

TOWN OF BELLINGHAM
WARRANT FOR SPECIAL TOWN MEETING

October 14, 2015
At
7:30 P.M.

ARTICLE 1. AMEND ARTICLE 1 - FY 2015 BUDGET

To see if the Town will vote to amend Article 1 of the 2015 May 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 May 2015 Annual Town Meeting by raising or transferring funds in the manner described for the following departments:

Item	Department	Amount	Funding Source
122	Selectmen Salaries	\$ 615	Taxation
123	Town Administrator Salaries	\$1,860	Taxation
135	CFO Salaries	\$2,150	Taxation
137	Assessors Salaries	\$1,150	Taxation
145	Treasurer/Collector Salaries	\$8,000	Taxation
152	Human Resource Salaries	\$605	Taxation
154	MIS Salaries	\$3,890	Taxation
161	Town Clerk Salaries	\$450	Taxation
171	Conservation Commission	\$20,833	Taxation

Salaries

172	Planning Salaries	\$6,000	Taxation
189	Municipal Buildings Maintenance Expenses	\$15,000	Taxation
210	Police Salaries	\$20,000	Taxation
220	Fire Salaries	\$95,000	Taxation
251	Town Inspector Salaries	\$1,135	Taxation
253	Inspector of Plumbing Gas Salaries	\$250	Taxation
292	Animal Control Salaries	\$850	Taxation
303	Transportation	\$-(100,000)	
421	Highway Admin Salaries	\$7,521	Taxation
422	Highway Construction Salaries	\$3,450	Taxation
423	Snow & Ice	\$160,000	Free Cash
510	Board of Health Salaries	\$3,795	Taxation
541	Council on Aging	\$520	Taxation
610	Library Salaries	\$1,370	Taxation

(Recommended by the Finance Committee)

ARTICLE 2. AMEND ARTICLE 2 – TRASH ENTERPRISE

To see if the Town will vote to amend Article 2 of the 2015 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 2; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted by majority vote to amend Article 2 of the 2015 May Annual Town Meeting by adding the sum of \$265,200.00, expenses, to said Article to be raised by taxation.

(Recommended by Finance Committee)

ARTICLE 3. AMEND ARTICLE 3 – WATER ENTERPRISE

To see if the Town will vote to amend Article 3 of the 2015 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 3; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to amend Article 3 of the 2015 May Annual Town Meeting by transferring sums in the following manner:

Department	Amount Requested	Transfer From
Water Enterprise Salaries	\$11,310.00	Water Surplus

(Recommended by Finance Committee)

ARTICLE 4. AMEND ARTICLE 4 – SEWER ENTERPRISE

To see if the Town will vote to amend Article 4 of the 2015 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 4; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to amend Article 4 of the 2015 May Annual Town Meeting by transferring sums in the following manner:

Department	Amount Requested	Transfer From
Sewer Enterprise Salaries	\$3,482.00	Sewer Surplus

(Recommended by Finance Committee)

ARTICLE 5. CAPITAL OUTLAY – (Expenditures \$50,000 & Over)

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)

Motion to waive a secret ballot is required by General By-Law Section 4.07.130 carried unanimously

VOTED: The Town voted to raise and appropriate various sums for the purpose of financing the purchase, construction, reconstruction and/or engineering costs associated proposed by Town Departments, Boards or Committees to authorize the issuance and sale of general obligation bonds or notes of the Town therefore for the stated purpose

<u>Department</u>	<u>Capital Request</u>	<u>Amount</u>	<u>Funding</u>
DPW	Yard Fork Lift	\$82,000.00	Free Cash
IT Department	Firewall Enhancements/ Network backup Improvements (MIS) Phase 1 of 3 (Yr 1 of 5)	\$53,100.00	Free Cash
School Department	Replace roof over Bellingham High School Library	\$120,000.00	Free Cash
School Department	Security Cameras For Bellingham H.S.	\$117,275.00	Free Cash
DPW	Water Service Replacement	\$90,000.00	Water Surplus
DPW	Repair Water Main 495 Bridge	\$100,000.00	Water Surplus
DPW	Replace Water Facilities Radio Control and		

	Monitoring System	\$60,000.00	Water Surplus
DPW	Benelli St to Central St Horizontal Drilling	\$270,000.00	Water Surplus
DPW	Sand Castle Lane to Lakeview St. water Main Loop Phase 1	\$235,000.00	Water Surplus
DPW	Cross St Water Main (Lake to Blackmar)	\$170,000.00	Water Surplus
DPW	Locust St to Wrentham Road Cross Country Water Main Loop	\$450,000.00	Water Surplus
DPW	Wrentham Manor Sewer Station Force Main Replacement	\$378,000.00	\$340,000.00 Sewer Surplus \$38,000.00 From Article 5 Oct. 2014 (Pine Grove Sewer Pump Station)
DPW	Pearl St Mill Dam Demolition	\$645,000.00	Borrowing

Motion carried by a 2/3 voice vote
(per General By-Law Section 4.07.100 adopted by Town of May 28, 1997)

