

COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT

Monday, April 22, 2019

Town Meeting workers included: Susan Flynn, Anne Studley, Ruth McGuire, Barbara Carney, Barry Bartlett, Eva Gilarde, Peg Roffey, Susan Sloane, Amanda Maloney, Doreen Giles and Gareth Long. Persons acting as counters in addition to the workers were: Richard Greer, Ann Marie Sacchetti, Fred Monaco and Cindy Castro. Stephen Merek was Assistant Moderator and Timekeeper for the meeting. Robert W. Galvin, Town Counsel was also present.

The meeting convened at 7:45 p.m. Monday, April 22, 2019. Mr. Gibson moved to suspend the business of Annual Town Meeting to consider the business of the Special Town Meeting. On a voice vote, the business of Annual Town Meeting was suspended. At 7:30 p.m. on Tuesday, April 23, 2019, at the Marshfield High School Auditorium the Town Moderator, Donald Gibson called for a vote to resume Annual Town Meeting and on a unanimous vote the meeting resumed. Twenty-two Articles were offered for consideration.

The Moderator moved Articles 1, 2, 5, 6,7,8 and Article 14 Sections 1-4 inclusive by a consent agenda. The withdrawal of Article 11 was also moved by consent. Upon discussion, Ms Keith asked that article 6 be removed from the consent agenda for later consideration. The Moderator honored her request. The consent agenda was considered with the exception of Article 6 which would be considered later in the meeting. By majority vote the consent agenda articles: 1,2,5,7,8 and 14 Sections 1-4 inclusive were approved.

ARTICLE 1 The Board of Selectmen moves that the Town vote to accept the reports of Town Officers and Committees as set forth in the Annual Report.

Passed by majority vote under the consent agenda.

ARTICLE 2 The Board of Selectmen moves that the Town vote to approve and establish the salaries and compensation of all elected Town Officers for Fiscal Year 2020 as set forth in Article 2 of the April 22, 2019 Annual Town Meeting Warrant.

Selectmen	\$3,417	(Chairman \$1,229, 2 members \$1,094)
Assessors	3,687	(Chairman \$1,363, 2 members \$1,162)
Public Works	2,180	(Chairman \$816, 2 members \$682)
Planning Board	1,120	(Chairman \$320, 4 members \$200)
Board of Health	1,460	(Chairman \$576, 2 members \$442)
Town Clerk	77,689	
Moderator	<u>92</u>	
	\$89,645	

Passed by majority vote under the consent agenda.

ARTICLE 3 The Advisory Board moves that the Town vote to appropriate the sum of **\$108,460,976** to defray the charges, expenses and salary obligations of the Town, including, without limitation, debt and interest, wages, salaries, reserve funds, and expenses for operations for the Town's departments and offices in the manner set forth in Article 3 of April 22, 2019 Annual Town Meeting Warrant for Fiscal Year 2020 (beginning July 1, 2019 and ending on June 30, 2020)

And to meet said appropriation raise and appropriate \$107,007,442 and transfer \$1,453,534 for the total of **\$108,460,976**

\$98,034,997 for the General Fund:

Raise the sum of \$95,046,519 from the FY20 Tax Levy and Other Receipts

Appropriate \$1,534,944 from Reserved for Appropriation accounts as follows:

\$ 30,000 Waterways Improvement Fund
 \$ 20,000 Wetland Protection Fund
 \$ 20,000 Licensing and Keeping of Dogs
 \$ 20,000 Cemetery Perpetual Care
 \$224,978 Reserved Bond Premium
 \$250,000 Overlay Surplus
 \$650,000 Debt Reserve
 \$150,000 Solar Panel
 \$ 67,716 COA State Grant
 \$102,250 COA Gatra Reimbursement

Transfer for Indirect Costs: Total: \$1,453,534

\$496,119 from Wastewater Enterprise Fund User Charges
 \$671,715 from Water Enterprise Fund User Charges
 \$285,700 from Solid Waste Enterprise User Charges

Wastewater Enterprise Fund

To Raise and Appropriate **\$3,334,297** for Wastewater Direct Costs

Water Enterprise Fund

To Raise and Appropriate **\$3,552,545** for Water Direct Costs

Solid Waste Enterprise Fund

To Raise and Appropriate **\$3,539,137** for Solid Waste Direct Costs

Town of Marshfield					
Fiscal 2020 Budget					
Worksheet					
Departmental					

Summary					
			FY19	FY20	Advisory Bd.
Department			Approp	Request	Recommends
Moderator		121			
	Elected Officials		92	92	92
Selectmen		122			
	Elected Officials		3,417	3,417	3,417
	Personnel		307,422	357,186	357,186
	Expenses		283,400	283,400	283,400
Total			594,239	644,003	644,003
Accounting		135			
	Personnel		183,459	198,682	198,682
	Expenses		13,900	13,900	13,900
Total			197,359	212,582	212,582
Assessors		141			
	Elected Officials		3,687	3,687	3,687
	Personnel		223,076	237,009	237,009
	Expenses		81,600	98,200	98,200
Total			308,363	338,896	338,896
Treasurer/Collector		145			
	Personnel		428,103	473,406	473,406
	Expenses		127,700	64,700	64,700
Total			555,803	538,106	538,106
Legal/Court Judgments		151			
	Personnel		0	0	0
	Expenses		200,000	200,000	200,000
Total			200,000	200,000	200,000
Human Resources		152			
	Personnel		150,945	143,520	143,520
	Expenses		12,500	12,500	12,500
Total			163,445	156,020	156,020
MIS/IT		155			
	Personnel		90,155	96,500	96,500
	Expenses		176,200	176,200	176,200
Total			266,355	272,700	272,700
Town Clerk		161			
	Elected Officials		56,692	77,689	77,689
	Personnel		74,337	72,040	72,040

	Expenses		9,500	12,000	12,000
Total			140,529	161,729	161,729
Elections/Town Meeting		162			
	Personnel		0	15,000	15,000
	Expenses		63,100	69,100	69,100
Total			63,100	84,100	84,100
Conservation		171			
	Personnel		112,146	120,620	120,620
	Expenses		15,706	19,565	19,565
Total			127,852	140,185	140,185
Planning Board		175			
	Elected Officials		1,120	1,120	1,120
	Personnel		144,116	146,595	146,595
	Expenses		2,600	2,600	2,600
Total			147,836	150,315	150,315
General Government Total			2,764,972	2,898,728	2,898,728
Police Department		210			
	Personnel		5,572,632	5,624,290	5,624,290
	Expenses		329,832	329,832	329,832
Total			5,902,464	5,954,122	5,954,122
Fire Department		220			
	Personnel		5,081,701	5,275,836	5,275,836
	Expenses		345,146	370,146	370,146
Total			5,426,847	5,645,982	5,645,982
Building Department		241			
	Personnel		303,983	354,598	354,598
	Expenses		12,923	11,623	11,623
Total			316,906	366,221	366,221
Sealer of Weights		244			
	Personnel		0	0	0
	Expenses		5,000	5,000	5,000
Total			5,000	5,000	5,000
Animal Control		292			
	Personnel		85,766	89,621	89,621
	Expenses		27,715	24,655	24,655

Total			113,481	114,276	114,276
Animal Inspector		293			
	Personnel		2,550	2,500	2,500
	Expenses		0	0	0
Total			2,550	2,500	2,500
Harbormaster		295			
	Personnel		109,080	144,080	144,080
	Expenses		53,294	60,294	60,294
Total			162,374	204,374	204,374
Public Safety Total			11,929,622	12,292,475	12,292,475
School		301			
	Personnel				
	Expenses				
Education Total			48,539,176	49,726,176	49,726,176
DPW Administration		400			
	Elected Officials		2,180	2,180	2,180
	Personnel		142,093	140,631	140,631
	Expenses		11,858	11,858	11,858
Total			156,131	154,669	154,669
DPW Engineering		411			
	Personnel		112,107	134,334	134,334
	Expenses		31,425	31,425	31,425
Total			143,532	165,759	165,759
Highway		421			
	Personnel		810,329	898,436	898,436
	Expenses		154,014	154,014	154,014
Total			964,343	1,052,450	1,052,450
Maintenance		449			
	Personnel		266,343	265,315	265,315
	Expenses		181,984	201,984	201,984
Total			448,327	467,299	467,299
Cemetery, Greens, Trees		491			
	Personnel		617,476	686,461	686,461
	Expenses		129,202	129,202	129,202
Total			746,678	815,663	815,663
Fuel		424			

	Personnel		0	0	0
	Expenses		412,290	412,290	412,290
Total			412,290	412,290	412,290
Department Public Works Total			2,871,301	3,068,130	3,068,130
Board of Health		510			
	Elected Officials		1,460	1,460	1,460
	Personnel		210,070	220,238	220,238
	Expenses		28,610	28,610	28,610
Total			240,140	250,308	250,308
Council on Aging		541			
	Personnel		423,504	422,999	422,999
	Expenses		35,208	35,580	35,580
Total			458,712	458,579	458,579
Veterans' Services		543			
	Personnel		102,331	127,320	127,320
	Expenses		392,714	392,714	392,714
Total			495,045	520,034	520,034
Health & Human Services Total			1,193,897	1,228,921	1,228,921
Library		610			
	Personnel		634,455	658,324	658,324
	Expenses		146,000	151,000	151,000
Total			780,455	809,324	809,324
Veterans Memorial		660			
	Personnel		8,000	8,000	8,000
	Expenses		9,000	9,000	9,000
Total			17,000	17,000	17,000
Historical Commission		691			
	Personnel		0	0	0
	Expenses		2,880	3,880	3,880
Total			2,880	3,880	3,880
Clam Flats		693			
	Personnel		2,000	2,000	2,000
	Expenses		1,000	1,000	1,000
Total			3,000	3,000	3,000

