Dwelling units are to be detached single family dwellings, duplexes or triplexes. Each dwelling unit shall not exceed a maximum of 1,800 s.f. gross floor space.
 - b) A maximum of four dwelling units per Developable Acre shall be allowed
 - c) To encourage sensitive siting of buildings and better overall site design applicants are encouraged to modify lot size, shape, and other dimensional requirements for lots within the Foundry CNOD, subject to the following limitations:
 - 1. Lots having reduced area or frontage shall not have frontage on a street other than a street created pursuant to a Special Permit under this Section; provided, however, that the Planning & Zoning Board may waive this requirement where it is determined that such reduced lot(s) are consistent with existing development patterns in the neighborhood.
 - 2. Side and rear yards shall be at least 10 feet, except as otherwise provided in this Section.
- (3) Architectural Design Standards

Detailed plans prepared by a registered architect or other qualified residential designer depicting elevations of the proposed dwelling units shall be submitted to the Planning and Zoning Board with the Application for Plan Approval.
- (4) Streets and Utilities
 - a) Road layouts should be designed to provide visual interest, promote walkability and contributed to a sense of neighborhood and place.
 - b) All streets, along with all sewage, drainage facilities and utilities, shall be designed and constructed in compliance with the Town of Easton Subdivision Rules and Regulations, except as specifically modified by the Planning & Zoning Board.
 - c) Roads shall include sidewalks providing access both within the residential development and to the adjoining public way.
- (5) Landscape Design Standards

- a) Detailed Plans prepared by a registered landscape architect depicting proposed landscaping shall be submitted to the Planning and Zoning Board with the Application for Plan Approval.
- b) Landscaping should be designed to provide shade, buffer and visual appeal appropriate to the development and surrounding environment.

And

to Amend the Zoning Map of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through June 13, 2016, to establish the Foundry Compact Neighborhood Overlay District.
 and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman Fulginiti moved that the Town vote to amend the Town of Easton Zoning Bylaws by adding a new section, Article IX, § 235-52 Compact Neighborhood Overlay District as printed in the warrant under Article 33 and further, that the Zoning Map of the Town Meeting be amended in accordance with this bylaw and non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: Currently Easton’s housing stock does not provide many options for residents seeking smaller homes in neighborhood settings within proximity to services and amenities. The Compact Neighborhood Overlay Districts encourages development of housing types that meet the various housing needs of Easton residents, consistent with the goals of Envision Easton, the town’s Master Plan, by promoting diverse housing types that are not readily available in current housing stock.

<i>Vote Required:</i>	<i>TWO-THIRDS MAJORITY</i>
<i>Selectmen Recommendation:</i>	<i>RECOMMENDED</i>
<i>Finance Committee Recommendation:</i>	<i>RECOMMENDED</i>
<i>Planning Board Recommendation:</i>	<i>RECOMMENDED</i>

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on April 23, 2018 and voted 5-0 in favor to recommend Article 33.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 34. MARIJUANA PROHIBITED ~ GENERAL BYLAW

To see if the Town will vote to amend the Town of Easton General Bylaws to delete, Chapter 188 – Public Consumption of Marijuana or Tetrahydrocannabinol, in its entirety and replace it with a new Chapter 188, Marijuana, which would prohibit public consumption of marijuana and all types of recreational Marijuana Establishments as defined in G.L. c. 94G §1 including marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business in the Town of Easton, or take any other action relative thereto, as follows:

Chapter 188 – Marijuana

§ 188-1 Public Consumption Forbidden.

No person shall smoke, ingest or otherwise use or consume Marijuana or tetrahydrocannabinol (as defined in G.L. c. 94G, 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, school house, school grounds, cemetery, parking lot or any area owned by or under the control of the Town; or in or upon any bus or other passenger conveyance operated by a common carrier, or in any place accessible to the public.

§ 188-2 Recreational Marijuana Establishments Prohibited.

Consistent with G.L. c. 94G, § 3(a)(2), “marijuana establishments” as defined in G.L. c. 94G, § 1 shall be prohibited within the Town of Easton.

