

TOWN OF SHARON



2017 ANNUAL TOWN MEETING WARRANT

With Report & Recommendations of the Finance Committee

Monday, May 1, 2017

7:00 P.M.

**Sharon High School
Arthur E. Collins Auditorium
181 Pond Street**

Registered voters are asked to bring this report to the meeting for use in the proceedings

Registered voters planning to attend Town Meeting needing an ASL (American Sign Language) Interpreter are asked to call the Selectmen's Office at 781-784-1500 x1208 one week in advance of the meeting

ANNUAL TOWN ELECTION

Tuesday, May 16, 2017

7:00 A.M. – 8:00 P.M.

Sharon High School Gymnasium

www.townofsharon.net

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**TOWN OF SHARON 2017 ANNUAL TOWN MEETING WARRANT
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OPEN WARRANT MEETING

Informal discussion of warrant articles

Tuesday, April 25, 2017

8:00pm

Town Hearing Room, Sharon Community Center, 219 Massapoag Avenue

WARRANT INTRODUCTION

It is the responsibility of the Finance Committee to make recommendations to the voters of Sharon on all matters that come before Town Meeting. The primary task at the Annual Town Meeting is for voters to adopt a budget for the next fiscal year. In addition, Town Meeting makes decisions on strategic issues of the Town such as major capital improvements and zoning. Other matters of Town business that require Town Meeting authorization are brought before the voters to debate and vote.

On May 1, 2017, Annual Town Meeting will convene to decide a variety of issues. Of the 28 articles in this Warrant, the majority deal with fiscal matters, including the Fiscal Year (FY) 2018 Town budget, which totals \$81,323,940, a 2.66% spending increase over FY 2017. Because it is very important to the Annual Town Meeting process for the voters to have as much relevant information as possible, we will first recap a few points from the budget history and planning process before highlighting some of the other warrant articles.

Budget Background

The budget of the Town of Sharon is generally separated into two components. The first component is the “operational budget” consisting primarily of salaries (about 75%) and smaller of expenses such as supplies, fuel, occupancy costs, etc. The operational budget is divided into three “Sectors”: (1) the School Department; (2) the Selectmen (Police, Fire, DPW, Water and most of the other “Town” operational functions); and (3) the Finance Committee (mainly the Town’s “administrative functions” such as the Town Clerk, Conservation Commission, Board of Health, Planning Board, and Board of Appeals). The Water Department has a separate operational budget; as an enterprise fund, it is funded exclusively by water rates and not from property taxes. The School Department represents about 80% of the town budget and employs about 80% of the Town’s employees. The Selectmen and Finance Committee Sectors represent about 20% of the town budget and Town’s employees. The second component of the budget is comprised of “fixed and uncontrollable” costs. These costs are made up primarily of the Town’s debt (principle and interest), health insurance (for both current and retired employees), retirement for the non-teaching personnel, and the other employee-related costs such as FICA and unemployment.

FY 2017 Budget

The FY 2017 budget for the Town of Sharon is \$79,215,366, as approved at last year’s Town Meeting. The FY 2017 budget breakdown is as follows: School Department - \$41,263,961; Selectmen Sector - \$13,523,403; Finance Committee Sector - \$538,692; and “fixed and uncontrollable” - \$23,716,992. The FY2017 budget included savings from maturing debt and the refinancing of 2005, 2006 and 2007 bonds that will yield savings of more than \$790,000 over the ten years that begin with FY2017.

Town Planning Process

In 2015, the Finance Committee, Board of Selectmen, School Committee and Capital Outlay Committee engaged in the start of a collective town planning process facilitated by the Town Administrator and Finance Director. On September 10, 2015 and June 13, 2016, these four bodies held a joint open meeting to review the financial status and significant long term planning needs of the town. The Finance Committee hopes that this collaborative process will continue with a similar review before the close of the fiscal year in June. Long-term financial planning remains essential to managing the Town and a priority for the Finance Committee. One of the Articles for consideration in this warrant would add to the planning process by creating a Master Plan for the Town. Article 17 of this Annual Town Meeting requests authorization of \$150,000 to create a master plan for the town to set a road map for future growth and direction, land use and development in the Town of Sharon. The Master Plan process provides for citizen input and consensus building to help Sharon plan for its future.

FY 2018 Budget

As directed by Town By-Law, it is the responsibility of the Priorities Committee to develop revenue estimates and allocate those estimated revenues among the three sectors. The Priorities Committee is composed of two representatives each from the Board of Selectmen, School Committee and Finance Committee and is supported by the Town Administrator and Finance Director. Based on estimated available revenues from all sources and assuming not more than a 2.5% increase in property taxes, the Priorities Committee voted to limit spending increases to 2.79% for FY 2018 department budgets. The Finance Committee reviewed the budget requests as part of its process of making the recommendations in this warrant.

The proposed total FY 2018 budget for the Town of Sharon is \$81,323,490. If approved, the Town would increase spending by 2.66%. The FY 2018 Town operating budget request is \$56,865,702 (total budget less “fixed and uncontrollable”): Selectmen Sector Budget of \$13,900,612, School Committee Budget of \$42,414,939 and the Finance Committee Budget \$550,151. The FY 2018 proposed budget includes \$24,458,238 for the “fixed and uncontrollable” budget items and \$4,586,431 for the Water Department enterprise fund.

A summary of the FY 17 and FY 18 budgets is below:

Sector:	FY 2017	FY 2018	% Change
Finance Committee	\$538,692	\$550,151	2.13%
Selectmen	\$13,523,403	\$13,900,612	2.79%
School Department	\$41,263,961	\$42,414,939	2.79%
Fixed and Uncontrollable	\$23,716,992	\$24,458,238	4.01%
TOTAL	\$79,215,366	\$81,323,940	2.66%

The proposed FY2018 budget caps operational growth at 2.79%, preserves modest reserves, and begins to provide capacity for future debt to meet the space needs for Town offices and modernization of the high school toward the end of this decade. The budget recognizes the need to mitigate the temporary fluctuations in taxes. Improvement in the management of the debt and

the lowering of interest costs is a very positive achievement. However, salaries and related benefits (including “fixed and uncontrollable” such as medical insurance, retirement/pension plan obligations and related employment costs) make up a high percentage of the Town’s budget. Increases in salaries directly relate to increases in the fixed and uncontrollable budget. Salary increases continue to drive budget increases. There are no other significant budget areas to reduce to offset salary increases and associated costs. If salaries and related benefits outpace the growth in assessed property values, the Town will be forced to increase the property tax burden unless new sustainable revenue sources are created. Maintaining the balance between providing the services and resources the citizens of Sharon want and managing a tax rate which is among the highest in the State is a process that requires constant careful scrutiny.

Annual Town Meeting Articles

Most of the Warrant Articles to be considered at Town Meeting relate to the FY 2018 Budget. Article 4 concerns the salaries of certain Town employees. Article 5 concerns the significant portion of the FY 2018 Budget and the compensation of elected officials. Article 6 funds requested capital purchases that are made annually outside of the department budgets. Article 7 relates to projects to be funded with money from the Community Preservation Act reserves managed by the Community Preservation Committee. Articles 8-10 relate to some of the items in the fixed and uncontrollable that funds certain employee-related costs (Article 8 – Norfolk County Retirement; Article 9 - Unemployment Fund; Article 10- Other Post-Employment Benefits).

Aside from the Master Plan authorization request in Article 17 noted above, there are several Articles in this warrant relating to zoning, land use and future planning for the Town. Article 18 addresses the request from the current owner of the site across from Shaw’s Plaza and adjacent to Route 1 known as the “Sharon Gallery” to modify the current zoning for Commercial District D to facilitate the commercial development of that parcel. Article 19 puts forward a substantial revision to the plan for the Sharon Valley Country Club property that was discussed at the December 12, 2016 Special Town Meeting. Article 20 relates to an updated planning effort regarding the application by the Town for State funds for the replacement of the Library at One School Street, the former site of the School Department Administrative Offices. Articles 24 and 25 relate to the implementation of the State’s Green Communities Act, while Article 28 is a citizen petition seeking to permanently set aside property at Gavin’s Pond for conservation purposes. The remaining articles in this warrant deal with an assortment of topics, annual Town business that requires Town Meeting approval (Articles 1-3, 11-15) and Articles 21, 22 and 23 to implement the Town’s General Bylaw recodification authorized in 2014.

A detailed write up of each article and recommendation is presented after each article. The Finance Committee voted timely recommendations for all articles for which it was provided with sufficient information. On those articles for which information was unavailable or lacking at the time the warrant was printed, the Committee will make its recommendations at Town Meeting.

Opportunities to ask questions or give opinions are always available at Finance Committee meetings and at the Open Warrant Meeting on April 25th at 8:00pm at the Community Center.

Please take time to understand the issues and attend the Annual Town Meeting on May 1st to make your voice heard.

THE FINANCE COMMITTEE

William Brack, Chair; Patricia-Lee Achorn, Ira Miller, Vice-Chairs; Arnold Cohen, Gordon Gladstone, Charles Goodman, Alexander Korin, Laura Nelson, Edward Philips, and Hanna Switekowski

**TOWN OF SHARON
ANNUAL TOWN MEETING
COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

To either of the Constables of the Town of Sharon in the County of Norfolk, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and in town affairs, to meet at the Sharon High School Auditorium, 181 Pond Street, Sharon, Massachusetts on **Monday, May 1, 2017, at 7:00 P.M.**, then and there to act on the following articles:

Article 1: Appoint Finance Committee Members and Nominating Committee of the Finance Committee Members

Sponsored by: Nominating Committee of the Finance Committee

To see if the Town will chose members of the Finance Committee for three-year terms, and to fill any vacancies on said Committee; and to approve the Moderator's appointments of five members of the Nominating Committee of the Finance Committee for one-year terms; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would endorse the Moderator's appointments to the Nominating Committee of the Finance Committee and approve nominees to fill some or all of the expiring terms and vacancies on the Finance Committee. Article 2 of the Town of Sharon By-Laws states that it is the responsibility of the Nominating Committee of the Finance Committee to present to the voters for approval or other appropriate action its nominees.

Created by Sharon By-Law, the Finance Committee is composed of up to 12 members, each elected for a three-year term. Appointed by the Town Moderator, the Nominating Committee of the Finance Committee recommends to Town Meeting the names of residents who in its opinion would best fill the vacant positions.

The Finance Committee appreciates the work of the Nominating Committee of the Finance Committee. The Finance Committee's approval of this Article is an approval of the Nominating Committee process and not an endorsement of a particular individual nominated for the Finance Committee.

The Board of Selectmen voted 3-0-0 in favor of approval.

Report of the Nominating Committee of the Finance Committee

Article 2 of the Town of Sharon By-Laws states that it is the responsibility of the Nominating Committee of the Finance Committee to present to the voters for approval or other appropriate

action its nominees to fill some or all of the expiring terms and vacancies on the Finance Committee.

In May 2017, three members of the Finance Committee are ending their terms and either the current members whose terms are expiring will be reappointed and/or the vacant seats will be filled by new members to bring the committee to the capacity of 12 members. The Nominating Committee of the Finance Committee interviewed the current incumbents who expressed a desire to remain on the committee, and interviewed potential new members who expressed a desire to serve the Town of Sharon. Three current members expressed a desire to be reappointed are being nominated for three year terms and one new members will fill the vacancy for a term of three years and one new member will fill the vacancy for a term of two years.

The Nominating Committee of the Finance Committee has nominated the following Town of Sharon residents to serve on the Finance Committee that will be voted in Article 1 at the Town Meeting on May 1, 2017. A brief biography is being provided by each nominee to allow town residents to be familiar with the members of the duly approved nomination.

Incumbents

Arnie Cohen

My wife, Susan and I have lived in Sharon since 1985. We have two adult children. I was previously elected three times to the Planning Board and served as chairperson of that Board for a number of years. I am a former member of the Sharon Housing Partnership and the Community Preservation Committee. I have been a practicing attorney for 43 years. I opened up my own office in Sharon Center three years ago.

Alexander Korin

I have been a resident of Sharon since 2003. Currently my wife and I have two children. I am involved in activities in town including Town Meetings and the Town board meetings as a citizen. My services on the Finance Committee has included the following: seven years as a member of the Finance Committee, many of them as member of the Capital Outlay Committee, served as the Clerk of the Finance Committee, served as liaison to the Fire department, Town Clerk office and finally the School department. I was a member of the group who helped preserve the Open Town meeting. I am a strong supporter of transparency of the government.

Hanna Switekowski

Growing up in Sharon during my middle and high school years, I was very involved in the community, from serving in student government, to participating in theater, and leading various community service projects, including being a peer mentor in the Anti-Defamation League World of Difference Program. In 2008, I received the Ordinary Hero Award in recognition of my community service. After graduating Sharon High in 2009, I studied at Brandeis University and Northeastern University, receiving my BA in Near Eastern Judaic Studies & Politics, and my Master's in Public Administration. I currently work as Legislative Aide to State Representative Louis Kafka. In my free time, I serve on the executive board of the Young Democrats of MA Women's Caucus and as a community representative on the Jewish Community Relations Council. I'm also the membership chair of the Sharon Lions Club, on the planning committee for

Sharon Celebrates Diversity, and an active member of the Sharon Democratic Town Committee. It has been a pleasure serving on the Finance Committee for the past two years, and I very much look forward to serving a three year term on the Finance Committee.

