ANNUAL TOWN MEETING
WARRANT
Including Advisory Committee Recommendations

MAY 8, 2021
10:00 AM

King Philip Regional High School
Football Field
201 Franklin Street
Wrentham, MA 02093
WARRANT AND RECOMMENDATIONS

ANNUAL TOWN MEETING

MAY 8, 2021

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Annual Town Meeting – Saturday May 8, 2021 at 10:00 AM

On behalf of the Advisory Committee, I hope you will attend Norfolk’s Annual Spring Town Meeting at King Philip High School on Saturday May 8th at 10am.

During town meeting, you will have the opportunity to vote on motions presented by the Advisory Committee regarding articles proposed by the Select Board, the Town Administrator, the Town Clerk, the Planning Board, and the Community Preservation Committee, as well as a petition brought forth by town resident(s). The Spring Town Meeting is also when the Town’s budget for the upcoming fiscal year (July 1, 2021, through June 30, 2022) is determined.

Our Select Board, Town Administrator and Town Moderator have all taken steps to safeguard the health of participants. Like our last meeting, special permission has been obtained to meet at King Philip High School, outside the borders of our town. Hosting our town meeting here provides us with the ability to accommodate all residents and maintain appropriate distances as recommended by the state. Please consult our Town’s website www.norfolk.ma.us for instructions on how to arrive and safety protocols to follow.

Descriptions of each article as well as the full text of the articles and the Advisory Committee’s comments and recommendations are included in this warrant. We appreciate your help in maintaining the operation of our Town and essential services during these difficult times.

Highlights of the meeting are:

- The presentation of the town’s full operating budget
- Standard town business articles
- Changes/updates to our current animal regulations
- Changes to the by-right Zoning by-laws, specifically for the B-1 area of Norfolk (town center)
- A petition brought forth by a citizen addressing our current affordable housing by-laws
- Articles brought by The Council on Aging and the Community Preservation Committee

Thank you and see you at town meeting!

Best Regards,

Susan Klein

Susan Klein
Chair, Advisory Committee

Committee Members:
David Lutes (Clerk), Kristen Balash, Brian Beachkofski, Michael Hough, Jonathan Hurwitz, Jackie Katz, Chiara Moore, Jamil Siddiqui.
Administrative Assistant:
Erica Daigle
GREETINGS:
You are required in the name of the Commonwealth of Massachusetts to notify and warn the inhabitants of Norfolk, qualified to vote in Town affairs residing in Precincts 1, 2, and 3, to assemble in the designated polling places in the Freeman-Kennedy School, 70 Boardman Street, Norfolk, Massachusetts, on Tuesday, May 4, 2021, at 7:00 a.m., for the election of Town officers under ARTICLE 1 of the Annual Town Meeting; and thence to meet on Saturday, May 8, 2021 at 10:00 a.m. at the King Philip Regional High School, 201 Franklin Street, Wrentham, Massachusetts 02093, for the convened business session of the Annual Town Meeting, then and there to act on the following articles commencing with Article 2, viz:

ARTICLE 1
Submitted by the Town Clerk
To choose by ballot, the following Town officers: One Select Board Member for a three (3) year term, one Assessor for a three (3) year term, one Board of Health member for a three (3) year term, one Housing Authority member for a five (5) year term, one King Philip Regional School Committee member for a three (3) year term, one Library Trustee for a three (3) year term, two Norfolk School Committee members for three (3) year terms, one Planning Board member for a three (3) year term, and one Recreation Commission member for a three (3) year term.

Town Administrator's Comments
Article 1 is the Election, which this year includes the election of Town Officials. The election is scheduled to be held on May 4, 2021.

ARTICLE 2
Submitted by the Select Board
To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to pay unpaid bills of a prior fiscal year pursuant to Massachusetts General Laws Chapter 44, § 64; or take any other action relative thereto.

Town Administrator’s Comments
Article 2 requests authorization to pay bills from a prior fiscal year, as of publication we do not anticipate the need to utilize.

The Advisory Committee recommends indefinite postponement of this article.

After the close of any fiscal year, no bills incurred in that year can be paid without the approval of Town Meeting. The Advisory Committee has been advised that there are no such bills to be considered at this Town Meeting, although our recommendation may change if any such bills are received between the time our recommendation was made and Town Meeting.

ARTICLE 3
Submitted by the Select Board
To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to be added to departmental budgets and appropriations for the fiscal year ending on June 30, 2021; or take any other action relative thereto.
**ARTICLE 4**

Submitted by the Town Administrator

To see if the Town will vote to amend the Town of Norfolk Select Board’s Human Resource Policy, Schedule B. COMPENSATION SCHEDULE by applying a general increase of 1.5% to all Steps on the COMPENSATION SCHEDULE effective July 1, 2021; or take any other action relative thereto.

**Town Administrator's Comments**

Article 4 requests authorization to provide a 1.5% Cost of Living Adjustment to the non-union employees, which is predominantly department heads and part time non-union staff.

The Advisory Committee recommends approval of this article.

The 1.5% cost of living increase in the Compensation Schedule referenced by this article applies to Town employees who are not covered by a union contract. This proposed increase is aligned with increases that union employees are scheduled to receive this year. Parity in COLA between union and non-union employees is consistent with how the Town has approached compensation.

**ARTICLE 5**

Submitted by the Select Board

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town as provided for by Massachusetts General Laws, Chapter 41, §108; and further to see what sum of money the Town will raise and appropriate, transfer from any available source of funds, borrow or bond, to defray the departmental and incidental expenses of the Town not otherwise provided for, for the fiscal year commencing on July 1, 2021; or take any other action relative thereto.

**Town Administrator's Comments**

Article 5 is the Town’s General Fund budget.

The Advisory Committee recommends approval of this article.

The Advisory Committee voted to approve the operating budget for fiscal year 2022, with one absence and one nay vote. The entire operating budget is $44,804,491, which is an overall increase of 3.53% over fiscal year 2021. The key highlights from this year’s budget are partially restoring
the cuts made to last year’s town budget due to the pandemic, new equipment for our police officers, and a reduction in the DPW Transfer Station expenses of 10.3%. Real estate and building receipts are strong and expected to continue to grow, state aid increases are proposed in the Governor’s budget for both UGGA and Chapter 70, motor vehicle excise is on track to increase by $50K, and a reduction in the meals tax is recommended as the pandemic will continue to impact restaurants. There is no proposed use of free cash.

ARTICLE 6
Submitted by the Select Board
To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Public Works Water Division Enterprise Fund for the fiscal year commencing on July 1, 2021, as set forth as follows; or take any other action relative thereto.

That the following sums be appropriated for the Water Division Enterprise Fund:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$318,748.00</td>
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<tr>
<td>Expenses</td>
<td>921,101.00</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>0.00</td>
</tr>
<tr>
<td>Debt</td>
<td>523,829.00</td>
</tr>
<tr>
<td>Extra/Unforeseen</td>
<td>50,000.00</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$1,813,678.00</strong></td>
</tr>
</tbody>
</table>

And that $1,813,678.00 be raised as follows:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Departmental Receipts</td>
<td>$1,813,678.00</td>
</tr>
<tr>
<td>Retained Earnings</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$1,813,678.00</strong></td>
</tr>
</tbody>
</table>

Town Administrator's Comments

Article 6 is the Water Division “Enterprise Fund” budget. This budget is funded from Water Division revenue derived through user charges, and retained earnings if necessary.

The Advisory Committee recommends approval of this article.

This article would provide funding for the Town’s Water Division for fiscal year 2022. The Water Division budget is voted separately from the main Town budget because it is paid from the Water Enterprise Fund, which receives its revenues from users of the Town’s water system. The Advisory Committee voted unanimously to support this article.

ARTICLE 7
Submitted by the Select Board
To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Public Works Wastewater Division Enterprise Fund for the fiscal year commencing on July 1, 2021, as set forth as follows; or take any other action relative thereto.

That the following sums be appropriated for the Wastewater Division Enterprise Fund:
Salaries $ 13,278.00
Expenses 113,267.00
Capital Outlay 25,000.00
Debt -0-
Extra/Unforeseen 20,000.00
Total: $ 171,545.00

And that $171,545.00 be raised as follows:

Departmental Receipts: $151,545.00
Retained Earnings 20,000.00
Total: $171,545.00

The Advisory Committee recommends approval of this article.

This Article would provide funding for the Town’s Waste Water Division for fiscal year 2022. Similar to the previous article, the Wastewater Division’s Budget is voted separately from the main Town budget because it is paid from the Wastewater Enterprise Fund, which receives its revenues from users of the Town’s wastewater system. The Advisory Committee voted unanimously to support this article.

ARTICLE 8 Submitted by the Select Board
To see if the Town will vote to raise and appropriate or transfer from any available source of funds a sum of money to fund capital and other expense items; or take any other action relative thereto.

Town Administrator's Comments
Article 7 is the Waste Water (Sewer) Division “Enterprise Fund” budget. This budget is funded from Sewer Division revenue.

The Advisory Committee recommends indefinite postponement of this article.

This Article would authorize capital purchases during the upcoming fiscal year from operating funds. Currently, the Town is proposing no capital purchases, though there may some proposals to be considered at a later Town Meeting. Therefore, the Advisory Committee recommends to indefinitely postpone Article 8.

ARTICLE 9 Submitted by the Select Board
To see if the Town will vote to raise and appropriate or transfer from any available source of funds, borrow or bond pursuant to any applicable statute a sum of money to fund capital and other expense items; or take any other action relative thereto.
The Advisory Committee recommends indefinite postponement of this article.

This Article would authorize capital purchases during the upcoming fiscal year through debt financing. Similar to Article 8, the Town is proposing no capital projects or purchases, though there may be some proposals to be considered at later Town Meeting. Therefore, the Advisory Committee recommends to indefinitely postpone Article 9.

ARTICLE 10
To see if the Town will vote to appoint any committee, or hear or act on the report of any committee or Town officer, or instruct any committee or Town officer; or take any other action relative thereto.

The Advisory Committee takes no position on this article.

