

ANNUAL TOWN MEETING

MAY 1, 2017

Pursuant to the provisions of the warrant of April 13, 2017, the inhabitants of the Town of Sharon qualified to vote in Town affairs met at the Arthur E. Collins Auditorium at 7:00 p.m.

The meeting was called to order by Moderator David L. Yas. The Moderator said that in the absence of any objection he would assume that there was unanimous consent to waive the reading of the call and return of the warrant by Town Clerk Marlene B. Chused. There was no objection to this request.

The Moderator said that in the absence of any objection he would assume there was unanimous consent to allow the following non-voters to address the meeting: Frederic Turkington, Town Administrator, Tilden Kaufman, Chief of Police, Lauren Barnes, Assistant to the Town Administrator, Dick Gelerman, Town Counsel, Lisa Whelan, Town Counsel, Eric Hooper, Superintendent of DPW, Peter O’Cain, Town Engineer, Lance Delpriore, Assistant Engineer, Mark Mazur, Administrative Assessor, Kathleen Medeiros, COA Director, Greg Meister, Conservation Agent, Christine Kasparian, Assistant Recreation Director, Diane Malcolmson, Animal Control Officer, Lee Ann Amend, Library Director, Richard Murphy, Deputy Fire Chief, Timothy Farmer, Superintendent of Schools, Ken Wertz, Interim Director of Maintenance and Operations Schools, David Spiegel and Carl Chudnofsky.

VOTED UNANIMOUSLY: To reconvene the December 12, 2016 Special Town Meeting and to adjourn and reconvene the December 12, 2016 Special Town Meeting at this auditorium upon the adjournment or dissolution of the 2017 Annual Town Meeting.

VOTED UNANIMOUSLY: To convene the May 1, 2017 Annual Town Meeting.

VOTED UNANIMOUSLY: That whenever at this Town Meeting a majority or two thirds vote is required by statute, by-law or rule of procedure, a count need not be taken, or recorded by the clerk but may be publicly declared by the moderator. If a vote so declared is immediately questioned by seven or more voters, the count shall be taken, and the vote shall be recorded by the clerk; provided, however, that if the vote is unanimous, a count, need not be taken and the clerk shall record the vote as unanimous.

MOTION TO ADJOURN: That the meeting adjourn at 11:00 P.M. or at the close of the Article then under discussion and to reconvene on Tuesday evening, May 2, 2017 at the Arthur E. Collins Auditorium at 7:00 P.M. And further, that Article 18 and 19 be the first articles considered when the meeting reconvenes on Tuesday evening, May 2, 2017.

MOTION TO AMEND: To take Article 18 and 19 out of order immediately to consider first this evening. **NOT CARRIED.**

VOTED: That the meeting adjourn at 11:00 P.M. or at the close of the Article then under discussion and to reconvene on Tuesday evening, May 2, 2017 at the Arthur E. Collins Auditorium at 7:00 P.M. And further, that Article 18 and 19 be the first articles considered when the meeting reconvenes on Tuesday evening, May 2, 2017. **CARRIED. A STANDING VOTE. VOTES IN THE AFFIRMATIVE 98. VOTES IN THE NEGATIVE 80.**

ARTICLE 1.

VOTED UNANIMOUSLY: That the Town elect to the Finance Committee the following named:

- Arnold Cohen, 6 Tall Tree Road – 3 year term
- Alexander Korin, 18 Robin Road – 3 year term
- Hanna Switekowski, 10 Barefoot Hill Road – 3 year term
- Daniel Lewenberg, 18 Quincy Street – 3 year term
- Anja Bernier, 120 Pond Street, #B – 2 year term

POINT OF ORDER: To list names of Finance Committee Nominating Committee.
(Laura Nelson)

ARTICLE 2.

VOTED: That the reports of the various officials, boards and committees be received for filing.

ARTICLE 3.

VOTED UNANIMOUSLY: That the Town accept the provisions of MGL Chapter 59, Section 5K, as amended by 218 Section 127 of the Acts of 2016. Modify the Property Tax Work Off Program (125 hours volunteer for maximum \$1,500)

ARTICLE 4.

VOTED: That the Town amend the Personnel By-law of the Town of Sharon exactly as printed on pages 4 through 13 of the warrant for this Annual Town Meeting.

A. By adopting as amendments to said By-Law, the following interim and/or emergency changes, additions or deletions made by the Personnel Board in its authority under Section 2.6 of the By-Law:

- 1) That the position of Secretary to the Conservation Commission be classified as an OC-3b within the Office Occupational Category, effective July 14, 2016.

B. By striking out all classification schedules and pay schedules in Appendix A and Appendix B and substituting new classification schedules and new pay schedules. Appendix A and Appendix B as of July 1, 2017, except as other dates are specified.

APPENDIX A

THE FOLLOWING POSITIONS CONTAINED WITHIN CLASSIFICATION SCHEDULE SECTION ENTITLED 1.100-1.300 WITH ASSOCIATED PAY SCHEDULE SECTION 2.100-2.300 ARE NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

EXECUTIVE CATEGORY
JULY 1, 2017 - JUNE 30, 2018

SECTION 1.100
CLASSIFICATION SCHEDULE
SCHEDULE/ANNUALLY

SECTION 2.100
BASE PAY

Group	Position	Minimum	Actual	Maximum
E-0	Town Administrator	156,000	182,200	187,200
E-1	Police Chief	146,250	175,500	175,500
E-2	Fire Chief	117,000	140,400	140,400
	Superintendent of Public Works	117,000	132,960	140,400
E-3	Director of Information Technology	91,650	105,600	111,150
	Finance Director	91,650	105,160	111,150
	Town Engineer	91,650	108,860	111,150
E-4	Recreation Director	68,250	78,080	89,700
	Council on Aging Executive Director	68,250	72,150	89,700
	Treasurer/Collector	68,250	73,000	89,700
	Administrative Assessor	68,250	89,700	89,700
	Assistant to the Town Administrator	68,250	87,410	89,700
	Library Director	68,250	85,924	89,700

SECTION 1.200
CLASSIFICATION SCHEDULE

SECTION 2.200
PAY SCHEDULE

ADMINISTRATIVE ASSISTANT TO THE BOARD OF SELECTMEN
Board of Selectmen (hourly)
Effective 7/1/17 – 6/30/18

<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>	<u>Step 10</u>
25.36	25.86	26.38	26.91	27.45	28.00	28.55	29.12	29.70	30.30

MISCELLANEOUS
Effective 7/1/17

Veterans' Agent (yearly)	19,967
Sealer of Weights & Measures	4,366

Animal Control Officer

Assistant Animal Control/Senior Fill-In Officer	2,500 annually			
Fill-In (Weekend/Sick/Holiday/Vacation Coverage)	48.01			
Fill-In (Night Pager Coverage)	13.72/night			
Fill-In (After Hour Coverage)	13.72/call			
Animal Inspector (yearly)	4,118			
Custodian/Maintenance (hourly)	8.51	8.80	9.03	9.31
DPW Temp/Summer Labor (hourly)	10.63	11.65	12.75	
Per Diem Public Health Nurse	30.00/hour			
Adult Center Receptionist/Aide	17.35/hour			
Recreational Basketball League Coordinator	8,300 yearly			

Standing Building Committee Secretary (hourly) steps

<u>Min</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>
21.17	21.57	22.00	22.44	22.91	23.34	23.84	24.31	24.79	25.30	25.81

Project Manager for the Standing Building Committee (hourly) steps

<u>Min</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>
24.41	24.99	25.52	26.11	26.68	27.28	27.90	28.53	29.18	29.83	30.50

SUMMER EMPLOYMENT - PART-TIME
EFFECTIVE May 1, 2017 (hourly)

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
Waterfront Director	19.00	19.50	20.00
Waterfront Supervisor	15.50	15.75	16.00
Asst. Waterfront Supervisor	14.00	14.50	15.00
Lifeguard (no experience)	12.00	n/a	n/a
Lifeguard	12.50	12.75	13.00
Lifeguard & WSI	13.75	14.00	14.25
Private Lessons WSI	25.00	25.00	25.00
Sailing Supervisor	18.00	18.50	19.00
Sailing Assistant Supervisor	13.25	13.50	13.75
Sailing Instructor	11.50	12.00	12.50

Sports Program Supervisor	18.00	18.50	19.00
Program Counselor	11.00	11.50	12.00
Gate Attendant	11.00	11.25	11.50

APPENDIX B

THE FOLLOWING POSITIONS CONTAINED WITHIN CLASSIFICATION SCHEDULE SECTIONS ENTITLED 1.400-1.800 WITH ASSOCIATED PAY SCHEDULE SECTIONS 2.400-2.800 ARE COVERED BY COLLECTIVE BARGAINING AGREEMENTS.

MANAGEMENT PROFESSIONAL CATEGORY
(FORMERLY ADMINISTRATIVE, TECHNICAL AND PROFESSIONAL CATEGORY)

SECTION 1.400
CLASSIFICATION SCHEDULE

MP-00	Asst Town Engineer/Plng Specialist	MP-2	Animal Control Officer* Asst. Recreation Director*
MP-0	Building Inspector Water Systems Supervisor		Business Manager Info Svcs/Asst Library Director*
MP-1	Operations Supervisor Public Health Nurse* Forestry & Grounds Supervisor Health Agent for Engineering Conservation Administrator Health Administrator* GIS Coordinator Facilities Supervisor		Asst Operations Supervisor Asst Supervisor-Water Water Construction Supervisor Water Pump Station Operator
		MP-3	Recreation Athletic Supervisor Case Mngr/Coord.Volunteer Svcs* Technical Support Specialist*
		MP-4	Part-Time Public Health Nurse*

*The following positions work other than a 40 hour work week:

- Info Services/Asst Library Director-37.5hrs
- Public Health Nurse-30 hours
- Animal Control Officer-25 hours
- Asst. Recreation Director-37.5 hours
- Case Manager/Coordinator of Volunteer Services-28 hours
- Health Administrator-37.5 hours
- Technical Support Specialist-20 hours
- Part-time Public Health Nurse 3 hours (up to 10 hours for vacation coverage)

SECTION 2.400
 PAY SCHEDULE/HOURLY

July 1, 2016 - June 30, 2017

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step10	Step11	Step 12
MP-00	36.2602	37.0726	37.9096	38.7588	39.6326	40.5310	41.4419	42.3774	43.3251	44.2975	45.2943	46.2002
MP-0	34.3891	35.1647	35.9648	36.7648	37.6018	38.4385	39.3125	40.1866	41.0974	42.0327	42.9804	43.8401
MP-1	32.1615	32.8876	33.6261	34.3647	35.1402	35.9526	36.7526	37.5650	38.4142	39.3003	40.1866	40.9903
MP-2	29.1708	29.8598	30.4998	31.2014	31.8784	32.6046	33.3432	34.0937	34.8694	35.6448	36.4448	37.1736
MP-3	26.8128	27.3736	27.9644	28.6045	29.2445	29.9215	30.5738	31.2879	31.9767	32.6908	33.4293	34.0979
MP-4	24.3457	24.8872	25.4414	26.0072	26.5981	27.2136	27.8044	28.4198	29.0845	29.7122	30.3892	30.9970

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed

LIBRARY CATEGORY

LMP-3 Head of Youth Services
 Head of Adult and Technology Services

LMP-4 Children's Librarian
 Information Services Librarian

July 1, 2016 to June 30, 2017

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Max
LMP-3	26.76	27.40	28.00	28.62	29.25	29.92	30.60	31.30	31.98	32.70
LMP-4	24.34	24.89	25.45	26.02	26.60	27.19	27.80	28.47	29.10	29.74
L4	22.26	22.70	23.15	23.62	24.09	24.57	25.05	25.54	26.06	26.59

LOC-3a Circulation Supervisor
 Technical Services Supervisor

LOC-3b

LOC-4a Library Assistant
 Technical Services Asst.
 Administrative Asst.-Library

LOC-4b

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Max
LOC-3a	23.10	23.57	24.02	24.52	25.00	25.50	26.01	26.54	27.07	27.60
LOC-3b	21.88	22.32	22.76	23.22	23.69	24.17	24.64	25.13	25.63	26.14
LOC-4a	20.75	21.15	21.57	22.00	22.46	22.88	23.37	23.83	24.30	24.80

LOC-4b 19.67 20.07 20.45 20.87 21.30 21.72 22.15 22.60 23.04 23.51

Library Page 10.83

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed

LABOR CATEGORY
SECTION 1.500
CLASSIFICATION SCHEDULE

- Grade A Working Foreman-Operations
 Senior Water Systems Tech
 Working Foreman –Water
 Working Foreman -Forestry&Grnds
- Grade B Master Mechanic
- Grade C Heavy Equip Operator
 Aerial Lift Operator
 Water Systems Tech
 Working Foreman/Facilities Maint-Community Ctr.
- Grade D Night Custodian
- Grade E AutoEquipmentOperator
 Recreation Custodian
 Maint/Custodian DPW

SECTION 2.500
PAY SCHEDULE/HOURLY
 July 1, 2016 - June 30, 2017

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step9	Step10	Step11	Step12
A	26.43	27.14	27.82	28.55	29.25	29.96	30.70	31.40	32.09	32.80	33.46	34.13
B	25.29	25.86	26.41	26.97	27.51	28.10	28.64	29.22	29.78	30.34	30.95	31.57
C	23.10	23.72	24.33	24.95	25.55	26.18	26.82	27.43	28.05	28.66	29.23	29.82
D	23.33	23.80	24.28	24.78	25.27	25.77	26.29	26.81	27.35	27.89	28.45	29.02
E	22.14	22.59	23.03	23.51	23.95	24.42	24.93	25.42	25.93	26.44	26.97	27.51

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed

OFFICE OCCUPATION CATEGORY

SECTION 1.600
CLASSIFICATION SCHEDULE

- OC-1 Assistant Accountant
 Assistant Treasurer/Collector
- OC-2a Administrative Asst.-Assessor
 Office Manager/Transportation Coordinator

Administrative Fire Secretary/Ambulance Records Supervisor
 Assistant Town Clerk
 Confidential Secretary to the Police Chief
 Financial Assistant - Payroll/Revenue

- OC-2b Collections Supervisor
Payroll/Benefits Administrator
- OC-3a Election & Registration Secretary
Financial Asst-Accounting /Veterans
- OC-3b Activities/Program Coordinator COA
Secretary - Building & Engineering
Secretary - DPW Operations Division
Secretary - Water
Secretary - Recreation
Senior Assessor Clerk
Secretary-Conservation Commission
Financial Assistant – Treasurer/Collector
- OC-4a Administrative Asst to the Planning Board
Administrative Asst to the Board of Health
Secretary – Fire Department
- OC-4b Bus/Van Driver
Police Clerk
Secretary-Community Preservation
Secretary-Zoning Board of Appeals
- OC-5 Secretary-Finance Committee
Secretary-Personnel Board
Secretary to a Board or Committee

SECTION 1.600
 CLASSIFICATION SCHEDULE

SECTION 2.600
 PAY SCHEDULE/HOURLY

July 1, 2017 - June 30, 2018

Grade	Min	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step10	Step 11
OC-1	29.11	29.69	30.28	30.89	31.52	32.14	32.78	33.44	34.11	34.79	35.49
OC-2a	26.21	26.73	27.27	27.82	28.39	28.95	29.53	30.12	30.72	31.33	31.96
OC-2b	25.07	25.57	26.08	26.61	27.14	27.68	28.23	28.79	29.38	29.97	30.57
OC-3a	23.56	24.03	24.52	25.01	25.51	26.02	26.54	27.07	27.61	28.16	28.72

OC-3b	22.32	22.77	23.23	23.68	24.15	24.63	25.13	25.63	26.14	26.66	27.20
OC-4a	21.17	21.57	22.00	22.44	22.91	23.34	23.84	24.31	24.79	25.30	25.81
OC-4b	20.07	20.47	20.88	21.30	21.73	22.16	22.59	23.05	23.51	23.98	24.46
OC-5	18.05	18.41	18.78	19.16	19.54	19.93	20.33	20.74	21.15	21.56	22.00

PUBLIC SAFETY CATEGORY

**SECTION 1.700
CLASSIFICATION SCHEDULE**

**SECTION 2.700
PAY SCHEDULE/WEEKLY**

POLICE DEPARTMENT

<u>Sergeant</u>	<u>PD-80</u>	PD-80A	PD-80B	PD-80C	PD-80D	PD-80E
Effective Date	Step 1	Step 2	Step 3	Step 4	Step 5	
July 1, 2017 – June 30, 2018	1,332.97	1,359.66	1,386.82	1,414.56	1,442.85	

<u>Patrolman</u>	<u>PD60</u>	PD-60A	PD-60B	PD-60C	PD-60D	PD-60E	PD-60F	PD-60G	PD-60H	PD-60I
Effective Date	Recruit	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	
July 1, 2017 – June 30, 2018	883.50	943.02	1005.23	1,056.96	1,112.15	1,134.43	1,157.13	1,186.06	1224.89	

The amounts of pay shown in the above schedule for position code PD-60 and PD-80 do not include the extra pay for educational qualifications provided for in the statutes and regulations of the State.

Members of the Police Department while so designated by the Chief of Police shall receive additional compensation to be considered part of their base pay as follows:

MOTORCYCLE OPERATOR (SELECTIVE ENFORCEMENT)	\$32.54 PER WEEK
ACCREDITATION MANAGER, COMPUTER MANAGER	\$32.54 PER WEEK
LEAPS REPRESENTATIVE	\$10.00 PER WEEK
CRIME PREVENTION OFFICER	\$32.54 PER WEEK
SPECIAL ASSIGNMENT OFFICER	\$32.54 PER WEEK

PROSECUTOR
 DETECTIVE PATROL OFFICER

\$50.00 PER WEEK
 \$50.00 PER WEEK

Any patrol officer, appointed without being required to take the written examination, shall be paid the base pay rate called for by step 1 of the pay schedule for a period of six months following appointment, and, upon the expiration of said six-month period, shall be paid the base pay rate provided for by step 2 unless the officer shall have previously been employed full time as a police officer, in which case the officer shall be paid the base pay rate under the step the officer would have been paid if the prior employment had been in the Sharon Police Department, but not greater than Step 4. Notwithstanding the step increase or increases provided herein, a patrol officer's probationary period shall be the probationary period provided for in 5-5 of this By-Law or in the collective bargaining agreement, whichever is applicable.