Culture & Recreation Total			803,335	833,204	833,204
Fixed Costs					
Reserve Fund		132	100,000	100,000	100,000
Snow Removal		423			
	Personnel		107,100	107,100	107,100
	Expenses		292,900	292,900	292,900
Total			400,000	400,000	400,000
Facilities		123			
	Personnel		165,931	181,852	181,852
	Expenses		498,970	356,102	356,102
Total			664,901	537,954	537,954
General Insurance		910	1,001,105	1,031,138	1,031,138
Health & Life Insurance		912	6,880,554	7,336,383	7,336,383
Unemployment Comp		913	100,000	100,000	100,000
Medicare		914	800,000	830,000	830,000
Retirement		911	5,917,859	6,213,692	6,213,692
Audit/OPEB/Payroll		149	132,867	132,867	132,867
Fixed Costs Total			15,997,286	16,682,035	16,682,035
Debt					
	Non Excluded		4,482,623	3,863,503	3,863,503
	Excluded		5,689,570	5,492,793	5,492,793
	Other		389,181	202,930	202,930
Debt Total			10,561,374	9,559,227	9,559,227
Assessment					
	State Assessments	820	762,142	792,627	792,627
	County Assessments	830	100,422	103,435	103,435
Assessment Total			862,564	896,062	896,062

Unclassified		940			
	Personnel		1,000	1,000	1,000
	Expenses		42,000	42,000	42,000
Total			43,000	43,000	43,000
Utilities		924	350,687	447,041	447,041
ATM Appropriation			83,000	60,000	60,000
Senior tax relief-\$55,000 Non-profits – \$5,000 Clift Rodgers Free Library \$1,000, Grad Nite Live Inc.,\$1,000 Health Imperatives Inc., \$1,000 South Coastal Counties Legal Services Inc., \$1,000 South Shore Community Action Council, \$1,000					
Overlay			300,000	300,000	300,000
Other Total			776,687	850,041	850,041
Total Budget Appropriation/Request			96,300,214	98,034,997	98,034,997

This Article passed by a majority vote.

ARTICLE 4 MOTION #1: The Capital Budget Committee moves that the Town appropriate the sum of \$3,215,000 to pay costs associated with a new town hall elevator and the replacement of the town hall roof, new fire pumper, seawall and sluiceway repairs, new highway department vehicles, and school security and tile floor replacements as listed in the spreadsheet published under Article 4 of the April 22, 2019 Annual Town Meeting Warrant under Fiscal Year 2020 Capital Budget Committee Recommendation (CBC Recommend), including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer-Collector, with the approval of the Board of Selectmen, is authorized to borrow said amount in accordance with the provisions of the General Laws; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ATM FY 2020 CAPITAL ARTICLE		APRIL ATM FY2020	APRIL ATM FY 2020	FUNDING SOURCE
DEPARTMENT	PROJECT/PROGRAM	T/A AND DEPT HEAD SUGGESTED REQUEST FOR 2020	CBC RECOMMEND	SUGGESTED BY T/A AND T/C

Selectmen	Elevator	\$ 500,000.00	\$ 500,000.00	BORROWING SUPPORTED BY TAX LEVY
Selectmen	Replace Town Hall Roof	\$ 750,000.00	\$ 750,000.00	BORROWING SUPPORTED BY TAX LEVY
TOTAL SELECTMEN		\$ 1,250,000.00	\$ 1,250,000.00	
Fire Department	Replace Engine 5 1999 KME 1250GPM Pumper	\$ 540,000.00	\$ 540,000.00	BORROWING SUPPORTED BY TAX LEVY
TOTAL FIRE		\$ 540,000.00	\$ 540,000.00	
DEPARTMENT	PROJECT/PROGRAM			
DPW Engineering	70 Bay Avenue Seawall Repair	\$ 650,000.00	\$ 650,000.00	BORROWING SUPPORTED BY TAX LEVY
DPW Engineering	Mill Pond Dam Sluiceway Repair	\$ 175,000.00	\$ 175,000.00	BORROWING SUPPORTED BY TAX LEVY
TOTAL ENGINEERING		\$ 825,000.00	\$ 825,000.00	
DEPARTMENT	PROJECT/PROGRAM			
DPW Highway	Replace #67 w/10 Wheel Dump Truck w/ Plow and SS Sander (w/ SW)	\$ 105,000.00	\$ 105,000.00	BORROWING SUPPORTED BY TAX LEVY
DPW Highway	Replace Dump Truck #82 6whl 2001 with Plow and Sander	\$ 205,000.00	\$ 205,000.00	BORROWING SUPPORTED BY TAX LEVY
TOTAL HIGHWAY	HIGHWAY	\$ 310,000.00	\$ 310,000.00	
Education	SCHOOL SECURITY	\$ 140,000.00	\$ 140,000.00	BORROWING SUPPORTED BY TAX LEVY
	FINISH TILING OF FLOORING	\$ 150,000.00	\$ 150,000.00	BORROWING SUPPORTED BY TAX LEVY
TOTAL EDUCATION		\$ 290,000.00	\$ 290,000.00	
DEPARTMENT	PROJECT/PROGRAM			
Wastewater	Clarifier Launder Covers	\$ 100,000.00	\$ 100,000.00	RETAINED EARNINGS WASTE WATER

Wastewater	Mag Meters for Homestead, Anderson and Macker PS	\$ 100,000.00	\$ 100,000.00	RETAINED EARNINGS WASTE WATER
TOTAL WASTEWATER		\$ 200,000.00	\$ 200,000.00	
DEPARTMENT	PROJECT/PROGRAM			
DPW Solid Waste	Floor Drains	\$ 40,000.00	\$ 40,000.00	RETAINED EARNINGS SOLID WASTE
DPW Solid Waste	Replace #67 w/6 Wheel Dump Truck w/ Plow and SS Sander (w/ Highway)	\$ 105,000.00	\$ 105,000.00	RETAINED EARNINGS SOLID WASTE
TOTAL SOLID WASTE		\$ 145,000.00	\$ 145,000.00	
DEPARTMENT	PROJECT/PROGRAM			
Water	Replace truck #78 2008 Chevy Colorado w/ 2019 Chevy Colorado	\$ 40,000.00	\$ 40,000.00	RETAINED EARNINGS WATER
Water	Replace Truck #123 2010 Int'l Dump w 6 Wheel Mack w/ Plow & Sander	\$ 205,000.00	\$ 205,000.00	RETAINED EARNINGS WATER
Water	Replace Vehicle #3 2013 Ford Explorer w/ 2019 Ford Explorer	\$ 40,000.00		CBC Did not recommend
Water	Meter Replacement Precinct 3	\$ 500,000.00	\$ 250,000.00	RETAINED EARNINGS WATER
Water	Water Main Upgrades	\$ 120,000.00	\$ 120,000.00	RETAINED EARNINGS WATER
Water	Installation of New Generators for FB 4 and Union 1	\$ 200,000.00	\$ 100,000.00 176,000.00	RETAINED EARNINGS WATER**
Water	Well Cleaning and Rehabilitation	\$ 45,000.00	\$ 45,000.00	RETAINED EARNINGS WATER
TOTAL WATER		\$ 1,150,000.00	\$ 836,000.00	
	TOWN GENERAL FUND	\$ 2,925,000.00	\$ 2,925,000.00	
	EDUCATION GENERAL FUND	\$ 290,000.00	\$ 290,000.00	
	ENTERPRISE FUNDS	\$ 1,495,000.00	\$ 1,205,000.00	
	TOTAL REQUEST	\$ 4,710,000.00	\$ 4,320,000.00	
	FUNDING SOURCES			
	BORROWING	\$ 3,215,000.00	\$ 3,215,000.00	
	SUPPORTED BY TAX LEVY			
	RETAINED EARNINGS WATER	\$ 1,150,000.00	\$ 836,000.00	
	RETAINED EARNINGS WASTE WATER	\$ 200,000.00	\$ 200,000.00	

	RETAINED EARNINGS SOLID WASTE	\$ 145,000.00	\$ 145,000.00	
	TOTAL FUNDING SOURCES REQUEST	\$ 4,710,000.00	\$ 4,396,000.00	

** Mr. Carriere moved to amend the Installation of New Generators for FB 4 and Union 1 from \$100,000 to \$200,000 to fully fund replacement of the generators he said are vital to protecting the water supply in emergency situations. Town Counsel advised the Meeting that the Meeting had held a 10% limit to increases in borrowing. The amount was amended to \$176,000. The amendment carried.

The first motion of Article 4 passed by a 2/3rds vote

MOTION #2 The Capital Budget Committee moves that the Town vote to appropriate the sum of \$1,105,000 for the purpose of certain wastewater improvements, solid waste floor drains and truck replacement, water department truck replacement, water meter replacements, water main upgrades, generator replacement and well cleaning and rehabilitation as listed in the spreadsheet published under Article 4 of the April 22, 2019 Annual Town Meeting Warrant under Fiscal Year 2020 Capital Budget Committee Recommendation (CBC (Recommend) including the payment of all costs incidental and related thereto, and to meet this appropriation, transfer the sum of \$760,000 from Water Enterprise Fund Retained Earnings, the sum of \$300,000 from Wastewater Enterprise Fund Retained Earnings; and, the sum of \$145,000 from Solid Waste Retained Earnings. Moved to increase Water Enterprise Fund Retained Earnings transfer by 10% (76,000) to 836,000 from Water enterprise for generators at the well sites

The second motion of Article 4 passed by majority vote.

