

**TOWN OF MILLBURY
127 ELM STREET
MILLBURY, MA 01527**



ANNUAL TOWN MEETING WARRANT

WORCESTER, S.S.

Town of Millbury Constables: In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Millbury that, pursuant to Chapter 39, Section 9, of the Massachusetts General Laws, the Annual Town Meeting, usually scheduled for the first Tuesday in May, is hereby delayed until Tuesday, June 23, 2020, and that all inhabitants qualified to vote in town affairs should meet at their respective meeting place, the Millbury Memorial JR/SR High School, 12 Martin Street in said Town of Millbury on

Tuesday, June 23, 2020 at 7:00 P.M.

Then and there to vote on the following articles:

ANNUAL TOWN MEETING

FISCAL YEAR 2021 OPERATING BUDGET & CAPITAL IMPROVEMENT BUDGET

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PUBLIC ACCESS BUDGET

ARTICLE 1: To hear the reports of several Town Officers and Committees, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

ARTICLE 2: To see if the Town will vote to raise and appropriate, or transfer from available funds, such sums of money as may be necessary to defray the expenses and charges of the Town of Millbury in Fiscal Year 2021, the period of July 1, 2020 through June 30, 2021, including, but not limited to: the salaries of Town Officers, costs of public education, debt and interest payments, expenses of the Sewer Enterprise Fund, and providing municipal services, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

FISCAL YEAR 2021 CONSENT AGENDA

ARTICLE 3: To see if the Town will vote to transfer the sum of \$500.00 from Account #02.945.5200.02062.2019.500 to be used by the Town Manager to settle claims for personal property damage or incidental personal injury claims that may be brought against the Town, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

ARTICLE 4: To see if the Town will vote to transfer the sum of \$5,000.00 from Account # 02.945.5200.02068.2019.500 to pay for the disposal of abandoned property, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

ARTICLE 5: To see if the Town will vote to raise and appropriate the sum of \$20,000.00 to fund an Elders Community Services Program for the purpose of providing a payment voucher for services rendered for the departments, boards and committees of the municipality to resident property owners who have attained the age of sixty (60) years, to be used to reduce the real estate property taxes for the property in which the elderly owner resides; said program shall be subject to the following conditions, in addition to any and all eligibility requirements promulgated by the Board of Selectmen,

after receiving the recommendations of the Council-On-Aging: (a) participation in the program shall be limited to elderly residents of the Town who own property and are willing and able to provide services to the Town; (b) program participants shall receive compensation at a rate of \$8.00 an hour for each hour of service rendered for a total not to exceed \$1,500.00 in any calendar year; (c) program participants must agree in writing prior to participating in the program to receive compensation in the form of a voucher to be presented to the Treasurer/Tax Collector to be applied to the real estate obligations of the participant for the property in which the participant resides; (d) the Treasurer/Tax Collector shall comply with the wage, tax and payroll deduction requirements of the state Department of Revenue and the federal Internal Revenue Service, prior to compensating program participants or applying the net amount of wages earned to the real estate tax obligations of the participants; and (e) program participants who meet the eligibility guidelines established for the program by the Board of Selectmen shall be selected for participation in the program on a first-come-first-served basis, or take any other action thereon. (Board of Selectmen and Council-On-Aging) (Required Vote: Majority)

ARTICLE 6: To see if the Town will vote to appropriate from the PEG Access and Cable Related Fund the sum of \$249,540.00 for the expenses of Public Access as follows, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

Salaries/Wages	\$157,340.00
General Expenses	\$ 12,200.00
Capital Outlay	<u>\$ 80,000.00</u>
Total:	\$249,540.00

ARTICLE 7: To see if the Town will vote pursuant to Chapter 44, Section 53E ½, of the Massachusetts General Laws, to set the limits on the total amounts that may be expended in Fiscal Year 2021 from each of the Town's revolving funds established under the Millbury Municipal Code, Chapter 3.10, Revolving Funds, as set forth below, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

