

ANNUAL TOWN MEETING

MAY 1, 2023

Pursuant to the provisions of the warrant of April 11, 2023, the inhabitants of the Town of Sharon qualified to vote in Town affairs met at the Sharon High School Auditorium at 7:00 P.M.

VOTED: To convene the May 1, 2023 Annual Town Meeting at 7:30 P.M.

The meeting was called to order by Moderator Andrew Nebenzahl. The Moderator said that in the absence of any objection he would assume that there was unanimous consent to waive the reading of the call and return of the warrant by Town Clerk Mark F. Hogan. There was no objection to this request.

The Moderator said that in the absence of any objection he would assume there was unanimous consent to allow the following non-voters to address the meeting: Stephen Allen, Lee Ann Amend, Lauren Barnes, Dr. Peter Botelho, Stephen Coffey, Neil Dutta, Drayton Fair, Richard Gelerman, Krishan Gupta, Eric Hooper, Beth Kourafas, Michael Madden, Peter O'Cain, Rachel Oles, Joseph Sullivan, Frederic Turkington, Kevin Weber, and Ellen Whittemore.

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

ARTICLES 1 – 8.

VOTED UNANIMOUSLY: That the Town take Articles 1 through 8 in order and they be “Passed by Consent” in accordance with the motions shown on the Consent Agenda as printed on pages vi-vii in the Warrant for this Annual Town Meeting.

ARTICLE 1.

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

ARTICLE 2.

That the Town Clerk cast one ballot for the Trustees of the Dorchester and Surplus Revenue School Fund as follows: Bettye Outlaw, Patricia MacDougall and Elizabeth Siemiakaska; That the Town Clerk cast one ballot for the Trustees of the Edmund H. Talbot Fund as follows: Shirley Schofield, Marie Cuneo and Paul Bergeron; To accept the report of the donors of the funds.

ARTICLE 3.

That the Town amend the Personnel By-Law of the Town of Sharon exactly as printed on pages 2 through 8 of the Warrant for this Annual Town Meeting, except deletion of the words “or act in any way relative thereto.”

ARTICLE 4.

That the Town accept Section 4, Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and Chapter 380 of the Acts of 2000, which authorizes additional real estate exemptions to be granted to persons who qualify for property tax exemptions under Clauses 17, 17C, 17C 1/2, 17D, 17E, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C and 41D of M.G.L. Chapter 59, § 5 in an amount equal to 100 percent to be effective for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

ARTICLE 5.

That the Town authorize FY 2024 expenditure limits for the revolving funds printed on page 10 of this Annual Town Meeting Warrant for use by town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, §53E½, to be expended in accordance with Chapter 24, Article III of the Town’s General By-Laws.

ARTICLE 6.

That the Town authorize the Select Board and/or School Committee, upon such terms and conditions as the Select Board and/or School Committee deem to be in the best interest of the Town, to convey to Verizon New England, Inc. (formerly known as New England Telephone and Telegraph Company) and NSTAR Electric Company, d/b/a Eversource Energy, a perpetual right and easement to lay, construct, reconstruct, operate, maintain, replace and remove lines for the transmission of intelligence and telecommunications and the transmission of high and low voltage electric current upon, over, under and across the Sharon High School property, located at 181 Pond Street,, Assessor’s Parcel ID 81-124, as more particularly described on a plan entitled, “Plan of Land in the Town of Sharon, Norfolk County, Massachusetts”, dated February 8, 1954, prepared by The Schuyler Clapp Company, and recorded with the Norfolk County Registry of Deeds as Plan No. 486 of 1954; and additionally as shown on a plan entitled, “Plan of Memorial Park and Memorial Parkway as Laid Out for Park Purposes by the Planning Board of the Town of Sharon, Norfolk Co., Mass.”, dated April 16, 1946, prepared by The Schuyler Clapp Company, and recorded with the Norfolk County Registry of Deeds as Plan No. 372 of 1946. The location of said Easement is generally shown and described as being within a strip of land ten (10) feet in width running along a line marked “T” as shown on “Attachment A” to the License, and Easement document, a copy of which is on file in the office of the Town Clerk, and as the same may be more or less particularly described, or as such Attachment A may be later identified or amended.

ARTICLE 7.

That the Town accept the provisions of Chapter 53, §9A of the Massachusetts General Laws.

ARTICLE 8.

That the Town accept the provisions of Chapter 41, §19K of the Massachusetts General Laws.

ARTICLE 9.

VOTED: That the Town amend Section 49-4 of the General By-Laws of the Town of Sharon exactly as printed on page 13 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough, italicized language and the words “or take any other action related thereto” **and adding Section C as follows:**

C. The Select Board may adjust either the date of the portion of the Annual Town Meeting for the transaction of business or the date of the portion of the Annual Town Meeting for the election of officers and such other matters as may be voted on the official ballot, or both, provided that the date of the portion of the Annual Town Meeting for the election of officers and such other matters as may be voted on the official ballot may not precede the date of the portion of the Annual Town Meeting for the transaction of business and the timing for each portion of the Annual Town Meeting shall at all times be in compliance with Massachusetts General Laws.

That the Town vote to amend Section 49-4 of the General By-Laws of the Town of Sharon so that the By-Law reads as follows (Bold and underline denotes new language for insertion;

§49-4 Annual Town Meeting; annual election of officers

- A. There shall be an Annual Town Meeting held in the spring, which shall be primarily concerned with the adoption of an annual budget and other warrant articles which have a fiscal effect on the Town. The portion of the Annual Town Meeting for the transaction of business shall be held on the first Monday in May of each year at 7:00 p.m. and shall continue, by adjournment from time to time, until disposition has been made of all articles contained in the warrant. **On or before January 31, the Select Board may vote to change the date of the portion of the next Annual Town Meeting for the transaction of business to within two weeks, both before or after, of the first Monday in May.**
- B. The portion of the Annual Town Meeting for the election of officers and such other matters as may be voted on the official ballot shall be held on the third Tuesday of May of each year. **On or before January 31, the Select Board may vote to change the date of the next Annual Town Meeting for election of officers and such other matters as may be voted on the official ballot to within two weeks, both before or after, of the third Tuesday in May.**

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 10.

VOTED: That the Town amend the Table of Dimensional Regulations of the Zoning By-Laws exactly as printed on page 14 of the Warrant for this Annual Town Meeting.

That the Town vote to amend the Table of Dimensional Regulations of the Zoning By-Laws of the Town of Sharon by reducing the side and rear setbacks from 20' to 15' in Single B, Business A and General Residence Districts and increasing the height limit from 80' to 100' in the Light Industrial District, so that it reads as follows:

ZONE	LOT AREA (Sq. Ft.)	LOT WIDTH	FRONTAGE	FRONT SET-BACK (from sideline)	REAR/SIDE SET-BACK	MAXIMUM HEIGHT	MAXIMUM STORIES	PERCENT OF LOT COVERAGE	PERCENT OF NATURAL COVERAGE
Rural District 1	60,000	175'	116'8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Rural District 2	80,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Suburban District 1	40,000	125'	82'-6"	30'	20' residential 10' all other	35'	-	25%	no requirement
Suburban District 2	60,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Single Residence District A	40,000	150'	100'	30'	20' residential 10' all other	35'	-	25%	no requirement
Single Residence District B	20,000	100'	66'-8"	30'	15' residential 10' all other	35'	-	25%	no requirement
General Residence	8,000 10,000 two family	70 80' two family	46'-8" single fam. 53'-4" two family	30'	15' residential 10' all other	35'	-	40%	no requirement
Business District A	10,000 for single or two family	80' one family and two family	70'	20' max 1&2 family 10' max all other	15' residential 10' all other	other uses 45' 40' residential	3	25% 1 and 2 family 60% all other	20%
Business District B	8,000 10,000 two family	80' two family (4)	70'	10'	20' residential 10' all other	60' commercial 40' residential	4 commercial 3 residential	25% residential 20% all other	n/a
Business District C	8,000 10,000 two family	80' two family (4)	70'	20' max 1&2 family 10' max all other	20' residential 10' all other	45' commercial 40' residential	3	25% 1 and 2 family 35% multi family 50% all other	30%
Business District D	53 acres	80' two family (4)	1,000'	10' from I-95, 50' from Old Post Rd., 100' from all other	100'	60' commercial 40' residential	3	20% (3)	35%
Professional District A	20,000	80' two family (4) 150' all other	100'	n/a	20' residential 10' all other	40'	3	n/a	n/a
Professional District B	60,000	80' two family (4) 150' all other	100'	40'	20' residential 10' all other	40'	3	20%	30%
Light Industrial District	40,000	150'	100'	75'	100' residential 30' all other	100'	5	60% 75% including parking structures	20% (landscaped or open space)
Housing Authority District	40,000 [5,000](1)	no requirement	no requirement	30'	20' residential 10' all other	35'	-	25%	no requirement
NOTES:					Note: Lots located within Groundwater Protection District have a minimum lot size of 60,000 sf.				
(1) Per dwelling unit (4 persons in a group arrangement = dwelling unit)					Note: Lots located within Surface Water Protection District have a minimum lot size of 80,000 sf.				
(2) Includes paving and walks									
(3) Excluding parking decks									
(4) All other uses, see Section 4.1.3 of Zoning By-Laws					Note: Lot Width is measured as set forth in Section 4.1.3.				
					NOTE: SEE SECTION 4.1.3 FOR SHAPE FACTOR WHEN CALCULATING LOT AREA.				

A STANDING VOTE. 2/3 VOTE DECLARED BY MODERATOR. 364 IN THE AFFIRMATIVE, 126 IN THE NEGATIVE.

ARTICLE 11. PART 1

MOTION: That the Town amend Section 3.3.2.4 of the Zoning By-Laws of the Town of Sharon regarding Uses for Overnight Parking of Heavy Vehicles in the Residential Districts, exactly as printed on page 15 of the Warrant for this Annual Town Meeting, and that the Town amend Section H, no. 5 of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Motor Vehicle Related Uses, exactly as printed on page 16 of the Warrant for this Annual Town Meeting.

MOTION: TO CALL THE QUESTION. CARRIED

MOTION: That the Town amend Section 3.3.2.4 of the Zoning By-Laws of the Town of Sharon regarding Uses for Overnight Parking of Heavy Vehicles in the Residential Districts, exactly as printed on page 15 of the Warrant for this Annual Town Meeting, and that the Town amend Section H, no. 5 of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Motor Vehicle Related Uses, exactly as printed on page 16 of the Warrant for this Annual Town Meeting.

NOT CARRIED (2/3 VOTE REQUIRED) A STANDING VOTE. 273 IN THE AFFIRMATIVE, 201 IN THE NEGATIVE.

ARTICLE 11. PART 2

VOTED: That the Town amend Section 11.0 Definitions of the Zoning By-Laws of the Town of Sharon by deleting the definition of “Animal of veterinary hospital” and adding a definition for “Pet Care Facility” exactly as printed on pages 16 through 17 of the Warrant for this Annual Town Meeting, and that the Town amend Section I of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Miscellaneous Commercial Uses, exactly as printed on pages 17 to 18 of the Warrant for this Annual Town Meeting.

That the Town vote to amend Section 11.0 Definitions of the Zoning By-Laws of the Town of Sharon by deleting the definition of “**Animal of veterinary hospital**” and adding a definition for “Pet Care Facility” so that it reads as follows:

Pet Care Facility: A business providing for the diagnosis and treatment of ailment of animals other than humans, including facilities for indoor overnight care. Indoor animal day care and grooming facilities are also allowed. Crematory facilities or outdoor enclosures for animals are prohibited. Zoning changes for Pet Care facilities existing prior to May 1, 2023 are not applicable.