ARTICLE 5 The Board of Selectmen moves that the Town vote to set the Fiscal Year 2020 total expenditure limitations for the Revolving Funds authorized under Chapter 95 of the Marshfield Town Code, Finance and Budget, Section 95-20, Revolving Fund Bylaw, as follows:

<u>Revolving Fund:</u>	<u>Not to Exceed Expenditure Limit:</u>
Beach Revolving Fund	\$377,000
Recreation Department Revolving Fund	\$300,000
Senior Citizen Transportation Revolving Fund	\$106,000
Playing Field Revolving Fund	\$ 40,000
Integrated Preschool Program Revolving Fund	\$125,000
	\$40,000

The Board of Selectmen moves that the Town vote to set the Fiscal Year 2020 total expenditure limitations for the Revolving Funds authorized under Chapter 95 of the Marshfield Town Code, Finance and Budget, Section 95-20, Revolving Fund Bylaw, as follows:

In accordance to Massachusetts General Laws Chapter 44 Section 53E 1/2,
receipts and expenditures are reported as follows:

Revolving Fund	Beg Balance	Receipts	Expenditures	Ending Balance
Beaches:				
7/1/17-6/30/18	\$212,043.40	\$377,126.11	\$345,354.53	\$243,814.98
7/1/18-12/31/18	\$243,814.98	\$150,851.80	\$208,174.09	\$186,492.69
Playing Field Rentals:				
7/1/17-6/30/18	\$78,326.48	\$49,705.00	\$56,531.60	\$71,499.88
7/1/18-12/31/18	\$71,499.88	\$11,970.00	\$57,230.72	\$26,239.16
Integrated Pre-School Program:				
7/1/17-6/30/18	\$47,582.34	\$120,856.41	\$100,875.85	\$67,562.90
7/1/18-12/31/18	\$67,562.90	\$56,901.25	\$52,981.91	\$71,482.24
Gatra Bus				
7/1/17-6/30/18	\$38,136.97	\$111,236.06	\$78,429.23	\$70,943.80
7/1/18-12/31/18	\$70,943.80	\$36,899.56	\$37,101.90	\$70,741.46
TURF Fields				
7/1/17-6/30/18	\$44,296.50	\$72,041.31	\$22,476.48	\$93,861.33
7/1/18-12/31/18	\$93,861.33	\$18,631.07	\$25,291.19	\$87,201.21
Recreation				
7/1/17-6/30/18	\$279,628.69	\$286,046.28	\$288,861.03	\$276,813.94
7/1/18-12/31/18	\$276,813.94	\$98,806.35	\$135,538.02	\$240,082.27

Passed by majority vote under the consent agenda.

ARTICLE 6 The Board of Selectmen moves that the Town vote to replace the FY2019 Schedule A Compensation Plan set forth in Chapter 188 of the Marshfield Town Code with the new FY2020 Schedule A Compensation Plan published under Article 6 of the April 22, 2019 Annual Town Meeting Warrant.

Salary Schedule
Chapter 188
Schedule A Compensation Plan
FY2020 3%

Annual
GRADE STEP 1 STEP 2 STEP 3 STEP 4

4	\$31,652.71	\$32,917.50	\$34,230.79	\$35,598.51
5	\$34,915.84	\$36,309.57	\$37,763.66	\$39,262.70
6	\$38,516.15	\$40,054.24	\$41,659.76	\$43,326.82
7	\$42,485.60	\$44,177.49	\$45,952.21	\$47,786.09
8	\$46,852.59	\$48,734.98	\$50,678.88	\$52,704.43
9	\$52,704.43	\$53,750.33	\$55,897.07	\$58,141.78
10	\$57,021.74	\$59,294.56	\$61,671.50	\$64,131.25
11	\$62,894.87	\$65,409.06	\$68,013.16	\$70,737.94
12	\$69,378.51	\$72,145.90	\$75,026.85	\$78,037.96
13	\$76,320.03	\$79,355.99	\$82,531.55	\$85,843.18
14	\$83,635.42	\$86,979.00	\$90,450.35	\$94,063.67
15	\$91,994.36	\$95,672.76	\$99,495.50	\$103,472.05
16	\$100,273.85	\$104,283.30	\$108,450.09	\$112,784.53
17	\$109,298.50	\$113,668.80	\$118,210.60	\$122,935.14

This Article passed by majority vote.

ARTICLE 7 The Board of Public Works moves that the Town vote to raise and appropriate, and/or borrow in anticipation of receipt of grant(s) or reimbursements, in accordance with Chapter 44 Sections 4 and 6A of the General Laws, the sum of \$758,101.00 to be used with such sum or sums as may be available from the State Highway Fund (or more commonly referred to as Chapter 90 Fund(s)), together with the provisions of easement for the payment of damages and expenses in connection herewith, as well as to authorize the transfer and use for said purpose of any unused balances under Chapter 90 Section 34.

Passed by majority vote under the consent agenda.

ARTICLE 8 The Board of Public Works moves that the Town vote to appropriate the sum of \$600 for the repurchase of certain unused and/or unwanted burial plots or graves; and to meet this appropriation transfer the sum of \$600 from the town account for the sale of lots and graves; and further, to authorize the Board of Public Works to do anything to act on behalf of the Town to repurchase certain unused and unwanted burial plots and graves.

Passed by majority vote under the consent agenda.

ARTICLE 9 The Planning Board moves that the Town vote to amend Chapter 305 of the Marshfield Town Code, Zoning, §305-11.08, Age-Restricted Adult Village, as written in Article 9 of the April 22, 2019 Annual Town Meeting Warrant:

Amend Article XI, Special Permit Conditions, by replacing the Current §305-11.08 Age-restricted adult village with a new §11.08 including the following changes highlighted in bold font:

Section 305 -11.08 Age-Restricted Adult Village

For Age-Restricted Adult Village (ARAV) housing not subject to the Table of Dimensions and Density Regulations not subject to §305-10.10 of the Zoning Bylaw, the following regulations shall apply:

A. Applicability and Use

1. The tract of single or consolidated ownership at the time of application shall be at least six (6) acres in size **in the R-1 and R-2** residential zones, and shall be subject to approval by the Planning Board acting as the Special Permit Granting Authority (SPGA).
2. The following uses shall be permitted: attached ARAV housing units, community facilities such as: religious, recreational, educational or membership club for the exclusive use of the residents of the ARAV.

B. Required Performance Standards

In addition to other minimum requirements stated elsewhere in this Bylaw, the following improvements, performance standards and/or conditions are required for all Age-Restricted Adult Villages (ARAV) in the Town of Marshfield.

1. Yield Plan

The applicant shall submit a conventional subdivision plan that complies with the Marshfield Zoning Bylaws and Subdivision Rules and Regulations and other applicable laws and regulations of the Town or the Commonwealth of Massachusetts. This plan will be reviewed and used to assist the Board in determining the number of As-of-Right (AOR) housing units or base density of the site. This AOR or base density may be increased through the special permit process by providing affordable housing units.

2. Density Bonus for Creation of Affordable Units

The total number of housing units allowed in an ARAV in all residential zoning districts may be increased by providing funding for affordable housing units by fees in lieu of construction. To determine the total number of units allowed, the following formula shall be used: AOR units + Affordable units + density bonus units = total units allowed. The number of Affordable units and Density Bonus units shall be determined by the following formula: the number of As of Right (AOR) units multiplied by twenty-five (25%) percent and rounded up to the next even number, divided by two. Due to changes in Department of Housing and Community Development (DHCD) Policy on counting affordable units in Age-Restricted 55+ Housing ; the affordable unit(s) shall be provided offsite by fees in lieu of construction.

(Example: A 9 unit AOR development will result in 9 AOR units plus 4 units (.25 x 9 units = 2.25 units rounded up to 4 units, 2 Affordable units and 2 Density Bonus units) or 13 units in total. A 31 AOR unit development will result in 31 AOR units plus 8 units (.25 x

31 units = 7.5 units rounded up to 8 units, 4 Affordable units and 4 Density Bonus units) or 39 total units.

3. Natural Open Space

- a. In all residential zones, at least fifty (50) percent of the total tract area subject to the ARAV Special Permit application shall be upland natural open space. The natural open space shall be set aside as common land and shall be either deeded to the Town or placed under a Conservation Restriction, as defined in Article II, and maintained as permanent “open space” in private or cooperative non-profit ownership. The SPGA shall provide for the disposition and control of the open space land in a manner and form acceptable to them and approved by Town Counsel.
- b. Natural open space is the area of the parcel(s) that is left undisturbed, in its natural state, as described further in this section. Areas of natural open space shall be preserved for: wildlife habitat, aquifer protection, historic preservation, passive recreation and /or forestry management. Natural open space shall not be used for any of the following activities: buildings or structures, impervious surfaces, above-ground utilities or subsurface infrastructure with the exception of storm water management facilities as noted below. Natural open space areas should encompass or protect valuable natural and cultural resources such as: large tracts of forest land, buffer zones to wetlands and water bodies, significant trees, scenic views, river valleys, geological features, archeological sites, historic trails or ways and open fields. Natural open space areas shall be contiguous areas of land. Narrow parcels or portions of lots less than 50’ wide cannot be included in required natural open space calculations unless they are used for access to a walking trail. Walking trails may be constructed of organic materials such as wood chips or stone dust.
- c. For the purpose of calculating the required 50% natural open space, the area of proposed development activity shall be enclosed within a polygon. The inside of the polygon shall be considered the area of the development footprint. Remaining areas outside of the development footprint, greater than 50’ in width, shall be used to satisfy the 50% natural open space requirement. Areas of natural open space may be managed utilizing standard, accepted forestry practices. Additional landscape plantings can be planted in natural open space areas to supplement existing vegetation. Storm water **and common wastewater management facilities and community facilities as defined in 305-11.08.A.2 above, shall be on an individual lot or lots and not part of the required 50% natural open space. The required 50% natural open space shall be protected as provided for in 305-11.04. G. Ownership of Open Space of this Zoning Bylaw.**