Revolving Fund:	Authorized to Spend From Fund	FY21 Maximum Amount Expendable:
Title V Inspections	Board of Health	\$ 35,000.00
Variances & Permits	Board of Appeals	\$ 30,000.00
MGL 40B	Board of Appeals	\$ 35,000.00
Transfer Station	DPW Director	\$ 50,000.00
Energy and Recycling	Energy Manager with Town Manager Approval	\$ 135,000.00
License to Carry	Chief of Police	\$ 35,000.00
Fees from Rentals/Charges	Asa Waters Task Force with Town Manager Approval	\$ 100,000.00
Millbury Housing Partnership	Town Manager	\$ 20,000.00
Application Fees	Earth Removal Board with Town Manager Approval	\$ 30,000.00
Student Parking Fees	School Committee	\$ 35,000.00
Program Fees	Council on Aging with Town Manager Approval	\$ 30,000.00
Bark Park Fees	Director of Planning	\$ 30,000.00

ARTICLE 8: To see if the Town will vote to reauthorize the funding authorized in prior articles so that the total amounts listed below may be expended in Fiscal Year 2021, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

Department:	Account & Purpose:	Amount Expendable:
DPW – Transfer Station	Transfer Station Improvements, Acct.# 02.400.5800.02097.2019.530	\$ 100,000.00
DPW – Transfer Station	Transfer Station Improvements, Acct. 02.400.5800.02097.2019.530	\$6,270.00
DPW - Cemetery	Cemetery Roadway and Walkway Improvements; Acct. # 02.420.5800.23023.2019.530	\$ 7,942.00
Library	Repairs to Library including Roof and Gutters, Acct. # 02.610.5800.02105.2019.500	\$7,679.72
Planning – Woolie World	Wollie World Improvements, Acct. # 02.177.5800.02106.2019.500	\$ 30,000.00
Bd. of Assessors & Finance Director	Town-wide Revaluation, Acct. # 02.141.5200.02016.2019.500	\$19,000.00

***Reason - Consent Agenda (Articles 3 – 8):** Under the consent agenda, annually recurring articles may be grouped together for passage. All of these articles appear each year in the warrant and include the following housekeeping items: Article 3 – Personal Property Claims (\$500.00), Article 4 – Disposal Abandoned Property (\$5,000.00), Article 5 – Senior Work-off Program (\$20,000.00), Article 6 – PEG Access appropriation of funds to cover their annual expenses, Article 7 – Existing Revolving Fund spending limits, Article 8 – Prior Years Articles Reauthorization.*

FISCAL YEAR 2021 RECURRING ANNUAL APPROPRIATIONS

ARTICLE 9: To see if the Town will vote to transfer the sum of \$50,000.00 from the Retained Earnings of the Sewer Enterprise Fund to the Sewer Stabilization Fund, or take any other action thereon. (Sewer Commissioners) (Required Vote: Majority)

***Reason:** This is a recurring article that annually transfers \$50,000 from Retained Earnings to increase the Sewer Stabilization Fund as a prudent business practice.*

ARTICLE 10: To see if the Town will vote to reauthorize the balance of the appropriation voted under Article 16 of the May 2016 Annual Town Meeting, to be expended by the Board of Sewer Commissioners for the purpose of completing the replacement and/or repairs of existing pump stations, or take any other action thereon. (Board of Sewer Commissioners) (Required Vote: Majority)

ARTICLE 11: To see if the Town will vote to appropriate the sum of \$750,000.00 from the Sewer Stabilization Fund for the purpose of completing replacement and/or repairs of the existing pump stations, or take any other action thereon. (Sewer Commission) (Required Vote: Two-Thirds Majority)

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$750,000, or any other sum, to pave or repave various public ways in the Town, including any necessary road, drainage, bridge, or culvert improvements, or other appurtenant improvements, and including all engineering, permitting, or other incidental costs; and to meet said appropriation authorize the Town Treasurer, with the approval of the Board of Selectmen, pursuant to Chapter 44, Section 7, of the Massachusetts General Laws, or any other authority, to borrow up to the sum of said appropriation; or take any other action thereon. (Board of Selectmen) (Required Vote: Two-Thirds Majority)

Reason: Funding for continuing infrastructure repairs including engineering costs for bridges (Brightside & Broadmeadow), and culverts (West Main Street). Additional funds not spent will be utilized as part of the paving program.

