

SPECIAL TOWN MEETING

NOVEMBER 30, 2023

Pursuant to the provisions of the warrant of November 14, 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.

At 7:01 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, Lauren Barnes, Steve Coffey, Danica Cucchi, Kevin Davis, Richard Gelerman, Krishan Gupta, Eric Hooper, Thomas Houston, Michael Madden, Peter O'Cain, Josh Philibert, Robert Shelmerdine, Fredric Turkington, and Kevin Weber.

VOTED UNANIMOUSLY: To convene the November 30, 2023 Special Town Meeting at 7:19 P.M.

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.

ARTICLE 1.

MOTION: That the Town appropriate the total sum of \$36,837,710, which is an additional amount of \$21,021,710 to the \$15,816,000 previously appropriated by the Town under Articles 10H and 10G of the May 2, 2022 Annual Town Meeting, for the purpose of financing improvements to the water treatment facility, including but not limited to, addressing excessive levels of PFAS and other contaminants identified in various wells, including all costs incidental and related thereto, with respect to borrowing under Chapter 44 of the General Laws and with respect to borrowing under Chapter 29C, for all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to contract for and expend any federal or state aid available for the project provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this vote, and the Treasurer with the approval of the Select Board is authorized to borrow up to a total of \$36,837,710 (which amount includes the \$15,816,000 previously appropriated by the Town under Articles 10H and 10G of the May 2, 2022 Annual Town Meeting) and issue bonds or notes therefor under Section

8 of Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or pursuant to any other enabling authority; that while such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Select Board determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, it is anticipated that this borrowing will be paid, in the first instance, from the Water Enterprise Fund; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Select Board, other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

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

VOTED: That the Town appropriate the total sum of \$36,837,710, which is an additional amount of \$21,021,710 to the \$15,816,000 previously appropriated by the Town under Articles 10H and 10G of the May 2, 2022 Annual Town Meeting, for the purpose of financing improvements to the water treatment facility, including but not limited to, addressing excessive levels of PFAS and other contaminants identified in various wells, including all costs incidental and related thereto, with respect to borrowing under Chapter 44 of the General Laws and with respect to borrowing under Chapter 29C, for all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to contract for and expend any federal or state aid available for the project provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this vote, and the Treasurer with the approval of the Select Board is authorized to borrow up to a total of \$36,837,710 (which amount includes the \$15,816,000 previously appropriated by the Town under Articles 10H and 10G of the May 2, 2022 Annual Town Meeting) and issue bonds or notes therefor under Section 8 of Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or pursuant to any other enabling authority; that while such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Select Board determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, it is anticipated that this borrowing will be paid, in the first instance, from the Water Enterprise Fund; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Select Board, other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

A STANDING VOTE. 264 IN THE AFFIRMATIVE, 51 IN THE NEGATIVE.

ARTICLE 2.

MOTION: 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 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, 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.

Property Description: Well No. 5
Street Address: 30 Gavins Pond Road

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

VOTED: 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 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, 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.

Property Description: Well No. 5

Street Address: 30 Gavins Pond Road

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 3.

VOTED: That the Town accept the roads known as Weyman Lane and Atherton Lane as public ways, and any appurtenant easements thereto, as laid out and generally shown on a plan of land entitled “Quail Ridge, A Cluster Subdivision in Sharon, Mass.”, dated March 10, 1989, prepared by Norwood Engineering Co., Inc. and recorded with the Norfolk County Registry of Deeds as Plan 806 of 1989, and on file with the Town Clerk, and authorize the Select Board to acquire by gift, purchase, and/or eminent domain, the fee to and/or easements in said Weyman Lane and Atherton Lane for all purposes for which public ways are used in the Town of Sharon and any drainage, access, utility and/or other easements related thereto.

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 4.

VOTED: That the Town authorize the Select Board to submit to the General Court a special act providing for an increase in the allowable term of an intermunicipal agreement (IMA) with the Town of Foxborough from 25 years to 99 years, all 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.

