

**TOWN OF EASTON
COMMONWEALTH OF MASSACHUSETTS**

WARRANT FOR ANNUAL TOWN MEETING

May 21, 2012

BRISTOL, SS.

To either of the Constables of the Town of Easton in the County of Bristol:
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Easton qualified to vote in elections and Town affairs to meet in the Oliver Ames High School Auditorium in said Easton on Monday, the 21st day of May, next, at 7:00 P.M., then and there to act upon the following articles:

ARTICLE 1. ACCEPTANCE OF ANNUAL REPORTS

To see if the Town will vote to accept the reports of the Selectmen, Town Administrator, Assessors, Board of Health, Town Clerk, Treasurer, Collector of Taxes, School Committee, Town Accountant, Director of Public Works, and other Departments, Boards and Committees of the Town, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is an annual vote to accept the Town Report.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 2. RE-AUTHORIZATION OF REVOLVING FUNDS

To see if the Town will vote to re-authorize revolving funds for the Fiscal Year July 1, 2012 – June 30, 2013 under the provisions of Massachusetts General Laws Chapter 44, §53E½ for the following:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Conservation Commission Chapter 227 Filing Fee Account	Conservation Commission	Fees required by Chapter 227, Wetlands Regulations, of the Code of the Town of Easton	Supplies, services and administrative costs as necessary to aid the Commission in making decisions on conservation applications, or enforcement	\$50,000	Available for expenditure next year

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Subdivision Review, Special Permit and Inspection Fees Account	Planning & Zoning Board	Fees received from applicants for subdivision or special permit approval for application review, publication of notices and inspections	actions. Services of expert engineers and consultants, related administrative costs, deemed necessary by the Board; costs and expenses of application review and inspections during construction; the purchase of software; and any other related expenses.	\$50,000	Available for expenditure next year
Town Clerk's Record Preservation Fund	Town Clerk	Fees and receipts received from a surcharge applied to all certified vital record copies	Supplies, services, and related administrative costs to aid in the preservation, restoration and documentation of the permanent records of the Town.	\$10,000	Available for expenditure next year
Recreation Revolving Fund	Recreation	Fees and receipts received from recreational programs and activities	Supplies, services, and related administrative costs for the operation of recreational programs and activities for the Town.	\$250,000	Available for expenditure next year

or take any other action with respect thereto.

Submitted by Board of Selectmen

Explanation: This article is required annually to re-authorize revolving funds previously established by Town Meeting.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 3. ELECTED OFFICIALS' COMPENSATION

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, as provided by Section 108 of Chapter 41 of the General Laws, as follows:

Board of Selectmen, each member	\$1,800
Board of Health, each member	\$1,000
Board of Assessors, each member	\$1,800
Moderator	\$ 100

or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is an annual article, required by statute, to set the salary levels for all compensated elected officials.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 4. RESCIND PREVIOUSLY AUTHORIZED DEBT

To see if the Town will vote to rescind \$150,000 of the borrowing authorized under article 28 of the May 15, 2006 Annual Town Meeting, adjourned to June 12, 2006, said funding originally appropriated for the purpose of repainting a water tank, but no longer needed as the project is complete, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The original borrowing authorization was for \$600,000. The Town issued debt of \$450,000 for the completion of the project. This "housekeeping" article will remove the unspent authorization of \$150,000 which would otherwise remain on the books indefinitely.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 5. RESCIND PREVIOUSLY AUTHORIZED DEBT

To see if the Town will vote to rescind \$160,000 of the borrowing authorized under article 23 of the May 21, 2007 Annual Town Meeting, said funding originally appropriated for school boiler and roof replacements, but no longer needed as the projects are complete, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The original borrowing authorization was for \$425,000 of which \$175,000 was for boiler replacement at Center School and \$250,000 was for roof replacement at 130 Center Street. The Town issued debt of \$80,000 for the boiler and \$185,000 for the roof to complete the projects. This “housekeeping” article will remove the remaining unspent authorization of \$160,000 which would otherwise remain on the books indefinitely.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 6. RESCIND PREVIOUSLY AUTHORIZED DEBT

To see if the Town will vote to rescind \$20,000 of the borrowing authorized under article 10 of the May 17, 2010 Annual Town Meeting, said funding originally appropriated for repairs to Long Pond Dam, but no longer needed as the project is complete, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The original borrowing authorization was for \$100,000. The Town issued debt of \$80,000 for the completion of the project. This “housekeeping” article will remove the unspent authorization of \$20,000 which would otherwise remain on the books indefinitely.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 7. RESCIND PREVIOUSLY AUTHORIZED DEBT

To see if the Town will vote to rescind \$55,000 of the borrowing authorized under article 10 of the May 17, 2010 Annual Town Meeting, said funding originally appropriated for the purchase of departmental vehicles and equipment, but no longer needed as the project is complete, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The original borrowing authorization was for \$555,000 for the purchase of vehicles and equipment for various departments. The Town issued debt of \$500,000 for the purchases. This “housekeeping” article will remove the unspent authorization of \$55,000 which would otherwise remain on the books indefinitely.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 8. APPROPRIATION AND AUTHORIZATION TO EXPEND
CHAPTER 90 FUNDS

To see if the Town will vote to appropriate a sum of money to be expended in anticipation of the reimbursement authorized for the State's share of the cost of work to be done under Chapter 90 of the General Laws, and to take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This is the Town's annual share of Chapter 90 funds provided by the State for road related improvements in the community.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 9. AUTHORIZATION OF REVOLVING FUND FOR FIELD
MAINTENANCE

To see if the Town will vote to authorize the Recreation Department, pursuant to M.G.L. Ch. 44, section 53E 1/2, to set up a revolving fund for fiscal year 2013, known as the "Recreational Field Maintenance Revolving Fund", which shall be accounted for separately from all other monies of the Town, and to which shall be deposited departmental fees and receipts, to pay for the reasonable costs and expenses, for supplies, services, and equipment as deemed necessary by the Recreation Department for the purpose of maintaining recreational fields for the Town of Easton, with said departmental fees and receipts to be expended without appropriation, and to specify as follows:

1. The revolving fund shall be expended only for the purpose of paying for supplies, services, equipment, and implementation costs related thereto, as deemed necessary by the Recreation Department for the operation and maintenance of recreational fields for the Town of Easton;
2. Only fees, receipts and donations received in connection with recreational field usage and related activities shall be deposited in such account;
3. The Recreation Department shall be the only Town body authorized to expend such fund, and
4. The amounts expended from fiscal year 2013, "Recreational Field Maintenance Revolving Fund", shall not exceed \$50,000.