ARTICLE 13: To see if the Town will vote to transfer from free cash the sum of \$250,000.00 to the Stabilization Fund, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

Reason: According to the Town's Free Cash Policy, the Town will add to Stabilization to maintain an amount equal to 4% of the total projected general fund operating revenue for the next fiscal year. With this transfer, Stabilization will be at \$1,871,149 which is more than 4.0% of projected 2021 revenues. Unrestricted reserves, with 2021 transfers and allocations, will equal \$3,282,337.00, which is 7.26% of the operating budget (\$45,208,630.00)

ARTICLE 14: To see if the Town will vote to transfer from free cash the sum of \$150,000.00 to the OPEB Trust account, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

Reason: The town has an OPEB stabilization account. A stabilization account can be utilized for a host of expenses with a 2/3 majority vote. This article creates a trust account which will restrict the monies invested to being utilized solely for OPEB payments.

ARTICLE 15: To see if the Town will vote to authorize the Town Manager to make future payments of accrued liabilities for compensated absences due any employee of the Town upon the termination of the employee's employment from the reserve fund for accrued liabilities for compensated absences, and further to transfer from free cash the sum of \$100,000.00 to said reserve fund, or take any other action thereon. (Finance Director) (Required Vote: Majority)

Reason: Municipal employees are eligible for payment of unused paid time off (sick and vacation). Currently there is no funding source for this and the amount either needs to be budgeted for an anticipated retirement or appropriated via STM from free cash. This fund allows the town to proactively plan for retirements. This is the second year of funding this reserve fund thus providing for the Town's contractual obligations outside of the operating budget.

ARTICLE 16: To see if the Town will vote to borrow a sum not to exceed \$500,000 for the purpose of financing the costs of services for compliance with the Town's General Permit for Discharges from the Municipal Separate Stormwater System, including without limitation, all costs thereof as defined in Chapter 29C, Section 1, of the Massachusetts General Laws; that to meet this appropriation the Town Treasurer with the approval of the Board of Selectmen, is authorized to issue any bonds or notes that may be necessary for such purpose up to \$500,000 pursuant to Chapter 44, Section 7 or 8, of the Massachusetts General Laws, or any other enabling authority, and that while such bonds or notes shall be general obligations of the Town, it is intended that the principal and interest thereon shall be paid from the Stormwater – MS4 Loan Program; that the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C of the Massachusetts General Laws, and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend funds available for the project and take any other action relative thereto; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the cost of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20, of the Massachusetts General Laws, thereby reducing the amount authorized to be borrowed to pay such cost by a like amount; or take any other action thereon. (Board of Selectmen) (Required Vote: Two-Thirds Majority)

Reason: The town has an annual obligation to provide funding for cost of the Town's "MS4 stormwater permit" which is the result of the federal government's "Clean Water Act of 1972". The Town's MS4 plan spans 15 years of mitigation efforts and will cost \$4,000,000 +/- . The Commonwealth of Massachusetts has instituted a Massachusetts Clean Water Trust Loan Program to assist municipalities in complying with the mandates of the MS4 permit. This Loan Program provides funding for a loan at 2% interest with 6.6% forgiveness on the principal over 20 years. In a prior Town Meeting, the attendees authorized the use of marijuana tax revenues to pay for this obligation. However, until such time as the Town is in receipt of marijuana- tax revenues, the Town's obligation to this mandate may be funded by this Loan Program. Payments made to repay the loan may be funded by future marijuana tax revenues.

ARTICLE 17: To see if the Town will vote to accept the provisions of Chapter 44, Section 53F ½, of the Massachusetts General Laws, establishing Stormwater Services as an enterprise fund effective for the fiscal year beginning on July 1, 2020, and to raise and appropriate or transfer from the Massachusetts Clean Water Trust Loan Program the sum of \$250,000 to operate the Stormwater Services Enterprise, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

Reason: This article creates an enterprise fund dedicated to funding the cost of the Town's compliance with the "MS4 stormwater permit". It will also be used as a depository pursuant to the Bylaw for some of the "Cannabis" revenue. The funds that are being placed into the account (\$250,000) are the remainder of the loaned funds from the Massachusetts Clean Water Trust Loan Program. These funds may be used for next year's cost of the Town's "MS4 stormwater permit".