§ 188-3 Enforcement.

This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter 40, section 21D, as amended, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer.

§ 188 -4 Penalty.

The fine for violation of this By-law shall be \$300.00 for each offense.

Submitted by Board of Selectmen

MOTION: Selectman Barger moved that the Town vote to amend the Town of Easton General Bylaws by deleting Chapter 188, Public Consumption of Marijuana or Tetrahydrocannabinol, in its entirety and replacing it with a new Chapter 188, Marijuana as printed in the warrant under Article 34, and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: Please note – Articles 34-37 pertain to the regulation or prohibition of adult marijuana uses as they are related to land use and general bylaws of the Town. On November 8, 2016, the passage of ballot Question 4 resulted in the legalization of adult use (recreational) marijuana in the Commonwealth of Massachusetts. These warrant articles do not, and cannot, have any impact on the November 2016 legalization of adult use marijuana for private consumption or private cultivation on private property in Easton. However, since voters of the Town of Easton voted “no” on ballot Question 4, the Town may regulate or prohibit commercial recreational marijuana uses within the Town through its general and zoning bylaws.

Town Meeting voted to adopt a temporary moratorium on recreational marijuana sales and cultivation in Easton through June 30, 2018, to allow the Town to analyze and plan for the regulation and/or prohibition of recreational marijuana. During this moratorium, the Selectmen established a Marijuana Policy Advisory Committee to review general and zoning bylaw options available to the Town to regulate or prohibit all or some types of uses (cultivation, retail, manufacturing, testing, and other licensed marijuana-related businesses).

This Article (34) and the accompanying Zoning article (35) would enact a full ban on all recreational marijuana uses in Easton.

Vote Required: *SIMPLE MAJORITY*
 Selectmen Recommendation: *NOT RECOMMENDED*
 Finance Committee Recommendation: *NOT RECOMMENDED*
 Planning Board Recommendation: *RECOMMENDED*

A **MOTION** to move the Question was made by Rebecca Tellyer and was seconded.

MOVING THE QUESTION - DECLARED VOTED BY MAJORITY BY THE MODERATOR

A **Secret Ballot Vote** was requested by Janice Wolffe who was joined by at least 29 other standing voters as outlined in the Town of Easton Bylaws (§44-6) to call for a Secret Ballot Vote.

A Secret Ballot vote was taken:
 YES - 169 NO - 143

DECLARED VOTED BY MAJORITY BY THE MODERATOR

A **MOTION** was made (after the vote for Article 34) by Amy MacMannis to reconsider Article 34. The Motion was 2nd.

MOTION TO RECONSIDER DECLARED FAILED

ARTICLE 35. MARIJUANA PROHIBITED ~ ZONING BYLAW

To see if the Town will vote to amend the Town of Easton Zoning Bylaws by amending Appendix A, Section C. Agricultural Uses, Section D. Office and Laboratory, Section E, Retail Business and Consumer Service Establishments, Section G. Industrial, Wholesale, and Transportation Uses, Section H. Other Principal Uses, and Section I. Accessory Uses, as well as the definitions section, which would prohibit all types of recreational Marijuana Establishments as defined in G.L. c. 94G §1 including marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business in the Town of Easton, or take any other action relative thereto, as follows:

Amend Appendix A Table of Use Regulations:

C. Agricultural Uses	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Establishments	N	N	N	N	N	N	N	N	N

D. Office and Laboratory	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Establishments	N	N	N	N	N	N	N	N	N

E. Retail Business and Consumer Service Establishments	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Establishments	N	N	N	N	N	N	N	N	N

G. Industrial, Wholesale, and Transportation Uses	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Establishments	N	N	N	N	N	N	N	N	N

H. Other Principal Uses	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Establishments	N	N	N	N	N	N	N	N	N

I. Accessory Uses	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Establishments	N	N	N	N	N	N	N	N	N

And

Amend the definitions in Section 235-60, Definitions as follows:

Marijuana Establishment: a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

And

Amend Article VII, § 235-61, Temporary moratorium on regulation and taxation of Marijuana Act, by deleting said section in its entirety.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

MOTION: Selectman Barger moved that the Town vote to amend the Town of Easton Zoning Bylaws by amending Appendix A, Section C. Agricultural Uses, Section D. Office and Laboratory, Section E, Retail Business and Consumer Service Establishments, Section G. Industrial, Wholesale, and Transportation Uses, Section H. Other Principal Uses, and Section I. Accessory Uses, as well as the definitions section, as printed in the warrant under Article 35, and further to delete Article VII, § 235-61, Temporary moratorium on regulation and taxation of Marijuana Act and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton.