And, also, that the Town vote to amend Section I of Table 1: Table of Use Regulations of the Zoning By-Laws of the Town of Sharon, regarding Miscellaneous Commercial Uses, by adding a number 13, entitled “Pet Care Facility” so that it reads as follows:

TABLE 1: TABLE OF USE REGULATIONS

Y = Yes

N = No

BA = Special permit, Zoning Board of Appeals

PB = Special Permit, Planning Board

SB = Special Permit, Select Board

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD	LI	Pro A	Pro B
I. MISCELLANEOUS COMMERCIAL USES														
1. Store serving as drop-off or pick-up location for cleaning or laundry service, excluding laundromat or on-site processing	N	N	N	N	N	N	N	Y	Y	N	Y	N	N	N
2. Outdoor storage and display of goods for sale, whether as a principal or accessory use	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
3. Storage building for goods to be repaired or sold at retail directly to the consumer or temporarily stored for the consumer	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
4. Printing or publishing establishment	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
5. Medical or adult-use marijuana establishment	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
6. Commercial fuel storage and sales	N	N	N	N	N	N	N	BA	N	N	BA	N	N	N
7. Natural gas custody transfer stations (see Section 7.5)	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
8. Earth removal (see Chapter 141)	SB	SB	SB	SB	SB	SB	SB	N	N	N	N	SB	Y	Y
9. Solar energy system	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
10. Major Nonresidential Development	N	N	N	N	N	N	N	BA	BA	BA	BA	BA	N	N
11. Major parking facility	N	N	N	N	N	N	N	BA	BA	BA	N	N	N	N
12. Landscaping equipment, supply, and service business	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
13. Pet care Facility	BA	BA	BA	BA	BA	BA	BA	Y	Y	N	Y	Y	N	N

2/3 VOTE DECLARED BY MODERATOR.

MOTION: TO TAKE UP ARTICLE 17. CARRIED.

ARTICLE 17.

MOTION: That the Town appropriate a sum of \$6,350,000, in addition to the \$18,000,000 previously appropriated under Article 17 of the May 6, 2019 Annual Town Meeting, to be expended at the direction of the Sharon Standing Building Committee (SSBC), for costs of the construction of the new Sharon Public Library at One School Street, including but not limited to, demolition of the existing structure at One School Street, design and architectural and engineering services and other legal and professional services, construction, landscaping, paving, utility and other site improvements, furnishing and equipping, and including all costs incidental and related thereto;

To meet this appropriation, \$3,370,000 is to be transferred from the unexpended proceeds of bonds issued March 30, 2021 as such bonds proceeds were originally issued for the Sharon High School building project authorized under Article 6 of the November 4, 2019 Special Town Meeting and such funds are no longer needed for the purpose for which they were initially borrowed, as provided by M.G.L c. 44, Sec. 20, and \$2,980,000 is appropriated from the undesignated general fund balance;

And further that the Town is authorized to apply for and accept any grants, including funding from the Massachusetts Board of Library Commissioners (MBLC) Public Library Construction Program, and other funds appropriated by the Commonwealth for this project, said funds which shall be used to reduce the amount appropriated from the undesignated general fund balance.

MOTION: TO CALL THE QUESTION. CARRIED UNANIMOUSLY.

VOTED: That the Town appropriate a sum of \$6,350,000, in addition to the \$18,000,000 previously appropriated under Article 17 of the May 6, 2019 Annual Town Meeting, to be expended at the direction of the Sharon Standing Building Committee (SSBC), for costs of the construction of the new Sharon Public Library at One School Street, including but not limited to, demolition of the existing structure at One School Street, design and architectural and engineering services and other legal and professional services, construction, landscaping, paving, utility and other site improvements, furnishing and equipping, and including all costs incidental and related thereto;

To meet this appropriation, \$3,370,000 is to be transferred from the unexpended proceeds of bonds issued March 30, 2021 as such bonds proceeds were originally issued for the Sharon High School building project authorized under Article 6 of the November 4, 2019 Special Town Meeting and such funds are no longer needed for the purpose for which they were initially borrowed, as provided by M.G.L c. 44, Sec. 20, and \$2,980,000 is appropriated from the undesignated general fund balance;

And further that the Town is authorized to apply for and accept any grants, including funding from the Massachusetts Board of Library Commissioners (MBLC) Public Library Construction Program, and other funds appropriated by the Commonwealth for this project, said funds which shall be used to reduce the amount appropriated from the undesignated general fund balance.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 12.

VOTED UNANIMOUSLY: That the Town amend Section 10.7.5 and Section 10.8.5 of the Zoning By-Laws of the Town of Sharon, as required by the Attorney General pursuant to their review of the Zoning By-Law Codification under Article 20 of the Town of Sharon 2022 Annual Town Meeting, exactly as printed on page 19 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough, italicized language and the words “or take any other action relative thereto.”

That the Town vote to amend Section 10.7.5 and Section 10.8.5 of the Zoning By-Laws of the Town of Sharon, as required by the Attorney General pursuant to their review of the Zoning By-Law Codification under Article 20 of the 2022 Annual Town Meeting, as follows (Bold and underline denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language);

10.7.5 Decision. The Planning Board may approve, or approve with conditions, ~~for deny an application/~~ **a complete plan submission** for site plan approval. In making its decision, the Board shall be guided exclusively by M.G.L. c. 40A, § 3. The Board shall file a written decision with the Town Clerk within 90 days of receipt of the application. Failure to file a decision within ninety (90) days shall constitute constructive approval of the site plan.

10.8.5 ZBA Procedures. The ZBA shall decide a request for reasonable accommodation by majority vote. ~~fat an open meeting. The ZBA may hold a public hearing using the procedures, including notice, set forth in M.G.L. c. 40A, §§ 11 and 15. The deadlines imposed in M.G.L. c. 40A, § 11 or § 15 may be extended upon the request of the applicant and the approval of the ZBA.~~ The ZBA may seek information from other Town agencies in assessing the impact of the requested accommodation on the rules, policies, and procedures of the Town. Upon written notice to the ZBA, an applicant for a reasonable accommodation may withdraw the request without prejudice. The ZBA shall consider the following criteria when deciding whether a request for accommodation is reasonable:

1. Whether the requested accommodation is reasonable;
2. Whether the requested accommodation would require a fundamental alteration of a legitimate Town policy; and
3. Whether the requested accommodation would impose undue financial or administrative burdens on the Town government.

ARTICLE 13. PART 1

VOTED UNANIMOUSLY: That the Town elect to the Finance Committee the following named: Ann Keitner, 29 Deborah Sampson Street – 3-year term; Dan Lewenberg, 18 Quincy Street – 3 year-term; Olga Volfson, 108 Brook Road – 3-year term; Keith Morris, 9 Gannett Terrace, 2-year term.

ARTICLE 13. PART 2

VOTED: That the Town affirm the following named Moderator's appointments to the Nominating Committee of the Finance Committee: Anne Carney, 41 Pole Plain Road – 1-year term; David Fixler, 81 Bishop Road – 1-year term; William Heitin, 7 Inca Trail – 1-year term; Jacqueline Modiste, 21 Canoe River Road – 1-year term; Cheryl Weinstein, 4 Coach Lane – 1-year term.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 14.

VOTED UNANIMOUSLY: That the Town fix the compensation of elected officers for the fiscal year beginning July 1, 2023, as follows: Moderator - \$50.00; Select Board chair - \$500.00; Select Board members - \$400.00; Board of Assessors chair - \$2,400.00; Board of Assessors members - \$2,200.00; Town Clerk - \$86,234.00.

ARTICLE 15A – CIVIL DEFENSE

MOTION: That the Town appropriate the sum of \$300,000 for additional funding for replacement quarters for Civil Defense; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$300,000 under Massachusetts General Law Chapter 44, Section 7.

MOTION WITHDRAWN

OMNIBUS MOTION: That the Town approve Article 15, Sections A – O exactly as printed in the warrant.

VOTED: That the Town approve Article 15, Sections A – O exactly as printed in the warrant.

ARTICLE 15A – CIVIL DEFENSE

That the Town appropriate the sum of \$300,000 for additional funding for replacement quarters for Civil Defense; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$300,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15B – COUNCIL ON AGING

That the Town appropriate the sum of \$86,377 for additional funding for a replacement minibus for the Council on Aging; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$86,377 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15C – DEPARTMENT OF PUBLIC WORKS

That the Town appropriate the sum of \$473,000 for the purchase of operations equipment for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$473,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15D – DEPARTMENT OF PUBLIC WORKS

That the Town appropriate the sum of \$105,000 for the purchase of office furniture and facility renovations for the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$105,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15E – DEPARTMENT OF PUBLIC WORKS

That the Town appropriate the sum of \$840,000 for the resurfacing of public ways and reconstruction of sidewalks by the Department of Public Works; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$840,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15F – WATER DEPARTMENT

That the Town appropriate the sum of \$750,000 for the replacement of water mains for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$750,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15G – WATER DEPARTMENT

That the Town appropriate the sum of \$184,000 for the purchase of operations equipment for the Water Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$184,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15H – FIRE DEPARTMENT

That the Town appropriate the sum of \$340,000 for the purchase of replacement brush truck and supplemental funding for an ambulance for the Fire Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$280,000 under Massachusetts General Law Chapter 44, Section 7; and the remainder, \$60,000, to be appropriated from the Ambulance Reserve Fund.

ARTICLE 15I – POLICE DEPARTMENT

That the Town raise from taxation the sum of \$195,000 for the purchase of vehicles for the Police Department.

ARTICLE 15J – POLICE DEPARTMENT

That the Town appropriate the sum of \$85,000 for the purchase of radio repeaters for the Police Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$85,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15K – SCHOOL DEPARTMENT

That the Town appropriate the sum of \$645,000 for the purchase of technology and equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$225,000 under Massachusetts General Law Chapter 44, Section 7, with the remainder, \$420,000, to be raised from taxation.

ARTICLE 15L – SCHOOL DEPARTMENT

That the Town appropriate the sum of \$839,010 for building improvements as listed in the table on page 24 for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$494,570 under Massachusetts General Law Chapter 44, Section 7, with \$100,000, to be raised from taxation; and the remainder, \$244,440, to be expended from previously approved but unexpended capital funds.

ARTICLE 15M – SCHOOL DEPARTMENT

That the Town appropriate the sum of \$89,000 for the purchase of a truck and snow removal equipment for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$89,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15N – SCHOOL DEPARTMENT

That the Town appropriate the sum of \$40,000 for furniture for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$40,000 under Massachusetts General Law Chapter 44, Section 7.

ARTICLE 15O – SCHOOL DEPARTMENT

That the Town appropriate the sum of \$137,000 for the purchase of special education vehicles for the School Department; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is hereby authorized to borrow \$137,000 under Massachusetts General Law Chapter 44, Section 7.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 16.

VOTED UNANIMOUSLY: That the Town raise and appropriate for the various Town offices and for defraying charges and expenses of the Town, including debt principal and debt interest for fiscal year July 1, 2023 through June 30, 2024 in the amount of \$103,223,155 the various sums stated “Fiscal Year 2024” as amended as shown on pages 33 through 34 of the Warrant, except Water Department and Cable Public Access.

That the Town defray said appropriations by transferring the following amounts from various accounts as follows: \$650,000 from the Ambulance Reserve Fund, \$500,000 from undesignated fund balance, \$130,538 from the Community Education Revolving Fund, and \$25,293 from Fund Balance Reserved for Excluded Debt.

That the Town raise and appropriate \$150,000 for EMS ambulance billing and supplies from the Ambulance Reserve Account.

That the Town raise and appropriate \$300,000 for the overlay reserve account.

That the Town appropriate the sum of \$6,085,309 for the Water Department budget to be raised from user fees; and also appropriate the sum of \$350,000 from Water Retained Earnings for a Reserve Fund.

That the Town appropriate the sum of \$300,000 from cable subscriber franchise fees for the Cable Public Access Enterprise Fund.