Dispatchers	Steps	<u>Relief 1</u>	<u>Relief 2</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
Effective Dates											
July 1, 2017 -											
June 30, 2018	Hourly	22.10	22.55	23.00	23.46	23.93	24.41	24.90	25.40	25.91	26.43

POLICE CROSSING GUARDS

7/01/15 to 6/30/16

DAILY RATE:

	STEP 1	STEP 2	STEP 3
School Crossing Guard PD20	37.41	40.76	44.82
School Crossing Guard Supervisor PD20A			56.14

SUPERIOR OFFICERS

July 1, 2015 – June 30, 2016

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
Lieutenant, Police Dept.	1909.06	1985.80	2064.98	2127.40	2191.22	2235.04

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed

**JULY 1, 2016- JUNE 30, 2017
 FIRE DEPARTMENT**

SECTION 1.410
 CLASSIFICATION SCHEDULE

SECTION 2.410
 PAY SCHEDULE/WEEKLY

Effective JULY 1, 2016 – JUNE 30, 2017

TITLE	CODE	Step 1	Step 2	Step 3	Step 4
CAPT./EMT	FD-90			1301.69	1399.11
CAPT./Medic	FD-92			1346.60	1444.05
LT./EMT	FD-80			1385.40	
LT./Medic	FD-82			1430.33	
FF./EMT	FD-60	1030.65	1078.44	1203.78	
FF./Medic	FD-62	1075.58	1123.37	1248.71	

Members of the Fire Department are eligible to receive additional compensation in each fiscal year in accordance with the following educational incentive program:

FOR 15 COURSE CREDITS CERTIFIED	\$ 500 ANNUALLY
FOR 30 COURSE CREDITS CERTIFIED	700 ANNUALLY
FOR 45 COURSE CREDITS CERTIFIED	950 ANNUALLY
FOR AN ASSOCIATE'S DEGREE CERTIFIED	1,650 ANNUALLY
FOR A BACHELOR'S DEGREE CERTIFIED	2,825 ANNUALLY
FOR A MASTER'S DEGREE CERTIFIED	3,125 ANNUALLY

CALL FIREFIGHTERS
HOURLY COMPENSATION RATE
 July 1, 2010 - June 30, 2011
 Hourly 20.00

This is the rate that has been in effect, and will continue to be in effect, until such time as a new collective bargaining agreement is executed.

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Deputy Police Chief	3,076.03/week
Deputy Fire Chief	2,015.38/week

ARTICLE 5.

VOTED UNANIMOUSLY - OMNIBUS MOTION EXCEPT FOR SEPARATELY LISTED ITEMS: That the Town raise and appropriate for the various Town offices and for defraying charges and expenses of the Town, including debt principal and debt interest for fiscal year July 1, 2017, through June 30, 2018, the various sums stated "Fiscal Year 2018" as shown on pages 16 to 17 of the Warrant except the following:

Board of Selectmen
 Board of Assessors
 Fire/Ambulance
 Schools
 Police
 Board of Health – Services & Admin
 Board of Health – Waste Removal

Town Clerk
 Debt: Principal
 Debt: Interest
 Water Department
 Voc. Tech School
 Voc. Tuition/Norfolk Ag./Tuition

Moderator	\$ 50.00
Finance Committee	18,550.00
Personnel Board	3,177.00
Conservation Commission	120,185.00
Lake Management	6,500.00
Planning Board	13,600.00
Board of Appeals	22,563.00
Accountant	254,823.00
Treasurer	340,931.00
Law	136,000.00
Information Technology	313,437.00
Elections & Registrations	100,803.00
Town Report	13,375.00
Weights & Measures	5,059.00
Animal Inspector	4,243.00
Civil Defense	9,772.00
Animal Control Officer	78,403.00
Dept of Public Works	3,495,681.00
Council on Aging	296,304.00
Veterans Agent	68,002.00
Veterans Graves	5,000.00
Commission on Disability	500.00
Library	1,000,305.00
Recreation	232,436.00
Historical Commission	650.00
Community Celebrations	4,800.00
ARC of South Norfolk	9,916.00
Reserve Fund	500,000.00
Street Lighting	192,552.00
FICA: Medicare	725,000.00
FICA: Social Security	10,449.00
Benefits Accrual	0
Insurance	9,672,575.00
Water Department	4,386,431.00
Water Dept. – Reserve	200,000.003

SELECTMEN

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$382,003 for the Board of Selectmen’s budget, of which \$500 shall be for the Chairman and \$800 for the salaries of the other members, and \$380,703 shall be for other salaries, wages and expenses.

ASSESSORS

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$237,132 for the Board of Assessors budget, of which \$2,400 shall be for the salary of the chairman, \$4,400 shall be for the salaries for the other members, and \$230,332 shall be for the other salaries, wages and expenses.

FIRE/AMBULANCE

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$3,307,856 for the Fire/Ambulance budget, of which \$650,000 shall be transferred from the Ambulance Reserve Account, with the balance of \$2,657,856 raised on the tax levy.

SCHOOLS

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$42,414,939 for the purpose of operating the Public Schools for the fiscal year beginning July 1, 2017, and in order to meet this appropriation \$125,000 shall be transferred from the Overlay Reserve Account, with the balance of \$42,289,939 raised on the tax levy.

TOWN CLERK

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$159,380 for the Town Clerk’s budget, of which \$86,384 shall be for the salary of the Town Clerk, and \$72,996 shall be for other salaries, wages and expenses.

DEBT

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$8,884,456 for the Debt: Principal budget (\$6,808,327) and Debt interest (\$2,076,129), and in order to meet said appropriation the following amounts shall be transferred from accounts as set forth below:

<u>Account</u>	<u>Amount</u>
Septic Loan Program	\$29,215
Excluded Debt Premium	\$25,293

with the balance of \$8,829,948 raised on the tax levy.

WATER

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$4,386,431 with \$586,431 from Retained Earnings and \$3,800,000 raised from user fees and \$200,000 from Retained Earnings for a Reserve Fund.

BOARD OF HEALTH - SERVICES & ADMIN

VOTED: That the Town raise and appropriate the sum of \$206,146 for the Board of Health Services and Administration budget.

BOARD OF HEALTH - WASTE REMOVAL

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$119,500 for the Board of Health – Waste Removal budget.

VOC TECH SCHOOL

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$239,410 for the Voc Tech School budget.

VOC TUITION/NORFOLK AG. TUITION

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$12,000 for the Voc Tuition/Norfolk Ag. Tuition budget.

POLICE

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$3,613,097 for the Police budget.

ARTICLE 1 – ADDITION:

VOTED UNANIMOUSLY: That the Town approve the following persons nominated by the Moderator to be members of the Finance Committee Nominating Committee:

Charles Goodman
Gloria Rose
Deena Segal
Cheryl Weinstein

ARTICLE 6.

VOTED: An Omnibus Motion.

That the Town appropriate the sum of: \$1,141,761 for Public Works; \$835,500 for Schools, of which \$91,000 shall be raised from taxation and the balance from borrowing as hereinafter provided; \$196,100 for Fire, of which \$61,100 shall be transferred from the Ambulance Reserve Account and the balance from borrowing as hereinafter provided; \$153,000 for Police, all of which shall be raised from taxation; \$57,000 for the Council on Aging; \$14,800 for the Recreation Department, all of which shall be raised from taxation; and, as set forth in items 6A – 6J under Article 6 on page 18 of the Warrant for this Town Meeting; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$2,078,261 under Massachusetts General Law Chapter 44, S7 and Massachusetts General Law Chapter 44, S8. **2/3 VOTE DECLARED BY MODERATOR**

That the Town vote to consider the following items A through J, which will be voted as a block, or singly, or in any combination, but however voted will be treated as a separate article and to raise and appropriate a sum of money for each of the capital outlay purposes herein mentioned, and to determine whether the money shall be raised by borrowing or otherwise; or act in any way relative thereto.

DEPARTMENT OF PUBLIC WORKS

- 6A. Resurfacing of public ways and for the reconstruction of sidewalks by the Department of Public Works
- 6B. Purchase of additional departmental equipment by the Department of Public Works

SCHOOL DEPARTMENT

- 6C. Purchase of additional departmental technology equipment by the School Department
- 6D. Purchase of additional furniture for the School Department
- 6E. Remodeling, reconstruction, and making extraordinary repairs to public buildings by the School Department
- 6F. Purchase of additional departmental equipment by the School Department

FIRE DEPARTMENT

- 6G. Purchase of additional departmental equipment by the Fire Department

POLICE DEPARTMENT

- 6H. Purchase of additional departmental equipment by the Police Department

COUNCIL ON AGING

6I. Purchase of additional departmental equipment by the Council on Aging Department

RECREATION DEPARTMENT

6J. Purchase of additional departmental equipment by the Recreation Department

ARTICLE 6A.

VOTED UNANIMOUSLY: That the Town appropriate the sum of \$736,145 for the resurfacing of public ways and for the reconstruction and construction of sidewalks for Public Works; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$736,145 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 6B.

VOTED: That the Town appropriate the sum of \$405,616 for the purchase of additional departmental equipment for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$405,616 under Massachusetts General Law Chapter 44, Section 7. **2/3 DECLARED BY MODERATOR.**

ARTICLE 7A.

VOTED UNANIMOUSLY: That the Town hear and act upon the recommendation of the Community Preservation Committee as follows: By raising and appropriating the sum of \$20,000 of the Town’s portion of the expected Fiscal Year 2018 Community Preservation Fund revenues, to permit the Community Preservation Committee to expend funds as it deems necessary for its administrative and operating expenses, in accordance with the provisions of M.G.L. ch. 44B, § 6 and amendments thereof; and authorize the Community Preservation reserve from Fiscal Year 2018 Community Preservation Fund Estimated Revenues the following:

\$56,350	for Open Space	From FY18 Estimated Revenues
\$56,350	for Historic Preservation	From FY18 Estimated Revenues
\$56,350	for Community Housing	From FY18 Estimated Revenues
\$374,450	for Undesignated Fund Balance	From FY18 Estimated Revenues

ARTICLE 7B.

VOTED UNANIMOUSLY: That the Town hear and act upon the recommendation of the Community Preservation Committee as follows: That the following amounts be appropriated or reserved from Fiscal Year 2018 Community Preservation Fund Revenues, unless otherwise

specified, for Fiscal Year 2018 Community Preservation purposes with each item considered a separate appropriation:

- \$54,165 for Historic for the Community Center exterior painting project from Undesignated General Fund Balance
- \$255,000 for Historic for the repair and rehabilitation of Mann's Pond Dam from Historic Undesignated Fund Balance
- \$1,500 for Recreation for Ames Street Playground enhancements from Undesignated General Fund Balance
- \$37,000 for Recreation for the rehabilitation of the Ames Street basketball courts from Undesignated General Fund Balance
- \$42,225 for Recreation for the Community Center outdoor recreation area from Undesignated General Fund Balance

ARTICLE 8.

VOTED UNANIMOUSLY: That the Town raise and appropriate \$3,399,280 to be added to the special fund established to pay the Norfolk County Retirement Board for the Annual Assessment costs chargeable to the Town.

ARTICLE 9.

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$75,000 to be added to the special fund established to reimburse the Massachusetts Division of Employment and Training for the actual costs of benefits paid to former Town employees and chargeable to the Town.

ARTICLE 10.

VOTED UNANIMOUSLY: That the Town raise and appropriate \$200,000 to be added to the Other Post-Employment Benefits (O.P.E.B.) Trust Fund established to fund the presently unfunded liability of future health insurance costs for current town retirees and employees.

ARTICLE 11.

VOTED: That the Town raise and appropriate \$100,000 to be added to the Stabilization Fund for the purposes for which the Town may be authorized to borrow under M.G.L. Chapter 44, sections 7 and 8, or any other lawful purpose.

ARTICLE 12.

VOTED UNANIMOUSLY: That the Town vote the various revolving funds under M.G.L. c.44 sec. 53E½ for the fiscal year commencing July 1, 2017 listed as items A – M as printed on pages 28–33 under Article 12 of the Warrant for this Annual Meeting.

That the Town vote to consider the following items A through M, which will be voted as a block, or singly, or in any combination but however voted will be treated for accounting purposes as if each item were voted as a separate article.

A. Cable TV Licensing and Re-licensing Fund

Sponsor: Board of Selectmen

That the Town vote to reauthorize a revolving fund known as the Cable TV Licensing and Re-licensing Fund in accordance with M.G.L. ch. 44, §53E½.

The purpose of this fund is to prepare for future cable licensing or re-licensing, and to defray the costs incurred by the Town in providing public internet access. Receipts to be deposited to this fund shall be solely derived from the annual proceeds received by the Town from the cable television licensee under the terms of a Renewal License granted by the Board of Selectmen. Said license requires that to the extent authorized by M.G.L. ch.166A, and permitted by Federal Communication Commission regulations, 50 cents per subscriber per year be forwarded to the Town annually.

Expenditures in FY 2018 shall not exceed the balance in the fund carried forward from FY 2017 plus receipts deposited into the fund during FY 2018 and in any case shall not exceed Twenty Thousand (\$20,000.00) dollars.

Any unused balance, subject to subsequent Town Meeting authorization, shall carry forward for the benefit of Sharon cable subscribers to cover any costs incurred at the time of license issuance or renewal. The Board of Selectmen shall have the authority to expend from this fund.

B. Library Public-Use Supplies Replacement Fund

Sponsor: Library Board of Trustees

That the Town vote to reauthorize a revolving fund known as the Library Public-Use Supplies Replacement Fund in accordance with M.G.L. ch. 44, § 53E½.

The purpose of this fund is to acquire supplies associated with the use of public-use computer printers and faxes such as, but not limited to, paper and ink cartridges. Receipts to be deposited in this fund shall be monies collected as a user fee paid by the users of computer printers and/or the recipients of faxes. Such monies represent the replacement cost of the supplies. The Library Director, with the approval of the Library Board of Trustees, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance in the fund carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed seven thousand (\$7,000.00) dollars.

C. Street Opening Fund

Sponsor: Board of Selectmen

That the Town vote to reauthorize a revolving fund, first established for Fiscal Year 1992, known as the Street Opening Fund as provided by M.G.L. ch. 44, § 53E½.

The purpose of this fund is to defray the cost of making permanent repairs to openings in Town streets by utility companies, contractors, and/or the Town Water Division.

Receipts to be deposited in this fund shall be monies paid by utility companies, contractors and/or the Town Water Division in accordance with the requirements of the Town of Sharon Street Opening Manual. The Superintendent of Public Works, with the approval of the Board of Selectmen, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance in the fund carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed Twenty-Five Thousand (\$25,000.00) dollars.

D. Recycling Fund

Sponsor: Board of Selectmen

That the Town vote to reauthorize a revolving fund, first established for Fiscal Year 1991, known as the Recycling Fund as provided by M.G.L. ch. 44, § 53E½.

The purpose of this fund is to support the recycling program of the Town of Sharon and to purchase and install shade trees and shrubs to be planted in the public ways of the Town and otherwise as provided for in M.G.L. ch. 87, § 7.

Receipts to be deposited to this fund shall be monies derived from the sale of recycled materials including, but not limited to, newspaper, glass, metals and plastics, the sale of leaf bags, and disposal fees for certain special wastes generated by the citizens of Sharon including, but not limited to, batteries, tires, and used motor oil and white goods, and an amount equal to the number of tons of material recycled times the Tipping Fee at the SEMASS facility to be transferred from the Tipping Fee Escrow Fund. The Superintendent of Public Works, with the approval of the Board of Selectmen, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance in the fund carried forward from FY 2017 plus monies deposited into the fund during FY 2018, and in any event shall not exceed One Hundred Fifty Thousand (\$150,000.00) dollars.

E. Conservation Commission Advertising Revolving Fund

Sponsor: Conservation Commission

That the Town vote to reauthorize a revolving fund known as the Conservation Commission Advertising Revolving Fund in accordance with M.G.L. ch. 44, § 53E½.

The purpose of this fund shall be to defray the cost of advertising for hearings and meetings before the Sharon Conservation Commission. Receipts to be deposited in this fund shall be monies paid by persons requesting hearings before the Sharon Conservation Commission. The Conservation Commission shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance in the fund carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed Four Thousand (\$4,000.00) dollars.

F. Library Materials Replacement Fund

Sponsor: Library Board of Trustees

That the Town vote to reauthorize a revolving fund, first established for Fiscal Year 1993, known as the Library Materials Replacement Fund in accordance with M.G.L. ch. 44, § 53E½.

The purpose of this fund is to acquire equivalent Public Library materials to replace items lost by those who borrow such materials. Receipts to be deposited in this fund shall be monies paid by the borrowers of the lost materials. Such monies represent the replacement cost of the material. The Library Director, with the approval of the Library Board of Trustees, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance in the fund carried forward from FY 2017 plus receipts deposited into the fund during FY 2018 and in any case shall not exceed Three Thousand Five Hundred (\$3,500.00) dollars.

G. Recreation Programs Revolving Fund

Sponsor: Recreation Department

That the Town vote to reauthorize a revolving fund known as the Recreation Programs Revolving Fund in accordance with M.G.L. ch. 44, § 53E½.

The purpose of this fund is to support the fee-based Recreation Department programs. Receipts to be deposited into this fund shall be monies collected from users of the Recreation Department programs and facilities. The Recreation Director, with the approval of the Board of Selectmen, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed Three Hundred Thousand (\$300,000.00) dollars.

H. Parking Lot Fund

Sponsor: Board of Selectmen

That the Town vote to reauthorize a revolving fund known as the Parking Lot Fund in accordance with M.G.L. ch. 44, § 53E½.

The purpose of this fund is to provide and pay for the maintenance, repair, improvement, monitoring, and operation, including payment for public liability coverage, for municipal parking lots within the Town that are subject to the control of the Board of Selectmen, including, but not limited to, the parking lot located on Pond Street which was accepted at Special Town Meeting on June 21, 1978, by gift of the Sharon Civic Foundation, and/or to purchase or lease additional parking lots, and in general for any traffic control or traffic safety purposes. Receipts to be deposited to this fund shall be solely derived from the receipt of parking fees and charges. The Superintendent of Public Works, with the approval of the Board of Selectmen, shall be authorized to administer and expend from this fund.

Expenditures in FY 2018 shall not exceed the balance carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed Sixty-five Thousand (\$65,000.00) dollars.

I. Board of Health Fund for Monitoring Compliance with Septic Variance

Sponsor: Board of Health

That the Town vote to reauthorize a revolving fund known as the Board of Health Fund for Monitoring Compliance with Septic Variances in accordance with M.G.L. ch. 44, §53E½.

The purpose of this fund is to support the Board of Health's efforts to protect public health through the successful management and oversight of all required reporting and testing requirements placed on onsite wastewater disposal installations that have been and will be approved for installation requiring mandated variances.

Receipts to be deposited into this fund shall be monies collected from fees generated from application fees for all new onsite wastewater disposal installations, which require variance from the requirements of Title V or Article 7 and annual fees, assessed to owners of new and existing onsite wastewater disposal installations that require reporting, annual, or more frequent pumping, testing, or other actions by the owner, as required by their variance from Title V or Article 7. The Board of Health shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed Twenty Thousand (\$20,000.00) dollars.

J. Health Department Revolving Fund

Sponsor: Board of Health

That the Town vote to reauthorize a revolving fund known as the Health Department Revolving Fund in accordance with M.G.L. ch. 44, § 53E½.

The purpose of this fund is to support health promotion clinics for Sharon residents including, but not limited to, influenza and pneumococcal vaccination clinics. Receipts to be deposited into this fund shall be monies collected through reimbursements for immunizations. The Board of Health shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed Forty Thousand (\$40,000.00) dollars.

K. Waterfront Recreation Programs Revolving Fund

Sponsor: Recreation Department

That the Town vote to reauthorize a revolving fund known as the Waterfront Recreation Program Revolving Fund in accordance with M.G.L. ch. 44, § 53E½.

