



TOWN OF BELLINGHAM

OFFICE OF
TOWN CLERK

Bellingham Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Town Clerk
Ann L. Odabashian

Tel.: 508-657-2830
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ANNUAL TOWN MEETING

JUNE 13, 2017

AT 7:30 P.M

I hereby certify the following pages, 1 through 27 inclusive, are a true record of the motions adopted by the voters of the Town of Bellingham at the Annual Town Meeting of June 13, 2017 at 7:30 pm .

A true copy.

ATTEST:

**Ann L. Odabashian
Bellingham Town Clerk**

COMMONWEALTH OF MASSACHUSETTS

TOWN OF BELLINGHAM

ANNUAL TOWN MEETING

June 13, 2017

ARTICLE 1. OPERATING EXPENSES AND SALARIES

To see what sums the Town will vote to raise and appropriate by taxation, by transfer from available funds and/or otherwise, for the following purposes, to include determining the expenses and salaries of the various elected and appointed Town Officials for the period commencing July 1, 2017 through June 30, 2018; or act or do anything in relation thereto

<u>Account #</u>	<u>Account</u>
114	Town Meeting Moderator
122	Board of Selectmen
123	Town Administrator
131	Finance Committee
132	Reserve Fund
135	Chief Financial Officer
137	Assessors
145	Treasurer & Collector
151	Town Counsel
152	Human Resources
154	Management Information System
156	Tax Title Foreclosure

161	Town Clerk
162	Elections
163	Board of Registrars
171	Conservation Commission
172	Planning Board
173	Zoning Board of Appeals
182	Industrial Development Commission
183	Commission on Disability
189	Public Buildings Maintenance
190	OTJ Injury for Deductible
192	Employee Sick Day Buy-Back
193	Property & Liability Insurance
194	Retirement Assessment
195	Medicare/Employer Share
196	Town Reports
197	Physical/Occupational Health
198	Insurance Deductible
210	Police Department
220	Fire Department
251	Town Inspector
252	Scaler of Weights & Measures
253	Inspector of Plumbing & Gas
255	Electrical Inspector
292	Animal Control
294	Tree Warden
299	Auxiliary Police
300	School Department
302	Blackstone Valley Vocational Tech School
303	School Transportation
421	Highway Administration
422	Highway Construction/Maintenance
423	Snow and Ice Removal
424	Street Lighting
425	Highway Maintenance
426	Gas & Oil
433	Solid Waste
439	Sanitary Landfill
491	Cemetery Committee
510	Board of Health
541	Council on Aging
543	Veterans Services
549	Veterans Grave Agent
610	Library

630	Park & Recreation
650	Historical Commission
651	Arts Cultural Commission
660	Memorial Day/Veterans
710	Maturing Debt
715	Interest on Bonds
990	Workers Compensation Trust Fund
991	Unemployment Insurance Trust Fund
992	Group Insurance Claims Trust Fund
996	Transfer to Capital Investment Trust
997	Compensated Absence Trust Fund

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$55,789,996 for the purpose of determining the expenses and salaries of various elected and appointed Town officials and Town Departments for the period commencing July 1, 2017 through June 30, 2018 all as printed in the Report and Recommendations of the Finance Committee. Said sum to be raised in the following manner:

\$ 79,334 Title V Betterment Fund
 \$ 400,000 Pension Reserve
 \$ 200,000 Capital Investment Fund
 \$ 175,000 Workers Compensation Trust Fund
 \$ 360,000 Stabilization Fund
 \$ 350,000 Ambulance Receipts Reserve
 \$ 100,000 Gatra Revolving Fund
\$54,125,662 From Taxation
 \$55,789,996

1. All Travel expenses are paid at the rate of \$.40 per mile. No travel expenses shall be paid except upon receipt of vouchers, showing dates, expenses incurred and the number of miles traveled.
2. Salaries under negotiation have been level funded.
3. All dollar amounts listed have been rounded to the nearest whole dollar.

(Recommended by Finance Committee)

ARTICLE 2. TRASH ENTERPRISE

To see what sums the Town will vote to raise and appropriate for the Trash Enterprise for a period commencing July 1, 2017 through June 30, 2018; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$1,613,216 for the Trash Enterprise Fund with \$1,537,316 coming from Trash Receipts and \$75,900 transferred from Article I, Item 433, "Solid Waste" of the 2017 Annual Town Meeting for the period commencing July 1, 2017 through June 30, 2018; said sum to be expended in the following manner:

\$ 40,814 Salaries
\$1,572,402 Expenses
\$1,613,216

(Recommended by Finance Committee)

ARTICLE 3. WATER ENTERPRISE

To see what sums the Town will vote to raise and appropriate for the Water Enterprise for a period commencing July 1, 2017 through June 30, 2018; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$3,260,002 for the Water Enterprise Fund for the period commencing July 1, 2017 through June 30, 2018; said sum to be raised by transfer from Water Receipts expended in the following manner:

\$ 25,000 Reserve Fund
\$ 962,383 Elected/Appointed Salaries
\$2,272,619 Expenses
\$3,260,002

(Recommended by Finance Committee)

ARTICLE 4. SEWER ENTERPRISE

To see what sums the Town will vote to raise and appropriate for the Sewer Enterprise for a period commencing July 1, 2017 through June 30, 2018; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$1,374,106 for the Sewer Enterprise Fund for the period commencing July 1, 2017 through June 30, 2018; said sum to be raised from Sewer Receipts and expended in the following manner:

\$ 25,000 Reserve Fund
\$ 194, 600 Appointed Salaries
\$1,154,506 Expenses
\$1,374,106

(Recommended by the Finance Committee)

ARTICLE 5. CONVEYANCES AND EASEMENTS

To see if the Town will vote to authorize the Board of Selectmen to accept and/or purchase conveyances or easements, sewers, water lines, retaining walls and streets, and to raise and appropriate a sum of money to carry out said purposes; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to authorize the Board of Selectmen to accept and/or purchase conveyances or easements, sewers, water lines, retaining walls and streets, and to raise and appropriate the sum of \$1.00 to carry out said purposes; said sum to be raised by Free Cash.

(Recommended by the Finance Committee)

ARTICLE 6. PURCHASE OF SURPLUS EQUIPMENT

To see if the Town will vote to raise and appropriate a sum of money and to authorize the D.P.W. Director, in conjunction with other Town Departments, to purchase surplus government equipment for the Town; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$1.00 and to authorize the DPW Director, in conjunction with other Town Departments, to purchase surplus government equipment for the Town; said some to be raised by Free Cash.

(Recommended by the Finance Committee)

ARTICLE 7. TOWN PROPERTY AUCTION

To see if the Town will vote to authorize the Board of Selectmen and their successors in office to sell at public auction any of the property which the Town may have acquired or may hereafter acquire through proceedings based upon non-payment of taxes or under proceedings for the sale of lands of low value, to impose upon the property so sold such restrictions, reservations or conditions as shall be deemed expedient, and to execute quitclaim deeds and other instruments thereto; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to authorize the Board of Selectmen and their successors in office to sell at public auction any of the property which the Town may have acquired or may hereafter acquire through proceedings based upon non-payment of taxes or under proceedings for the sale of lands of low value, to impose upon the property so sold such restrictions, reservations or conditions as shall be deemed expedient, and to execute quitclaim deeds and other instruments thereto; or act or do anything in relation thereto.

(Recommended by the Finance Committee)

ARTICLE 8. HIGHWAY CONSTRUCTION

To see if the Town will vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of funds to be allotted by the State under authorization of Chapter 90 of the Massachusetts General Laws, (as pertaining to Highway Funds) for the construction, reconstruction, and improvement of Town roads, said funds to be borrowed in anticipation of State Revenue; and expended under the direction of the D.P.W. Director; or act or do anything in relation thereto.

(By: D.P.W. Director)

VOTED: The Town voted unanimously to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of funds to be allotted by the State under authorization of Chapter 90 of the Massachusetts General Laws, (as pertaining to Highway Funds) for the construction, reconstruction, and improvement of Town roads, said funds to be borrowed in anticipation of State Revenue; and expended under the direction of the D.P.W. Director; or act or do anything in relation thereto.

(Recommended by the Finance Committee)

ARTICLE 9. AMEND ARTICLE 1.

To see if the Town will vote to amend Article 1 of the 2016 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 1; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to amend Article 1 of the 2016 Annual Town Meeting, and to raise and appropriate the sum of \$1,433,629.19 by transferring said amounts from and into various accounts as follows:

<u>Department</u>	<u>Amount Requested</u>	<u>Transfer From</u>
423 – Snow & Ice	\$ 333,629.19	\$128,000 from Free Cash
		\$205,629.19 from Stabilization
Group Insurance Trust	<u>\$1,100,000</u>	Overlay Surplus
	\$1,433,629.19	

(Recommended by the Finance Committee)

ARTICLE 10. AMEND ARTICLE 2.

To see if the Town will vote to amend Article 2 of the 2016 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 2; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: This article was Passed Over by unanimous vote.

ARTICLE 11. AMEND ARTICLE 3.

To see if the Town will vote to amend Article 3 of the 2016 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 3; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: This article was Passed Over by unanimous vote.

ARTICLE 12. AMEND ARTICLE 4.

To see if the Town will vote to amend Article 4 of the 2016 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 4; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: This article was Passed Over by unanimous vote.