New Members

Anja Bernier

I have been a resident of Sharon with my two school aged children since 2014. I have more than 20 years of national and international experience as a Corporate Employee, Business Consultant, Investment Banker, Certified Business Appraiser, and Expert Witness on Financial Matters. Previous employers include large multinational companies such as Kraft Foods, Dannon (Danone), Muellergroup, and Hella. Over the course of my career, I have written and reviewed hundreds of business and financial plans and have been cited and/or interviewed by a number of business radio shows and publications, such as Inc. Magazine.

Daniel Lewenberg

I moved to Sharon in 2012 with my wife, Catherine, and our family has since doubled with the addition of two little ones. I am presently a stay at home dad and also serve as treasurer of the MOMS Club of Sharon, our vibrant local chapter of an international non-profit organization serving families. Previously, I worked in investment management as an equity research analyst and assistant portfolio manager. During this time, I built a financial knowledge base and analytical skill set that will serve me well on the Finance Committee. I am a graduate of Colgate University and earned a M.A. in Economics from Tufts University. I am constantly amazed by Sharon's unique balance of natural beauty, excellent education, diversity, location, and small town feel. I am passionate about our town and look forward to serving it.

We the undersigned respectively submit the aforementioned information to the Town of Sharon residents.

Respectfully Submitted,

Gloria Rose, Chair: Mitchell Blaustein, Charles Goodman, Deena Segal, Cheryl Weinstein

Article 2: Act on Reports

Sponsored by: Board of Selectmen

To act upon the reports as printed and to hear any other reports and to act thereon.

FINANCE COMMITTEE RECOMMENDATION:

This is an annual pro-forma Article in support of actions to be taken on reports.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 3: Property Tax Workoff Program – Increase Maximum Credit

Sponsored by: Board of Selectmen

To see if the Town will vote to accept the provisions of MGL Chapter 59, Section 5K, as amended by 218 Section 127 of the Acts of 2016, or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would allow the Town to modify the Property Tax Workoff Program by accepting the provisions of MGL Chapter 59, Section 5K, as amended by 218 Section 127 of the Acts of 2016 effective November 7, 2016:

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-1-0 IN FAVOR OF APPROVAL.

Article 4: Personnel By-Law

Sponsored by: Personnel Board

To see if the Town will vote to amend the Personnel By-Law of the Town of Sharon as follows, or act in any way relative thereto:

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* Asst Operations Supervisor
MP-1	Operations Supervisor Public Health Nurse* Forestry & Grounds Supervisor Health Agent for Engineering Conservation Administrator Health Administrator* GIS Coordinator Facilities Supervisor	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.

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, EFFECTIVE JULY 1, 2017 TO JUNE 30, 2018.

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

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would amend the Town's Personnel By-Law and implement the listed increases in salaries and wages for all employees except those in the School Department and the Town Clerk, the salaries for which are dealt with in Article 5 of the Warrant.

The majority of the salaries contained in Article 4 are union contracts negotiated by the Board of Selectmen and are listed by collective bargaining unit. Also included in Article 4 is the

compensation for the “Executive Category.” For this category, the Selectmen propose salary increases based on the results of annual performance evaluations and request concurrence of the Personnel Board. The recommended increases include a 2% adjustment consistent with the negotiated increases in all union contracts, plus an additional amount based on performance which varies between 0.75% and 2.0%.

The Finance Committee recognizes the need to offer fair competitive compensation to its valued employees and to the senior leadership team serving the town. However, the Finance Committee is concerned about ensuring that this need is balanced with the economic realities facing the Town. The Personnel Board two years ago established salary ranges for the executive positions based on an annual salary survey. Last summer, together with the Board of Selectmen and Library Board of Trustees, the Personnel Board standardized the annual employee evaluation instrument and committed to conducting a more comprehensive compensation review to assure competitive compensation for this group. The Finance Committee looks forward to participating in that process as part of its responsibilities to the Town.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0- IN FAVOR OF APPROVAL.

Article 5: FY2018 Budget & Compensation of Elected Officials

Sponsored by: Finance Committee

To fix the compensation of elected officers, to provide for a Reserve Fund, and to determine what sums of money the Town will raise and appropriate, including appropriation from other available funds, to defray charges and expenses of the Town, including debt and interest, for the Fiscal Year beginning July 1, 2017; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

The Finance Committee has a statutory obligation to present to Town Meeting, for debate and approval, budgets for all town departments. The town departments are divided into three sectors: Selectmen, School Committee and Finance Committee. Each sector must develop budgets for their respective departments in the months leading up to Town Meeting.

As directed by Town Bylaw, it is the responsibility of the Priorities Committee to develop revenue estimates and allocate those estimated revenues among the three sectors. It is the statutory responsibility of the Finance Committee to recommend to Town Meeting the amount to be spent.

This year, the Priorities Committee, based on available revenues from all sources assuming not more than a 2.5% increase in taxes permitted by Proposition 2 ½, voted to limit spending increases to an amount not to exceed 2.79% for department budgets within the three operational budget sectors. The requested amount for FY 2018’s Town operating budget appropriation is \$56,865,702 (total budget less “fixed and uncontrollable”) is allocated among the budget sectors

as follows: Selectmen Budget of \$13,900,612, School Committee budget of \$42,414,939 and the Finance Committee Budget \$550,151.

Note that the proposed total FY 2018 budget for the Town of Sharon is \$81,323,940. The total requested amount for the FY 2018 town budget appropriation includes \$24,458,283 for the “fixed and uncontrollable” budget items (items such as health and other insurances, debt service and street lighting). If approved, the Town would increase spending by \$2,108,574 or an increase of 2.66%.

Items such as the retirement contribution, OPEB funding, stabilization fund contribution, payments into the unemployment fund, and the cost of the annual audit are included in the total amount, but are funded through separate articles.

In addition, the proposed FY2018 budget for the Water Department totals \$4,586,431. As an enterprise fund, it is funded exclusively by charges for use of water.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 8-0-1 IN FAVOR OF APPROVAL.

Account		FY18 Approp.	% over FY17	FY17 Approp	% over FY16	FY16 Approp	% over FY15	FY15 Approp	% over FY14
114	Moderator	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%
131	Finance Committee	\$ 18,550.00	-15.63%	\$ 21,986.00	-6.77%	\$ 23,582.00	0.00%	\$ 23,582.00	74.46%
152	Personnel Board	\$ 3,177.00	-11.48%	\$ 3,589.00	0.00%	\$ 3,589.00	0.00%	\$ 3,589.00	0.00%
161	Town Clerk	\$ 159,380.00	2.96%	\$ 154,803.00	5.95%	\$ 146,111.00	-6.63%	\$ 156,485.00	-3.59%
171	Conservation Commission	\$ 120,185.00	1.26%	\$ 118,685.00	1.59%	\$ 116,830.00	4.61%	\$ 111,684.00	0.00%
172	Lake Management	\$ 6,500.00	160.00%	\$ 2,500.00	0.00%	\$ 2,500.00	0.00%	\$ 2,500.00	0.00%
175	Planning Board	\$ 13,600.00	0.00%	\$ 13,600.00	0.00%	\$ 13,600.00	0.00%	\$ 13,600.00	0.00%
176	Board of Appeals	\$ 22,563.00	0.59%	\$ 22,430.00	0.57%	\$ 22,303.00	1.38%	\$ 22,000.00	0.00%
510	Board of Health - Services & Admin	\$ 206,146.00	2.54%	\$ 201,049.00	3.66%	\$ 193,953.00	18.55%	\$ 163,604.48	4.69%
	Total Fin. Com. Budgets	\$ 550,151.00	2.13%	\$ 538,692.00	3.10%	\$ 522,518.00	5.11%	\$ 497,094.48	2.38%
122	Selectmen	\$ 382,003.00	1.58%	\$ 376,059.00	-6.35%	\$ 401,537.00	40.84%	\$ 285,098.00	-4.93%
135	Accountant	\$ 254,823.00	2.30%	\$ 249,100.00	-5.26%	\$ 262,924.00	1.87%	\$ 258,105.00	6.80%
141	Board of Assessors	\$ 237,132.00	-2.61%	\$ 243,490.00	4.50%	\$ 233,014.00	-0.44%	\$ 234,036.00	2.56%
145	Treasurer	\$ 340,931.00	-6.48%	\$ 364,568.00	-4.26%	\$ 380,805.00	-6.54%	\$ 407,438.00	0.26%
151	Law	\$ 136,000.00	2.03%	\$ 133,300.00	0.00%	\$ 133,300.00	2.32%	\$ 130,275.00	0.00%
155	Information Technology	\$ 313,437.00	8.50%	\$ 288,883.00	13.00%	\$ 255,647.00	1.36%	\$ 252,228.00	1.48%
162	Elections & Registrations	\$ 100,803.00	-22.54%	\$ 130,128.00	18.60%	\$ 109,720.00	-6.66%	\$ 117,548.00	15.05%
195	Town Report	\$ 13,375.00	0.00%	\$ 13,375.00	7.65%	\$ 12,424.00	-2.17%	\$ 12,699.00	0.00%
210	Police	\$ 3,613,097.00	0.41%	\$ 3,598,465.00	3.06%	\$ 3,491,762.00	0.00%	\$ 3,491,762.00	2.20%
220	Fire/Ambulance	\$ 3,307,856.00	3.20%	\$ 3,205,441.00	5.03%	\$ 3,052,058.00	3.26%	\$ 2,955,812.00	2.40%
244	Weights & Measures	\$ 5,059.00	1.73%	\$ 4,973.00	1.72%	\$ 4,889.00	2.00%	\$ 4,793.00	1.72%
249	Animal Inspector	\$ 4,243.00	1.95%	\$ 4,162.00	1.93%	\$ 4,083.00	1.95%	\$ 4,005.00	1.96%
291	Civil Defense	\$ 9,772.00	0.00%	\$ 9,772.00	0.00%	\$ 9,772.00	0.00%	\$ 9,772.00	0.00%
292	Animal Control Officer	\$ 78,403.00	1.64%	\$ 77,138.00	1.63%	\$ 75,902.00	4.32%	\$ 72,759.00	2.12%
400	Dept of Public Works	\$ 3,495,681.00	7.10%	\$ 3,263,942.00	2.63%	\$ 3,180,308.00	9.04%	\$ 2,916,692.00	2.12%
541	Council on Aging	\$ 296,304.00	2.10%	\$ 290,206.00	-1.26%	\$ 293,908.00	5.14%	\$ 279,534.00	4.10%
543	Veterans Agent	\$ 68,002.00	5.35%	\$ 64,550.00	12.92%	\$ 57,164.00	4.49%	\$ 54,706.00	69.10%
544	Veterans Graves	\$ 5,000.00	8.70%	\$ 4,600.00	10.84%	\$ 4,150.00	10.02%	\$ 3,772.00	0.00%
545	Commission on Disability	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%
610	Library	\$ 1,000,305.00	3.26%	\$ 968,764.00	4.36%	\$ 928,282.00	2.07%	\$ 909,473.00	1.98%
630	Recreation	\$ 232,436.00	2.60%	\$ 226,537.00	5.53%	\$ 214,659.00	5.00%	\$ 204,437.00	4.04%
691	Historical Commission	\$ 650.00	0.00%	\$ 650.00	0.00%	\$ 650.00	0.00%	\$ 650.00	0.00%
692	Community Celebrations	\$ 4,800.00	0.00%	\$ 4,800.00	49.07%	\$ 3,220.00	22.90%	\$ 2,620.00	0.00%
	Total Selectmen Budgets	\$ 13,900,612.00	2.79%	\$ 13,523,403.00	3.15%	\$ 13,110,678.00	3.98%	\$ 12,608,714.00	2.38%