ARTICLE 11
Submitted by the Select Board
To see if the Town will vote to reauthorize the spending limits on the following revolving funds previously authorized by the Town, increase from $6,000 to $47,000 the spending limit for the Council on Aging revolving fund, to add to the previously authorized programs or activities for which the Council on Aging revolving fund may be expended the operation of a handicap accessible van, and to amend the General Bylaws of the Town, Article II, Section 7.5 to increase such spending limit; or take any other action relative thereto.

The Advisory Committee takes no position on this article.

<table>
<thead>
<tr>
<th>Revolving Fund</th>
<th>Department</th>
<th>Expenditure Limit</th>
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<tbody>
<tr>
<td>2100 - Parking Tickets</td>
<td>Select Board</td>
<td>$1,000</td>
</tr>
<tr>
<td>2102 – Recreation Field Maintenance</td>
<td>Recreation Commission</td>
<td>$100,000</td>
</tr>
<tr>
<td>2103 – Conservation Timber Harvesting</td>
<td>Conservation Commission</td>
<td>$5,000</td>
</tr>
<tr>
<td>2104 – Off-site Improvements</td>
<td>Planning Board</td>
<td>$91,000</td>
</tr>
<tr>
<td>2105 – Shade Tree and Scenic Roads</td>
<td>Planning Board</td>
<td>$10,000</td>
</tr>
</tbody>
</table>
The Advisory Committee recommends approval of this article.

This article authorizes spending limits for the Town Revolving Fund. This article increases the expenditure limit for the Council of Aging to allow for the operation of a handicap accessible van, provided by GATRA. This will increase the expenditure limit from $6,000 to $47,000. The Advisory Committee unanimously approved this article.

ARTICLE 12 Submitted by the Select Board
To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to fund the Town’s share of a Federal Emergency Management Authority grant to complete a Town Hazard Mitigation Plan; or take any other action relative thereto.

**Town Administrator’s Comments**
Article 12 is intended to request $6,150.00 to supplement a Federal grant of $13,350 to complete a hazard mitigation planning grant.

The Advisory Committee recommends approval of this article.

The article approves the town’s share of a FEMA grant and would allow the town to only need to provide one-third of the total funding required to complete a Town Hazard Mitigation Plan.

ARTICLE 13 Submitted by Community Preservation Committee
To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44B, to reserve a sum of money equal to the state-mandated minimum amount of 10% from FY2022 Community Preservation Fund revenues for the future appropriation of Open Space creations, acquisition and preservation; 10% from FY2022 Community Preservation Fund revenues for the future appropriation of Affordable Housing creations, preservation and support; and 10% from FY2022 Community Preservation Fund revenues for the future appropriation towards the acquisition, preservation, rehabilitation and restoration of Historic Resources; or take any other action relative thereto.
The Advisory Committee recommends approval of this article.

This standard, annual article reserves funds from the Community Preservation Act Revenues equal to the state mandated minimums of 10% for Open Space, 10% for Affordable Housing, and 10% for Historic Resources. The remainder is placed in Undesignated Funds and can be used for any allowable purpose.

ARTICLE 14 Submitted by Community Preservation Committee
To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44B, §5 to appropriate the sum of $15,000 from the annual revenues in the Community Preservation Fund for the purpose of funding the Administrative and Operating Budget for the Community Preservation Committee; or take any other action relative thereto.

Town Administrator's Comments
Article 14 is a request to authorize the Community Preservation Committee to utilize $15,000 of CPA funds for administrative and operating purposes.

The Advisory Committee recommends approval of this article.

This standard, annual article funds the Community Preservation Committee’s administrative and operating budget. This $15,000 transfers covers the routine CPC operating costs and expenses. Any unused amounts are automatically returned to the Community Preservation Fund at the end of the year.

ARTICLE 15 Submitted by Community Preservation Committee
To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Affordable Housing Reserves, $25,000, to develop an updated Housing Production Plan for the Town of Norfolk, or take any other action relative thereto.

Town Administrator's Comments
Article 15 would allocate $25,000 to update the Town’s Housing Production Plan that expires in October 2022. A new plan is needed to identify affordable housing needs and goals, and will outline potential sites and strategies to make progress toward the mandatory 10% level of affordable housing in Norfolk.

The Advisory Committee recommends approval of this article.
A certified Housing Production Plan is required for the town of Norfolk to receive “Safe Harbor” designation when it comes to 40B developments. This status allows us to have more control over new developments, including a pause on new 40B applications during the time we meet the Safe Harbor criteria. If we do not approve this funding and are unable to create a new plan, we will lose Safe Harbor status next fall.

ARTICLE 16  
Submitted by Community Preservation Committee
To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Undesignated Reserves, $100,000, for the construction of a shade structure at the Norfolk Senior Center, including but not limited to engineering, permitting, materials, electrical, and construction, or take any other action relative thereto.

Town Administrator's Comments
Article 16 would fund a permanent shade structure to be constructed at the Senior Center. The structure would allow for fitness/recreation activities such as yoga and Zumba to be held outside, socially distanced. It would also provide a respite from the weather from activities held on the lawn.

The Advisory Committee recommends approval of this article.

This amount is a maximum and any amount not used will go back into the fund. The structure would be fairly large, with amenities such as electrical, and be open to use by other town departments when not in use by the senior center. This represents a welcome and much-needed covered outdoor structure for town events and programs.

ARTICLE 17  
Submitted by Community Preservation Committee
To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Undesignated Reserves, $50,000, to conduct a feasibility study for the proposed Metacomet Greenway within the Town of Norfolk, to be located on the Penn Central Transportation rail bed; or take any other action relative thereto.

Town Administrator's Comments
Article 17 would allocate $50,000 to study the feasibility of the existing rail bed in Norfolk to be utilized as a rail trail, and to examine alternative routes, connections to the trail, road crossings, trail construction, lighting, maintenance, permitting, etc. The feasibility study will also enable the Town to apply for grant applications in the future. The Metacomet Greenway is a rail trail proposed to begin in Walpole and extend through Norfolk and Wrentham to the Rhode Island Border (about 17 miles).

The Advisory Committee recommends approval of this article.

This amount is a maximum and any amount not used will go back into the fund. Surrounding towns, including Wrentham, have passed similar funding in their recent budgets in the hopes that
these efforts can be coordinated for a contiguous path. This amount is only for the feasibility study, and does not obligate the town to any other costs. Any future scope of work for this project would come back to town meeting for budgetary approval. Part of the study would include identifying alternate funding such as state grants, which other towns have found success with. Having this study completed also makes us eligible for these grants, which would mitigate any costs to the town budget if the rail trail were to go forward.

ARTICLE 18                                                                 Submitted by the Select Board
To see if the Town will vote to accept the provisions of Massachusetts G.L. c.60 §3D to establish an “Aid to Elderly and Disabled Taxation Fund”; or take any other action relative thereto.

Town Administrator’s Comments
Article 18 would enable the Town to establish a fund whereby taxpayers may voluntarily donate money for the purpose of defraying the real estate taxes of elderly and disabled persons of low income.

The Advisory Committee recommends approval of this article.

Norfolk currently allows certain groups of residents to apply for tax exemptions and abatements. In FY21, 91 residents applied for and received such exemptions. The criteria for our existing programs are very stringent and there are residents who may have trouble with their local taxes, but still don’t qualify for abatement. This new fund would be open to a larger group of residents based on less restrictive criteria. This program would potentially also help our town wide tax collections in that instead of offering an abatement, a resident could instead apply for funds from this pool of money to pay their taxes in full. Because this fund is voluntary, the amount available to disburse would vary from year to year depending on how much was donated, and there would be a small committee to oversee the fund.

ARTICLE 19                                                                                  Submitted by the Select Board
To see if the Town of Norfolk will vote to grant the Select Board authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town of Norfolk and for other related services, independently, or in joint action with other municipalities, retaining the rights of individual residents and businesses to opt-out or the aggregation; or take any other action relative thereto.

Town Administrator’s Comments
The State has established a competitive marketplace through deregulation and restructuring of the electricity utility industry. Article 19 enables the Select Board to contract to aggregate the electricity load for residents and businesses with the goal of both reducing purchased electricity and/or offering residents and businesses to choose renewable energy options. Individual residents and businesses retain the right to opt-out of the aggregation with no penalty and to choose any other competitive supplier or stay with the default utility.
The Advisory Committee recommends approval of this article.

Article 19 provides an option for electricity that could save money for residents who opt into the program and/or provide residents with electricity from renewable energy sources. Individuals and businesses can opt out of the program at any time. The contracts provide more choices to consumers and will potentially reduce electricity costs.

ARTICLE 20

Submitted by the Select Board

To see if the Town will vote to: (1) amend the General Bylaws, Article XIII: Animal Regulations, by deleting the Article in its entirety and replacing it to read as follows; (2) amend Article XVI: Fee Schedule Relating to the Town Clerk, by deleting the strikethrough language and adding the new language in bold print as set forth below; and (3) amend Appendix A by deleting the strikethrough language and adding the new language in bold print as set forth below; or take any other action relative thereto:

(1) Article XIII:

ARTICLE XIII: ANIMAL REGULATIONS

SECTION 1. Purpose
Pursuant to the authority set forth in G.L. c. 140, §§136A – 174F, inclusive, and any other relevant statutes and regulations issued pursuant thereto, this section is adopted by the Town for the control and regulation of dogs and other animals within the Town.

SECTION 2. Definitions
The definitions of words and terms set forth in G.L. c. 140, §136A are incorporated into Article XIII and shall be applicable herein.

SECTION 3. Administration
A. The Select Board shall annually appoint an Animal Control Officer upon recommendation of the Town Administrator who shall be responsible for the enforcement of this bylaw and the General Laws relating to the regulation of animals.

B. For purposes of this bylaw and G.L. c. 140, §157, the Select Board shall be the Hearing Authority.

SECTION 4. Registration and License Requirements for Dogs
A. In accordance with G.L. c. 140, §137, any owner or keeper of a dog six months of age or older shall, beginning January 1 cause the dog to be registered, numbered, described, and licensed with the Town Clerk in accordance with the laws of the Commonwealth of Massachusetts. The license shall be valid until the following December 31st.