and further, to transfer a sum of money from available mitigation funds for startup costs, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: In 2002 the Town received mitigation funds from a developer in the amount of \$50,000 in lieu of constructing a playing field. Since that time the account has gained over \$10,000 in interest and has a current balance of \$60,822.77. The Town has several recreational fields including Peterson, Pine Street, Unionville, Torie's Place Park and Edwin Keach Park and limited funds for their proper maintenance. The purpose of this revolving fund would be to provide necessary periodic field maintenance in accordance with a schedule to be developed by the Department of Public Works. The fund would be established with the available mitigation funds and replenished through fees and donations accumulated by the Recreation Commission.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 10. AUTHORIZATION OF REVOLVING FUND FOR BOARD OF HEALTH VACCINATIONS

To see if the Town will vote to authorize the Board of Health Department, pursuant to M.G.L. Ch. 44, section 53E 1/2, to set up a revolving fund for fiscal year 2013, known as the "Board of Health Vaccination Revolving Fund", which shall be accounted for separately from all other monies of the Town, and to which shall be deposited departmental fees and receipts, to pay for the reasonable costs and expenses, for supplies and services as deemed necessary by the Health Department for the purpose of purchasing and administering vaccinations for the Town of Easton, with said departmental fees and receipts to be expended without appropriation, and to specify as follows:

1. The revolving fund shall be expended only for the purpose of paying for supplies, services, and the administrative costs related thereto, as deemed necessary by the Board of Health Department for the Town of Easton;
2. Only fees and receipts received in connection with vaccination activities shall be deposited in such account;
3. The Board of Health Department shall be the only Town body authorized to expend such fund, and
4. The amounts expended from fiscal year 2013, "Board of Health Vaccination Revolving Fund", shall not exceed \$5,000.

or take any other action relative thereto.

Submitted by Board of Health

Explanation: Each of the last three flu seasons we have expanded our participation in the programs available to us that allow for the billing of insurance companies for reimbursement for the cost of administering seasonal flu vaccine. In 2009- 2010 we received \$918 for the MassPro program. This just represented Seniors with supplemental insurance plans. In 2010-2011 we secured a Medicare number ,entered into an agreement with Umass, which covers the major insures, and continued to work with MassPro yielding a total of just over \$2,100 for the 2010/2011 flu season. For the 2011/2012 Flu Season we purchased 110 doses of vaccine to be used in addition to the State supplied vaccine. We have received \$445 from Medicare which represents 14 approved claims (of 15 submitted), 10 of which covered the cost of vaccine as well as administration. For 2011/2012 the MassPro program was absorbed by UMass. We have submitted just over 270 claims, approximately 75 of which were for the administration and the vaccine. The creation of this fund will allow the Board of Health to purchase vaccine as the supply of State provided vaccine continues to shrink and come late in the season with the funds received from billing insurance companies.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 11. TRANSFER TO STABILIZATION FUND

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money into the Stabilization Fund, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This article will be dismissed if funds are not available for transfer.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 12. SUPPLEMENT FISCAL YEAR 2012 BUDGETS

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to supplement fiscal year 2012 budgets, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: There are no supplementation requests at this time. This article will be dismissed unless additional funds are required.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 13. PAYMENT OF BILL(S) FROM A PRIOR FISCAL YEAR

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to pay the cost of bills incurred in a prior fiscal year, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: There are no prior year bills at this time. This article will be dismissed unless any prior year bills are discovered.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 14. APPROPRIATION OF FUNDS FOR SEXUAL ASSAULT SURVIVOR AND PREVENTION SERVICES

To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds, the amount of \$5,000 to fund a contract for fiscal year 2013 for services provided to sexual assault survivors and their families, as well as services associated with the prevention of sexual assaults and other services associated therewith, and further to authorize the Board of Selectmen to enter into said contract, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: We have appropriated funds for this purpose for many years and propose that we continue to make these essential services available in the community.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 15. FUND SICK LEAVE BUYBACK REQUESTS AS REQUIRED BY COLLECTIVE BARGAINING

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to pay the cost of accumulated sick-leave required to be paid by collective bargaining contract, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This article will fund the buyback of accumulated sick time for several members of the police union who have opted to purchase their time in fiscal 2013, rather than upon retirement at higher rates. Estimated cost is \$44,000.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 16. FY 2013 OPERATING BUDGET

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money to defray the Town charges for the ensuing fiscal year including the salaries of the several elected and appointed officers of the Town, and make appropriations for same, or take any other action relative thereto.

Submitted by Town Administrator

Explanation: This is the annual operating budget for the Town. The Town Administrator and others will make a presentation at town meeting regarding this proposal.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 17. APPROVE FUNDING FOR POLICE UNION CONTRACT

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in any collective bargaining agreement between the Town and the Easton Police Association if such agreement is negotiated and mutually ratified prior to Town Meeting; or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This approves funding, contained in the FY'13 budget, for the first year cost of a three year collective bargaining agreement between the Town and the Police Union.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 18. APPROVE FUNDING FOR PUBLIC SAFETY DISPATCHERS' CONTRACT

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in any collective bargaining agreement between the Town and Southeastern Public Employees Association/Easton Public Safety Dispatchers' Unit if such agreement is negotiated and mutually ratified prior to Town Meeting; or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This approves funding, contained in the FY'13 budget, for the first year cost of a three year collective bargaining agreement between the Town and the Public Safety Dispatchers Union.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 19. APPROVE FUNDING FOR DPW UNION CONTRACT

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in any collective bargaining agreement between the Town and the Southeastern Public Employees Association/DPW Unit if such agreement is negotiated and mutually ratified prior to Town Meeting; or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The DPW contract expires on June 30, 2012. Negotiations are currently ongoing and additional information will be provided at town meeting if an agreement is reached.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 20. APPROVE FUNDING FOR CLERICAL UNION CONTRACT

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in any collective bargaining agreement between the Town and the Southeastern Public Employees Association/Town Clerical Employees' Unit if such agreement is negotiated and mutually ratified prior to Town Meeting; or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This approves funding, contained in the FY'13 budget, for the first year cost of a three year collective bargaining agreement between the Town and the Clerical Union.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 21. APPROVE FUNDING FOR PROFESSIONAL ADMINISTRATIVE UNION CONTRACT