Account	FY24 Approp.	% over FY23	FY23 Approp.	% over FY22	FY22 Approp.	% over FY21	FY21 Approp.	% over FY20
114 Moderator	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%	\$ 50.00	0.00%
131 Finance Committee	\$ 8,555.00	0.00%	\$ 8,555.00	-10.47%	\$ 9,555.00	-3.04%	\$ 9,855.00	-39.37%
152 Personnel Board	\$ 3,150.00	0.00%	\$ 3,150.00	0.00%	\$ 3,150.00	0.00%	\$ 3,150.00	-3.88%
161 Town Clerk	\$ 173,520.00	5.10%	\$ 165,103.00	4.92%	\$ 157,365.00	-0.36%	\$ 157,927.00	-6.68%
610 Library	\$ 1,255,725.00	5.72%	\$ 1,187,819.00	3.21%	\$ 1,150,843.00	1.12%	\$ 1,138,042.00	4.05%
Total Fin. Com. Budgets	\$ 1,441,000.00	5.59%	\$ 1,364,677.00	3.31%	\$ 1,320,963.00	0.91%	\$ 1,309,024.00	2.07%
122 Select Board	\$ 524,619.00	13.03%	\$ 464,139.00	5.31%	\$ 440,735.00	5.68%	\$ 417,038.00	4.97%
135 Accountant	\$ 293,716.00	6.27%	\$ 276,391.00	0.72%	\$ 274,410.00	1.16%	\$ 271,275.00	5.17%
141 Board of Assessors	\$ 231,974.00	5.29%	\$ 220,324.00	-0.78%	\$ 222,062.00	2.19%	\$ 217,298.00	4.26%
145 Treasurer	\$ 359,167.00	7.65%	\$ 333,640.00	-0.74%	\$ 336,125.00	6.30%	\$ 316,213.00	-1.16%
151 Law	\$ 175,000.00	2.94%	\$ 170,000.00	7.59%	\$ 158,000.00	14.91%	\$ 137,500.00	3.00%
155 Information Technology	\$ 409,928.00	9.95%	\$ 372,830.00	7.41%	\$ 347,096.00	3.45%	\$ 335,533.00	6.84%
162 Elections & Registrations	\$ 226,996.00	14.78%	\$ 197,763.00	57.08%	\$ 125,902.00	-21.97%	\$ 161,350.00	11.84%
171 Conservation Commission	\$ 148,280.00	13.72%	\$ 130,389.00	-13.36%	\$ 150,488.00	40.96%	\$ 106,760.00	-16.13%
172 Lake Management	\$ 45,000.00	200.00%	\$ 15,000.00	114.29%	\$ 7,000.00	7.69%	\$ 6,500.00	0.00%
175 Planning Board	\$ 59,714.00	30.88%	\$ 45,625.00	28.43%	\$ 35,525.00	39.18%	\$ 25,525.00	74.83%
176 Board of Appeals	\$ 28,000.00	7.69%	\$ 26,000.00	2.77%	\$ 25,300.00	11.45%	\$ 22,700.00	0.61%
195 Town Report	\$ 18,375.00	0.00%	\$ 18,375.00	0.27%	\$ 18,325.00	-0.27%	\$ 18,375.00	2.51%
210 Police	\$ 4,049,355.00	2.30%	\$ 3,958,257.00	3.53%	\$ 3,823,200.00	0.56%	\$ 3,801,887.00	1.38%
220 Fire/Ambulance	\$ 4,252,329.00	5.78%	\$ 4,020,137.00	4.17%	\$ 3,859,102.00	4.00%	\$ 3,710,580.00	1.66%
244 Weights & Measures	\$ 6,373.00	15.56%	\$ 5,515.00	2.68%	\$ 5,371.00	1.30%	\$ 5,302.00	1.30%
249 Animal Inspector	\$ 4,791.00	1.94%	\$ 4,700.00	2.96%	\$ 4,565.00	1.51%	\$ 4,497.00	1.67%
291 Civil Defense	\$ 16,100.00	0.00%	\$ 16,100.00	0.00%	\$ 16,100.00	40.00%	\$ 11,500.00	0.24%
292 Animal Control Officer	\$ 89,643.00	-1.01%	\$ 90,559.00	9.06%	\$ 83,037.00	2.31%	\$ 81,159.00	0.38%
400 Dept. of Public Works	\$ 4,244,633.00	3.04%	\$ 4,119,555.00	2.13%	\$ 4,033,693.00	2.40%	\$ 3,938,997.00	5.50%
510 Board of Health - Services & Admi	\$ 192,823.00	3.51%	\$ 186,282.00	-1.52%	\$ 189,156.00	13.10%	\$ 167,241.00	-25.63%
541 Council on Aging	\$ 278,760.00	-7.33%	\$ 300,807.00	4.00%	\$ 289,239.00	2.43%	\$ 282,379.00	-6.77%
543 Veterans Agent	\$ 69,395.00	24.17%	\$ 55,885.00	-41.02%	\$ 94,748.00	0.34%	\$ 94,431.00	37.04%
544 Veterans Graves	\$ 8,000.00	35.59%	\$ 5,900.00	0.00%	\$ 5,900.00	9.26%	\$ 5,400.00	0.00%
545 Commission on Disability	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%	\$ 500.00	0.00%
630 Recreation	\$ 316,601.00	6.25%	\$ 297,965.00	7.94%	\$ 276,045.00	0.16%	\$ 275,606.00	5.46%
691 Historical Commission	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%	\$ 1,380.00	0.00%
692 Community Celebrations	\$ 8,300.00	13.70%	\$ 7,300.00	0.00%	\$ 7,300.00	0.00%	\$ 7,300.00	0.00%
Total Select Board Budgets	\$ 16,059,752.00	4.68%	\$ 15,341,318.00	3.45%	\$ 14,830,304.00	2.82%	\$ 14,424,226.00	2.50%

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Account		FY24 Approp.	% over FY23	FY23 Approp.	% over FY22	FY22 Approp.	% over FY21	FY21 Approp.	% over FY20
310	School Department	\$ 52,395,688.00	5.83%	\$ 49,511,050.00	4.10%	\$ 47,559,430.00	2.87%	\$ 46,234,015.00	2.50%
	Total School Department	\$ 52,395,688.00	5.83%	\$ 49,511,050.00	4.10%	\$ 47,559,430.00	2.87%	\$ 46,234,015.00	2.50%
320	Voc Tech School/SER	\$ 342,573.00	7.28%	\$ 319,329.00	33.35%	\$ 239,465.00	37.06%	\$ 174,716.00	-27.20%
321	Voc Tuition/Norfolk Ag. Tuition	\$ 21,560.00	-27.43%	\$ 29,708.00	147.57%	\$ 12,000.00	0.00%	\$ 12,000.00	33.33%
9299	ARC of South Norfolk	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%	\$ 9,916.00	0.00%
132	Reserve Fund	\$ 500,000.00	0.00%	\$ 500,000.00	-37.50%	\$ 800,000.00	60.00%	\$ 500,000.00	0.00%
490	Street Lighting	\$ 224,525.00	-3.66%	\$ 233,048.00	20.72%	\$ 193,048.00	-11.06%	\$ 217,048.00	13.05%
	Board of Health -								
511	Waste Removal	\$ 118,000.00	0.00%	\$ 118,000.00	0.00%	\$ 118,000.00	6.79%	\$ 110,500.00	11.06%
694	Marijuana Mitigation	\$ 45,000.00	0.00%	\$ 45,000.00	0.00%	\$ 45,000.00			
710	Debt: Principal	\$ 7,989,264.00	19.61%	\$ 6,679,463.00	1.57%	\$ 6,576,300.00	-1.39%	\$ 6,669,000.00	2.25%
751	Debt Long term: Interest	\$ 4,683,119.00	-3.57%	\$ 4,856,722.00	1.40%	\$ 4,789,799.00	-0.77%	\$ 4,826,850.00	130.28%
914	FICA: Medicare	\$ 820,000.00	5.13%	\$ 780,000.00	0.00%	\$ 780,000.00	0.00%	\$ 780,000.00	6.12%
915	FICA: Social Security	\$ 5,000.00	-50.00%	\$ 10,000.00	0.00%	\$ 10,000.00	0.00%	\$ 10,000.00	-4.76%
920	Insurance	\$ 12,250,600.00	6.61%	\$ 11,490,620.00	3.99%	\$ 11,049,975.00	10.11%	\$ 10,035,605.00	1.87%
	Cash Capital								
SPL 01	(Already Voted in Article # 15)	\$ 715,000.00	9.66%	\$ 652,021.00	13.96%	\$ 572,152.00	120.06%	\$ 260,000.00	-24.96%
SPL 02	Norfolk Retirement	\$ 4,757,158.00	4.38%	\$ 4,557,671.00	7.33%	\$ 4,246,399.00	3.90%	\$ 4,087,106.00	6.37%
SPL 03	Unemployment	\$ 75,000.00	0.00%	\$ 75,000.00	-75.00%	\$ 300,000.00	300.00%	\$ 75,000.00	0.00%
SPL 04	OPEB Trust	\$ 550,000.00	10.00%	\$ 500,000.00	25.00%	\$ 400,000.00	14.29%	\$ 350,000.00	0.00%
SPL 05	Prop. Valuation Svcs	\$ 65,000.00	8.33%	\$ 60,000.00	20.00%	\$ 50,000.00	-9.09%	\$ 55,000.00	10.00%
SPL 06	Audit services	\$ 70,000.00	4.48%	\$ 67,000.00	13.56%	\$ 59,000.00	0.00%	\$ 59,000.00	-7.81%
SPL 07	Local Arts Council	\$ 5,000.00							
SPL 08	Opioid Abatement	\$ 80,000.00							
	Total Non-Discretionary Items	\$ 33,326,715.00	7.56%	\$ 30,983,498.00	2.42%	\$ 30,251,054.00	7.15%	\$ 28,231,741.00	12.96%
	Town Total (Article # 16)	\$ 103,223,155.00	6.20%	\$ 97,200,543.00	3.45%	\$ 93,961,751.00	4.17%	\$ 90,199,006.00	5.55%
	Total GF Budgets								
	Less Non-Discretionary	\$ 69,896,440.00	5.56%	\$ 66,217,045.00	3.93%	\$ 63,710,697.00	2.81%	\$ 61,967,265.00	2.49%
450	Water Department	\$ 6,085,309.00	11.30%	\$ 5,467,369.00	17.93%	\$ 4,636,146.00	9.90%	\$ 4,218,324.00	15.97%
	Water Dept.- Reserve	\$350,000	75.00%	\$200,000	0.00%	\$200,000	0.00%	\$200,000	0.00%
	Total Water Department	\$ 6,435,309.00	13.55%	\$ 5,667,369.00	17.19%	\$ 4,836,146.00	9.46%	\$ 4,418,324.00	15.14%
	PEG Access (Cable)								
	Enterprise Fund	\$ 300,000.00	-11.76%	\$ 340,000.00	0.00%	\$ 340,000.00	0.00%	\$ 340,000.00	0.00%

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ARTICLE 18.

MOTION: That the Town hear and act upon the recommendation of the Community Preservation Committee as follows: By raising and appropriating the sum of \$20,000 of the Town's portion of the expected Fiscal Year 2024 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. Chapter 44B, § 6 and amendments thereof; authorize the Community Preservation appropriate and/or reserve from Fiscal Year 2024 Community Preservation Fund Estimated Revenues the following: \$361,950 for Open Space/Recreation debt service, \$91,000 for Historic Preservation – Reservation and \$91,000 for Community Housing – Reservation.

That the following amounts be appropriated from Community Preservation Fund Balances, with each item considered a separate appropriation:

- \$80,000 from Fund Balance Undesignated for Lake Massapoag weed and bacteria hazard mitigation;
- \$426,500 for the rehabilitation of the Water Department building: \$100,000 from Fund Balance Historic and the remainder, \$326,500, from Fund Balance Undesignated;
- \$50,000 from Fund Balance Historic for the restoration of Moose Hill Cemetery; and
- \$53,642 from Fund Balance Housing for exterior siding at the Sharon Housing Authority.

MOTION TO AMEND: To increase the amount of the appropriation for the Water Department building from \$426,500 to \$853,000, the additional amount of \$426,500 to come from the undesignated fund balance category of the CPA.

CARRIED. A STANDING VOTE. 100 IN THE AFFIRMATIVE, 58 IN THE NEGATIVE.

VOTED UNANIMOUSLY: That the Town hear and act upon the recommendation of the Community Preservation Committee as follows: By raising and appropriating the sum of \$20,000 of the Town's portion of the expected Fiscal Year 2024 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. Chapter 44B, § 6 and amendments thereof; authorize the Community Preservation appropriate and/or reserve from Fiscal Year 2024 Community Preservation Fund Estimated Revenues the following: \$361,950 for Open Space/Recreation debt service, \$91,000 for Historic Preservation – Reservation and \$91,000 for Community Housing – Reservation.

That the following amounts be appropriated from Community Preservation Fund Balances, with each item considered a separate appropriation:

- \$80,000 from Fund Balance Undesignated for Lake Massapoag weed and bacteria hazard mitigation;
- \$853,000 for the rehabilitation of the Water Department building: \$100,000 from Fund Balance Historic and the remainder, \$326,500, from Fund Balance Undesignated;
- \$50,000 from Fund Balance Historic for the restoration of Moose Hill Cemetery; and
- \$53,642 from Fund Balance Housing for exterior siding at the Sharon Housing Authority.

VOTED TO ADJOURN: That the meeting adjourn and to reconvene on Tuesday evening, May 2, 2023 Sharon High School Auditorium at 7:00 P.M.

MOTION CARRIED DECLARED BY MODERATOR.

THE MEETING ADJOURNED AT 10:53 P.M.