ARTICLE 13. CAPITAL OUTLAY

To see if the Town will vote to raise and appropriate a sum of money and to determine how such appropriation shall be raised, whether by transfer of available funds, by taxation, by borrowing or otherwise, and if by borrowing to authorize the issuance and sale of general obligation bonds or notes of the Town therefore for the purpose of financing the purchase, construction, reconstruction and/or engineering costs associated with various capital outlay items or improvements proposed by Town Departments, Boards or Committees; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$158,500 for the purpose of purchasing various items proposed by the Town Departments and to raise or transfer said funds as follows:

<u>Department</u>	<u>Amount Requested</u>	<u>Transfer From</u>
DPW/Mechanic Street Sewer Station Odor Control System	\$ 81,000	Sewer Capital Fund
DPW/Well 12	<u>\$ 77, 500</u>	\$49,614.45 from Article 5 of the October 9, 2013 STM
Generator Replacement	\$158,500	\$27,885.55 from Article 5 of the October 14, 2015 STM

(Recommended by Finance and CIP Committee)

ARTICLE 14. NON-CAPITAL OUTLAY EXPENDITURES

(Expenditures of Less Than \$50,000)

To see if the Town will vote to raise and appropriate a sum of money and to determine how such appropriation shall be raised, whether by transfer of available funds, by taxation, by borrowing or otherwise, and if by borrowing to authorize the

issuance and sale of general obligation bonds or notes of the Town therefore for the purpose of financing the purchase of various non-capital outlay items or improvements proposed by Town Departments, Boards or Committees; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$76,724 for the purpose of financing the Non-Capital Outlay items from the stated funds as follows:

<u>Department/Use</u>	<u>Amount Requested</u>	<u>Transfer From</u>
DPW/Large vehicle lift replacement	\$45,500	Capital Improvement Trust Fund
FIRE DEPARTEMENT Rescue Boat	\$11,612	Ambulance Receipts Account
Ambulance Infusion Pumps	<u>\$19,612</u> \$76,724	Ambulance Receipts Account

(Recommended by Finance Committee)

ARTICLE 15. AMEND GENERAL BY-LAWS, CHAPTER 71

To see if the Town will vote to amend Part 1, Chapter 71: Financial Affairs of the General Bylaws of the Town by adding a new section below to establish and authorize revolving funds for use by certain Town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, §53E½; or take any other action relative thereto.

§71-6. Revolving Funds.

- A. Purpose. This bylaw establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, §53E½ .
- B. Expenditure Limitations: A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this bylaw without appropriation subject to the following limitations:

- Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 - No liability shall be incurred in excess of the available balance of the fund.
 - The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Selectmen and Finance Committee.
- C. Interest:** Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.
- D. Procedures and Reports.** Except as provided in General Laws Chapter 44, §53E½ and this bylaw, the laws, charter provisions, bylaws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this bylaw. The Town Accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, agency or officer on appropriations made for its use.
- E. Authorized Revolving Funds.**
1. Each revolving fund authorized for use by a town department, board, committee, agency or officer.
 2. The department or agency head, board, committee or officer authorized to spend from each fund.
 3. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant.
 4. The expenses of the program or activity for which each fund may be used.
 5. Any restrictions or conditions on expenditures from each fund.
 6. Any reporting or other requirements that apply to each fund.
 7. The fiscal years each fund shall operate under this by-law.

<u>FUND</u>	<u>REVENUE SOURCE</u>	<u>AUTHORITY TO SPEND FUNDS</u>	<u>USE OF FUNDS</u>	<u>SPENDING LIMIT</u>	<u>RESTRICTIONS AND/OR COMMENTS</u>	<u>OTHER REQUIREMENTS/REPORTS</u>	<u>FISCAL YEARS</u>
<u>Bellingham Public Library Trustees</u>	<u>Overdue Fines</u>	<u>Bellingham Public Library Trustees</u>	<u>Purchasing books, videos, library materials, payment to temporary or part-time employees, payment to independent contractors</u>	<u>\$15,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>D.P.W.</u>	<u>Service fees to open cemetery graves</u>	<u>D.P.W.</u>	<u>Operational Expenses, including payment of employee salaries</u>	<u>\$20,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>Board of Health</u>	<u>Food Inspection fees</u>	<u>Board of Health</u>	<u>Operational Expenses, including payment of employee salaries</u>	<u>\$35,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>Board of Health</u>	<u>Permitting fees and fines for tobacco sales</u>	<u>Board of Health</u>	<u>Surveillance of tobacco sales, tobacco education and training</u>	<u>\$20,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>Commission on Disability</u>	<u>Gifts, grants and fees</u>	<u>Commission on Disability</u>	<u>Purchasing equipment and supporting materials, and payment to temporary or part-time employees and independent contractors</u>	<u>\$10,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>Bellingham Police Department</u>	<u>Payment by third-party vendors for details</u>	<u>Bellingham Police Department</u>	<u>Repair, replacement or purchase of vehicles or equipment</u>	<u>\$40,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>Bellingham Conservation Commission</u>	<u>Application revenues</u>	<u>Conservation Commission</u>	<u>Land purchases, to supplement the Town's Land Acquisition Trust, or related expenditures</u>	<u>\$15,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>Board of Selectmen</u>	<u>Fees and fines issued by the Sealer of Weights and Measures</u>	<u>Board of Selectmen</u>	<u>Purchase equipment and materials or to pay salaries in performance of annual inspections as required by State law, or related expenditures</u>	<u>\$25,000</u>			<u>Fiscal Year 2018 and subsequent years</u>
<u>School Committee</u>	<u>Revenues received from the rental of the Anderson Athletic Field; the purchase of commemorative bricks at said field; the purchase of advertising at said field</u>	<u>School Committee</u>	<u>Maintenance of the grounds at the Anderson Athletic Field</u>	<u>\$50,000</u>			<u>Fiscal Year 2018 and subsequent years</u>