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in any collective bargaining agreement between the Town and the Town of Easton Professional Administrative Employees' Association if such agreement is negotiated and mutually ratified prior to Town Meeting; or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: This approves funding, contained in the FY'13 budget, for the first year cost of a three year collective bargaining agreement between the Town and the Professional Administrative Union.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 22. APPROVE FUNDING FOR LOCAL 2790 I.A.F.F. (FIREFIGHTERS) CONTRACT

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, a sum of money needed to fund the incremental cost items contained in any collective bargaining agreement between the Town and Local 2790 I.A.F.F. if such agreement is negotiated and mutually ratified prior to Town Meeting; or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The firefighter contract expires on June 30, 2012. Negotiations are currently ongoing and additional information will be provided at town meeting if an agreement is reached.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 23. REPORT AND FY 2013 BUDGET OF THE COMMUNITY PRESERVATION COMMITTEE

To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2013 Community Preservation Budget and to appropriate or reserve for later appropriation monies from Community Preservation Fund annual

revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year, or take any other action relative thereto.

PROPOSED FISCAL YEAR 2013 COMMUNITY PRESERVATION BUDGET

<u>Purpose</u>	<u>Recommended Amount</u>
Appropriations	
Community Preservation Administrative Expenses	\$ 57,950
Debt Service (Open Space Land Acquisition)	108,725
Debt Service (Chestnut Street)	82,919
Affordable Housing Trust	250,000 with \$107,733 funded from Community Housing Reserves
Reserves	
Open Space	7,175
Historic Resources	27,499
FY'13 Annual Budgeted Reserve	732,465

Submitted by Community Preservation Committee

Explanation: This article proposes the fiscal year 2013 budget for the Community Preservation Committee. Recommended amounts to be funded from estimated revenues for FY13 unless otherwise specified. Estimated revenues for FY13 total \$1,159,000. Appropriations and reserves above total \$1,266,733 and shall be considered separate appropriations.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 24. CPA FUNDING - AMES FREE LIBRARY

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate \$70,000 from available Community Preservation Funds for the purpose of funding repairs and/or replacement of the roof for the Ames Free Library, located at 53 Main Street and listed on Assessors Map U16 as Lot 8; and to authorize the Selectmen to accept and/or convey a historic preservation restriction on said property, if required under G.L. c. 44B; and further to authorize the Selectmen to apply

for and accept any grants or gifts with respect to the proposed repairs, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: The proposed work includes the restoration of the Children's Library including masonry repairs, installing new clay tiles, gutters, downspouts, and other waterproofing measures.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 25. CPA FUNDING - EASTON CHILDREN'S MUSEUM

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate \$38,587 from available Community Preservation Funds for the purpose of exterior restoration work at the Easton Children's Museum, located at 9 Sullivan Avenue and listed on Assessors Map U16 as Lot 141; and to authorize the Selectmen to accept and/or convey a historic preservation restriction on said property, if required under G.L. c. 44B; and further to authorize the Selectmen to apply for and accept any grants or gifts with respect to the proposed work approved herein, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: The proposed restoration work at the Easton Children's Museum includes masonry repairs to the historic chimney, repairing the wood siding on the base of the tower, replacing the gutters and restoring the original fire station doors.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 26. CPA FUNDING - TOWN OFFICES

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate \$120,900 from available Community Preservation Funds for the purpose of funding preservation and repairs at the Town Offices, located at 136 Elm Street and listed on Assessors Map U12 as Lot 20; and to authorize the Selectmen to accept and/or convey a historic preservation restriction on said property, if required under G.L. c. 44B; and further to authorize the Selectmen to apply for and accept any grants or gifts with respect to the proposed repairs, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: The proposed restoration work at the Town Offices includes masonry repairs on all of the historic chimneys and the historic wall on the eastern portion of the building.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 27. CPA FUNDING FOR GOVERNOR AMES ESTATE

To see if the Town will vote in accordance with the recommendation of the Community Preservation Committee to appropriate \$500,000 by transfer from available Community Preservation Funds for the purpose of funding a conservation restriction on the property known as the Governor Ames Estate, located at 35 Oliver Street, 23 and 27 Sullivan Avenue, 105 Elm Street, and 59 Pond Street, and listed on Assessors Map 12U as Lots 16 and 17; Map 16U as Lots 130 and 131; and Map 17 as Lot 2; and to authorize the Selectmen to accept and/or convey such restrictions, as required under G.L. c. 44B; and further to authorize the Selectmen to apply for and accept any grants or gifts with respect to the purchase of said restrictions, or take any other action relative thereto.

Submitted by Community Preservation Committee

Explanation: The Trustees of Reservations is working to acquire the Governor Ames Estate in order to protect the historic and natural resources on the site. The Trustee's proposal will preserve approximately 30+/- acres of open space and existing historic structures. The total cost of the project is approximately \$4 million, with approximately \$2 million to fund the purchase of the property and another \$2 million to fund the public access improvements and ongoing stewardship obligations. In 2011, Annual Town Meeting approved \$500,000 in CPA funds towards the purchase of a conservation restriction. The Trustees are requesting an additional \$500,000 in CPA funds towards the purchase of the conservation restriction. The CPA fund would be reimbursed for this requested appropriation by a LAND grant, in the amount of \$500,000, that the Town was recently awarded by the Executive Office of Energy and Environmental Affairs.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 28. FUNDING FOR REVALUATION

To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, the sum of \$40,000 to pay for expenses related to the FY2014 State Certified Revaluation including annual interim updates, cyclical inspections or any other expenses related to the revaluation of property as may be determined by the Board of Assessors, or take any other action relative thereto.

Submitted by Board of Assessors

Explanation: The Department of Revenue now requires an annual updating of property values, known as "interim updates" as well as the regular state certification of values that is done every three years. The state certification is scheduled for FY14 but the work has to be done during FY 13 and this requires contracts with Vision Appraisal and JW & Associates. These companies provided the software and updates for the real estate and personal property systems. The Town also has to show the Department of Revenue that it has a plan to update both residential, commercial/industrial and personal property and has also appropriated sufficient money to accomplish this plan.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 29. FY 2013 CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, appropriate by borrowing, or appropriate by transfer from available funds, the sum of \$1,112,130 for the purpose of meeting the capital budget needs of the Town for fiscal year 2013 as listed below, or take any other action relative thereto.