Attendance: 623

**ANNUAL TOWN MEETING
MAY 1, 2023**

The Annual Town Meeting of May 1, 2023 was adjourned at 10:53 P.M. to reconvene at the Sharon High School Auditorium on Pond Street on Tuesday, May 2, 2023 at 7:00 P.M. then and there to act on all unfinished business in the Annual Town Meeting Warrant of 2023.

ADJOURNED ANNUAL TOWN MEETING

MAY 2, 2023

VOTED UNANIMOUSLY: To reconvene the Annual Town Meeting today May 2, 2023 at 7:10 P.M.

ARTICLE 18. – MOTION FOR RECONSIDERATION

VOTED UNANIMOUSLY: That Article 18 be reconsidered due to a material change regarding the limitation on the amounts of money that may be appropriated.

ARTICLE 18.

VOTED UNANIMOUSLY: That the Town hear and act upon the recommendation of the Community Preservation Committee as follows: By raising and appropriating the sum of \$20,000 of the Town's portion of the expected Fiscal Year 2024 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. Chapter 44B, § 6 and amendments thereof; authorize the Community Preservation appropriate and/or reserve from Fiscal Year 2024 Community Preservation Fund Estimated Revenues the following: \$361,950 for Open Space/Recreation debt service, \$91,000 for Historic Preservation – Reservation and \$91,000 for Community Housing – Reservation.

That the following amounts be appropriated from Community Preservation Fund Balances, with each item considered a separate appropriation:

- \$80,000 from Fund Balance Undesignated for Lake Massapoag weed and bacteria hazard mitigation;
- \$426,500 for the rehabilitation of the Water Department building: \$100,000 from Fund Balance Historic and the remainder, \$326,500, from Fund Balance Undesignated;
- \$50,000 from Fund Balance Historic for the restoration of Moose Hill Cemetery; and
- \$53,642 from Fund Balance Housing for exterior siding at the Sharon Housing Authority.

ARTICLE 19.

VOTED: That the Town authorize the Select Board to submit to the General Court a special act providing for an increase in the number of members of the Select Board from three (3) to five (5), all as set forth on page 40 of the Warrant for this Annual Town Meeting; provided, however that the General Court may make clerical or editorial decisions of form only to such bill, unless the Select Board approves amendments to the bill prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this article.

An Act Regarding the Select Board of the Town of Sharon

SECTION 1. Notwithstanding any general or special law to the contrary, there shall be in the town of Sharon a Select Board consisting of five (5) members. The Select Board shall serve as the chief executive officer and policymaking body of the town and have and exercise all the powers and duties vested in boards of selectmen pursuant to the General Laws. Select Board members shall serve for three-year terms with as nearly as possible one-third of the members expiring each year, with no more than two Select Board members' terms to run concurrently.

SECTION 2. At the next annual town election following at least 90 days after the passage date of this act in the General Court, Sections 1, 2 and 3 of this act shall be submitted to the voters of the town of Sharon for acceptance at an annual town election to be held in said town in the form of the following question which shall be placed on the official ballot:

“Shall an act passed by the General Court entitled ‘An Act expanding the Select Board of the town of Sharon be accepted?’”

Below the question shall appear a summary of the act prepared by Town Counsel and approved by the Select Board. If a majority of the votes cast to the question is in the affirmative, sections 1, 2 and 3 of this act shall take effect in the town of Sharon, but not otherwise.

SECTION 3. At the first annual town election after the effective date of this act in the Town of Sharon, one Select Board member in addition to the three members presently serving shall be elected for a three-year term and one additional Select Board member shall be elected for a two-year term. The terms of those members presently serving as Select Board members at the time of the adoption of this act shall be unchanged by adoption of this act.

SECTION 4. This act shall take effect upon its passage.

A STANDING VOTE. 110 IN THE AFFIRMATIVE, 57 IN THE NEGATIVE.

ARTICLE 20.

MOTION: That the Town delete Article IV Standing Building Committee, Section 12-11. Establishment; membership; terms, in its entirety and replace it with the language exactly as printed on page 42 through 43 of the Warrant for this Annual Town Meeting, with the exception of the phrase “or take any other action related thereto” and amend Article IV Standing Building Committee, and §12-14 Appropriation and expenditure of funds, of the Town’s General By-Laws so that the By-Law reads as follows:

§12-14 Appropriation and expenditure of funds.

- A. For projects as defined in § 12-13 for which the Town proposes to expend up to \$1,000,000, funds for the design and construction of a project shall be appropriated to and expended under the direction of the board or committee proposing the project; however, the Standing Building Committee may supervise the construction of said projects at the request of the proposing board or committee.

For all projects as defined in § 12-13 for which the Town proposes to expend in excess of \$1,000,000, the Standing Building Committee shall exercise its responsibilities as set forth in § 12-12, above.

MOTION TO AMEND: To substitute the first paragraph of Section 12-11 so it reads as follows:

§12-11 Establishment; membership; terms There is hereby established within the Town of Sharon a Committee to be known as the “Sharon Standing Building Committee,” to be made up of ten (10) regular members. All regular members shall be for terms of three (3) years expiring on December 31 with as nearly as possible one-third of the regular members; terms expiring each year. The terms of those regular members presently serving on the Sharon Standing Building Committee at the time of the adoption of this Article shall be unchanged. In addition, (i) one (1) special member shall be appointed to the Sharon Standing Building Committee by each board or committee which has proposed a project for which the Town assigns said project to the Sharon Standing Building Committee to exercise its responsibilities as set forth in section 12-12, and (ii) if the Town assigns a project to the Sharon Standing Building Committee to exercise its responsibilities as set forth in section 12-12 and such project is required to comply with the Americans with Disabilities Act of 1990, as amended, one (1) special member shall be appointed to the Sharon Standing Building Committee by the Commission on Disabilities, which special member shall either be a current member of the Commission on Disabilities or a designee selected by the Commission on Disabilities. Each special member appointed pursuant to the immediately preceding sentence shall serve for the duration of the project, and shall have duties and responsibilities with respect to that project only. The Sharon Standing Building Committee will hold an organizational meeting each January only after the Standing Building Committee Selection Committee meets and considers appointment of seats expiring each December 31.

CARRIED. MAJORITY VOTE DECLARED BY MODERATOR.

VOTED: That the Town vote to delete Article IV Standing Building Committee, Section 12-11. Establishment; membership; terms, in its entirety and replace it with the below;

§12-11 Establishment; membership; terms There is hereby established within the Town of Sharon a Committee to be known as the “Sharon Standing Building Committee,” to be made up of ten (10) regular members. All regular members shall be for terms of three (3) years expiring on December 31 with as nearly as possible one-third of the regular members; terms expiring each year. The terms of those regular members presently serving on the Sharon Standing Building Committee at the time of the adoption of this Article shall be unchanged. In addition, (i) one (1) special member shall be appointed to the Sharon Standing Building Committee by each board or committee which has proposed a project for which the Town assigns said project to the Sharon Standing Building Committee to exercise its responsibilities as set forth in section 12-12, and (ii) if the Town assigns a project to the Sharon Standing Building Committee to exercise its responsibilities as set forth in section 12-12 and such project is required to comply with the Americans with Disabilities Act of 1990, as amended, one (1) special member shall be appointed to the Sharon Standing Building Committee by the Commission on Disabilities, which special member shall either be a current member of the Commission on Disabilities or a designee selected by the Commission on Disabilities. Each special member appointed pursuant to the immediately preceding sentence shall serve for the duration of the project, and shall have duties and responsibilities with respect to that project only. The Sharon Standing Building Committee will hold an organizational meeting each January only after the Standing Building Committee Selection Committee meets and considers appointment of seats expiring each December 31.

The ten (10) regular members shall be appointed by a selection committee to be known as the Standing Building Committee Selection Committee (SBCSC) which shall be comprised of one (1) member or designee voted by the School Committee, one (1) member or designee voted by the Select Board, one (1) member or designee voted by the Planning Board, one (1) member or designee voted by the Finance Committee, and one (1) member appointed by the Moderator, all for one year terms starting July 1 and expiring June 30. Current members of the Sharon Standing Building Committee are ineligible for appointment to the SBCSC. The Sharon Standing Building Committee shall appoint one additional SBCSC member as an ex officio, advisory member of the SBCSC without a right to vote.

and, further, to amend Article IV Standing Building Committee, and §12-14 Appropriation and expenditure of funds, of the Town’s General By-Laws so that the By-Law reads as follows (Bold and underline denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language)

§12-14 Appropriation and expenditure of funds.

- A. For projects as defined in § 12-13 for which the Town proposes to ~~[incur bonded debt up to \$500,000]~~ **expend up to \$1,000,000**, funds for the design and construction of a project shall be appropriated to and expended under the direction of the board or committee proposing the project; however, the Standing Building Committee may supervise the construction of said projects at the request of the proposing board or committee.
- B. For all projects as defined in § 12-13 for which the Town proposes to **expend in excess of \$1,000,000** ~~[incur bonded debt in excess of \$500,000]~~, the Standing Building Committee shall exercise its responsibilities as set forth in § 12-12, above.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 21.

VOTED: That the Town amend Article III Finance Committee, §12-6 Nominations; composition; terms; §12-7 Meetings; filling of vacancies; §12-8 Information to Committee; §12-9 Review of Town Meeting Warrant; §12-10 Notice of Selection of the Town's General By-Laws so that the By-Law reads exactly as printed on pages 44 through 46 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough and italicized language and the words "or take any other action related thereto" **and replacing Sec. 12-7 in its entirety to read as follows:**

The Finance Committee shall meet at the call of the Town Clerk within two (2) weeks after each Annual Town Meeting for purposes of organization and the election of a Chairperson, Vice-Chairperson or -persons and a Clerk. In the event the Town Clerk fails to issue the call, any member of the Finance Committee may do so. The Committee shall meet thereafter from time to time, as it deems advisable, and shall keep a true record of all proceedings, **and otherwise shall in all respects be in compliance with the provisions of the open meeting laws.**

The Finance Committee shall have the power to fill vacancies on the Committee by vote, such candidates to be presented by the Nominating Committee, an attested copy of which shall be sent by the Clerk of the Committee to the Town Clerk. Any member so appointed by the Finance Committee shall serve thereon until the next Annual Town Meeting.

and by adding to Sec. 12-9 the word "who" to be inserted at the beginning of the last line of sub-section B.4.

That the Town vote to amend Article III Finance Committee, §12-6 Nominations; composition; terms; §12-7 Meetings; filling of vacancies; §12-8 Information to Committee; §12-9 Review of Town Meeting Warrant; §12-10 Notice of Selection of the Town's General By-Laws so that the By-Law reads as follows (Bold and underline denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language);

§ 12-6. Nomination; Composition; Terms

- A. It shall be the duty of the Moderator to present to the voters for approval or other appropriate action at each annual Town Meeting the names of five (5) voters who will act as a Nominating Committee for filling expiring terms and vacancies of the Finance Committee during the ensuing year. The Moderator may fill any vacancy on the Nominating Committee created by the resignation of a member prior to the expiration of ~~[his or her]~~ **their** term. **The Moderator shall not present to Town Meeting or fill any vacancy with a then-serving member of the Finance Committee. At its organization meeting held after Annual Town Meeting each year, the Finance Committee shall vote to appoint an ex officio, non-voting, advisory member of the Nominating Committee. Any Finance Committee member whose term is expiring during the ensuing year shall not be eligible to serve.**
- B. **After being so constituted, the Nominating Committee shall solicit and consider all submitted application to serve on the Finance Committee. At the next Annual Town Meeting, the Nominating Committee shall present nominees to the voters for approval or other appropriate action to fill some or all of the expiring terms and vacancies on the Finance Committee.**

- C. The Finance Committee shall consist of **eleven (11)** ~~[not less than six and not more than 12]~~ registered voters of the Town. Members of the Finance Committee shall serve staggered three-year (3) terms such that the terms of approximately **one-third** (1/3) of the members shall expire after each Annual Town Meeting. **Members shall serve without pay.**

§ 12-7. Meetings; filling of vacancies. The Finance Committee shall meet at the call of the Town Clerk within two (2) weeks after each Annual Town Meeting for purposes of organization and the election of a Chairperson, Vice-Chairperson or -persons and a Clerk. In the event the Town Clerk fails to issue the call, any member of the Finance Committee may do so. The Committee shall meet thereafter from time to time, as it deems advisable, and shall keep a true record of all proceedings. The Finance Committee shall have the power to fill vacancies on the Committee by vote, such candidates to be presented by the Nominating Committee, an attested copy of which shall be sent by the Clerk of the Committee to the Town Clerk. Any member so appointed by the Finance Committee shall serve thereon until the next Annual Town Meeting.