310	School Department	\$ 42,414,939.00	2.79%	\$ 41,263,961.00	3.18%	\$ 39,991,553.00	3.45%	\$ 38,659,352.00	2.36%
	Total School Department	\$ 42,414,939.00	2.79%	\$ 41,263,961.00	3.18%	\$ 39,991,553.00	3.45%	\$ 38,659,352.00	2.36%
320	Voc Tech School	\$ 239,410.00	-12.75%	\$ 274,388.00	-4.89%	\$ 288,502.00	26.21%	\$ 228,594.00	-18.26%
321	Voc Tuition/Norfolk Ag. Tuition	\$ 12,000.00	-33.33%	\$ 18,000.00	12.50%	\$ 16,000.00	-44.83%	\$ 29,000.00	0.00%
9299	ARC of South Norfolk	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	100.00%
132	Reserve Fund	\$ 500,000.00	0.00%	\$ 500,000.00	0.00%	\$ 500,000.00	42.86%	\$ 350,000.00	0.00%
490	Street Lighting	\$ 192,552.00	2.39%	\$ 188,052.00	0.29%	\$ 187,500.00	0.00%	\$ 187,500.00	0.00%
511	Board of Health - Waste Removal	\$ 119,500.00	0.00%	\$ 119,500.00	0.00%	\$ 119,500.00	1.27%	\$ 118,000.00	0.00%
710	Debt: Principal	\$ 6,808,327.00	2.05%	\$ 6,671,697.00	-10.11%	\$ 7,421,797.00	20.81%	\$ 6,143,297.00	14.15%
914	FICA: Medicare	\$ 725,000.00	0.76%	\$ 719,535.00	2.00%	\$ 705,427.00	4.00%	\$ 678,295.00	2.50%
915	FICA: Social Security	\$ 10,449.00	0.00%	\$ 10,449.00	2.00%	\$ 10,244.00	4.00%	\$ 9,850.00	2.50%
916	Benefits Accrual	\$ -		\$ -		\$ -	-100.00%	\$ 35,000.00	-65.00%
920	Insurance	\$ 9,672,575.00	6.65%	\$ 9,069,740.00	1.17%	\$ 8,965,076.00	-0.39%	\$ 9,000,289.00	1.70%
751	Debt Long term:Interest	\$ 2,076,129.00	-4.20%	\$ 2,167,138.00	-12.37%	\$ 2,473,108.00	26.33%	\$ 1,957,638.00	-8.91%
	Total Fixed & Uncontrollable	\$ 20,365,858.00	3.13%	\$ 19,748,415.00	-4.58%	\$ 20,697,070.00	10.40%	\$ 18,747,379.00	3.48%
	Town Total	\$ 77,231,560.00	2.87%	\$ 75,074,471.00	1.01%	\$ 74,321,819.00	5.40%	\$ 70,512,539.48	2.66%
450	Water Department	\$ 4,386,431.00	-15.75%	\$ 5,206,288.00	24.16%	\$ 4,193,077.00	51.49%	\$ 2,767,945.00	0.00%
	Water Dept.- Reserve	\$ 200,000.00	0.00%	\$ 200,000.00	0.00%	\$ 200,000.00		\$ -	
	Total Water Department	\$ 4,586,431.00	-15.16%	\$ 5,406,288.00	23.06%	\$ 4,393,077.00	58.71%	\$ 2,767,945.00	0.00%
	Total Budgets Less Fixed	\$ 56,865,702.00	2.78%	\$ 55,326,056.00	3.17%	\$ 53,624,749.00	3.59%	\$ 51,765,160.48	2.37%

Article 6: Capital Outlay

Sponsored by: Board of Selectmen

To see if the Town will 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

FINANCE COMMITTEE RECOMMENDATION:

Approval of Article 6 items 6A through 6J will raise and appropriate, borrow or use free cash to provide funds for the purpose stated:

DEPARTMENT OF PUBLIC WORKS

6A. Roads and sidewalks \$736,145

\$376,000 for the reconstruction of existing sidewalks on Norwood Street (Island House to Terrapin); construction of new sidewalk on Norwood Street (Terrapin to Maskwonicut [northerly side only]).

\$172,545 for the resurfacing of Norwood Street from Island House to Maskwonicut

\$95,200 for the reconstruction of existing sidewalks on Ames Street from South Main Street to Pond Street.

\$92,400 for construction of a new sidewalk on Massapoag Ave. from the water tank to Thorny Lea (easterly side).

6B. Departmental Equipment \$405,616

\$215,000 for the purchase of a 6-wheel dump truck to replace a 1995 Ford L8000 with 186,000 miles which is no longer roadworthy. This is a front line vehicle used as dump truck by the operations division for snowplowing and road maintenance.

\$25,000 for the purchase of a flail mower deck.

\$60,000 for construction of a storage facility to replace operations/forestry and grounds/administration/water storage containers (adjacent to present salt storage shed).

\$105,616 for purchase/upgrade of DPW engineering, ArcGIS and Autocad software; the purchase of a large format plotter; and the purchase of address file scanning software to create searchable records.

SCHOOL DEPARTMENT

6C. Purchase of additional departmental technology equipment by the School Department \$408,500

\$179,000 for the purchase of Macbook Airs in a continuation of the 1:1 program which over a period of years will provide all students in grades 8-12 with a computer for school use. This purchase will be funded by the application of \$91,000 of cash to be raised and appropriated at this Town Meeting and the balance of \$88,000 will be borrowed.

\$100,000 for the replacement of 1/2 of the computer carts now in use in the 6th and 7th grades, originally purchased in 2010. Still functioning 2010 devices will be re-purposed in programs and schools around the district.

\$57,000 for replacement of teachers' laptops at the Middle School, originally purchased in 2011. Still functioning devices will be re-purposed in the elementary schools.

\$25,000 for replacement of old or broken projectors across the district.

\$25,000 to provide additional wireless access points and infrastructure (switch gear, servers, etc.) across the district to maintain Wi-Fi.

\$22,500 for cycle replacement of laptops for SPED teachers, also purchased in 2011. Replaced units will be re-purposed across the district.

6D. \$10,000 for replacement of furniture across the district.

6E. Remodeling, reconstruction and making extraordinary repairs to school buildings by the School Department \$327,000

\$17,000 to replace existing obsolete fire alarm panels at East and Cottage elementary schools. Repair parts are no longer available.

\$25,000 to furnish window shades that are either missing or broken.

\$175,000 to provide engineering specifications and project management services and the purchase of an emergency diesel generator for Heights elementary which is the only school without one.

\$45,000 for purchase of ceiling tiles to replace stained and dirty tiles. The installation of the tiles will occur after the new roof is installed.

\$65,000 for masonry repairs at Heights elementary. An existing conditions study noted cracks in the brick and mortar envelope which need to be repaired to stop water infiltration.

6F. Purchase of additional departmental equipment by the School Department \$90,000

\$30,000 to replace a 15 year old maintenance van which was a hand-me-down vehicle originally used for SPED transportation).

\$60,000 to replace two SPED vans unable to pass 7D (school transport) inspections and deemed to no longer provide safe transportation for students.

FIRE DEPARTMENT

6G. Purchase of additional departmental equipment by the Fire Department \$196,100

\$17,500 for the purchase of eight semi-automatic defibrillators to be carried in the non-ambulance fire apparatus. The three ALS units are equipped with more sophisticated defibrillators. This purchase will be paid out of ambulance reserve funds.

\$135,000 for the purchase of bunker gear for all members of the department. The current gear is approaching ten years old (industry recommends replacement at ten years). As a result of the age and repeated washing and drying, the existing gear has lost much of its protective fire retardant capability. Each fire person has two sets of bunker gear, one of which is replaced every fifth year. The funds for this purchase will be borrowed.

\$25,500 for the purchase of IV pumps and intubation equipment. The state has mandated that all ALS (Advanced Life Support) vehicles be equipped with IV pumps. Additionally the acquisition of video laryngoscope equipment will make the process of intubation easier and provide better results for the patient. Twenty one members of the Fire Department are paramedics which is a skill and training level higher than EMT. This purchase will be paid out of ambulance reserve funds.

\$18,100 for the purchase of a battery operated Stryker stretcher for the third ambulance. This enables a stretcher with a patient aboard to be mechanically lifted to the level at which it can be rolled into the ambulance. It provides better safety for the fire personnel and the patient. This purchase will be paid out of ambulance reserve funds.

The Fire Department makes approximately 1400 emergency and transport calls per year and is reimbursed approximately \$770,000 for those calls.

POLICE DEPARTMENT

6H. Purchase of additional departmental equipment by the Police Department \$153,000

\$120,000 for the replacement of three vehicles. This is a continuation of the program of replacing two or three vehicles every year. Vehicles being replaced will be offered to other Town departments.

\$33,000 to replace outdated tasers. The existing compliment of tasers is over five years old. The taser technology has improved since then and service and parts are no longer available for the currently owned units.

COUNCIL ON AGING

6I. Purchase of lift-equipped van for medical related trips \$57,000

\$57,000 for a lift equipped van to be used primarily for medical trips for seniors and disabled. There is a possibility of an 80% grant from the state. No purchase will be made until the Town's grant application is accepted or denied and the van will not be delivered until at least the spring of 2018 .

RECREATION DEPARTMENT

6J. Purchase of additional departmental equipment by the Recreation Department \$14,800

\$14,800 for 20 foot high netting to be installed between softball fields and playground to protect playground users from injury from softballs.

The Board of Selectmen voted 3-0-0 in favor of approval.

Capital Outlay Committee voted 6-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 7: Community Preservation Act Annual Funding & Projects

Sponsored by: Community Preservation Committee

To see if the Town will vote to hear and act upon the recommendations 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:

That the Town raise and appropriate the funds as shown in the breakdown below:

Appropriations:

<u>Purpose</u>	<u>Recommended Amount</u>	<u>Funding Source</u>
Budget – Salaries	\$4,000.00	FY2018 Annual Estimated Revenues
Budget – Expenses	\$16,000.00	FY2018 Annual Estimated Revenues

Reserves:

<u>Purpose</u>	<u>Recommended Amount</u>	<u>Funding Source</u>
Open Space	\$56,350	FY2018 Annual Estimated Revenues
Historic Resources	\$56,350	FY2018 Annual Estimated Revenues
Community Housing	\$56,350	FY2018 Annual Estimated Revenues
Fund Balance Reserve for CPA	\$374,450	FY2018 Annual Estimated Revenues

(Community Preservation Committee Annual Funding – To raise and appropriate up to 5% 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, Sec 6 and amendments thereof.)

<i>Category</i>	<i>Project</i>	<i>Amount</i>	<i>Funding Source</i>
Historic	Community Center Exterior Painting	\$54,165	Undesignated General Fund Balance

(To appropriate, as recommended by the Community Preservation Committee, for the painting and lead remediation of the exterior of the Sharon Community Center, for historic purposes under the Community Preservation Act and to appropriate from Undesignated General Fund Balance the sum of \$54,165 to the Sharon Department of Public Works for such purposes.)

<i>Category</i>	<i>Project</i>	<i>Amount</i>	<i>Funding Source</i>
Historic	Mann’s Pond Dam Repair & Rehabilitation	\$255,000	Historic Undesignated Fund Balance

(To appropriate, as recommended by the Community Preservation Committee, for the repair of the Mann’s Pond Dam to bring it into conformance with all state requirements, and to install benches, fencing and an historical information kiosk, for historic purposes under the Community Preservation Act and to appropriate from Historic Undesignated Fund Balance the sum of \$255,000 to the Sharon Department of Public Works for such purposes.)

<i>Category</i>	<i>Project</i>	<i>Amount</i>	<i>Funding Source</i>
Recreation	Ames Street Playground Enhancements	\$1,500	Undesignated General Fund Balance

(To appropriate, as recommended by the Community Preservation Committee, for the construction of ADA-compliant picnic tables and for construction materials to build an ADA-compliant Gaga Pit, for recreation purposes under the Community Preservation Act, and to appropriate from Undesignated General Fund Balance the sum of \$1,500 to the Boy Scouts of America, Troop 95, for such purposes.)

<i>Category</i>	<i>Project</i>	<i>Amount</i>	<i>Funding Source</i>
Recreation	Ames Street Basketball Courts Rehabilitation	\$37,000	Undesignated General Fund Balance

(To appropriate, as recommended by the Community Preservation Committee, for the revitalization and resurfacing of the basketball courts at Ames Street, for recreation purposes under the Community Preservation Act, and to appropriate from Undesignated General Fund Balance the sum of \$37,000 to the Sharon Recreation Department for such purposes.)

<i>Category</i>	<i>Project</i>	<i>Amount</i>	<i>Funding Source</i>
Recreation	Community Center Outdoor Recreation Area	\$42,225	Undesignated General Fund Balance

(To appropriate, as recommended by the Community Preservation Committee, for the creation of an additional bocce court, horse shoe pit, shuffle ball area, pickleball court and picnic benches, for recreation purposes under the Community Preservation Act and to appropriate from Undesignated General Fund Balance the sum of \$42,225 to the Sharon Recreation Department for such purposes.)

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this article will appropriate and reserve the sum of \$543,500 from the Town's Community Preservation Fund (CPF) as described below.

The Community Preservation Act requires that annually the fund reserve 10% of its revenues for each of Open Space (excluding recreational), Historic Preservation and Affordable Housing with the balance to be used by the CPA in any of the areas described.