B. As a prerequisite to such licensing, the owner or keeper of the dog must present evidence to the Town Clerk that the dog, if six months of age or older, shall have a current vaccination against rabies, and proof of spaying or neutering, if applicable. The fee for
such a license shall be:

a. Males and Females (intact) $ 15.00
   Neutered Males and Spayed Females $ 10.00
   Dog owners over the age of 70: No Fee
   Service Animals as defined by the American with Disabilities Act or regulations promulgated thereunder: No Fee
   Dangerous Dog Relicensing Fee $ 30.00
   Personal Kennels - (limit of 10 dogs and subject to inspections): $100.00
   Commercial Kennels (subject to inspections): $250.00

C. Should any owner of a dog previously licensed in the Town of Norfolk, fail to re-license their dog by March 31, the owner shall pay a late fee of $50.00 after March 31st.

   a. The owner or keeper of a licensed dog shall cause it to wear around its neck or body a collar or harness to which shall be securely attached: a) the tag evidencing current rabies inoculation; and b) The license issued by the Town Clerk of Norfolk for the current license period.

SECTION 5. Control of Animals

A. Nuisance or Dangerous Behavior. No owner or keeper of any dog shall at any time permit the dog to become or remain a nuisance dog or a dangerous dog as those terms are defined in G.L. c. 140, §§136A and 157.

B. Leash Law. No dog shall be allowed in or on any public place, public way or street, or any place to which members of the public have access as invitees or licensees within the Town, unless such dog is effectively restrained or unless it is confined within a motor vehicle. A dog is under restraint for purposes of this bylaw if it is accompanied by its owner or other person responsible for the dog, who is in full control, and such dog is securely restrained with a collar and leash or such dog is under immediate and effective voice control. For purposes of this bylaw, the dog must be within the keeper’s sight and the keeper must be carrying a leash, whether the dog is securely restrained or under effective voice control.

C. Dog excretions on either public or private property must be removed and disposed of immediately by the owner(s) or keeper(s) of the dog or the person(s) under whose care and control the owners have placed the dog.

D. Dogs on Town Property. Any dog, while on any property owned or controlled by the Town of Norfolk, shall remain under the control of its owner or keeper in the manner prescribed by the regulations promulgated by the Board, Committee or officer having control of said property.

E. Service Animals. Article XIII.5.B) through 5.D) shall not apply to: service animals as defined by the Americans with Disabilities Act or regulations promulgated thereunder, dogs belonging to a law enforcement agency or formally trained as search and rescue animals, provided that such dogs are acting in the line of duty; or, with permission of the
SECTION 6. Animal Control Officer

A. Complaint Investigation. The Animal Control Officer shall investigate all written complaints arising within the Town pertaining to violations of Article XIII and G.L. c. 140, §§136A – 174F and any relevant state or local regulations.

B. Issuance of Temporary Restraint Orders. The Animal Control Officer may issue a temporary Restraint Order (“TRO”) to the owner or keeper of a dog that is alleged to be a nuisance or dangerous dog and is awaiting a written decision under Article XIII.5.a. The TRO may require, subject to such terms and conditions that the Animal Control Officer determines in her/his discretion to be necessary to protect public health and safety, that such dog remain confined to its owner’s or keeper’s premises pending the Select Board’s issuance of such written decision. A TRO shall be in force for no more than thirty (30) days, except that the Animal Control Officer may renew the TRO in writing until such time as the Select Board has issued a written decision following a hearing pursuant to G.L. c. 140, § 157. The Animal Control Officer’s order shall expire upon the issuance of such written decision from the Select Board following the nuisance or dangerous dog hearing.

C. Impoundment by Animal Control Officer: It shall be the duty of the Animal Control Officer to apprehend any dog found at large in any street or public place within the Town of Norfolk in violation of any of the provisions of this bylaw and to impound such a dog. The Animal Control Officer upon receiving any such dog shall make a complete registry entering the breed color and sex of such dog and whether licensed. The owner of the dog, if known, shall be notified as soon as possible that the dog has been impounded. The owner of any dog so impounded may claim such dog upon reimbursement to the Town of the expenses for maintaining said dog while impounded, in addition to the fines established in Article XIII.9.E. hereof. Prior to its release, any dog that is at least six (6) months of age must have proof of current rabies inoculation shall have a proper license form the Town Clerk and be properly tagged.

D. Disposition of Unclaimed Dogs and Cats: Any dog or cat whose owner or keeper fails to claim said dog or cat within seven (7) days from the day of impounding shall be subject to the provisions set forth in Chapter 140, Section 151A of the General Laws of the Commonwealth of Massachusetts and any amendment thereto. This subsection shall also be applicable to stray cats.

E. Record Keeping. The Animal Control Officer shall keep accurate, detailed records of the confinement and disposition of all dogs held in custody, all bite cases recorded, and the results of investigations. The Animal Control Officer shall maintain a log of all communications received regarding dogs and submit a monthly report summarizing the log to the Town Administrator.

SECTION 7. Responsibility of Animal Owners

No owner or person having the care of any sheep, goats, swine, oxen, cows, horses or other grazing animals or fowl, shall permit or suffer the same to go at large or to graze on any street, way, common, square or other public place within the Town; nor permit any such animal to go upon
any sidewalk therein except for the purpose of crossing the same. (3/16/36)

SECTION 8. Disturbing Noises from Animals
No person shall keep any bird, fowl, or other animal which by barks, howls or other noises, disturbs the peace and quietness of any resident of the Town. (3/16/36)

SECTION 9. Violations and Penalties

A. The failure of the owner or keeper of any dog or pet to comply with this bylaw or with any order of the Animal Control Officer or the Select Board shall be a violation of this bylaw.

B. The failure of the owner or keeper of any dog to comply with the registration and license requirements provided in this Article XIII and in G.L. c. 140, §§ 136A-174F shall be in violation of this bylaw.

C. Allowing a Dog to Roam at Large:

a. In addition to the remedy of impoundment as set forth in this Article XIII, the requirements of Article XIII (except Article XIII.5.A and 6.B hereof) may be enforced by the Animal Control Officer, or any police officer of the Town, through any means available in law or equity, including but not limited to criminal indictment in accordance with G.L. c.40, §21, G.L. c. 140, §173A and noncriminal disposition in accordance with G.L. c. 40, § 21D and the Town General Bylaws Article XIV, “Non-Criminal Disposition, each as may be amended from time to time. When enforced in accordance with G.L. c. 40, § 21, the maximum penalty shall be $300 and each day a violation exists shall constitute a separate violation.

b. When enforced through non-criminal disposition under G.L. c. 40, § 21D, the penalties shall be as follows:
   i. First Offense: Warning
   ii. Second Offense: $50 Fine
   iii. Third and subsequent Offense: $100 Fine

c. When enforced through G.L. c. 140, §173A, the penalties shall be as follows:
   i. First Offense: $50 Fine
   ii. Second Offense: $100 Fine
   iii. Third Offense: $300 Fine
   iv. Fourth and subsequent Offense: $500 Fine and the Town may order the animal spayed or neutered

D. Violation of an Order to Restrain Nuisance or Dangerous Dog:

a. In addition to the remedies set forth in this Article XIII, Article XIII.5.A and 6.B may be enforced by the Animal Control Officer, or any police officer of the Town, through any means available in law or equity, including but not limited to G.L. c. 140, § 157, G.L. c.140, §157A, G.L. c. 140, §173A criminal indictment in accordance with G.L. c.40, §21, and noncriminal disposition in accordance with G.L. c. 40, § 21D and the Town General Bylaws Article XIV, “Non-Criminal Disposition”, each as may be
amended from time to time. When enforced in accordance with G.L. c.140, §157A, an owner or keeper of a dog who fails to comply with an order of the Select Board or district court shall be punished, for a first offense, by a fine of not more than $500 or imprisonment for not more than 60 days in a jail or house of correction, or both, and for a second or subsequent offense by a fine of not more than $1,000 or imprisonment for not more than 90 days in jail or house of correction.

b. When enforced through non-criminal disposition under G.L. c. 40, § 21D, the penalties shall be as follows, depending upon whether the dog involved in the offense has been deemed a “nuisance dog” or “dangerous dog,” respectively, pursuant to G.L. c. 140, § 157:
   i. First Offense: $50 Fine for a nuisance dog; $100 Fine for a dangerous dog
   ii. Second Offense: $100 Fine; $200 Fine dangerous dog
   iii. Third and subsequent Offense: $200 Fine; $300 Fine dangerous dog

c. When enforced through G.L. c. 140, §173A, the penalties shall be as follows:
   i. First Offense: $50 Fine
   ii. Second Offense: $100 Fine
   iii. Third Offense: $300 Fine
   iv. Fourth and subsequent Offense: $500 Fine and the Town may order the animal spayed or neutered

d. The Animal Control Officer or any Town of Norfolk police officer shall seize and impound any dangerous dog found outside of its enclosure in violation of this bylaw or any order or TRO issued by the Animal Control Officer, the Select Board or the Court.

E. If the Animal Control Officer confines a dog and the dog owner or keeper does not pay all fees directly to the kennel or veterinary clinic, then the dog’s owner or keeper shall be required to reimburse the Town for any expenses incurred in boarding that dog. If the dog has not been licensed, the owner or keeper shall obtain a license and pay any applicable fine before the dog can be released.

F. Violation of Nuisance Dog or Dangerous Dog Order. In addition to the remedies set forth in Article XIII.9.D, an owner or keeper of a dog who fails to comply with an order of the Select Board or district court issued pursuant to G.L. c. 140, § 157A shall be punished as provided in that statute.