VOTED: The Town voted by majority to Amend part 1, Chapter 71: Financial Affairs of the General Bylaws of the Town by adding a new section below to establish and authorize revolving funds for the use by certain Town Departments, boards, committees, agencies, or officers under the Massachusetts General Laws Chapter 44, 53E1/2: as written in the warrant and modified by the handout presented to Town Meeting.

Amendment made to change under Section B; from Selectmen and Finance Committee to by the vote of Town Meeting.

A Majority vote carried the motion.

Hand count: Yes – 64 No – 43

(By: Board of Selectmen)

ARTICLE 16. REVOLVING FUNDS

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to G.L. c. 44 §53E½ for the fiscal year beginning July 1, 2017 to be expended in accordance with the bylaws heretofore approved; or take any other action relative thereto.

<u>FUND</u>	<u>SPENDING LIMIT</u>
Bellingham Public Library Trustees	\$15,000
D.P.W.	\$20,000
Board of Health	\$35,000
Board of Health	\$20,000
Commission on Disability	\$10,000
Bellingham Police Department	\$40,000
Bellingham Conservation Commission	\$15,000
Board of Selectmen	\$25,000
School Committee	\$50,000

(By: Library Trustees, D.P.W., Board of Health, Commission on Disability, Police Department, Conservation Commission, Board of Selectmen, School Committee)

VOTED: The Town voted unanimously to authorize expenditure limits for the various revolving funds approved under Article 15, as printed in the warrant and as shown on the handout presented to Town Meeting.

(Recommended by the Finance Committee)

ARTICLE 17. DAMON ROAD ACCEPTANCE

To see if the Town will vote to accept as a Public Way a road, along with all easements appurtenant thereto, and the Deed thereto, identified as Damon Road, being shown on a Plan entitled on a certain plan entitled, "Definitive Subdivision Plan Hillside Estates" Bellingham, Massachusetts" Dated August 20, 2013, Revised: December 10, 2013, January 27, 2014, March 6, 2014, Applicant: Robert Borrelli, P. O. Box 377, Medfield, MA 02052, Prepared By: GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, MA 01746, recorded with the Norfolk County Registry of Deeds in Plan Book 630, Page 85, of May 8th, 2014 and as more particularly described in a deed on file at the Office of the Town Clerk and to authorize the Board of Selectmen to accept the deed thereto; or act or do anything related thereto.

(By: Mounir Tayara, Manager Novus
Homes LLC
135 Main St., Ste 5, Medway MA 02053)

VOTED: The Town voted unanimously to accept as a Public Way a road, along with all easements appurtenant thereto, and the Deed thereto, identified as Damon Road, being shown on a Plan entitled on a certain plan entitled, "Definitive Subdivision Plan Hillside Estates" Bellingham, Massachusetts" Dated August 20, 2013, Revised: December 10, 2013, January 27, 2014, March 6, 2014, Applicant: Robert Borrelli, P. O. Box 377, Medfield; MA 02052, Prepared By: GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, MA 01746, recorded with the Norfolk County Registry of Deeds in Plan Book 630, Page 85, of May 8th, 2014 and as more particularly described in a deed on file at the Office of the Town Clerk and to authorize the Board of Selectmen to accept the deed thereto; or act or do anything related thereto.

(Recommended by the Finance Committee and Planning Board)

ARTICLE 18. ZONING CHANGE – MACY SCHOOL PROPERTY

To see if the Town will vote to amend its Zoning Bylaws by amending the Section entitled the Establishment of districts 240-28A(2) to read:

In addition, there are five six overlay districts: Floodplain District as established § 240-110, Water Resource District as established at § 240-132, Adult Use Districts No. 1 and No. 2 as established at Article XXII of this chapter, and the Mill Reuse Overlay District as established at Article XXIII and the Wethersfield Overlay District as established at Article XXVII of this chapter.