The total Reserves of \$543,500 are:

<u>Purpose</u>	<u>Recommended Amount</u>	<u>Funding Source</u>
Open Space	\$56,350	FY2018 Annual Estimated Revenues
Historic Resources	\$56,350	FY2018 Annual Estimated Revenues
Community Housing	\$56,350	FY2018 Annual Estimated Revenues
Fund Balance Reserve for CPA	\$374,450	FY2018 Annual Estimated Revenues

Administration - \$20,000

The \$20,000 annual appropriation for administrative expenses includes \$4,000 for salaries and \$16,000 for expenses; any unused administrative expense is returned to the fund.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Community Preservation Committee voted 6-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Additionally the CPC recommends that the Town fund the following projects from accumulated and current Reserves:

Community Center Outside Painting- \$54,165

Approval of this appropriation will allow for the painting and lead remediation, including scraping, priming, two coats of latex and power wash of the exterior of the Community Center, for historic purposes under the Community Preservation Act.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Community Preservation Committee voted 6-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Mann's Pond Dam - \$255,000

Approval of this appropriation will repair the Mann's Pond Dam and bring it into conformance with the State regulations by removing all tree stumps. This project also includes installing benches, fencing and a historical information kiosk.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Community Preservation Committee voted 6-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Ames Street Playground Enhancements- \$1,500

Approval of this appropriation will allow for the funding of materials for the Boy Scouts of America, Troop 95, to build ADA compliant picnic tables and to build an ADA compliant gaga pit at Ames Street Playground for recreational purposes under the Community Preservation Act.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Community Preservation Committee voted 5-0-1 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Ames Street Basketball Courts Rehabilitation-\$37,000

Approval of this appropriation will revitalize and resurface the basketball courts located at Ames Street, for recreation purposes under the Community Preservation Act.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Community Preservation Committee voted 6-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Community Center Outdoor Recreation Area - \$42,225

Approval of this appropriation will allow for the funding of an additional bocce court in the front of the Community Center, to accommodate the increased number of senior bocce players, a horse shoe pit, shuffle ball area, four additional picnic benches as well as a pickle ball court for the Community Center Outdoor Recreation area.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Community Preservation Committee voted 6-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Article 8: Norfolk County Retirement Annual Assessment

Sponsored by: Board of Selectmen

To see if the Town will vote to raise and appropriate a sum of money to be added to the special fund established to pay the Norfolk County Retirement Board for the Annual Assessment costs chargeable to the Town, and determine whether the money shall be provided by taxation, by transfer from available funds, by a combination thereof; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article will allow the Town to pay its assessment costs pertaining to the Norfolk County Retirement. The monies are used to fund pension liabilities of past and current Town employees.

At the time of the vote on this recommendation, the expected appropriation for FY2018 was \$3,399,280, a 1.16% increase over last year's obligation of \$3,360,277. Since the Town has no choice but to fund its obligations to Norfolk County Retirement, the Finance Committee voted in favor of approval. Members of the Finance Committee expressed their concern over the ever increasing town obligation for public sector pensions.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Article 9: Unemployment Fund

Sponsored by: Board of Selectmen

To see if the Town will vote to raise and appropriate a sum of money 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, and determine whether to meet said appropriation by taxation, by transfer from available funds, by a combination thereof; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article will allow the Town to appropriate \$75,000 to the Unemployment Fund used to reimburse the Massachusetts Division of Employment and Training for the actual costs of benefits paid to former town employees.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Article 10: Funding Other Post-Employment Benefits (O.P.E.B.) Trust Fund

Sponsored by: Board of Selectmen

To see if the Town will vote to raise and appropriate a sum of money 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, and to determine whether to meet said appropriation by taxation, by transfer from available funds, by gift, or by a combination thereof; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would appropriate \$200,000 to the Other Post-Employment Benefits Liability Trust Fund (“O.P.E.B. Trust Fund”) (G.L. c. 32B, § 20) to be used to fund the unfunded liability of future health insurance costs for current town employees and retirees.

The \$200,000 will be deposited into a trust fund that is invested in appropriate investment vehicles provided under state law and thus would earn interest, lowering the ultimate cost. The trust fund provides the town with a favorable position with the bond rating authorities, as it demonstrates that the town is planning for known future liabilities.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 10-0-0 IN FAVOR OF APPROVAL.

Article 11: Funding Stabilization Fund

Sponsored by: Board of Selectmen

To see if the Town will vote to raise and appropriate a sum of money 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; to determine whether the money shall be provided by taxation, by transfer from available funds, by gift, or by a combination thereof; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article will appropriate a sum of \$100,000 to be added to the Stabilization Fund. The current balance of the stabilization account is \$683,400. Bond rating agencies recommend that stabilization accounts be funded at an amount between 5 and 10 percent of the town annual operating budget. Five percent of the FY 2018 operating budget is \$2,843,285.

This appropriation to the Stabilization Fund is part of a continuing effort to prevent future bond rating agency downgrades that would increase the town’s borrowing costs. A well-funded stabilization account also allows the town to brace against future economic uncertainties.

The Finance Committee the selection of an appropriate dollar amount to add to the Stabilization Fund for FY 2018. The goal is to increase the Stabilization Fund annually in a measured way does not unduly burden property taxes, yet satisfy the requirements of the rating agencies.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 8-2-0 IN FAVOR OF APPROVAL.

Article 12: Revolving Fund Authorizations

Sponsored by: Various

To see if the Town will 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; or take any other action relative thereto:

A. Cable TV Licensing and Re-licensing Fund

Sponsor: Board of Selectmen

To see if the Town will 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; or take any other action relative thereto.

B. Library Public-Use Supplies Replacement Fund

Sponsor: Library Board of Trustees

To see if the Town will 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; or take any other action relative thereto.

C. Street Opening Fund

Sponsor: Board of Selectmen

To see if the Town will 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; or take any other action relative thereto.

D. Recycling Fund

Sponsor: Board of Selectmen

To see if the Town will 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; or take any other action relative thereto.

E. Conservation Commission Advertising Revolving Fund

Sponsor: Conservation Commission

To see if the Town will 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; or take any other action relative thereto.

F. Library Materials Replacement Fund

Sponsor: Library Board of Trustees

To see if the Town will 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; or take any other action relative thereto.

G. Recreation Programs Revolving Fund

Sponsor: Recreation Department

To see if the Town will 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; or take any other action relative thereto.

H. Parking Lot Fund

Sponsor: Board of Selectmen

To see if the Town will 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; or take any other action relative thereto.

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

Sponsor: Board of Health

To see if the Town will 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; or take any other action relative thereto.

J. Health Department Revolving Fund

Sponsor: Board of Health

To see if the Town will 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; or take any other action relative thereto.

K. Waterfront Recreation Programs Revolving Fund

Sponsor: Recreation Department

To see if the Town will 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; or take any other action relative thereto.

L. Community Center Building Maintenance Fund

Sponsor: Department of Public Works

To see if the Town will 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; or take any other action relative thereto.

M. Council on Aging Program Revolving Fund

Sponsor: Council on Aging

To see if the Town will 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; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

This is a pro forma Article - approval of the Article authorizes each of the different revolving funds for FY2018. Details regarding the purpose and financial status of each fund are listed in the Warrant.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-1-0 IN FAVOR OF APPROVAL.

Article 13: Property Tax Exemptions

Sponsored by: Department of Veterans' Services

To see if the Town will vote to 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, or such lesser amount as voted, to be effective for the fiscal year beginning July 1, 2017 and ending June 30, 2018; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article will authorize the Board of Assessors to grant additional real estate exemptions for specific categories of veterans and their survivors, individuals with disabilities, individuals who are legally blind and qualified elders.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 14: Sharon Friends School Fund Records & Appointments

Sponsored by: Board of Selectmen

To hear the records of the donors of the Dorchester and Surplus Revenue School Fund and Trustees of the Edmund H. Talbot Fund and to choose trustees of the Funds and other officers not on the official ballot; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

This is an annual pro-forma Article to accept the records and appointments of the Sharon Friends School Fund.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 15: Annual Audit Appropriation

Sponsored by: Finance Director

To see if the Town will vote to raise and appropriate a sum of money for the purpose of paying for the cost of services to perform an annual audit of fixed assets and audit of accounts of the Town of Sharon for Fiscal Year 2017 in accordance with M.G.L. ch. 44, §40, and to determine whether to meet said appropriation by taxation, by transfer from available funds, by a combination thereof; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article will authorize the Town to pay the costs associated with the Annual Audit of Accounts. The budgeted amount is \$59,300 for FY 2018, an increase over the FY 2017 appropriation of \$57,300.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 16: Funding for Heights Elementary School Roof Replacement

Sponsored by: School Committee

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Town of Sharon Standing Building Committee for 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 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 may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town 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 incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town 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.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would ask the Town to authorize the expenditure of \$2,324,663 (the Massachusetts School Building Authority (MSBA)-approved project budget amount) to replace the roof on the Heights Elementary School. On completion, MSBA will reimburse the Town a maximum of \$992,947 of costs deemed eligible for reimbursement leaving the Town with a maximum cost of \$1,331,716. MSBA, by admitting the Town into the MSBA's accelerated repair program, acknowledges that the roof needs to be replaced. The roof is over 20 years old, leaking in many areas and is in need of complete replacement. This item will be paid for out of available cash.

The language in this article and in the motion is language mandated by MSBA to allow the Town to participate in MSBA’s Accelerated Repair Program.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 8-2-0 IN FAVOR OF APPROVAL.

Article 17: Funding Master Plan

Sponsor: Planning Board

To see if the town will appropriate a sum of money 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; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Per Section 81D of Chapter 41 of the Massachusetts General Laws, Planning Boards across the Commonwealth are tasked with the creation of a Master Plan for their community. Since Sharon's last "Master Plan" was a two-page pamphlet drafted in 1976, the Planning Board felt that it was time to create a more comprehensive plan to match current town needs. To that end, a Master Plan Steering Committee has been formed, comprised of representatives from different boards and committees, as well as four at-large members.

A master plan, at its core, is a goal-setting document for the Town. It takes stock of our history, provides a snapshot of the town's current condition from a variety of different angles, and, based on extensive public engagement and discussion, outlines a vision for where we want to be in the future, making specific, actionable recommendations on how to accomplish these aims.

The plan will be a result of the coordination and compilation of information, data analysis, public input, town officials' opinions, demographic and market trend analysis, and professional expertise. It will identify and articulate what, in the opinion of Sharon residents, business owners and town officials, should be preserved and enhanced in Sharon, and what can and should be changed over time to meet evolving needs and to improve the quality of life for the Town's residents. The Master Plan will be able to integrate more recent subsection updates, such as the Housing Action Plan and soon-to-be updated Open Space and Recreation Plan.

As a result of preliminary research, the committee recommends the hiring of an experienced consultant to guide the Town through the master plan process and assist in its drafting. Based on recent costs to other towns in Massachusetts with comprehensive master plans, the committee is asking for an authorization to spend up to \$150,000, spread over the next two fiscal years, on said consultant.

Some on the Finance Committee felt that because most of Sharon is either developed or preserved at this point, such planning is unnecessary and the spending unjustified. The majority felt that this project is a healthy exercise for the town and worth the price of the consultant to ensure a quality plan.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Planning Board will make its recommendation at Town Meeting.

THE FINANCE COMMITTEE VOTED 6-3-0 IN FAVOR OF APPROVAL.

Article 18: Zoning By-Law Change: Expansion of Business Uses & Change Design Standards in Business District D

Sponsored by: Planning Board

To see if the Town will Vote to Amend the "Zoning By-Laws of the Town of Sharon, Massachusetts as Last Amended though 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.

Residents in an Assisted Living Residence One and one quarter (1¼) residents per unit in an Assisted Living Residence.

In Business District D:

Living Units in Congregate Housing A maximum of fifty (50) living units per lot.

REPLACE PARAGRAPHS "d. (1)" and "r" OF SECTION 4531

Delete paragraph "d. (1) of "4531. Prohibited Uses and Activities" which states in part "In Business District D and in the Wastewater Overlay District...to provide for proper operation and maintenance and for monitoring and testing" and insert the following:

(1) In Business District D and in the Wastewater Overlay District, on-site wastewater treatment is permitted provided that it is authorized by a Groundwater Discharge Permit and a Treatment Works Construction Permit as set forth in 2329 and provided that the wastewater treatment plant does not accept industrial wastewater as defined in 310 CMR 15.004(5) or wastewater from a Health Care Center, hospice, or renal dialysis facility unless the Massachusetts Department of Environmental Protection or the Sharon Board of Health determines that the that the wastewater's constituents are substantially similar to sanitary sewage (310 CMR 15.002) and that adequate funding mechanisms are in place to provide for proper operation and maintenance and for monitoring and testing.

Delete paragraph "r" of "4531. Prohibited Uses and Activities" which states "r. hotels or motels, unless connected to public sewerage" and insert the following:

- r. hotels or motels, unless connected to public sewerage and within Business District D unless connected to public sewage or to a wastewater treatment plant 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;

or to take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this article would amend Sections 2323, 2326-2329, 2462 and 4531 of the Town's Zoning By-Law. At the November 14, 2011 Special Town Meeting, the Zoning By-laws were amended by creating a new Business District D in the area of certain vacant land off South Main

Street across from Shaw's Plaza, which amendment is reflected in these zoning by-law sections. The Business District D by-law provisions envisioned the construction of a "life-style" mall in this new zoning district, as portrayed by the owners of the properties who were advocating the zoning change. The land has been cleared by the previous owner and sits vacant. Five and a half years have gone by, and ownership has changed hands more than once, with no success in commercially developing the property as originally intended. The current owners of the property have stated to the Finance Committee, Selectman and Planning Board that they believe the prior owner's plan for a "life style" mall concept is not commercially or economically viable. Development of this property would increase the commercial tax base of the town, which has long been relatively small. The proposed changes to the by-law would essentially make the following changes: various provisions specifically designed for a "life-style" mall are deleted; various new uses, either as of right or with a special permit are added; and certain environmentally friendly provisions are added.