The purpose of this fund is to utilize all program monies associated with Massapoag Lake to be utilized for expenses incurred related to programs occurring on the lake as well as the beaches. The Recreation Director, with the approval of the Board of Selectmen, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed One Hundred Fifty Thousand (\$150,000.00) dollars.

L. Community Center Building Maintenance Fund

Sponsor: Department of Public Works

That the Town vote to reauthorize a revolving fund known as the Community Center Building Maintenance Fund in accordance with the provisions of General Laws ch. 44, § 53E½.

The purpose of this fund is to provide and pay for the maintenance, repair, improvement, monitoring, and operation of the Community Center. Receipts to be deposited into the fund shall be monies collected from users and lessees of the Community Center. The Superintendent of Public Works, with the approval of the Board of Selectmen, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed One Hundred Thousand (\$100,000.00) dollars.

M. Council on Aging Program Revolving Fund

Sponsor: Council on Aging

That the Town vote to reauthorize a revolving fund known as the Council on Aging Program Revolving Fund in accordance with the provisions of General Laws ch. 44, § 53E½.

The purpose of this fund is to support fee based Council on Aging programs. Receipts to be deposited into the fund shall be monies collected from programming at the Council on Aging. The Council on Aging Director, with the approval of the Board of Selectmen, shall be authorized to expend from this fund.

Expenditures in FY 2018 shall not exceed the balance carried forward from FY 2017 plus monies deposited into the fund during FY 2018 and in any event shall not exceed Twenty-Five Thousand (\$25,000.00) dollars;

ARTICLE 13.

VOTED UNANIMOUSLY: That the Town accept Section 4, Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and Chapter 380 of the Acts of 2000, which authorizes additional real estate exemptions to be granted to persons who qualify for property tax exemptions under Clauses 17, 17C, 17C 2, 17D, 17E, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C and 41D of M.G.L. ch. 59, § 5 in an amount equal to 100 percent, to be effective for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

ARTICLE 14.

VOTED UNANIMOUSLY:

A. That the Town Clerk cast one ballot for the Trustees of the Dorchester and Surplus Revenue School Fund as follows:

Bettye Outlaw, Patricia MacDougall and Elizabeth Siemiatkaska

B. That the Town Clerk cast one ballot for the Trustees of the Edmund H. Talbot Fund as follows:

Shirley Schofield, Marie Cuneo and Paul Bergeron

C. To accept the report of the donors of the funds.

ARTICLE 15.

VOTED UNANIMOUSLY: That the Town raise and appropriate the sum of \$59,300 for the purpose of paying for the cost of services to perform an annual audit of fixed assets and annual audit of accounts of the Town of Sharon for Fiscal Year 2017 in accordance with Chapter 44, Section 40 of the General Laws of the Commonwealth.

ARTICLE 16.

VOTED: That the Town of Sharon appropriate from the undesignated general fund balance the amount of Two Million Three Hundred Twenty-Four Thousand Six Hundred and Sixty-Three

Dollars (\$2,324,663.00) Dollars for the purpose of paying costs of the replacement of the roof at the Sharon Heights Elementary School, 454 South Main Street, Sharon, MA 02067 which will include the complete replacement of the existing EPDM roofing system with a new .090 EPDM roof and associated re-flashing of masonry walls and repairs to soffits, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town of Sharon may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Town of Sharon Standing Building Committee. The Town of Sharon acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Sharon incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Sharon; provided further that any grant that Town of Sharon may receive from the MSBA for the Project shall not exceed the lesser of (1) 44.68 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Sharon and the MSBA.

ARTICLE 17.

MOTION: That the Town appropriate from Undesignated General Fund Balance the sum of \$150,000 for the purpose of enabling the Planning Board to engage a consultant, or consultants, to develop and write a comprehensive Master Plan, lead a public engagement and visioning process, and to review previously completed planning studies. Said processes to be conducted under the general supervision of the Planning Board, with the advice and assistance of the Master Plan Steering Committee, and who shall serve for the duration of the process to review the work and provide guidance to the Planning Board, said Planning Board to conduct frequent public forums to permit the public to comment on the work of the consultant(s) before the work is concluded.

MOTIN TO AMEND: Addition to Article 17 (Master Plan), The Master Plan shall include a decision framework. This decision framework shall aid in performing tradeoffs among the multiple long term objectives. Long term objectives shall include, but not limited to:

- (1) Appreciation of Real Estate values,
- (2) Affordability, and
- (3) Quality of Life.

The organization of the master plan shall be consistent with the framework. **NOT CARRIED.**

VOTED: That the Town appropriate from Undesignated General Fund Balance the sum of \$150,000 for the purpose of enabling the Planning Board to engage a consultant, or consultants, to develop and write a comprehensive Master Plan, lead a public engagement and visioning process, and to review previously completed planning studies. Said processes to be conducted under the general supervision of the Planning Board, with the advice and assistance of the Master Plan Steering Committee, and who shall serve for the duration of the process to review the work and provide guidance to the Planning Board, said Planning Board to conduct frequent public

forums to permit the public to comment on the work of the consultant(s) before the work is concluded.

ARTICLE 20.

VOTED: That the Town accept the preliminary design for the proposed Sharon Public Library building. **A STANDING VOTE. VOTES IN THE AFFIRMATIVE 123. VOTES IN THE NEGATIVE 92.**

ARTICLE 21.

VOTED UNANIMOUSLY: That the Town renumber and recaption the General Bylaws of the Town as follows: to assign a new number to each chapter of the General Bylaws; to renumber each section accordingly; to insert chapter and section titles; to update internal references to reflect the new numbering system; to reorganize defined terms to be indented and capitalized in the definitions sections of various chapters; and to enact certain global changes to the text of the General Bylaws of the Town as follows:

1. To cite statutory references to the Massachusetts General Laws in a consistent manner, to read in the following form: MGL c.____, § ____.
2. To impose a standard system of capitalization and citation of numbers throughout the General Bylaws.

all as incorporated in the document entitled "FINAL DRAFT (RED-LINE VERSION) — 1-19-2017," on file in the office of the Town Clerk; and

That the Town enact certain changes to the text of the General Bylaws of the Town, as noted by strikethroughs (indicating deletion) and underlines (indicating additions), all as set forth in the document entitled "FINAL DRAFT (RED-LINE VERSION) — 1-19-2017," on file in the office of the Town Clerk.

ARTICLE 22.

VOTED UNANIMOUSLY: That the Town number and caption the Zoning Bylaw of the Town as Chapter 275, Zoning, of the "Bylaws and Regulations of the Town of Sharon," as set forth in the document entitled "FINAL DRAFT (RED-LINE VERSION) — 1-19-2017," on file in the office of the Town Clerk.

That the Town enact certain changes to the text of the Zoning Bylaw of the Town, as noted by strikethroughs (indicating deletion) and underlines (indicating additions), all as set forth in the document entitled "FINAL DRAFT (RED-LINE VERSION) — 1-19-2017," on file in the office of the Town Clerk.

ARTICLE 23.

VOTED: That the Town amend Article 1 of the Town of Sharon General Bylaws, by adopting a new Section 8, as follows:

Section 8. The Town Clerk, or an agent designated by the Town Clerk, shall be authorized to assign appropriate numbers to sections, subsections, paragraphs and subparagraphs of Town general bylaws and zoning bylaws, where none are approved by Town Meeting.

Where Town Meeting has approved numbering of sections, subsections, paragraphs and subparagraphs of Town general bylaws and zoning bylaws, the Town Clerk or an agent designated by the Town Clerk, after consultation with the Town Administrator, shall be authorized to make non-substantive editorial revisions to the numbering to ensure consistent and appropriate sequencing, organization and numbering of the bylaws.

ARTICLE 24.

VOTED UNANIMOUSLY: That the Town amend the Zoning By-Law, exactly as printed on pages 82 through 84 of this Annual Town Meeting Warrant.

That the Town vote to amend the Zoning Bylaw by adding a new subsection f, to Section 2332, *Other Permitted Principal Uses*, within the Light Industrial Zoning District, as follows:

2332. Other Permitted Principal Uses

f. **Large-Scale Ground-Mounted Solar Photovoltaic Installation:** A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC, not constructed on a lot containing a habitable building.

Construction, operation, and/or repair of the above uses shall be subject to following requirements.

(1) **As-of-Right Siting:** Large-scale ground mounted solar photovoltaic installations shall be subject to as of right Site Plan review pursuant to Section 6320 and shall not be subject to special permit, variance, amendment, waiver, or other discretionary approval.

(2) **Compliance with Laws, Ordinances and Regulations:** The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and

fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

(3) **Building Permit and Building Inspection:** No large scale ground mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

(4) **Site Control:** The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

(5) **Operation & Maintenance Plan:** The project proponent shall submit a plan for the operation and maintenance of the large- scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

(6) **Utility Notification:** No large-scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to the Site Plan Review Authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(7) **Land Clearing, Soil Erosion and Habitat Impacts:** Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.

(8) **Abandonment:** Any facility which permanently ceases operation or that has been abandoned shall be demolished and removed and the site shall be restored, revegetated, and stabilized within six months following discontinuance of operations. The Site Plan Review Authority shall require posting of permanent security in an amount adequate to ensure demolition and removal of the facility and restoration, revegetation, and stabilization of the site. The amount of the security shall be updated from time to time throughout operation of the facility as required by the Site Plan Review Authority.

And further, to amend Zoning By-Law Section 4535 to exclude Large-Scale Ground-Mounted Solar Photovoltaic Installations from impervious area limitations.

ARTICLE 25.

VOTED UNANIMOUSLY: That the Town amend the General By-Law, exactly as printed on page 85 of this Annual Town Meeting Warrant, except for the words “to see if the Town will vote to amend the Town of Sharon General Bylaws”

That the Town vote to amend the Town of Sharon General Bylaws, by adopting a new Article 41 entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date as of January 2, 2017, as follows:

Article 41 – Stretch Energy Code

Section 1 - Definitions

Internal Energy Conservation Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 9th edition Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

Section 2 - Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

Section 3 - Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

Section 4 - Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Sharon General Bylaws, Article 41.

The Stretch Code is enforceable by the building inspector.

ARTICLE 26.

VOTED: That the Town accept the provisions of Massachusetts General Laws Chapter 40, Section 13E, which allows the establishment of, and appropriation or transfer of money to, a reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation.

ARTICLE 27.

VOTED: That the Town, pursuant to G.L. c. 41, § 2, increase the number of members of the School Committee from six members to seven members.

ARTICLE 28.

VOTED: That the Town, pursuant to G.L. c. 40, §§ 3 and 15A, transfer care, custody, management, and control from the Board of Selectmen to the Conservation Commission for conservation purposes, for the protection and management of natural resources, and for the protection of the watershed resources of the Town of Sharon, allowing passive recreation thereon only, under G.L. c. 40, § 8C and Amended Article 97 of the Massachusetts Constitution, of the land shown as the green areas on the map entitled "Proposed New Parcels by Owner," dated 4/28/2017, prepared by Sharon GIS and filed with the Sharon Town Clerk ("the Map"), and comprising the following parcels:

- Parcel F-1, containing approximately 7.78 acres
- Parcel F-a, containing approximately 11.62 acres
- Parcel F-b, containing approximately 7.6 acres

And further, that the Board of Selectmen retain care, custody, management, and control of town well no. 7, its zone 1, and all of the water body known as Gavin's Pond to the high water mark, shown as the blue area on the Map, containing approximately 28.23 acres; and for recreation purposes, the land containing the existing soccer fields, shown as the brown area on the Map and containing approximately 8.5 acres.

The land shown on the Map is a portion of the land described in a deed to the Town recorded in the Norfolk Registry of Deeds in Book 7840, Page 560 on December 23, 1987, and shown on Plan 1549-1987, Plan Bk 363, recorded at the Norfolk Registry of Deeds on December 23, 1987.

And further, to authorize the Board of Selectmen and the Conservation Commission, or their agents, to approve by joint agreement the metes and bounds of the conservation and recreation parcels resulting from surveys to be performed.

And further, to authorize the Board of Selectmen and the Conservation Commission to execute and record at the Registry of Deeds all documents that are determined to be necessary or appropriate by Town Counsel to effectuate this transfer.

THE MEETING ADJOURNED AT 11:05 P.M.

Attendance: 292

**ANNUAL TOWN MEETING
MAY 1, 2017**

The Annual Town Meeting of May 1, 2017 was adjourned to reconvene at the Sharon High School Arthur E. Collins Auditorium on Pond Street on Tuesday, May 2, 2017 at 7:00 P.M. then and there to act on all unfinished business in the May 1, 2017 Annual Town Meeting Warrant.

Attest:

Marlene B. Chused
Sharon Town Clerk

MAY 2, 2017

This is to certify that I have posted a copy of the above notice in accordance with Town By-Laws.

Tilden M. Kaufman
Constable
Sharon, Massachusetts

ADJOURNED ANNUAL TOWN MEETING

MAY 2, 2017

The Moderator asked the Town Meeting to allow the following late addition non-voters to address Town Meeting.

Greg Walsh

Daniel Seigenberg, Council for 25 Tiot Holdings

ARTICLE 18.

MOTION: That the Town amend the Zoning By-Law, exactly as printed on pages 37 through 46 of this Annual Town Meeting Warrant, except as follows:

Delete "Memory Care Dementia Special Care Unit (DSCU) as defined in 105 CMR 150.023" on page 40;

Delete the words "to twelve" and "to 12" on line 8 of the first paragraph on page 44, so that the sentence reads as follows: "Shade trees shall have a minimum caliper of three and one-half (31/20 inches and coniferous trees shall have a minimum height of ten (10) feet at the time of planning."

That the Town Vote to Amend the "Zoning By-Laws of the Town of Sharon, Massachusetts as Last Amended through March 2014" by amending sections of the By-Law as set forth hereinafter.

REPLACE SECTION 2323

Delete "2323. Permitted Commercial Uses" and insert the following:

2323. Permitted Commercial Uses:

The following uses are permitted subject to the building floor area limitations, parking space thresholds, and performance criteria set forth herein. The uses enumerated hereinafter are permitted provided that (1) the total of all buildings on a lot does not exceed sixty thousand (60,000) square feet of gross floor area in Business Districts B and C, five thousand (5,000) square feet of gross floor area in Business District A, and the building floor area limits established for Business District D, (2) that the total number of required (prior to any reductions under Section 3111) off-street parking spaces does not exceed one hundred fifty (150) in Business Districts B and C and twenty (20) spaces in Business District A, and (3) that uses in Business District D comply with the requirements of Sections 2327, 2328, and 2329. For the purposes of this Section, all contiguous separate lots or buildings in Business District A if under single ownership shall be considered as one (1) lot or building.

Business or professional offices; medical or dental offices for outpatients; financial institutions such as banks, savings institutions, credit unions, and credit institutions; and real estate, insurance, investing, or securities firms.

Retail stores.

Business services such as duplication services, newspaper printing, office cleaning, packaging, shipping, and similar business services.

In Business District B only, workshops of the following: carpenters, plumbers, or similar artisans primarily working on fixed household installations or cars.

In Business Districts A, B and C, other craftsmen's shops for the fabrication, alteration or maintenance of hand-portable goods and household furnishings, such as cabinet makers, upholsterers, etc., to be delivered on the premises, and further provided as follows:

- (1) that at least twenty-five percent (25%) of the floor area of such a permitted shop is devoted to retail sales;
- (2) that all such work is done directly for the ultimate consumer;
- (3) that no motor in excess of ten (10) horsepower is used.

In Business Districts A and C only, artist's studio or art gallery.

Places for the preparation and serving of food, provided all customers on the premises are seated at tables or counters.

Preparation and retail sale on the premises of food to be consumed off the premises.

Personal services, such as daycare, barber, beauty shop, hair salon, health or fitness club, photographer, shoe repair, tailor, and similar personal services.

In Business District A and Business District B only, cleaners, laundries, laundromats, including processing on the premises, provided all such work is done directly for the consumer visiting those premises.

In Business District D, the following:

- (1) Multiple free standing buildings on a single lot accommodating multiple principal uses permitted under Sections 2322, 2323, 2325, and 2326 provided that they comply with the objectives and requirements of Business District D as set forth in Section 2327 and with the limitations of 2466.
- (2) Theatre and multi-screen movie complex.
- (3) Hotel and motel if connected to public sewage or to a wastewater treatment plant pursuant to Section 4531.
- (4) Warehouse stores.
- (5) Club and membership stores.
- (6) Facilities licensed by the Massachusetts Executive Office of Education or successor agency if applicable including day care or child care facilities complying with "Large Group and School Age Child Care Program" licensing requirements and including facilities complying with "Center and School Based Early Education and Care Program" or "After School and Out of School Time Program" licensing requirements.
- (7) Stores serving as drop-off and pick-up locations for cleaning and laundry services excluding laundromats and any onsite processing.
- (8) Illumination of parking areas pursuant to 2328.

REPLACE SECTION 2326

Delete "2326. Uses and Accessory Uses Allowed by Special Permit from the Board of Appeals" and insert the following:

2326. Uses and Accessory Uses Allowed by Special Permit from the Board of Appeals:

Buildings with gross floor area exceeding sixty thousand (60,000) square feet in Business Districts B, C and D, and buildings with gross floor area exceeding five thousand (5,000) square feet in Business District A.

Parking facilities exceeding one hundred fifty (150) parking spaces in Business Districts B and C and twenty (20) parking spaces in Business District A.

In Business Districts A, B, and C, theatre, hall, or other place of indoor or outdoor amusement. In computing floor area, floor area ratio, and building coverage limits; places of outdoor amusement shall be considered as having a floor area of 100 sq.-ft. for every 200 sq.-ft. of land in outdoor amusement use.

Clubs operated as a business.

In Business Districts B and C, apartments over non-residential establishments as provided in Section 4230.

In Business District A, multiple residence buildings containing three (3) or more dwelling units used either exclusively for residential uses or containing a mix of permitted residential and non-residential uses as provided in Section 4240.

In Business District B, drive-through services serving the customer while seated in a car for banks.

In Business Districts B, C and D, accessory scientific use provided that the Board of Appeals finds that the proposed accessory use does not substantially derogate from the public good.

In Business Districts B and D, funeral parlors.

Religious or educational purposes other than those specified by Subsection 2322.

In Business District B only, the following:

Gasoline service station; automobile display room.

Outdoor storage and display of goods for sale, whether as a principal or accessory use, but not including second-hand goods or parts, nor bulk goods such as lumber or gravel, provided all outdoor storage and display is screened from side and rear lot

lines in the manner described in Subsection 3117.

Storage buildings for goods to be repaired or sold at retail directly to the consumer or temporarily stored for the consumer.

In Business District D only, the following:

Amusement and recreation uses, excluding each of the following: ADULT USE as defined in Section 4120; racing and racetrack use; permanent circus, carnival, and fair use; and casino, bingo, bookie, betting, and gaming use (Provided; however, that lottery tickets sales as a component of retail use shall not be considered as gaming use). In computing floor area, floor area ratio, and building coverage limits, places of outdoor amusement shall be considered as having a floor area of 100 sq.-ft. for every 200 sq.-ft. of land in outdoor amusement use.

Drive-through services serving the customer while seated in a car for establishments principally serving coffee, other beverages, breakfast food, and pastries.