§12-8. Information to Committee.

It shall be the duty of the Finance Committee to inform themselves as to those affairs and interests of the Town, **in particular budgets and those other matters to be** ~~[which is]~~ generally included in the warrants for ~~[its]~~ **the Annual Town Meeting or any Special** Town Meetings.

In gathering information to report to voters, relative to an article, the Finance Committee shall meet with the party or parties that proposed the article and concurrently with others who want to comment thereon. ~~[and the]~~ Officers of the Town shall, upon ~~[their]~~ request, furnish the Finance Committee with facts, figures, and any other information pertaining to their ~~[several]~~ departments ~~[;provided however, that any such information may be withheld when]~~. **If in their opinion [of] the officer, or board of officers [so requested], believe that [the] open communication of any requested information [might] may affect injuriously the interests of the Town, said opinion shall be communicated to the Chair of the Finance Committee. The contents of said information may then be discussed, if appropriate, in an executive session, convened and conducted pursuant to the Massachusetts Open Meeting Law, at a meeting of the Finance Committee.**

§ 12-9. Review of Town Meeting Warrant; Reports.

- A. The Finance Committee shall consider all articles in the warrant for all Town Meetings (including, with respect to each member of the Finance Committee, the articles in the warrant for the Annual Town Meeting after which such member's term expires) and shall report in print ~~[prior] to [all such]~~ **the** Town Meeting[s] ~~[the Committee's estimates and recommendations for the]~~ **recommended actions it deems to be in the best interests of the Town,** together with the **Finance** Committee's reasons therefor. The **Finance** Committee shall cause such report to be mailed or otherwise delivered to every residence at least seven **(7)** days before each Town Meeting.
- B. The Finance Committee shall prepare the following schedules, with appropriate input from the Board of Assessors, **Finance Director, and Capital Outlay Committee** for inclusion in the warrant of each Annual Town Meeting.
- 1) A comparative computation of the tax rate showing the actual computation for the then-current year and the estimated calculation for the next year;
 - 2) A comparative schedule of receipts and available funds for the same periods as above;
 - 3) A schedule of reserve fund transfers; **and,**

- 4) A schedule of five-year capital improvement program for the Town, which shall include the construction and reconstruction of capital assets (such as municipal buildings, recreational facilities, roads and landfills) and acquisition of land, equipment and vehicles and other personal property, and shall make recommendations to the appropriate authorities proposed such improvements.
- C. If the Finance Committee's report on any article exceeds fifty (50) words in length, excepting an article which requests approval of the Town's itemized, omnibus operating budget or capital items budget for the ensuing fiscal year, then that report on said article shall include a summary of reasons favoring the article that were considered by the Finance Committee in its deliberations and a separate summary of reasons disfavoring the article that were considered by the Finance Committee in its deliberations.
- D. The Finance Committee shall also make an annual report which shall be published as part of the Annual Town Report. The report shall include recommended initiatives regarding the finances of the Town and actions the Committee deems to be necessary and appropriate.

§ 12-10. Notice of Selection.

It shall be the duty of the Town Clerk to immediately notify in writing persons elected or appointed to the Finance Committee pursuant to the above provisions, such notice to state the business upon which members of the Finance Committee are to act.

MAJORITY VOTE DECLARED BY MODERATOR

ARTICLE 22.

VOTED UNANIMOUSLY: That the Town transfer the following land described below, from the board or department that currently has custody of such land and held for their current purposes to the same custodial board or department and to the Select Board to be held for their current purpose and for the purpose of leasing portions of such land for the installation of solar photovoltaic energy facilities, and a battery energy system as appropriate, to SOLECT and supplying solar energy, for a term commencing upon execution and continuing through a period not to exceed thirty (30) years after the date on which such facilities achieve commercial operations, and on such other terms and conditions, and for such consideration, as the Select Board and/or the board or department that currently has custody of such land deems appropriate; and, further, to authorize the Select Board and/or the board or department that currently has custody of such land to enter into such leases and/or to grant such access, utility, and other easements in, on, and under said land as may be necessary or convenient to construct, operate and maintain such solar photovoltaic energy facilities and any battery energy system and supply solar energy and authorize the Select Board and/or the board or department that currently has custody of such land to take any action and execute any documents necessary or appropriate to accomplish the foregoing;

And further authorize the Select Board and/or the board or department that currently has custody of such land, pursuant to G.L. c. 59, § 38H, to negotiate and enter into power purchase agreements, payment in lieu of tax agreements with the lessee/operator of the solar photovoltaic energy facility and any battery energy system, to be developed at such properties, and any other documents and agreements related thereto, upon such terms and conditions as the Select Board and/or the board or department that currently has custody of such land shall deem to be appropriate.

Middle School Parking Lot, 75 Mountain Street
DPW Parking Lot, 217R South Main Street
DPW Rooftop, 217R South Main Street

ARTICLE 23.

VOTED: That the Town amend Section 12-20 of the General By-Laws of the Town of Sharon in order to change the length of term of an elected Planning Board member from five (5) years to three (3) years, as provided for in MGL c. 41, §81A by deleting the existing Section 12-20 in its entirety and replacing it with the below:

§12-20 Establishment; authority; terms

A Planning Board is established under the provisions of MGL c. 41, § 81A, with all the powers and duties therein and in any existing bylaws of the Town, to consist of five members to be elected as follows: duly elected or appointed, and current, Planning Board members shall fulfill their existing five (5) year terms, and any Planning Board member elected after the adoption of this article will serve a three (3) year term, and so arranged that the term of at least one member, but not more than two members, will expire each year. Any appointments to the Planning Board for a vacated seat shall fulfill the term of the seat vacated.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 24.

MOTION: That the Town delete the Personnel By-Law of the Town of Sharon in its entirety.
NOT CARRIED.

ARTICLE 25. PART 1 – INDIGENOUS PEOPLES’ DAY

MOTION: That the Town amend Section 7-3 h) of the Personnel By-Law by renaming “Columbus Day” to “Indigenous Peoples’ Day”.

**MOTION: TO CALL THE QUESTION. CARRIED. MAJORITY VOTE
DECLARED BY MODERATOR**

VOTED: That the Town amend Section 7-3 h) of the Personnel By-Law by renaming “Columbus Day” to “Indigenous Peoples’ Day”.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 25. PART 2 – JUNETEENTH INDEPENDENCE DAY

VOTED UNANIMOUSLY: That the Town amend Section 7-3 h) of the Personnel By-Law by adding “Juneteenth Independence Day”.

ARTICLE 26. Amend Zoning By-Law: Add Short-Term Rental By-Law

VOTED: That the Town amend the Zoning By-Laws of the Town of Sharon by inserting a new section into the Zoning By-Laws regarding short-term rentals, exactly as printed on the sheet provided to voters at this at this Annual Town Meeting excepting the bracketed struck through and italicized language and the words, “or take any other action relative thereto.”

That the Town amend the Zoning By-Laws of the Town of Sharon by inserting a new section into the Zoning By-Laws regarding short-term rentals, exactly as printed on pages 56 through 62 of the Warrant for this Annual Town Meeting, with the exception of the following changes (bold and underlined text denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language as compared to the text printed in the Warrant).

3.5.2 Short-term rental registration. Registration is required.

1. No owner shall rent, or offer to rent, any Short-Term Rental **for more than fourteen (14) days in any twelve (12) month period** before registering with the Sharon Building Department. No tenant or lessee of an Owner shall let or sub-let a Short-Term Rental unless the Owner consents in writing.

4. **Registration; renewal.** The Sharon Building Department **may** ~~*[shall]*~~, per the above sections, issue a certificate of registration which shall expire on the following September 1, provided that the certificate shall be renewed every **year**. ~~*[three years. 5. Registration Renewal.]*~~ Short-term rental registrations **may** ~~*[shall]*~~ be renewed every ~~*[three years]*~~ **year** and include submission of a new application and payment of the renewal fee, prior to scheduled inspection by the Sharon Building, Health and Fire Departments.

- ~~*[6. Fees. The fee for a Short term rental registration or a renewal of a registration shall be \$200.]*~~
- ~~*[7.]*~~ 5. Non-Transferability. Short-term rental registrations shall be granted solely to an Owner and shall not be transferable or assigned to any other person, legal entity, or address. The registration does not run with the property; it shall be terminated upon the sale or transfer of the property for which the registration has been issued.

3.5.4 Contact information of owner, operator, and/or operator’s agent.

3. The name and contact information of the Operator must be provided, along with the name and contact information of an Operator’s Agent, if different from the Operator, who can respond in person to any issues or emergencies that arise during occupancy within one (1) hour of ~~*[contact by Sharon Inspector Building to]*~~ **the** complaint/s/ regarding the condition or operation of the Short-term Rental. Contact information must include a telephone number that is available 24 hours per day, 7 days a week to Short-term Rental Occupants and the above-stated public safety agencies. This contact information shall be included in the

application for a Short-term Rental Registration and shall be posted conspicuously within the rental unit.

3.5.11 Inspections. Short-term Rentals shall be subject to a mandatory initial inspection and thereafter inspections every ~~[three-(3)]~~ year[s] by the Sharon Inspector of Buildings, Fire Department, Health Department, or other duly authorized authority from the Town.

3.5.12 delete sections 8 and 9 and replace as follows, with section 10 and 11 renumbered as sections 9 and 10

8. Right to Appeal. A person upon whom a notice of violation has been served may appeal the decision of the Inspector of Buildings for a decision from the Zoning Board of Appeals, which hearing shall be conducted and such decision shall be rendered in accordance with the applicable provisions of sections 8, 11 and 15 of Chapter 40A of the General Laws, as the same may be amended from time to time

3.5.13 Registration suspension, modification, and revocation. In addition to, and not in lieu of, the ~~finest~~ ~~[penalties]~~ that may be assessed pursuant to this chapter, the Sharon Inspector of Buildings, after notice and public hearing, may suspend, revoke or modify any or all registration approvals issued hereunder to an Owner for violation of these regulations or of any conditions imposed by the Sharon Inspector of Buildings, notwithstanding that a violation may have been found with respect to one or more, but not all of the registered properties held by an owner. These remedies shall be non-exclusive.

3.5.17 Regulations. The Sharon ~~[Inspector of Buildings]~~ **Select Board** may adopt regulations, policies and procedures for the implementation of this Section.

Definitions to add to Section 11: Definitions

Short-term rentals: For the purposes of Section 3.5, the following definitions shall apply:

Bed and breakfast: A bed and breakfast establishment is a private owner-occupied house where ~~four~~ **(4)** or more rooms are rented, a breakfast is included in the rent and all accommodations are reserved in advance. A bed and breakfast establishment, as defined above, requires registration with **Massachusetts Department of Revenue (DOR)**. A bed and breakfast home is defined as a private owner-occupied house where not more than ~~three~~ **(3)** rooms are rented, a breakfast is included in the rent and all accommodations are reserved in advance. A bed and breakfast home is not subject to ~~[tax]~~ **any additional taxes beyond those otherwise applicable to real estate**. Registration with DOR is not required.

EXPLANATION/RATIONALE:

The proposed amended language is recommended by Town officials responsible for administering the by-law to maintain consistency with other regulations and has been reviewed by town counsel for consistency with state law:

- 1) **3.5.2.** The frequency of registration renewal and inspection is changed from three (3) years to one (1) year to correspond to existing state law and regulations requiring registration of short-term rental units used more than fourteen (14) days in a twelve (12) month period, as well as annual fire code requirements and Board of Health inspection requirements. Sections

4 and 5 are merged. Section 6 (fee schedule) is removed from the proposed by-law so it can be set and amended from time to time by the Select Board acting as the regulatory authority. Section 7 is renumbered accordingly as Section 5.

- 2) **3.5.11.** Removed building inspector as the single point of contact for emergencies and complaints, thereby allowing the complaint to be referred to the appropriate department for response.
- 3) **3.5.12.** Change aligns the by-law with state law which proscribes the appeal procedure.
- 4) **3.5.17.** A board or committee may be granted the authority to promulgate regulations, not an administrative employee.
- 5) Definition of bed and breakfast shows editorial changes and clarifies tax obligations.