An Act Regarding the IMA between the towns of Sharon and Foxboro

SECTION 1. Notwithstanding any general or special law to the contrary, the towns of Sharon and Foxborough may enter into an IMA for a term of ninety-nine years providing for sewer lines in Sharon to connect to the sewer lines in Foxboro and to provide that sewerage from Sharon within said lines be sent for treatment to the Mansfield-Foxborough-Norton Regional Wastewater District.

SECTION 2. A copy of the proposed IMA is attached hereto.

SECTION 3. This act shall take effect upon its passage.

MAJORITY VOTE DECLARED BY MODERATOR.

ARTICLE 5.

VOTED: That the Town amend the Sharon Zoning Bylaw as printed on pages 15 to 25 of the Warrant for this Special Town Meeting incorporating the revisions set forth hereinafter, and excepting “Explanatory Notes” in bracketed italicized language and the words “or take any other action relative thereto.”

On page 21 of the Warrant, revise “4.3.7 Maximum Number of Dwelling Units in Business D Development,” as follows. In the first sentence following the words, “...of qualifying uses in the Business District D Development or...” delete the number “225” and insert the number “180.”

On page 23 of the Warrant, revise “4.3.9 No Cut Line Business District D,” as follows. After the fourth sentence which ends with the words, “...to create a dense vegetative screen,” insert a new sentence which reads, “The species and size of evergreen trees and shrubs for in-planting shall be shown on a Planting Plan which shall be subject to review and approval by the Tree Warden.”

That the Town vote to amend the Sharon Massachusetts Code, Division1: Bylaws, Part II: General Legislation, Chapter 275 Zoning, §275-2110-§275-6420 (Zoning Bylaw) as last amended under Article 20 of the Warrant of the Annual Town Meeting of May 2, 2022 as follows (Bold font denotes new language; Italic and strikethrough font denotes deleted language); or take any other action relative thereto:

Amend Section 3.2.2 – Table 1: Table of Use Regulations by revising certain entries in the twelfth column with the heading “BD” by deleting the heading “BD” and inserting a new heading with a footnote “BD¹” and further revise entries in the twelfth column to allow as use by right in Business District D the following: §A Residential Uses, #3 Dwelling units over nonresidential first floor uses (see Section 8.5) – delete “N” and insert “Y” and insert reference to Section 8.7 and #4 Multifamily or Mixed Use Buildings (see Section 8.5) – delete “BA” and insert “Y” and insert reference to Sections 8.6 and 8.7, §B Community Uses, #3 Childcare center of school-aged childcare program – add a footnote “2” for the BD District column referencing certain additional facilities allowed by right, §D Commercial Uses, #11 Major Nonresidential and Mixed-Use Development – delete “PB” and insert “Y”, and add a row #12. Theater or multiscreen movie complex excluding adult-use motion picture theaters – providing for a use by Special Permit from the Zoning Board of Appeals in the Business A B and C Districts and as a use by right in the BD District and the LI District, §I Miscellaneous Commercial Uses, #6. Commercial Fuel storage and sales – insert the word “retail” before the word “sales in the first column and #10 Major Nonresidential Development – delete “BA” and insert “Y” and #11 Major Parking Facility – delete “BA” and insert “Y”, and §K Accessory Uses, #10 private garage for more than 3 motor vehicles or group garage – delete “N” and insert “Y”.

[Explanatory note above not part of the text of the Zoning Bylaw amendment: Table 1: Table of Use Regulations will be inserted following Section 11.0 Definitions in the Zoning Bylaw.]

Such that it reads:

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

See notes following Table 1.

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
A. RESIDENTIAL USES														
1. Single-family residence	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N
2. Two-family residence	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N
3. Dwelling units over nonresidential first floor uses (see Sections 8.5 and 8.7)	N	N	N	N	N	N	N	N	BA	BA	AY	N	N	N
4. Multifamily or mixed-use buildings (see Sections 8.5, 8.6, and 8.7)	N	N	N	N	N	N	N	BA	N	N	BA Y	N	N	N
5. Conversion to create one or more dwelling units (see Section 8.4)	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
6. Conversion of municipal building (see Section 8.4)	SB	SB	SB	SB	SB	SB	N	N	N	SB	N	N	N	N
7. Open Space Residential Development (see Section 8.3)	PB	PB	PB	PB	PB	PB	PB	N	N	N	N	N	N	N
8. Senior Housing Facility (see Section 8.2)	PB	PB	PB	PB	PB	PB	PB	N	N	N	BA	V	N	Y