4. Mandatory Affordable Housing

All Affordable housing created by this bylaw shall be Local Initiative Program (LIP) dwelling units in compliance with the requirements of the Massachusetts Department of Housing and Community Development LIP Program. Affordable housing units will count toward the Town’s Subsidized Housing Inventory, in accordance with M.G.L. CH. 40B,

sec. 20-23. All ARAV's are required to provide Affordable housing in compliance with the **Provision for Fees-in-Lieu-of Construction of Affordable Housing Units** as follows:

- a. **Fees-in-Lieu of Construction of Affordable Housing Units:** An applicant shall propose to pay a fee-in-lieu of construction of affordable housing units to the Marshfield Housing Authority. A fee-in-lieu of construction shall be for the sole purpose of creating affordable housing in the Town of Marshfield that meet the State's LIP and adds to the Town's Subsidized Housing Inventory as determined by the Housing Partnership. The fee-in-lieu of construction shall be held in trust and in separate interest bearing accounts by the Marshfield Housing Authority for such purpose.
- b. For each Affordable unit for which a fee-in-lieu of construction is paid, the cash payment per unit shall be equal to forty percent (40%) of the average price being asked for the market-rate units in the applicable development.
- c. The fee-in-lieu of construction shall not result in an increase in the total number of units contained in the application for the special permit approved by the Planning Board.
- d. The Marshfield Housing Authority shall submit to the Housing Partnership annually and upon request, reports and other documentation of the use of its financial accounting for the fees-in-lieu of construction.
- e. The Marshfield Housing Authority shall hold all fees-in-lieu of construction of Affordable housing units paid to it, and all investment income and profit thereon received by it, separately from all other moneys of the Marshfield Housing Authority. It shall cause such fees, income and profit to be audited at least once a year by an independent, Certified Public Accountant or independent firm of Certified Public Accountants experienced in auditing accounts of governmental entities (which may be its regular auditor if such regular auditor meets the foregoing criteria); such audit to be completed no later than the general audit of the Marshfield Housing Authority's financial statements for the applicable fiscal year. A copy of such audit shall be promptly submitted to the Town Accountant, the Town Treasurer, the Town Administrator, the Board of Selectmen, the Housing Partnership, and the Planning Board. Such audit may be combined with the general audit of the Marshfield Housing Authority as long as all matters relating to such fees, income and profit are set forth separately from all other accounts of the Marshfield Housing Authority.
- f. **Schedule of Fees in Lieu of Payments:** Fees-in-lieu of construction payments shall be made prior to application for the first residential occupancy permit of the element. The market price proposed at the time of application shall be reviewed and adjusted if required at the time of payment. The Planning Board will consult with the Housing Coordinator prior to signing off on building permits.

5. Site Design

The development shall be integrated into the existing terrain and surrounding landscape, and shall be designed to protect abutting properties and community amenities. Building sites shall, to the extent deemed feasible by the SPGA;

- a. Minimize obstruction of scenic views from publicly accessible locations.
- b. Preserve unique natural or historical features.
- c. Minimize grade changes, removal of trees, vegetation and soil.
- d. Maximize open space.
- e. Maximize buffers to wetlands and water bodies.
- f. Screen objectionable features from neighboring properties and roadways.

6. Roads and Driveways

- a. The ARAV shall provide for access on roads that have sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic generated by the proposed ARAV. The development shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways through proper layout, location and design.
- b. All roads and driveways serving more than one dwelling unit shall be designed and constructed in accordance the following sections of the Subdivision Rules and Regulations of the Planning Board of the Town of Marshfield. Section 4. Design Standards and Required Improvements. With the exception of Subsections 4.1.5 and 4.4.9 in their entirety and Subsection 4.1.4 – Note **, which are exempt from this requirement. Roads and driveways serving more than one dwelling unit shall also be designed and constructed in accordance with Section 5 - Completion of the Way, Subsections 5.2, 5.4, 5.6 and 5.7 only.

7. Dead End Roads

- a. All dead end roads and common driveways shall terminate in a cul-de-sac or provide other accommodations for vehicles to reverse direction. Turn around areas shall be designed to accommodate emergency vehicles.
- b. Dead end streets and connecting common driveways shall not exceed 800' in length, measured from the intersection of the road that provides access to the ARAV.

8. Architecture

- a. Architectural style shall be in harmony with the prevailing character and scale of buildings in the neighborhood and the Town through the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Variation in detail, form and sitting shall be used to provide visual interest and avoid monotony. Proposed buildings shall relate harmoniously to each other with adequate light, air, circulation, and separation between buildings. All buildings shall be separated a minimum distance of 1 1/2 times the height of the proposed buildings.
- b. The maximum building height shall be 35 feet from the existing natural elevation.

9. Parking

- a. The proposed development shall provide two (2) parking spaces per each unit, plus one (1) visitor parking space for every ten (10) units, plus one (1) parking space per each two hundred (200) square feet of non-residential area.
- b. Parking areas, including maneuvering space for parking and loading areas, shall not be located within the required 40' buffer areas.
- c. Parking areas shall be screened from public ways and adjacent or abutting properties by building location, fencing, and/or dense landscape plantings.
- d. No parking shall be allowed on interior streets or ways.

10. Landscaping

- a. Connecting tree-lined walkways shall be provided between structures, parking areas and abutting public ways. A mixture of shade trees shall be spaced a minimum of forty (40) feet apart along streets and walkways. Landscape plans should be prepared and stamped by a professional landscape architect. The type, size and location of all plantings shall be included in the landscape plan.
- b. Exposed storage areas, machinery, service areas, truck loading areas, solid waste disposal facilities, utility buildings, structures and other unsightly uses shall be set back and/or screened to protect neighbors and residents from objectionable views, noise, odors and vibration.
- c. A fifty (50) foot wide natural buffer shall be required along the perimeter of the property, except for access roads, which in the opinion of the SPGA, provides suitable screening of abutting properties. The SPGA may require the natural buffer to be supplemented with additional plantings if the natural buffer does not provide adequate screening of abutting properties.

11. Lighting

All exterior lighting on roads, walkways and buildings shall be approved by the SPGA. Lighting specification cut-sheets shall be submitted for all lighting in the ARAV. Lighting shall be designed to avoid unnecessary glare to abutting properties. Sufficient lighting

should be provided to accommodate the needs of senior residents. A lighting plan shall be provided showing the intensity of light on the property. Reflectors and shields shall provide total cut-off of all light at the property boundaries.

12. Storm Water Management

The storm water management system shall be designed so that the volume and rate of run-off shall not exceed predevelopment conditions. The use of Low Impact Development principals is encouraged, such as bio-retention areas, and decentralized storm water management facilities. Groundwater recharge shall be maximized, surface and ground water quality shall be maintained or improved by employing Best Management Practices. Neighboring properties shall not be adversely affected. The SPGA may require that existing problems on/or adjacent to the site be mitigated as a condition of approval of a special permit under this section. Open air drainage facilities shall have a minimum fifteen (15) foot landscaped evergreen buffer area around the facility (excluding basin clean out access way).

13. Utilities

All electric, telephone, cable TV, and other such utilities shall be located underground. An evergreen landscaped buffer shall be provided around all transformers and other utility facilities.

14. Water Resource Protection Districts

Applicants submitting ARAV Special Permit applications within the Water Resource Protection District (WRPD) shall file for a WRPD Special Permit concurrently with the ARAV Special Permit and conform to the performance and design standards of Section 13.03.

15. Waste Water

Waste water treatment systems in all other ARAV developments shall be designed to not exceed 10 parts per million for the concentration of nitrate-nitrogen loading for the subject property as a whole, measured at the property boundaries.

16. Historic Resources

The SPGA and applicant shall seek guidance from the Historical Commission to ensure the protection, restoration, or preservation of historic locations, artifacts or structures within the proposed development.

17. Management of Common Areas

a. If an ARAV is owned or converted to ownership of more than one ownership entity, a non-profit Community Association (CA) shall be established, requiring membership of each property owner in the development. The CA shall be responsible for the permanent maintenance of all communal water and septic systems, common open space, roads, storm water management and recreational facilities. Prior to the closing of the public hearing, the applicant shall submit a CA agreement guaranteeing continuing maintenance of common utilities, land and facilities. The CA shall assess each home owner an equal share of maintenance expenses. Such agreement shall be subject to the review and approval of Town Counsel and the SPGA.

b. CA agreements or covenants shall provide that in the event that the association fails to maintain common facilities such as the waste water treatment system or storm water management system, in reasonable order and condition, in accordance with the agreement, the Town may, after notice to the CA and a public hearing, enter upon the property and conduct necessary maintenance, to protect the environment. The cost of any work shall be assessed equally against the properties within the development. All costs incurred by the Town for needed maintenance will be reimbursed by the CA.

C. Administrative Procedures - The Planning Board shall be the Special Permit Granting Authority (S.P.G.A.) for ARAV applications. Applicants shall follow the administrative procedures relative to the issuance of Special Permits set forth in the Marshfield Planning Board Rules Governing Housing for the Elderly and Handicapped Persons as adopted on 3/19/90 and most recently amended on 3/17/03, or any successor regulations. Copies of the above mentioned administrative rules shall be on file with the Town Clerk. The SPGA shall follow the procedural requirements for special permits as set forth in MGL CH. 40A, Section 9.

D. Criteria for Review and Approval- The SPGA shall review all applications for ARAV developments to determine the suitability of the site to the following criteria:

1. Compliance with 11.08 (2) Required Performance Standards;
2. Compatibility with the surrounding neighborhood;
3. Compliance with adopted public plans;
4. The requested use will not overburden any public infrastructure such as water, roads, drainage or sewer system or any other municipal system to such an extent that the proposed ARAV in the immediate area, or in any other area of the Town will be subjected to development related impacts that would adversely affect health, safety or the general welfare;
5. Acceptable design and layout of streets and common driveways;
6. That the projected traffic increase to the local road(s) is within the capacity of the existing network and does not impair pedestrian safety;
7. Compliance with environmental performance standards;
8. Appropriateness of building architecture, orientation and site design; and
9. The preservation of important areas of open space or items of historical and /or archaeological significance.