ARTICLE 18: To see if the Town will vote to raise and appropriate or transfer the following sums from available funds for any or all of the following capital improvement projects and purchases, or take any other action thereon. (Board of Selectmen) (Required Vote: Majority)

	DEPT	REQUEST	AMOUNT	REASON	RECOMMENDED FUNDING SOURCE
A	Manager	Downtown Project; Construction and Installation of Traffic Signals and Public Safety Devices	\$265,000	Payment for construction modification and installation and upgrades for traffic signals, ADA compliant signals, and public safety equipment.	Free Cash
B	Manager	Downtown Project Engineering Costs	\$60,000	Additional Engineering costs; Redesign and rebidding of project.	Free Cash
C	Manager & Town Clerk	Town Clerk Voting Machines	\$35,000	Voting Machines are very out of date and parts are not available for repairs	Free Cash
D	Schools	School Technology	\$185,000	This is the School District's second installment of a multi-year \$400,000+/- technology upgrade with the intent to improve infrastructure and eventually make computer tablets available for each student.	Free Cash
E	Schools	School Bus Type A	\$65,000	Current (2012) Type A School Bus - 132,010 miles - District driver- in-district special education/ pre-school transportation – not passing quarterly inspection - 6-month lead time on procuring and manufacturing bus	Free Cash
F	Manager	Council on Aging Storage Shed	\$35,000	The Council on Aging wooden sheds are rotting and beyond repair. This will replace the two sheds with a metal building of adequate size.	Free Cash
G	Manager	Library Walks and Stairs Repairs	\$25,000	In addition to FY20 appropriation and reauthorized funds, this will address the larger project of deteriorating front and rear walkways as well as the front stairs.	Free Cash
H	Manager	Cemetery Repairs and Upgrade Irrigation System	\$50,000	To repair roadways, conduct repairs, and upgrade the irrigation system.	Free Cash

I	Manager	Veterans Monuments Upkeep and Repairs	\$25,000	To repair various Veterans and War Monuments including memorial stones and monuments.	Free Cash
J	Manager	2020 Road Program Deficit, AKA "Chapter 90 Deficit"	\$131,000	This is funding to restore funds that were expended by prior management and if not rectified impact on future state assistance	Free Cash
K	DPW	Tree Warden Chip Truck	\$85,000	This would allow the Town to use one less outside contractor at \$75 per hour. The vehicle would be used to carry/store chain saws, pole saws, blowers, traffic cones, gas, oil, rakes, etc. This truck would allow the Tree Warden to be self-sufficient and not have to rely on the DPW to pull the brush chipper. It could also be used with snow removal	Free Cash
L	Police	Police Radios and Equipment	\$86,504	8 tasers/associated equipment (\$10,384); 8 mobile data terminals/ associated equipment. (\$29,120); 55 portable radios/ associated equipment (\$47,000)	Free Cash
M	DPW	MS4 Stormwater Permit	\$250,000	This is this year's annual cost of the Town's "MS4 stormwater permit" which is the result of the federal government's "Clean Water Act of 1972" and is run through the MA DEP. Because of the pollution in the Blackstone River, as well as the ponds and other waterways in Millbury, the Town is mandated to have a filed stormwater mitigation plan which adequately addresses this. The Town's plan spans 15 years of mitigation efforts and will cost \$4,000,000 +/- . Last year, Town Meeting authorized the use of marijuana tax revenues to pay for this obligation.	Massachusetts Clean Water Trust Loan

N	Asa Waters		\$56,496	To Complete on-going repairs to Asa Waters Mansion including the Oil Pollution Remediation Project and to file Final Reports.	Free Cash
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FISCAL YEAR 2021 APPROPRIATIONS

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$315,000, for Fire Headquarters Design Plans including all engineering, permitting, or other incidental costs; and to meet said appropriation authorize the Town Treasurer, with the approval of the Board of Selectmen, pursuant to Chapter 44, Section 7, of the Massachusetts General Laws, or any other authority, to borrow up to the sum of said appropriation; or take any other action thereon. (Board of Selectmen) (Required Vote: Two-Thirds Majority)

ARTICLE 20: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$350,000, for Fire Headquarters Construction Documents and Plans including all engineering, permitting, or other incidental costs; and to meet said appropriation authorize the Town Treasurer, with the approval of the Board of Selectmen, pursuant to Chapter 44, Section 7, of the Massachusetts General Laws, or any other authority, to borrow up to the sum of said appropriation; or take any other action thereon. (Board of Selectmen) (Required Vote: Two-Thirds Majority)