(Recommended by Finance Committee)

ARTICLE 6. 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 by majority vote to raise and appropriate various sums for the purpose of financing the purchase of various non-capital outlay items or improvements proposed by Town Departments, Boards or Committees all as follows:

<u>Department</u>	<u>Capital Request</u>	<u>Amount</u>	<u>Funding</u>
Municipal Department	Multi-Function Document Center	\$12,500.00	Free Cash
Police Department	2 Marked Police Cruisers	\$92,535.00	Free Cash
Animal Control	New Pick-Up Truck (50%)	\$12,000.00	Free Cash
Town Clerk	5 Digital Scan Vote Tabulators – 1 Spare Precinct Tabulator	\$35,200.00	Free Cash
DPW	Asphalt Hot Box	\$25,000.00	Free Cash
DPW	Scott Cemetery Columbarium	\$40,000.00	
\$18,070.00 Free Cash, \$20,000.00 from cemetery sales of graves account, \$1,930.00 from Columbarium II account			
DPW	Replace Vehicle (Water/Sewer vehicle)	\$50,000.00	Water Surplus
School Department	Moving Cost Related to Macy School Closure And Redistricting	\$10,000.00	Free Cash
School Department	Kubota with Plow & Sander for Stall Brook	\$29,000.00	Free Cash
School Department	Floor Scrubber Machine For High School	\$15,000.00	Free Cash
Fire Department	Design of new concrete Apron in front of Station	\$5,000.00	Free Cash

(Recommended by Finance Committee)

ARTICLE 7. PUBLIC LIBRARY RENOVATION – YOUNG ADULT ROOM

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 funding the renovation at the Young Adult Room at the Bellingham Public Library; or act or do anything in relation thereto.

(By: Library Trustees)

VOTED: The Town voted by majority vote to raise and appropriate the sum of \$122,000.00 for the purpose of funding the renovation at the Young Adult Room at the Bellingham Public Library; said sum to be raised from Free Cash.

(Recommended by Finance Committee)
(Recommended by Capital Improvement Committee)

ARTICLE 8. MACY SCHOOL DEMOLITION

To see if the Town will vote to raise a sum of money for the purpose of paying all costs associated with the demolition of the Clara Macy Elementary School and to determine how said sum will 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 paying all associated costs with the demolition; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted by majority vote to raise the sum of \$750,000.00 for the purpose of paying all costs associated with the demolition of the Clara Macy Elementary School; said sum to be raised from Free Cash.

Hand count: Yes – 140 No – 52

(Not Recommended by Finance Committee)

ARTICLE 9. PEARL STREET MILL DEMOLITION

To see if the Town will vote to raise a sum of money for the purpose of paying all costs

associated with the demolition of the Pearl Street Mill and to determine how said sum will 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 paying all associated costs with the demolition; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to raise the sum of \$50,000.00 to create the engineering and demolition plans as well as an environmental review of the Pearl Street Mill; said sum to be raised from Free Cash.

(Recommended by Finance Committee)

ARTICLE 10. POLICE STATION DEMOLITION

To see if the Town will vote to amend and expand the borrowing authorization under Article 10 of the Fall Town Meeting of 2013, which authorized the borrowing of a sum of funds to construct and furnish a new police station on Blackstone Street, to include costs relating to the demolition of the existing police station located at 8 Mechanic Street, and to authorize the Board of Selectmen to take any actions necessary to facilitate said amendment.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to amend and expand the borrowing authorization under Article 10 of the Fall Town Meeting of 2013, which authorized the borrowing of a sum of funds to construct and furnish a new police station on Blackstone Street, to include costs relating to the demolition of the existing police station located at 8 Mechanic Street, and to authorize the Board of Selectmen to take any actions necessary to facilitate said amendment.

(Recommended by Finance Committee)

ARTICLE 11. PINE GROVE AVENUE SEWER PUMP STATION EASEMENT

To see if the Town will vote to raise and appropriate a sum of money for; and allow the Selectmen to accept gifts, purchase, take by eminent domain permanent drainage and temporary construction easement adjacent to Pine Grove Avenue for the construction of a sewer pumping station, and as shown on the plans titled "Easement Plan Pine Grove Avenue, Bellingham, MA" drafted by Survey and Mapping Consultants, and dated May 1,

2015, copies of which will be on file with the Town Clerk's Office 14 days before the Town Meeting; or act or do anything in relation thereto.

(By: DPW Director)

VOTED: The Town voted unanimously to raise and appropriate the sum \$1,200.00 and allow the Selectmen to accept gifts, purchase, take by eminent domain permanent drainage and temporary construction easement adjacent to Pine Grove Avenue for the construction of a sewer pumping station, and as shown on the plans titled "Easement Plan Pine Grove Avenue, Bellingham, MA" drafted by Survey and Mapping Consultants, and dated May 1, 2015, copies of which will be on file with the Town Clerk's Office 14 days before the Town Meeting; said sum to be transferred from Article 5 of the October 2014 Special Town Meeting.