Fire Department Defibrillators	\$62,000
Fire Department Radios/Communication Equipment	30,000
Police Department Marked Cruisers (2)	66,000
Police Department Evidence Management System	9,000
School Department Computers & Switch Replacement	105,000
School Department Walking Path Lights at School Complex	25,030
Parkview School Roof Repairs	15,000
Town Computers – Hardware/Software	30,000
Planning & CD Large Format Printer/Copier/Scanner	7,500
DPW Buildings & Grounds Truck Frame Extension for Crane	15,000
DPW Lincoln Street Roadway Improvements	225,000
DPW Sidewalk Snow Plow with Cold Planing Attachment	165,600
Water Division Pickup Truck	20,000
Water Division Utility Truck	36,000
Water Division Dump Truck with Plow	51,000
Water Main Replacement Program	<u>250,000</u>
	<u>\$1,112,130</u>

Submitted by Town Administrator

Explanation: This is the annual capital budget for the Town.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 30. MIDDLE SCHOOL ROOF REPLACEMENT/REPAIR

To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds or authorize borrowing pursuant to the provisions of M.G.L. Ch. 44 or M.G.L. Ch. 70B or any other enabling authority, a sum of money to be expended under the direction of the Municipal Building Committee for the purpose of replacing and/or repairing the roof of the Easton Middle School including architectural and engineering expenses and other costs incidental and related thereto, which proposed repair Project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting required educational programs, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town Acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and

any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty and sixteen tenths percent (50.16%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. And further, that the Board of Selectmen and School Committee shall be authorized to apply for and accept any federal or state grants which may be available for the project and take any other action necessary to carry out said project, or to take any other action relative thereto.

Submitted by Town Administrator

Explanation: The Massachusetts School Building Authority has invited the Town to participate in their expedited repair program, which will reimburse the Town approximately 50% for this project. The total cost is estimated to be \$1,500,000, but may be less after Town and State officials fully determine the nature and scope of replacement or repair. The Easton Middle School was renovated and expanded through a previous Massachusetts School Building Authority grant and Town debt authorization. The roof on the existing building was repaired rather than replaced in that project due to funding constraints. This MSBA grant will greatly reduce the Town's share of costs and the impact on operating budgets.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 31. SEPTIC LOAN PROGRAM

To see if the Town will vote to appropriate the sum of \$1,000,000 for the purpose of financing the following water pollution facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise, or to take any other action relative thereto.

Submitted by Board of Health

Explanation: If approved, this will allow the Town to avail itself of funds available through the Massachusetts Water Pollution Abatement Trust at 0% interest which will then be used to provide loans to residents for the express purpose of upgrading failed septic systems which are no longer protecting the public health. The monies will be offered as betterment loans which will be paid back with interest over a period of time, not to exceed 20 years. Betterments appear as additional charges on the real estate tax bill.

Since June of 1997 this program has been used by towns in Southeastern Massachusetts to provide individuals access to over 47 million dollars thus facilitating the upgrading of over 4,600 failed septic systems. The Town voted to avail itself of \$200,000 of these funds at last year's annual town meeting. To date at least 4 applications have been approved. These additional funds will allow for the continued promotion and success of this program.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 32. APPROPRIATE FUNDS FOR ACTUARIAL VALUATION

To see if the town will vote to raise and appropriate or appropriate by transfer from available funds a sum of money to conduct an actuarial valuation of the Town's unfunded post employment benefits liability, or take any other action relative thereto.

Submitted by Board of Selectmen

Explanation: The actuarial valuation is a financial reporting requirement that the Town must comply with. It will determine the estimated unfunded liability for post employment benefits other than pensions, which are primarily health insurance benefits. The valuation is good for two years and the estimated cost is \$10,000.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 33. AMEND SMOKING BY-LAW

To see if the Town will vote to amend Chapter 195 of the General Bylaws in the following manner:

Replace the following definition:

PUBLIC PLACE – Any building or facility owned, leased, operated or occupied by the Town including school buildings; any building or facility opened to the general public including: libraries; museums; theaters; auditoriums; indoor sports facilities; inns; hotels; motels; educational facilities; shopping malls; public restrooms; lobbies; staircases; halls; exists; entrances; elevators accessible to the public; licensed child-care facilities; bars/lounges; restaurants; function halls/function rooms; healthcare facilities; retail food stores and retail stores. The following are specifically excluded from the definition of Public Place:

- A. Inn, hotel and motel rooms rented to guests and designated as “Smoking” rooms.
- B. Function halls/function rooms when they are being used for a private social function in which the sponsor of the private function chooses the persons in attendance.

With the following definition:

PUBLIC PLACE – (1) Any building, facility or land owned, leased, operated or occupied by the Town including: school buildings; Town Hall; Town owned land held specifically for the purpose of conservation and/or active and passive recreation such as conservation land, playing fields, hiking and walking trails; (2)

Any building or facility opened to the general public including: libraries; museums; theaters; auditoriums; Indoor Sports Facilities; inns; hotels; motels; educational facilities; shopping malls; public restrooms; lobbies; staircases; halls; exists; entrances; elevators accessible to the public; licensed child-care facilities; bars/lounges; restaurants; function halls/function rooms; healthcare facilities; retail food stores and retail stores. The following are specifically excluded from the definition of Public Place:

- A. Inn, hotel and motel rooms rented to guests and designated as “Smoking” rooms.
- B. Function halls/function rooms when they are being used for a private social function in which the sponsor of the private function chooses the persons in attendance.
- C. Public ways and sidewalks adjacent thereto, owned and maintained by the Town.

Replace § 195-3 which reads:

This chapter is adopted in accordance with the authority granted, inter alia, by Amendment 89 to Article II of the Massachusetts Constitution and M.G.L. c. 43B, § 13. The Board of Health is delegated hereby the responsibility and authority to enforce and administer this chapter, including without limitation, the power to: investigate and respond to complaints, conduct inspections, hold hearing, and assess fines. The Board may re-delegate such aspects of chapter administration to employees or agents of the Board as it may from time-to-time determine.