***Reason - Articles 19 and 20:** The Commonwealth of Massachusetts is instituting a new program to assist towns with the building of fire stations. This program is similar to School Building Assistance program. To be eligible for this program a project must be shovel-ready. Therefore, design plans, construction documents and construction plans must be completed and available for review.*

ARTICLE 21: To see if the Town will vote pursuant to Chapter 40, Section 5B, of the Massachusetts General Laws, to establish a Health Insurance Stabilization Fund for the purpose of paying for costs associated with providing employee health insurance in future fiscal years, and further to transfer from free cash the sum of \$250,000.00 to said stabilization fund, or take any other action thereon. (Board of Selectmen) (Required Vote: Two-Thirds Majority)

***Reason:** Presently, the Town has a negative premium to cost ratio as a result of many catastrophic cases. The health insurance provider has predicted a large future increase in health insurance costs. It is prudent business practice to establish a health insurance stabilization account to assist in spreading out these costs.*

ARTICLE 22: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum not to exceed \$156,000.00 for the purpose of renovating the Washington Street Park, otherwise known as Woolie World, located on the property described in a deed recorded with Worcester Registry of Deeds in Book 4404, Page 404, consisting of 4.97 acres, more or less, and designated for playground purposes in accordance with Chapter 45, Section 14, of the Massachusetts General Laws; and to meet this appropriation, transfer the sum of \$12,000 from free cash, reauthorize the appropriation of \$30,000 for this purpose approved under Article 4.R of the 2018 Annual Town Meeting, and authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes as may be necessary to fund such renovation, as authorized in Chapter 44, Section 7, of the Massachusetts General Laws, or any other enabling authority; and further to authorize the Board of Selectmen or its designee to seek and to file on behalf of the Town any and all applications for grants and/or reimbursements to make up the cost of such renovation, including those made under the Urban Self-Help Act (301 CMR 5.00), and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said renovation; or take any action thereon. (Board of Selectmen) (Required Vote: Two-Thirds Majority)

***Reason:** The Town seeks \$12,000 in free cash and the reauthorization of \$30,000 from a prior year's free cash allocation to serve as a local match to be spent by the Director of Planning & Development for the purpose of replacing the large play structure at the Woolie World Playground within the Washington Street Park. This 30-year structure is beyond its useful life and is no longer code-compliant. The total project cost is estimated at \$156,000. The Town strives to make up the difference between the municipal appropriation and the total project cost through a combination of grants and donations. If the Town is unable to achieve its fundraising goal, the project will be put on hold or scaled back.*

MISCELLANEOUS ACTIONS

ARTICLE 23: To see if the Town will vote to accept the provisions of Chapter 59, Section 5C 1/2, of the Massachusetts General Laws, to provide an additional exemption of 20% of the real property tax exemptions authorized under Chapter 59 Section 5, of the Massachusetts General Laws, for certain blind persons, veterans, surviving spouses and seniors, or take any action thereon. (Board of Selectmen and Board of Assessors) (Required Vote: Majority)

Exemption Code		FY20	Proposed Increase	New Amount
		Amount		
37	Blind	550	20%	660
17D	Elderly-low	262	20%	315
41	Elderly-high	1,100	20%	1,320
22	Veteran-low	440	20%	528
22E	Veteran-100%	1,100	20%	1,320
22B	Veteran-Max	1,375	20%	1,650

***Reason:** The Board of Selectmen and the Board of Assessors are recommending that the Elderly and Veterans tax exemptions be increased by 20%. Currently, tax exemptions are based on qualifying indices and financial asset determinants. The total amount of these tax exemption costs per year is \$152,065.00. This increase would increase the annual cost to \$182,481.00, an increase of \$30,416.00, based on current exemption amounts.*

ARTICLE 24: To see if the Town will vote to accept the provisions of Chapter 59, Section 5C 1/2, of the Massachusetts General Laws, to provide an additional exemption of 100% of the real property tax exemptions authorized under Chapter 59, Section 5, for certain blind persons, veterans, surviving spouses and seniors, or take any action thereon. (Selectman Christopher Naff) (Required Vote: Majority)