(Recommended by Finance Committee)

ARTICLE 12. HAMPTON COURT, KENSINGTON COURT, LEEDS LANE, OXFORD COURT & WHITEHALL WAY ACCEPTANCE

To see if the Town will vote to accept as Public Ways the roads, easements and appurtenances thereto, and the Deed thereto, identified as Hampton Court (f.k.a. Meg Lane), Kensington Court (f.k.a. Wallis Road), Leeds Lane (f.k.a. Avery Way), Oxford Court (f.k.a. Winthrop Drive) and Whitehall Way (f.k.a. Pierce Crossing), being shown on a Plan entitled, "Pierce Estates Subdivision, Bellingham, Massachusetts issued for Definitive Subdivision," dated March 13, 2003, prepared by Vanasse Hangen Brustlin, Inc., endorsed by the Bellingham Planning Board on March 13, 2003, recorded with the Norfolk Registry of Deeds on May 21, 2003 as Plan No. 310 of 2003, Plan Book 508; as amended by that certain plan entitled: "Pierce Estates Subdivision, Bellingham, Massachusetts," dated April 24, 2003, prepared by Vanasse Hangen Brustlin, Inc., endorsed by the Bellingham Planning Board on April 24, 2003, recorded with said Registry of Deeds on May 21, 2003 as Plan No. 311 of 2003, Plan Book 508 (now known as Bellingham Estates), as further amended by Title Affidavit, dated August 19, 2004, recorded with said Registry of Deeds in Book 21445, Page 28, 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: Bellingham Estates Homeowners Association
Mark A. Kablack Esq., 176 East Main Street, Suite 3,
Westborough, MA 01581)

VOTED: The Town voted to accept as Public Ways the roads, easements and appurtenances thereto, and the Deed thereto, identified as Hampton Court (f.k.a. Meg

Lane), Kensington Court (f.k.a. Wallis Road), Leeds Lane (f.k.a Avery Way), Oxford Court (f.k.a. Winthrop Drive), and Whitehall Way (f.k.a. Pierce Crossing), being shown on a Plan entitled, "Pierce Estates subdivision, Bellingham, Massachusetts issued for Definitive subdivision, " dated March 13, 2003, prepared by Vanasse Hangen Brustlin, Inc., endorsed by the Bellingham Planning Board on March 13, 2003, recorded with the Norfolk Registry of Deeds on May 21, 2003 as Plan No. 310 of 2003, Plan Book 508; as amended by that certain plan entitled: "Pierce Estates Subdivision, Bellingham, Massachusetts," dated April 24, 2003, prepared by Vanasse Hangen Brustlin, Inc., endorsed by the Bellingham Planning Board on April 24, 2003, recorded with said Registry of Deeds on May 21, 2003 as Plan No 311 of 2003, Plan Book 508 (now known as Bellingham Estates), as further amended by Title Affidavit, dated August 19, 2004, recorded with said registry of deeds in Book 21445, Page 28, 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.

Motion carried by a 2/3 voice vote.

(per General by-Law Section 4.07.100 adopted by Town of May 28, 1997)

(Recommended by Finance Committee)

ARTICLE 13. KEOUGH SCHOOL RENOVATION

To see if the Town will vote to raise and appropriate a sum of money for the purpose of renovating the Keough Administration Building into the Alternative School currently located at the Primavera School; and to determine how funding 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 funding said renovations; or act or do anything in relation thereto.

(By: School Committee)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$498,339.00 for the purpose of renovating the Keough Administration Building into the Alternative School currently located at the Primavera School; said sum to be raised from Free Cash.

(Recommended by Finance Committee)

(Recommended by Capital Improvement Committee)

ARTICLE 14. LEASE OF LAND

To see if the Town will vote to authorize the School Committee and or the Board of Selectmen to negotiate and enter into a lease for the property which is a part of the

Stallbrook Elementary parking lot along with adjacent property, all as identified as Assessors Map 13, Parcel 10c for a period of up to twenty years on terms it determines to be in the best interest of the Town for the purpose of installing a solar canopy and ground mounted solar array; or act or do anything in relation thereto.

(By: School Committee)

VOTED: The Town voted to amend Article 14 by referring to the School Committee and the Board of Selectmen for further study and to report back to Town Meeting.

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 15. ROADWAY IMPROVEMENTS

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 engineering and construction of various roadway repairs throughout Town; or act or do anything in relation thereto.

(By: Roadway Improvements Committee/Board of Selectmen)

VOTED: The Town voted unanimously to raise and appropriate a sum of \$1,000,000.00 by borrowing and to authorize the issuance and sale of general obligation bonds or notes of the Town therefore for the purpose of financing the engineering and construction of various roadway repairs throughout Town.

(Recommended by Finance Committee)

ARTICLE 16. BYLAW AMENDMENT – CHAPTER 9

To see if the Town will vote to amend Chapter 9, Sections 9-2 and 9-3 of its General Bylaws by deleting, in each such provision, the words “not exceeding \$50.00” and replacing them with “of \$300.00”; or act or do anything in relation thereto.