With the following:

This chapter is adopted in accordance with the authority granted, inter alia, by Amendment 89 to Article II of the Massachusetts Constitution and M.G.L. c. 43B, § 13. The Board of Health and the Easton Police Department are delegated hereby the responsibility and authority to enforce and administer this chapter, including without limitation, the power to: investigate and respond to complaints, conduct inspections, hold hearing, and assess fines. The Board may re-delegate such aspects of chapter administration to employees or agents of the Board as it may from time-to-time determine.

Submitted by Board of Health

Explanation: The definition of a public place has been expanded to include those lands held by the town that are used for active and passive recreation. This change will ensure that residents seeking to use these lands and to engage in healthy activities are protected from exposure to second hand smoke. Further this change will ensure a smoke free environment at the playing fields where children and adults congregate.

Public ways and sidewalks have been specifically excluded from this definition.

The changes will also give power to the Easton Police Department to enforce this Bylaw without needing to be further delegated by the Board of Health.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: N/A

ARTICLE 34. RIGHT TO FARM BYLAW

To see if the Town will vote to amend its General Bylaws by adding a new Section 189, recognizing the right to farm, as follows:

Section 189 - Agricultural Commission

Section 1 Legislative Purpose and Intent The purpose and intent of this by-law is to establish a right to farm as is supported by the Commonwealth under Article 97 of the Constitution, and state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128, Section 1A.

This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Easton by allowing agricultural uses and related activities to function with minimal conflict with abutters and town agencies. This by-law shall apply to all lands within the Town of Easton.

Section 2 Definitions

The word “farm” shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory uses thereto. For the purposes of this Bylaw, a farm must meet the definitions contained in G.L. c. 61A, §§1-3; and contain at least two acres; and have annual revenues of at least \$1,000. In addition to these requirements, the following shall apply:

The words “farming” or “agriculture” or their derivatives shall include, but are not limited to, the following:

- Farming in all its branches and the cultivation and tillage of the soil;
- Dairying;
- Production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- Growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- Raising of livestock including horses;
- Keeping of horses as a commercial enterprise; and
- Keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches, and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

“Farming” shall encompass activities including, but not limited to, the following:

- Operation and transportation of slow-moving farm equipment over roads within the Town;
- Control of pests, including, but not limited to, insects, weeds, predators, and disease organisms of plants and animals;
- Application of manure, fertilizers and pesticides;
- Conducting agricultural-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- Processing and packaging of the agricultural output of the farm and the operation of a farmer’s market or farm stand including signage thereto;
- Maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used exclusively for the purpose of propagation, processing, management, or sale of the agricultural products; and
- On-farm relocation of earth and the clearing of ground for farming operations.

Section 3 Right to Farm Declaration

A Right to Farm is hereby recognized to exist within the Town of Easton. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night and by day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices.

The benefits and protections of this by-law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. The foregoing agricultural activities must be in conformance with applicable federal, state laws and local rules and regulations, to which reference is made as to more specific rights and obligations of the agricultural community and the Town.

Moreover, nothing in this Right to Farm By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulations, which is properly the subject of state statute, regulation, or local zoning law. Nothing herein may be construed to supersede the requirements of the State Zoning Act, local Zoning Bylaws, the State Wetlands Protection Act or the Easton Wetlands Protection Bylaw.

Section 4 Disclosure Notification

Within 30 days after this by-law becomes effective, the Board of Selectmen shall prominently post in the Town Hall and through its electronic media outlets:

“It is the policy of this community to conserve, protect, and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include but are not limited to activities that cause noise, dust and odors. Buyers and occupants are also informed that the location of

property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances.”

Section 5 Resolution of Disputes

The following procedure is hereby encouraged to enhance early and effective resolution of farm related issues:

Any person who seeks to complain about the operation of a farm is encouraged to, prior to filing a formal complaint, file an informal complaint (grievance) with the Selectmen, Zoning Enforcement Officer, Conservation Commission, or Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have.

The Zoning Enforcement Officer, Selectmen, and/or Conservation Commission, as the case may be, shall forward a copy of the grievance to the Easton Agricultural Commission or its agent which/who shall review and attempt to mediate the grievance and report its findings and recommendations to the appropriate Town authority for further action within an agreed upon time. The Board of Health, except in cases of imminent danger or public health risk, shall forward a copy of the grievance to the Agricultural Commission or its agent, which/who shall review and mediate the grievance, and report its recommendations to the Board of Health within an agreed upon time.

Nothing herein may be construed to decrease, diminish or otherwise affect the statutory and/or equitable powers of the Zoning Enforcement Officer, Conservation Commission, Board of Health or Selectmen in the enforcement or policing of the issues under their respective jurisdictions.

Section 6 Severability Clause

If any part of this by-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this by-law.

Section 7 Adoption of Regulations

The Agricultural Commission may from time to time adopt regulations and rules not inconsistent with this bylaw.

Or take any other action in relation thereto.

Submitted by Agricultural Commission

Explanation: Easton has a long history as an agricultural community. A right-to-farm bylaw will help ensure agricultural activities are supported within the Town by advocating for farmers and promoting a beneficial relationship between the agricultural community and the non-farming residents of Easton.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

ARTICLE 35. AMEND ZONING MAP

To see if the Town will vote, pursuant to MGL Chapter 40A, to amend the May 16, 2011 Town of Easton Zoning Map (original date: March 7, 1973) and rezone the following properties as follows:

From Residential to Municipal and Open Space

Map/Lot	Location	Lot Size	Book/Page
R7 / 12G	68 Chestnut Street	43,560 SF	3468/186
R21 / 36	Parcel 6 - off Howard Street	20,173 SF	19826/283
R21 / 42	Parcel 5 - off Howard Street	21,114 SF	19826/283
R21 / 54	Parcel 4 - off Howard Street	21,358 SF	19826/283
R21 / 53	Parcel 3 - off Howard Street	21,087 SF	19826/283
R21 / 52	Parcel 2 - off Howard Street	21,100 SF	19826/283
R22 / 1	Parcel 1 - off Howard Street	21,443 SF	19826/283
R7 / 228	51 Chestnut Street	14.3 acres	

From Municipal and Open Space to Residential

Map/Lot	Location
U16 / 157	10 Hoe Shop Street
U16 / 158	14 Hoe Shop Street
U16 / 163	0 Main Street
U16 / 163A	31 Main Street

and to accept the report of the Planning & Zoning Board in relation to this article, or take any relative action thereto.