Exemption Code		FY20	Proposed Increase	New Amount
		Amount		
37	Blind	550	100%	1,100
17D	Elderly-low	262	100%	525
41	Elderly-high	1,100	100%	2,200
22	Veteran-low	440	100%	880
22E	Veteran-100%	1,100	100%	2,200
22B	Veteran-Max	1,375	100%	2,750

***Reason:** Selectman Naff is recommending that the Elderly and Veterans tax exemptions be increased by 100%. Currently, tax exemptions are based on qualifying indices and financial asset determinants. The total amount of these tax exemption costs per year is \$152,065.00. This increase would increase the annual cost to \$304,130.00, an increase of \$152,065.00, based on current exemption amounts.*

ARTICLE 25: To see if the Town will vote in accordance with the provisions of Chapter 30B, Section 12(b), of the Massachusetts General Laws, to authorize the Director of the Asa Waters Mansion, with the approval of the Town Manager, to solicit and award contracts for terms exceeding three years with respect to contracts for events and related vendor services at the Asa Waters Mansion, or take any action thereon. (Board of Selectmen) (Required Vote: Majority)

***Reason:** The Uniform Procurement Act, M.G.L. c. 30B, requires a Town Meeting vote to authorize the Town to enter certain contracts for terms in excess of three years. The Town seeks flexibility to enter contracts for terms in excess of three years for events and vendor services at the Asa Waters Mansion, to provide flexibility given the time frames associated with weddings and events held at the mansion.*

ARTICLE 26: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of special legislation that would exempt the Asa Waters Mansion from compliance with the provisions of Chapter 30B of the Massachusetts General Laws with respect to contracts for events and related vendor services at the Asa Waters Mansion, provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition, or take any action thereon. (Board of Selectmen) (Required Vote: Majority)

***Reason:** The restrictions of the Uniform Procurement Act, M.G.L. c. 30B, impose constraints on entering contracts for events and vendors at the Asa Water Mansion, which put the mansion at a disadvantage when competing with privately-owned venues. This special legislation would lift some of these constraints.*

ARTICLE 27: To see if the Town will vote to change the permanent sewer privilege fee established by Chapter 307 of the Acts of 1973, as amended, from \$5,000 to \$7,500, or take any action thereon. (Board of Sewer Commissioners) (Required Vote: Majority)

Reason: This article would increase the Town's sewer privilege fee from \$5,000 to \$7,500 for anyone hooking up into the sewer system. The privilege fee has been \$5000 since 2002 and the increase is needed to help replace and maintain our sewer system.

ARTICLE 28: To see if the Town will vote to authorize the Board of Sewer Commissioners to petition the General Court for the enactment of special legislation that would amend Chapter 307 of the Acts of 1973, as amended by Chapter 156 of the Acts of 1978, Chapter 491 of the Acts of 1990, Chapter 389 of the Acts of 2002, and Chapter 11 of the Acts of 2007, to provided that the permanent sewer privilege fee shall be assessed at the rate in effect at the time a connection is made to the Town's sewer system, provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Sewer Commissioners approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition, or take any action thereon. (Board of Sewer Commissioners) (Required Vote: Majority)

Reason: This special legislation would revert to the original 1973 method of assessing the sewer privilege fee, where the fee is assessed at the rate in effect at the time a sewer connection is made. Under the current law, the sewer privilege fee must be assessed at the rate in effect when the sewer installation in question was first installed. This results in property owners paying varying rates when connecting to the system in the same year.

AMENDMENTS TO ZONING AND GENERAL BYLAWS

ARTICLE 29: To see if the Town will vote to amend the Zoning Bylaws, ARTICLE 4. SPECIAL REGULATIONS, Section 51. Large-Scale Ground-Mounted Solar Photovoltaic Installations, by adding the following italicized text and deleting the text with strikethrough, or take any action thereon:

51.3 Definitions.

Solar Parking Canopy – An elevated structure that hosts solar panels installed over parking lots or other hardscape areas. Also may be called a solar carport installation.

51.6 Design Standards and Siting Requirements

1. Dimensional Requirements: No part of the large-scale ground-mounted solar photovoltaic installation, including appurtenant structures, shall be located closer to a property line than *one hundred twenty-five* ~~seventy-five (75)~~ feet. ~~The installation shall be located at least one hundred (100) feet from existing residences.~~
4. Fencing: An 8-foot tall, ~~mini-mesh~~ security fence shall be installed around the entire perimeter of the large-scale ground-mounted solar photovoltaic installation.