(By: Bellingham Bylaw Review Committee)

VOTED: The Town voted unanimously to amend Chapter 9, Sections 9-2 and 9-3 of its General Bylaws by deleting, in each such provision, the words “not exceeding \$50.00” and replacing them with “of \$300.00”.

ARTICLE 17. BYLAW AMENDMENT – CHAPTER 25

To see if the Town will vote to amend Chapter 25 of its General Bylaws by deleting Article I, entitled Personnel Board, in its entirety and by renumbering the remainder of Chapter 25 accordingly; or act or do anything in relation thereto.

(By: Bellingham Bylaw Review Committee)

VOTED: The Town voted unanimously to amend Chapter 25 of its General Bylaws by deleting Article 1, entitled Personnel Board, in its entirety and by renumbering the remainder of Chapter 25 accordingly.

ARTICLE 18. BYLAW AMENDMENT – CHAPTER 205

To see if the Town will vote to amend Chapter 205 of its General Bylaws by deleting Sections 205-8 and 205-9, in their entirety; or act or do anything in relation thereto.

(By: Bellingham Bylaw Review Committee)

VOTED: The Town voted unanimously to amend Chapter 205 of its General Bylaws by deleting Section 205-8 and 205-9, in their entirety.

ARTICLE 19. BYLAW AMENDMENT – CHAPTER 216

To see if the Town will vote to amend its General Bylaws by adding a new Article under Chapter 216 thereof, as follows:

ARTICLE VII Used Car Licenses

§216-1. Limitation on Used Car Licenses

No more than 20 Class II used car licenses, as contemplated and described under G.L. c 140, §§57-59 may be issued by the Selectmen. If at the time of the effective date of this

Bylaw, more than 20 Class II licenses exist, no new licenses may be issued until the number of issued licenses falls below 20. Notwithstanding the foregoing, each license existing as of the effective date of this Bylaw may be renewed, if compliant with laws, rules, regulations and standards applicable to renewal.

§216-2. Standards for issuance of Use Car Licenses

In addition to any other applicable provision of law, when determining whether to issue a Class II license or renewal thereof, the Selectmen may take into consideration any concerns regarding health, safety and welfare of the residents of Bellingham, as well as any legitimate planning or environmental concern. The Selectmen may impose conditions on the issuance or renewal of any Class II license.

;or act or do anything in relation thereto.

(By: Bellingham Bylaw Review Committee)

VOTED: The Town voted by majority vote to amend its General Bylaws by adding a new Article under Chapter 216 thereof, as follows:

ARTICLE VII

Used Car Licenses

§216-1. Limitation on Used Car Licenses

No more than 20 Class II used car licenses, as contemplated and described under G.L. c 140, §§57-59 may be issued by the Selectmen. If at the time of the effective date of this Bylaw, more than 20 Class II licenses exist, no new licenses may be issued until the number of issued licenses falls below 20. Notwithstanding the foregoing, each license existing as of the effective date of this Bylaw may be renewed, if compliant with laws, rules, regulations and standards applicable to renewal.

§216-2. Standards for issuance of Use Car Licenses

In addition to any other applicable provision of law, when determining whether to issue a Class II license or renewal thereof, the Selectmen may take into consideration any concerns regarding health, safety and welfare of the residents of Bellingham, as well as any legitimate planning or environmental concern. The Selectmen may impose conditions on the issuance or renewal of any Class II license.

ARTICLE 20. AMENDEMNT TO WETLAND BYLAW

To see if the Town will vote to Amend Chapter 235 of its General Bylaws by adding the following Section 235-3:

235-3. *Exceptions*

This Chapter 235 shall not apply to projects proposed by the Town of Bellingham or the Commonwealth of Massachusetts on land or easements owned by the Town of Bellingham or the State of Massachusetts.

;or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted to Amend Chapter 235 of its General Bylaws by adding the following Section 235-3:

235-3. Exceptions

This Chapter 235 shall not apply to projects located on property owned by or proposed by the Town of Bellingham or the Commonwealth of Massachusetts or on land or easements owned by the town of Bellingham or the State of Massachusetts.

Hand Count: Yes – 81 No – 40

Passed by a majority vote.

ARTICLE 21. ZONING BYLAW AMENDMENT - ARTICLE IX. - SIGNAGE

To see if the Town will vote to amend Article IX, sec. 240-43 of the Town's Zoning Bylaw regarding Signs as shown below:

240-43(A) Signage By-Law Purpose and Scope

The overarching purpose of the Zoning Signage By-Laws is to establish reasonable guidelines, restrictions and limitations, and to ensure acceptable sign construction, usage and placement within the community. Specifically, the by-laws must seek to;

- A. Preserve and improve the character of the town as a small New England community, and promote and extend a compelling value proposition of a community that is esthetically attractive and is a highly desirous place to live and work;
- B. Safeguard and enhance property values;
- C. Work to create a unique environment that is attractive to visitors and patrons of the Town's businesses;

- D. Encourage signs which, by their good design and appropriate scale, are integrated with and harmonious to the buildings and sites which they occupy and the greater community at large;
- E. Allow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive manner;
- F. Avoid excessive competition for signs, so that permitted signs provide adequate identification and direction while minimizing signage clutter, unsightliness, or allowing denigration to either the immediate area or the community at large;
- G. Reduce potential hazards to motorists, pedestrians and emergency vehicles;
- H. Prevent confusion of business signs with traffic regulations;
- I. Protect public and private investment in buildings and open space;
- J. Promote the public health, safety and general welfare of the citizens of Bellingham.