Memory Care Dementia Special Care Unit (DSCU) as defined in 105 CMR 150.023.

Licensed or Certified Health Care Facility or Agency which is licensed by the Massachusetts Executive Office of Health and Human Services Department of Public Health Division of Health Care Facility Licensure and Certification or successor agency as applicable including the following:

- (1) Health Care Center which may include urgent care services, primary care services, specialist services, clinics, outpatient facilities, diagnostic and lab services, day surgery, rehabilitation and sports medicine, mental health, and similar medical services provided that no overnight patient beds are provided;
- (2) Certified home health agencies, hospices, organ procurement organizations, physical therapy and speech pathology facilities, renal dialysis facilities, and temporary nursing agencies.

Research & development facilities provided that only domestic wastewater (sanitary sewage as defined in 310 CMR 15.002) is discharged to any wastewater treatment plant within a Water Resources Protection District.

For profit education services including elementary and secondary school, junior college, college, university, and vocational school.

Training and conference center.

Retail postal, parcel post, delivery service, and postal box uses.

Congregate Housing as authorized by MGL Ch. 121B § 39 that provides a shared living environment with separate sleeping quarters and shared common facilities which are designed to integrate the housing and services needs of persons aged 60 and over or disabled and that have applied to the Sharon Housing Authority.

Natural gas custody transfer facilities or gate stations as provided in Section 4700.

REPLACE SECTION 2327

Delete "2327. Business District D Requirements" and insert the following:

2327. Business District D Requirements.

The objective of Business District D is to accommodate retail, office and other uses in locations where a large development area is available with suitable access to Interstate 95, where impacts to neighboring residential areas can be minimized, and adverse traffic and environmental impacts can be mitigated. In connection with the creation of the Business District D and the addition of any land to the Business District D, the Board of Selectmen shall be authorized and directed to seek agreement from the owners of land located in the Business District D concerning public benefits to be provided in connection with proposed development, including without limitation the gift or dedication of land for conservation, education, flood prevention, recreation, water supply, or other public purposes.

All uses and accessory uses permitted or allowed by Special Permit must conform to the objective of the District.

REPLACE SECTION 2328

Delete "2328. Business District D Design Requirements" and insert the following:

2328. Business District D Design Requirements.

Within Business District D, all uses shall comply with the design standards listed herein. All such standards may be waived as part of the Site Plan Review process.

To facilitate compliance with the design requirements of this section, each application for Major Site Plan Review shall include evidence that copies of all plans and design information have been submitted to the Design Review Committee as of the date of application for Major Site Plan Approval.

All buildings shall be "four sided", i.e. finished on all sides with comparable architectural details and finishes. Loading areas and rooftop equipment shall be neatly organized and thoroughly shielded.

Buildings shall be energy efficient and shall incorporate energy saving devices.

All site improvements shall incorporate the green development principals of energy efficiency and sustainability by including those Leadership in Energy and Environmental Design (LEED) Plan for Neighborhood Development (LEED ND: Plan) strategies set forth herein in the planning and design of Business District D Projects. LEED ND: Plan principals should be incorporated; however, formal LEED ND: Plan certification shall not be required, building design shall not subject to LEED requirements, and inclusion of at least one certified green building shall not be required. LEED ND: Plan strategies to be included in the planning and design of Business D Projects are as follows:

Site Planning:

- (1) Smart Location. Locate facilities in proximity to Route 1 or interchanges on I-95 in order to minimize traffic impacts on local streets and minimize VMT for regional site access.
- (2) Compact Development. To the extent practicable, the development footprint shall be minimized in site layout and buildings may incorporate second story and mezzanine areas.
- (3) Reduced Parking Footprint. Site design shall reserve locations for parking fully compliant with Section 3100; however, each site plan application that is seeking a reduced parking footprint shall include a Parking Management Report by a Civil Professional Engineer (PE) identifying parking reductions enabled by actual peak parking demand and seasonal and event peak parking accommodated on unpaved surfaces. The Zoning Board of Appeals may waive paved parking based on evaluation of the Parking Management Report provided that locations allowing full parking construction are reserved in perpetuity.
- (4) Housing and Jobs Proximity. To the extent practicable, offsite improvements shall be provided or incorporated in the site design linking the site to multifamily housing located within 300 ft. of the project site.
- (5) Walkable Site. The site shall be developed as a healthy walkable environment by providing strong linkage between sidewalks and walkways in proximity to on-site buildings and sidewalks on adjacent streets.

Environment:

- (1) Sustainability. To the extent practicable, sustainable use of materials shall be increased by requiring use of comparable recycled and locally sourced materials during construction of site improvements and by providing single stream recycling during occupancy.
- (2) Landscaping and Parking Layout. Onsite access drives shall be shaded by

lining with native shade trees. Onsite parking areas shall be divided, separated into distinct appropriately scaled subareas, and shaded by providing vegetated planting strips of the maximum width practicable and parking lot islands planted with native shade trees.

(3) *Water Conservation* shall be promoted by precluding use of potable water for irrigation and requiring that irrigation be subject to an Irrigation Management Plan.

(4) *Wetland Waterbody Conservation*. To the extent practicable, the value of open space shall be enhanced by providing pedestrian access linking on-site buildings with open space and by providing visual access between onsite public spaces and open space areas.

Access:

(1) *Multimodal Facilities*. Multimodal Access and vehicular safety shall be enhanced by providing site access designed for shared vehicular, bicycle, and pedestrian use and with all access drives posted for low speed.

(2) *Bicycle Facilities*. Bicycle racks and indoor bicycle storage shall be provided as appropriate.

(3) *Transportation Demand Management*. Vehicle Miles Traveled (VMT) and energy use may be reduced by encouraging tenants to provide incentives for shared vehicle use such as carpools, vanpools, and a commuter rail station shuttle.

Stormwater Management:

(1) *Low Impact Design*: Stormwater management shall incorporate low impact design (LID) measures to the extent practicable.

(2) *Drainage Patterns and Water Quality*. Existing drainage patterns shall be preserved and water resources shall be protected by using Best Management Practices (BMPs) to limit runoff and reduce Total Suspended Solids and related contaminants.

(3) *Vegetated planting strips and parking lot islands* may be used to collect and treat runoff as integral components of the stormwater management system.

The public open space shall have an aggregate area equal to 5 percent of the floor area of the on-site buildings. Open spaces shall have landscaping, hardscape, benches, and other amenities. Turf areas shall be irrigated; however, potable water from the Sharon water system shall not be used for irrigation. Hardscape shall consist of cement concrete, brick,

granite block, cobblestone, or stone pavers. Stone or stone veneer shall be used for landscape walls and retaining walls. One tree shall be provided for each fifteen hundred (1,500) sq. ft. of area. Shade trees shall have a minimum caliper of three and one-half ($3\frac{1}{2}$) inches and coniferous trees shall have a minimum height of ten to twelve (10 to 12) feet at the time of planting. Plant materials shall be native species and shall include street trees listed in the Rules and Regulations of the Sharon Planning Board. Pedestrian scale dark skies compatible lighting shall be provided to allow full use of the open space at night.

Discrete parking fields shall be separated by landscaped areas and shall use grading, layout and other design features to provide visually distinct parking fields. Large unbroken and monotonous parking areas shall be avoided.

Drive-through facilities serving customers while seated in a car shall be laid out in areas fully separated from any street, access drive, or parking aisle by raised islands with vertical faced granite curb. Separate drive-through facilities shall be as long as practicable and as a minimum shall provide sufficient length to accommodate the 95th percentile queue without extending into any access drive or parking aisle. A bypass capability shall be provided throughout the entire length of the drive-through facility and all segments of the facility shall have a minimum pavement width of 20 feet. Drive-through facilities shall be designed in a manner that promotes good overall site circulation, access, and safety. Site layout shall preclude pedestrian access to the building through the drive-through facility and shall minimize conflicts between pedestrians and vehicles entering or exiting the drive-through facility. Proper signage and pavement markings shall be provided. Drive-through facilities shall be properly lighted and screened and shall minimize headlight glare on other portions of the site. Loudspeaker sound levels shall not exceed normal conversational sound levels. Where appropriate for the service provided, separate parking spaces not included in the overall parking count shall be provided to accommodate special orders and delays.

Site lighting shall be designed with lower illumination levels consistent with IESNA recommended practice and shall minimize blue light emissions. Lighting systems shall have automated controls capable of reducing lighting levels outside business hours. Light trespass shall be limited to 0.5 foot candles at the property line and there shall be no point sources of light visible from adjacent streets and properties. Pole heights shall be limited to twenty-four (24) feet in parking areas and to sixteen (16) feet within fifty (50) feet of on-site buildings. Pole height within 500 feet of Route I-95 may be increased to 34 feet provided they are not visible from any residence. All lighting fixtures shall be dark skies compatible and shall limit upward projecting light. All lighting fixtures shall have or be comparable to lighting fixtures having the International Dark Sky Association (IDA) Fixture Seal of Approval.

Parking area pavements shall be a three and one-half ($3\frac{1}{2}$) inch thick bituminous concrete

pavement with a twelve (12) inch thick gravel base. Heavy duty pavement shall be a five (5) inch thick bituminous concrete pavement with a twelve (12) inch gravel base. Heavy duty pavement shall be used in all loading areas and along truck access routes and at principal parking lot drives. Curbing within one-hundred (100) feet of buildings shall be vertical faced granite curb and elsewhere shall be precast concrete curb.

On-site wastewater treatment plants require adequate funding mechanisms to provide for proper operation and maintenance and for monitoring and testing of the on-site wastewater treatment plant by the Town consistent with the requirements of the Board of Health. Any on-site sanitary sewers shall be subject to ongoing requirements for leak detection and repair. Buildings shall incorporate water conservation devices including low flow plumbing fixtures including low flow toilets.

Runoff from pedestrian areas, landscape areas, and low volume vehicular areas shall be accommodated using low impact design principals where practicable including pervious pavements, rain gardens, and other proven methods.

REPLACE THE FOURTH PARAGRAPH OF SECTION 2329

Delete the fourth paragraph of "2329 Business District D Performance Standards" which states in part "On-site wastewater exceeding six (6) gallons per day per one-thousand (1,000) sq.-ft. of lot area... Massachusetts Drinking Water Standards at the property line" and insert the following:

On-site wastewater generation exceeding six (6) gallons per day per one-thousand (1,000) sq. ft. of lot area and on-site wastewater treatment plants treating domestic wastewater or wastewater determined to have constituents substantially similar to sanitary sewage (310 CMR 15.002) per Section 4531 d. (1) are only permitted pursuant to issuance of a Groundwater Discharge Permit by the Massachusetts Department of Environmental Protection and a Treatment Works Construction Permit by the Sharon Board of Health. Within Aquifer Protection Districts groundwater shall meet or exceed Massachusetts Drinking Water Standards at the property line.

REPLACE SECTION 2462

Delete "2462. Maximum Densities in Professional District B" and insert the following:

2462. Maximum Densities in Professional District B and Business District D.

In Professional District B:

Assisted Living
Residence Units

A maximum of fifteen (15) Assisted Living
Residence units per acre or fraction thereof.

Planning Board on May 6, 2013 and prepared by the Department of Public Works, Engineering Division, GIS Team, in order to create a new "Recreation and Residential Overlay District" as follows:

AMEND SECTIONS 4388 and 4390

Delete the title "4390 Outside Consultants." Relocate the remaining paragraphs of Section 4390 following the last paragraph of Section "4388 Consultants," and revise renumbered paragraph 4388 by deleting "4390" and replacing it with "4388"; revise renumbered paragraph 4388(b) by deleting "4390(a)" and replacing it with the phrase "Section 4388(a)" and deleting the phrase "Executive Secretary" and replacing it with the phrase "Town Administrator" and revise the second paragraph following renumbered paragraph 4388(b) by deleting the phrase "M.G.L., 30B, §§ 1-20" and replacing it with the phrase "M.G.L., c. 30B, §§ 1-20" such that it reads:

4388. Consultants.

To facilitate review of an application for a Site Plan, the Board of Appeals may engage outside consultants in accordance with Section 4388.

Consultants may be engaged to review any or all components of the Site Plan submission or any offsite improvements proposed in conjunction with the project. Additionally, for projects requiring issuance of State or Federal permits, consultants may be engaged to peer review submissions to the State or Federal agency and to represent the Town before these agencies to protect the Town's interests. Consultants may be engaged to observe construction of the site improvements authorized by Site Plan approval.

(a) **Scope of Work.** In the course of exercising its powers under this Bylaw, the Board of Appeals may engage outside consultants for peer review of submissions, for peer review and representation in regard to state and federal permits and licensing, or for construction observation. Consultants are selected by majority vote of the Board of Appeals. To the extent practicable, the Board shall work cooperatively with the applicant and when appropriate shall seek input from the Planning Board, Board of Health, and Conservation Commission with respect to identifying appropriate consultants. Applicants are responsible for payment of consultant fees.

(b) **Review Fees.** Applicants shall reimburse the Town for the fees and expenses of outside consultants engaged by the Board of Appeals. Fees shall be paid prior to inception of each phase of the work. Escrow accounts shall be replenished within 15 days following receipt of notice. Failure to pay fees in accordance with the aforesaid shall be deemed, after notice to the applicant, with an opportunity to cure, to constitute withdrawal of the project. Fees shall be deposited in a special account established by the Town Treasurer pursuant to MGL. c. 44 § 53G. These funds may be expended only

for the purposes described in above Section 4388(a), and in compliance with the Uniform Procurement Act, M.G.L. c. 30B, §§ 1-20. Within thirty (30) days of completion of the project or of withdrawal the proposal, applicants shall receive a final report of funds in the special account and shall be paid any unspent excess in the account, including accrued interest. The Town Accountant shall submit annually a report of the special account to the Board of Selectmen and Town Administrator for review and for publication in the Sharon Annual Report.

Review related fees will only be imposed if the work constitutes peer review of materials prepared on behalf of the applicant and not of independent studies performed on behalf of the Board; if the work is performed in connection with the applicants' specific projects; and if the findings and reports are made part of the public record.

Procurement of outside consultant services shall comply with the Uniform Procurement Act, M.G.L., c. 30B, §§ 1-20, and with the following additional requirements:

(1) the applicant shall be given five (5) days' notice and opportunity to attach written comments to the invitation for bids or request for proposals;

(2) at least three (3) bona fide bids or proposals shall be solicited; and

(3) the applicant shall be given five (5) days' notice and opportunity to comment on all bids or proposals prior to the selection of the consultant and the award of a contract.

Consultants shall be qualified and where applicable duly licensed to evaluate specific issues before the Board. Bona fide bids or proposals shall include: the name of each person performing the work, the educational and professional credentials of each person performing the work; the work experience of each person performing the work; a description of the work to be performed; the hourly rate charged by each person performing the work; and all other expenses to be incurred.

Any invitation for bids or request for proposals shall indicate that award of the contract is contingent upon payment of a review fee.

Fees assessed pursuant to this section shall be reasonable in light of: the complexity of the proposed project as a whole; the complexity of particular technical issues; the number of housing units proposed; the size and character of the site; the projected construction costs; and fees charged by similar consultants in the area. Generally fees will not exceed amounts that would be expended by the Town to review a comparable project.

(c) Appeal of Selection. Prior to paying the review fee, applicants may appeal selection of a particular consultant to the Board of Selectmen. The grounds for such an appeal

shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist either of an educational degree in or related to the field at issue or three (3) or more years of practice in the field at issue or a related field. The required time limits for action upon the application by the Board shall be extended by the duration of the appeal. In the event that no decision is made by the Board of Selectmen within one (1) month following the filing of the appeal, the selection made by the Board shall stand.

Note: No Change is proposed to Section "4389. Enforcement and Implementation."

INSERT SECTION 4390

Insert a new Section "4390. Recreation and Residential Overlay District (RROD)" following Section "4389. Enforcement and Implementation" as follows:

4390. Recreation and Residential Overlay District (RROD).

4391. Recreation and Residential Overlay District Requirements.

Recreation and Residential Overlay District Projects shall comply with the following:

a. Purpose. The purpose of the Recreation and Residential Overlay District is to enhance the public welfare by creating a viable residential community with the amenities afforded by an on-site golf course, Multiuse Clubhouse, and passive open space areas.

b. Eligibility. The site must be located within the Recreation and Residential Overlay District on the Zoning Map, Town of Sharon, Massachusetts.

c. Recreation and Residential Overlay District Projects require Site Plan Approval from the Planning Board pursuant to Section 4397.

d. Application. Recreation and Residential Overlay Districts shall be considered as superimposed on underlying zoning districts. A Recreation and Residential Overlay District Project shall conform to all other provisions of this Bylaw including other overlay districts except to the extent that use, dimensional, parking, loading, and design requirements are set forth in Section 4390. The Recreation and Residential Overlay District shall not restrict owners' rights relative to the underlying zoning district, including other overlay districts. However, if an applicant elects to develop a Recreation and Residential Overlay District Project, as evidenced by obtaining a building permit for any principal structure or proceeding with land disturbance for any site improvement requiring Site Plan authorization pursuant to Section 4390, then all development within

the total Recreation and Residential Overlay District Project shall conform to the use, dimensional, parking, and loading requirements of Section 4390. To the extent there are inconsistencies between provisions of Section 4390 and the provisions of any underlying district, the provisions of Section 4390 shall govern.

e. Active Open Space Requirements: Each application for Site Plan Approval for a Recreation and Residential Overlay District Project must provide a golf course that includes at least eighteen (18) holes having an average length exceeding 250 yards.

f. Restriction. Prior to issuance of an initial building permit for a Recreation and Residential Overlay District Project, the property owner shall cause a Restriction to be recorded in the Registry of Deeds or the Land Court in a form acceptable to Town Counsel prohibiting any Residential use or construction of residential living units on the golf course lot and on the Multiuse Clubhouse lot. Should the golf course be abandoned or should its owner determine that continued operation is considered not to be viable, ownership of the golf course lot shall be conveyed to the Town of Sharon in fee simple at no cost within ninety (90) days of such abandonment or determination. If the golf-course is not used for normal golfing purposes for at least 240 days in any calendar year, it shall be create a rebuttable presumption that the course has been abandoned; provided, however, that the 240 day period shall not include any non-use caused by the following, without limitation, and as examples only: weather delays, redesign of the golf course, or unanticipated and unusual water problems and other natural disasters.

g. Phasing. Recreation and Residential Overlay District Projects may be developed in two or more phases provided that each phase is independent and self-sufficient providing adequate access and utility service for all buildings and uses included in the phase and in any prior phases. Plans for phasing shall be shown on the Site Plan.

h. Sureties. The property owner shall post lot covenants, instruments of surety, insurance policies, letters of credit or similar securities as provided in the Town's subdivision regulations (hereinafter instruments) to be provided prior to the issuance of any building permits for each phase of the project, if applicable, to the benefit of the Town of Sharon in a form acceptable to Town Counsel in amounts to be reasonably established by the Planning Board shall be posted in order to secure incomplete site infrastructure improvements. Release mechanisms for building permits shall be as provided in the Planning Board's subdivision regulations for release of lots.

i. Green Development. All site improvements shall incorporate the green

development principles of energy efficiency and sustainability by including those Leadership in Energy and Environmental Design (LEED) Plan for Neighborhood Development (LEED ND:Plan) strategies set forth herein in the planning and design of the total Recreation and Residential Overlay District Project. Building design shall not subject to the requirements of this Section and inclusion of at least one certified green building shall not be required. LEED strategies to be included in the planning and design of the Recreation and Residential Overlay District Project are as follows:

- (1) Open space shall be preserved by restricting the total lot area for Two-Family Dwelling and the Multiuse Clubhouse use and requiring a permanent restriction on development of the golf course lot.
- (2) The development footprint shall be reduced by providing a compact Two-Family neighborhood plan that offers an effective alternative to low-density sprawling Single-Family development.
- (3) Water Resources shall be protected by restricting development within the Groundwater Projection District of the Zoning By-Law.
- (4) Housing diversity shall be increased by providing Two-Family Dwellings thereby increasing housing choices for Town residents.
- (5) Infrastructure efficiency shall be facilitated by providing compact Two-Family development.
- (6) Multimodal Access and vehicular safety shall be enhanced by providing Primary Access Drives that are signed for shared bicycle use, posted for low speed, and designed to include traffic calming measures.
- (7) A healthy walkable neighborhood shall be encouraged by providing compact development and by constructing sidewalks and other walkways.
- (8) Water Conservation shall be promoted by precluding use of potable water for irrigation and requiring that irrigation of the Two-Family Dwelling Units and the Multiuse Clubhouse must be subject to an Irrigation Management Plan.
- (9) Sustainable use of materials shall be increased by requiring use of comparable recycled and locally sourced materials for construction of site improvements.
- (10) Vehicle Miles Traveled (VMT) and energy use shall be reduced by providing a compact Two-Family development which limits the required length of the Primary Access Drive system in comparison to the roadway system required for a comparable Single-Family development.