And to further amend the Zoning Bylaws by adding a new district bylaw entitled Wethersfield Overlay District to read:

ARTICLE XXVII WEATHERSFIELD OVERLAY DISTRICT

240-191 Purpose

It is the purpose of this section to establish an overlay district at the former Macy School site in order to redevelop the parcel of land to allow for a context-sensitive design that integrates the existing neighborhood character in to redevelopment.

No provision in this Bylaw may be construed to supersede or otherwise alter or amend the bylaws pertaining to the use of land in the underlying district. Rather, this bylaw is intended to supply alternative development standards for those who elect to utilize the provisions of this Bylaw, in which case the provisions and requirements of this Bylaw shall apply, and not the provisions and requirements of the underlying district, except as specifically stated in this Bylaw.

Overlay District – The Overlay District shall consist of the following properties:

**0029-0108-00 – 14 acres
23-22-0 - 2.485 acres**

240-192 Permitted and Prohibited Uses

The following uses are allowed in the overlay district. All uses not expressly permitted shall be prohibited from use of the overlay district.

- 1. Single-Family Dwellings**
- 2. Public park**

240-193 Inclusionary Housing

This overlay district is exempt from Bellingham Zoning Bylaw Article XXV Inclusionary Housing.

240-194 Design Standards

The following dimensional standards shall apply to the overlay district. All other underlying zoning remains applicable.

Min Lot Area: 12,000 s.f.

**Min Frontage: 50 ft.
Min Front Yard: 20 ft.
Min Side Yard: 10 ft.
Min Rear Yard: 20 ft.
Max. Building Height: 35 ft.;**

or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted to amend the Zoning Bylaws by amending the Section entitled the Establishment of Districts 240-28A(2) and by adding a new section – Article XXVII, entitled Wethersfield Overlay District, all as described in hand out provided to Town Meeting.

Motion carried by 2/3 vote (per General By-Law Section 4.07.100 adopted by Town on May 28, 1997.

(Recommended by the Finance Committee)

ARTICLE 19. ZONING CHANGE – NEW ENGLAND COUNTRY CLUB PROPERTY

To see if the Town will vote to amend its Zoning Bylaws by amending the Section entitled the Establishment of districts 240-28A(2) to read:

In addition, there are five seven overlay districts: Floodplain District as established § 240-110, Water Resource District as established at § 240-132, Adult Use Districts No. 1 and No. 2 as established at Article XXII of this chapter, and the Mill Reuse Overlay District as established at Article XXIII , the Wethersfield Overlay District as established at Article XXVII and the 55+ Active Adult Overlay District as established at Article XXVIII of this chapter.

To create an overlay district entitled 55+ Active Adult Overlay District to read:

ARTICLE XXVIII 55+ ACTIVE ADULT OVERLAY DISTRICT

A. Purpose:

It is the purpose of this section to establish a 55+ Active Adult Overlay District (AAOD). The establishment of the AAOD will foster the development of a range of

housing types and provide the flexibility to encourage development that will allow for context-sensitive design and creative site planning. The processes adopted hereunder will ensure that development within the AAOD will be balanced with the public health, safety and welfare. All projects proposed under this bylaw shall employ development principles that take into consideration the existing landscape, scenic vistas, passive and active recreational opportunities and conservation of open spaces.

A Special Permit from the Planning Board shall be required for all projects proposed under the AAOD Bylaw.

No provision in this Bylaw may be construed to supersede or otherwise alter or amend the bylaws pertaining to the use of land in the underlying district. Rather, this bylaw is intended to supply an alternative for those who elect to submit a Special Permit application under the provisions of this AAOD Bylaw, in which case the provisions and requirements of the AAOD Bylaw shall apply, and not the provisions and requirements of the underlying district, except as specifically stated in the AAOD Bylaw.

Overlay District – The AAOD shall consist of the following properties, as identified on the Assessor’s Maps maintained by the Town:

0095-0037-01
0096-062A-00
0097-015C-00
0095-0037-00
0097-0019-00

B. Definitions:

Residential 55+ Active Adult Community – housing development that is in compliance with the age restriction requirements of the Federal Fair Housing Act, 42 USC Section 3607(b), as amended, the regulations promulgated thereunder, the Federal Housing for Older Persons Act of 1995, as amended, 24 CFR Subtitle B, Chapter 1, Section 100.300 et seq., and M.G.L. Chapter 151B, Section 4, as they may be amended.

Special Permit Granting Authority (SPGA) – The SPGA shall be the Planning Board and review of Special Permit Applications submitted hereunder shall be based upon the considerations of Article IV. Special Permits, along with other specifically designated criteria contained in this AAOD Bylaw.

C. Permitted and Prohibited Uses:

The following uses and structures are allowed in the AAOD. All other uses not expressly permitted shall be prohibited from use of the overlay district.