Explanation: This zoning article accompanies Article 34 to prohibit commercial adult (recreational) marijuana uses in Easton’s zoning bylaw. Although communities who voted against Question 4 in the November 2016 election may prohibit recreational marijuana uses via adoption of a general bylaw, the Attorney General’s Office and Town Counsel have advised communities that to ensure said vote is effectuated, Town Meeting should also amend the zoning bylaws to clearly indicate that all recreational marijuana establishments are prohibited in all of the town’s zoning districts.

<i>Vote Required:</i>	<i>TWO-THIRDS MAJORITY</i>
<i>Selectmen Recommendation:</i>	<i>NOT RECOMMENDED</i>
<i>Finance Committee Recommendation:</i>	<i>NOT RECOMMENDED</i>
<i>Planning Board Recommendation:</i>	<i>RECOMMENDED</i>

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 12, 2018 and voted 4-0 in favor to recommend Article 35.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 36. MARIJUANA RETAILERS PROHIBITED ~ GENERAL BYLAW

To see if the Town will vote to amend the Town of Easton General Bylaws to delete, Chapter 188 – Public Consumption of Marijuana or Tetrahydrocannabinol, in its entirety and replace with a new Chapter 188, Marijuana, which would prohibit public consumption of marijuana and would prohibit Marijuana Retailers, as defined the Massachusetts General Laws, Chapter 94G, § 1, in the Town of Easton, and require the licensure of all other Marijuana Establishments, namely Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, Marijuana Product Manufacturers, and Marijuana Testing Facilities, or take any other action relative thereto, as follows:

Chapter 188 - Marijuana

§ 188-1 Public Consumption Forbidden.

No person shall smoke, ingest or otherwise use or consume Marijuana or tetrahydrocannabinol (as defined in G.L. c. 94G, 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, school house, school grounds, cemetery, parking lot or any area owned by or under the control of the Town; or in or upon any bus or other passenger conveyance operated by a common carrier, or in any place accessible to the public.

§ 188-2 Recreational Marijuana Retailers Prohibited.

Consistent with G.L. c. 94G, § 3(a)(2), “marijuana retailers” as defined in G.L. c. 94G, § 1 shall be prohibited within the Town of Easton.

§ 188-3. Marijuana License Required.

No person shall operate as Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, Marijuana Product Manufacturers, and Marijuana Testing Facilities as defined by Massachusetts General Laws Chapter 94G within the Town unless first duly licensed thereof by the Board of Selectmen.

§ 188-4. Regulations.

The Board of Selectmen may adopt reasonable rules and regulations related to the issuance of such licenses, including the fees to be paid therefore and the conditions to be satisfied by any applicant for such a license.

§ 188-5. Applications.

Applicants for a license shall file an application on a form by the Board of Selectmen, signed under the penalties of perjury by the applicant, containing such information as the Board of Selectmen may reasonably

require from time to time. Each applicant shall pay an application fee as may be reasonably determined from time to time by the Board of Selectmen.

§ 188-6. Hearing.

The Board of Selectmen shall act upon a complete application within 45 days of its receipt with due written notice provided to the applicant of the time, date and location where such application will be heard.

§ 188-7. Decision.

The Board of Selectmen may approve, deny or approve the application with conditions. Such decision shall be based on the evidence taken at the public hearing, consistent with the protection of the health, safety and welfare of the public, and consistent with the regulations promulgated by such board.

§ 188-8. Orders and Fines for Licensed Premises.