- (11) Existing drainage patterns shall be preserved and water resources shall be protected by using Best Management Practices (BMPs) to limit runoff and reduce Total Suspended Solids and related contaminants.

j. **Construction Requirements.** Site improvements shall comply with the requirements of this paragraph provided; however, that these construction requirements may be waived by the Planning Board as part of Site Plan Review. Materials for site improvements shall comply with the Sharon Planning Board's Rules and Regulations Governing the Subdivision of Land and shall be recycled or locally sourced when comparable. Primary Access Drives shall have minimum pavement widths of twenty-two (22) feet and minimum centerline radii of fifty (50) feet. Segments of Primary Access Drives serving more than ten (10) dwelling units or serving the Multiuse Clubhouse shall have minimum pavement widths of twenty-four (24) feet and minimum centerline radii of one hundred (100) feet. Pavement shall consist of four (4) inches of hot mix asphalt pavement, a three (3) inch thick dense graded base, and a twelve (12) inch thick gravel base with hot-mix asphalt curb or berm. The centerline of access drives shall be a minimum slope of one (1) percent and a maximum slope of seven percent (7%). A hot mix asphalt curb with a five (5) ft. wide walkway shall be provided along one side of the Primary Access Drive with a three (3) inch thick hot mix asphalt pavement with an eight (8) inch thick gravel base. Water distribution and sanitary sewer systems shall comply with the design requirements of the Planning Board Rules & Regulations. Cable utilities shall be installed underground. Stormwater management shall comply with Section 4394.

k. **Operation and Maintenance Requirements.** All infrastructure within the Recreation and Residential Overlay District Project shall remain forever private. Operation, maintenance, and repair of vehicle and pedestrian access facilities, parking and loading, utilities, stormwater management, sanitary sewer collection and treatment facilities, and landscaping shall be the responsibility of the property owner. Site Plan review shall establish the organizational structure, funding mechanisms, and responsibilities of organizations which may include one or more homeowners organizations responsible for infrastructure on the Two-Family lots, one or more business owners organizations if applicable responsible for infrastructure on the golf course and Multiuse Clubhouse lots, and an overall property owners organization responsible for infrastructure shared among the Two-Family, golf course, and Multiuse Clubhouse lots.

4392. Definitions.

The following terms shall have the meanings set forth herein notwithstanding any conflicting definitions in Article V:

Multiuse Clubhouse - A facility in one or more buildings grouped around a common parking

area that includes a golf clubhouse if the project includes an operational golf course and may include one or more private facilities as follows: a sit down restaurant, function facility, or gymnasium/health club/fitness center.

Primary Access Drive - A vehicular and pedestrian access facility including appurtenant utilities providing primary access to three or more buildings containing Two-Family Dwellings or to a building containing a Multiuse Clubhouse or to a parking facility for golf course users or any of the aforesaid.

Recreation and Residential Overlay District Project - A project located on one or more contiguous lots of land within the Recreation and Residential Overlay District and developed pursuant to the requirements of Section 4390 with Two-Family Dwellings, a Multiuse Clubhouse, a golf course, and open space used for active recreation and/or conservation purposes and with uses of land and buildings or dimensional, parking, and loading requirements governed by the provisions of Section 4390.

4393. Use Regulations.

Uses and accessory uses within a Recreation and Residential Overlay District shall comply with the following:

- a. Permitted Uses:
 - (1) Two-Family Dwellings (located in one or more buildings on a lot).
 - (2) Golf course, golf driving range, and golf practice facility.
 - (3) Multiuse Clubhouse
 - (4) Gymnasium/health club/fitness center
 - (5) Tennis courts
 - (6) Swimming pool.
- b. Permitted Accessory Uses:
 - (1) Surface and garage parking for residences and Multiuse Clubhouse.
 - (2) Security services and related uses, including guard houses.
 - (3) A property sales office and facility management office.
 - (4) Stormwater management facilities.

- (5) On-site septic systems in compliance with Title 5 and Sharon Board of Health Regulations, if and as applicable.
- (6) Wastewater treatment facilities and related appurtenances; provided that such wastewater treatment plants shall be subject to the issuance of a Groundwater Discharge Permit issued by the Massachusetts Department of Environmental Protection (DEP) and to the issuance of a Treatment Works Construction Permit by the Sharon Board of Health if and as applicable subject to provision of adequate funding mechanisms ensuring proper operation and maintenance protocols, Town monitoring and testing, and repair and replacement consistent with the requirements of the Department of Environmental Protection and the Sharon Board of Health, if and as applicable.. In addition, at the boundary of the lot containing the wastewater disposal area, the groundwater shall meet Massachusetts drinking water standards and other limits on pollutants set forth hereinafter. Unless waived by the Planning Board during Site Plan Review, the soil absorption system shall be located outside of any Water Resource Protection District.
- (7) Open space which may include trails and parking at trail heads.
- (8) Maintenance buildings and garages for parking of service or facility vehicles excluding any vehicle maintenance; provided, however, such maintenance building shall not exceed eight thousand (8,000) sq. ft. in floor area and the cart storage building shall not exceed six thousand (6,000) sq. ft. in floor area.
- (9) Identifying signs indicating only the name and contact information of the owner or occupant, the street number and address, and the uses or occupations engaged in on the premises, limited to one identifying sign not exceeding two hundred and twenty-five (225) sq.-ft. in area and located within 200 ft. of the I-95 right-of-way and one additional identifying sign not exceeding fifty (50) sq. ft. and located either within the golf course lot frontage or within the Multiuse Clubhouse lot frontage.

4394. Performance Standards.

A Recreation and Residential Overlay District Project shall comply with the following:

- a. Overall Development. Green development principles of energy efficiency and sustainability shall be incorporated by including those Leadership in Energy and Environmental Design (LEED) for Neighborhood Development (ND) strategies of Section 4391.(i). LEED for Neighborhood Development: Plan principles should be incorporated; however, formal LEED ND:Plan certification shall not be required and building design shall not subject to the requirements of this Section.

b. Wastewater collection and treatment. Wastewater collection and treatment shall comply with the following:

- (1) Wastewater shall be collected and treated in compliance with requirements of the Massachusetts Department of Environmental Protection and the Sharon Board of Health, if and as applicable.
- (2) Wastewater may be discharged to sanitary sewers tributary to the sanitary sewer systems in other municipalities or the Massachusetts Water Resources Authority sanitary sewer system.
- (3) Wastewater may be discharged to an on-site wastewater treatment plant authorized by a DEP Groundwater Discharge Permit and a Sharon Board of Health Treatment Works Construction Permit, if and as applicable, or to an on-site septic system authorized by a Sharon Board of Health Disposal System Construction Permit in compliance with Sharon Board of Health Article 7 and Title 5 (310 CMR 15.00) and the Sharon Board of Health Rules & Regulations for a Recreation and Residential Overlay District Project, if and as applicable. On-site septic systems shall not be allowed for Two-Family Dwellings or for the Multiuse Clubhouse unless the Planning Board determines that sewage generation for the total Recreation and Residential Overlay District Project will not exceed 10,000 gallons per day in perpetuity or unless wastewater generation during the initial phases of development has not reached the minimum threshold for which DEP will issue a Groundwater Discharge Permit or for which the Sharon Board of Health will issue a Treatment Works Construction Permit.
- (4) Wastewater treatment plant effluent shall meet Massachusetts Drinking Water Standards (310 CMR 22.00) and Massachusetts Surface Water Quality Standards for Class A Surface Waters.
- (5) Any on-site sanitary sewers shall be subject to ongoing requirements for leak detection and repair.

c. Stormwater Management. Stormwater management facilities shall be provided to collect and treat all stormwater runoff from all developed areas and shall comply with the Department of Environmental Protection's Stormwater Management Standards (310 CMR 10.05(6)(k)-(q)) whether or not the activity is subject to the Massachusetts Wetlands Protection Act (MGL c. 131 §40).

- (1) Stormwater management facilities shall attenuate increases in the rate of off-site discharge for the one-year frequency storm event.
- (2) Stormwater management facilities incorporating low impact design measures shall be used to abate contaminants caused by golf course operation including nitrogen and phosphorous.

(3) Low impact design using on-lot stormwater management and recharge shall be used to the maximum extent practicable including separate roofwater recharge facilities including raingardens and lawn depressions, and porous pavement for unit driveways and walkways. Grading for Two-Family Dwellings including its driveway grading, should disconnect lot runoff from the Primary Access Drive.

(4) The stormwater management system shall provide for collection and treatment of runoff from the ten (10) year frequency storm event and shall provide for no increase in the peak rate of discharge for the ten (10) and one hundred (100) year frequency storm events. Rainfall shall be based on NOAA Atlas 14.

d. Irrigation. Irrigation of the golf course lot and any portions of the golf course within easements on contiguous lots shall be allowed and shall not be subject to the requirements of the remainder of this paragraph. Irrigation on any lot containing Two-Family Dwellings or the Multiuse Clubhouse (but not including the golf course) shall be allowed if potable water from the Sharon municipal water distribution system is not used for irrigation and if irrigation is subject to an Irrigation Management Plan that incorporates staged drought management provisions and incorporates use of non- municipal water and treated effluent application to turf to the extent allowed by regulatory agencies. On-site well water may be used if authorized by agencies having jurisdiction, but drawdown (excluding drawdown by wells serving the golf course) affecting adjacent water supply wells shall be minimized.

e. Landscaping. Landscaping shall be provided for all Two-Family Dwelling lots and the Multiuse Clubhouse lot (but not the golf course). Plant materials shall be native species where practicable. Invasive plants listed on the Massachusetts Department of Agricultural Resources' Massachusetts Prohibited Plant List shall not be planted. Methods of application and allowed quantities of fertilizers are subject to limitations of a turf management plan approved during Site Plan Review.

f. Water Conservation. Buildings shall, as practicable, incorporate water conservation devices including water efficient plumbing fixtures and appliances.

g. Traffic Mitigation. Off-site intersection upgrades shall be provided that minimize the negative impact of project generated traffic on operations at intersections in the Traffic Study Area.

4395. Dimensional Regulations.

A Recreation and Residential Overlay District Project shall comply with the dimensional requirements set forth herein.

a. Dimensional requirements for the total Recreation and Residential Overlay District Project are as follows:

(1) Minimum Total Project Area: One hundred eighty (180) acres.

(2) Maximum Total Area of Lots within a Recreational and Residential Overlay District Project:

Twenty (20) acres for Two-Family Dwelling use.

Twenty-four (24) acres for Multiuse Clubhouse use without golf course.

(3) Maximum Total Project Density.

Fifty-Two (52) dwelling units total per Recreation and Residential Overlay District Project.

One (1) Multiuse Clubhouse per Recreation and Residential Overlay District Project.

Two (2) bedrooms per dwelling unit maximum and one hundred four (104) bedrooms total per Recreation and Residential Overlay District Project.

(4) Maximum Total Project Coverage Limits.

Maximum area of impervious materials including structures: fifteen percent (15%).

Minimum natural vegetation area: ten percent (10%).

b. Location Requirements. Two-Family Dwellings shall be located on one or more lots and more than one building containing Two-Family Dwellings may be located on a lot. The golf course and the Multiuse Clubhouse shall each be located on a separate lot.

All Two-Family Dwellings shall use Primary Access Drives for access. Curb cuts for driveways serving individual Two-Family Dwellings are prohibited on public ways in existence as of the date of an application for site plan approval of a

Recreation and Residential Overlay District Project.

c. Dimensional requirements for lots are as follows:

- (1) *Minimum Lot Area for Two-Family Dwelling Use:* The greater of sixty thousand (60,000) sq.-ft. or eighty-five hundred (8,500) sq.-ft. per dwelling unit.
- (2) *Minimum Lot Area for Golf Course:* One hundred sixty (160) acres.
- (3) *Minimum Lot Area for Multiuse Clubhouse:* Ten (10) acres.
- (4) *Minimum Lot Width for All Uses:* Two hundred ten (210) feet.
- (5) *Minimum Lot Frontage:* Two-thirds of the minimum Lot Width.
- (6) *Maximum Lot Coverage:* Twenty-five percent (25%).
- (7) *Maximum Coverage Limits of impervious materials including structures:*

Ten (10) percent for the golf course.
Forty (40) percent for the Multiuse Clubhouse.
Fifty (50) percent for the Two-Family Dwellings.
- (8) *Maximum Gross Floor Area for the Multiuse Clubhouse Facility:* Fifty thousand (50,000) sq.-ft.
- (9) *Minimum Street Setback for Principal or Accessory Buildings:* One-hundred (100) feet.
- (10) *Minimum Setback for Principal or Accessory Buildings*

:	Fifteen (15) feet from side lot lines.
	Twenty (20) feet from rear lot lines.
- (11) *Minimum Separation between Principal or Accessory Buildings on the Same Lot:* Ten (10) feet
- (12) *Maximum Separation between Principal Buildings in Multiuse Clubhouse use on the Same Lot:* Fifty (50) feet.

d. Maximum Building Height.

- (1) For Dwellings: Not to exceed the more restrictive of two and one-half (2.5) stories or thirty-five (35) feet.
- (2) For Multiuse Clubhouses: Not to exceed the more restrictive of two (2) stories or forty (40) feet including rooftop mechanical equipment.
- (3) For Accessory Buildings: Not to exceed the more restrictive of two stories or thirty (30) feet.

4396. Required Off-Street Parking and Loading.

- a. Minimum Parking Requirements:
 - (1) Residences: Two (2) Parking Spaces per Dwelling Unit.
 - (2) Multiuse Clubhouse: Five (5) parking spaces per one thousand (1,000) sq.-ft. of floor area. As part of the Site Plan Review and Approval process, the Planning Board may reduce the number of parking spaces required upon submission of a parking management plan prepared by a Civil Professional Engineer (PE).
- b. Design Requirements for Two-Family Dwelling Parking:
 - (1) Parking spaces shall be located within 100 ft. of the residence.
 - (2) Each parking space shall have direct access to an access drive and stacked parking spaces shall not count toward the minimum number of required parking spaces.
 - (3) Each parking space shall be capable of containing a rectangle not less than nine (9) by eighteen (18) feet.
- c. Design Requirements for Golf Course and Multiuse Clubhouse Parking:
 - (1) Parking spaces shall be located within seven-hundred (700) ft. of the Multiuse Clubhouse.
 - (2) Each parking space shall have direct access to a parking aisle or access drive and shall be capable of containing a rectangle not less than nine (9) by eighteen (18) feet.
 - (3) Parking aisles shall have a minimum width of twenty-four (24) feet for two-way traffic.
 - (4) For event parking and other short term periods of peak parking demand,

the Planning Board may consider alternative parking provisions as Conditions of Site Plan Approval which include, but are not limited to, overflow parking on unpaved surfaces, shared parking, valet parking, and off-site parking with shuttle service.

- d. Homeowner and property owner organization documents must include provisions for establishing and enforcing parking restrictions and prohibitions.
- e. Minimum Loading Requirements for the Multiuse Clubhouse: One (1) loading space per fifty thousand (50,000) sq.-ft. of gross floor.
- f. Design Requirements for Loading Spaces: Each loading space shall have direct access to an access drive and shall be capable of containing a rectangle not less than twelve (12) by forty (40) feet and vertical clearance of fourteen (14) ft.