240-43 General Sign Prohibitions

- A. Signs, any part of which moves or flashes, or signs of the traveling light or animated type, and all beacons and flashing devices whether a part of, attached to, or apart from a sign, are prohibited.
- B. No signs shall be placed within or projecting over a public way or on public property except with a permit from the Board of Selectmen. Signs placed on shade trees are subject to approval by the Tree Warden. (Sec.9, Ch.87, G.L.).
- C. No non-accessory sign shall be erected except as allowed under Section 240-45C.
- D. No illumination shall be permitted which casts glare onto any residential premises, or onto any portion of a way so as to create a traffic hazard.
- E. No signs shall be located so as to create an obstruction to vision between three and eight feet above the plane through the curb grades within the area formed by the curb lines of intersecting streets (or by street curb lines and the sidelines of driveways) and by a line joining points 20 feet from the point of intersecting of those lines or those lines extended.
- F. No sign shall be located within 10 feet of the street line unless allowing essentially clear vision to at least six feet above grade, or unless authorized upon special permit from the Board of Appeals, upon the Board finding that safety of vehicular and pedestrian movement would not be significantly reduced by such sign, despite its obstruction of vision.
- G. Intensity of Signage Illumination

- i. Front or Externally Lit Signs; Signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign without causing glare. Light sources used for illuminating a sign shall be simple in form and should not clutter the building or structure. Light sources should be shielded so as to limit light spill onto adjacent properties and adjacent streets and ways.
- ii. All Lit Signs; The internal or external illumination intensity of any sign shall be held at a minimum and shall in no case exceed the minimum which is necessary to illuminate and make legible a sign from the adjacent travel way or closest right-of-way, whichever is closer, by a person of normal visual acuity. The illumination of any sign shall not be obtrusive to the surrounding area.

H. Variable or changeable message signs, or signs that contain variable message sections within the sign, are prohibited except for;

- i. Changeable copy drive thru menu signs which shall be located such that the signage copy shall only be visible from within the drive-through lane.
- ii. Fee-standing gas station signs which may employ a variable message technology area within a conventional sign to display fuel prices. The variable message display area shall be limited to an aggregate of four square feet within the larger sign in which it is placed, and shall be limited to using a white or black background with monochrome numeric fuel prices.

I. Projection Signs. Signs which project a visual image or message onto a surface are prohibited.

J. Height Limits; Freestanding signs shall not exceed a sign height of sixteen (16) feet except on special permit from the Board of Appeals or from the Planning Board if the Planning Board is reviewing the sign in conjunction with a new development, subject to their finding that such sign will promote the public interest, will not endanger the public safety, will be of such size, location, design and illumination as will not be detrimental to the neighborhood or the prevailing character of the town, and shall comply with all other provisions for the grant of special permits .

J. Preference for Period Type Front Lit Signs

It is the stated purpose of the signage by-laws to enhance value to the town at large, and as such extend and promote the small New England town aesthetic of the town. As such, the town seeks to move away from the pervasive use of backlit / internally lit signage and promote the usage of front lit 'period type signage and illumination fixtures' (e.g. engraved wood,

with gooseneck light fixture illumination as an example). While repair to existing or new construction of backlit type signage is not expressly prohibited, it would be contrary to the intended direction of the town, and any applications for special permits, variances, or building permits shall consider signage construction and strongly disfavor backlit type signage.

Incentives; Consistent with the desire to promote the adoption of 'period type signage and illumination fixtures', the maximum sign size or aggregate area limits, where those may be stated in the by-law, shall be allowed to be increased by not more than 15% upon a determination by the Planning Board that such sign is consistent with the above-stated goals and objectives.

K. No sign shall be illuminated between the hours of 10:00 p.m. and 7:00 a.m. unless indicating solely time or temperature or the establishment is opened to the public during those hours.

L. Illegal Placement of Handbills or Signs; Commercial handbills or signs posted upon any public property, or upon any private property without the written permission of the property owner, contrary to the provisions of this section, are prohibited. Such devices may be removed by the Police Department, Public Works Department, Parks and Recreation Department, Zoning Enforcement Agent, or their designee(s). Violations of this provision shall be punishable by a fine of \$300.00 per violation, with each day constituting a new violation until such time as the sign is removed.

240-44 Permitted temporary signs in all districts.