The Board of Selectmen may issue orders as appropriate to aid in the enforcement of this regulation and may enforce these provisions in equity, including the request for injunctive relief, in a court of competent jurisdiction. Any failure to comply with any Order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$100.00. Any failure to comply after the issuance of said initial fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Board of Selectmen may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.

§ 188-9. Enforcement.

This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter 40, section 21D, as amended, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this By-law shall be \$300.00 for each offense.

§ 188-10. Authority.

Home Rule Amendment [art. 89 of the Amendments to the Massachusetts Constitution]; Charter, Massachusetts General Laws, Chapter 94G, § 3, 935 CMR 500.000.

Submitted by Board of Selectmen

Explanation: In the event that Articles 34 and 35 (total prohibition of recreational marijuana uses) do not pass, Articles 36 and 37 provide for the prohibition of retail marijuana establishments and the regulation of other recreational marijuana uses (cultivation, manufacturing, testing, and other licensed marijuana-related businesses). If articles 34 and 35 pass, this article (36) and the accompanying zoning article (37) will be dismissed.

This article is for a general bylaw ban on retail recreational marijuana sales with the option for cultivation, manufacture and testing facilities via Board of Selectmen approval and licensure (similar to alcohol licenses). Location of these specific uses will be detailed in the accompanying zoning article.

<i>Vote Required:</i>	SIMPLE MAJORITY
<i>Selectmen Recommendation:</i>	RECOMMENDED
<i>Finance Committee Recommendation:</i>	RECOMMENDED
<i>Planning Board Recommendation:</i>	RECOMMENDED

MOTION: Selectman Barger moved and it was seconded to dismiss Article 36.

Vote Required:

SIMPLE MAJORITY FOR DISMISSAL

DECLARED DISMISSED BY THE MODERATOR

ARTICLE 37. MARIJUANA RETAILERS PROHIBITED ~ ZONING BYLAW

To see if the Town will vote to amend the Town of Easton Zoning Bylaws by amending Appendix A, Section E, Retail Business and Consumer Service Establishments, Section H. Other Principal Uses, and Section I. Accessory Uses, which would prohibit recreational Marijuana Retailers as defined in G.L. c. 94G § 1 in the Town of Easton, and to amend the Zoning Bylaws to create an overlay district for all other types of recreational Marijuana Establishments as defined in G.L. c. 94G § 1, and to amend the definitions section or take any other action relative thereto, as follows:

E. Retail Business and Consumer Service Establishments	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Retailers	N	N	N	N	N	N	N	N	N

H. Other Principal Uses	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Retailers	N	N	N	N	N	N	N	N	N

I. Accessory Uses	R	R1	B	BN	I	E	M	QCD	VBD
Marijuana Retailers	N	N	N	N	N	N	N	N	N

ADULT USE MARIJUANA OVERLAY DISTRICT

§ 235-62 **Adult Use Marijuana Overlay District (AUMOD)**

- A. Purpose. The purpose of this Section is to provide for the placement of Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, Marijuana Product Manufacturers, and Marijuana Testing Facilities (collectively “Marijuana Businesses”), but expressly excluding Marijuana Retailers, as those terms are defined by G. L. c. 94G, §1, in locations suitable for lawful Marijuana Businesses; and to mitigate adverse impacts of Marijuana Businesses on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of Marijuana Businesses.
- B. Definitions. See Section 235-60, “Adult Use Marijuana Overlay District.”
- C. Overlay District. The Adult Use Marijuana Overlay District, hereinafter referred to as the “AUMOD”, is an overlay district that is superimposed over the underlying zoning districts, as shown on the Zoning Map and as set forth on the map entitled “Adult Use Marijuana Overlay District,” February 22, 2018, attached hereto as Appendix C. This map is hereby made a part of this By-Law and is on file in the

Office of the Town Clerk. The AUMOD shall not limit, preclude or otherwise affect any uses that are permitted in the underlying zoning district.