4397. Site Plan Review and Approval.

All uses within a Recreation and Residential Overlay District, require by Site Plan Approval from the Planning Board. Unless waived by the Planning Board, applications for Site Plan Review and Approval shall comply with the following:

- a. Applicants are encouraged to submit sketch plans and meet informally with the Planning Board prior to formal submission of a Site Plan Approval Application.
- b. Submittal. A copy of the Site Plan application must be filed with the Town Clerk and a copy of the application, including the certification by the Town Clerk must be filed forthwith by the petitioner with the Planning Board. The Planning Board shall hold a public hearing, for which notice has been given as provided in M.G.L. Chapter 40A.
- c. Site Plans shall show the total Recreational and Residential Overlay District Project including all lot boundaries and all proposed phases of development within the Recreation and Residential Overlay District Project, and all contiguous land within the Recreation and Residential Overlay District.
- d. Site Plans shall be drawn to a scale of forty feet (40') to the inch (or such other scale as the Planning Board may accept). Site Plans shall be prepared by a multidisciplinary team and shall be signed and sealed by a Massachusetts Civil Professional Engineer (PE), a Massachusetts Professional Land Surveyor (PLS), and a Massachusetts Registered Landscape Architect (RLA).
- e. Existing conditions survey shall be based upon on-the-ground fieldwork. Layout shall be tied to the Mass State Coordinate System and elevations shall be on

North American Vertical Datum (NAVD 88).

f. Site Plans shall include a cover sheet, layout sheet, grading and drainage sheet, landscaping sheet, details sheet, a sedimentation and erosion control sheet, a traffic control sheet, a lighting sheet, and a construction phasing sheet. The Plans shall show, among other things, all existing and proposed lot boundaries, buildings and structures and their uses, means of building egress, parking areas, driveway openings, driveways for individual dwelling units, and zoning summary table.

g. Site Plans shall show existing and proposed grading with a one foot (1') contour interval and spot grades based on NAVD 88.

h. Site Plans shall show all on-site local, state, and federal regulatory resource boundaries and buffer zones shall be clearly identified and all wetland flag locations shall be numbered and placed upon the Site Plan;

i. Site Plans shall show sanitary sewer collection systems and wastewater treatment systems including septic systems in compliance with Massachusetts Department of Environmental Protection and Sharon Board of Health Regulations, if and as applicable; stormwater management systems; water distribution systems; and, cable utility systems.

j. A Stormwater Management Report shall be submitted that includes a narrative, a Stormwater Checklist signed and sealed by a Civil Professional Engineer (PE), TR-55/TR-20 based hydrologic analysis, rational formula pipe sizing calculations, a Long-Term Pollution Prevention Plan (Standards 4-6), a Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan (Standard 8), and an Operation and Maintenance Plan (Standard 9).

k. Site Plans shall show, Primary Access Drives, parking areas, accessible parking spaces and accessible routes, loading and service areas, pedestrian and bicycle facilities, waste disposal facilities and dumpsters, and open space.

l. Site Plans shall also show all proposed Two-Family Dwellings and related site improvements.

m. Site Plans shall show a detailed plan of all golf course elements to be established or existing elements to be disturbed or changed including fairways, tees, greens, rough areas and hazards, cart paths, golf driving range and practice facilities, irrigation system, irrigation wells, maintenance facilities; parking and loading areas; and shall show a detailed plan of open space including Natural Vegetation Areas.

n. Site Plans shall show all components of the Multiuse Clubhouse including

means of building egress, parking and loading areas, pedestrian and bicycle facilities, refuse and other waste disposal facilities, and dumpsters.

o. Earthwork quantities shall be provided.

p. Site Plans shall show all hydrants, fire protection systems, site lighting, and lighting fixture and pole details. All lighting fixtures shall be designed based upon dark skies principles by minimizing the upward projection of light.

q. Site Plans shall include landscape plantings and planting details, and all hardscape elements. Site lighting fixture locations shall be shown for coordination purposes. The drawings shall show the quantity, location, species, and height or caliper of all trees and shrubs and the species, size, and quantity of all groundcovers. Details shall be provided for all structures and hardscape elements and planting details shall be provided for coniferous and deciduous trees and shrubs of each size.

r. A report shall be submitted evaluating the LEED for Neighborhood Development: Plan points for which the site improvements within the Recreation and Residential Overlay District are eligible. However, formal LEED ND certification, evaluation of building design, and inclusion at least one certified green building shall not be required.

s. Typical architectural plans and elevations and colors and materials shall be submitted for each typical Two-Family Dwelling type. Specific architectural plans and elevations and colors and materials shall be submitted for all principal nonresidential buildings.

t. A complete sign package shall be submitted including all informational and directional signage. All wall signs and free standing signs shall be shown. Sign plans and details shall show locations, dimensions, colors, materials, finishes, methods of illumination and illumination levels, and methods of structural support.

u. A traffic study prepared by a Traffic or Civil Professional Engineer shall be submitted evaluating existing, no-build, and build intersection operations in the Traffic Study Area (TSA) shall be submitted. The TSA be established by the Planning Board to include the nearest major intersection on each approach to the principal site entrance and other intersections as designated. Traffic counts must be taken within one year of the date of submission; trip generation shall be based on the Institute of Transportation Engineers (ITE); trip distribution and traffic assignment shall be quantitatively based; sight distance at the site entrance shall be evaluated, and intersection crash rates shall be calculated. For locations where intersection operations are impacted, measures to avoid, minimize, and mitigate traffic impacts shall be developed and evaluated the applicant's commitment to

mitigation shall be clearly stated.

v. Reports to the Planning Board. Within ten (10) days following receipt of a duly submitted Site Plan application, the Planning Board shall transmit one (1) copy thereof to the Board of Health and Conservation Commission. The Board of Health and Conservation Commission shall review the Site Plan application and report in writing their recommendations to the Planning Board within forty-five (45) days. The Board of Health and Conservation Commission may seek pertinent information from other Town officials or boards and may request additional information from the applicant. The Planning Board shall not take final action on said plan until it has received reports thereon from the Board of Health and Conservation Commission, or until sixty (60) days have elapsed after the transmission of the plan to the board in question without submission of a report thereon.

w. Criteria. In granting Site Plan approval, the Planning Board shall consider the following:

- (1) The extent to which the Site Plan fulfills the objective of the Recreation and Residential Overlay District to create a viable residential community with the amenities afforded by an on-site golf course and Multiuse Clubhouse and passive open space areas.
- (2) The extent to which the Overall Development incorporates green development principles of energy efficiency and sustainability and utilizes LEED for Neighborhood Development (ND) strategies in accordance with Section 4391. i.
- (3) The extent to which convenient and safe vehicular and pedestrian movements are accommodated within the site, and in relation to adjacent streets, property or improvements;
- (4) The extent to which adequate utility services are provided to serve proposed residential and recreational uses.
- (5) The extent to which adequate provisions are made for disposal for sewage, refuse or other wastes; drainage for surface water; and removal of snow;
- (6) The extent to which measures are provided to minimize impacts on surface water and groundwater.
- (7) The extent to which wastewater treatment plant effluent meets the Massachusetts Drinking Water Standards (310 CMR 22.00) and the Massachusetts Surface Water Quality Standards for Class A Surface Waters.
- (8) The extent to which stormwater management facilities shall attenuate increases in the volume of off-site discharge for the one-year frequency storm

event.

(9) The extent to which stormwater management facilities conform, to the Massachusetts Department of Environmental Protection's Stormwater Management Standards (310 CMR 10.05(6) (k)-(q)).

(10) The extent to which stormwater management facilities in concert with low impact design measures abate contaminants caused by golf course maintenance.

(11) The extent to which low impact design is used.

(12) The extent to which the stormwater management system prevents any increase in the peak rate of discharge for the ten (10) and one hundred (100) year frequency storm events.

(13) The extent to which buildings incorporate water conservation devices, including water efficient plumbing fixtures.

(14) The extent to which rooftop mechanical equipment is visually screened and acoustically buffered.

(15) The extent to which negative traffic impacts are minimized in off-site intersections in the Intersection Study Area through provision of necessary intersection upgrades.

(16) The extent to which use of potable water from the Sharon municipal water distribution system for irrigation is avoided. The extent to which irrigation water use, including water from on-site wells, is minimized through adherence to an Irrigation Management Plan and for wells on Two-Family Dwelling and Multiuse Clubhouse lots (but excluding consideration of wells serving the golf course), the extent to which irrigation well drawdown impacts affecting existing water supply wells on neighboring properties are minimized.

(17) The extent to which native plant materials are used; invasive plants are avoided; and the quantities of pesticides, fertilizers, and herbicides are minimized.

(18) The extent to which runoff from pedestrian areas, landscape areas, and low volume vehicular areas is accommodated using low impact design principles;

(19) The extent to which underground utilities are provided.

x. Final Action by the Planning Board. The Planning Board final action shall consist of an approval based on the determination that the Site Plan for the Recreation and Residential Overlay District Project is consistent with the criteria

and requirements set forth in this Section 4390, an approval subject to reasonable conditions consistent with the criteria and requirements set forth in this Section 4390, or a denial based on a determination that:

(1) The required Site Plan application filing materials for the Recreation and Residential Overlay District Project is incomplete or

(2) The Site Plan is inconsistent with the criteria and requirements set forth in this Section 4390 (unless otherwise waived) so that it admits of no reasonable solution.

4398. Consultants.

To facilitate review of an application for a Site Plan, the Planning Board may engage outside consultants in accordance with Section 4390.

Consultants may be engaged to review any or all components of the Site Plan submission or any offsite improvements proposed in conjunction with the project. Additionally, for projects requiring issuance of State or Federal permits, consultants may be engaged to peer review submissions to the State or Federal agency and to represent the Town before these agencies to protect the Town's interests. Consultants may be engaged to observe construction of the site improvements authorized by Site Plan approval.

(a) *Scope of Work.* In the course of exercising its powers under this Bylaw, the Planning Board may engage outside consultants for peer review of submissions, for peer review and representation in regard to state and federal permits and licensing, or for construction observation. Consultants are selected by majority vote of the Planning Board.

(b) *Review Fees.* Applicants shall reimburse the Town for the fees and expenses of outside consultants engaged by the Planning Board. Fees shall be paid prior to inception of each phase of the work. Escrow accounts shall be replenished within fifteen (15) days following receipt of notice. Failure to pay fees in accordance with the aforesaid shall be deemed, after notice to the applicant, with an opportunity to cure, to constitute withdrawal of the project. Fees shall be deposited in a special account established by the Town Treasurer and may be expended only for the purposes described above.

(c) Prior to engaging the consultant, applicants may appeal selection of a particular consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. In the event that no decision is made by the Board of Selectmen within one (1) month following the filing of the appeal, the selection made by the Planning Board shall

stand.

4399. Enforcement and Implementation.

Any Site Plan approval issued under this section shall lapse within one (1) year if actual construction of site infrastructure in accordance with the approved Site Plan has not commenced sooner, except upon application within one (1) year and for good cause shown. Construction shall not include site preparation and preliminary site clearing activities. Such time period shall be extended upon request by the applicant for one (1) year. A Recreation and Residential Overlay District Project may be constructed in multiple phases over time. Once construction of any portion of a Recreation and Residential Overlay District Project has commenced, such Site Plan approval shall not lapse if the construction proceeds in phases in accordance with an overall project schedule of completion not to exceed four (4) years unless extended by the Planning Board for good cause shown.

AND FURTHER

To amend the Zoning By-Law by amending the map entitled "Zoning, Town of Sharon, Massachusetts" as approved by the Sharon Planning Board on May 6, 2013 and prepared by the Department of Public Works, Engineering Division, GIS Team, by placing a certain tract of land containing approximately two hundred (200) acres of land in the "Recreation and Residential Overlay District" as generally indicated on the plan entitled "Zoning: Key Plan" and on the plan entitled "Zoning: Recreation and Residential Overlay District Tiot Street, Sharon, MA 02067" prepared by Coneco Engineers and Scientists dated 3/21/2017 which are included on pages that follow.

Currently, the parcel is located within the Rural District 1 (R-1 District) and will remain in this District. The parcel is currently overlain partially by the Ground Water Protection District and those portions of the parcel will remain in this overlay district.

And further by amending the aforesaid map entitled "Zoning Map, Town of Sharon, Massachusetts" by adding the term "Recreation and Residential Overlay District" and color symbol to the map legend and revising the date of the map.

or to take any other action relative thereto.

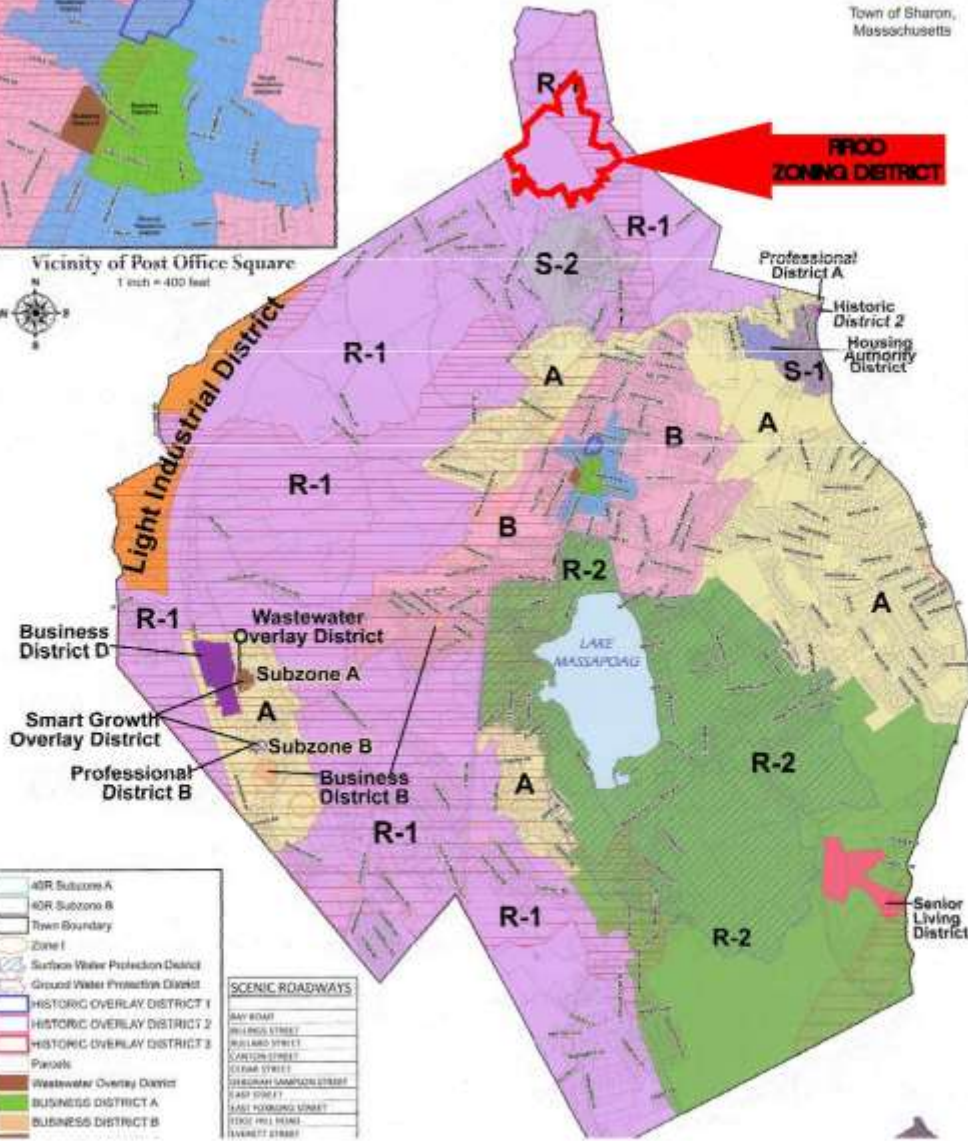
Zoning



Town of Sharon,
Massachusetts



Vicinity of Post Office Square
1 inch = 400 feet



- 40R Subzone A
- 40R Subzone B
- Town Boundary
- Zone I
- Surface Water Protection District
- Ground Water Protection District
- HISTORIC OVERLAY DISTRICT 1
- HISTORIC OVERLAY DISTRICT 2
- HISTORIC OVERLAY DISTRICT 3
- Parcels
- Wastewater Overlay District
- BUSINESS DISTRICT A
- BUSINESS DISTRICT B

- SCENIC ROADWAYS**
- BAY ROAD
 - HILLING STREET
 - HILLARD STREET
 - CANTON STREET
 - CLARA STREET
 - DEBORAH SAMPTON STREET
 - EAST STREET
 - EAST WINDING STREET
 - STICK HILL ROAD
 - LAURET STREET

25 TROT STREET, SHARON, MASSACHUSETTS 02067

CONECO
Engineers & Scientists
4 FIRST STREET, WINDSOR, MASSACHUSETTS 01890
PHONE: 508-927-2914 OR 508-949-2000 FAX: 508-927-8888
WWW.CONECO.COM

PREPARED FOR SPRING VALLEY, LLC		PLAN SET: ZONING	
SCALE 1" = 5000'	DATE 03/21/2017	PROJECT NO. 9231.0	TITLE KEY PLAN



MOTION TO AMEND: SECTION 4391 – AMENDMENT RULED OUT OF THE SCOPE OF THE ARTICLE BY TOWN COUNSEL.

MOTION: To call the question. **CARRIED.**

VOTED: That the Town Vote to Amend the "Zoning Bylaws of the Town of Sharon, Massachusetts as Amended Though March 2014" by amending certain sections thereof and by amending the map entitled "Zoning, Town of Sharon, Massachusetts" as approved by the Sharon Planning Board on May 6, 2013 and prepared by the Department of Public Works, Engineering Division, GIS Team, in order to create a new "Recreation and Residential Overlay District" as follows:

AMEND SECTIONS 4388 and 4390

Delete the title "4390 Outside Consultants." Relocate the remaining paragraphs of Section 4390 following the last paragraph of Section "4388 Consultants," and revise renumbered paragraph 4388 by deleting "4390" and replacing it with "4388"; revise renumbered paragraph 4388(b) by deleting "4390(a)" and replacing it with the phrase "Section 4388(a)" and deleting the phrase "Executive Secretary" and replacing it with the phrase "Town Administrator" and revise the second paragraph following renumbered paragraph 4388(b) by deleting the phrase "M.G.L., 30B, §§ 1-20" and replacing it with the phrase "M.G.L., c. 30B, §§ 1-20" such that it reads:

4388. Consultants.

To facilitate review of an application for a Site Plan, the Board of Appeals may engage outside consultants in accordance with Section 4388.

Consultants may be engaged to review any or all components of the Site Plan submission or any offsite improvements proposed in conjunction with the project. Additionally, for projects requiring issuance of State or Federal permits, consultants may be engaged to peer review submissions to the State or Federal agency and to represent the Town before these agencies to protect the Town's interests. Consultants may be engaged to observe construction of the site improvements authorized by Site Plan approval.

(d) **Scope of Work.** In the course of exercising its powers under this Bylaw, the Board of Appeals may engage outside consultants for peer review of submissions, for peer review and representation in regard to state and federal permits and licensing, or for construction observation. Consultants are selected by majority vote of the Board of Appeals. To the extent practicable, the Board shall work cooperatively with the applicant and when appropriate shall seek input from the Planning Board, Board of Health, and Conservation Commission with respect to identifying appropriate consultants. Applicants are responsible for payment of consultant fees.

(e) **Review Fees.** Applicants shall reimburse the Town for the fees and expenses of

outside consultants engaged by the Board of Appeals. Fees shall be paid prior to inception of each phase of the work. Escrow accounts shall be replenished within 15 days following receipt of notice. Failure to pay fees in accordance with the aforesaid shall be deemed, after notice to the applicant, with an opportunity to cure, to constitute withdrawal of the project. Fees shall be deposited in a special account established by the Town Treasurer pursuant to MGL. c. 44 § 53G. These funds may be expended only for the purposes described in above Section 4388(a), and in compliance with the Uniform Procurement Act, M.G.L. c. 30B, §§ 1-20. Within thirty (30) days of completion of the project or of withdrawal the proposal, applicants shall receive a final report of funds in the special account and shall be paid any unspent excess in the account, including accrued interest. The Town Accountant shall submit annually a report of the special account to the Board of Selectmen and Town Administrator for review and for publication in the Sharon Annual Report.

Review related fees will only be imposed if the work constitutes peer review of materials prepared on behalf of the applicant and not of independent studies performed on behalf of the Board; if the work is performed in connection with the applicants' specific projects; and if the findings and reports are made part of the public record.

Procurement of outside consultant services shall comply with the Uniform Procurement Act, M.G.L., c. 30B, §§ 1-20, and with the following additional requirements:

(4) the applicant shall be given five (5) days' notice and opportunity to attach written comments to the invitation for bids or request for proposals;

(5) at least three (3) bona fide bids or proposals shall be solicited; and

(6) the applicant shall be given five (5) days' notice and opportunity to comment on all bids or proposals prior to the selection of the consultant and the award of a contract.

Consultants shall be qualified and where applicable duly licensed to evaluate specific issues before the Board. Bona fide bids or proposals shall include: the name of each person performing the work, the educational and professional credentials of each person performing the work; the work experience of each person performing the work; a description of the work to be performed; the hourly rate charged by each person performing the work; and all other expenses to be incurred.