3.5 SHORT-TERM RENTALS.

3.5.1 Purpose. The purpose of this chapter is to protect the health, safety, and welfare of both the occupant(s) of short-term rental housing units and the general public and to maintain the quality of life in residential neighborhoods. Furthermore, this bylaw is intended to provide for the orderly operation of short-term rentals within the Town and prevent negative impacts on neighborhood character, housing availability, house prices, availability of long-term rental units, and impacts on infrastructure services such as septic systems, parking, access, fire codes, building code enforcement and snow removal. These regulations are also intended to assist the Board of Health, the Building Department, and the Fire Department in the enforcement of state and local health and safety laws and regulations related to short-term rental units and to provide a method for correcting violations when conditions require immediate attention in situations associated with Short-Term Rentals.

3.5.2 Short-term rental registration. Registration is required.

1. No owner shall rent, or offer to rent, any Short-Term Rental before registering with the Sharon Building Department. No tenant or lessee of an Owner shall let or sub-let a Short-Term Rental unless the Owner consents in writing.

a. Where a Short-Term Rental Unit is part of a condominium association, the applicant must be able to provide a signed statement that states that the operation of a Short-Term Rental is not prohibited by condominium documents, bylaws, or other governing documents. The applicant must also submit a copy of the condo agreement to prove their claim.

2. **Compliance.** A dwelling used as a Short-term Rental shall at all times comply with the provisions of all state and local health and safety laws, bylaws and regulations, including, but not limited to; Chapter 190 Noise, the Fair Housing Act, G.L. c. 151B, and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings, except as specifically set forth otherwise herein.

3. **Application Required.** The Owner of the dwelling shall be required to complete a Sharon Short-Term Rental registration application with the Sharon Building Department. The Applicant shall also provide proof each Short-Term Rental is registered with the Massachusetts Department of Revenue.

4. The Sharon Building Department shall, per the above sections, issue a certificate of registration which shall expire on the following September 1, provided that the certificate shall be renewed every three years.

5. Registration Renewal. Short-term rental registrations shall be renewed every three years and include submission of a new application and payment of the renewal fee, prior to scheduled inspection by the Sharon Building, Health and Fire Departments.

6. Fees. The fee for a Short-term rental registration or a renewal of a registration shall be \$200.

7. Non-Transferability. Short-term rental registrations shall be granted solely to an Owner and shall not be transferable or assigned to any other person, legal entity, or address. The registration does not run with the property; it shall be terminated upon the sale or transfer of the property for which the registration has been issued.

3.5.3 Publication of registration number. The Town-issued registration number shall be included on any listing offering the Short-term Rental for rent and displayed on the certificate of registration on the premises.

3.5.4 Contact information of owner, operator, and/or operator's agent.

1. An Owner of a Short-term Rental shall provide the Sharon Building Department with their current residential address and telephone number upon application for Registration.

2. If the Owner is a corporation, the name, address, and telephone number of the president and legal representative of the corporation shall be provided. If the Owner is a realty trust or partnership, the name, address, and telephone numbers of the managing trustee or partner shall be provided.

3. The name and contact information of the Operator must be provided, along with the name and contact information of an Operator's Agent, if different from the Operator, who can respond in person to any issues or emergencies that arise during occupancy within one (1) hour of contact by Sharon Inspector of Buildings to complaints regarding the condition or operation of the Short-term Rental. Contact information must include a telephone number that is available 24 hours per day, 7 days a week to Short-term Rental Occupants and the above-stated public safety agencies. This contact information shall be included in the application for a Short-term Rental Registration and shall be posted conspicuously within the rental unit.

3.5.5 Posting of notices. The Town shall provide information to each registered Operator summarizing the regulations for Short-term rentals. For each Short-term Rental Registration issued, this will include, but shall not be limited to: the name and 24-hour contact information of the Operator or Operator's Agent designated in the application, requirements for trash removal, occupancy requirements, parking, and noise restrictions. The Operator shall:

1. Provide each occupant with a copy of the provided information; and

2. Post the information, along with the Short-term Rental Registration, in a conspicuous location within the Short-term Rental.

3. Post a diagram indicating the location of all fire extinguishers, gas shut-off valves, fire exits, and fire alarms inside the Short-term Rental Unit, as well as in the building, and evacuation route(s) highlighted in red. The diagram shall be posted in a conspicuous location.

3.5.6 Specific standards of short-term rental properties.

1. Trash Removal. The Short-term Rental Operator shall be responsible for ensuring that household trash is removed from the premises immediately after Occupancy is concluded or once per week, whichever is more frequent.

2. Parking. On-site parking of one space per Short-term Rental bedroom.

3. Commercial meetings and uses are prohibited in Short-term Rentals.

4. Each Short-term Rental shall contain functional smoke detectors and carbon monoxide alarms. In addition, the Operator shall provide and maintain one 2.5 lb. multi-purpose, ABC fire extinguisher on each floor.

3.5.7 Occupancy requirements. The maximum number of Occupants in a Short-Term Rental shall be two per bedroom.

3.5.8 Keeping of register. The Operator or Operator's Agent shall be responsible for keeping a register containing the name of the Occupant who is the leaseholder, the total number of occupants, and dates of occupancy. The register shall be retained for a period of two (2) years.

3.5.9 Ineligible units. The following are not eligible to be rented or offered to rent as Short-term Rentals:

1. Dwellings designated as below market rate or income-restricted, that are subject to affordability covenants, or that are otherwise subject to housing or rental assistance under local, state, or federal law;

2. Accessory Dwelling Units;

3. Dwellings subject to any requirement of local, state, or federal law that prohibits the leasing or subleasing of the unit or use of the unit as a Short-Term Rental;

4. Dwellings that are the subject of any outstanding building, sanitary, zoning, or fire code violations, orders of abatement, stop work orders, unsafe orders, or cease and desist orders.

5. Units in arrears regarding any municipal or state taxes, fines, or fees.

6. Recreational vehicles (RVs).

7. Boats and boathouses.

8. Tiny homes that are built on a mobile platform or that are not the primary structure in the lot.

9. Any other dwelling that is not the primary structure.

3.5.10 Failure to pay municipal taxes, fees, assessments, and charges. The privilege of receiving or holding a Short-term Rental Registration is contingent upon the timely payment of municipal and district taxes, fees, assessments, and charges. Failure of a Person to comply with this requirement shall be the

cause, after notice and hearing pursuant to the requirements of M.G.L. c. 40, § 57, for denial, suspension, amendment, or revocation of a Short-Term Rental Registration for any property in which the person holds a direct or indirect ownership interest, as above defined.

3.5.11 Inspections. Short-term Rentals shall be subject to a mandatory initial inspection and thereafter inspections every three (3) years by the Sharon Inspector of Buildings, Fire Department, Health Department, or other duly authorized authority from the Town.

3.5.12 Complaint process, violations.

1. Complaint. A complaint alleging that a Short-term Rental violates this Chapter or any applicable law, code, or regulation may be filed with the Sharon Inspector of Buildings. The complaint must contain the Short-term Rental address, unit number, date and nature of the alleged violation(s), and name and contact information of the complainant.

a. Noise complaints and parking issues will be addressed on a case-by-case basis by the Sharon Police Department.

b. Any complaints made to the Sharon Police Department shall be shared with the Inspector of Buildings upon request.

2. Written notice of any violations of this chapter shall be treated as a complaint and may also be initiated by the Inspector of Buildings. The notice shall specify the nature of the violation to the Occupant and Owner and the time within which compliance must be achieved. The requirements of this subsection shall be satisfied by mailing such notice, through the United States Postal Service by certified mail, or by delivering in hand such notice as memorialized by an affidavit of any Town employee or officer authorized to serve any form of process notice to the Owner or legal representative named on the registration application.

3. Any notice required or contemplated by this chapter shall be deemed sufficient if delivered to or mailed to the mailing address listed by the owner on the Short-term Rental Registration application then on file with the Sharon Building Department. A written change-of-address notice signed by the Owner/s and delivered to the Sharon Building Department may be filed at any time.

4. Review of Complaint. The Inspector of Buildings shall investigate the complaint(s) within a reasonable timeframe and shall determine whether there may be a violation. If the alleged violation is under the jurisdiction of another city or state or federal agency, the Inspector of Buildings shall refer the complaint to such agency for further action. Upon a finding of a potential violation, the Inspector of Buildings or designee shall serve notice of the violation upon the Owner of the Short-term Rental. The Inspector of Buildings shall keep records of all complaints received and determinations made.

5. Offering an Ineligible Unit as a Short-term Rental. Any person who offers a unit as a Short-term Rental, where such unit is not an eligible Dwelling Unit or is not registered, may be fined in accordance with the fine schedule herein on a per violation per day basis. Each day's failure to comply with a notice of violation or any other order shall constitute a separate violation. The Inspector of Buildings or a designee may also seek an injunction from a court of competent jurisdiction prohibiting the offering of the unit as a Short-term Rental.

6. Failure to Obtain a Registration. Any person who offers an eligible Dwelling Unit as a Short-term Rental without a valid Short-term Rental Registration, or any person who offers an eligible Dwelling Unit as a Short-term Rental while the unit's registration is suspended, may be fined in accordance with the fine schedule herein on a per violation per day basis. Each day's failure to comply with a notice of violation or any other order shall constitute a separate violation.

7. Failure to Comply with Notice of Violation. Any person who fails to comply with any notice of violation or other order issued pursuant to this section by the Commissioner or a designee for a violation of any provision of this section may be fined in accordance with the fine schedule herein on a per violation per day basis. Each day's failure to comply with a notice of violation or any other order shall constitute a separate violation.

8. Right to Hearing. A person upon whom a notice of violation has been served may request a hearing by filing a written petition requesting a hearing on the matter with the Sharon Building Department within fourteen days after the day the notice of violation was served. Upon receipt of a petition for a hearing, the Inspector of Buildings shall notify the complainant of the place, date, and time of the hearing. The hearing shall be conducted by the Zoning Board of Appeals and shall occur no later than six (6) weeks after the date the Sharon Building Department receives the petition for hearing. The time period in which violations must be remedied shall be stated upon receipt of the petition for a hearing until such time as the hearing is held and the Zoning Board of Appeals has issued a decision.

9. Decision. Within seven (7) days after the conclusion of the hearing, the Inspector of Buildings or designee shall sustain, modify, or withdraw the notice of violation and shall inform the person upon whom a notice of violation has been served, in writing, of its decision and the reasons therefor. If the Sharon Building Department sustains or modifies the notice of violation, said violation shall be remedied within the time period allotted as issued or in the modification.

10. Violations of an unoccupied dwelling shall be corrected prior to occupancy. Violations found in an occupied dwelling shall be corrected within the time specified as determined by the Inspector of Buildings.

11. If a written petition for a hearing is not filed within fourteen (14) days after the notice of violation has been served, or if, after a hearing, the notice of violation has been sustained in any part, each day's failure to comply with the notice of violation within the time allotted as issued or modified shall constitute a separate violation.

3.5.13 Registration suspension, modification, and revocation. In addition to, and not in lieu of, the penalties that may be assessed pursuant to this chapter, the Sharon Inspector of Buildings, after notice and public hearing, may suspend, revoke or modify any or all registration approvals issued hereunder to an Owner for violation of these regulations or of any conditions imposed by the Sharon Inspector of Buildings, notwithstanding that a violation may have been found with respect to one or more, but not all of the registered properties held by an owner. These remedies shall be non-exclusive.

3.5.14 Judicial appeals. Any person aggrieved by a final decision of the Zoning Board of Appeals and Sharon Inspector of Buildings with respect to a notice of violation or any other order issued under this section may seek relief therefrom in any court of competent jurisdiction.

3.5.15 Penalties. If any Occupant, Operator, or Owner violates any provision of this chapter, the Owner may be subject to a fine in accordance with the following: \$300 1st Offense, \$500 2nd Offense, and each subsequent offense. Each day that a violation exists constitutes a separate offense.

3.5.16 Enforcement. The Town may enforce the provisions of this chapter by any or all of the following: the noncriminal disposition process of M.G.L. c. 40, s. 21D; by seeking to restrain a violation by injunction; and by filing a complaint in any court of competent jurisdiction.

3.5.17 Regulations. The Sharon Inspector of Buildings may adopt regulations, policies and procedures for the implementation of this Section.

3.5.18 Severability. Each provision of this Section shall be construed as separate. If any part of this Section shall be held invalid for any reason, the remainder shall continue in full force and effect. In the event of a conflict between this Section and any other Section or Chapter of the General Code of Sharon, this Section 3.5 shall control.