Submitted by Conservation Commission

Explanation: The Town acquired the Chestnut Street and Howard Street parcels for open space and recreation. The Hoe Shop Street and Main Street parcels were erroneously labeled as Municipal/Open Space on previous versions of the Zoning Map. With this change the zoning will reflect the actual land uses.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning Board Recommendation: Recommended

ARTICLE 36. AMEND ZONING MAP

To see if the Town will vote, pursuant to MGL Chapter 40A, to amend the May 16, 2011 Town of Easton Zoning Map (original date: March 7, 1973) and rezone a portion of the following property as follows:

To expand the SPOD to include:

Map/Lot	Location	Land Area	Book/Page
R7 / 13	120 Poquanticut Avenue	653,400sf	8553/171

Submitted by Land Owner

Explanation: The property owner is requesting to expand the Solar Photovoltaic Installation Overlay District (SPOD) onto approximately 15 acres of his property at 120 Poquanticut Avenue.

Selectmen Recommendation:

Finance Committee Recommendation:

Planning Board Recommendation:

ARTICLE 37. PERMANENT SEWER EASEMENTS

To see if the Town will vote to authorize the Board of Selectmen to acquire through donation, purchase or eminent domain, or otherwise acquire the following permanent easements depicted as “Proposed Public Utility Easements” on a plan entitled “Easement Overview Plan” dated April, 2012, prepared by Woodard & Curran, 980 Washington Street, Suite 325N Dedham, Massachusetts, and on file in the Town Clerk’s Office and further to appropriate, by borrowing, transfer or otherwise, sufficient funds to accomplish same and to negotiate and execute any and all documents to effectuate this purchase and/or taking:

Map	Lot	Address	Easement Purpose
16 U	121	72-76 Main Street	Utility Easement
16U	120	92 Main Street	Utility Easement
16 U	143	100 Main St.	Utility Easement
16 U	144	104 Main St.	Utility Easement
16 U	145	108 Main St.	Easement Utilities and Pedestrian Walkway
17 U	71	114 Main St.	Utility Easement and Pedestrian Walkway

17 U	70	122 Main St.	Utility Easement for Sewer
17 U	69	126 Main St.	Utility Easement
17 U	66	134-140 Main St.	Utility Easement
17 U	41	156 Main Street.	Utility Easement coordinated with existing easement on Mechanic Street and septic system easement on 17U-66.
17 U	100	215 Main Street.	Utility Easement
17 U	164	230 Main St.	Utility Easement for Sewer Pumping Station
17 U	64	6 Mechanic St.	Utility Easement
17 U	47	15R Mechanic St.	Utility Easement
16 U	136	43 Mechanic St.	Utility Easement
16 U	134	72-74 Pond St	Utility Easement
16 U	142	5 Sullivan Ave.	Utility Easement
16 U	141	9 Sullivan Ave.	Utility Easement

Explanation: The Easements listed above are necessary to install sewers in the North Easton Village neighborhood and to establish a permanent pedestrian passage from Main Street to the Town parking lot in the rear.

Selectmen Recommendation:

Finance Committee Recommendation:

ARTICLE 38. FUNDING FOR MASTER PLAN

To see if the Town will vote in accordance with the recommendation of the Planning & Zoning Board to raise and appropriate or appropriate by transfer from available funds, the amount of \$50,000, for the preparation of a town-wide Master Plan.

Submitted by Planning & Zoning Board

Explanation: This article will provide the necessary funding to begin preparing a comprehensive update to the Master Plan which was adopted and last updated in 1971. The updated Master Plan will provide the framework to support the Town's goals outlined in Easton's Community Vision Plan. Critical components of the Master Plan will include land use, environmental protection and sustainability, historic preservation, economic development, transportation and housing. The project will be directed by the

Planning and Zoning Board with day-to-day project management provided by the Department of Planning and Community Development. The scope for the Master Plan project includes services from a planning consulting firm that will assist the Department staff by providing technical expertise that will assist with the preparation of the plan and engaging the public in this comprehensive plan update. This article will provide half of the funding for the Master Plan project. The remainder of the funding necessary to complete the project will be requested at the next Town Meeting.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning Board Recommendation: Recommended

ARTICLE 39. LEASE OF LANDFILL

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a lease for the property which is the former landfill located at 114 Prospect Street, Town of Easton Assessor's parcel number is 16R-17 for a term of up to twenty years on terms it determines to be in the best interest of the Town, or take any action relative thereto.

Submitted by Town Administrator

Explanation: In September 2011, the Town of Easton issued a Request for Proposals (RFP) to lease a portion of the Town-owned former landfill property located at 114 Prospect Street to a developer to design, permit, construct, own and operate a commercial or utility class solar installation for the purpose of creating renewable electrical energy.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 40. NET METERING AGREEMENT

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a Net Metering Power Sales Agreement on terms it determines to be in the best interest of the Town for a term of 20 years pursuant to G.L. c. 25A §11C for the purchase of energy related to the development of a 1.75 MW +/- solar facility to be located at the site of the former landfill at 114 Prospect Street, Town of Easton Assessor's parcel number is 16R-17, or take any action relative thereto.

Submitted by Town Administrator

Explanation: After a comprehensive review of proposals submitted in response to the RFP to lease a portion of the former landfill site located at 114 Prospect Street, the Board of Selectmen voted to designate Borrego Solar Systems, Inc. as the preferred solar developer. The Town Administrator and Town Counsel have been negotiating with the developer on the net metering agreement. Net metering is an electricity policy which allows utility customers to offset some or all of their energy use with self-produced renewable energy.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 41. ACCEPTENCE OF CONSERVATION RESTRICTION / AMES SHOVEL WORKS

To see if the Town will vote to authorize the Board of Selectmen to acquire, receive and hold a Conservation Restriction from the BC Shovel Works, LLC for portions of the property located at the Ames Shovel Works, 26, 28 and 34 Main Street and 13 Oliver Street, Easton as more fully set forth on a plan entitled “Ames Shovel Works Conservation Restriction and Easement Plan” dated April 21, 2011, and shown on that plan as “Open Space Area 3” and the area indicated as land “N/F of Massachusetts Electric, 1323/263” and which is adjacent to Open Space Area 1 which said plan is available for review in the office of the Town Clerk, 136 Elm Street, North Easton.; and to take any other action relative thereto.