- A. Any sign if in accordance with limitations set for permanent signs.
- B. An unlighted sign of up to 20 square feet indicating parties involved in construction on the premises.
- C. An unlighted sign of up to six square feet pertaining to lease or sale of the premises.
- D. A sign of up to 10 square feet pertaining to a subdivision while under development, only with permission of the Planning Board.
- E. Signs inside display windows covering not more than 30% of window area, illuminated by building illumination only.
- F. Political signs may be located subject to the consent of property owners. They may be displayed for Annual or Special Town Elections, state, county and federal

elections to include primary elections, for a period of four weeks prior to election day and shall be removed within seven days after election day. In the case of a primary election, the winning candidate may leave signs on display until seven days following the final election. The property owner shall be responsible for removal of all signs within the prescribed seven days after an election. No political sign may be placed on utility poles or other utility devices. No signs may be displayed within 150 feet from the entrance of the polling place on primary or election day. No political sign may have a total area greater than 16 square feet. No sign lot may have more than three signs total. No sign may be placed so as to obstruct any intersecting roads or driveways.

G. Except as elsewhere more specifically provided, temporary signs shall be erected no earlier than 14 days prior to the event to which they pertain (e.g., the commencement of construction), and shall be removed within seven days after the conclusion of that event, but in any event not to remain in place in excess of six months.

240-45 Permitted Permanent signs in Agricultural, Suburban, and Residential Districts

A. One sign for each family residing on the premises indicating the owner or occupant or pertaining to a permitted accessory use, provided that no sign shall exceed one square feet in area.

B. One sign not over nine sq. ft. in area pertaining to permitted buildings and uses of the premises other than dwellings and their accessory uses.

C. 240-45C A non-accessory directional sign, designating the route to an establishment not on a state highway, may be erected and maintained in any district on special permit from the Board of Appeals, subject to their finding that such sign will promote the public interest, will not endanger the public safety, will be of such size, location, and design as will not be detrimental to the neighborhood or the prevailing character of the town, shall be limited to one sign per property of up to 3 square feet in area per side with a maximum of two sides, shall not be illuminated, and shall comply will all other provisions for the grant of special permits.

240-46 Permitted Permanent Signs in Other Districts

A. Any signs permitted in Agriculture, Suburban and Residential Districts.

B. Accessory signs attached to a wall or mounted to a roof, provided that together they aggregate to not more than 20% of the wall area they are viewed with and do not exceed in total 50 square feet of sign area per establishment, except on special permit from the Board of Appeals or from the Planning Board if the Planning Board is reviewing the sign in conjunction with a new development, subject to their

finding that such sign will promote the public interest, will not endanger the public safety, will be of such size, location, design and illumination as will not be detrimental to the neighborhood or the prevailing character of the town, and shall comply will all other provisions for the grant of special permits.

C. Freestanding accessory signs, provided that they aggregate not more than 100 square feet in area.

D. The total area of all signs on a property either attached to a building or free standing shall aggregate to not more than 150 square feet of sign area except that multi-establishment properties may have up to 50 square feet total sign area per establishment, with no one sign face on the property exceeding 50 square feet , except on special permit from the Board of Appeals or from the Planning Board if the Planning Board is reviewing the sign in conjunction with a new development, subject to their finding that such individual sign area or total signage area on the property will promote the public interest, will not endanger the public safety, will be of such size, location, design and illumination as will not be detrimental to the neighborhood or the prevailing character of the town, and shall comply will all other provisions for the grant of special permits.

Definitions

Add; Drive-Thru Menu Sign; A freestanding sign that displays the menu of a drive-thru restaurant.

Add; Variable Message Sign; A sign or portion thereof designed with the capability to accommodate message changes composed of characters, letters, numbers, symbols, illustrations or animations that can be changed or rearranged, either manually or electronically. Also referred to as a changeable copy panel, changeable copy sign, electronic messaging signs, electronic LED (or similar) signs, or reader board sign. Included in this definition shall be signs which use arrayed light sources (e.g.; light emitting diodes or other forms of light array technologies) as the mechanism for generating the sign image whether or not the sign will have a static (non-variable) message displayed.

Add; Banner. A strip of cloth, plastic, paper or other material on which letters or logos are painted or written, hung up or carried on a crossbar, staff, string or between two (2) poles.

Add; Sign Surface Area/Sign Face;

1) The sign surface area/sign face shall be considered to be that of the smallest single rectangle as measured with vertical and horizontal lines, enclosing the entire graphic display area of a sign including but not limited to all lettering and wording, all accompanying designs, logos or symbols, and the extreme limits thereof of the accompanying background or mounting panel that is attached to the building or structure.

- 2) In calculating the sign surface area, there shall be no deductions for open space or other irregularities between letters and designs, symbols and logos. For a freestanding sign, all open spaces between individual sign panels shall be included in calculating the sign surface area/sign face.
- 3) All faces of a multi-faced sign shall be counted in computing a sign's total sign surface area.

or act or do anything in relation thereto.

(By: Bellingham Bylaw Review Committee)

VOTED: Passed over.