(2) Article XVI:

ARTICLE XVI: FEE SCHEDULE RELATING TO THE TOWN CLERK

Dog License List of current licenses $ 35.00
Dog License, Male/Female—before May 1st $ 15.00
Dog License, Spayed/Neutered—before May 1st $ 10.00
Dog Kennel License—Personal Kennel $ 100.00
Dog Kennel License — Commercial Kennel $250.00 note: Commercial Kennel Licenses require Zoning Board approval prior to licensing. Dog Licenses for residents 70 and over are free. Proof of age is required***

Dog late fee for license renewal after May 1st as follows: A late fee of $15.00 for the month of May and an increase of the late fee by $5 per month through the end of the calendar year for a maximum fine of $50 charged by owner.

Fees relating to dog licenses: As set forth in Article XIII of these bylaws

(3) Appendix A:

APPENDIX A

DOG BYLAW -- Article XIII, 53F Fine Allowed: $50 Enforcement Agent: Dog Officer Animal Control Officer and/or Police Officer.

Fine Schedule: 1st offense warning; 2nd offense $30; 3rd and each subsequent offense $50 As set forth in Article XIII of these bylaws.

<table>
<thead>
<tr>
<th>Town Administrator’s Comments</th>
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<tbody>
<tr>
<td>Article 20 would update the Towns bylaws concerning animals to make them consistent with State law which was updated in 2012 through Chapter 193 of the Acts of 2012.</td>
</tr>
</tbody>
</table>

The Advisory Committee recommends approval of this article.

This article is a comprehensive update to the Town’s animal regulations and bylaws, providing for modernization in addition to consistency and alignment with State law.

ARTICLE 21 Submitted by the Planning Board

To see if the Town will vote to amend, by adding the following new language in bold print, and deleting the following strikethrough language, the sections of the zoning bylaw enumerated and displayed below as follows: (1) Section I.6 Parking; and (2) Section I.4.a.11. Residential Density; or take any action relative thereto:

(1) ) Section I.6 Parking:

I.6. Parking

The requirements of Section F.7., Parking, of the zoning bylaw are modified by the following subsections. In the event of a conflict between Section F.7. and any of the following subsections, the following sections shall control.

I.6.a. Shared Parking Where the APPLICANT demonstrates to the Planning Board through the Site Plan Approval process that parking spaces within the STREET within the B-1 District can be utilized by more than one use located within 500 feet of the entrance of the principal BUILDING, STRUCTURE, or use of the premises, such that vehicles occupying a particular number of spaces are unlikely to require the use of those spaces at the same time of day or the same day of the week,
the immediate construction of up to 30% of a parking area may be postponed, provided:
(i) adequate land area is reserved for additional parking should it be needed in the future, (ii) the
area reserved for future parking is shown on the site plan, (iii) no BUILDING or STRUCTURE
may be placed on any area reserved for future parking, (iv) surety or other means of performance
assurance in a form and amount acceptable to the Planning Board is given to the Town to insure
that such additional parking area (including drainage and landscaping) will be constructed if
needed, and (v) as a condition of postponing such construction, the Planning Board shall review
the adequacy of the parking area every three years after endorsement of the site plan, or more
frequently upon request of the Zoning Enforcement Officer, and certify that the number of parking
spaces provided continues to be sufficient having regard for the actual uses of the site. The
Planning Board shall be the determining authority regarding the future need of such parking.

(2) Section 1.4.a.11. Residential Density:

I.4.a.11. Residential Density. In the B-1 District BUSINESS CORE, residential
densities, except for ASSISTED LIVING FACILITIES, shall not exceed the ratio of
sixteen bedrooms units per acre for any single LOT or entire PMLD except by special
permit. In the B-1 District OUTSIDE THE BUSINESS CORE, residential densities
for ASSISTED LIVING FACILITIES shall not exceed the ratio of 16 units bedrooms per
acre for any single LOT except by Special Permit by the Zoning Board of Appeals; or take
any action thereto.

<table>
<thead>
<tr>
<th>Planning Board’s Comments</th>
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</thead>
<tbody>
<tr>
<td>Article 21 would adjust the parking and residential density requirements of the B-1 Zoning district.</td>
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</table>

The Advisory Committee recommends approval of this article.

The Advisory Committee voted to approved this article after a lengthy discussion with the Town
Planner and various members of the Planning Board in a 6-2 vote (one absence). Article 21
proposes that residential density in the B1 district be changed from 16 bedrooms to 16 units per
acre for any single lot. The parking structure will also be changed by right if the applicant can
demonstrate that the parking may be shared by users based on time of day or day of the week.
In this event parking may be reduced by 30%. This is a change to BY-RIGHT zoning and has no
bearing on chapter 40B development.

ARTICLE 22 Submitted by the Planning Board

To see if the Town will vote to amend, by adding the following new language in bold print, and
deleting the following strikethrough language, the sections of the zoning bylaw enumerated and
displayed below as follows: (1) Section F.11.c General Conditions for Approval; (2) Section
F.12.e. Design Review Standards; (3) Section H.3.b Applicability; (4) Section I.3. District
Boundaries; (5) Section I.4.a.2. Planned Multi-Lot Development; (6) Section I.4.a.3. Phased
Development; (7) Section I.4.a.6. Building Height and Façade; (8) Section I.4.a.15. Town Water;
(9) Section I.4.b.2. Within the Business Core; (10) Section I.4.b.3. Outside the Business Core;
(11) Section I.4.c For PLANNED MULTI-LOT DEVELOPMENTS; (12) Section I.6.c Bicycles;
(13) Section I.7. Uses Permitted and Regulated in the B-1 District; (14) Section I.7.b: Special
Permit Uses by the Zoning Board of Appeals; and (15) Section I.7.c: Prohibited Uses; or take any action relative thereto:

(1) Section F.11.c General Conditions for Approval:

F.11.c. General Conditions for Approval
In considering a site plan under this Section, the Planning Board shall assure, to a degree consistent with a reasonable use of the site for the purposes permitted or permissible by the regulations of the district in which the property is located:

F.11.c.1. protection of adjoining premises against seriously detrimental or offensive uses on the site;

F.11.c.2. convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent STREETS, property, or improvements;

F.11.c.3. adequacy of the methods of disposal for sewage, refuse, and other wastes resulting from the uses on the site, and the methods of drainage for surface water from its parking spaces and driveways;

F.11.c.4. adequacy and safety of storage facilities/methods for fuel, refuse, vehicles and other material and equipment incidental to the use of the site;

F.11.c.5. provision for emergency access and operations within the site;

F.11.c.6. provision for off-STREET loading, unloading, and parking of vehicles incidental to the normal operation of the establishment;

F.11.c.7. review of the site plan referencing the Norfolk Town Center Design Review Guidelines as most recently amended for any property located in the B-1 District.

(2) Section F.12.e. Design Review Standards:

F.12.e.2. Design Review Standards
The Design Review Board shall consider, at a minimum, the following standards in the course of the design review of a proposed action. For design review of a proposed action in the B-1 District the Design Review Board shall consider the Norfolk Town Center Design Review Guidelines in the course of the design review.

(3) Section H.3.b Applicability:

H.3.b Applicability
In all residential and mixed use zoning districts, the inclusionary zoning provisions of this section shall apply to the following uses on a parcel or parcels of land in common ownership as of the date of passage of this bylaw.
(a) Any project that results in a net increase of ten (10) or more dwelling units, whether by
new construction or by the alteration, expansion, reconstruction, or change of existing
residential or non-residential space; and

(b) Any subdivision of land for development of ten (10) or more dwelling units; and

(c) Any AGE-RESTRICTED development that includes ten (10) or more units

(d) Any project in the B-1 Business Core that results in a net increase of between ten
(10) to twelve (12) dwelling units, whether by new construction or by the alteration,
expansion, reconstruction, or change of existing residential or non-residential space
shall contribute to the local stock of affordable units with at least ten (10) percent of
the units in a division of land or multiple unit development subject to this bylaw shall
be established as affordable units. Any project that results in a net increase of between
thirteen (13) to nineteen (19) dwelling units shall contribute at least fifteen (15)
percent of the units as affordable units. Any project that results in a net increase of
twenty (20) or more dwelling units shall contribute at least twenty (20) percent of the
units as affordable units. In calculation of these percent requirements, any calculation
resulting in a decimal value of 0.5 and above shall be rounded up to the next whole
number of total affordable units required.

(4) Section I.3. District Boundaries:

I.3. District Boundaries
The B-1 District is further divided into two areas: as depicted on the zoning map: (1) The
BUSINESS CORE, which consists of that portion of the B-1 District which is west of "Carlson's
Circle" (the access easement located 185 feet east of and parallel to Rockwood Road) and (2)
Outside the BUSINESS CORE, which consists of all remaining areas of the B-1 District.

(5) Section I.4.a.2. Planned Multi-Lot Development:

I.4.a.2. Planned Multi-Lot Development. PLANNED MULTI-LOT DEVELOPMENT ("PMLD")
is the development of not less than 80,000 square feet of land into a formally associated group of
LOTS as part of a common scheme by Special Permit by the Planning Board so that such LOTS
need not be self-sustaining and adequate common provisions are made for parking, drainage, septic
disposal and other infrastructure needs of the LOTS, BUILDINGS or STRUCTURES so
accommodated.

I.4.a.2.A. Membership in a Property Owners Association shall be mandatory for all property
owners within a PMLD and shall be made a required covenant in all deeds issued or passed for
property in a PMLD.

I.4.a.2.B. The APPLICANT shall prepare Property Owners Association documents for the
Property Owners Association(s). The Property Owners Association documents shall require the
association to accept title to any Common Property in the PMLD and that all Common Property
shall be deeded by the APPLICANT to the Property Owners Association. The Property Owners
Association documents shall further provide that every Owner in a PMLD shall be jointly and
severally liable for the ongoing maintenance, operation and upkeep of all Common Property, and
that the Town shall have the right, but not the obligation, to enforce these responsibilities against any Owner.

I.4.a.2.C. The Property Owners Association documents for a PMLD shall provide voting and use rights, shall provide the Property Owners Association with the authority to acquire a lien upon the property of any of its members in order to secure collection of any amounts due to the Property Owners Association from its members, and may also provide for the charge of dues, levies, or assessments to cover expenses which include, but are not limited to, tax liabilities, maintenance and municipal or State assessments.