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
B. COMMUNITY USES														
1. Use of land or structures for religious purposes on land owned or leased by a religious sect or denomination	Y	Y	Y	Y	Y	V	Y	Y	Y	Y	Y	Y	Y	Y
2. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3. Childcare center or school-aged childcare program	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y ²	Y	Y	Y
4. Municipal uses and facilities, including indoor/outdoor recreation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Essential services	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
6. Hospital or sanitorium	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	Y	N	N
7. Health care center	N	N	N	N	N	N	N	N	N	N	BA	Y	N	N
8. Home health agency; hospice; physical therapy or speech pathology facility; renal care facility; temporary nursing agency	N	N	N	N	N	N	N	Y	Y	N	Y	V	N	N
9. Cemetery not conducted for profit	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
D. COMMERCIAL USES														
1. Wellness center or health club	N	N	N	N	N	N	N	y	y	N	y	y	N	N
2. Club operated as a business	N	N	N	N	N	N	N	BA	BA	N	BA	N	N	N
3. Private nonprofit club or lodge	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
4. Trade, professional, or other school operated for profit	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
5. Training or conference center	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
6. Hotel	N	BA	N	N	N	N	y	N	N	N	y	y	N	N
7. Retail delivery service or postal boxes	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
8. Mortuary, undertaking or funeral establishment	N	N	N	N	N	N	N	N	BA	N	BA	y	N	N
9. Adult use	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
10. Bed and breakfast facilities	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
11. Major Nonresidential and Mixed-Use Development	N	N	N	N	N	N	PB	PB	PB	PB	PBY	PB	PB	PB
12. Theater or multiscreen movie complex excluding an adult motion picture theater.	N	N	N	N	N	N	N	BA	BA	BA	Y	Y	N	N

[illegible]

	R1	R2	Sub A	Sub B B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
K. ACCESSORY USES														
1. Home occupation (see Section 3.4) As of right OR By special permit	Y BA	Y BA	Y BA	Y BA	Y BA	Y BA	Y BA	N BA	N BA	N BA	N BA	N BA	N BA	N BA
2. Craft or Trade Shop	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
3. Accessory childcare center or school- aged childcare program	Y	Y	Y	Y	Y	Y	V	Y	Y	Y	Y	Y	Y	V
4. Family day care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Family day care home, large	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
6. Adult day care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
7. Renting of one or two rooms without separate cooking facilities to lodgers within a dwelling unit to one or two total lodgers	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	N	N
8. Off-street parking spaces accessory to use in Pro A or Pro B District	N	N	N	N	BA	BA	BA	N	N	N	N	N	N	N
9. Private garage with provision for not more than 3 motor vehicles	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
10. Private garage with provision for more than 3 motor vehicles or group garage	BA	BA	BA	BA	BA	BA	BA	N	N	N	AY Y	N	N	N
11. Scientific research and development as set forth in M.G.L. c. 40A, § 9	BA	BA	BA	BA	BA	BA	BA	N	BA	N	BA	N	N	N
12. Outdoor storage or display of parts, materials or inventory	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N
13. Enclosed storage or parts, materials or inventory in excess of amounts reasonably required for work to be done on the premises or goods to be delivered on the premises	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N
14. Vending machine, unless placed within a building or parking lot	N	N	N	N	N	N	N	Y	Y	N	Y	N	N	N

Notes for Table 1

- Multiple freestanding Principal Buildings are permitted within a single Business District D Development, Lot, or Business Parcel subject to the requirements specified in Table 1.**
- In Business District D, facilities are allowed that are licensed by the Massachusetts Executive Office of Education or successor agency if applicable, including daycare or childcare facilities complying with "Large Group and School Age Child Care Program" licensing requirements and including facilities complying with "Center and School Based Early Education and Care Program" or "After School and Out of School Time Program" licensing requirements.**

Amend Section 4.1.2 – Table 2: Table of Dimensional Regulations by providing new requirements for an overall Business District D Development by reference to §4.3.8.1; for Lots within Business District D but not within a Business District D Development, and Lots within an overall Business District D Development including required minimum lot area, lot frontage, (front, side, and rear) lot setbacks, and natural vegetation coverage and required maximum building height (feet/stories) by reference to §4.3.8.4 and lot coverage.