Any invitation for bids or request for proposals shall indicate that award of the contract is contingent upon payment of a review fee.

Fees assessed pursuant to this section shall be reasonable in light of: the complexity of the proposed project as a whole; the complexity of particular technical issues; the number of housing units proposed; the size and character of the site; the projected

construction costs; and fees charged by similar consultants in the area. Generally fees will not exceed amounts that would be expended by the Town to review a comparable project.

(f) Appeal of Selection. Prior to paying the review fee, applicants may appeal selection of a particular consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist either of an educational degree in or related to the field at issue or three (3) or more years of practice in the field at issue or a related field. The required time limits for action upon the application by the Board shall be extended by the duration of the appeal. In the event that no decision is made by the Board of Selectmen within one (1) month following the filing of the appeal, the selection made by the Board shall stand.

Note: No Change is proposed to Section "4389. Enforcement and Implementation."

INSERT SECTION 4390

Insert a new Section "4390. Recreation and Residential Overlay District (RROD)" following Section "4389. Enforcement and Implementation" as follows:

43910. Recreation and Residential Overlay District (RROD).

43911. Recreation and Residential Overlay District Requirements.

Recreation and Residential Overlay District Projects shall comply with the following:

l. Purpose. The purpose of the Recreation and Residential Overlay District is to enhance the public welfare by creating a viable residential community with the amenities afforded by an on-site golf course, Multiuse Clubhouse, and passive open space areas.

m. Eligibility. The site must be located within the Recreation and Residential Overlay District on the Zoning Map, Town of Sharon, Massachusetts.

n. Recreation and Residential Overlay District Projects require Site Plan Approval from the Planning Board pursuant to Section 4397.

o. Application. Recreation and Residential Overlay Districts shall be considered as superimposed on underlying zoning districts. A Recreation and Residential Overlay District Project shall conform to all other provisions of this Bylaw including other overlay districts except to the extent that use, dimensional, parking, loading, and design requirements are set forth in Section 4390. The

Recreation and Residential Overlay District shall not restrict owners' rights relative to the underlying zoning district, including other overlay districts. However, if an applicant elects to develop a Recreation and Residential Overlay District Project, as evidenced by obtaining a building permit for any principal structure or proceeding with land disturbance for any site improvement requiring Site Plan authorization pursuant to Section 4390, then all development within the total Recreation and Residential Overlay District Project shall conform to the use, dimensional, parking, and loading requirements of Section 4390. To the extent there are inconsistencies between provisions of Section 4390 and the provisions of any underlying district, the provisions of Section 4390 shall govern.

p. Active Open Space Requirements: Each application for Site Plan Approval for a Recreation and Residential Overlay District Project must provide a golf course that includes at least eighteen (18) holes having an average length exceeding 250 yards.

q. Restriction. Prior to issuance of an initial building permit for a Recreation and Residential Overlay District Project, the property owner shall cause a Restriction to be recorded in the Registry of Deeds or the Land Court in a form acceptable to Town Counsel prohibiting any Residential use or construction of residential living units on the golf course lot and on the Multiuse Clubhouse lot. Should the golf course be abandoned or should its owner determine that continued operation is considered not to be viable, ownership of the golf course lot shall be conveyed to the Town of Sharon in fee simple at no cost within ninety (90) days of such abandonment or determination. If the golf-course is not used for normal golfing purposes for at least 240 days in any calendar year, it shall be create a rebuttable presumption that the course has been abandoned; provided, however, that the 240 day period shall not include any non-use caused by the following, without limitation, and as examples only: weather delays, redesign of the golf course, or unanticipated and unusual water problems and other natural disasters.

r. Phasing. Recreation and Residential Overlay District Projects may be developed in two or more phases provided that each phase is independent and self-sufficient providing adequate access and utility service for all buildings and uses included in the phase and in any prior phases. Plans for phasing shall be shown on the Site Plan.

s. Sureties. The property owner shall post lot covenants, instruments of surety, insurance policies, letters of credit or similar securities as provided in the Town's subdivision regulations (hereinafter instruments) to be provided prior to the issuance of any building permits for each phase of the project, if applicable, to the benefit of the Town of Sharon in a form acceptable to Town

Counsel in amounts to be reasonably established by the Planning Board shall be posted in order to secure incomplete site infrastructure improvements. Release mechanisms for building permits shall be as provided in the Planning Board's subdivision regulations for release of lots.

t. *Green Development.* All site improvements shall incorporate the green development principles of energy efficiency and sustainability by including those Leadership in Energy and Environmental Design (LEED) Plan for Neighborhood Development (LEED ND:Plan) strategies set forth herein in the planning and design of the total Recreation and Residential Overlay District Project. Building design shall not subject to the requirements of this Section and inclusion of at least one certified green building shall not be required. LEED strategies to be included in the planning and design of the Recreation and Residential Overlay District Project are as follows:

- (12) Open space shall be preserved by restricting the total lot area for Two-Family Dwelling and the Multiuse Clubhouse use and requiring a permanent restriction on development of the golf course lot.
- (13) The development footprint shall be reduced by providing a compact Two-Family neighborhood plan that offers an effective alternative to low-density sprawling Single-Family development.
- (14) Water Resources shall be protected by restricting development within the Groundwater Projection District of the Zoning By-Law.
- (15) Housing diversity shall be increased by providing Two-Family Dwellings thereby increasing housing choices for Town residents.
- (16) Infrastructure efficiency shall be facilitated by providing compact Two-Family development.
- (17) Multimodal Access and vehicular safety shall be enhanced by providing Primary Access Drives that are signed for shared bicycle use, posted for low speed, and designed to include traffic calming measures.
- (18) A healthy walkable neighborhood shall be encouraged by providing compact development and by constructing sidewalks and other walkways.
- (19) Water Conservation shall be promoted by precluding use of potable water for irrigation and requiring that irrigation of the Two-Family Dwelling Units and the Multiuse Clubhouse must be subject to an Irrigation Management Plan.
- (20) Sustainable use of materials shall be increased by requiring use of comparable recycled and locally sourced materials for construction of site

improvements.

- (21) Vehicle Miles Traveled (VMT) and energy use shall be reduced by providing a compact Two-Family development which limits the required length of the Primary Access Drive system in comparison to the roadway system required for a comparable Single-Family development.
- (22) Existing drainage patterns shall be preserved and water resources shall be protected by using Best Management Practices (BMPs) to limit runoff and reduce Total Suspended Solids and related contaminants.

u. Construction Requirements. Site improvements shall comply with the requirements of this paragraph provided; however, that these construction requirements may be waived by the Planning Board as part of Site Plan Review. Materials for site improvements shall comply with the Sharon Planning Board's Rules and Regulations Governing the Subdivision of Land and shall be recycled or locally sourced when comparable. Primary Access Drives shall have minimum pavement widths of twenty-two (22) feet and minimum centerline radii of fifty (50) feet. Segments of Primary Access Drives serving more than ten (10) dwelling units or serving the Multiuse Clubhouse shall have minimum pavement widths of twenty-four (24) feet and minimum centerline radii of one hundred (100) feet. Pavement shall consist of four (4) inches of hot mix asphalt pavement, a three (3) inch thick dense graded base, and a twelve (12) inch thick gravel base with hot-mix asphalt curb or berm. The centerline of access drives shall be a minimum slope of one (1) percent and a maximum slope of seven percent (7%). A hot mix asphalt curb with a five (5) ft. wide walkway shall be provided along one side of the Primary Access Drive with a three (3) inch thick hot mix asphalt pavement with an eight (8) inch thick gravel base. Water distribution and sanitary sewer systems shall comply with the design requirements of the Planning Board Rules & Regulations. Cable utilities shall be installed underground. Stormwater management shall comply with Section 4394.

v. Operation and Maintenance Requirements. All infrastructure within the Recreation and Residential Overlay District Project shall remain forever private. Operation, maintenance, and repair of vehicle and pedestrian access facilities, parking and loading, utilities, stormwater management, sanitary sewer collection and treatment facilities, and landscaping shall be the responsibility of the property owner. Site Plan review shall establish the organizational structure, funding mechanisms, and responsibilities of organizations which may include one or more homeowners organizations responsible for infrastructure on the Two-Family lots, one or more business owners organizations if applicable responsible for infrastructure on the golf course and Multiuse Clubhouse lots, and an overall property owners organization responsible for infrastructure shared among the Two-Family, golf course, and Multiuse Clubhouse lots.

43912. Definitions.

The following terms shall have the meanings set forth herein notwithstanding any conflicting definitions in Article V:

Multiuse Clubhouse - A facility in one or more buildings grouped around a common parking area that includes a golf clubhouse if the project includes an operational golf course and may include one or more private facilities as follows: a sit down restaurant, function facility, or gymnasium/health club/fitness center.

Primary Access Drive - A vehicular and pedestrian access facility including appurtenant utilities providing primary access to three or more buildings containing Two-Family Dwellings or to a building containing a Multiuse Clubhouse or to a parking facility for golf course users or any of the aforesaid.

Recreation and Residential Overlay District Project - A project located on one or more contiguous lots of land within the Recreation and Residential Overlay District and developed pursuant to the requirements of Section 4390 with Two-Family Dwellings, a Multiuse Clubhouse, a golf course, and open space used for active recreation and/or conservation purposes and with uses of land and buildings or dimensional, parking, and loading requirements governed by the provisions of Section 4390.

43913. Use Regulations.

Uses and accessory uses within a Recreation and Residential Overlay District shall comply with the following:

b. Permitted Uses:

- (7) Two-Family Dwellings (located in one or more buildings on a lot).
- (8) Golf course, golf driving range, and golf practice facility.
- (9) Multiuse Clubhouse
- (10) Gymnasium/health club/fitness center
- (11) Tennis courts
- (12) Swimming pool.

b. Permitted Accessory Uses:

- (10) Surface and garage parking for residences and Multiuse Clubhouse.

- (11) Security services and related uses, including guard houses.
- (12) A property sales office and facility management office.
- (13) Stormwater management facilities.
- (14) On-site septic systems in compliance with Title 5 and Sharon Board of Health Regulations, if and as applicable.
- (15) Wastewater treatment facilities and related appurtenances; provided that such wastewater treatment plants shall be subject to the issuance of a Groundwater Discharge Permit issued by the Massachusetts Department of Environmental Protection (DEP) and to the issuance of a Treatment Works Construction Permit by the Sharon Board of Health if and as applicable subject to provision of adequate funding mechanisms ensuring proper operation and maintenance protocols, Town monitoring and testing, and repair and replacement consistent with the requirements of the Department of Environmental Protection and the Sharon Board of Health, if and as applicable.. In addition, at the boundary of the lot containing the wastewater disposal area, the groundwater shall meet Massachusetts drinking water standards and other limits on pollutants set forth hereinafter. Unless waived by the Planning Board during Site Plan Review, the soil absorption system shall be located outside of any Water Resource Protection District.
- (16) Open space which may include trails and parking at trail heads.
- (17) Maintenance buildings and garages for parking of service or facility vehicles excluding any vehicle maintenance; provided, however, such maintenance building shall not exceed eight thousand (8,000) sq. ft. in floor area and the cart storage building shall not exceed six thousand (6,000) sq. ft. in floor area.
- (18) Identifying signs indicating only the name and contact information of the owner or occupant, the street number and address, and the uses or occupations engaged in on the premises, limited to one identifying sign not exceeding two hundred and twenty-five (225) sq.-ft. in area and located within 200 ft. of the I-95 right-of-way and one additional identifying sign not exceeding fifty (50) sq. ft. and located either within the golf course lot frontage or within the Multiuse Clubhouse lot frontage.

43914. Performance Standards.

A Recreation and Residential Overlay District Project shall comply with the following:

h. Overall Development. Green development principles of energy efficiency and sustainability shall be incorporated by including those Leadership in Energy and Environmental Design (LEED) for Neighborhood Development (ND) strategies of Section 4391.(i). LEED for Neighborhood Development: Plan principles should be incorporated; however, formal LEED ND:Plan certification shall not be required and building design shall not subject to the requirements of this Section.

i. Wastewater collection and treatment. Wastewater collection and treatment shall comply with the following:

(6) Wastewater shall be collected and treated in compliance with requirements of the Massachusetts Department of Environmental Protection and the Sharon Board of Health, if and as applicable.

(7) Wastewater may be discharged to sanitary sewers tributary to the sanitary sewer systems in other municipalities or the Massachusetts Water Resources Authority sanitary sewer system.

(8) Wastewater may be discharged to an on-site wastewater treatment plant authorized by a DEP Groundwater Discharge Permit and a Sharon Board of Health Treatment Works Construction Permit, if and as applicable, or to an on-site septic system authorized by a Sharon Board of Health Disposal System Construction Permit in compliance with Sharon Board of Health Article 7 and Title 5 (310 CMR 15.00) and the Sharon Board of Health Rules & Regulations for a Recreation and Residential Overlay District Project, if and as applicable. On-site septic systems shall not be allowed for Two-Family Dwellings or for the Multiuse Clubhouse unless the Planning Board determines that sewage generation for the total Recreation and Residential Overlay District Project will not exceed 10,000 gallons per day in perpetuity or unless wastewater generation during the initial phases of development has not reached the minimum threshold for which DEP will issue a Groundwater Discharge Permit or for which the Sharon Board of Health will issue a Treatment Works Construction Permit.

(9) Wastewater treatment plant effluent shall meet Massachusetts Drinking Water Standards (310 CMR 22.00) and Massachusetts Surface Water Quality Standards for Class A Surface Waters.

(10) Any on-site sanitary sewers shall be subject to ongoing requirements for leak detection and repair.

j. Stormwater Management. Stormwater management facilities shall be provided to collect and treat all stormwater runoff from all developed areas and shall comply with the Department of Environmental Protection's Stormwater Management Standards (310 CMR 10.05(6)(k)-(q)) whether or not the activity is subject to the Massachusetts Wetlands Protection Act (MGL c. 131 §40).

(5) Stormwater management facilities shall attenuate increases in the rate of off-site discharge for the one-year frequency storm event.

(6) Stormwater management facilities incorporating low impact design measures shall be used to abate contaminants caused by golf course operation including nitrogen and phosphorous.

(7) Low impact design using on-lot stormwater management and recharge shall be used to the maximum extent practicable including separate roofwater recharge facilities including raingardens and lawn depressions, and porous pavement for unit driveways and walkways. Grading for Two-Family Dwellings including its driveway grading, should disconnect lot runoff from the Primary Access Drive.

(8) The stormwater management system shall provide for collection and treatment of runoff from the ten (10) year frequency storm event and shall provide for no increase in the peak rate of discharge for the ten (10) and one hundred (100) year frequency storm events. Rainfall shall be based on NOAA Atlas 14.

k. Irrigation. Irrigation of the golf course lot and any portions of the golf course within easements on contiguous lots shall be allowed and shall not be subject to the requirements of the remainder of this paragraph. Irrigation on any lot containing Two-Family Dwellings or the Multiuse Clubhouse (but not including the golf course) shall be allowed if potable water from the Sharon municipal water distribution system is not used for irrigation and if irrigation is subject to an Irrigation Management Plan that incorporates staged drought management provisions and incorporates use of non- municipal water and treated effluent application to turf to the extent allowed by regulatory agencies. On-site well water may be used if authorized by agencies having jurisdiction, but drawdown (excluding drawdown by wells serving the golf course) affecting adjacent water supply wells shall be minimized.

l. Landscaping. Landscaping shall be provided for all Two-Family Dwelling lots and the Multiuse Clubhouse lot (but not the golf course). Plant materials shall be native species where practicable. Invasive plants listed on the Massachusetts Department of Agricultural Resources' Massachusetts Prohibited Plant List shall not be planted. Methods of application and allowed quantities of fertilizers are subject to limitations of a turf management plan approved during Site Plan Review.

m. Water Conservation. Buildings shall, as practicable, incorporate water conservation devices including water efficient plumbing fixtures and appliances.

All Two-Family Dwellings shall use Primary Access Drives for access. Curb cuts for driveways serving individual Two-Family Dwellings are prohibited on public ways in existence as of the date of an application for site plan approval of a Recreation and Residential Overlay District Project.

g. Dimensional requirements for lots are as follows:

(13) Minimum Lot Area for Two-Family Dwelling Use: The greater of sixty thousand (60,000) sq.-ft. or eighty-five hundred (8,500) sq.-ft. per dwelling unit.

(14) Minimum Lot Area for Golf Course: One hundred sixty (160) acres.

(15) Minimum Lot Area for Multiuse Clubhouse: Ten (10) acres.

(16) Minimum Lot Width for All Uses: Two hundred ten (210) feet.

(17) Minimum Lot Frontage: Two-thirds of the minimum Lot Width.

(18) Maximum Lot Coverage: Twenty-five percent (25%).

(19) Maximum Coverage Limits
of impervious materials
including structures:

Ten (10) percent for the golf course.
Forty (40) percent for the Multiuse Clubhouse.
Fifty (50) percent for the Two-Family Dwellings.

(20) Maximum Gross Floor Area for the Multiuse Clubhouse Facility: Fifty thousand (50,000) sq.-ft.

(21) Minimum Street Setback for Principal or Accessory Buildings: One-hundred (100) feet.

(22) Minimum Setback for Principal
or Accessory Buildings
:

Fifteen (15) feet from side lot lines.
Twenty (20) feet from rear lot lines.

(23) Minimum Separation between Principal or Accessory Buildings on the Same Lot: Ten (10) feet

(24) Maximum Separation between Principal Buildings in Multiuse Clubhouse

use on the Same Lot: Fifty (50) feet.

h. Maximum Building Height.

(4) For Dwellings: Not to exceed the more restrictive of two and one-half (2.5) stories or thirty-five (35) feet.

(5) For Multiuse Clubhouses: Not to exceed the more restrictive of two (2) stories or forty (40) feet including rooftop mechanical equipment.

(6) For Accessory Buildings: Not to exceed the more restrictive of two stories or thirty (30) feet.

43916. Required Off-Street Parking and Loading.

g. Minimum Parking Requirements:

(3) Residences: Two (2) Parking Spaces per Dwelling Unit.

(4) Multiuse Clubhouse: Five (5) parking spaces per one thousand (1,000) sq.-ft. of floor area. As part of the Site Plan Review and Approval process, the Planning Board may reduce the number of parking spaces required upon submission of a parking management plan prepared by a Civil Professional Engineer (PE).

h. Design Requirements for Two-Family Dwelling Parking:

(4) Parking spaces shall be located within 100 ft. of the residence.

(5) Each parking space shall have direct access to an access drive and stacked parking spaces shall not count toward the minimum number of required parking spaces.

(6) Each parking space shall be capable of containing a rectangle not less than nine (9) by eighteen (18) feet.

i. Design Requirements for Golf Course and Multiuse Clubhouse Parking:

(5) Parking spaces shall be located within seven-hundred (700) ft. of the Multiuse Clubhouse.

(6) Each parking space shall have direct access to a parking aisle or access drive and shall be capable of containing a rectangle not less than nine (9) by eighteen (18) feet.

(7) Parking aisles shall have a minimum width of twenty-four (24) feet for two-way traffic.