I.4.a.2.D. For the purposes of these subsections, "Common Property" shall mean all land areas used in common for septic, drainage, parking or other land uses. In addition, Common Property shall include, without limitation, such personal property as pumps, pump chambers, piping, valves, manholes, culverts, asphalt and other paving materials, and septic tanks as may be used by two or more units or BUILDINGS in a PMLD. Common Property may also include similar personal property such as septic tanks even if not used by more than one unit if such personal property is to be maintained as a part of the common scheme for the PMLD.

(6) Section I.4.a.3. Phased Development by deleting the following strikethrough language:

I.4.a.3. Phased Development. APPLICANTS shall be allowed to plan, plat and create proposed LOTS or BUILDING sites in anticipation of a known PLANNED MULTI-LOT DEVELOPMENT or other proposal which will furnish needed infrastructure for a particular property provided the Town is given surety or other binding assurance, in a form and amount acceptable to the Planning Board, that will insure that no construction occurs without the necessary infrastructure.

(7) Section I.4.a.6. Building Height and Facade:

I.4.a.6. Building Height and Facade. Within the B-1 District BUSINESS CORE BUILDING HEIGHT shall not be more than forty-six (46) feet in height to the peak of the roof unless otherwise provided for by the Planning Board through a site plan approval process. In such cases, BUILDING HEIGHT may be extended up to forty-six (46) feet to the peak of the roof for the purpose of accommodating pitched roof lines, but in no case shall the height exceed three (3) stories as measured from the street facing finish grade of the building or structure, including the third story within the pitched roof. Within the B-1 District OUTSIDE THE BUSINESS CORE, BUILDING HEIGHT shall not be more than forty (40) in height to the peak of the roof unless otherwise provided for by the Planning Board through a site plan approval process. In such cases, BUILDING HEIGHT may be extended up to forty-six (46) feet to the peak of the roof for the purpose of accommodating pitched roof lines, but in no case shall the height exceed three (3) stories as measured from the street facing finish grade of the building or structure, including the third story All buildings shall have a pitched roof, or the look of a pitched roof (with a minimum of a 5:12 pitch) and consistent with architecture prevalent within Town Center. In the event that a flat roof is desired, the building shall have the look of a pitched roof, from the front, sides, and the rear, depending upon what may be visible from the street.
BUILDING HEIGHT shall not include any steeples, flag poles, weather vanes, or cupolas. The highest point of any such steeples, flag poles, weather vanes, or cupolas shall not exceed eighty (80’) feet.

At least 60% of the vertical wall area of the FRONTAGE SIDE facade of a BUILDING shall be made up of vertical BUILDING wall, dormers, or a parapet or false facade to a minimum height of 20 feet.

(8) Section I.4.a.15. Town Water:

I.4.a.15. Town Water. All new water connections for domestic supply or fire protection shall be connected to the Town water system. Any REDEVELOPMENT which uses water shall be required to connect to the Town water system. [Connection to the Town water system is not required unless the lot upon which building or redevelopment is proposed is located within a PLANNED MULTI -LOT DEVELOPMENT or yet to be proposed subdivision. In order to require that a connection be made to the Town's water system, the portion of the way which fronts such a lot must contain a municipal water main into which such a connection may be made.] ; or take any action thereto.

(9) Section I.4.b.2. Within the Business Core:

I.4.b.2. Within the Business Core:

(A) BUILD-TO LINE: any distance from between six (6) feet and nineteen (19) feet from, and parallel with, the frontage line(s) of the lot as approved by the Planning Board unless otherwise provided by Special Permit by the Planning Board through a site plan approval process as part of a comprehensive streetscape plan based on existing or planned buildings on lots within the same block on both sides of the street.

(A)1. Notwithstanding the provisions of I.b.b.2.(A) above, the BUILD-TO LINE of a TOWN HALL shall be at least nineteen (19) feet and not more than one hundred twenty-five (125) feet from the FRONTAGE line of the LOT.

(A)2. Notwithstanding the provisions of I.4.b.2.(A) above, the BUILD-TO LINE of a MUNICIPAL BUILDING which is used as a Library, shall be at least ten (10) feet and not more than thirty-five (35) feet from the FRONTAGE line of the LOT; or take any action thereto.

(B) Minimum front YARD setback: 6 feet none;

(C) Minimum LOT size: 4,000 square feet* or 30,000 square feet;

(D) Maximum LOT COVERAGE: 80 percent;

(E) Minimum side YARD setbacks: zero (0) feet;

(F) Minimum LOT FRONTAGE: 20 feet* or 75 feet; and
(G) Minimum rear YARD setbacks: 5 feet.

*For PLANNED MULTI-LOT DEVELOPMENT; or take any action thereto.

(10) Section I.4.b.3. Outside the Business Core:

I.4.b.3. Outside the Business Core:

(A) BUILD-TO LINE: none;

(B) Minimum front YARD setback: 25 feet for principal BUILDINGS;

(C) Minimum LOT size: 8,000 square feet or 400 square feet for one dwelling unit* or 30,000 square feet;

(D) Maximum LOT COVERAGE: 60 percent;

(E) Minimum side YARD setbacks: zero (0) feet;

(F) Minimum LOT FRONTAGE: 40 feet* or 100 feet; and

(G) Minimum rear YARD setbacks: 10 feet.

*For PLANNED MULTI-LOT DEVELOPMENT; or take any action thereto.

(11) Section I.4.c For PLANNED MULTI-LOT DEVELOPMENTS:

I.4.c For PLANNED MULTI-LOT DEVELOPMENTS, the Planning Board may waive the dimensional requirements of Section I.4.b.2 and I.4.b.3 as part of the special permit approval process for a PMLD if it determines that APPLICANT has presented a comprehensive design concept meets all of the following standards:

The design fulfills the purpose of this Section I in terms of advancing the goals of the Master Plan.

The design addresses architectural detail, the location of buildings in relation to the access road and each other, general open space, local open space adjacent to buildings, pathways/sidewalks, any non-residential or common recreation or assembly facilities, and streetseape issues such as streetlights, street trees, sidewalks and landscaping.

All other requirements, including Residential Density, of Section I are met.

The comprehensive design concept provides greater quantifiable public benefits in terms of environmental and/or fiscal impacts or community amenities than a plan that meets the dimensional requirements. [e.g. less impervious surface, more public open space (perhaps with amenities), better vehicular and pedestrian access and circulation, energy consumption, use of sustainable materials, etc.]
(12) **Section I.6.c Bicycles:**

I.6.c. **Bicycles.** Not less than one Bicycle Parking or Storage Space shall be created for every **five** twenty vehicular parking spaces created.

(13) **Section I.7. Uses Permitted and Regulated in the B-1 District:**

I.7. Uses Permitted and Regulated in the B-1 District

No BUILDING, STRUCTURE or land in the B-1 District shall be used for any purpose or in any manner other than as set forth in this section. Any use not specifically listed in Section I.7.a. and I.7.b. is prohibited.

I.7.a. **Allowed Uses**

- ADULT DAY CARE ancillary to an ASSISTED LIVING FACILITY;
- Art Galleries and Studios;
- ASSISTED LIVING FACILITIES if on a LOT with an existing ground elevation at the proposed BUILDING
- at or above 255 feet elevation, mean sea level (1927) datum;
- Automatic teller machines;
- Bakeries;
- Banks;
- CHILD CARE FACILTY; (added 5/9/17)
- Coffee shops;
- Collection center for dry cleaning and laundry drop-off;
- CONVENIENCE STORES;
- CRAFT WORKSHOP;
- Cultural Center, symphony hall or other place for the Community's or the Public's enjoyment of indoor or outdoor musical, dramatic, or artistic performances; amphitheaters;
- Dance, exercise and aerobic studios, martial arts studio;
- Delicatessens;
- Electric Vehicle Recharger Facilities;
- FARMER'S MARKETS;
- Funeral home;
- GROCERY STORE;
- HARDGOOD sales stores;
- Historical or cultural society;
- JOB PRINTING;
- Laundromats;
- Licensed INN or HOTEL;
- LIMITED USED MOTOR VEHICLE SALES;
- Medical, Dental and Optical Clinics;
- Meeting Rooms or BUILDINGS Accessory to ASSISTED LIVING FACILITIES;
- Mixed use comprised of any of the Allowed uses;
• Municipal BUILDINGS;
• Offices and Office BUILDINGS;
• Open Space, village greens and squares;
• Parking lot as Principal Use as part of a Planned Multi-Lot development, except on corner LOTS;
• Post office;
• Private Schools (for profit);
• Public transit facilities including stations and platforms;
• Residential DWELLINGS UNITS as part of a commercial site plan where the square footage of residential dwelling units consists of 65% or less of the total combined square footage of the residential and commercial structures(s) and the footprint of residential structure(s) is equal to or less than the footprint of the commercial structure(s), provided that the commercial structure is constructed prior to residential occupancy.
• Residential DWELLING UNITS located above the ground floor of BUILDINGS provided that the ground floor is constructed for, and limited to, business or commercial uses prior to residential occupancy;
• RESTAURANTS;
• RETAIL SALES;
• RETAIL SERVICES;
• Shared work facility;
• SOFTGOOD sales stores;
• TAKE OUT RESTAURANTS;
• Theaters; movie cinemas;
• VARIETY STORE;
• Video conferencing and/or conference facility;
• Wellness, Dance, exercise and aerobic studios, martial arts studio.

(14) Section I.7.b: Special Permit Uses by the Zoning Board of Appeals:

I.7.b: Special Permit Uses by the Zoning Board of Appeals
• Car Rentals;
• Conversion of a pre-existing SINGLE-FAMILY DWELLING to two-FAMILY DWELLING or to mixed business and residential use;
• Gasoline and diesel fuel filling stations;
• Massage Therapy Licensed by the Norfolk Board of Health;
• Research facilities;
• Small wastewater treatment facilities, as regulated by the Town Board of Health;
• TAKE OUT RESTAURANTS with vehicular drive-up or other in-vehicle patronage;
• TEMPORARY FAMILY APARTMENTS.