Submitted by Town Administrator

Explanation: Open Space Area 3 was not included in the previous conservation restriction approved by Town Meeting. This area completes the public access connection through the shovel works site from Main Street to the MBTA right of way.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

ARTICLE 42. STREET ACCEPTANCES - CONCERTO COURT, SERENADE PARK, TANGLEWOOD DRIVE

To see if the Town will vote to accept the following named streets or ways as public ways, pursuant to MGL c. 82:

“Concerto Court” from Station 0+0.00 to Station 10+0.00 and Station 10+0.00 to Station 20+07.48, as shown on a plan of land entitled: “As Built Plan & Profile of Concerto Court, Easton, MA” surveyed for Stonebridge Land Holdings, Inc., Scale 1” = 40’ dated February 25, 2012 by Gallagher Engineering and approved by the Planning Board on January 23, 2002 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 402, Pages 68-73 on January 31, 2002 and to authorize the Board of Selectmen to accept easements, pursuant to MGL c. 40 §3 and 14 to accept the deed of a fee interest in said Tanglewood;

“Serenade Park” from Station 0+0.00 to Station 9+87.87, as shown on a plan of land entitled: “As Built Plan & Profile of Serenade Park, Easton, MA” surveyed for Stonebridge Land Holdings, Inc., Scale 1” = 40’ dated February 25, 2012 by Gallagher Engineering and approved by the Planning Board on January 23, 2002 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 402, Pages 68-73 on

January 31, 2002 and to authorize the Board of Selectmen to accept easements, pursuant to MGL c. 40 §3 and 14 to accept the deed of a fee interest in said Tanglewood; and

“Tanglewood Drive” from Station 6+50.00 to Station 17+64.35, as shown on a plan of land entitled: “As Built Plan & Profile of Tanglewood Drive, Easton, MA” surveyed for Stonebridge Land Holdings, Inc., Scale 1” = 40’ dated February 25, 2012 by Gallagher Engineering and approved by the Planning Board on November 10, 1999 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 383, Pages 35-40 on November 17, 1999 and to authorize the Board of Selectmen to accept easements, pursuant to MGL c. 40 §3 and 14 to accept the deed of a fee interest in said Tanglewood Drive

or to take any other action relative thereto.

Submitted by Planning and Zoning Board

Explanation: The work in these streets is completed and they are ready to be accepted as Public Ways.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning & Zoning Board Recommendation: Recommended

ARTICLE 43. ZONING AMENDMENT; FARMERS MARKET

To see if the Town will amend its zoning bylaws by amending Section 2 as follows:

Section II. Definitions

FARMERS’ MARKET - A public market for the primary purpose of promoting and selling fresh produce, prepared foods and meat, poultry and fish. Such products may include, but shall not be limited to:

- Fresh Produce (fresh uncut fruits and vegetables)
- Unprocessed honey
- Maple syrup
- Meats, poultry, and fish
- Farm fresh eggs
- Jams and jellies
- Candy
- Baked goods

and

To see if the Town will amend its zoning bylaws by amending Section 5-3 as follows:

C. Agricultural Uses								
1. Farming - agricultural, orchard, horticultural, or silvicultural	Y	Y	Y	Y	Y	Y	Y	Y
2. Farming - livestock or poultry but not swine, provided that any building housing livestock or poultry be not less than 50 ft. from the property boundary	Y	Y	SP (ZBA)	N	SP (ZBA)	Y	Y	Y
3. One roadside stand per farm for sale of agricultural products, the major portion of which are grown or produced on the premises	Y	Y	Y	Y	Y	N	SP (ZBA)	N
4. <u>Farmers market</u>	<u>SP</u> (PZB)	<u>SP</u> (PZB)	<u>SP</u> (PZB)	<u>SP</u> (PZB)	<u>SP</u> (PZB)	<u>N</u>	<u>SP</u> (ZBA)	<u>SP</u> (PZB)
D. Office and Laboratory								

Submitted by Planning & Zoning Board

Explanation: The purpose of this article is to allow farmers markets by special permit from the Planning & Zoning Board.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning & Zoning Board Recommendation: Recommended

ARTICLE 44. ZONING AMENDMENT; SIGNS

To see if the Town will reconfigure and amend its zoning bylaws pertaining to signs by replacing the entirety of Section 10 with the following:

10-1 PURPOSE

The purpose of this Section is to:

1. Promote the public safety and convenience of streets, highways, sidewalks and other pedestrian spaces, and public and private property within public view;
2. Reduce distractions, hazards and obstructions from signage that will have an adverse impact on vehicular safety;
3. Discourage excessive visual competition in signage;

4. Ensure that signage will adequately aid communication and orientation, identify uses and activities, and express local history and character;
5. Preserve or enhance town character by requiring new and replacement signage which is compatible with the surroundings, appropriate to the type of activity to which it pertains, expressive of the identity of individual proprietors or of the community as a whole, and appropriately sized in its context; and
6. Encourage the use of the Town's Sign and Design Guidelines as a resource to assist in the development of appropriate commercial signage and building design.

10-2. DEFINITIONS

Certain terms are defined for the purposes of this By-law as follows:

ABANDONED SIGN

A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

ANIMATED SIGN

Any sign which uses movement or change of lighting to depict action or to create a special effect or scene (compare "Flashing Sign").

AREA

See "Sign, Area of".

AWNING

A shelter projecting from and supported by the exterior of a building constructed of non-rigid materials on a supporting framework (compare "Marquee").

AWNING SIGN

A sign painted on, printed on, or attached flat against the surface of an awning.

BANNER SIGN

A sign, frequently constructed of fabric or other flexible material and frequently displayed on a pole or staff; or which can be freestanding or attached to a building or structure; and is generally temporary in nature.

BILLBOARD

See "Off-Premise Sign".

BUILDING

As defined in Section II Definitions, page 2-3 of the Easton Zoning By Law.

CHANGING IMAGE SIGN

Any sign that, through the use of moving structural elements, flashing or sequential lights, lighting elements, or other automated method, results in movement, the appearance of movement or change of sign image or message. This type of sign includes, but is not limited to, Electronic Message Center signs which are either attached or detached. Changing image signs do not include school zone or other public safety signs and otherwise static signs where copy is changed manually in the field and where illumination is turned off and back on not more than once every twenty-four (24) hours.

CLEARANCE (OF A SIGN)

The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

CONSTRUCTION SIGN

A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

COPY

The wording on a sign surface in either permanent or removable letter form.