3.5.19 Annual reporting. The Town Administrator shall publish annually in the Town of Sharon Annual Report the statistical data relating to Short-term Rentals.

3.5.20 Room occupancy excise and community fees. Short-term rentals subject to the provisions of this bylaw are subject to the Room Occupancy Excise under G.L. c.64G and short-term rental community impact surcharge.

3.5.21 Liability. Nothing in this bylaw shall be construed to make the Town responsible for compliance with or enforcement of a lease, condominium by-laws, or other governing documents, or any contract or agreement to which the Town is not a party.

3.5.22 Requirements. Short-Term Rentals shall comply with all applicable federal, state, and local laws, regulations and codes.

And, further, to see if the Town will vote to amend Section 11 of the Zoning By-Laws of the Town of Sharon by adding the following applicable definitions applicable to Section 11.

Definitions to add to Section 11: Definitions

Short-term rentals: For the purposes of Section 3.5, the following definitions shall apply:

Bed and breakfast: A bed and breakfast establishment is a private owner-occupied house where 4 or more rooms are rented, a breakfast is included in the rent and all accommodations are reserved in advance. A bed and breakfast establishment, as defined above, requires registration with DOR. A bed and breakfast home is defined as a private owner-occupied house where not more than 3 rooms are rented, a breakfast is included in the rent and all accommodations are reserved in advance. A bed and breakfast home is not subject to tax. Registration with DOR is not required.

Building department: The Building Department of the Town of Sharon.

Commercial meetings: A meeting in which a group of people comes together to discuss business issues with the intent to make a profit, or any gathering in which the intent is the purchase or sale of goods or services which results in profit for one or all the involved parties.

Dwelling: Any building or area in a building used or intended for use for human habitation, including, but not limited to, apartments, condominiums, cottages, guesthouses, one-, two- or multiple-unit residential buildings, and rooming houses, but not including any licensed facility.

Front yard: The area between the roadway and the part of the structure nearest to the roadway.

Liability insurance: An owner must have liability insurance that complies with M.G.L. c. 175 § 4F.

Licensed facility: Any facility licensed under any state or local laws or regulations other than those registered under this chapter.

Occupant (guest): Any individual residing overnight in a short-term rental.

Occupant: Anyone residing overnight in a dwelling.

Operator (host): Any Person or entity operating a short-term rental.

Operator's agent: A Person who, on behalf of an operator of a short-term rental: (i) manages the operation or upkeep of a property offered for rent; or (ii) books reservations at a property offered for rent. An "operator's agent" shall include, but not be limited to, a property manager, property management company or real estate agent.

Owner: Any person who alone or severally with others has legal title to any dwelling, dwelling unit, rooming unit or parcel of land, vacant or otherwise; mortgagee in possession; or agent, trustee or other person appointed by the courts.

Person: Any individual, partnership, corporation, firm, association, or group including a governmental unit other than the Town of Sharon or any of its agencies.

Short-term rental: An occupied property that is not a hotel, motel, lodging house, or bed and breakfast establishment, where at least one room or unit is rented out by an operator through the use of advance reservations, for a fee, for a period of not more than thirty-one (31) consecutive calendar days. A short-term rental includes an apartment, house, cottage, and condominium. It does not include property that is rented out through tenancies at will or month-to-month leases. It also does not include time-share property or bed and breakfast homes (see definition of bed and breakfast). Massachusetts Department of Revenue (DOR) registration of short-term rentals is required.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 27.

MOTION: That the Town amend Section 8.1 the Zoning By-Laws of the Town of Sharon, regarding Accessory Dwelling Units exactly as printed on pages 63 through 65 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough and italicized language.

MOTION TO AMEND: Zoning By-Law: Accessory Dwelling Units as printed in the Warrant by changing only the following provision and leaving the rest of the motion unchanged:

Section 8.1.3 2:

2. An affidavit shall be provided stating that one of the two dwelling units shall be occupied by the owner of the property, except for bona fide temporary absence. **A second affidavit shall be provided stating that the dwelling unit not occupied by the owner shall be occupied by a person in the owner's family or a caregiver for the owner's family and also stating that the ADU will not be leased or rented.**

NOT CARRIED.

MOTION TO AMEND: The motion on Article 27 by adding the following language to the end of 8.1.3 Conditions

7. A Septic System Inspection as described in 310 CMR Subpart D: Inspection and Maintenance of Systems has been conducted by a state approved system inspector and the report has been submitted to the Board of Health or its agent and demonstrates that the system

- a) is operating properly
- b) meets the current requirements regarding depth to groundwater, and
- c) meets the current requirements for the design flow for the number of bedrooms that will be on the property. Bedroom shall be defined as defined by Chapter 300 Article 7 section 300-7.1 Definitions.

NOT CARRIED.

MOTION TO AMEND: Article 27 to strike the proposed language at the end of Section 8.1.3 Conditions, item number two (2) "and stating the ADU will not be leased or rented." Such that it reads as follows:

8.1.3 Conditions

2. An affidavit shall be provided stating that one of the two dwelling units shall be occupied by the owner of the property, except for bona fide temporary absence.

CARRIED. A STANDING VOTE. 77 IN THE AFFIRMATIVE, 47 IN THE NEGATIVE.

VOTED: That the Town vote to amend Section 8.1 the Zoning By-Laws of the Town of Sharon, regarding Accessory Dwelling Units, so that it reads as follows (Bold and underlined denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language):

8.1 ACCESSORY DWELLING UNITS (ADU).

8.1.1 ~~[Purpose]~~Definition of an ADU: ~~[The purpose of this Section is to:]~~ A secondary residential unit, complete with its own sleeping, cooking and sanitary facilities, that is attached or a part of the primary structure of a single-family dwelling unit, or a structure accessory thereto but functions as a separate unit.

- ~~1. [Provide small additional dwelling units to rent without adding to the number of buildings in the Town or substantially altering the appearance of the Town;~~
- ~~2. Provide alternative housing options for elder residents and small families; and~~
- ~~3. Enable owners of single family dwellings larger than required for their present needs to share space and the burdens of home ownership.]~~

8.1.2 Procedures. Accessory dwelling units may be allowed ~~[as-off]~~ **by-right** in ~~a[n]~~ ~~[existing]~~ principal dwelling or in ~~a[n]~~ ~~[existing]~~ detached structure on the same lot, provided that each of the following additional conditions are met **for a building permit.**

8.1.3 Conditions.

1. A plot plan of the ~~[existing]~~ dwelling unit and proposed accessory dwelling unit shall be submitted to the Inspector of Buildings, showing the location of the building on the lot, the proposed accessory dwelling unit, location of any septic system and required parking. ~~A [mortgage inspection survey shall be sufficient to meet this requirement]~~ **certified plot plan, stamped by a Professional Land Surveyor registered in the State of Massachusetts, is required.**
2. An affidavit shall be provided stating that one of the two dwelling units shall be occupied by the owner of the property, except for bona fide temporary absence, ~~[. A second affidavit shall be provided stating that the other dwelling unit shall be leased or occupied by a person in the owner's family or a caretaker for the owner's family. The principal dwelling unit and the ADU shall remain forever in the same ownership]~~
3. Not more than one accessory dwelling unit may be established on a lot. The accessory dwelling unit shall not be served by any separate utility meter.
4. The accessory dwelling unit shall not be larger in floor area than 50% of the habitable floor area of the principal dwelling, or 900 square feet, whichever is smaller.
5. **The proposed ADU must meet the district's primary structure zoning dimensional requirements, except conversion to an ADU of a free-standing accessory structure existing prior to May 2, 2022 will be subject to the dimensional requirements for an accessory structure. For any Structures existing prior to May 2, 2022, demolition,**

addition and reconstruction will be considered new construction subject to this by-law. ~~[The external appearance of the structure in which the accessory apartment is to be located shall not be significantly altered from the appearance of a single family structure or accessory structure thereto. "Significantly altered" shall mean no increase in gross floor area greater than 10% shall be allowed.]~~

6. All parking to be off-street on a designated driveway. There shall be not more than one driveway or curb cut providing access to the dwelling units, except for half circular or horseshoe driveways, located in the front of the primary dwelling unit. ~~[Sufficient and appropriate space for at least one (1) additional parking space, when necessary and feasible, shall be constructed on-site by the owner to serve the accessory dwelling unit. Said parking space shall be constructed of materials consistent with the existing driveway and shall have vehicular access to the driveway. Pervious payment is preferred.]~~

8.1.4 Decision. A building permit for an accessory dwelling unit may be granted by the Inspector of Buildings. Exterior appearance of a dwelling with an ADU shall be designed so that the appearance of the structure remains that of a single-family dwelling, subject to the following conditions and requirements:

1. All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling
2. Any new entrance shall be located on the side or in the rear of the dwelling
3. Where there are two or more existing entrances on the front facade of a dwelling, if modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other entrances appear to be secondary

8.1.5 Special Permits. Any deviation from the conditions set forth in Section 8.1.3 will require a special permit from the Zoning Board of Appeals. A special permit for an accessory dwelling unit may only be granted by the Zoning Board of Appeals upon a finding that the construction and occupancy of the accessory dwelling unit will not be detrimental to the neighborhood in which the subject property is located and after consideration of the factors set forth in Section 10.5 of this bylaw.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 28.

VOTED: That the Town vote to amend Section 7.7 the Zoning By-Laws of the Town of Sharon, regarding Solar Energy Systems, exactly as printed on pages 67 through 74 of the Warrant for this Annual Town Meeting, with the exception of the words "or take any other action related thereto."

7.7 SOLAR PHOTOVOLTAIC INSTALLATIONS.

7.7.1 Purpose. The purpose of this Section is to authorize and regulate solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations such that these standards address public safety, minimize impacts on scenic,

natural and historic resources. It is understood that the intent is to provide guidance to facilitate safe and successful installations with clear review standards and provide adequate financial assurance for the eventual decommissioning of such installations for municipal projects when deemed necessary by Section 7.7.19.

7.7.2 Applicability. This Section applies to all solar photovoltaic installations, as defined herein, proposed to be constructed after the effective date of this Section. This Section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

7.7.3 Definitions.

Solar Photovoltaic Installation (SPI): For the purposes of Section 7.7, the following definitions shall apply:

Ground-Mounted Solar Photovoltaic Installation (GSPI): All ground-mounted solar photovoltaic installations, including solar photovoltaic installations on new canopies constructed for the principal purpose of supporting such installation.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Solar Canopies: A Canopy is any device, fixed or retractable, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway, parking lot, building or other area or space whether that area or space is intended for pedestrians, vehicles or other purposes.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System, Ground-Mounted: A Solar Energy System that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale) and includes solar canopies.

Solar Energy System, Small-Scale: A Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less).

Solar Energy System, Medium-Scale: A Solar Energy System that occupies more than 1,750 but less than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 11 - 249 kW DC).

Solar Energy System, Large-Scale: A Solar Energy System that occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

Solar Energy System, Roof-Mounted: A Solar Energy System that is structurally mounted to the roof of a building or structure; may be of any size (small-, medium- or large-scale). Note that all Roof-Mounted Solar Energy Systems are allowed subject to full-compliance with all applicable State Building Code and local zoning regulations.

7.7.4 USE REGULATION TABLE

	Rural-1 Rural-2	Suburban 1, 2 Professional A, B	Single Res. A&B	Business A, B, C, D	Light Industrial	Municipal
PRINCIPAL USE						
Medium-Scale Ground-Mounted or Ground-Mounted Canopy Solar Energy System	SPR	SPR	SPR	SPR	Y	Y
Large-Scale Ground-Mounted or Ground-Mounted Canopy Solar Energy System	SPR	SPR	SPR	SPR	SPR	SPR
Roof-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y
ACCESSORY USE						
Roof-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y
Small-Scale Ground-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y
Medium-Scale Ground-Mounted or Canopy Solar Energy System	SPR	SPR	SPR	SPR	SPR	SPR
Large-Scale Ground-Mounted or Canopy Solar Energy System	SPR	SPR	SPR	SPR	SPR	SPR

Solar Use Tables: Y = Allowed N = Prohibited SPR = Site Plan Review

7.7.5 Dimensional and Density Requirements. The GSPI shall meet the dimensional requirements of this Section:

1. **Principal Structure Setback:** A principal structure GSPI shall be set back from the rear and side property lines consistent with the applicable regulations for the zoning district or districts it lies within. The front setback for solar canopies shall be equal to the height of the canopy for municipally-owned properties. All other GSPI's must meet the front setback requirements for principal uses in the zoning district they lie within.
2. **Accessory Structure Setback:** Accessory structure GSPIs shall be set back from the rear and side property lines consistent with the applicable regulations for the zoning district it lies within. Accessory structure GSPIs cannot be located in front of the primary structure on or within the required front setback for the zone it lies within, whichever is more restrictive, except on municipally-owned properties. The front setback for solar canopies shall be equal to the height of the canopy for municipally-owned properties. All such accessory structures, including but not limited to, equipment shelters, storage facilities, transformers, substations shall be architecturally compatible with each other and shall be landscaped and

screened from view by vegetation, located underground, or behind berms, and/or clustered to minimize visual impacts.