- D. General Requirements for all Marijuana Businesses. Marijuana Businesses may be permitted in the AUMOD only pursuant to a Special Permit. The Planning & Zoning Board shall be the Special Permit Granting Authority (SPGA) for a Marijuana Business special permit. The construction and operation of all Marijuana Businesses shall be consistent with all applicable local, state and federal requirements, including but not limited to G.L. c.94G, App. §1-1, et seq.
- E. Location. Marijuana Businesses may not be located within 500 feet of the following. The distances under this subsection is measured in a straight line from the nearest point of the property line of the protected uses hereinto the nearest point of the property line of the proposed Marijuana Business:
- (1) School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
 - (2) Child Care Facility or Day Care Center;
 - (3) Library;
 - (4) Playground;
 - (5) Public Park;
 - (6) Youth and/or recreation center;
 - (7) Public swimming pool;
 - (8) Similar facility in which minors commonly congregate including but not limited to a place of worship; dance, arts or martial arts studio; or tutoring center.
 - (9) Marijuana Businesses may not be located within 1000 feet of another Marijuana Business.
 - (10) Marijuana Business may not be located within 200 feet of an existing, legal residential use. The distance under this subsection is measured in a straight line from the nearest point of the legal residential building to the nearest point of the proposed Marijuana Business building.
- F. Site Plan Review. Marijuana Business shall undergo Site Plan Review in accordance with Section 10.6 by the Planning & Zoning Board prior to construction, installation or modification and shall also meet the requirements of this Section. The Application for Site Plan Review shall be submitted with the Application for Special Permit.
- G. Additional Required Documents. In addition to the materials required under Section 10.6, the applicant shall include:
- (1) A copy of its license as an Marijuana Business from the Massachusetts Cannabis Control Commission (“CCC”);
 - (2) A detailed floor plan of the premises of the proposed Marijuana Business that identifies the square footage available and describes the functional areas of the Marijuana Business, including areas for any preparation of MIPs;
 - (3) Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping;
 - (4) A description of the security measures, including employee security policies, approved by CCC for the Marijuana Business;
 - (5) A copy of the emergency procedures approved by CCC for the Marijuana Business;
 - (6) A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between Marijuana Business approved by CCC;
 - (7) A copy of proposed waste disposal procedures; and
 - (8) A description of any waivers from CCC regulations issued for the Marijuana Business.

- H. Special Permit Conditions. The Planning & Zoning Board, acting as the Special Permit Granting Authority (SPGA) shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this Section. In addition to any other specific conditions applicable to the applicant's Marijuana Business, the Planning & Zoning Board may include the following conditions in any special permit granted hereunder:
- (1) Hours of Operation, including dispatch of home deliveries.
 - (2) The permit holder shall file a copy of any Incident Report required under 500 CMR with the Zoning Enforcement Officer and the Planning & Zoning Board within 24 hours of creation.
 - (3) The permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by CCC or the Division of Administrative Law Appeals, as applicable, regarding the Marijuana Business with the Zoning Enforcement Officer and Planning & Zoning Board within 48 hours of its receipt.
 - (4) The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
 - (5) The special permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the Marijuana Business.
 - (6) The special permit shall lapse upon the expiration or termination of the applicant's registration by CCC.
 - (7) The permit holder shall notify the Zoning Enforcement Officer and Planning & Zoning Board in writing within 48 hours of the cessation of operation of the Marijuana Business or the expiration or termination of the permit holder's registration with CCC.

And

To Amend the Zoning Map of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through June 13, 2016, to establish an Adult Use Marijuana Overlay District. Maps are on file in the Town Clerk's Office.

And

Amend the definitions in Section 235-60, Definitions as follows:

§ 235-60 **Definitions.**

Adult Use Marijuana Overlay District hereinafter referred to as the "AUMOD", is an overlay district that is superimposed over the underlying zoning districts

Craft Marijuana Cultivator Cooperative is a marijuana cultivator comprised of residents of the commonwealth organized as a limited liability company or limited liability partnership under the laws of the commonwealth, or an appropriate business structure as determined by the commission, and that is licensed to cultivate, obtain, manufacture, process, package and brand marijuana and marijuana products to deliver marijuana to marijuana establishments but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Business is considered a cultivator, marijuana testing facility, marijuana product manufacturer, or any other type of licensed marijuana-related business, expressly excluding marijuana

retailers, all as defined the Massachusetts General Laws, Chapter 94G, said Marijuana Businesses shall be deemed independent of any other definition in this by-law and not a subset or subcategory of any other category

Marijuana Cultivator is an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Establishment is considered a cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, all as defined the Massachusetts General Laws, Chapter 94G, said Marijuana Establishments shall be deemed independent of any other definition in this by-law and not a subset or subcategory of any other category.