[Explanatory note above not part of the text of the Zoning Bylaw amendment: Table 2: Table of Dimensional Regulations will be inserted following Table 1: Table of Use Regulations in the Zoning Bylaw.]

Such that it reads:

Amend Section 4.1.3 Lot Shape, Width, and Frontage by adding a new sentence at the end of the first paragraph.

Such that it reads:

4.1.3 Lot Shape, Width and Frontage. It shall be the purpose of these regulations to prevent the subdivision of properties into irregularly shaped lots which undermine the intent of this Bylaw, as well as to prevent the creation of lots which are so distorted in configuration as to be detrimental to public health, safety, welfare, convenient and harmonious development and use of the land, or future clarity of ownership and identification of property lines. **The provisions of §4.1.3.3, §4.1.3.4, and §4.1.3.5 hereof do not apply to Business District D.**

Amend Section 4.3.2 Size Limits in Business Districts by revising paragraph 3 thereof.

Such that it reads:

3. The building floor area limits in the BD District shall be 135,000 square feet **per building. Larger building floor area is allowed by Special Permit from the Zoning Board of Appeals. This section does not limit the total floor area of all buildings within a Business District D Development, Lot, or Business Parcel.**

Amend Section 4.3.7 Maximum Number of Dwelling Units in Business D Development by revising the section.

Such that it reads:

4.3.7 Maximum Number of Dwelling Units in Business D Development. The maximum number of dwelling units within a Business District D development shall be the lesser of one dwelling unit per ~~2,250~~ **1,700** square feet of the gross floor area ~~in the district~~ **of qualifying uses in the Business District D Development** or 225 dwelling units total. **Qualifying uses include indoor floor area of uses set forth in Table I: Table of Use Regulations in §B. Community Uses, §D. Commercial Uses, E. Office Uses, §Retail and Service Uses, §G. Eating, Drinking, and Entertainment Establishments, and §I Miscellaneous Commercial Uses that are conducted inside buildings.**

Amend Section 4.3.8 Business District D; Height Limits and amend Section 4.3.9 Business D FAR and GFA by combining these sections into one section entitled Section 4.3.8 Business District D Dimensional Requirements and by revising the section to include dimensional requirements for a Business District D Development and a Business Parcel and revising requirements for Floor Area Ratio (FAR) and Gross Floor Area for residential use and total of all uses.

Such that it reads:

~~4.3.8 Business District D; Height Limits.~~

- ~~1. For hotels and residential buildings located within 350 feet of the west property line at Route 1-95, six stories (excluding mezzanines as defined in the Massachusetts Building Code) or 90 feet; and further provided that the height of each story is limited to 15 feet.~~
- ~~2. For all other uses, four stories (excluding mezzanines as defined in the Massachusetts Building Code) or 60 feet; and further provided that the height of each story is limited to 24 feet for retail and theater use, to 16 feet for office use, and to 13 feet for all other uses.~~

4.3.8 Business District D Dimensional Requirements.

1. Business District D Development:

- a. Minimum Area: 53 acres**
- b. Minimum Width: 1,000 feet measured at the minimum front setback**
- c. Minimum Frontage: 1,000 feet**
- d. Minimum Front Setback: 10 feet from I-95, 50 feet from Old Post Road, 100 feet from other streets**
- e. Minimum Side and Rear Setbacks: 100 feet**
- f. Maximum Impervious Coverage: 55% excluding parking decks.**
- g. Minimum Natural Vegetation Area: 33%.**

2. Business Parcel Within a Business District D Development:

- a. Minimum Area: 60,000 square feet**
- b. Minimum Width: No Requirement**
- c. Minimum Frontage: No Requirement**
- d. Minimum Front Setback: 10 feet from I-95, 50 feet from Old Post Road, 100 feet from other streets**
- e. Minimum Side and Rear Setbacks: No requirement.**
- f. Maximum Lot Coverage: No Requirement**
- g. Minimum Natural Vegetation Area: No Requirement**

3. Multiple Buildings. More than one Principal Building may be located within a Business District D Development, Lot, or Business Parcel.