Height

1.0 Ground Mounted Solar: 20 feet for all GSPIs.

1.1 Exemptions

1.1.1 Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, broadcasting and television antennae and roof-mounted solar energy systems.

7.7.6 Compliance with Laws, By-laws and Regulations. The construction and operation of SPI shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, environmental, Wetlands Protection Act, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State and/or Local Building Code. No SPI shall be constructed, installed or modified without a building permit.

7.7.7 Site Plan Approval Required. Large and Medium SPI shall be constructed, installed, used and modified in conformity with a site plan approved by the Planning Board in accordance with Section 7.7.8 of this Bylaw and the further requirements set forth herein. All plans and maps shall be prepared, stamped and signed by a Professional Engineer and a Professional Land Surveyor, licensed to practice in the Commonwealth of Massachusetts.

7.7.8 Contents. The applicant shall provide a site plan containing the following information and all other information listed below:

1. Property lines and physical features, including structures and roads, for the project site signed and certified by a Professional Land Surveyor licensed to practice in the Commonwealth of Massachusetts.
2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, wetlands, and wetland buffers, Stormwater Pollution Prevention Plan (SWPPP), existing and proposed utilities, exterior lighting, site drainage, screening vegetation or structures.
3. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures.
4. The applicant provide the Planning Board with a copy of the application for an interconnection provided to the local distribution utility (Eversource or National Grid) and provide evidence of approval from the utility when granted. One- or three-line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all Massachusetts Electric Code (527 CMR 12.00) compliant disconnects and overcurrent devices.

5. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, battery energy storage system and inverter;
6. Name, address, and contact information for proposed system installer;
7. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any.
8. The name, contact information and signature of any agents representing the project proponent.
9. How land clearing and construction shall be performed in accordance with this By-law and the General By-laws governing storm water discharges, provision for handling toxic or hazardous materials, and post-construction storm water runoff, proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures. Note that land clearing requires a Stormwater Pollution Prevention Plan, as delineated in the General By-Laws of the Town of Sharon. If wetlands or resource areas are present on the lot, identification of resource area limits and associated buffers shall be required.
10. Documentation of actual or prospective access and control of the project site.
11. An operation and maintenance plan for the stormwater system, any infrastructure on the site and the overall site including landscaping, fencing and other site features.;
12. Zoning district designation and flood zone designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose).
13. Proof of liability insurance written by companies licensed to provide such insurance in Massachusetts and with coverage limits at commercially acceptable levels.
14. Description of financial surety that satisfies Section 7.7.19. It is understood that the intent is to provide guidance to facilitate safe and successful installations with clear review standards and provide adequate financial assurance for the eventual decommissioning of such installations for municipal projects.
15. Public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan approval notification procedures and otherwise inform abutters and the community.
16. No large-scale solar photovoltaic installation (SPI) 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's or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

17. 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.

The Planning Board may require additional information, data or evidence as it deems necessary pursuant to the site plan approval process, or may waive documentary requirements as it deems appropriate.

7.7.9 Professional Review. The Planning Board may engage, at the applicant's expense, professional and technical consultants, including legal counsel, to assist the Board with its review of the application, in accordance with the requirements of M.G.L. c. 44, s. 53G. The Board may direct the applicant to deposit funds with the Board for such review at the time the application is accepted, and to add additional funds as needed upon notice. Failure to comply with this section shall be good grounds for denying the application. Upon approval of the application, any excess amount in the account attributable to that project, including any interest accrued, shall be repaid to the applicant.

7.7.10 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 large or medium SPI.

7.7.11 Operation and Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the SPI, which shall include measures for maintaining safe access to the installation, storm water controls, snow removal, waste removal and general procedures for operational maintenance of the installation. Note that land clearing requires a Stormwater Pollution Prevention Plan, as delineated in the General By-Laws of the Town of Sharon.

7.7.12 Utility Notification. No large or medium-scale SPI shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the SPI owner's or operator's intent to install an interconnected customer owned generator. Off-grid systems shall be exempt from this requirement.

7.7.13 Performance Standards. The SPI shall meet the following performance standards, as applicable below:

1. Lighting. Lighting of an SPI shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as accessory structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties, as per Section 6.5.4 lighting standards
2. Signage. Signs on SPI shall comply with the requirements of all applicable sign regulations, and shall be limited to:
 - a. Those necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger.
 - b. Educational signs providing information about the SPI and the benefits of renewable energy.
 - c. Signs shall be limited to two dimensions (i.e. flat) and shall not be electronic or lighted.

3. Advertising. SPI shall not be used for displaying any advertising except for identification of the manufacturer or operator of the SPI.

4. Utility Connections. Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the SPI underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

5. Screening. A buffer or green strip planted with live shrubs or trees, predominantly evergreen, shall if feasible be maintained between the perimeter of the SPI and any abutting property line or street unless the existing natural growth is adequate to provide an equivalent buffer. Such a buffer shall be designed so as not to create a hazard upon entrance or exit from the facility. Site screening may also be accomplished through fencing, if approved by the Planning Board. The Planning Board may vary or waive this requirement consistent with minimizing negative effects on abutting property.

7.7.14 Safety and Environmental Standards.

1. Emergency Services. The SPI owner or operator shall provide a copy of the project summary, electrical schematic and approved site plan to the Fire Chief, when site plan review is required. Upon request the owner and/or operator shall cooperate with local emergency services in developing an emergency response plan, which may include ensuring that emergency personnel have immediate, 24-hour access to the facility. All means of shutting down the SPI shall be clearly marked.

2. Land Clearing. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the SPI or otherwise prescribed by applicable laws, regulations, and bylaws.

3. Groundwater Protection. A SPI shall comply with the requirements set forth in the General By-laws governing stormwater management, which requirements shall be imposed and conditioned as appropriate through the Site Plan Approval process. No SPI shall be required to obtain an independent special permit under either section.

7.7.15 Monitoring and Maintenance. The SPI owner and/or operator shall maintain the facility in good and safe working condition, and shall schedule inspections by a competent professional at least once every twelve (12) months or more often, pursuant to industry standards and practice. The results of the inspection and any resulting repair work shall be submitted to the Planning Board or its assignee and the Inspector of Buildings within thirty (30) days of receipt by the owner or operator. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and emergency medical services. The owner and operator shall be responsible for the cost of maintaining the SPI and any access road(s), unless accepted as a public way.

7.7.16 Modifications. All material modifications to a SPI made after issuance of the required building permit shall require prior approval by the Planning Board or its assignee.

7.7.17 Contact. The owner and operator of a large or medium SPI shall each identify a responsible person for emergency purposes and public inquiry and shall at all times throughout the life of the installation maintain current contact information (name, address, telephone number, e-mail address) for such person(s) on file with the Inspector of Buildings, the Fire Chief, and the Planning Board.

7.7.18 Discontinuance and Removal. Any GSPI that is not an accessory structure to a principal residential structure, not in operation for a period of one hundred and eighty (180) continuous days or more without written permission from the Planning Board, shall be considered discontinued and shall be removed. Upon written request from the Inspector of Buildings addressed to the contact address provided and maintained by the owner and operator as required above, the owner or operator shall provide evidence to the Inspector of Buildings demonstrating continued use of the GSPI. Failure to provide such evidence within thirty (30) days of such written request shall be conclusive evidence that the installation has been discontinued. The owner or operator of the installation shall notify the Board and Inspector of Buildings by certified mail of the proposed date of discontinued operations and plans for removal within 30 days of the discontinuation of operations. The owner or operator shall physically remove the installation no more than ninety (90) days after the date of discontinued operations, which period may be extended with written permission of the Inspector of Buildings for no more than sixty (60) days. Removal shall consist of:

1. Remove all of the GSPI in its entirety, including all associated structures, equipment, security barriers and transmission lines from the site.
2. Dispose of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
3. Stabilize or re-vegetate the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
4. Reinstate gravel or ground cover consistent with the surrounding landscape.
5. Remove all above-ground foundations and supports to a depth of one foot below existing grade.

If the owner or operator of the GSPI fails to remove the installation in accordance with the requirements of this section, the Town shall have the right, to the extent it is otherwise duly authorized by law, to enter the property and remove the installation at the expense of the owner of the installation and the owner(s) of the site on which the facility is located. Fees for removal will be the responsibility of the property owner. If payment is not provided, a lien will be placed on the property by the Town of Sharon.

7.7.19 Financial Surety. The owner of an SPI approved in accordance with this Section shall provide to the Town, acting by and through the Planning Board, security to cover the cost of removal only for medium and large-scale municipal solar projects, in the event the Town must remove the SPI and remediate the landscape. Such surety shall be in an amount and form determined to be reasonable by the Board, which may be an escrow account, bond or otherwise, and shall be provided prior to construction. Surety will not be required for municipally-owned facilities, if not deemed necessary by the Planning Board. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer or cost estimator. The amount shall include a mechanism for calculating increased removal costs due to inflation.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 29.

MOTION: That the Town of Sharon amend Section 12-9, subsection A and Section 49-2 of the General By-Laws of the Town of Sharon exactly as printed on the sheet provided to voters at this Annual Town Meeting, excepting the bracketed, strikethrough and italicized language, and the words “or take any other action relative thereto.”

MOTION: TO CALL THE QUESTION. CARRIED.

MOTION: To amend General By-Law by removing requirement to mail Town Meeting warrant. **NOT CARRIED.**

ARTICLE 30.

MOTION: That the Town authorize the Select Board to submit to the General Court a special act entitled, An Act authorizing local voting rights for permanent resident aliens residing in Sharon, as set forth below; provided, however that the General Court may make clerical or editorial decisions of form only to such bill, unless the Select Board approves amendments to the bill prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this article:

Section 1. Notwithstanding the provision of section one of chapter fifty-one of the General Laws, or any other general or special law, rule or regulation to the contrary, residents of the town of Sharon who are aliens lawfully admitted for permanent residence in the United States and who meet all qualifications for registering to vote except U.S. citizenship, may, upon application, have their names entered on a register of qualified permanent resident alien voters and may thereafter vote in any election for local offices, local ballot questions, and at Town Meeting.

Section 2. The Sharon Select Board is authorized to formulate regulations and guidelines to implement the purpose of this act.

Section 3. Nothing in this act shall be construed to confer upon permanent resident aliens the right to vote for any state or federal office or any state or federal ballot question.

MOTION TO AMEND: To state after the word citizenship:. “and who show proof of having applied for U.S. Citizenship,”.

NOT CARRIED.

MOTION: TO CALL THE QUESTION. CARRIED.

VOTED: That the Town authorize the Select Board to submit to the General Court a special act entitled, An Act authorizing local voting rights for permanent resident aliens residing in Sharon, as set forth below; provided, however that the General Court may make clerical or editorial decisions of form only to such bill, unless the Select Board approves amendments to the bill prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this article:

Section 1. Notwithstanding the provision of section one of chapter fifty-one of the General Laws, or any other general or special law, rule or regulation to the contrary, residents of the town of Sharon who are aliens lawfully admitted for permanent residence in the United States and who meet all qualifications for registering to vote except U.S. citizenship, may, upon application, have their names entered on a register of qualified permanent resident alien voters and may thereafter vote in any election for local offices, local ballot questions, and at Town Meeting.

Section 2. The Sharon Select Board is authorized to formulate regulations and guidelines to implement the purpose of this act.

Section 3. Nothing in this act shall be construed to confer upon permanent resident aliens the right to vote for any state or federal office or any state or federal ballot question.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 31.

MOTION: To indefinitely postpone. (Article proposed election of committee/board officers happens at first meeting following election or annual appointments.) **CARRIED.**

VOTED UNANIMOUSLY: To dissolve the Annual Town Meeting of May 1, 2023 at 11:55 P.M.

Attendance: 187