6. Screening: Landscaping shall be required to screen the solar photovoltaic installation and accessory structures from roadways, wetlands and adjacent uses neighboring residences. The width of the landscaped buffer shall be a minimum of ~~twenty-five (25)~~ ninety (90) feet. Within the landscaped buffer, landscaping shall not be managed, maintained, trimmed or subject to selective removal for the purpose of additional solar gain. Where existing landscaping is insufficient for year-round screening purposes, the Planning Board will require installation of additional vegetation and/or fencing.

(Planning Board) (Required Vote: Two-Thirds Majority)

Reason: Article 29 expands the buffering requirement for large-scale solar photovoltaic installations to better protect abutters, wetland resources and views from roadways.

ARTICLE 30: To see if the Town will vote to amend the Zoning Map by rezoning to the Industrial I District the entirety of 70 Grafton Street, Assessor's Map 55, Lot 16, and that portion of 60 Grafton Street, Assessor's Map 55, Lot 17, currently zoned Suburban III District, as shown on the map entitled "Grafton Street Rezoning" on file with the Town's Department of Planning & Development, or take any action thereon. (Planning Board) (Required Vote: Two-Thirds Majority)

Reason: Article 30 rezones to Industrial 1 District two residential parcels of land on Grafton Street that are currently sandwiched between Mass Electric's substation and high tension wires. The rezoning will enable the property owners to utilize their land for commercial or industrial purposes which are more in keeping with the industrial character of the area. Article 30 implements the 2019 Master Plan recommendations to provide additional job opportunities, expand the tax base, and reduce or prevent conflicts between business development and residential uses.

ARTICLE 31: To see if the Town will vote to adopt an East Millbury Business District as follows, or take any action thereon:

1. By amending the Zoning Map to add the East Millbury Business District, including the parcels listed below, as shown on the map entitled "East Millbury Business District" on file with the Town's Department of Planning & Development:

Assessor's Map 7, Lot 13A
Assessor's Map 7, Lot 13
Assessor's Map 7, Lot 12
Assessor's Map 7, Lot 10
Assessor's Map 7, Lot 7
Assessor's Map 7, Lot 3
Assessor's Map 7, Lot 4
Assessor's Map 7, Lot 5
Assessor's Map 7, Lot 6
Assessor's Map 6, Lot 150
Assessor's Map 6, Lot 158
Assessor's Map 6, Lot 213
Assessor's Map 6, Lot 149
Assessor's Map 6, Lot 140
Assessor's Map 6, Lot 141
Assessor's Map 6, Lot 130
Assessor's Map 6, Lot 129

Assessor's Map 6, Lot 128
Assessor's Map 6, Lot 139
Assessor's Map 6, Lot 127
Assessor's Map 6, Lot 114
Assessor's Map 6, Lot 113
Assessor's Map 6, Lot 112
Assessor's Map 6, Lot 111
Assessor's Map 6, Lot 95
Assessor's Map 6, Lot 94
Assessor's Map 6, Lot 91+
Assessor's Map 6, Lot 39
Assessor's Map 6, Lot 40
Assessor's Map 6, Lot 29
Assessor's Map 2, Lot 50
Assessor's Map 2, Lot 47
Assessor's Map 2, Lot 46
Assessor's Map 2, Lot 8
Assessor's Map 2, Lot 45
Assessor's Map 2, Lot 44
Assessor's Map 2, Lot 43
Assessor's Map 2, Lot 42
Assessor's Map 6, Lot 159
Assessor's Map 6, Lot 160
Assessor's Map 6, Lot 161
Assessor's Map 6, Lot 163
Assessor's Map 6, Lot 165
Assessor's Map 6, Lot 166
Assessor's Map 6, Lot 167
Assessor's Map 6, Lot 174
Assessor's Map 6, Lot 175
Assessor's Map 6, Lot 176
Assessor's Map 6, Lot 177
Assessor's Map 6, Lot 186
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Assessor's Map 6, Lot 196
Assessor's Map 6, Lot 197
Assessor's Map 6, Lot 198
Assessor's Map 6, Lot 199
Assessor's Map 6, Lot 200
Assessor's Map 6, Lot 201
Assessor's Map 6, Lot 205
Assessor's Map 6, Lot 206
Assessor's Map 6, Lot 207