3. Single-family Dwellings
4. Two-family Dwellings
5. Townhouse Dwellings
6. Multi-family Dwellings
7. Accessory uses and structures that are customarily incidental and accessory to the above described residential uses.
8. Public golf course and related accessory club house, pro shop, dining and maintenance facilities golf professional shop.

D. Inclusionary Housing: The AAOD is exempt from Bellingham Zoning Bylaw Article XXV. Inclusionary Housing.

E. Design Standards: The following standards, which vary from the underlying zoning, shall apply to any development proposed under the AAOD Bylaw. All other applicable design standards, performance requirements and dimensional requirements in the underlying bylaw shall be applicable.

1. ***Density:*** A maximum of 8 residential units per acre.
2. ***Dimensional Requirements:*** The following dimensional requirements shall apply
 - a. Min Lot Area: 160,000 s.f.
 - b. Min Frontage: 150 ft.
 - c. Min Front Yard: 20 ft.
 - d. Min Side Yard: 15 ft.
 - e. Min Rear Yard: 20 ft.
 - f. Max. Building Height: 37 ft., except: Multi-family dwellings, which may have a maximum height of 60 feet.
 - g. Minimum separation between buildings shall be 20 feet.
 - h. Lot Shape Factor as specified in Section 240-39 shall not apply to any development proposed under the AAOD Bylaw.
 - i. More than one principal and/or accessory structure may be erected or maintained on any lot or lots within the AAOD and is not subject to Section 240-37 of the Zoning Bylaw.

3. ***Traffic and Pedestrian Safety:***

Interior Design – The design of the proposed development shall ensure safe interior circulation within its site with adequate ingress and egress as well

as separation of pedestrian, bike ways, and vehicular traffic. The principal roadways serving the site shall be designed to conform to standards of the Town, as established by the Town's Subdivision Rules and Regulations, subject to waiver by the Planning Board, after review and guidance by emergency services and the Department of Public Works, upon a showing of good cause by the Applicant.

In the event that any project proposed hereunder does not seek to obtain subdivision approval, the internal ways providing access and egress for the development shall, nonetheless, be determined to be "roadways" for the purpose of the interpretation of this AAOD Bylaw.

Off-site traffic impacts - Applicants shall demonstrate to the Planning Board that the proposed project will not result in substantial adverse impacts to the traffic flow and safety on area streets and ways, or that the project will otherwise adequately mitigate any such substantial adverse impacts.

Emergency Access - All applications must demonstrate that, in the opinion of the Bellingham Fire Department, there is adequate accommodations for emergency vehicles throughout any proposed project.

Sidewalks - All site plans shall include internal sidewalks and other walk ways that provide for pedestrian access to the development's housing units, community buildings, open space and other amenities in a manner that is deemed adequate to the Planning Board.

4. Parking:

Dwellings - A minimum of two spaces per dwelling unit, except for multi-family dwellings which shall provide a minimum of 1.25 spaces per dwelling unit.

Restaurant - One for every three (3) seats of total seating capacity

Other amenities - The Planning Board shall have the ability to review any other uses and to determine the number of required spaces, if any.

Waiver - The Planning Board may reduce the required number of parking spaces based upon factors which may warrant a reduction in number of parking spaces such as but not limited to walkability, shared spaces, or other recognized standards warranting a reduction in parking.

No off-street parking area for five or more cars shall be located within 20 feet of a roadway.

All off-street parking areas for five or more cars shall be at least twenty (20') feet from a project roadway and shall be adequately screened from a public right of way. However, the Planning Board may allow off-street parking lots to be located closer than 20 feet of an internal roadway in the development based upon factors which may warrant such a reduction, such as but not limited to buffers, environmental impacts and the proximity of nearby buildings.

5. Open Space Requirement

Any proposal under this AAOD Bylaw is required to reserve and restrict no less than 50% of the entire site that is the subject of the Special Permit application for open space purposes. Such open space shall be shown on a site plan and may include outdoor recreational (passive or active) activities including but not limited to golf courses. Such open space will be condition as preserved in perpetuity.

The above open space requirement may be reduced by the Planning Board pursuant to the criteria as listed in Section 240-25 of the bylaw.

6. Phasing

All applicants shall submit a phasing plan with an application under the AAOD Bylaw.

7. Infrastructure and utilities

All projects proposed under the AAOD shall establish that there are adequate accommodations for water, sewer, storm water management and utilities.

8. Building Design

The Applicant shall provide building floor plans and architectural elevations of all structures proposed, completed by a registered architect or engineer and shall indicate type, dimensions, materials and colors of materials to be used.

F. Pre-Application Review:

The AAOD is exempt from Development Plan Approval under Section 240-16 of the Zoning Bylaw. However, any applicant for a Special Permit under this AAOD

Bylaw is urged to meet with the Planning Board staff prior to the submission of a Special Permit Application under the AAOD Bylaw.