ARTICLE 22. ZONING BYLAW/GENERAL BYLAW AMENDMENT - ARTICLE IX. NOISE

To see if the Town will vote to delete Article IX, sec. 240-48 of the Town's Zoning Bylaw regarding Noise to be replaced with a new general Bylaw regarding Noise, as follows:

§ Noise.

A. Noise receiving zones are defined as follows:

- (1) Receiving Zone A: Business and Industrial Zoning Districts.
- (2) Receiving Zone B: locations in any other zoning district, but within 200 feet of a Business or Industrial District.
- (3) Receiving Zone C: all other locations.
- (4) For purposes of this part, any town owned or managed property that may be used for passive or active recreation shall be treated as Receiving Zone C.

B. Applicability. No development shall be allowed, or activity allowed to take place, unless it is demonstrated that the following standards will not be exceeded at any location outside the property line of the premises, which location includes any contiguous land committed to be conveyed to the Town as open space. During the period designated as 'Daytime', the numerical standards of Subsection D of this Bylaw shall not be exceeded by more than 20 dB(A) at any time, or by more than 10 dB(A) for more than 10 minutes in an hour, or at all for more than 30 minutes in an hour. During the period designated as 'Nighttime', the numerical standards of Subsection D of this section shall not be exceeded, except for an allowance of up to one occurrence during a 24 hour period that may exceed the standard by up to 10 dB(A). The duration of the allowance period shall not exceed more than 10 minutes from the time of the first occurrence of the excessive noise. Nothing in this section shall be construed to permit noise in excess of that allowed by any state or federal regulation.

C. Exceptions. This regulation shall not apply to the following:

- (1) Any noise produced by equipment used exclusively in the maintenance or repair of buildings or grounds, provided such equipment is rated at not more than 15 horsepower.
- (2) Human or animal noises unless mechanically or electronically amplified.
- (3) Farm equipment.
- (4) Construction equipment in operation at an active construction site, between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. to 4:00 p.m. on Saturdays or at other hours upon determination of reasonable necessity by the Building Inspector. Such determination and authorization shall be valid for not more than any one 24 hours period per determination.
- (5) Snow plowing; emergency repair due to flood, fire or other catastrophe if such work is necessary for the general welfare or to avoid further catastrophe.
- (6) Parades, fairs or outdoor entertainment, provided that a permit for such activity has been granted by the Board of Selectmen and that said permit is for not more than 10 days in any calendar year.
- (7) Activities authorized on written approval by the Board of Selectmen after a public hearing (with seven days prior published notice), where peculiarities of the location or activity assure that there will be no measurable adverse disturbance to use and enjoyment of premises, areas of recreation, or significant habitat areas. Further, such authorizations shall only be granted where there exists a compelling public interest, with all other provisions of this section maintained intact to the maximum extent possible with respect to any specific exceptions granted.
- (8) Cultural, athletic, training exercises of town operated emergency services, or periodic festive activities that operate under permits, licenses or approvals of the Town of Bellingham.

D. Standards. The following standards must be met, with the applicable standard being based upon the Receiving Zone where noise is potentially heard, not the zone where noise is generated. "Daytime" shall be from 7:00 a.m. until 9:00 p.m. on all days except Sundays and legal holidays, when it shall be from 12:00 noon until 9:00 p.m. All sound measurements made pursuant to this section shall be made with a Type 1 A-weighted sound level meter as specified under American National Standards Institute (ANSI) S1.4-1983. Sound level measurements must additionally detect and quantify impulse sound level measurements. There shall be a 5 dB penalty assessed at each Receiving Zone for impulsive noise.

Maximum Allowable Exterior Noise Levels At Any Point Along the Receiving Zone Boundary

Receiving Zone	Daytime	Nighttime
A	65 dB(A)	50 dB(A)
B	55 dB(A)	45 dB(A)
C	50 dB(A)	40 dB(A)

Definitions

Add; Impulsive Noise; Noise from a noise source that is not smooth and continuous.

;or act or do anything in relation thereto.

(By: Bellingham Bylaw Review Committee)

VOTED:

The Town voted to adopt a new General Bylaw entitled Noise on Scenic Roads, Chap 154-7 regarding Noise, as follows:

PROPOSED BYLAW

§ 154-7 Noise on Scenic Roads.

A. Noise receiving zones are defined as follows:

- (1) Receiving Zone A: Business and Industrial Zoning Districts.
- (2) Receiving Zone B: locations in any other zoning district, but within 200 feet of a Business or Industrial District.
- (3) Receiving Zone C: all other locations.
- (4) For purposes of this part, any town owned or managed property that may be used for passive or active recreation shall be treated as Receiving Zone C.