(15) Section I.7.c: Prohibited Uses:

I.7.c. Prohibited Uses - except as expressly exempted from restriction by statute.
• ADULT BUSINESS;
• Aviation Field;
• Can and Bottle Redemption Centers;
• COMMERCIAL COMPOSTING;
• Commercial Parking Garages;
• DRY CLEANING OR POWER LAUNDRY;
• Gasoline and diesel fuel filling stations;
• Hazardous Waste Treatment Facility;
• LIMITED USED MOTOR VEHICLES SALES
• Massage Parlors;
• OUTDOOR BUSINESS;
• Outdoor Commercial Vehicle Storage;
• Poultry or Stock Raising;
• Radioactive Material Storage or Handling;
• Schools of Nursing, Schools of Laboratory Technician Skills, Schools of Physiotherapy,
• and Dormitory Facilities Ancillary Thereto;
• SCRAP YARDS;
• Truck terminal or motor freight station;
• Use of trailers, buses and mobile units for residence in excess of 30 days.

Planning Board’s Comments

The proposed B-1 (Town Center) Zoning District zoning changes in this article are to facilitate a financially viable and diverse Town center. To achieve this goal the zoning changes are focused on the principals behind mixed use development. This development would be amenity based, include pedestrian friendly elements, be accessible to the full age range of the population as well as capitalize on and enhance the existing Town center character. A mixed-use Town center would improve civic ties and commercial viability, be more attractive to small business owners, and provide housing options that are underrepresented in Town today as well as increase the property value and the tax revenue generated by the B1 District.

The Advisory Committee recommends approval of this article.

The Advisory Committee, after a lengthy and well debated discussion with the Planning Board and Town Administrator as well as the Town Planner, voted to approve article 22 in a 5-3 vote (one absence). The following proposals are changes to by-right zoning in the B1 district (Norfolk Center) and thus has no bearing on Chapter 40B development. The changes proposed in this article pertain to but are not limited to the use of Design Review guidelines in the design review process. Stepped increase to the affordable housing requirement for the B1 district including rounding .5 and up to the next whole number. Changes to the district boundaries to include a business core and an outer business core. Included in this article is the removal of the planned multi use development. Included are also changes to building height and the facade of proposed development as well as the requirement for any new development or redevelopment to connect to town water. There are also changes to setbacks, lot coverage, lot frontage and the build to line. Included are proposed and prohibited uses of lots and bicycle parking requirements. Changes to zoning by laws require a 2/3 vote at Town Meeting.
ARTICLE 23
Submitted by the Planning Board
To see if the Town will vote to amend zoning bylaw section C.2. Location of Districts with the following new language in bold print and delete the following strikethrough language; or take any action relative thereto:

C.2. Location of Districts

C.2.a. Said districts are located and bounded as shown on a map entitled "Zoning Map of Norfolk, Massachusetts", dated November 19, 2019 May 8, 2021 as most recently amended, and on file in the office of the Town Clerk. The Zoning Map, with all explanatory matter thereon, is hereby made a part of this bylaw.

Planning Board’s Comments
Article 23 would update the map for the B-1 Zoning district.
The Advisory Committee recommends approval of this article.

The Advisory committee voted unanimously to approve article 23. This article updates the zoning map to the most recently amended map of the districts and boundaries for Norfolk.

ARTICLE 24
Submitted by the Planning Board
To see if the Town will vote to accept as a public way the following streets as laid out by the Select Board: Hampton Road, Meeting House Road and Liberty Lane, and further, to authorize the Select Board acquire by gift, purchase or eminent domain pursuant to Massachusetts General Laws, Chapter 79 or other applicable law any fee interest, easement or appurtenances in or upon such ways, and execute any documents in connection therewith, and to see what sum of money the Town will raise and appropriate, borrow, or transfer from available funds to pay for damages, fees, expenses and other costs associated with any such acquisition, purchase or eminent domain taking; or take any other action relative thereto.

Planning Board’s Comments
Article 24 would have the effect of accepting Hampton Road and Liberty Lane as public ways. Meeting House Road would be acquired by eminent domain to become a public way.

The Advisory Committee recommends approval of the article with respect to Liberty Lane and Hampton Road. The Committee will make its recommendation regarding Meeting House Road at Town Meeting.

This article would allow the town to accept three roads, Hampton Road, Liberty Lane, and Meeting House Road, as public ways. The Advisory Committee voted to support the acceptance of Hampton Road and Liberty Lane. There is still information being developed related to the acceptance Meeting House Road; therefore, the Advisory Committee will vote on the acceptance of Meeting House Road the day of Town Meeting.

ARTICLE 25
Submitted by the Select Board
To see if the Town will vote to accept and authorize the Select Board to enter into contracts for the expenditure of Chapter 90 funds allocated by the Commonwealth for the construction, reconstruction, or improvements of public roads and other improvements within the Town, as requested by the Select Board, and to authorize the Treasurer to borrow or bond, pursuant to any applicable statute in anticipation of reimbursement; or take any other action relative thereto.

Town Administrator's Comments
Article 25 is a standard article that allows the Select Board to utilize Chapter 90 funds from the State for the purposes of improving public roads.

The Advisory Committee recommends approval of this article.

This standard article authorizes the Select Board to use the Chapter 90 funds received from the State for the maintenance, improvement, and construction of Town roads.
ARTICLE 26  
Submitted by the Select Board
To see if the Town will vote to authorize the Select Board to accept any monies received through grants applied for by various Town Departments or Boards; or take any other action relative thereto.

**Town Administrator's Comments**
Article 26 is standard article that authorizes the Select Board to accept grants on behalf of the Town.

The Advisory Committee recommends approval of this article.

This standard article authorizes the Select Board to accept grants.

ARTICLE 27  
Submitted by the Select Board
To see if the Town will vote to grant the Select Board permission to sell surplus property of the Town, exclusive of buildings and land, no longer needed by the Town; or take any other action relative thereto.

**Town Administrator's Comments**
Article 27 is standard article that authorizes the Select Board to sell surplus property such as furniture or vehicles. This article does not authorize them to sell Real Estate.

The Advisory Committee recommends approval of this article.

This is a standard article that is brought forth each year to allow the Select Board to authorize such sales of items. Examples may be old equipment, vehicles, etc. that is not real estate.

ARTICLE 28  
Submitted by Citizen Petition
Mr. Rossi acquired the above property which combined contains approximately 8 acres and is shown on a plan entitled, "Cleveland & Fruit Street Plan of Land in Norfolk, MA, Scale: 1" =30', February 19, 2019," drawn by Glossa Engineering, Inc., which plan is duly recorded with the Norfolk County Registry of Deeds in Plan Book 682, Plan No. 075. At Mr. Rossi's expense he went through the entire process to have the 4 lots approved by the Town of Norfolk, and obtained the necessary Order of Conditions from the Norfolk Conservation Commission.

Now that buyers are interested in the lots, a subsequent title exam has raised concern that a 1953 Tax Taking by the Town of Norfolk was not correctly documented. Town of Norfolk may technically still own a 150' x 100' piece of Lot 3 (hereinafter called the "Lane Parcel"). Lot 3 is now 15 Fruit Street. The issue revolves around 2 tax takings that covered overlapping property. Title to the Lane Parcel stems from a deed to Thomas P. Lane and Mary Lane dated April 17, 1933 and recorded with the Norfolk County Registry of Deeds ("Registry") in Book 1987, Page 593. The first tax taking by the Town was recorded on Sept. 22, 1953 and is recorded in the Registry in Book 3203, Page 081 – this taking did not include the Lane Parcel. Subsequently the Town proceeded to file a tax taking for the Lane Parcel which was recorded.
on Oct. 29, 1979 in the Registry in Book 5669, Page 135. The Town proceeded to convert the Lane tax taking to a Final Judgment which was recorded with the Registry on Jan. 24, 2001 in Book 14672, Page 422. The Town assigned its rights under the 1953 taking to Phillip F. Molloy, Sr. which is recorded with the Registry on Oct. 3, 1955 in Book 3411, Page 344. Please note that all of the Rossi land at Cleveland & Fruit Streets (Lots 1 – 4) comprised approximately 8 acres. Since the 1953 taking includes the Lane Parcel, it is possible that the "Amended & Restated Judgment" in the Malloy Land Court matter, which was recorded with the Registry on Dec. 23, 2019 in Book 37470, Page 016, clears up the "missing" Lane Parcel because the Lane Parcel is part of the 8 acres included in the 1953 tax taking. There are two issues with the Lane Parcel: (1) no action was taken by the town to divest itself of the Lane Parcel after obtaining the Final Judgment noted above on Jan. 24, 2001 in Book 14672, Page 422 for the 1979 tax taking; and (2) the Molloy Land Court matter while commenced in 1985 was not completed until the Amended & Restate Judgment was recorded in Dec. of 2019.

Mr. Rossi is respectfully putting forth this petition to ask the town to correct the defective 1953 and 1979 tax takings by now providing a Release Deed to Mr. Rossi to release all of the town’s right, title, and interest in the Lane Parcel.

The Advisory Committee recommends indefinite postponement of this article.

The Petitioner has indicated they do not intend to bring this Citizen’s Petition to the Town Meeting floor, nor did they appear to present the petition to the Advisory Board. As such, the Advisory Board did not discuss the merits of this petition.

ARTICLE 29
Submitted by Citizen Petition
To see if the Town will vote to amend Section H.3 of the Norfolk Zoning Bylaws, as set forth in the attached additional pages, by removing the existing language and replacing the language with the amended language.

Section H.3 through Section H.3.e.2

As amended with strike through to remove text and replace with underlined text in blue and the newly added “Table of Affordable Units”. (See attached 4 pages with amendments)
Or take any action relative thereto.

H.3 AFFORDABLE HOUSING DEVELOPMENT
H.3.a. Purpose and Intent:
The purpose of this bylaw is to encourage development of new housing that is affordable to low and moderate-income households. At minimum, affordable housing produced pursuant to this section H.3. shall be eligible for inclusion in the Town’s Subsidized Housing Inventory as kept by the Massachusetts Department of Housing and Community Development or the successor agency thereto.