G. Required materials

Notwithstanding the lack of formal Development Plan Approval, all applications for a Special Permit hereunder shall include all plans and materials required under Development Plan Approval as listed in Section 240-17 of the bylaw. Additionally, where no subdivision is sought, the Applicant shall provide any and all other plans that are required under the Town's Subdivision Rules and Regulations as they apply to roadways, utilities, storm water facilities and other elements of required utilities and infrastructure.

H. Review by other entities

The Planning Board shall solicit comments, reports, memoranda and/or testimony from the Department of Public Works, Board of Health, Fire Department, Conservation Commission and other local boards or officials as may be necessary. The Planning Board may request that the applicant meet with such departmental staff prior to the close of any Special Permit hearing hereunder;

or act or do anything in relation thereto.

**(By: Petition – Ronald Bonvie
23 Southport Drive,
Mashpee, MA 02649
800-598-7410)**

VOTED: The Town voted to amend its Zoning Bylaws by amending the Section entitled the Establishment of districts 240-28A(2) to read:

In addition, there are ~~five~~ seven overlay districts: Floodplain District as established § 240-110, Water Resource District as established at § 240-132, Adult Use Districts No. 1 and No. 2 as established at Article XXII of this chapter, ~~and~~ the Mill Reuse Overlay District as established at Article XXIII , the Wethersfield Overlay District as established at Article XXVII and the 55+ Active Adult Overlay District as established at Article XXVIII of this chapter.

To create an overlay district entitled 55+ Active Adult Overlay District to read:

ARTICLE XXVIII 55+ ACTIVE ADULT OVERLAY DISTRICT

A. Purpose:

It is the purpose of this section to establish a 55+ Active Adult Overlay District (AAOD). The establishment of the AAOD will foster the development of a range of housing types and provide the flexibility to encourage development that will allow for context-sensitive design and creative site planning. The processes adopted hereunder will ensure that development within the AAOD will be balanced with the public health, safety and welfare. All projects proposed under this bylaw shall employ development principles that take into consideration the existing landscape, scenic vistas, passive and active recreational opportunities and conservation of open spaces.

A Special Permit from the Planning Board shall be required for all projects proposed under the AAOD Bylaw.

No provision in this Bylaw may be construed to supersede or otherwise alter or amend the bylaws pertaining to the use of land in the underlying district. Rather, this bylaw is intended to supply an alternative for those who elect to submit a Special Permit application under the provisions of this AAOD Bylaw, in which case the provisions and requirements of the AAOD Bylaw shall apply, and not the provisions and requirements of the underlying district, except as specifically stated in the AAOD Bylaw.

Overlay District – The AAOD shall consist of the following properties, as identified on the Assessor's Maps maintained by the Town:

0095-0037-01
0096-062A-00
0097-015C-00
0095-0037-00
0097-0019-00

B. Definitions:

Residential 55+ Active Adult Community – housing development that is in compliance with the age restriction requirements of the Federal Fair Housing Act, 42 USC Section 3607(b), as amended, the regulations promulgated thereunder, the Federal Housing for Older Persons Act of 1995, as amended, 24 CFR Subtitle B, Chapter 1, Section 100.300 et seq., and M.G.L. Chapter 151B, Section 4, as they may be amended.

Special Permit Granting Authority (SPGA) – The SPGA shall be the Planning Board and review of Special Permit Applications submitted hereunder shall be

based upon the considerations of Article IV. Special Permits, along with other specifically designated criteria contained in this AAOD Bylaw.

C. Permitted and Prohibited Uses:

The following uses and structures are allowed in the AAOD. All other uses not expressly permitted shall be prohibited from use of the overlay district.

3. Single-family Dwellings
4. Two-family Dwellings
5. Townhouse Dwellings
6. Multi-family Dwellings
7. Accessory uses and structures that are customarily incidental and accessory to the above described residential uses.
8. Public golf course and related accessory club house, pro shop, dining and maintenance facilities golf professional shop.

D. Inclusionary Housing: The AAOD is exempt from Bellingham Zoning Bylaw Article XXV. Inclusionary Housing.

E. Design Standards: The following standards, which vary from the underlying zoning, shall apply to any development proposed under the AAOD Bylaw. All other applicable design standards, performance requirements and dimensional requirements in the underlying bylaw shall be applicable.

1. *Density:* A maximum of 8 residential units per acre.
2. *Dimensional Requirements:* The following dimensional requirements shall apply
 - a. Min Lot Area: 160,000 s.f.
 - b. Min Frontage: 150 ft.
 - c. Min Front Yard: 20 ft.
 - d. Min Side Yard: 15 ft.
 - e. Min Rear Yard: 20 ft.
 - f. Max. Building Height: 37 ft., except: Multi-family dwellings, which may have a maximum height of 60 feet.
 - g. Minimum separation between buildings shall be 20 feet.
 - h. Lot Shape Factor as specified in Section 240-39 shall not apply to any development proposed under the AAOD Bylaw.
 - i. More than one principal and/or accessory structure may be erected or maintained on any lot or lots within the AAOD and is not subject to Section 240-37 of the Zoning Bylaw.