Changes to the life-style center concept: in sections 2327 and 2328 of the zoning by-law, language promoting the lifestyle center concept is deleted. These include provisions requiring minimum spacing between buildings; minimum widths for walkways; requirements that the buildings reflect "New England's architectural heritage;" requirements that buildings differ from one another with respect to height, paint color, windows, etc.

New permitted uses. Section 2323 under the proposed amendment adds certain uses in Business District D that would be permitted as of right. These include warehouse stores; club and membership stores; certain day-care facilities; and stores serving as drop-off and pick-up locations for cleaning and laundry services (but excluding laundromats and onsite processing).

The existing Section 2323 allows "Hotel" as a permitted use in Business District D. The proposed amendment expands this to allow "Hotel and motel if connected to a wastewater treatment plant pursuant to section 4531 [of the zoning by-law]."

In addition, there are some less substantial changes to permitted uses in all four Business Districts, expanding the definition of "banks" to include similar financial institutions, and to allow real estate, insurance, investing or securities firm offices. Also, office cleaning, packaging, and shipping services are added as permitted uses.

New uses by special permit. Section 2326 of the zoning by-law defines uses that are permitted by special permit. Several new uses by special permit are added for Business District D, including: amusement and recreation uses (but excluding racetracks, permanent circus, fair or carnival uses, and gambling uses); drive through food services limited to coffee and breakfast type fast food; Memory Care Dementia Special Care Unit defined in 105 CMR 150.023; certain licenses or certified health care facilities, provided that no overnight patient beds are provided; certified home health agencies, hospices, organ procurement organizations, physical or speech therapy services, renal dialysis facilities, and temporary nursing agencies; research and development facilities(provided defined wastewater disposal requirements are met); for profit education services; training or conference center; retail postal, delivery or postal box services; and Congregate Housing as authorized by MGL Ch. 121B, s.39 (this is low income housing for qualifying persons over aged 60 or disabled).

Environmental enhancements. The article proposes to amend Section 2328 of the zoning by-law by adding certain Green Development provisions, including provisions requiring, to the extent practicable, compliance with Leadership in Energy and Environment Design (LEED) principles; to the extent practicable to minimize the development and parking footprint, maximize walkability of the site, use of recyclable materials, landscaping and planting of trees using native species, promotion of water conservation, and minimizing auto traffic among other things. There are also provisions requiring that blue light emissions be minimized; reduction of lighting during non-business hours; and lighting under the principles of International Dark Skies standards. There are also added requirements for wastewater treatment facilities.

At the March 27, 2017 meeting held just prior to the publishing of this Warrant some potential concerns were raised by a citizen concerning the applicability of the Memorandum of Understanding (MOU) that was executed by the Town and the prior owner in March 2007 when the original zoning was passed. Town Counsel has confirmed that the MOU runs with the land and has been recorded at the Registry of Deeds. Many of the Finance Committee discussed the belief that that it is in the best interest of the Town to support economic development of the site with proposed commercial uses that are consistent with the needs of the Town and the location. The Finance Committee determined it needed to wait to make its recommendation at Town Meeting to properly address any and all concerns raised.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Planning Board voted 5-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 TO MAKE ITS RECOMMENDATION AT TOWN MEETING.

Article 19: Zoning By-Law Change: Recreation and Residential Overlay District

Sponsor: Board of Selectmen

To see if the Town will Vote to Amend the "Zoning Bylaws of the Town of Sharon, Massachusetts as Amended Through 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.

(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 S40).

(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.

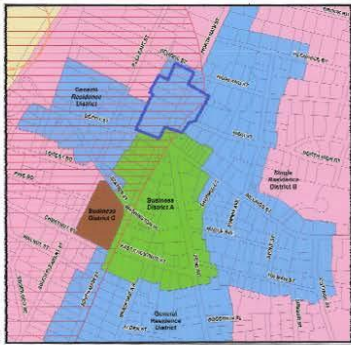
And further by amending the aforesaid map entitled "Zoning Map, Town of Sharon, Massachusetts" by adding the term "Recreation and Residential Overlay District" and color symbol to the map legend and revising the date of the map.

or to take any other action relative thereto.

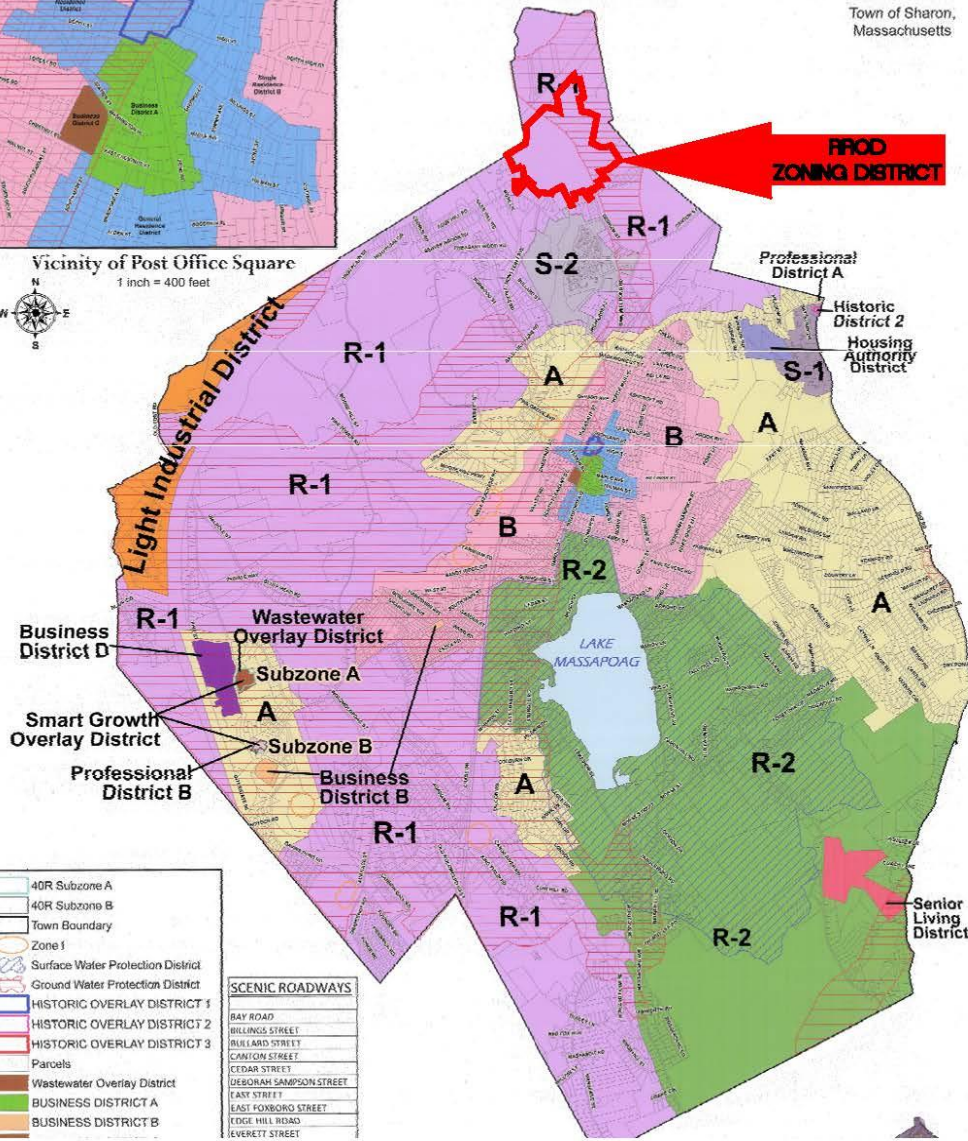
Zoning



Town of Sharon,
Massachusetts



Vicinity of Post Office Square
1 inch = 400 feet



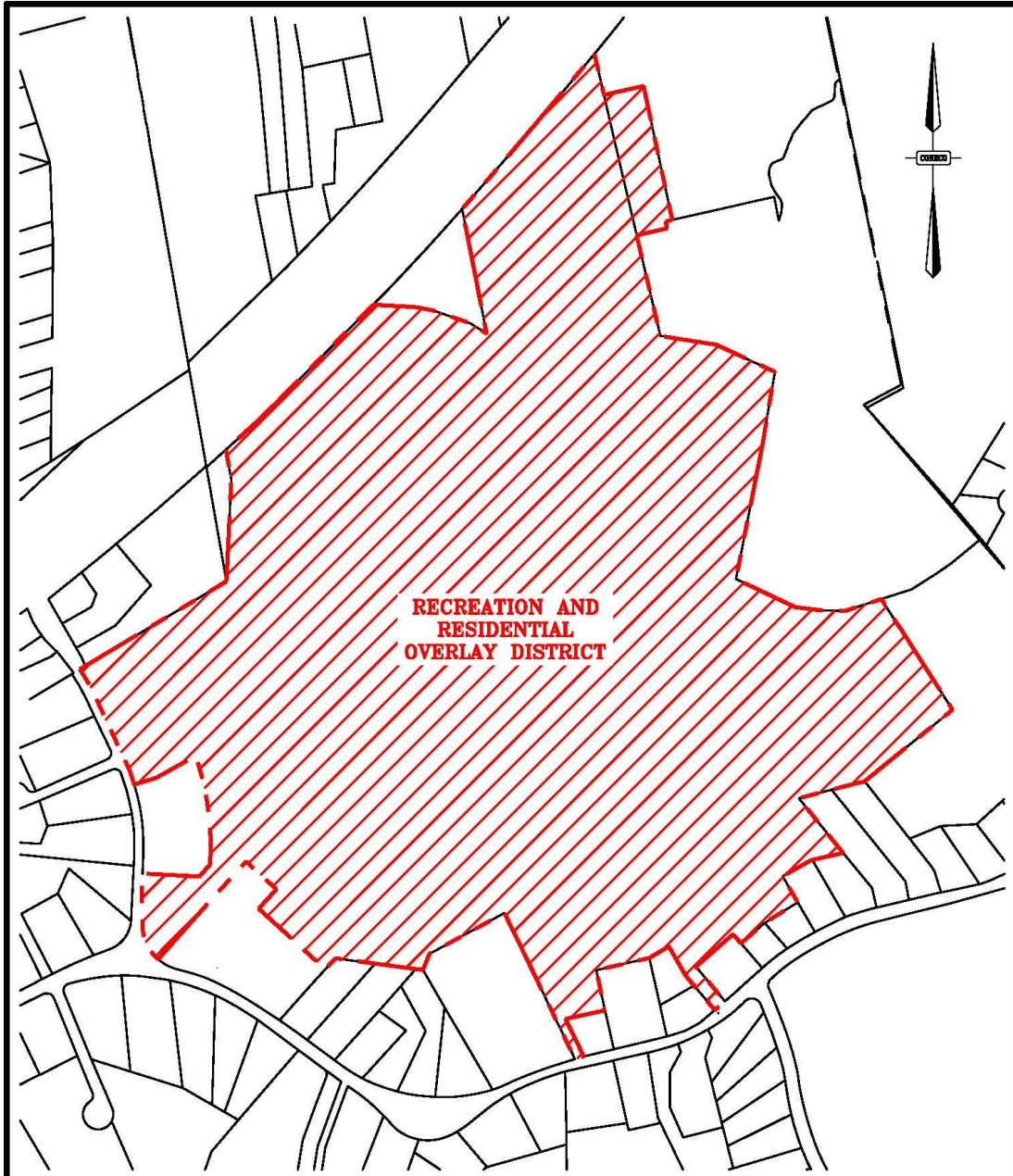
- 40R Subzone A
- 40R Subzone B
- Town Boundary
- Zone f
- Surface Water Protection District
- Ground Water Protection District
- HISTORIC OVERLAY DISTRICT 1
- HISTORIC OVERLAY DISTRICT 2
- HISTORIC OVERLAY DISTRICT 3
- Parcels
- Wastewater Overlay District
- BUSINESS DISTRICT A
- BUSINESS DISTRICT B

SCENIC ROADWAYS	
BAY ROAD	
BILLINGS STREET	
BULLARD STREET	
CANTON STREET	
CEDAR STREET	
DEBORAH SAMPSON STREET	
EAST STREET	
EAST FOXBORO STREET	
EDGE HILL ROAD	
EVERETT STREET	


25 TIOT STREET, SHARON, MASSACHUSETTS 02067

CONECO
Engineers & Scientists
4 FIRST STREET, WINDHAM, MASSACHUSETTS 02891
PHONE: 508-497-3194 OR 508-549-3392 FAX: 508-497-3366
WEBSITE: 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



25 TIOT STREET, SHARON, MA 02067

 <p>CONECO Engineers & Scientists 4 FIRST STREET, BROADWATER, MASSACHUSETTS 02324 PHONE 508-687-3181 OR 800-549-3356 FAX 508-687-5886 WEBSITE: www.coneco.com</p>	PREPARED FOR: SPRING VALLEY, LLC		PLAN SET: ZONING	
	SCALE 1" = 600'	DATE 03/21/2017	PROJECT NO. 9231.0	TITLE: RECREATION AND RESIDENTIAL OVERLAY DISTRICT, TIOT STREET, SHARON, MA 02067

FINANCE COMMITTEE RECOMMENDATION:

Background

This Article is a modification of the Zoning By-Law changes presented at the Special Town Meeting on December 12, 2016. Town Meeting was not able to take action on the Zoning By-Law changes sought by the new owner, 25 Tiot Holdings, LLC (“Tiot”), of the property located on Tiot Street which Spring Valley Country Club (“SVCC”) operates an 18-hole golf course with ancillary facilities, including a clubhouse. As a result, Town Meeting voted to adjourn the December 12, 2016 Special Town Meeting and reconvene during the May 1, 2017 Annual Town Meeting. Since that time, the Town and owner of the property have entered into a Memorandum of Understanding (MOU) dated March 22, 2017 in which they have made some important modifications to the Zoning By-Law request and Memorandum of Understanding previously entered into in October 2016. The resulting By-Law modification and MOU are outlined below.