H.3.b Applicability
In all residential and mixed use zoning districts, the inclusionary zoning provisions of this section shall apply to the following uses on a parcel or parcels of land in common ownership as of the date of passage of this bylaw.
(a) Any project that results in a net increase of ten (10) or more dwelling units, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space; and
(b) Any subdivision of land for development of ten (10) or more dwelling units; and
(c) Any AGE-RESTRICTED development that includes ten (10) or more units

In any residential project containing 6 or more DWELLING UNITS, within any district and under any portion of the Bylaw, the developer shall be required to provide Affordable Housing Units as outlined in the table below. A fractional unit of 0.5 or more shall be rounded up to the next whole unit.

<table>
<thead>
<tr>
<th>Total Units in Project</th>
<th>Affordable Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-12</td>
<td>10%</td>
</tr>
<tr>
<td>13-19</td>
<td>15%</td>
</tr>
<tr>
<td>20+</td>
<td>20%</td>
</tr>
</tbody>
</table>

NOTE:
* The construction of affordable units shall be commensurate with the construction of market rate units. Should projects be constructed in phases, each phase shall contain the same proportion of affordable units to market rate units as the overall development.

H.3.c Special Permit:
The development of any project set forth in Section H.3.b (above) shall require the grant of a Special Permit from the Planning Board. A Special Permit shall be granted if the proposal meets the requirements of this bylaw. An application shall be filed simultaneously for any project set forth in Section H.3.b or within ninety (90) days after said project(s) is approved and no appeals taken. If appeal is taken an application does not need to be applied for until said appeal is resolved. The application procedure for the Special permit shall be as defined in Section G.4.

H.3.d Mandatory Provision of Affordable Units:
1. As a condition of approval for a Special Permit, the applicant shall contribute to the local stock of affordable unit in accordance with the following requirements:
   (a) At least ten (10) percent of the In accordance with affordable housing units as set forth in Section H.3.b, in a division of land or multiple unit development subject to this bylaw shall be established as affordable housing units in any one or combination of methods provided for below:
      (1) constructed or rehabilitated on the locus subject to the Special Permit (see Section H.3.e); or
      (2) constructed or rehabilitated on a locus different than the one subject to the Special Permit (see Section H.3.f); or
      (3) contribution of funds to the Norfolk Municipal Affordable Housing Trust Fund to be used for the creation of affordable housing in lieu of construction and offering affordable units within the locus of the proposed development. For the purposes of this Bylaw, the cash payment per affordable unit required shall be equal to the difference between the median single-family home sales price in Norfolk for the most recent calendar year as determined by the SPGA and the price affordable to a qualified purchaser as determined by the SPGA, based on applicable guidelines of
the DHCD, Local Initiative Program (LIP). Where the calculation of affordable
units results in a fraction below 0.5, a cash payment may be made as
provided in this section on a pro rata basis. The cash payment formula and timetable
may be adjusted by the SPGA from time to time through the issuance of guidelines
or regulations. If the SPGA issues a Special Permit to authorize a cash payment in
lieu of units and the Board of Trustees of Norfolk Municipal Affordable Housing
Trust Fund votes to accept said contributions, the payment shall be paid to the
Norfolk Affordable Housing Trust Fund prior to the issuance of any building
permits for the development or prior to the sale of any lots, if applicable.
Alternatively, the SPGA may allow payment of said contributions according to a
specified timetable in proportion to the rate of development or sale of lots. This
cash contribution alternative shall apply only to homeownership developments and
division of land and shall not apply to rental development.

(b) The applicant may offer, and the SPGA may accept, any combination of this Section
(1-3) requirements provided that in no event shall the total number of units provided be
less than the equivalent number of affordable units required by this bylaw.

(c) As a condition for the granting of a Special Permit, all affordable housing units shall be
subject to an affordable housing restriction and a regulatory agreement in a form acceptable
to the Planning Board. The regulatory agreement shall be consistent with any applicable
guidelines issued by the Department of Housing and Community Development and shall
ensure that affordable units can be counted towards the Norfolk’s Subsidized Housing
Inventory.

The regulatory agreement shall also address all applicable restrictions H.3.h of this bylaw.
The Special Permit shall not take effect until the restriction, the regulatory agreement and
the special permit are recorded at the Registry of Deeds and a copy provided to the Planning
Board.

H.3.e. 1. Provisions Applicable to Affordable Housing Units On- and Off-Site:

(1) Siting of affordable units. All affordable units constructed or rehabilitated under this
bylaw shall be situated within the development so as not to be in less desirable locations
than market-rate units in the development and shall, on average, be no less accessible to
public amenities, such as open space, as the market-rate units. The affordable units shall
be located within the subdivision unless otherwise waived by the SPGA. If such a waiver
is granted, it shall be subject to H.3.f (provision of Affordable Housing Units Off-Site).
The affordable units shall not be replaced with Market Rate units within the subdivision
unless the developer demonstrates, to the satisfaction of the SPGA, that doing so will create
a clear benefit to the Town.

(2) Minimum design and construction standards for affordable units. Affordable housing
units shall be integrated with the rest development and shall be compatible in design,
appearance, construction, and quality of materials with other units.

(3) Timing of construction or provision of affordable units or lots. Where feasible,
affordable housing units shall be provided coincident to the development of market-rate
units, but in no event shall the development of affordable units be delayed beyond the
schedule noted below:

Schedule below to be removed completely.
(4) Marketing Plan for Affordable Units. Applicants under this bylaw shall submit a marketing plan or other method approved by the Town through its local comprehensive plan, to the SPGA for its approval, which describes how the affordable units will be marketed to potential home buyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants.

H.3.e. 2. In a subdivision, the required affordable unit(s) may be provided within a two-family home designed to appear as a single-family home whose exterior appearance (including a single driveway and common entryways) and architecture is compatible with that of the other houses within the subdivision. If only a single affordable unit is required (that is, if the subdivision creates exactly ten lots), the second unit in the two-family home may be a market rate unit. In no case shall the total number of units exceed the number of lots that would be allowed in a conventional subdivision. However, the bonus provisions of H.2.c.3 shall still apply to subdivisions developed under Section H.2.

The Advisory Committee recommends approval of this article.

This Article would make changes to the town’s inclusionary housing bylaw. The proposed changes would expand and increase the number of units that are designated as affordable in new developments in town. The proposal would lower the threshold that triggers the provision from 10 units to 6 and sets up three tiers that increase the percentage of affordable units depending on the size of the development. The Advisory Committee voted unanimously to support this article.
Hereof, fail not, but make due return of this warrant, with your doings thereon to the Town Clerk, on or before the hour of said meeting. Given under our hands and seal of the Town of Norfolk on the twentieth day of April, 2021 A.D.

NORFOLK SELECT BOARD

Kevin Kalkut, Chair

Carolyn Van Tine, Vice Chair

Anita Mecklenburg, Clerk

A true copy, attest:
Town of Norfolk
Norfolk, ss

By virtue of this Warrant, I have notified and warned the legal voters of the Town of Norfolk aforesaid to meet at the time and place and for the purposes specified in said Warrant, by posting true and attested copies thereof in the Town Hall, and in at least one public place in each of the three (3) precincts, not less than seven (7) days at least before the date of said meeting.

Constable

Date

4/22/21
Norfolk’s Town Meeting is an open town meeting in which all registered voters may participate in the voting. The Meeting is a deliberative assembly, conducted in the democratic process, charged with engaging in a full but expeditious debate on all matters presented, and with full regard to the rights of those who are either supportive of, opposed to, or neutral on the subject being discussed.

**AUTHORITY**

The Moderator presides at and regulates the proceedings, decides all questions of order, and makes declarations of all votes. The Moderator is guided by State Law, the Town’s General Bylaws, a treatise on parliamentary procedure entitled Town Meeting Time, and common sense. No attendee of Town Meeting may speak on an issue without being recognized by the Moderator. All declarations of the Moderator are final, subject to points of order that may be legitimately raised. The Moderator appoints Tellers for the purpose of counting close votes of the meeting.

The Town Clerk is responsible for voter registration and keeping the record of the Meeting.

The Advisory Committee prepares recommendations for Town Meeting articles and presents the Main Motion for most of the articles on the Town Meeting Warrant.

The Planning Board makes recommendations on all articles proposing zoning amendments.

Town Counsel is present to address, as directed by the Moderator, any legal questions that arise during Town Meeting.

**THE WARRANT**

All matters to be considered at Town Meeting must be published in the Town Meeting Warrant, which is predominantly the responsibility of the Board of Selectmen. The Selectmen may consider the inclusion of items proposed by local officials, boards and committees. Other items may be added to the warrant at the discretion of certain local boards such as the Community Preservation Committee, or by groups of ten or more registered voters (100 or more registered voters for a Special Town Meeting). The Advisory Committee reviews the warrant, making recommendations on all the items of business to be presented. In accordance with the by-laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting votes to change the order.

**PARTICIPATION**

Anyone wanting to ask questions, make a statement, or otherwise participate in the meeting must go to one of the floor microphones and wait to be recognized by the Moderator. Upon recognition by the Moderator, speakers must state their name and address and then state your business.

Anyone whose name is not on the list of registered voters requires the approval of either the Moderator or a majority of the Meeting to address the Town Meeting.

All remarks should be limited to the subject then under discussion. It is improper to indulge in references to personalities and all expressions of approval or disapproval, such as applause or booing, are out of order. The Moderator may interrupt any speaker to halt inappropriate comments and request any person to keep silent. If after warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order a person to leave the Meeting and if he fails to withdraw, may order a police officer to remove such person from the Meeting.