(8) For event parking and other short term periods of peak parking demand, the Planning Board may consider alternative parking provisions as Conditions of Site Plan Approval which include, but are not limited to, overflow parking on unpaved surfaces, shared parking, valet parking, and off-site parking with shuttle service.

j. Homeowner and property owner organization documents must include provisions for establishing and enforcing parking restrictions and prohibitions.

k. Minimum Loading Requirements for the Multiuse Clubhouse: One (1) loading space per fifty thousand (50,000) sq.-ft. of gross floor.

l. Design Requirements for Loading Spaces: Each loading space shall have direct access to an access drive and shall be capable of containing a rectangle not less than twelve (12) by forty (40) feet and vertical clearance of fourteen (14) ft.

43917. Site Plan Review and Approval.

All uses within a Recreation and Residential Overlay District, require by Site Plan Approval from the Planning Board. Unless waived by the Planning Board, applications for Site Plan Review and Approval shall comply with the following:

y. Applicants are encouraged to submit sketch plans and meet informally with the Planning Board prior to formal submission of a Site Plan Approval Application.

z. Submittal. A copy of the Site Plan application must be filed with the Town Clerk and a copy of the application, including the certification by the Town Clerk must be filed forthwith by the petitioner with the Planning Board. The Planning Board shall hold a public hearing, for which notice has been given as provided in M.G.L. Chapter 40A.

aa. Site Plans shall show the total Recreational and Residential Overlay District Project including all lot boundaries and all proposed phases of development within the Recreation and Residential Overlay District Project, and all contiguous land within the Recreation and Residential Overlay District.

bb. Site Plans shall be drawn to a scale of forty feet (40') to the inch (or such other scale as the Planning Board may accept). Site Plans shall be prepared by a multidisciplinary team and shall be signed and sealed by a Massachusetts Civil Professional Engineer (PE), a Massachusetts Professional Land Surveyor (PLS), and

a Massachusetts Registered Landscape Architect (RLA).

cc. Existing conditions survey shall be based upon on-the-ground fieldwork. Layout shall be tied to the Mass State Coordinate System and elevations shall be on North American Vertical Datum (NAVD 88).

dd. Site Plans shall include a cover sheet, layout sheet, grading and drainage sheet, landscaping sheet, details sheet, a sedimentation and erosion control sheet, a traffic control sheet, a lighting sheet, and a construction phasing sheet. The Plans shall show, among other things, all existing and proposed lot boundaries, buildings and structures and their uses, means of building egress, parking areas, driveway openings, driveways for individual dwelling units, and zoning summary table.

ee. Site Plans shall show existing and proposed grading with a one foot (1') contour interval and spot grades based on NAVD 88.

ff. Site Plans shall show all on-site local, state, and federal regulatory resource boundaries and buffer zones shall be clearly identified and all wetland flag locations shall be numbered and placed upon the Site Plan;

gg. Site Plans shall show sanitary sewer collection systems and wastewater treatment systems including septic systems in compliance with Massachusetts Department of Environmental Protection and Sharon Board of Health Regulations, if and as applicable; stormwater management systems; water distribution systems; and, cable utility systems.

hh. A Stormwater Management Report shall be submitted that includes a narrative, a Stormwater Checklist signed and sealed by a Civil Professional Engineer (PE), TR-55/TR-20 based hydrologic analysis, rational formula pipe sizing calculations, a Long-Term Pollution Prevention Plan (Standards 4-6), a Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan (Standard 8), and an Operation and Maintenance Plan (Standard 9).

ii. Site Plans shall show, Primary Access Drives, parking areas, accessible parking spaces and accessible routes, loading and service areas, pedestrian and bicycle facilities, waste disposal facilities and dumpsters, and open space.

jj. Site Plans shall also show all proposed Two-Family Dwellings and related site improvements.

kk. Site Plans shall show a detailed plan of all golf course elements to be established or existing elements to be disturbed or changed including fairways, tees, greens, rough areas and hazards, cart paths, golf driving range and practice facilities, irrigation system, irrigation wells, maintenance facilities; parking and

loading areas; and shall show a detailed plan of open space including Natural Vegetation Areas.

ll. Site Plans shall show all components of the Multiuse Clubhouse including means of building egress, parking and loading areas, pedestrian and bicycle facilities, refuse and other waste disposal facilities, and dumpsters.

mm. Earthwork quantities shall be provided.

nn. Site Plans shall show all hydrants, fire protection systems, site lighting, and lighting fixture and pole details. All lighting fixtures shall be designed based upon dark skies principles by minimizing the upward projection of light.

oo. Site Plans shall include landscape plantings and planting details, and all hardscape elements. Site lighting fixture locations shall be shown for coordination purposes. The drawings shall show the quantity, location, species, and height or caliper of all trees and shrubs and the species, size, and quantity of all groundcovers. Details shall be provided for all structures and hardscape elements and planting details shall be provided for coniferous and deciduous trees and shrubs of each size.

pp. A report shall be submitted evaluating the LEED for Neighborhood Development: Plan points for which the site improvements within the Recreation and Residential Overlay District are eligible. However, formal LEED ND certification, evaluation of building design, and inclusion at least one certified green building shall not be required.

qq. Typical architectural plans and elevations and colors and materials shall be submitted for each typical Two-Family Dwelling type. Specific architectural plans and elevations and colors and materials shall be submitted for all principal nonresidential buildings.

rr. A complete sign package shall be submitted including all informational and directional signage. All wall signs and free standing signs shall be shown. Sign plans and details shall show locations, dimensions, colors, materials, finishes, methods of illumination and illumination levels, and methods of structural support.

ss. A traffic study prepared by a Traffic or Civil Professional Engineer shall be submitted evaluating existing, no-build, and build intersection operations in the Traffic Study Area (TSA) shall be submitted. The TSA be established by the Planning Board to include the nearest major intersection on each approach to the principal site entrance and other intersections as designated. Traffic counts must be taken within one year of the date of submission; trip generation shall be based on the Institute of Transportation Engineers (ITE); trip distribution and traffic assignment shall be quantitatively based; sight distance at the site entrance shall

be evaluated, and intersection crash rates shall be calculated. For locations where intersection operations are impacted, measures to avoid, minimize, and mitigate traffic impacts shall be developed and evaluated the applicant's commitment to mitigation shall be clearly stated.

tt. Reports to the Planning Board. Within ten (10) days following receipt of a duly submitted Site Plan application, the Planning Board shall transmit one (1) copy thereof to the Board of Health and Conservation Commission. The Board of Health and Conservation Commission shall review the Site Plan application and report in writing their recommendations to the Planning Board within forty-five (45) days. The Board of Health and Conservation Commission may seek pertinent information from other Town officials or boards and may request additional information from the applicant. The Planning Board shall not take final action on said plan until it has received reports thereon from the Board of Health and Conservation Commission, or until sixty (60) days have elapsed after the transmission of the plan to the board in question without submission of a report thereon.

uu. Criteria. In granting Site Plan approval, the Planning Board shall consider the following:

(20) The extent to which the Site Plan fulfills the objective of the Recreation and Residential Overlay District to create a viable residential community with the amenities afforded by an on-site golf course and Multiuse Clubhouse and passive open space areas.

(21) The extent to which the Overall Development incorporates green development principles of energy efficiency and sustainability and utilizes LEED for Neighborhood Development (ND) strategies in accordance with Section 4391. i.

(22) The extent to which convenient and safe vehicular and pedestrian movements are accommodated within the site, and in relation to adjacent streets, property or improvements;

(23) The extent to which adequate utility services are provided to serve proposed residential and recreational uses.

(24) The extent to which adequate provisions are made for disposal for sewage, refuse or other wastes; drainage for surface water; and removal of snow;

(25) The extent to which measures are provided to minimize impacts on surface water and groundwater.

(26) The extent to which wastewater treatment plant effluent meets the Massachusetts Drinking Water Standards (310 CMR 22.00) and the Massachusetts Surface Water Quality Standards for Class A Surface Waters.

- (27) The extent to which stormwater management facilities shall attenuate increases in the volume of off-site discharge for the one-year frequency storm event.
- (28) The extent to which stormwater management facilities conform, to the Massachusetts Department of Environmental Protection's Stormwater Management Standards (310 CMR 10.05(6) (k)-(q)).
- (29) The extent to which stormwater management facilities in concert with low impact design measures abate contaminants caused by golf course maintenance.
- (30) The extent to which low impact design is used.
- (31) The extent to which the stormwater management system prevents any increase in the peak rate of discharge for the ten (10) and one hundred (100) year frequency storm events.
- (32) The extent to which buildings incorporate water conservation devices, including water efficient plumbing fixtures.
- (33) The extent to which rooftop mechanical equipment is visually screened and acoustically buffered.
- (34) The extent to which negative traffic impacts are minimized in off-site intersections in the Intersection Study Area through provision of necessary intersection upgrades.
- (35) The extent to which use of potable water from the Sharon municipal water distribution system for irrigation is avoided. The extent to which irrigation water use, including water from on-site wells, is minimized through adherence to an Irrigation Management Plan and for wells on Two-Family Dwelling and Multiuse Clubhouse lots (but excluding consideration of wells serving the golf course), the extent to which irrigation well drawdown impacts affecting existing water supply wells on neighboring properties are minimized.
- (36) The extent to which native plant materials are used; invasive plants are avoided; and the quantities of pesticides, fertilizers, and herbicides are minimized.
- (37) The extent to which runoff from pedestrian areas, landscape areas, and low volume vehicular areas is accommodated using low impact design principles;
- (38) The extent to which underground utilities are provided.

vv. Final Action by the Planning Board. The Planning Board final action shall

consist of an approval based on the determination that the Site Plan for the Recreation and Residential Overlay District Project is consistent with the criteria and requirements set forth in this Section 4390, an approval subject to reasonable conditions consistent with the criteria and requirements set forth in this Section 4390, or a denial based on a determination that:

(3) The required Site Plan application filing materials for the Recreation and Residential Overlay District Project is incomplete or

(4) The Site Plan is inconsistent with the criteria and requirements set forth in this Section 4390 (unless otherwise waived) so that it admits of no reasonable solution.

43918. Consultants.

To facilitate review of an application for a Site Plan, the Planning Board may engage outside consultants in accordance with Section 4390.

Consultants may be engaged to review any or all components of the Site Plan submission or any offsite improvements proposed in conjunction with the project. Additionally, for projects requiring issuance of State or Federal permits, consultants may be engaged to peer review submissions to the State or Federal agency and to represent the Town before these agencies to protect the Town's interests. Consultants may be engaged to observe construction of the site improvements authorized by Site Plan approval.

(d) Scope of Work. In the course of exercising its powers under this Bylaw, the Planning Board may engage outside consultants for peer review of submissions, for peer review and representation in regard to state and federal permits and licensing, or for construction observation. Consultants are selected by majority vote of the Planning Board.

(e) Review Fees. Applicants shall reimburse the Town for the fees and expenses of outside consultants engaged by the Planning Board. Fees shall be paid prior to inception of each phase of the work. Escrow accounts shall be replenished within fifteen (15) days following receipt of notice. Failure to pay fees in accordance with the aforesaid shall be deemed, after notice to the applicant, with an opportunity to cure, to constitute withdrawal of the project. Fees shall be deposited in a special account established by the Town Treasurer and may be expended only for the purposes described above.

(f) Prior to engaging the consultant, applicants may appeal selection of a particular consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. In the event

that no decision is made by the Board of Selectmen within one (1) month following the filing of the appeal, the selection made by the Planning Board shall stand.

43919. Enforcement and Implementation.

Any Site Plan approval issued under this section shall lapse within one (1) year if actual construction of site infrastructure in accordance with the approved Site Plan has not commenced sooner, except upon application within one (1) year and for good cause shown. Construction shall not include site preparation and preliminary site clearing activities. Such time period shall be extended upon request by the applicant for one (1) year. A Recreation and Residential Overlay District Project may be constructed in multiple phases over time. Once construction of any portion of a Recreation and Residential Overlay District Project has commenced, such Site Plan approval shall not lapse if the construction proceeds in phases in accordance with an overall project schedule of completion not to exceed four (4) years unless extended by the Planning Board for good cause shown.

AND FURTHER

To amend the Zoning By-Law by amending the map entitled "Zoning, Town of Sharon, Massachusetts" as approved by the Sharon Planning Board on May 6, 2013 and prepared by the Department of Public Works, Engineering Division, GIS Team, by placing a certain tract of land containing approximately two hundred (200) acres of land in the "Recreation and Residential Overlay District" as generally indicated on the plan entitled "Zoning: Key Plan" and on the plan entitled "Zoning: Recreation and Residential Overlay District Tiot Street, Sharon, MA 02067" prepared by Coneco Engineers and Scientists dated 3/21/2017 which are included on pages that follow.

Currently, the parcel is located within the Rural District 1 (R-1 District) and will remain in this District. The parcel is currently overlain partially by the Ground Water Protection District and those portions of the parcel will remain in this overlay district.

And further by amending the aforesaid map entitled "Zoning Map, Town of Sharon, Massachusetts" by adding the term "Recreation and Residential Overlay District" and color symbol to the map legend and revising the date of the map.

or to take any other action relative thereto.

2/3 VOTED DECLARED BY MODERATOR.

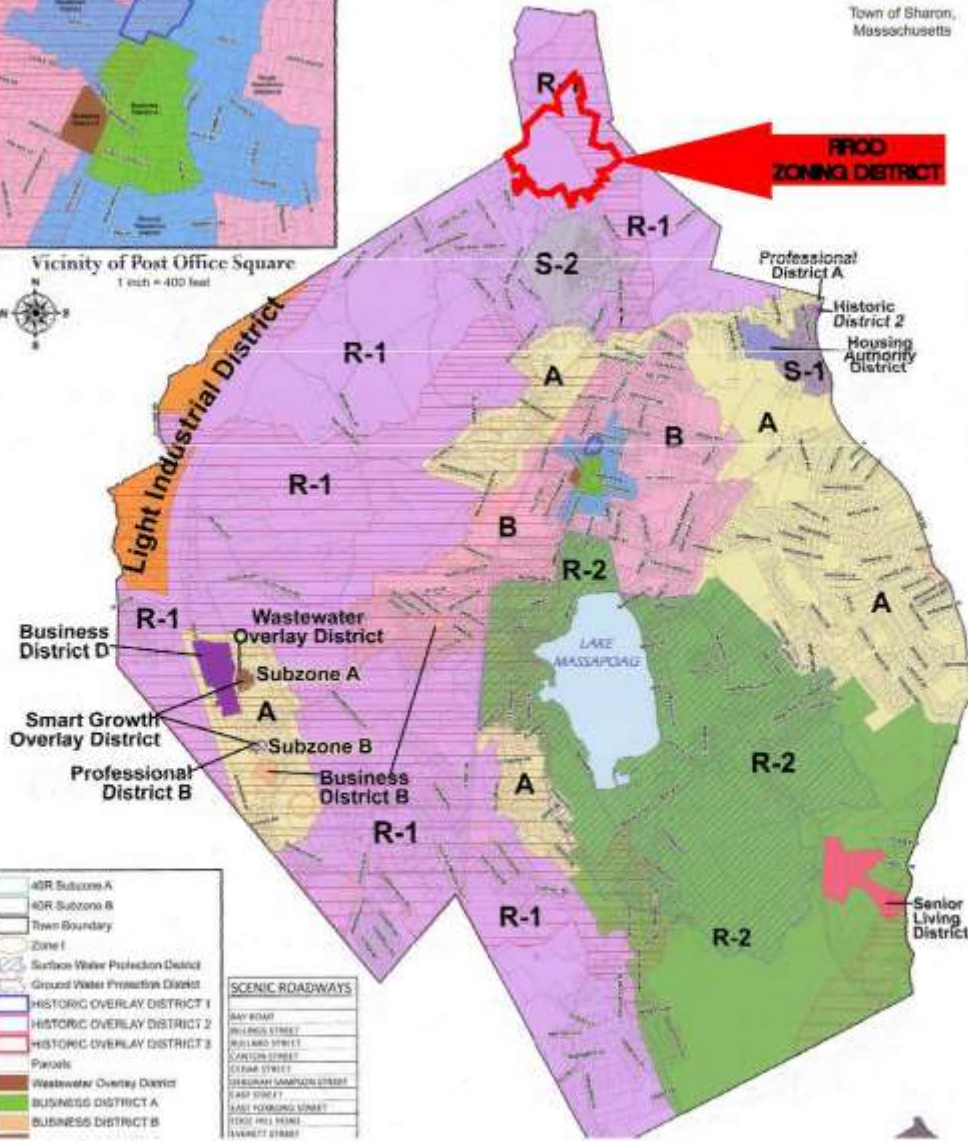
Zoning



Town of Sharon,
Massachusetts



Vicinity of Post Office Square
1 inch = 400 feet



- 40R Subzone A
- 40R Subzone B
- Town Boundary
- Zone I
- Surface Water Protection District
- Ground Water Protection District
- HISTORIC OVERLAY DISTRICT 1
- HISTORIC OVERLAY DISTRICT 2
- HISTORIC OVERLAY DISTRICT 3
- Parcels
- Wastewater Overlay District
- BUSINESS DISTRICT A
- BUSINESS DISTRICT B

- SCENIC ROADWAYS
- BAY ROAD
 - HILLING STREET
 - HILLARD STREET
 - CARLTON STREET
 - CLARA STREET
 - DEBORAH SAMPTON STREET
 - EAST STREET
 - EAST WINDING STREET
 - STICK HILL ROAD
 - LAURETT STREET

25 TROT STREET, SHARON, MASSACHUSETTS 02067

CONECO
Engineers & Scientists
4 FIRST STREET, SHARON, MASSACHUSETTS 02067
PHONE: 508-867-2914 OR 508-844-2000 FAX: 508-867-8888
WWW.CONECO.COM

PREPARED FOR SPRING VALLEY, LLC		PLAN SET: ZONING	
SCALE 1" = 5000'	DATE 03/21/2017	PROJECT NO. 9231.0	TITLE KEY PLAN



2/3 VOTED DECLARED BY MODERATOR.

ARTICLE 6. MOTION FOR RECONSIDERATION

VOTED UNANIMOUSLY: That the Town reconsider Article 6 to correct a significant error in the process used, specifically by including in the omnibus motion items previously voted (items 6A and 6B for the DPW) and in failing to identify the source of funding for the Council on Aging as “borrowing”, and consequently to correct the total amount to be borrowed.

ARTICLE 6.

VOTED UNANIMOUSLY: That the Town amend the vote taken at the May 1, 2017 Annual Town Meeting under Article 6 to specify the funding source for the purchase of the Council on Aging van (item 6.I.) by adding the words “from borrowing”; delete “ \$1,141,761 for Public Works”; and change the amount to be borrowed to “\$936,500”.

VOTED UNANIMOUSLY: To dissolve the May 1, 2017 Annual Town Meeting @ 8:29 P.M.

VOTED UNANIMOUSLY: To reconvene the December 12, 2016 Special Town Meeting.

VOTED UNANIMOUSLY: To indefinitely postpone action on Article 1. (Zoning By-Law Change – Recreation and Residential Overlay District – Spring Valley Country Club)

VOTED UNANIMOUSLY: To dissolve the December 12, 2016 Special Town Meeting @ 8:30 P.M.

Attendance: 203