It is important to note that Planning Board hearings regarding the proposed zoning by-law changes are open as of the writing of this recommendation. The next hearing is scheduled for April 13, 2017.

Approval of this Article would add new sections 4390-4399 to the Town Zoning By-Law creating a new Recreation and Residential Overlay District (“RROD”). In addition, certain technical, non-substantive changes to existing Sections 4388 and 4390 of the By-Law would be made. In particular, the provisions of the present section 4390 would be incorporated into the existing section 4388.

The golf course property is within the Rural 1 residential district. Upon purchasing the property in May 2016, the new owner (Tiot) told the SVCC that it intended to subdivide and develop the golf course property into four or five bedroom, single family homes “as of right” pursuant to the Town’s Subdivision Rules and Regulations. According to SVCC’s legal representative, SVCC requested an opportunity to save the golf course; SVCC and Tiot reached a verbal agreement allowing SVCC until the end of 2016 to obtain zoning that would preserve the golf course and include as permissible uses the development of duplex two bedroom condominiums in clustered development (the Project) as described in more detail below.

Over the summer of 2016, SVCC approached the Board of Selectmen with a proposed zoning by-law change to permit the use of cluster town house residential units and related changes SVCC believes will allow the owner Tiot to develop the property in a way to preserve the golf course. The owner, Tiot, and the Board of Selectmen subsequently negotiated a Memorandum of Understanding (“MOU”) containing certain agreements between the Town and the owner discussed in more detail below. Finally, in September and throughout October, the SVCC, on behalf of Tiot, presented the zoning by-law changes and MOU to the various town boards, including the Planning Board, Board of Selectmen, Conservation Commission and Finance Committee.

On November 2, 2016, the SVCC presented to the Finance Committee substantive modifications to the zoning by-law that grew out of the public review process. As those modifications were not incorporated into the proposed zoning by-law as of the time of the publishing of the warrant and

as of the deadline for the Finance Committee’s recommendations regarding the Warrant, those modifications were to have been presented at Town Meeting on December 12, 2016. The Finance Committee did not believe adequate review and deliberations on the substantive changes had occurred between the time of submission and the date of the Special Town Meeting in order to make a recommendation on the revised zoning by-law at the Special Town Meeting. Town Meeting then voted to adjourn to the Annual Town Meeting to resume consideration of the zoning by-law.

On March 22, 2017, the Board of Selectmen and the owner (Tiot) of The Cape Club of Sharon (formerly Spring Valley Country Club (SVCC)) agreed on a revised zoning bylaw. This revised zoning by-law will be considered as Article 19 (in lieu of Article 1 of the Special Town Meeting of December 12, 2016.)

Proposed Zoning Changes

The proposed new Section 4391 states that the purpose of the RROD is to “enhance the public welfare by creating a viable residential community with the amenities afforded by an on-site golf course, multi-use clubhouse, and passive open space areas.” The principal aspects of the zoning by-law are as follows:

- A project under the RROD requires site plan approval by the Planning Board.
- Applications under the proposed RROD are required to include at least an eighteen-hole golf course.
- Prior to the issuance of the first building permit, the owner will sign a restriction prohibiting residential use of the parcel presently containing the golf course. This restriction will be recorded in the Registry of Deeds and remain in force even if the property is sold.
- If the golf course is ever abandoned, as defined in proposed Section 4391(f), ownership of the golf course parcel must be conveyed to the Town at no cost.
- Sections 1.1 and 9.8 of the Memorandum of Understanding between the owner and the Town require that 52 unit residential condominiums be age restricted, meaning at least 80% (42 of the 52) dwelling units must be occupied by at least one person age 55 or older.
- The project may be developed in phases. The owner must post sureties or other security to assure completion of infrastructure improvements before the issuance of any building permits.
- Section 4391(j) sets out specifications for road construction and other infrastructure design. Section 4391(k) provides that all infrastructure shall remain forever private – which means that the Town is not responsible for road maintenance or snow removal.

Proposed Section 4393 sets forth use regulations for RROD developments. Permitted uses include: 2-family dwellings; a golf course; a multi-use clubhouse; a gym/health club/fitness center; tennis courts; and a swimming pool. Permitted accessory uses include surface and garage parking; guard houses for security; a sales office; stormwater management facilities; Title 5 compliant on-site septic systems; a wastewater treatment facility; maintenance buildings; and certain signage.

Proposed Section 4394 provides standards for wastewater collection, stormwater management, irrigation, landscaping, water conservation, and traffic mitigation. Wastewater and stormwater management systems must comply with State and Town regulations.

Proposed Section 4395 sets forth dimensional regulations, including lot size and density requirements, set back provisions, building height limits, etc. Section 4396 sets out parking and loading requirements.

The owner seeking to develop the property pursuant to the proposed new Section 4390 and following sections would be required to submit an application for Site Plan approval to the Planning Board.

Proposed Section 4397 sets forth detailed requirements for what must be included in an application for Site Plan Review and provides for specific criteria applicable for review of the applications.

Proposed Section 4398 provides that the Planning Board may hire outside consultants to facilitate review of a Site Plan application, and to provide peer review on behalf of the Town in the event the owner/applicant is required to seek approval from any State or Federal agencies. The owner/applicant is required to reimburse the Town for fees and expenses of such consultants. Advance payment of these fees by the owner/applicant is to be made into an escrow account. There is a procedure for the owner/applicant to contest to the Board of Selectmen the selection of a consultant by the Planning Board, the grounds for such an appeal being limited to conflict of interest and lack of qualifications.

Section 4399 provides for the lapse of the Site Plan approval if the owner/applicant fails to commence the project within one year or fails to complete the project within four years unless good cause is shown and the Planning Board agrees to an extension of these time frames.

The warrant article further provides for the amendment of the Town Zoning Map, to incorporate the new overlay district.

Memorandum of Understanding (MOU)

As noted above, the members of the SVCC approached Tiot to propose an alternate development plan that would preserve the golf course and allow for the construction of a number of duplex condominium units. Tiot agreed to consider this approach, and after extensive negotiations between counsel for the owner, the Board of Selectmen, Town Counsel and the Town's planning consultant took place, a Memorandum of Understanding (MOU) dated March 22, 2017 was executed.

Under the MOU, the Selectmen agree to sponsor this Article, and a copy of Article 19 is an exhibit to the MOU. The MOU provides that Tiot will preserve the existing 18-hole golf course. The MOU agrees to development of 26 duplexes, each containing two 2-bedroom units, with related amenities, including a clubhouse and function facility, and maintenance building (collectively, the "Project.")

To deal with the septic needs of the proposed development, the MOU provides that Tiot will seek to tie into the MWRA sewer system through the Town of Norwood's pipes and pump station. This would require the owner to reach an agreement with the Town of Norwood, including approval by the Town of Norwood Town Meeting, as well as approval by applicable

State agencies. If an agreement between the owner and the Town of Norwood fails to be approved, Tiot would have the right to seek approval of an on-site sewer system, including a Package Treatment Facility, which would have to meet all applicable State and Town requirements.

Section 4 of the MOU provides that the owner will support the Town's efforts to obtain water main service for "emergency" purposes from MWRA through the Town of Norwood. The owner agrees in the MOU to provide \$502,000 to the Town toward the cost of obtaining such services, \$100,000 of which to be paid upon Site Plan Approval by the Planning Board and the balance paid in proportional increments upon issuance of building permits for duplex units pursuant to the Project. In addition, upon approval of the MWRA connection, Tiot will either construct the portion of the water pipe from the Norwood town line to the entrance of the golf course community or pay \$135,000 toward the cost of the project.

Section 6 of the MOU provides that as long as the golf course remains in use, members of the Sharon High School golf team would be allowed free use of the golf course at agreed upon times; the Town would have the right to use the golf course and its facilities for an annual fund raising event; and the initiation fee for the golf course would be waived for Sharon residents in 2017 and 2018.

Section 7.1 of the MOU provides that upon approval of the RROD zoning article and granting of all permits without appeal (or if an appeal is taken, the outcome of the appeal is favorable to the owner), Tiot will impose a permanent restriction to the land covered by the golf course prohibiting the development of the land for residential use. This restriction would be recorded in the Registry of Deeds and would apply to any future owner. Section 7.2 provides that if the golf course is abandoned in the future, the owner would be required to convey the golf course property to the Town at no cost.

Section 8 of the MOU requires Tiot to reimburse the Town for its legal fees and consultant fees incurred in connection with the negotiation and drafting of the MOU and zoning by-law for consideration at the May 1, 2017 Annual Town Meeting.

Section 9.1 of the MOU states that if this Article is not approved at the Town Meeting or if Site Plan approval is not obtained from the Planning Board or necessary approvals are not obtained from other Boards, "or if the project does not proceed to construction for any reason", Tiot is not bound by any commitments or mitigation measures set forth in the MOU except those stated in sections 8 and 9.4 of the MOU. The owner would then be free to develop the property "as of right" as permitted under existing laws and regulations (with the right to seek approval of a sewer connection from the MWRA through the Town of Norwood).

Section 9.3 requires the owner to execute a Notice of the terms of the MOU, subject to Town Counsel's approval, which is to be recorded in the Norfolk Registry of Deeds. Any assignee or successor to the present owner would thus be bound by the MOU.

The payments and obligations of the MOU are contingent upon Town Meeting approval of this zoning article.

The Owner's "As of Right" Option for the Property

According to the owner's representative, somewhere between 60 - 80 four or five bedroom, single family homes could be built on the site. It is uncertain exactly how many homes could be built because open questions as to the siting of such homes due to wetlands, groundwater protection and Title V/wastewater treatment issues remain unanswered. During the review of the prior versions of the zoning by-law in the fall of 2016, the Finance Committee and Planning Board asked Tiot to provide more definitive information regarding the option to construct single family homes to allow comparison against the proposed zoning. One significant issue was whether the owner could use a package treatment plant to treat wastewater for the single family homes to avoid septic system limitations at the site. The owner states that it is likely that 70 to 80 single family homes could be built under the subdivision and other applicable regulations if a package treatment plant was permitted by the state Department of Environmental Protection (DEP). An exact figure cannot be determined without a formal subdivision submission and a review of the wastewater treatment plant design and discharge plan. In the absence of a wastewater treatment plant, substantially less than 70-80 single family homes would likely be built "as of right" due to Title V limitations.

Comparison of Zoning By-law Amendment to "As of Right" Development

The Finance Committee has sought information from the owner to allow the Finance Committee to compare the costs and benefits to the Town between the "as of right" development of the property and the development permitted under the proposed zoning by-law, and taking into account the MOU. As noted above, the Finance Committee was presented with a revised zoning by-law and MOU on March 23, 2017 that conforms to the revised plan that includes the reduced number of duplex dwelling units contained wholly on the site and no condominium duplex buildings on Form A lots on Edge Hill Road or Tiot Street. As such, the Finance Committee has yet to fully review the revised provisions and will defer a recommendation until Town Meeting.

The Finance Committee is continuing to review and evaluate the following:

1. The projected revenue to the Town from assumed property values and property taxes
2. The projected costs to the Town from the two options, most notably driven by the number of school aged children projected under the two alternative use options
3. The benefits to the Town contained in the MOU

Due to the fact that as of this time the Planning Board hearings are still open and the Finance Committee is unable to provide a completed recommendation, the Committee will continue its analysis and present its findings at Town Meeting.

The Board of Selectmen voted 3-0-0 to recommend approval.

THE FINANCE COMMITTEE VOTED 9-0-0 TO MAKE ITS RECOMMENDATION AT TOWN MEETING.

Article 20: Schematic Design for Proposed One School Street Library Location

Sponsored by: Board of Library Trustees

To see if the Town will vote to accept the preliminary design for the proposed Sharon Public Library building, or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

The Annual Town Meeting in May of 2014 authorized the Board of Trustees of the Sharon Public Library to proceed with a feasibility study to examine options for expanding and renovating the current library or building a new facility. After consideration and evaluation of the options for a new Sharon Public Library, the Board of Selectmen voted last August to approve the use of One School Street to build a new library. Upon that approval, a schematic design for the One School Street location was undertaken in September and has been completed. Throughout the process, several public meetings were held to keep the community informed and to solicit input on the project and its design.