Under local bylaws, the Moderator may, but is not required to, limit any speaker to two opportunities to speak on any motion, with the first opportunity being limited to five minutes and the second opportunity limited to three minutes. There is no fixed time limit to the debate of any question. Regardless of these limits, each individual who speaks to the Meeting should try to be as brief as possible, out of consideration for the others attending the Meeting and the need to give adequate time to all matters coming before it. The Moderator may limit repetitive comments in an effort to expedite the Meeting.
Anyone who wishes to make a special presentation with respect to any article must, prior to the Meeting, inform the Moderator of the length of time required and the nature of the presentation in seeking his approval. This is preferably done at the Moderator’s Organizational Meeting which occurs two weeks prior to Town Meeting.

In the event that any Town Meeting attendee believes that debate has gone on too long, such person may “move the question” or “move to cut off debate.” The moderator may reject such a motion if he feels it is premature. Passage of such a motion requires a two-thirds majority vote.

**HOW ARE MOTIONS CLASSIFIED?**

**Main Motions**
Motions of this group are generally for the bringing of consideration of the particular warrant article before the Meeting for consideration. Only one main motion can be considered at a given time by the Meeting, and such a motion, when introduced, excludes all other main motions until it has been disposed of. Main motions include both motions to approve the article under consideration or to reject it. The latter can be accomplished by a Motion to Indefinitely Postpone or a Motion to Pass Over. Motions to Reconsider a particular matter are also classified as main motions. Motions to Reconsider can be made only once with respect to any particular article and must be made within two articles of the article being reconsidered.

**Subsidiary Motions**
Motions of this group have for their object the amendment or disposition of the main motion that is being considered. Their existence as motions depends entirely upon the principal motion to which they are subordinate. Since they relate to the main motion that is before the Meeting, it is “in order” to propose them when a main motion is still before the Meeting and to vote upon them before voting upon the main motion. Subsidiary motions include a wide variety of various devices including, but not limited to: motions to amend a main motion and motions to postpone consideration of a main motion.

**Incidental Motions**
Motions of this group have few characteristics in common, but for convenience have been grouped into one class. The name, “incidental,” has been chosen because they arise only incidentally out of the business of the Meeting. These motions include such devices as a motion to divide a particular article into two or more parts for separate consideration. Raising a “point of order” which is the raising of a question regarding the correctness of the procedure being employed, is also classified as an incidental motion.

**Privileged Motions**
Motions of this group have no connection whatsoever with the main motion before the Meeting, but are motions of such importance that they are entitled to immediate consideration. These motions have the privilege of setting aside temporarily the main business before the Meeting and include motions to dissolve or adjourn the Town Meeting.

**VOTING**
Voting is by voice or hand vote and the Moderator declares the results of such votes. At the Moderator’s discretion the Moderator may employ the Tellers to count the votes. If seven or more registered voters immediately question the vote, so declared, the Moderator shall determine the results by a standing count of votes by the Tellers.

**ADJOURNMENT AND DISSOLUTION**
Sessions of the Town Meeting normally adjourn at eleven o’clock in the evening but may adjourn at such earlier or later time as the Meeting upon vote of the majority may determine. The Town Meeting may be adjourned to a specific time and date if there are remaining articles to be considered. The Town Meeting may be dissolved (or adjourned without a new date) when all articles in the warrant have been properly considered or when the Town Meeting determines that Meeting should be concluded.

**GLOSSARY OF TERMS**
The following list is Glossary of Terms commonly used at Town Meeting:
Article - An item listed in the Town Meeting Warrant which must contain a sufficient description of what is proposed to be voted upon. Every action taken at the town meeting must be pursuant to some Article printed in the Warrant, and must be within the scope of such Article.

Assessed Valuation - A valuation set upon real property and personal property by the Board of Assessors as a basis for levying taxes.

Available Funds - Balances in the various fund types that represent non-recurring revenue sources. Examples of Available Funds include Free Cash, Stabilization Funds, and Overlay Surplus.

Chapter 70 School Aid – Chapter 70 refers to the school funding formula created under the Education Reform Act of 1993, by which the state aid portion of public education funding is distributed to cities and towns.

Chapter 90 Highway Funds – State funds derived from periodic transportation bond authorizations and apportioned to communities for roadway projects based on a formula under the provisions of MGL Ch. 90 §34. The amount granted to each town is paid in the form of reimbursements by the state after the town completes local work and submits certified expenditure reports to Mass Highway.

Cherry Sheet – A cherry-colored form issued by the State each year which lists all state and county charges required to be paid by the town, as well as all reimbursements and Local Aid to be paid to the town. Some reimbursements paid to the town are based on formulas which review how much the town spent on certain items during the previous fiscal year.

Community Preservation Act (“CPA”) – Enacted in 2000, MGL Ch. 44B permits towns accepting its provisions to establish a restricted fund from which monies can only be appropriated for the acquisition, creation and preservation of open space, historic resources, land for recreational use, community housing, and the rehabilitation and restoration of those town assets previously acquired or created using monies from the fund. Community Preservation is funded annually by a combination of a surcharge on the local real property tax levied on valuations of $100,000 and above and a variable percentage state match using funds realized from deed registration fees.

Debt Exclusion - A town can vote to assess taxes in excess of its Levy Limit (see below) in order to borrow money and make annual loan payments. A Debt Exclusion for a town is similar to a mortgage for a home, with the exception that annual payments for Debt Exclusions usually decrease each year until the debt is completely paid. The additional amount approved for the payment of the annual loan payments (“Debt Service”) is added to the Levy Limit for the life of the debt only. Unlike Overrides (see below), Debt Exclusions do not become part of the base upon which the Levy Limit is calculated for future years. A Debt Exclusion is typically used to pay for capital equipment purchases and municipal building construction/renovation projects.

Debt Service – The repayment cost to be budgeted each year to make principal and interest payments due on the bonds owed by the town. It is similar to a homeowner’s budget for mortgage payments.

Enterprise Funds - Funds that are set up pursuant to MGL Chapter 44 §53F½ to collect fees paid by users to pay for certain self-sufficient programs. These funds account for all revenues and expenditures for services and allow surpluses to be used to reduce future fees for the services or to pay for future capital improvements for that service. Each fund has an independent budget.

Estimated Receipts – Funds expected to be received by the town in the coming fiscal year, but not including real estate taxes. Building permit fees, marriage license fees, and automobile and boat excise taxes are examples of items included in Estimated Receipts.

Fixed Costs – Costs that are legally or contractually mandated; such as retirement, FICA/Social Security, the town’s liability insurance, or Debt Service.

Free Cash - Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items.

General Fund – The fund used to account for most financial resources and activities governed by the normal town meeting appropriation process.
**Level Funded Budget** – A budget for a certain department(s) or town service(s) which provides the same total dollar amount as last year’s budget. Since costs usually rise each year (fuel, salaries, supplies), a Level Funded Budget typically results in reduced services to residents because the same budget amount must pay for the rising costs, which will require reductions in work hours, staffing or other department services in order to balance the budget.

**Level Service Budget** – A budget for a certain department(s) or town service(s) which provides increased funding which is sufficient only to provide for the same level of services as last year’s level of services. No new employees or expanded services are funded for the coming Fiscal Year.

**Levy Limit** – The maximum amount that any town can collect (or levy) in a given fiscal year through the real estate tax and personal property tax. The Levy Limit can grow by 2½% of the prior year’s Levy Limit, plus New Growth and any voter-approved Overrides or Debt Exclusions.

**Local Aid** – Revenue allocated and paid by the State to our town. Some Local Aid is unrestricted (the town votes how to spend it), and other types of Local Aid are restricted to education uses, highway/street maintenance, and the like.

**Local Revenues** – Locally generated revenues which do not include real estate taxes or personal property taxes. Examples include motor vehicle excise taxes, investment income, permit fees paid to the town, etc.

**New Growth** – Additional tax revenue expected to be collected by the town in the coming fiscal year due to taxes being assessed to new construction projects (commercial and residential) and other increases in the property tax base (home renovations, building upgrades or additions, etc.).

**Non-Recurring Funds** – Money that the town expects to collect this year, but not next year. As an example, if the town plans to sell a piece of real estate this year, the money received from the sale would be Non-Recurring Funds.

**Overlay** - The Overlay is the amount used by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements granted.

**Override** – The ability of residents to increase the town’s Levy Limit by more than 2½% by voting to approve a higher Levy Limit. A majority vote by the Board of Selectmen is required to place an Override question on a ballot, and a majority vote by registered voters at a subsequent ballot box election is required to approve an Override.

**Raise and Appropriate** – A phrase used to mean that an item will be paid for by real estate taxes and other revenue sources (excise taxes, permit fees, local aid, etc.) to be collected by the town in the coming fiscal year.

**Recurring Funds** – Money that the town expects to collect each and every year for the foreseeable future, although the exact amounts may vary. Real estate taxes, fees collected for local permits and licenses, and local aid money from the state are all examples of Recurring Funds.

**Reserve Fund** - A small fund established each year by the Annual Town Meeting. The money is controlled by the Advisory Committee, which may authorize transfers at the end of each fiscal year to cover any extraordinary or unforeseen expenditures of the town.

**Revolving Fund** – Funds established each year for certain town departments to allow those departments to collect fees for a specific service and use those fees/revenues to support the service without using tax dollars. Per MGL Ch. 44 §53E½, each Revolving Fund must be re-authorized each year at the Annual Town Meeting, as well as the limit on the total amount that may be spent from each fund.

**Stabilization Fund** - A special account created to provide a reserve for municipal purposes. It is typically considered as a town’s savings account or a “rainy day fund”, to be used to balance budget shortfalls in years when local revenues or state aid is low, or when unique or unexpected expenses arise, or for any other purpose that Town Meeting authorizes. To deposit or withdraw money from the Stabilization Fund, Town Meeting must approve the amount by a 2/3 vote.

**Surplus Revenue** - The total amount of cash, accounts receivable, and other current assets that exceed liabilities and reserves. As a simple example, if the Town collected taxes, fees and local aid of $100, but only spent $90 on actual costs and expenses, our Surplus Revenue would be $10.
May 8, 2021
ANNUAL TOWN MEETING
WARRANT

KING PHILIP HIGH SCHOOL
201 FRANKLIN STREET
WRENTHAM, MA 02093

PLEASE ATTEND.

YOUR VOTE IS IMPORTANT.