E. Decisions

1. The findings, including the basis of such findings, of the SPGA shall be stated in the written decision of approval, conditional approval, or denial of the application for Special Permit, and shall require a 4/5 majority vote for approval. For approval of a Special Permit granted under this section, an affirmative finding of the SPGA shall be required for all of the nine (9) criteria listed above.
2. The SPGA may also require, in addition to any applicable conditions specified in this Bylaw, such conditions as it finds reasonably appropriate to safeguard the neighborhood, or

otherwise serve the purposes of this Bylaw, including, but not limited to the following: front, side, or rear yards greater than the minimum required by this Bylaw; screening buffers or planting strips, fences, or walls, modification of the architectural design and exterior appearance of the structures; lighting, regulation of the number and location of driveways, or other traffic features; off-street parking or loading or any other special features beyond the minimum required by this bylaw.

3. Such conditions shall be provided in writing, and the applicant may be required to post a performance bond or other surety for compliance with said conditions in an amount satisfactory to the SPGA.

4. The Special Permit is granted for a period of two years and shall lapse if substantial use or construction has not commenced by such date, except for good cause shown as determined by the SPGA. Once construction has begun, it shall be actively and continuously pursued to completion within a reasonable time.

This Article passed by a declared 2/3rds vote

ARTICLE 10 The Planning Board moves that the Town vote to amend Chapter 305 of the Marshfield Town Code, Zoning, §305-11.04, Open space residential development, as written in Article 10 of the April 22, 2019 Annual Town Meeting Warrant:

Amend Article XI, Special Permit Conditions, by replacing the Current §305-11.04 Open space residential development with a new §11.04 including the following changes highlighted in bold font :

Section 305-11.04 Open Space Residential Development

- A. **Purposes** - The purpose of the **Open Space Residential Development** Bylaw is to allow: for flexibility and creativity in the design of residential developments; encourage preservation of scenic vistas, natural resources and existing and potential municipal water supplies; facilitate construction and maintenance of streets, utilities and public services in a more economical and efficient manner; encourage a less sprawling form of development that consumes less open land and conforms to existing topography and natural features better than a standard subdivision; preserve open space areas for active and passive recreational use, including the provision of neighborhood parks and trails; encourage provision of diverse housing opportunities and integration of a variety of housing types; and further the goals and policies of the Town's comprehensive plan.
- B. **Definition** - Open Space Residential Development (OSRD): A single family detached residential development in which the buildings are clustered together with reduced lot sizes and frontage. The land not included in building lots is permanently preserved as open space as defined herein. OSRD is the preferred form of residential development and/or redevelopment in the Town of Marshfield for residential developments of five (5) or more lots.

C. Applicability - The Planning Board may grant a special permit for an OSRD for any parcel or contiguous parcels of at least five (5) acres in **the R-1 district** subject to the regulations and conditions herein.

D. Procedural Requirements

(1) Rules and Regulations: The Planning Board shall adopt Rules and Regulations consistent with the provisions of this bylaw and shall file them with the Town Clerk. Such rules shall address the size, content, and number of copies of preliminary and definitive plans and other submittals and the procedure for the review of special permits.

(2) Density/Number of Dwelling Units: The number of dwelling units permitted shall not exceed that which would be permitted under a conventional subdivision that complies with Marshfield Zoning Bylaws and the Subdivision Rules and Regulations of the Planning Board and other applicable laws and regulations of the Town or the State.

(3) Review and Decision: The Planning Board shall act on applications according to the procedure specified in MGL Chapter 40A, Section 9 with the exception that a decision shall be rendered within the timeframe for Definitive Subdivision Plans specified in Chapter 41, Section 81U whenever this timeframe is shorter. Public hearings for the subdivision application and the special permit application shall be held concurrently.

(4) Criteria for Special Permit Decision: The Planning Board may approve the development upon finding that it complies with the purposes and standards of the OSRD Bylaw and **superior** to a conventional subdivision with regard to protection of natural features and scenic resources of the site. The Planning Board shall consider the following criteria in making its decision:

- a) Upland open space as required by this Bylaw has been provided and conforms with Subsection 8 of this Bylaw.
- b) Proposed streets have been aligned to provide vehicular access to each house in a reasonable and economical manner. Lots and streets have been located to avoid or minimize adverse impacts on open space areas and to provide views of and access to the open space for the lots.
- c) Lots meet the applicable dimensional requirements of Subsection 5 of the OSRD Bylaw and the Marshfield Zoning Bylaws.

(5) Findings: The Board's findings, including the basis of such findings, shall be stated in the written decision of approval, conditional approval or denial of the special permit. The Board shall impose conditions in its decision as needed to ensure compliance with the Bylaw.

- a) Time Limit: Special Permits are granted for a period of two years and shall lapse if substantial use or construction has not commenced by such date, except for good cause shown.
- b) Relationship to Subdivision Control Law: Nothing contained herein shall exempt a subdivision from compliance with other applicable provisions of these Bylaws or the Marshfield Subdivision Rules and Regulations, nor shall it affect the right of the Board

of Health and Planning Board to approve, condition or disapprove a plan in accordance with the provisions of such Rules and Regulations and the Subdivision Control Law.

E. Standards and Dimensional Requirements - Where the requirements of this section differ from or conflict with the requirements in the Table of Density and Dimensional Standards found elsewhere in this bylaw, the requirements of this section shall prevail for OSRD developments.

- (1) Minimum Lot Size: **The minimum lot size may be reduced to 20,000** square feet.
- (2) Minimum Frontage: The minimum frontage may be reduced **to no** less than **80'** of frontage and provided further that such frontage reduction shall apply only to lots fronting on proposed internal roadways.
- (3) Lot Shape: All building lots must be able to contain a circle of a minimum diameter of **80'** from the front lot line to the rear building line.
- (4) Setbacks: The Planning Board may permit a reduction **in** of the setbacks otherwise listed in the Table of Dimensional Regulations in this Bylaw, if the Board finds that such reduction will result in better design, improved protection of natural and scenic resources and will otherwise comply with the Bylaw. Notwithstanding this provision or the requirements of the Zoning Bylaw, every dwelling fronting on the proposed roadways shall be set back a minimum of **20'** from the roadway right-of-way, and a minimum of **10' from the side and 25' from the rear lot lines. A minimum 30' setback wide buffer** shall be maintained in a naturally vegetated state to screen the development **from the neighboring parcels. This 30' wide buffer shall have concrete bounds marking the location from individual lots and may require fencing to ensure protection in order to be counted towards the minimum open space requirement. Shallow vegetated drainage swales may be allowed within the buffer area if enhanced landscaping in the opinion of the Planning Board is provided.** Wherever feasible, construction of the dwelling at the front setback line is encouraged.
- (5) Required Open Space: All land area not utilized for lots, roads, **waste water disposal** and drainage shall be set aside as permanent open space. A minimum of 50% of the upland area of the parcel ("applicable land area") shall be provided as open space. Applicants are encouraged to include wetlands and waterbodies within the open space; however, they do not count toward the open space requirement. Roadway layouts do not count toward the open space requirement.

F. Permissible Uses of Open Space

- (1) Purposes: Open space shall be used solely for recreation, conservation, agriculture or forestry purposes by residents of the OSRD development and/or the public. Where appropriate, multiple use of open space is encouraged. At least half of the required open space may be required by the Planning Board to be left in a natural

state. The proposed use of the open space shall be specified in the application. If several uses are proposed, the plans shall specify what uses will occur in what areas. The Board may approve or disapprove the proposed uses.

- (2) **Recreation Lands:** Where appropriate to the topography and natural features of the site, the Planning Board may require that at least 10% of the open space or two acres (whichever is less) be of a shape, slope, location and condition to provide an informal field for recreation or community gardens for the residents of the subdivision.
- (3) **Leaching Facilities:** Where a parcel straddles the boundary of the Water Resource Protection District, leaching facilities shall be located outside of the District to the maximum extent feasible.
- (4) **Accessory Structures:** Up to 5% of the open space may be set aside and designated to allow for the construction of structures and facilities accessory to the proposed use of the open space including parking. With this exception, no other impervious areas may be included within the open space.

G. Ownership of Open Space

- (1) **Ownership Options:** At the developer's option and subject to approval by the Planning Board, all areas to be protected as open space shall be:
 - a) Conveyed to the Town to be placed under the care, custody and control of the Conservation Commission, and be accepted by it for a park or open space use;
 - b) Conveyed to a non-profit organization, the purpose of which is the conservation or preservation of open space, with a conservation restriction as specified in Subsection 7.2 below. Such organization shall be acceptable to the Town as a bona fide conservation organization; or
 - c) Conveyed to a corporation or trust owned or to be owned by the owners of lots or residential units within the development ("homeowners association") and placed under conservation restriction as specified in Subsection 7.2 below. If such a corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots or residential units. The developer is responsible for the maintenance of the open space and other common facilities until such time as the association is capable of assuming such responsibility. Thereafter, the members of the association shall share the cost of maintaining these areas. The Planning Board shall require the applicant to provide documentation that the homeowners association is an automatic (mandatory) association that has been established prior to the conveyance of any lots within the subdivision.
- (2) **Permanent Restriction:** In any case, where open space is not conveyed to the Town, a permanent conservation, agricultural or historical preservation restriction approved by Town Counsel and enforceable by the Town, conforming to the standards of the

Massachusetts Executive Office of Environmental Affairs, Division of Conservation Services, shall be recorded to ensure that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways except as permitted by this bylaw and approved by the Planning Board. Restrictions shall provide for periodic inspection of the open space by the Town. Such restriction shall be submitted to the Planning Board prior to approval of the project and recorded at the Registry of Deeds/Land Court simultaneously with recording of the endorsed definitive subdivision plan. A management plan may be required by the Planning Board which describes how existing woods, fields, meadows or other natural areas shall be maintained with good conservation practices.