4. Business District D; Height Limits.

- a. For hotels and residential buildings located within 350 feet of the west property line at Route 1-95, six stories (excluding mezzanines as defined in the Massachusetts Building Code) or 90 feet; and further provided that the height of each story is limited to 15 feet.**
- b. For all other uses, four stories (excluding mezzanines as defined in the Massachusetts Building Code) or 60 feet; and further provided that the height of each story is limited to 24 feet for retail and theater use, to 16 feet for office use, and to 13 feet for all other uses.**

~~4.3.9.5.~~ Business D FAR and GFA.

- ~~4a.~~ Maximum permitted floor area ratio (FAR): 0.33 for a Business District D Development or for a lot **within Business District D but** not within a Business District D development. A FAR limit is not applicable for Lots **or Business Parcels** within a Business District D development.
- ~~2b.~~ The maximum permitted gross floor area (GFA) for residential use shall not exceed ~~250,000~~ **340,000 square feet of residential floor area or 495,000** square feet **including the floor area of parking garages located within residential structures** for a Business District D development or for a lot **within Business District D but** not within a Business District D Development, and the maximum permitted gross floor area for residential, community service and commercial uses combined shall not exceed ~~750,000~~ **810,000** square feet **including the floor area of parking garages located within Primary Structures** for a Business District D Development or for a lot **within Business District D but** not within a Business District D Development.

Amend Section 4.3.10 No Cut Line Business D by renumbering it as Section 4.3.9 No Cut Line Business District D and allowing construction disturbance including vegetation removal within 20 feet of the sideline of South Walpole Street provided that the disturbed area is replanted and requiring the permanent no cut line to be located 35 feet minimum and 50 feet where practicable south of South Walpole Street.

Such that it reads:

~~4.3.10~~ No Cut Line Business **District D**. In Business District D, there shall be **a landscape screening strip between the sideline of South Walpole Street and a "no-cut" line** ~~extending~~ **located 35 feet minimum and 50 feet from where practicable south of the sideline of** South Walpole Street. **During construction, disturbance including vegetation removal can extend to within 20 feet of the sideline of South Walpole Street, provided that the disturbed area is replanted as provided herein. The location of the no cut line shall be determined by the Zoning Board of Appeals during site plan review.** Existing trees **in the landscaped screening strip** shall be supplemented by in-planting with evergreen trees and shrubs to create a dense vegetative screen. A six-foot-high unfinished cedar board fence shall be placed ~~approximately 40 feet off the street line~~ **near the south edge of the landscaped screening strip** to provide supplemental screening when considered appropriate by the Zoning Board of Appeals pursuant to Section 10.5.

Renumber Section 4.3.11 Business C and Professional District Residential Buildings as Section 4.3.10 Business C and Professional District Residential Buildings.

Delete Section 10.6.3 Types of Site Plan Review.

~~10.6.3 Types of Site Plan Review. Site Plan Review (SPR) shall either be Minor Site Plan Review (Minor), or Major Site Plan Review (Major), as set forth herein.~~

Insert a new Section 10.6.3 Site Plan Review.

Such that it reads:

10.6.3 Site Plan Review. Single family residences and two-family residences on one lot are exempt from Site Plan Review (SPR). Site plan review is required for the projects listed below.

- 1. Construction, exterior alteration, exterior expansion, or change of use within a municipal, institutional, commercial, or industrial project.**
- 2. Residential projects involving three or more dwelling units; or**
- 3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 20 or more parking spaces.**

The Zoning Board of Appeals may waive site plan review for minor changes to existing facilities.

Site Plan Review (SPR) shall either be Minor Site Plan Review (Minor) or Major Site Plan Review. Projects that fall within one or more of the ranges set forth in §10.6.4 require Minor Site Plan Review. Projects that exceed one or more of the thresholds set forth in §10.6.5 require Major Site Plan Review.