B. Applicability. No development shall be allowed, or present or prospective activity be allowed to take place on any of the Town's designated Scenic Roads, if the following standards will be or are exceeded at any location outside the property line of the premises, which location includes any contiguous land committed to be conveyed to the Town as open space. During the period designated as 'Daytime', the numerical standards of Subsection D of this Bylaw shall not be exceeded by more than 20 dB(A) at any time, or by more than 10 dB(A) for more than 10 minutes in an hour, or at all for more than 30 minutes in an hour. During the period designated as 'Nighttime', the numerical standards of Subsection D of this section shall not be exceeded, except for an allowance of up to one occurrence during a 24 hour period that may exceed the standard by up to 10 dB(A). The duration of the allowance period shall not exceed more than 10 minutes from the time of the first occurrence of the excessive noise. Nothing in this section shall be construed to permit noise in excess of that allowed by any state or federal regulation.

C. Exceptions. This Bylaw shall not apply to the following:

- (1) Any noise produced by equipment used exclusively in the maintenance or repair of buildings or grounds, provided such equipment is rated at not more than 15 horsepower.
- (2) Human or animal noises unless mechanically or electronically amplified.

(3) Farm equipment.

(4) Construction equipment in operation at an active construction site, between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. to 4:00 p.m. on Saturdays or at other hours upon determination of reasonable necessity by the Building Inspector. Such determination and authorization shall be valid for not more than any one 24 hour period per determination.

(5) Snow plowing; emergency repair due to flood, fire or other catastrophe if such work is necessary for the general welfare or to avoid further catastrophe.

(6) Parades, fairs or outdoor entertainment, provided that a permit for such activity has been granted by the Board of Selectmen and that said permit is for not more than 10 days in any calendar year.

(7) Activities authorized on written approval by the Board of Selectmen after a public hearing (with seven days prior published notice), where peculiarities of the location or activity assure that there will be no measurable adverse disturbance to use and enjoyment of premises, areas of recreation, or significant habitat areas. Further, such authorizations shall only be granted where there exists a compelling public interest, with all other provisions of this section maintained intact to the maximum extent possible with respect to any specific exceptions granted.

(8) Cultural, athletic, training exercises of town operated emergency services, or periodic festive activities that operate under permits, licenses or approvals of the Town of Bellingham.

D. Standards. The following standards must be met, with the applicable standard being based upon the Receiving Zone where noise is potentially heard, not the zone where noise is generated. "Daytime" shall be from 7:00 a.m. until 9:00 p.m. on all days except Sundays and legal holidays, when it shall be from 12:00 noon until 9:00 p.m. All sound measurements made pursuant to this section shall be made with a Type 1 A-weighted sound level meter as specified under American National Standards Institute (ANSI) S1.4-1983. Sound level measurements must additionally detect and quantify impulse sound level measurements, with "impulsive sound" being defined as noise from a noise source that is not smooth and continuous. There shall be a 5 dB penalty assessed at each Receiving Zone for impulsive noise.

Maximum Allowable Exterior Noise Levels At Any Point Along the Receiving Zone Boundary

Receiving Zone	Daytime	Nighttime
A	65 dB(A)	50 dB(A)
B	55 dB(A)	45 dB(A)
C	50 dB(A)	40 dB(A)

ARTICLE 23. TRANSFER OF FUNDS TO O.P.E.B. TRUST

To see if the Town will vote to transfer from any available fund a sum of money to be

transferred into the O.P.E.B. (Other Post Employment Benefits) Trust; or act or do anything in relation thereto.

(By: Chief Financial Officer)

VOTED: The Town voted to transfer the sum of \$100,000.00 into the O.P.E.B. (Other Post Employment Benefits) Trust; said sum to be raised from Free Cash.

(Recommended by Finance Committee)

ARTICLE 24. STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Stabilization Fund; or act or do anything in relation thereto.

(By: Finance Committee)

VOTED: The Town voted unanimously to transfer the sum of \$100,000.00 for the purpose of funding the Stabilization Fund; said sum to be raised from Free Cash.

(Recommended by Finance Committee)

ARTICLE 25. TAX STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Tax Stabilization Fund; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to transfer the sum of \$100,000.00 for the purpose of funding the Tax Stabilization Fund; said sum to be raised from Free Cash.

(Recommended by Finance Committee)

ARTICLE 26. CAPITAL IMPROVEMENT TRUST FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Capital Improvement Trust Fund; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: The Town voted unanimously to transfer the sum of \$100,000.00 for the purpose of funding the Capital Improvement Trust Fund; sum to be raised from Free Cash.

(Recommended by Finance Committee)

ARTICLE 27. 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: The Town voted unanimously to raise, appropriate or transfer various sums of money for the payment of certain unpaid bills all as follows:

<u>Department</u>	<u>Vender</u>	<u>Amount Requested</u>	<u>Funding Source</u>
CFO	WB Mason	\$359.99	Free Cash
Treasurer/Collector	Neopost	\$190.00	Free Cash
Fire	Moore Medical	\$2,250.44	Free Cash
School	MASC	\$1,500.00	Free Cash

(Recommended by Finance Committee)

Adjourned at 11:39 PM

No quorum required.

Attendance:

P - 1	P - 2	P - 3	P - 4	P - 4A	P - 5	T	OTAL
43	49	30	49	1	32		204

A True record.

ATTEST:

Ann L. Odabashian
Bellingham Town Clerk