- (3) Encumbrances: All areas to be set aside as open space shall be conveyed free of any mortgage interest, security interest, liens or other encumbrances.
- (4) Maintenance of Open Space: In any case where open space is not conveyed to the Town, the Town shall be granted an easement over such land sufficient to ensure its perpetual maintenance as conservation or recreation land. Such easement shall provide that in the event the trust or other owner fails to maintain the open space in reasonable condition, the Town may, after notice to the lot owners and public hearing, enter upon such land to maintain it in order to prevent or abate a nuisance. The cost of such maintenance by the Town shall be assessed against the properties within the development and/or to the owner of the open space. The Town may file a lien against the lots to ensure payment of such maintenance expenses.
- (5) Monumentation: Where the boundaries of the open space are not readily observable in the field, the Planning Board **shall require** placement of surveyed bounds sufficient to identify the location of the open space.

H. Design Requirements - The location of open space provided through this bylaw shall be consistent with the policies contained in the Marshfield Comprehensive Plan and the Marshfield Open Space and Recreation Plan. The following design requirements shall apply to open space and lots provided through this bylaw:

- a) Open space shall be planned as large, contiguous areas whenever possible. Long thin strips or narrow areas of open space (less than 100' wide) shall occur only when necessary for access, as vegetated buffers along **lots or** wetlands, or as connections between open space areas.
- b) Open space shall be arranged to protect valuable natural and cultural areas such as stream valleys, wetland buffers, forestland and significant trees, wildlife habitat, open fields, scenic views, trails and archeological sites and to avoid development in hazardous areas such as floodplains and steep slopes. The development plan shall take advantage of the natural topography of the parcel and cuts and fills shall be minimized.

- c) Open space may be in more than one parcel provided that the size, shape and location of such parcels are suitable for the designated uses. Where feasible, these parcels shall be linked by foot trails.
- d) The maximum number of house lots compatible with good design shall abut the open space and all house lots shall have reasonable physical and visual access to the open space through internal roads, sidewalks or paths. An exception may be made for resource areas vulnerable to trampling or other disturbance.
- e) Open space shall be provided with adequate access, by a strip of land at least 20 feet wide, suitable for a footpath, from one or more streets in the development.
- f) Where a proposed development abuts land held for conservation purposes, the development shall be configured to minimize adverse impacts to abutting conservation land. Trail connections shall be provided where appropriate.

This Article passed by a declared 2/3rds vote 2/3rds vote

ARTICLE 11 The Moderator moved that the Town vote to take out of order Article 11 so that such article be withdrawn.

Amend Article VII, Signs, by replacing the Current §305-7.01 to §305-7.05, Signs, with new §305.7.01 to §305-7.0 including the following changes highlighted in bold font :

Article VII Signs

Section 305- 7.01 Purpose

The purpose of the following requirements to all types of signs is to reasonably regulate the size, location, illumination and types of materials in order to:

1. Encourage signs that have locations, materials and designs compatible with the surrounding neighborhood and buildings and enhance the aesthetic environment of the town;
2. Eliminate excessive and confusing signs and the adverse effect of such signs on public and private property;
3. Eliminate potential hazards to motorists and pedestrians and;
4. Enable the fair and consistent enforcement of these sign restrictions.

Section 305-7.02 Applicability and Procedure

A written application for the installation of all types of signs shall be submitted to the Building Department, including signs requiring a special permit. The application shall include all information necessary to determine compliance with the regulations of this By-Law. The Building Commissioner will review applications within 10 days and determine whether a sign is allowed, requires a permit, a special permit, or is prohibited. The time period for the display of temporary non-commercial signs, including special events, political

and free speech sign shall start one day after Building Department determination on the application is filed with the Town Clerk.

Section 305-7.03 General Requirements

1. In all districts, all signs or advertising devices erected or maintained shall, unless expressly provided, conform to the following requirements.
2. The information contained on all signs for businesses shall be limited to the type of business, goods or service offered and name of business and/or owner.
3. No sign shall extend above the roof line of the building to which it is attached. Roof top signs are not allowed.
4. Private signs shall not be placed on publicly owned property unless authorized by the Board of Selectmen on behalf of the Town, Plymouth County Commissioners on behalf of Plymouth County and/or Commonwealth of Massachusetts or its duly authorized agency on behalf of the state and receipt of a sign permit determination if required.
5. Safety signage, including without limitation, (cautionary or directional information for traffic flow) not exceeding two (2) square feet requires review by the Building Commissioner.
6. Any traffic, directional, trespass or ownership sign owned or installed by a local, state or federal governmental agency shall be permitted after review and approval by the Building Commissioner.
7. Public interest signs (includes Adopt a Street, Community Service Announcements and Welcome to Marshfield signs) located on public property may be permitted under Section 305-7.07 Public Interest Signs.
8. A residential property sign of less than two (2) square feet in surface area identifying occupancy of the residence shall be permitted.
9. No trespassing signs of less than two (2) square feet in surface area shall be permitted on any private or public property.
10. Temporary Non-Commercial signs, including special events, political and free speech signs on private property under four (4) square feet shall be permitted for a period not to exceed 45 days. Said temporary non-commercial signs shall be limited to five signs per property. Each temporary sign shall be free-standing and secured to a post or a stake driven into the ground. Such signs shall not be located within the layout of a public way or attached to public property, trees, fences, utility poles or rocks.
11. Temporary Commercial signs including, (interior window displays and/or temporary banners) for drive-in establishments or automotive establishments may be permitted as provided in Section 305-7.03. 12 below. Said Temporary commercial sign shall not exceed four (4) square feet in surface area; and it shall be set back at least ten (10) feet from the street lot line. Temporary shall be construed to mean any period not exceeding 45 consecutive days.

Comment [RWG1]: Did you vet this?

12. A sign, (including temporary interior window displays or banner) or its illuminator shall not by reason of its location, shape, size or color interfere with traffic or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal or traffic marking. Therefore, flashing, **changeable image** or animated signs are not permitted and red, yellow or green colored lights shall not be permitted **in any zoning district of the Town.**
13. The supporting members of any pole sign, projecting sign, or any other sign shall be in acceptable proportion to the size of the sign, **shall not contain or be maintained with any sign information, and shall be constructed with materials and with such colors as to detract from the sign they support.**
14. No sign shall be erected so as to obstruct any door, window, or fire escape on a building.
15. If lighting is provided, the source of light shall be **located and** shielded **down so** as to prevent direct glare from the light source onto any public street or onto adjacent property.
16. In any district one unlighted sign offering the sale, rent or lease of a lot or building shall be permitted provided such a sign is located only on the property which is being advertised and shall not exceed **four (4)** square feet in surface area ; and it shall be set back at least ten (10) feet from the street lot line. **Any such signs shall be removed within five days within the lease or sale of the premises.**
17. In any Residential district, one unlighted temporary sign of an architect, engineer or contractor erected during the period such person is performing work on the premises on which such sign is erected shall be permitted provided; **it shall not exceed four (4) square feet in surface area; and it shall be set back at least ten (10) feet from the street lot line. Temporary shall be construed to mean any period not exceeding 45 consecutive days.**
18. In Business and Industrial Districts one unlighted temporary sign of an architect, engineer or contractor erected during the period such person is performing work on the premises on which such sign is erected shall be permitted provided: **it shall not exceed four (4) square feet in surface area; and it shall be set back at least ten (10) feet from the street lot line. Temporary shall be construed to mean any period not exceeding 45 consecutive days.**
19. **Billboard signs are prohibited.**

Section 305-7.04 Commercial Signs in the Residential Districts

1. One identification sign for each dwelling unit, provided; such sign shall not exceed two (2) square feet in surface area; if lighted, it shall be illuminated with white light by indirect method only; and it shall not be used other than for identifying the occupancy.
2. One professional nameplate for each medical doctor, dental practitioner, lawyer, engineer, optometrist or **other permitted** home occupation, provided such sign shall not exceed two (2) square feet in surface area.
3. One identification sign for each membership club, funeral establishment, hospital, church, other place of public assembly, community facility or public utility use, provided; the sign

shall not exceed **ten** (10) square feet in surface area; and if lighted, it shall be illuminated with white light by indirect method only. Such sign shall be set back at least (1/2) **one-half** of the required depth of the front yard.

4. One unlighted sign relating to a new residential subdivision during the actual period of construction, provided; it shall not exceed **twenty** (20) square feet in surface area; and it shall be set back at least ten feet from any street lot line.