3. Traffic and Pedestrian Safety:

Interior Design – The design of the proposed development shall ensure safe interior circulation within its site with adequate ingress and egress as well as separation of pedestrian, bike ways, and vehicular traffic. The principal roadways serving the site shall be designed to conform to standards of the Town, as established by the Town's Subdivision Rules and Regulations, subject to waiver by the Planning Board, after review and guidance by emergency services and the Department of Public Works, upon a showing of good cause by the Applicant.

In the event that any project proposed hereunder does not seek to obtain subdivision approval, the internal ways providing access and egress for the development shall, nonetheless, be determined to be "roadways" for the purpose of the interpretation of this AAOD Bylaw.

Off-site traffic impacts - Applicants shall demonstrate to the Planning Board that the proposed project will not result in substantial adverse impacts to the traffic flow and safety on area streets and ways, or that the project will otherwise adequately mitigate any such substantial adverse impacts.

Emergency Access – All applications must demonstrate that, in the opinion of the Bellingham Fire Department, there is adequate accommodations for emergency vehicles throughout any proposed project.

Sidewalks – All site plans shall include internal sidewalks and other walk ways that provide for pedestrian access to the development's housing units, community buildings, open space and other amenities in a manner that is deemed adequate to the Planning Board.

4. Parking:

Dwellings – A minimum of two spaces per dwelling unit, except for multi-family dwellings which shall provide a minimum of 1.25 spaces per dwelling unit.

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G. Required materials

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H. Review by other entities

The Planning Board shall solicit comments, reports, memoranda and/or testimony from the Department of Public Works, Board of Health, Fire Department, Conservation Commission and other local boards or officials as may be necessary. The Planning Board may request that the applicant meet with such departmental staff prior to the close of any Special Permit hearing hereunder;

or act or do anything in relation thereto.

(By: Petition – Ronald Bonvie
23 Southport Drive,
Mashpee, MA 02649
800-598-7410)

Motion carried by a 2/3 voice vote. (per General By-Law Section 4.07.100 adopted by town on May 28, 1997.

(Recommended by Finance Committee)

ARTICLE 20. MAPLE STREET SOLAR, LLC – TAX AGREEMENT

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a Tax Agreement for payments-in-lieu-of-taxes ("PILOT") pursuant to M.G.L.

Chapter 59, Section 38H(b), and Chapter 164, Section 1, and any other enabling authority, between the Town and Maple Street Solar, LLC, a subsidiary of Nexamp, Inc., its affiliate or assignee, for a term of up to 20 years and upon such other terms and conditions as the Board shall deem in the best interest of the Town, for both real property and personal property associated with construction and operation of a solar renewable energy generation facility to be owned and operated by Maple Street Solar, LLC a subsidiary of Nexamp, Inc., its affiliate or assignee, on an approximately 7.5 acre parcel of privately-owned land located on Maple Street adjacent to 306 Maple Street, upon which such facility is to be located, or upon another parcel of land upon which such facility may be constructed or operated; and, further, to authorize the Board of Selectmen to take all actions necessary to implement such agreement; said agreement to be on file in the Office of the Town Clerk at least 14 days prior to the Town Meeting; or act or do anything in relation thereto.

(By: Petition – Alan Clapp,
617-431-1440 x119)

VOTED: Passed Over.

ARTICLE 21. STANDPIPE LEASE AGREEMENT TERM & DURATION

To see if the Town will vote to authorize the Board of Selectmen to issue requests for proposals for the lease of space on the town standpipes for wireless communications antennae and to negotiate and execute lease agreements with wireless communications providers for terms not to exceed thirty (30) years; or act or do anything related thereto.

(By: DPW Director)

VOTED: The Town voted unanimously to authorize the Board of Selectmen to issue requests for proposals for the lease of space on the town standpipes for wireless communications antennae and to negotiate and execute lease agreements with wireless communications providers for terms not to exceed thirty (30) years.

(Recommended by Finance Committee)

ARTICLE 22. UNPAID BILLS

To see if the Town will vote to raise, appropriate or transfer a sum of money for the payment of certain unpaid bills; or act or do anything in relation thereto.

(By: Finance Committee)

VOTED: Passed over.

Adjourned at 10:04 PM.

No Quorum required.

Attendance:

P - 1	P - 2	P - 3	P - 4	P - 4A	P - 5	TOTAL
21	15	18	40	2	26	122

A True Record.

ATTEST:



Ann L. Odabashian
Bellingham Town Clerk