As a requirement for funding from the Massachusetts Public Library Construction Program, which is administered by the Massachusetts Board of Library Commissioners, it is necessary to receive voter approval of the preliminary schematic design at One School Street. Funding approval or placement on the construction grant waiting list for the Sharon Public Library project, along with 32 other projects in the grant round, will be made in July 2017. If the project is placed on a waiting list, it is not possible at this time to predict the project's start date, but it is anticipated to be within the next five years.

The estimated projected total cost is \$17,750,528. The Town share of the cost after grant funding is anticipated to be approximately \$10,000,000. Efforts to fund raise additional funds would seek to lower the Town's cost. No funding is being requested or authorized under this vote.

Detailed information on this Library Expansion project including the design documents can be found on the Library's website at <http://sharonpubliclibrary.org>.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-1 IN FAVOR OF APPROVAL.

Article 21: Renumbering and Recaptioning of General Bylaws; Global Revisions; Strikethrough/Underline Revisions to General Bylaws

Sponsored by: Town Clerk

To see if the Town will vote to 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

To see if the Town will vote to 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; or what it will do in relation thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would accept the renumber and recaption of the General Bylaws of the Town as part of the Town codification project that was approved by the Annual Town Meeting in 2014 and re-authorized by Town Meeting in 2015. The Town codification project updates the Town's Bylaws to correct grammatical errors, update the Bylaws based upon changes to State Law or Regulation and to make changes to conform the Town's Bylaws to internal Town regulations. An explanation and overview of the major changes being made is supplied below in the table outlining the changes, the complete changes are fully stated in the document entitled "FINAL DRAFT (RED-LINE VERSION) — 1-19-2017" which is on file in the office of the Town Clerk.

To implement the codification project, the Town retained the services of General Code to assemble the Town Bylaws together and classify them in an orderly way. There are a few general categories of the types of corrections that were made and that are being proposed for acceptance: 1) renumbering and reordering so that the Bylaws were presented systematically, 2) corrections to spelling, grammar, organization and resolution of internal conflicts; 3) changes to comply with Massachusetts General Laws and state regulations (which take precedence); 4) changes to conform with internal Town regulations or Town Meeting votes; and 5) updating of Bylaws passed by Annual Town Meeting that had not yet been incorporated into the summary document.

To ensure that there were no substantive changes to Town Bylaws, the document has been reviewed twice, first in an earlier draft and again in the 1-19-2017 Final Draft by the Town Clerk, Town Counsel, and the relevant Town Boards and Committees where the Bylaw pertained to their activities, rules and regulations (e.g. Planning Board, School Committee, Conservation Commission, Board of Assessors, Board of Health, Commission n Disabilities, Counsel on Aging Board, Historic Commission, Housing Authority, Standing Building Committee, Zoning Board of Appeals). The 600-plus page January 19, 2017 Redline Draft was also completely

reviewed by a dedicated member of the Finance Committee, Alex Korin, with Town Counsel and the Town Clerk. As a result, three changes were rejected as not having met one of the five criteria described above.

The approval of the recodification has been broken into three Articles: Article 21 (General Bylaws); Article 22 (Zoning Bylaws); and Article 23 (authorizing the Town Clerk assign appropriate numbers to sections, subsections, paragraphs and subparagraphs where numbers were not approved at Town Meeting). The reason for having three Articles for Town meeting consideration is because the recodification of the General Bylaws (Article 21) requires a simple majority of Town Meeting, whereas recodification of the Zoning Bylaws (Article 22) requires a 2/3 vote of Town Meeting. In addition, Article 23 anticipates future non-substantive recodification steps such as renumbering to be taken by the Town Clerk without need for Town Meeting approval.

The table below highlights many of the changes, and reflects the thorough review performed by counsel, committees and the Finance Committee. Please note that the complete set of changes are contained in the January 19, 2017 Redline Draft (including the three rejected provisions):

INDEX OF HIGHLIGHTED REDLINED TEXT CHANGES
PURSUANT TO JANUARY 19, 2017 REDLINED DRAFT

New Section Number	Provision	Change	Reason for Change	Authority for Change
§ 1-2	Table of Penalties Chapter 116, Art. II, Animal Control	Police Dept added as enforcement agent	Table of penalties changed to match text of bylaw provision as amended in 2014	Text approved by STM-11/17/2014
	Curfew	Provision deleted	Curfew no longer in effect as per Police Chief	Provision deleted as per Police Chief
	Fire Detection Systems	Provision deleted	State comprehensive fire safety code adopted	Provision deleted as per Fire Chief as superseded by state law
	Signs	Fine added	Fine added to reflect fine provision already in bylaw text	Fine already exists in text of sign bylaw
	Swimming Pools	Fine deleted	State building code contains fine provisions	Provision deleted as not needed—superseded by state building code
	Parking restrictions	"Not exceeding" deleted	Attorney General disapproves of fines that are not of a sum certain	Language deleted to comply with AG's rulings.
§ 24-5	Information	The word	Prior text read as	Non-substantive change to

	Technology Personnel	"Personnel" was added	follows: "Director of Municipal Finance shall appoint the Information Technology." The word "Personnel" was omitted.	correct a grammatical/typographical error
§ 495-	Special Town Meetings	Provision added re: number of voters	Revised to match state statute	Non-substantive change to match state law
§ 56-4	Indemnification of Treasurer	Revised to add the word "not."	Revised to reflect town's intent to protect the treasurer/collector from liability	Appeared to be a typographical error
§ 56-5		"Agree" deleted from first line	Revised for grammar	Non-substantive change
§ 109-2	Burglar alarms	Text removed	Alarms are no longer directly linked through Sharon Police Dept.	Section no longer applicable; deleted as per Police Chief
§ 120-6	Boating on Lake Massapoag	"Not exceeding" deleted	See prior comment re fine amounts	
§ 125-1	Numbering of buildings	Language deleted	Numbering of buildings is regulated under the state building code	Deleted language was in conflict with code; deleted as per Building Inspector
§ 141-5	Earth removal	"not more than" deleted	See prior comment re fine amounts	
§ 189-2	Granting and renewal of licenses	Language added	Revised to match amended state statute	Non-substantive change to match state law
§ 221-13	Signs for medical marijuana and adult uses	Language deleted and added	Revised so that if there is a conflict with zoning, zoning provision controls	Signs for those uses are regulated in the zoning bylaw; language changed to avoid conflict
§ 235-13	Street Openings	"Normal working hours" definition deleted	Definition conflicted with other provisions of bylaw and permit terms as determined by DPW	Non-substantive change to avoid conflict within bylaw
§ 248-1	Handicapped parking	Number of	Revised to	Non-substantive change to

B & C; § 248-5		spaces changed, size of spaces	incorporate state regulations	match state law
§ 248-11	Parking restrictions	Fines changed	Revised to match state law	Non-substantive change to match state law
§ 258-2	Firearms	Text added	Language that was removed from 258-1 was then inserted in 258-2 to avoid redundancy or conflicts.	Non-substantive change to avoid redundancy and conflict, as authorized by Police Chief
§ 2466	Zoning	Text deleted	Duplicative text removed	Non-substantive change to remove duplicative text
§ 3133		Text added	Text added to clarify applicability of § 3113(c)	Non-substantive change to clarify applicability
§ 4321		Text added	Text added to match title of Planning Board regulations	Non-substantive change to correct title
§ 4544		Text deleted	Water standards referenced in 314 CMR 6.00 were rescinded in 2009	Text removed to match state regulations and current regulations added.
§ 4640		Text deleted	Text revised to remove inconsistent reference	Text removed to avoid inconsistency, as per Tom Houston
§ 4660		Text deleted	Moratorium language removed, as it was superseded by § 4600	Non-substantive change to remove language no longer in effect
§ 6330		Text moved	Text added/moved to clarify	Non-substantive changes to clarify text within a paragraph
Chapter 300	Board of Health Regulations	All substantive changes were made by the BoH in accordance with statutory process for adoption of regulations	Substantive changes made to conform to regulations as adopted by the BoH	M.G.L. c. 111 authorizes BoH to adopt regulations

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 22: Renumbering, Recaptioning and Revision of Zoning Bylaw; Strikethrough/Underline Revisions to Text of Zoning Bylaw

Sponsored by: Town Clerk

To see if the Town will vote to 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; and

To see if the Town will vote to 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; or what it will do in relation thereto.

FINANCE COMMITTEE RECOMMENDATION:

As outlined in more detail in the write up of Article 21, this Article is part of the Town recodification project. Approval of this Article would accept the renumber and recaption of the Zoning Bylaws of the Town as described above with reference to the Final Draft (Red Line Version 01/19/2017).

The recodification of the Zoning Bylaws identified in the Final Draft (Red Line Version 01/19/2017) and in the summary chart in the write up under Article 21 requires mandatory public hearings and a two-thirds vote at Town Meeting requiring a separate Article. The Planning Board held its public hearing on this Article as required by law.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Planning Board voted 5-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 23: General By-Law Change: By-Law Numbering

Sponsored by: Board of Selectmen

To see if the Town will vote to 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.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

As outlined in more detail in the write up of Article 21, this Article is part of the Town recodification project. Approval of this Article would amend Article 1 of the Town General Bylaws to authorize the Town Clerk assign appropriate numbers to sections, subsections, paragraphs and subparagraphs where numbers were not approved at Town Meeting and to make non-substantive edits to numbering to assure consistent organization of Bylaws.

The Town has retained the services of General Code to put the Town Bylaws together and classified in an orderly way. This Article allows the Town Clerk to continue to update the Bylaw sequencing and organization as Bylaws are added, amended or removed by vote at Town Meeting.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 24: Zoning By-Law Change: As of Right Siting for Renewable Energy

Sponsored by: Planning Board

To see if the Town will 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.

Or to act in any way relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article and Article 25 are both intended to advance the Town's effort to become designated as a "Green Community" pursuant to the Green Communities Act enacted by the Massachusetts Legislature in 2008. Upon attaining such designation, the Town would qualify for an initial grant in the sum of \$160,000 from the State; and would be eligible to apply for additional grants of up to \$250,000 in future years to be used to implement the Green Community Act and Town Plan. There are five criteria that the Town must satisfy in order to be designated as a Green Community: (1) Provide as-of-right siting locations for renewable/alternative energy generation; (2) Adopt an expedited application and permit process for as-of-right energy facilities; (3) Establish an energy use baseline and develop a plan to reduce energy use by twenty (20%) within five years; (4) Purchase only fuel efficient vehicles; and (5) Set requirements to minimize life-cycle energy costs for new construction.

Approval by a two-thirds vote of the Town Meeting of this Article would satisfy Criterion No. 1. Approval by a majority of the Town Meeting of Article 25 would satisfy Criterion No. 5. The Town would then need to adopt Criteria Nos. 2, 3 and 4 to qualify for designation as a Green Community. Articles 24 and 25 are the only two of the five criteria that require a Town Meeting vote.

Article 24 would amend Section 2332 the Town Zoning By-laws by adding a new subsection f. Sections 2331 and 2332 of the Zoning By-Laws list various uses that are permitted as of right in the Town's Light Industrial Zoning District. Existing Section 2332(a) through (e) includes as uses that are as of right uses for: religious or educational purposes; agriculture, horticulture or floriculture; business services supporting businesses located in the district; certain types of personal services such as membership clubs, beauty shops etc., and general retail and wholesale landscaping equipment, supply and service businesses.

The new subsection f would add as permitted uses in this district Large-Scale Ground-Mounted Solar Photovoltaic Installation. The final text of the zoning by-law was finalized after the Finance Committee's March 27, 2017 meeting, so the Committee did not have an opportunity to assess or address the revised text.

The Board of Selectmen voted 3-0-0 in favor of approval.

The Planning Board will make its recommendation at Town Meeting.

THE FINANCE COMMITTEE VOTED 9-0-0 TO MAKE ITS RECOMMENDATION AT TOWN MEETING.

Article 25: General By-Law Change: Adoption of Stretch Energy Code

Sponsored by: Board of Selectmen

To see if the Town will 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.

Or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would add a new Article 41 to the Town’s General Bylaws, entitled the “Stretch Energy Code.” The Stretch Energy Code is codified in the Code of Massachusetts Board of Building Regulations. Approval of this Article by the Town Meeting would satisfy Criterion No. 5 of the criteria required for the Town to be designated as a Green Community, described in the Finance Committee’s discussion of Article 24.

The Stretch Energy Code provides for more energy efficiency than the Base Energy Code of the State Building Code. The Stretch Energy Code would apply to new construction of dwellings and commercial building containing a minimum of 100,000 square feet. It would not apply to renovations of existing residential or commercial buildings. The proponents of the Article have represented to the Finance Committee that the Stretch Energy Code is not substantially more burdensome than the Base Energy Code and that the extra cost of construction would be significantly outweighed by future savings on heating costs.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 8-0-1 IN FAVOR OF APPROVAL.

Article 26: Creation of a Special Needs Reserve Fund

Sponsored by: School Committee

To see if the Town will vote to 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; or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of Article 26 would permit the School Committee to take advantage of MGL 40, Section 13E passed by the State Legislature during August 2016. It would allow the Sharon School Committee by majority vote to establish, appropriate, or transfer to a Special Needs Reserve Fund for various unanticipated special education costs. The balance in such reserve fund shall not exceed 2% of the annual net school spending. As of now, the “annual net spending” is up for interpretation since it is unclear whether State and Federal funds should be included in the calculation. Some members of the Finance Committee believe the balance should be between \$300,000 and \$400,000. The maximum balance will change every year as determined by annual net school spending.