Section 305-7.05 Commercial Signs in Any Business District

1. Signs permitted in Section **305-7.04**, subject to the same regulations, and business signs. General advertising signs shall be prohibited. Projecting signs not more than ten square feet in area in lieu of a permitted pole sign or standing sign may be permitted by Special Permit from the Board of Appeals. Such permit may be granted under the conditions of Article X, Section 10.10, Special Permits.
2. One wall sign for each lot street frontage of each establishment, provided, it shall be attached and parallel to the main wall of a building; the surface area of the sign shall not aggregate more than ten percent of the area of the wall on which it is displayed, or 40 square feet, whichever is lesser; and if lighted, it shall be illuminated internally or by indirect method only.
3. One pole sign for each street frontage lot held in single ownership regardless of the number of businesses on that lot; it may be double-faced, but shall not exceed 40 square feet in surface area per side; no portion of it shall be set back less than ten feet from any street lot line; it shall not be erected so that any portion of it is over 30 feet above the ground or sidewalks; and if lighted, it shall be illuminated internally or by indirect method with white light only.
4. One standing sign for each lot street frontage of a business establishment in the highway business district, provided; it shall not exceed 40 square feet in surface area, on any one side; no portion of it shall be set back less than 10 feet from any street lot line; it shall not rise to more than 12 feet from the ground or sidewalk; and it shall be illuminated internally or by indirect method with white or blue light only. Where a single lot is occupied by more than one business whether in the same structure or not, there shall not be more than one standing sign.
5. Businesses or civic institutions located within the area known as Library Plaza within the B-1 zoning district – said area including Assessors Parcels H7-05-07, H7-05-02 – said businesses not having legal frontage on a street but accessible from both Ocean Street and Webster Street, may be permitted to construct a total of two shared signs subject to the following conditions:

- a. One pole sign at the intersection of both Ocean Street and Webster Streets with the primary access road to Library Plaza, with said sign located on Town-owned land and held in ownership by the Town regardless of the number of businesses referenced on the sign; it may be double-faced, but shall not exceed 40 square feet in surface area per side; no portion of it shall be set back less than ten feet from any street lot line; it shall not be erected so that any portion of it is over 12 feet above the ground or sidewalks; and if lighted, it shall be illuminated by indirect method with white light only.
- b. Such permit may be granted under the conditions of Article X, Section 10.10, Special Permits. Upon receipt of such application, the Board shall transmit a copy of such plan at least to the Planning Board, the Safety Officer and the Beautification Committee, if applicable, which may make recommendations. No recommendation within thirty-five days shall be deemed approval.
- c. Any Site Plan Review permit issued for new construction, redevelopment or reuse within Library Plaza shall be conditioned upon approval of an amended sign design reflecting the addition of the new business to the shared sign or signs.
- d. The commercial tenant(s) located on Assessors Parcel H7-05-01 may elect to be included on the two signs authorized herein provided that any reference on said sign(s) shall serve as the primary and only signage for said tenant(s) visible from either Ocean Street or Webster Street, and shall disallow, for the duration of the reference to said tenant(s) on the shared sign(s), the presence on any other sign on the parcel's frontage on Ocean Street.

Section 305-7.06 Signs Permitted in the "I" District

1. Wall signs permitted in Section 7.05, subject to the same regulations.
2. One standing sign for each lot street frontage, provided: **it shall not exceed 40 square feet in surface area, be limited to two sides**, it shall be set back at least 15 feet from any street lot line; it shall not be erected so that any portion of it is over 15 feet above the ground or sidewalk; and if lighted, it shall be illuminated internally or by indirect method with white light only.
3. In the Industrial Zone, a sign or assembly of signs **as permitted in Section 7.05, subject to the same regulations** which are similar in size and appearances, and which serve as a directory of occupants, is/are permitted, provided the aggregate area of such sign or signs does not exceed 40 square feet. Not more than one such directory sign may be located at each entrance roadway to the Industrial Zone and not closer than 15 feet to the edge of the **right of way**. Illumination, if any, will be by indirect white light only.

Section 305-7.07 Public Interest Signs

a. "Adopt an Island" Program

Informational standing signs, not including general advertising signs, owned or installed by the Board of Public Works, may be erected on public ways and traffic islands by said Board, after receiving a permit therefor from the Inspector of Buildings. Such signs shall not exceed 12 square feet in surface area per side and shall be erected so that no portion of the sign is over 5 feet above the ground level beneath the sign. Such signs shall contain no more than 2 colors and shall not be illuminated. The Board may place on such signs the name(s) of persons or businesses who are participating in the so-called Adopt an Island program operated by the Department of Public Works. The Board of Public Works shall adopt and publish written policies and procedures consistent with this section governing the Adopt an Island program.

b. Community Service Announcements

Standing signs containing community service announcements, not including general advertising signs, may be erected on public ways and traffic islands with the approval of the Board of Selectmen, after receiving a permit therefore from the Inspector of Buildings. Such signs shall not exceed 12 square feet in surface area per side and shall be erected so that no portion of the sign is over 5 feet above the ground level beneath the sign. Such signs shall not be illuminated. Provided however that so-called banner type signs may be erected in the air space over public ways without complying with the height and size limitations contained herein.

c. Welcome to Marshfield Signs

Signs which welcome travelers to the Town of Marshfield and which are owned or installed by the Board of Public Works may be erected on public ways and traffic islands at the entrances to the Town by said Board, with the approval of the Board of Selectmen, after receiving a permit therefore from the Inspector of Buildings. Such signs shall not exceed 24 square feet in surface area per side and shall be erected so that no portion of the sign is over 8 feet above the ground level beneath the sign. Such signs shall contain no more than 3 colors and shall not be illuminated.

This Article was withdrawn with the approval of Town Meeting majority vote of the consent agenda.

ARTICLE 12 The Harbormaster moves that the Town vote to amend Chapter 34 of the Marshfield Town Code, Boating and Waterways, §§34-5, 34-6 and 34-7 as written in Article 12 of the April 22, 2019 Annual Town Meeting Warrant:

Amend Chapter 34-5, Mooring regulations, by deleting the Current §34-5.B. in its entirety and replacing it with the following new §34-5.B with the additions highlighted in bold font and strikethroughs showing proposed language to be deleted as follows:

- B. An annual mooring waitlist shall be compiled and kept at the Harbormaster's office. It is available to the public to review on request. Mooring permits will be granted by the Harbormaster in order of application date as suitable locations become available, **based on commercial or recreational boating. Persons** without a mooring shall have priority. Mooring waitlist fees are established by the Harbormaster and approved by the Board of Selectmen. Persons on the waitlist shall reapply annually between April 15th and June 30th of each calendar year. Renewals must be in person, **or by an online system established by the Harbormaster.** ~~by mail or fax.~~ If an applicant on the waitlist refuses a mooring location, the applicant will not lose their place on the mooring waitlist.

And further amend Chapter 34-6, General Regulations, by adding a new §34-6.S. as follows:

- S. All privately operated marinas, clubs and individual vessel owners that house, moor, store, vessels on docks, slips, wharfs, or moorings shall upon written request of the Harbormaster or Assessors office staff; provide a list and vessel description of all registered or documented vessels in the Town of Marshfield within 10 business days. The list can be delivered in hand, electronically or by certified mail.

And further, amend Chapter 34-7, Special safety regulations, by deleting the Current §34-7.G. in its entirety and replacing it with the following new §34-7.G. with the additions highlighted in bold font as follows:

- G. Barges, sectional barges, dump scows, dredges, crane barges; large tugs shall not be moored, anchored in Marshfield waterways without prior approval of the Captain of the Port or Harbormaster. A fee schedule shall be established for marine equipment moored in Marshfield waterways and approved by the Board of Selectmen. **All fees associated with marine related equipment and work is the responsibility of the applicant, petitioner and or facility owner or homeowner. These fees may also be assessed as part of any Conservation Commission Order of Conditions (OOC) or Determination of Applicability (DOA) with Special Conditions. All fees collected shall be deposited into the Waterways fund.**

This Article passed by a majority vote.

ARTICLE 13 The Marshfield Housing Partnership moves that the Town vote to authorize the Board of Selectmen to lease, sell, convey or otherwise dispose of a certain parcel of vacant land owned by the town on Texas Street, more specifically identified as Assessor's Parcel J11-02-12, to a non-profit organization selected in accordance with Chapter **30B** of the General Laws, including for nominal consideration, for affordable housing purposes and subject to a perpetual affordable housing restriction which may be accepted by the town, on such terms and conditions acceptable to the Board of Selectmen and approved by Town Counsel.

This Article was defeated.

ARTICLE 14 Will the Town vote to act upon the recommendation of the Community Preservation Committee for the fiscal year beginning July 1, 2019, to expend, or set aside for later expenditure, sums of money from the Community Preservation Fund established pursuant to Massachusetts General Laws Chapter 44B for the following warrant articles:

Item	Fund Category	Project	Amount	Department/Applicant
1	Historic	To reserve \$179,278 from FY2020 CPA revenues for Historic Reserves	\$179,278	Community Preservation Committee
2	Open Space/Recreation	To reserve \$179,278 from FY2020 CPA revenues for Open Space & Recreation Reserves	\$179,278	Community Preservation Committee
3	Affordable Housing	To reserve \$179,278 from FY2020 CPA revenues for Affordable Housing Reserves	\$179,278	Community Preservation Committee
4	Administrative	To reserve \$82,000 from FY2020 CPA revenues for the administrative and operating expenses of the Community Preservation Committee	\$82,000	Community Preservation Committee
5	Historic Preservation	To appropriate \$120,970 from CPA revenues for Historical Document Restoration and Preservation	\$120,970	Community Preservation Committee/Ventress Memorial Library Board of Trustees
6	Historic Preservation	To appropriate \$10,600 CPA revenues for North	\$10,600	Community Preservation Committee/Marshfield Historical Society

		River Shipyard Marker Restoration		
7	Open Space/Recreation	To appropriate \$35,000 from CPA revenues for Veteran's Memorial Park and South River Improvements	\$35,000	Community Preservation Committee/Marshfield Conservation Commission
8	Open Space/Recreation	To appropriate \$322,216 from CPA revenues for Harbor Walkway Phase II Extension	\$322,216	Community Preservation Committee/Harbormaster
9	Open Space/Recreation	To appropriate \$55,000 from CPA revenues for Rexhame Terrace Beach Boardwalk	\$55,000	Community Preservation Committee/Department of Public Works
10	Open Space/Recreation	To appropriate \$100,000 from CPA revenues for Capital Ballfields and Playgrounds Improvements	\$100,000	Community Preservation Committee/Department of Public Works
11	Open Space/Recreation	To appropriate \$ 36,533 from CPA revenues for Beach Access Improvements – MOBI Mats	\$36,533	Community Preservation Committee/Marshfield Beaches/Marshfield Police Department
12	Open Space/Recreation	To appropriate \$199,348 from CPA revenues for Recreation Trails Upgrades and Repair	\$199,348	Community Preservation Committee/Recreation Trails Committee
13	Open Space/Recreation	To appropriate \$135,000 from CPA revenues for a new Playground at Eames Way School	\$135,000	Community Preservation Committee/Eames Way School PTO
14	Open Space/Recreation	To appropriate \$175,000 from CPA revenues for a new Playground and	\$175,000	Community Preservation Committee/South River School PTO

		ADA access at South River School		
15	Housing	To appropriate \$25,000 from CPA revenues for the Housing Coordinator's Salary	\$25,000	Community Preservation Committee/Marshfield Housing Partnership

Any unused funds will be returned to the appropriating Community Preservation Act Fund.