2. By amending the Millbury Zoning Bylaws, ARTICLE 2. DISTRICT REGULATIONS, by adding a new Section 25, East Millbury Business District. With the existing Sections 25, 26, 27, and 28, including all subsections, to be renumbered as follows: Section 26. Business Districts, Section 27. Industrial Districts, Section 28. Wireless Communications Facilities and Section 29. Adaptive Reuse Overlay District, not changing any content except references to these numbered sections. Section 25. East Millbury Business District to contain the following text:

Section 25. East Millbury Business District

The intent of the East Millbury Business District is to encourage a mix of business and residential uses on Grafton Road in East Millbury; promote attractive, well-planned business developments that enhance East Millbury and strengthen the Town's tax base; provide for a variety of housing to meet the Town's present and future needs; and implement the goals and policies of the Millbury Master Plan.

25.1 In the East Millbury Business District, only the following uses are permitted:

25.1.1 Permitted Uses

- In a building not exceeding 10,000 sq. ft. gross floor area:
 - Business or professional office, or bank;
 - Personal service establishment, such as a hair salon or barber shop, dropoff-pickup dry cleaning service (with cleaning performed off premises), pet grooming establishment, tailor or dressmaking shop, or similar type of establishment;
 - Retail or restaurant, up to 5,000 sq. ft. per tenant;
 - Coffee shop, ice cream stand, or similar establishment providing walk-in service;
 - Repair shop for repair and general servicing of small household appliances, bicycles, musical instruments, vacuum cleaners, or similar household products;
 - Shop for custom manufacturing where products are sold principally on the premises, such as a custom woodworking shop or artisan studio;
 - One or more dwelling units above the ground floor of a building where the ground floor facing the street is used for permitted business purposes;
- Motor vehicle service station, with or without quick mart or minimart, with the building area not exceeding 2,500 sq. ft.;
- Two-family dwelling;
- Religious use or public or non-profit educational use, or agricultural use on five or more acres, or a child care center, or other use exempt under G.L. c. 40A, § 3.

25.1.2 Uses Allowed by Special Permit

- Retail or restaurant with more than 5,000 sq. ft. or gross floor area;
- Multi-family dwellings (not associated with mixed use).

25.1.3 Permitted Accessory Uses

- Home occupation in accordance with Section 41;
- Accessory dwelling in accordance with Section 46.2;
- Accessory parking.

25.2 In the East Millbury Business District, no lot shall be built upon or changed in size or shape except in conformity with the following:

Lot Regulations

District	Min. Lot Area	Min. Lot Frontage	Min. Yards Front/Side/Rear	Min. Open Space (% Lot Area)
East Millbury Business District	15,000 sf.	100 ft.*	20 ft. /15 ft. **/25 ft.**	10%***

Notes:

*May be reduced by the Planning Board by site plan approval for business development on a lot with shared/common driveway access and a single curb cut serving an adjacent lot used for business purposes.

**Side setback may be waived by the Planning Board by site plan approval for business or mixed-use development on a lot with shared and lateral access to rear parking.

***On a lot used for commercial purposes, at least one-half of the minimum required open space shall be located in front of or to the side of the building and visible from the street. The minimum open space may include a pedestrian walkway or a pedestrian plaza and related pedestrian amenities.

Building Regulations

Standard	
Building height	
Maximum feet/stories: business use	37' / 3 stories
Maximum feet/stories: mixed use	45' / 4 stories*
Corner lot maximum feet/stories	45' / 4 stories
Minimum height	2 stories
Business use ground floor minimum/maximum	14' / 18'
Upper story minimum height	10'
Min. Façade Buildout (Frontage Occupancy)**	50%
Maximum gross floor area per building (sq. ft.)	10,000***
Maximum length of street-facing wall without building articulation****	50'
Transparency (minimum)	
Ground floor	65%
Upper floors	20%
Street-facing entrance required?	Yes

Notes:

*Mixed-use development at four stories or 45' allowed only by special permit from the Planning Board. The four-story option may be approved for a development with multiple buildings on a single lot, where the building closest to and facing the street does not exceed three stories and 37'. This limitation shall not apply to a corner lot.