Delete Section 10.6.4 Applicability; Minor SPR.

~~10.6.4 Applicability; Minor SPR. Minor SPR is required for the following projects listed below from 0 to 10,000 square feet of gross floor area, provided that the Zoning Board of Appeals may waive site plan review for minor changes to existing facilities:~~

- ~~1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with four or more dwelling units; or~~
- ~~2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with five or more parking spaces.~~

Insert a new **Section 10.6.4 Minor Site Plan Review.**

Such that it reads:

10.6.4 Minor Site Plan Review. Minor SPR is required for the projects included in §10.6.3 that fall within one or more of the following ranges:

- 1. Nonresidential projects with 0 to 25,000 square feet of gross floor area;**
- 2. Residential projects with 3 to 49 dwelling units; and**
- 3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 20 to 99 parking spaces.**

Delete Section 10.6.5 Applicability; Major SPR

~~10.6.5 Applicability; Major SPR. Major SPR is required for the following projects listed below from 10,001 to 25,000 square feet of gross floor area:~~

~~1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with ten or more dwelling units; or~~

~~2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with twenty or more parking spaces.~~

Insert a new Section 10.6.5. Major Site Plan Review.

Such that it reads:

10.6.5. Major Site Plan Review. Major SPR is required for the projects listed in §10.6.3 that exceed one or more of the following thresholds:

- 1. Nonresidential projects with greater than 25,000 square feet of gross floor area;**
- 2. Residential projects with 50 or more dwelling units; and**
- 3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 100 or more parking spaces.**

Amend Section 11.0 DEFINITIONS by amending the definition of “Business District D Development” and adding a new definition for “Business Parcel” and revising the definition of Major Nonresidential Development to exclude requirements for a Special Permit.

Such that it reads:

Business District D Development (BDDD): A project located entirely within Business District D having frontage on a way comprised of one or more contiguous ~~lots of land within the~~ and Business District D Parcels with provisions as may be required for permanent easements running with the land, a master deed and condominium, or other mechanism acceptable to the Zoning Board of Appeals sufficient to ensure vital access and utility service to each ~~lot and Business Parcel~~.

Business Parcel: A tract of land located entirely within a Business District D Development with provisions for vital access and utility services that is suitable as a site for one or more Principal Buildings.

Major Nonresidential Development: Construction, exterior alteration, or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with ~~ten (10)~~ fifty (50) or more dwelling units with ~~25,001~~ 25,000 square feet or more of gross ~~follow~~ floor area. ~~All Major Nonresidential Developments shall require a special permit from the Planning Board.~~

2/3 VOTE DECLARED BY MODERATOR.

ARTICLE 6.

VOTED UNANIMOUSLY: That the Town amend its General Bylaws, Article III, Section 24-21, Table of Authorized Revolving Funds, to amend the Solid Waste and Recycling Revolving Fund by changing "Restrictions or Conditions on Expenses Payable from Fund" by increasing the spending limit for the Recycling Fund from \$2,500,000 to \$3,000,000, so that it reads as follows:

Expenditures in the current fiscal year shall not exceed the balance in the fund carried forward from the prior fiscal year plus receipts deposited into the fund during the current fiscal year and in any case shall not exceed \$3,000,000.

ARTICLE 7.

VOTED: That the Town amend its General Bylaws, Article III, Section 24-21, Table of Authorized Revolving Funds, to amend the Health Department Revolving Fund by changing "Restrictions or Conditions on Expenses Payable from Fund" by increasing the spending limit for the Health Department Revolving Fund from \$40,000 to \$100,000, so that it reads as follows:

Expenditures in the current fiscal year shall not exceed the balance in the fund carried forward from the prior fiscal year plus receipts deposited into the fund during the current fiscal year and in any case shall not exceed \$100,000.

MAJORITY DECLARED BY MODERATOR.

VOTED: To dissolve the Special Town Meeting at 9:38 P.M.

MAJORITY DECLARED BY MODERATOR.

Attendance: 351