- 1. The department named in each specified project shall assume the responsibility to fully execute the project.*
- 2. Any un-used funds will be returned to the appropriating Community Preservation Act Fund.*
- 3. CPA funds can be used for the purpose of matching grants from other sources.*
- 4. As per Chapter 44B, the State match for Community Preservation Act funds is accumulated from fees at the Registries of Deeds across the Commonwealth. The State Legislature cannot allocate the funds for any other purpose.*

Matters for Appropriation were moved as part of the Consent Agenda:

Item 1 - The Community Preservation Committee moves that the Town vote to appropriate the sum of \$179,278 from Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the ten percent (10%) Community Preservation Fund Historic Reserve.

Item 2 - The Community Preservation Committee moves that the Town vote to appropriate the sum of \$179,278 from Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the ten percent (10%) Community Preservation Fund Open Space/Recreation Reserve.

Item 3 - The Community Preservation Committee moves that the Town vote to appropriate the sum of \$179,278 from Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the ten percent (10%) Community Preservation Fund Affordable Housing Reserve.

Item 4 - The Community Preservation Committee moves that the Town vote to appropriate the sum of \$82,000 from Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund Administrative Expenses for Fiscal Year 2018, said funds to be expended under the direction of the Community Preservation Committee.

These items, 1-4 inclusive passed by majority vote under the consent agenda.

Item 5 - The Ventress Memorial Library Board of Trustees moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$120,970 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of

historical document restoration and preservation, said funds to be expended under the direction of the Ventress Memorial Library Board of Trustees and Community Preservation Committee.

Passed by majority vote

Item 6 - The Marshfield Historical Society moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$10,600 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of North River Shipyard marker restoration, said funds to be expended under the direction of the Community Preservation Committee.

Passed by majority vote

Item 7 - The Conservation Commission moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$35,000 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of Veteran's Memorial Park and South River improvements and costs of easement preparation, said funds to be expended under the direction of the Conservation Commission.

Passed by majority vote.

Item 8: The Harbormaster moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$322,216 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of Phase II Harborwalk Extension, said funds to be expended under the direction of the Community Preservation Committee.

Passed by majority vote.

Item 9 - The Board of Public Works moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$55,000 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of installing a boardwalk to Rexhame Beach at Rexhame Terrace, said funds to be expended under the direction of the Board of Public Works.

Passed by majority vote.

Item 10 – The Board of Public Works moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$100,000 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of capital improvements to ballfields and playground improvements, said funds to be expended under the direction of the Board of Public Works.

Passed by majority vote.

Item 11 – The Marshfield Police Department moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$36,533 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of purchasing and installing beach access MOBI mats, said funds to be expended under the direction of the Marshfield Police Department.

Passed by majority vote.

Item 12 - The Recreation Trails Committee moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$199,348 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of recreation trail upgrades and repairs, said funds to be expended under the direction of the Recreation Trails Committee and Community Preservation Committee.

Passed by majority vote.

Item 13 – The Eames Way School PTO moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$135,000 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of a new playground at the Eames Way School, said funds to be expended under the direction of the Community Preservation Committee.

Passed by majority vote.

Item 14 – The Eames Way School PTO moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$175,000 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund the cost of a new playground and ADA improvements at the South River School, said funds to be expended under the direction of the Community Preservation Committee.

Passed by majority vote.

Item 15 - The Marshfield Housing Partnership moves that the Town vote, upon the recommendation of the Community Preservation Committee, appropriate the sum of \$25,000 from the Fiscal Year 2020 Estimated Community Preservation Fund revenue to fund Housing Coordinator Salaries, said funds to be expended under the direction of the Marshfield Housing Partnership.

Passed by majority vote.

ARTICLE 15 Dan Hughes moves that the Town vote to require all dog owners, walkers and caretakers to pick up and dispose of properly the waste the dog produces? Fines for first, second and subsequent violations the same as for other dog bylaw violations.

The Article was defeated.

ARTICLE 16 Peter Howard moves that the Town vote to ban the sale of alcoholic beverages in containers 200 ml and smaller to reduce a source of litter on our streets, playgrounds and beaches?

The Article was defeated

ARTICLE 17 Carol Robinson moved that the Town approved the Community Choice Aggregation Enabling Legislation to see if the Town will vote to authorize the Board of Selectmen to research, develop and participate in a Community Choice Aggregation Program, including contract for electric supply for Marshfield residents and businesses as per

Massachusetts General Law 164, Section 134 of the Acts of 1997, or otherwise act thereon. This includes authorizing the Town Administrator and/or Selectmen to establish and/or appoint representatives for a committee to oversee such independent action, or take any other action relative thereto, and to execute all documents necessary to accomplish the same.

This Article passed by a majority vote.

ARTICLE 18 Jeanne Ryer moves that the Town approve the resolution set forth in Article 18 of the April 22, 2019 Annual Town Meeting Warrant.
To see if the Town will vote to adopt the following A Non-Binding Resolution for Increased Use of Class I Renewable Resources through a Community Choice Aggregation Energy Program in the Town of Marshfield.

BE IT RESOLVED, that Town Meeting urges the Board of Selectmen to initiate a process to develop a Community Choice Aggregation plan that includes as a goal the increased use of Class I renewable resources for the generation of electricity for Marshfield participants.

1. The Community Choice Aggregation plan shall increase (from the Commonwealth of Massachusetts' mandated requirement) participants' use of Class I renewable sources of electricity by a maximum percentage of retail sales while keeping average household bills competitive relative to Eversource's basic service rate.
2. The Community Choice Aggregation plan shall include clear and easily executed steps allowing consumers to opt out of, or later to opt in to the Aggregation program corresponding to the Community Choice Aggregation plan, with no penalty or other cost, and at any time.
3. That, in addition to all other requirements for notice in Massachusetts General Laws or regulations of the Department of Public Utilities, the Town of Marshfield will communicate directly with citizens about The Community Choice Aggregation program and its electricity service options as well as its opt-out-provision.

This non-binding resolution was read into the record.

ARTICLE 19 Mr. Grabowski moves that the Town vote to accept Massachusetts General Laws, Chapter 44, Section 53F3/4 and pursuant thereto authorize the Treasurer-Collector to establish in the treasury a special revenue fund to be known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services, and the oversight and renewal of cable franchise agreements, the fund to begin operation for fiscal year 2020, which begins on July 1, 2019.

This Article passed by a majority vote.

ARTICLE 20 Mr. Grabowski moves that the Town vote to appropriate the sum of \$467,620 for the purpose of funding the PEG Access and Cable Related Fund; and, to meet this appropriation transfer the sum of \$467,620 to Marshfield Cable Television, Inc. to be used to support PEG access services consistent with the cable franchise agreements during fiscal year 2020.

This Article passed by a majority vote.

ARTICLE 21 Brian Taylor moves that the Town vote to authorize the Town of Marshfield and/or its Conservation Commission be authorized to accept a perpetual Conservation Restriction in a form consistent with Chapter 184 secs. 31-33 and acceptable to Town Counsel and with the payment of agreed stewardship fee on a certain parcel of land off of Plain Street being a portion of Assessor's Parcel D10-01-07A containing approximately 5.18 acres and described in Article 21 of the April 22, 2019 Annual Town Meeting Warrant.

Beginning at a point located 907.98 feet from the southwesterly corner of the subject parcel, thence running:

N 13°50' 50" E a distance of four hundred thirty two and fifty-five hundredths feet (432.55') to a concrete bound, thence,

S 83° 27' 49" E a distance of three hundred eighty and thirty-three hundredths feet (380.33') to a point, thence,

S 13° 56' 21" W a distance of seventy four an fifty-one hundredth feet (74.51') to a Concrete bound, thence,

S 83°27'49"E a distance of three hundred and twenty feet (320.00') to a point, thence,

S 10° 37' 31" W a distance of one hundred ninety eight and fifty-one hundredths (198.51') to a point, thence,

N 83° 27'49"W a distance of three hundred and thirty feet (330.00') to a concrete bound, thence,

S 15°25'00"W a distance of one hundred forty nine and sixty-five hundredths feet (149.65') to a point, thence,

N 84° 52' 05" W a distance of three hundred seventy eight and sixty-two hundredths feet (378.62') to the point of beginning.

Containing 5.18 acres of land.

This Article was approved by a declared 2/3rds vote

ARTICLE 22 James Stewart moves that the Town vote to appropriate the sum of \$1,000 to fund services for low-income and elderly residents by the South Shore Community Action Council, Inc. as set forth in Article 22 of the April 22, 2019 Annual Town Meeting Warrant.

This Article was passed over by Town Meeting.

At 11:45 p.m. on April 23rd, 2019, the moderator moved to close the business of the Annual Town Meeting and the meeting was adjourned by a unanimous vote.

Respectfully submitted,

Narice Ann Casper II
Town Clerk