Expending from the reserve fund requires a majority vote of the School Committee and a majority vote of the Board of Selectmen.

Annual appropriations to this reserve fund can be made from the school's annual budget, the annual balance of actual school receipts exceeding school expenditures, and possibly other sources.

The Board of Selectmen voted 3-0-0 in favor of approval.

The School Committee voted 6-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 7-2-0 IN FAVOR OF APPROVAL.

Article 27: Increase Composition of School Committee from 6 to 7 Members

Sponsored by: School Committee

To see if the Town will vote pursuant to G.L. c. 41, § 2, to increase the number of members of the School Committee from six members to seven members, or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would increase the amount of elected members to the School Committee by one. Currently the School Committee is comprised of six members, who are elected by the town. Their terms are staggered such that every year, two school members are elected to the school committee for a term of three years pursuant to applicable state law. (M.G.L. 41).

State law requires that all policy decisions and other matters are settled by an official vote of the Committee sitting in formal session. With an even number of members, the possibility of a stalemate or "tie" vote is a potential outcome. These deadlocks result in curricular, budgetary and/or policy decisions being delayed or postponed, having a negative impact on the committee's ability to provide direction to administration and the community with respect to the strategic goals and initiatives of the district.

Some of the members of the School Committee feel that adding an additional member will also help to better balance the amount of work and responsibly they each have now and in the future.

According to data from the Massachusetts Association of School Committees, the majority of school committees in the state are comprised of boards with odd numbers of members, typically five or seven. For example, our neighboring towns of Canton, Easton, Walpole, and Westwood have five members; Norwood has seven.

In addition, State law provides that:

"The school committee in each city and town and each regional school district shall have the power to select and to terminate the superintendent, shall review and approve budgets for public education in the district, and shall establish educational goals and policies for the schools in the district consistent with the requirements of law and statewide goals and standards established by the board of education."

Calculation of votes of School Committee:

Currently, the School Committee has six members so any decision that the committee makes requires four members' support, out of a total of six members, a two-thirds' vote. If a seventh committee member is added, any decision of committee will required four members support of the seven, which a simple majority. One of the members of the Finance Committee feel that the only negative impact will be changing the decision process of School Committee to a majority vote instead of the 2/3 vote that is now in place. However, this can be addressed by members of the School Committee internally if they feel it is important to do so in the future.

The School Committee voted 6-0-0 in favor of approval.

The Board of Selectmen voted 3-0-0 in favor of approval.

THE FINANCE COMMITTEE VOTED 9-0-0 IN FAVOR OF APPROVAL.

Article 28: Citizen's Petition: Transfer Gavins Pond Land to Conservation Commission Management

Sponsored by: Alice Cheyer, Edward Hershfield, Linda Orel, Sam Liao, Aruna Sreeram, Paul Lauenstein and others

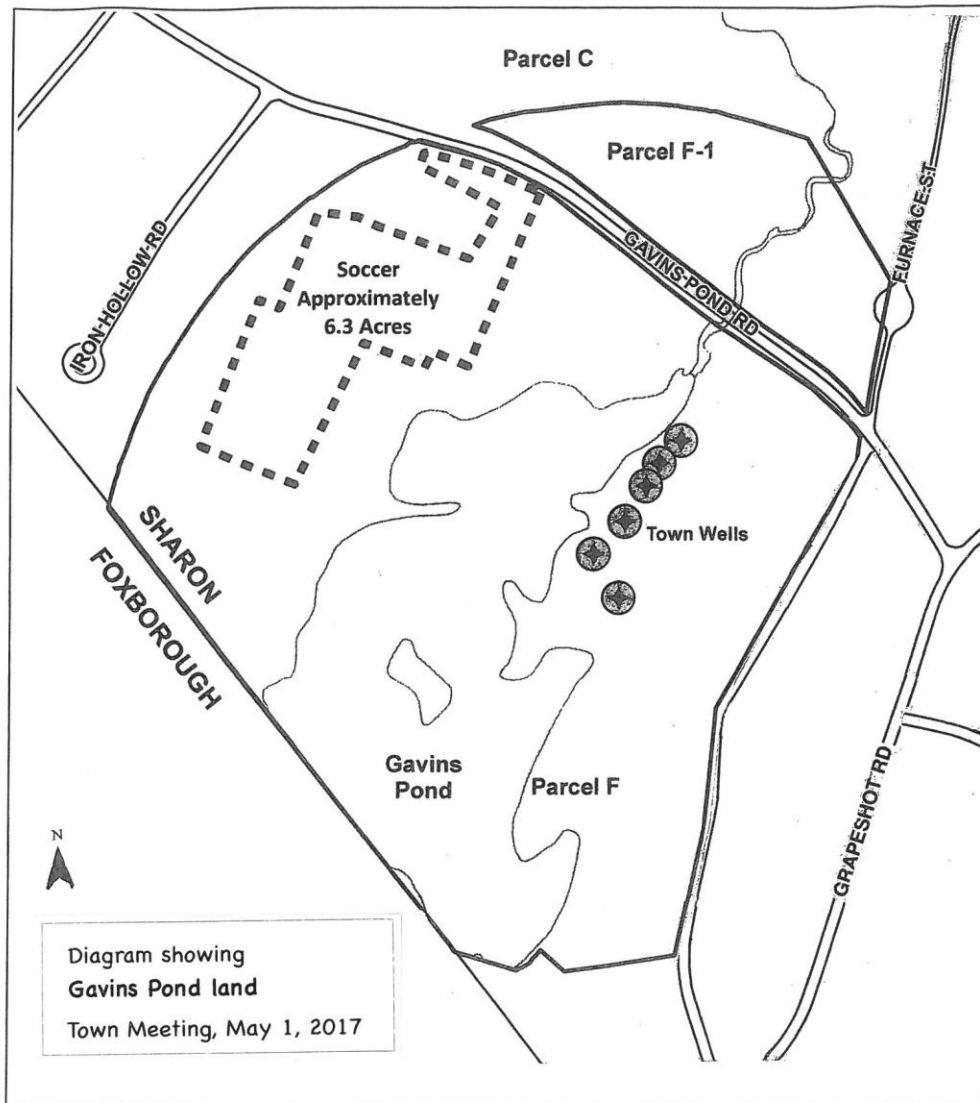
To see if the Town will vote, pursuant to M.G.L. c. 40, §15A, to authorize the Board of Selectmen to transfer to the Conservation Commission the care, custody, management, and control of the following parcels of land for conservation purposes, for the protection and management of natural resources, and for the protection of the watershed resources of the Town of Sharon, in perpetuity, allowing thereon passive recreation only, under the provisions of M.G.L. c. 40, §8C as it may hereafter be amended, and of Amended Article 97 of the Massachusetts Constitution, and to authorize the Board of Selectmen to execute and record in the Registry of Deeds all documents that are necessary to effectuate this transfer:

(1) The parcel of land ["Parcel F"] with address 195 Gavins Pond Road, Sharon, identified on the Town of Sharon Assessors GIS Map as Parcel ID 020001005, recorded at the Norfolk Registry of Deeds, Book 7840 / Page 560, on December 23, 1987, excepting the two soccer fields and gravel parking area, totaling approximately 6.3 acres, existing thereon at the date of approval of this article, which are depicted on a Department of Public Works (DPW) Sharon GIS map dated December 28, 2016, a copy of which is on file with Town Clerk and DPW; and

(2) The parcel of land ["Parcel F-1"] with address 200 Gavins Pond Road, Sharon, identified on the Town of Sharon Assessors GIS Map as Parcel ID 029057000, recorded at the Norfolk Registry of Deeds, Book 7840 / Page 560, on December 23, 1987.

These parcels, totaling 63.186 acres, are shown, respectively, as parcels F (55.466 acres) and F1 (7.720 acres) on Plan 1549-1987, Plan Bk 363, recorded at the Norfolk Registry of Deeds on December 23, 1987.

Or take any other action relative thereto.



FINANCE COMMITTEE RECOMMENDATION:

Approval of this Article would authorize the Board of Selectmen to transfer to the management of the Conservation Commission two parcels of land on Gavins Pond Road (parcels F and F1) totaling 63.186 acres, except for the two existing soccer fields and parking (~6.3 acres) on parcel F.

This Article would authorize the transfer of the subject parcels to the Conservation Commission, who would then be in charge of the care, custody, management, and control of the land for conservation purposes and for protection and management of natural and watershed resources, in perpetuity, under the provisions of M.G.L. c. 40, §8C, and of Amended Article XCVII (97) of the Massachusetts Constitution.

Article XCVII.

Article XLIX of the Amendments to the Constitution is hereby annulled and the following is adopted in place thereof: - The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.

The general court shall have the power to enact legislation necessary or expedient to protect such rights.

In the furtherance of the foregoing powers, the general court shall have the power to provide for the taking, upon payment of just compensation therefor, or for the acquisition by purchase or otherwise, of lands and easements or such other interests therein as may be deemed necessary to accomplish these purposes.

Lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the general court.

The Special Town Meeting of December 1985 authorized the Selectmen to acquire these parcels for a municipal well and aquifer protection.

Two soccer fields were built on parcel F in 1993. Town Meeting Articles requesting one or two additional soccer fields on these parcels were proposed three times previously (in 2003, 2006, and 2016) but were defeated.

These parcels are located in the Groundwater Protection district, overlay the Billings Brook aquifer and Well #7, and have been designated by the Massachusetts Natural Heritage and Endangered Species Program (NHESP) as priority habitat for rare wildlife species.

The proponents believe that athletic fields are not an appropriate use for protecting the aquifer, and they would like to protect these sensitive habitat and water resources from any potential future damage incurred by increasing non-passive recreation in the area.

The transfer to the Conservation Commission would not include the existing soccer fields and grand-stand and parking areas, which would be exempted from the transfer and would remain under the management of the Board of Selectmen.

The majority of the Finance Committee is in favor of the intent of preserving the two parcels for conservation purposes, but do not recommend approval of this Article. The majority is concerned that protection in perpetuity under Amended Article 97 of the Massachusetts Constitution is unnecessary and would require a two-thirds vote of the state Legislature to remove the conservation restriction if in the future the Town wanted to do so. Also, there are questions about the costs required to survey and designate what would be defined as the soccer fields and grand-stand and parking areas on the two parcels. Finally, the map attached to the Warrant Article is a depiction only and not a surveyed document, and the area covered by the existing use of the soccer fields and grand-stand and parking areas is unclear.

The proponents state that upon inquiry to the Sharon Engineering Department and the Board of Selectmen, no plans with precise dimensions of the area including the fields and parking area could be located. If this Article is passed, then a survey and easement for the existing fields will be established for the new deed.

The Board of Selectmen will make its recommendation at Town Meeting.

THE FINANCE COMMITTEE VOTED 0-8-2 AGAINST APPROVAL.

RECONVENE ADJOURNED SPECIAL TOWN MEETING OF DECEMBER 12, 2016

As you may recall, the Finance Committee recommended and citizens voted to adjourn the December 12, 2016 Special Town Meeting to reconvene in conjunction with the May 1, 2017 Annual Town Meeting without acting on Article 1 - the Recreation and Residential Overlay District zoning bylaw - to allow for additional information to be gathered before town meeting acts on the article.

On March 22, 2017, the Board of Selectmen and the owner of The Cape Club of Sharon (formerly Spring Valley Country Club) agreed on a revised zoning bylaw that will be disposed of as Article 19 of the May 1, 2017 Annual Town Meeting.

However, the rules governing town meetings in Massachusetts require action to complete disposition of articles on the December 12, 2016 Special Town Meeting Warrant. Therefore, the Finance Committee will move to take no action on Article 1 and the Moderator will move to an immediate vote to adjourn the December 12, 2016 Special Town Meeting *sine die*.

And furthermore, in the name of the Commonwealth you are hereby required to notify and warn the inhabitants of Sharon who are qualified to vote in Elections to vote at:

Precincts 1, 2, 3, 4 & 5
Sharon High School Gymnasium, 181 Pond Street, Sharon, MA

on Tuesday, May 16, 2017 from 7:00am to 8:00pm for the following purpose:

To cast their votes in the Annual Town Election for the candidates for the following offices:

1	Member Board of Selectmen	3 year term
1	Member Board of Assessors	3 year term
1	Moderator	3 year term
1	Town Clerk	3 year term
2	Members School Committee	3 year term
1	Member Planning Board	5 year term
2	Trustees of Public Library	3 year term

Hereof fail not, and make due return of this Warrant with your doings thereon at the time and place of said meeting. And you are directed to serve this Warrant by posting attested copies of the same in accordance with the Town by-laws.

Given under our hands this 13th day of April, A.D., 2017

BOARD OF SELECTMEN, TOWN OF SHARON

Walter B. Roach, Chair

John J. McGrath, Clerk

William A. Heitin

A True Copy: Tilden M. Kaufman, Constable
Sharon, Massachusetts
Dated: April 13, 2017

NOTES

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