Marijuana Product Manufacturer is an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Retailer is an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers, as defined the Massachusetts General Laws, Chapter 94G, further provided that Marijuana Retailers may not be considered Retail Business in any other context.

Marijuana Testing Facility is an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants, as defined the Massachusetts General Laws, Chapter 94G.

And

Delete Article VII, § 235-61, Temporary moratorium on regulation and taxation of Marijuana Act, by deleting said section in its entirety.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Easton; or what it will do in relation thereto.

Submitted by Planning & Zoning Board

Explanation: This is the accompanying zoning article to prohibit retail uses and to provide for the regulation of cultivation, manufacturing, and testing of (recreational) marijuana. Other than retail, these uses may be allowed by special permit within the proposed Adult Use Marijuana Overlay District (AUMOD).

<i>Vote Required:</i>	<i>TWO-THIRDS MAJORITY</i>
<i>Selectmen Recommendation:</i>	<i>RECOMMENDED</i>
<i>Finance Committee Recommendation:</i>	<i>RECOMMENDED</i>
<i>Planning Board Recommendation:</i>	<i>RECOMMENDED</i>

MOTION: Selectman Barger moved and it was seconded to dismiss Article 37.

Vote Required: SIMPLE MAJORITY FOR DISMISSAL

DECLARED DISMISSED BY THE MODERATOR

ARTICLE 38. ZONING MAP AMENDMENT

To see if the Town of Easton will vote pursuant to MGL, Chapter 40A, to amend the Zoning Map of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through June 16, 2016, to extend the Queset Commercial District Zone (QCD) and rezone the following properties. Maps are on file in the Town Clerk’s Office.

From Residential to QCDB

Map/Lot	Location	Lot Size	Book/Page
33U/21B	13R Central Street	0.59 acres	8831/181

From Industrial to QCDB

Map/Lot	Location	Lot Size	Book/Page
36U-104	4R Central Street	0.32	1131/230
337/57	20 Central Street	2.75 acres	14199/143

From Business to QCDC

Map/Lot	Location	Lot Size	Book/Page
36U/100	123 Depot Street	1.77 acres	24152/20

Submitted by Planning & Zoning Board

MOTION: Selectman Mills moved that the Town vote to amend the Zoning Map of the Town of Easton, adopted at Town Meeting, March 27, 1973 and amended through June 16, 2016, to extend the Queset Commercial District Zone (QCD) and rezone certain properties as printed in the warrant under Article 38.

Explanation: This map amendment expands the Queset Commercial District to include two additional properties within Queset Commercial District B and one additional property within Queset Commercial District C; includes the addition of the Adult Use Marijuana Overlay District (AUMOD) and the Foundry Street Compact Neighborhood Overlay District (Foundry Street CNOD)

<i>Vote Required:</i>	TWO-THIRDS MAJORITY
<i>Selectmen Recommendation:</i>	RECOMMENDED
<i>Finance Committee Recommendation:</i>	RECOMMENDED
<i>Planning Board Recommendation:</i>	RECOMMENDED

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 26, 2018 and voted 5-0 in favor to recommend Article 38.

DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 39. CITIZEN PETITION ZONING AMENDMENT; ARTICLE II; § 235-12 SPLIT LOTS

Current definition codified in Section 235.12 of the 2017 Town of Easton zoning by laws in it's present text states:

“When a lot is situated in part in the Town of Easton and in part in an adjacent municipality, the provisions of this bylaw shall be applied to the portion of such lot in the Town of Easton in the same manner as if the entire lot were situated in the Town of Easton”.

Proposed new definition codified in Section 235.12 of the 2017 Town of Easton zoning by law shall state. “When a lot is situated in part in the Town of Easton and in part in an adjacent municipality, the land located in an adjacent municipality may be combined with land located in the Town of Easton to comply with the area and dimensional requirements of the Town of Easton zoning bylaws provided that: (1) the use of the portion of the land that lies within Easton must comply with the underlying Easton zoning district in which the land sits; (2) the lot to be created has frontage along a public or private way located in the Town of Easton; (3) any structure(s) must be built wholly within the Town of Easton and; (4) Provided that the combined lot areas shall contain a minimum of 40,000 square feet.

Submitted by Citizens Petition

MOTION: Jerry Marsan moved and it was seconded that the Town of Easton pursuant to MGL Chapter 40A vote to amend its current Zoning By Law at Section 235-12 by striking in the entirety its first paragraph which paragraph is reprinted as the first paragraph in your Town Meeting Warrant under Article 39 and replacing it with the second paragraph beginning at line two (2) with the word "When ... and ending at ... 40,000 square feet" as shown in said Warrant under Article 39 or take any other action thereto.

Explanation: Section 235-12, at its first paragraph, speaks to that situation where one has a lot or parcel of land lying partly within Easton and partly within an adjacent municipality. We refer to this under the By Law as a "Split Lot". Since 1973 the paragraph wording has not changed. Over that period of time and until relatively recently, the paragraph wording has been interpreted quite consistently. Consistent so as to allow residences and structures to be erected upon such a "Split Lot" by applying the Easton By Law requirements and satisfying those requirements by using some aspect of that part of your land lying within the neighboring town. For example the owner of a lot land on Route 138 on the Easton/Stoughton line with 135' of frontage in Easton and 65' in Stoughton, could have been allowed to count 15' of the Stoughton frontage to meet Easton's 150' frontage requirement or, if one did not meet the area or bulk requirement one could have been allowed to borrow land from that other Town to meet Easton's 40,000' lot area requirement. Historically, Easton's Municipal Departments, Boards, and Counsel together with private Counsel representing individuals and other interpreters have applied the By Law in this manner. There are in excess of twenty (20) such instances of Municipal decisions both with respect to single lots and multiple lots in subdivisions applying the By Law in this manner. Within the last couple of years, and without any change in its wording the section has come under additional scrutiny resulting in differing, confusing and some might say uneven or inequitable interpretation and application. While inquiring minds may reasonably disagree, most agree that a law be it civil, criminal or indeed By Law should on its face be objectively capable of determining its meaning and application. Applying current standards of scrutiny, this By Law no longer meets this test. We need to change it to provide clarity and evenness in its application. The modification presented does this and additionally addresses concerns and issues expressed in past discussions involving "Split Lots". The change requires that this concept of borrowing to meet Easton's requirements is limited and subject to new protections including requiring that the entire structure be located within Easton to avoid splitting of living quarters between two (2) towns and guaranteeing that Easton gets the tax revenue while spelling out

compliance with underlying Easton zoning district and lot area standards. Lastly, this modification does not add new law, but rather, corrects the existing one. Voters have had opportunity to be heard and edit its wording through the vetting process presented by hearings before both the Planning Board and Finance Committee and both bodies recommend this Article.

Vote Required: TWO-THIRDS MAJORITY
Selectmen Recommendation:
Finance Committee Recommendation: RECOMMENDED
Planning Board Recommendation: RECOMMENDED

Gregory Strange, Chairman of the Planning & Zoning Board reported that the Planning & Zoning Board met on March 26, 2018 and voted 5-0 in favor to recommend Article 39.

A MOTION to move the Question was made by Patricia Locke and was seconded.
MOVING THE QUESTION - DECLARED VOTED BY THE MODERATOR
DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 40.

To transact any other business that may legally come before said meeting.

At 12:22PM it was moved, seconded and declared voted by the Moderator to adjourn the Annual Town Meeting.

ATTEST:

Danielle M. Sicard
Town Clerk