DIRECTIONAL SIGN

A sign limited to pedestrian and vehicular traffic instruction and/or direction or restrictions on the use of parking areas. "No Parking," "Entrance," "Exit" and "Additional Parking in the Rear" are examples of directional signs. No sign that identifies the occupant or use of the site shall be considered a directional sign.

DIRECTORY SIGN

A group of signs clustered together as a single structure or compositional unit to advertise occupants of the same building or building complex.

DOUBLE-FACED SIGN

A sign with two faces.

ELECTRICAL SIGN

A sign or sign structure in which electrical wiring, connections or fixtures are used.

ELECTRONIC MESSAGE CENTER

Any message board, where scrolling or moving copy or images are shown on the same message board or any sign which changes its copy or images electronically, mechanically, digitally, through the use of projection or computer generation.

FACADE

The entire building front including the parapet. The exterior surface of a building wall facing a street or parking area or containing a public entrance, which corresponds to the height and width of the interior space owned or leased by the occupant of the building.

FACE OF SIGN

The area of a sign on which the copy is placed.

FESTOONS

A string of ribbons, tinsel, small flags, or pinwheels.

FLAG

A sign, frequently constructed of fabric or other flexible material and frequently displayed on a pole or staff or which can be freestanding or attached to a building or structure, and is generally temporary in nature. Official flags of governmental jurisdictions properly displayed and decorative flags on residences shall not be considered as signs for the purposes of this Section.

FLASHING SIGN

A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs, or signs which, through reflection or other means, create an illusion of flashing of intermittent light (compare "Animated Sign", "Changeable Copy Sign").

FREESTANDING SIGN

A sign structurally separate from a building or structure that is attached to or part of a self-supporting structure

FRONTAGE

The length of the property line of any one premise along a public right-of-way on which it borders.

FRONTAGE, BUILDING

The length of an outside building wall on a public right-of-way.

GOVERNMENT SIGN

Any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property or facility.

HEIGHT (OF A SIGN)

The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (compare "Clearance").

IDENTIFICATION SIGN

A sign whose copy is limited to the name and address of a building, institution, or a person and/or to the activity or occupation being identified.

ILLEGAL SIGN

A sign which does not meet the requirements of this By Law and which has not received legal nonconforming status.

INCIDENTAL SIGN

A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

INTERNALLY ILLUMINATED SIGN

A sign which utilizes translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through.

LOT

A parcel of land legally defined on a subdivision map recorded with the assessment department or land registry office, or a parcel of land defined by a legal record of survey map.

MAINTENANCE

For the purposes of this By-law, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic design or structure of the sign.

MANSARD

A sloped roof or roof-like facade architecturally comparable to a building wall.

MARQUEE

A permanent roof-like structure or canopy of rigid materials supported by extending from the facade of a building (compare "Awning").

MARQUEE SIGN

Any sign attached to or supported by a marquee structure.

NAMEPLATE

A non-electric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

NONCONFORMING SIGN

1. A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.
2. A sign which does not conform to the sign By-law, but for which a special permit has been issued.

OCCUPANCY

The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

OFF-PREMISE SIGN

A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising".

ON-PREMISE SIGN

A sign which pertains to the use of the premise on which it is located.

OWNER

A person recorded as such on official records. For the purposes of this By Law, the owner of the property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the building inspector, e.g., a sign leased from a sign company.

PAINTED WALL SIGN

Any sign which is applied with paint or similar substance on the face of a wall.

PARAPET

The extension of a false front or wall above a roofline.

PERSON

For the purpose of this By Law, any individual, corporation, association, firm, partnership, or similarly defined interest.

POINT OF PURCHASE DISPLAY

Advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser.

POLE COVER

Covers enclosing or decorating poles or other structural supports of a sign.

POLITICAL SIGN

For the purposes of this By Law, a temporary sign used in connection with a local, state, or national election or referendum.

PORTABLE SIGN

Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building, e.g., trailer or A-Frame, not to include Banner sign.

PREMISES

A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

PROJECTING SIGN

A sign, other than a flat wall sign, which is attached to and projects from a building or wall or other structure not specifically designed to support the sign.

REAL ESTATE SIGN

A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

ROOFLINE

The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

ROOF SIGN

Any sign erected over or on the roof of a building (compare "Mansard", "Wall Signs").

ROTATING SIGN

A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of changing copy.

SIGN

Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services (compare 10-1 (B)).

SIGN, AREA OF

1. Projecting and Freestanding

The area of a freestanding or projecting sign shall have all faces of any doubled-faced or multi-faced sign counted in calculating its area. The area of the sign shall be measured as follows if composed of one or two individual cabinets:

- a. The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine the total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc. provided that there is not written advertising copy on such embellishments.
- b. If the sign is composed of more than two sign cabinets or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous

geometric figure shall be the area of the sign. Pole covers and other embellishments shall not be included in the area of measurement if they do not bear advertising copy.

2. Wall Signs

The area shall be within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area within the perimeter advertising message. The combined areas of the individual figures shall be considered the total sign area.

SNIPE SIGN

A temporary or poster affixed to a tree, fence, etc.

SUBDIVISION IDENTIFICATION SIGN

A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

TEMPORARY SIGN

A sign not constructed or intended for long-term use.

TOWN

Unless the context clearly discloses a contrary intent, the word "Town" shall mean the Town of Easton.

UNDER-CANOPY SIGN

A sign suspended beneath a canopy, ceiling, roof or marquee.

USE

The purpose for which a building, lot, sign, or structure is designed, occupied, or maintained.

WALL SIGN

A sign attached parallel to and extending not more than eighteen (18) inches from the wall of a building. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard.

WINDOW SIGN

A sign installed inside a building and intended to be viewed from the outside.

10.3-SIGN-REGULATION BY ZONE

1. Permitted Signs in Residence and Eleemosynary Zones

The following signs may be erected or maintained in Residential Districts provided such signs are in compliance with all conditions set forth in this Section. The calculation of maximum number of signs and maximum area of signs does not include directional signs.

- a. All signs as permitted in 10-5.
- b. One non-illuminated sign displaying the street number, or name of the occupant of premises, or both, not exceeding four (4) square feet in area. Such signs may be attached to a building or may be on a rod or post not more than six (6) feet high and less than three (3) feet from the property lot line. Such sign may include identification of an accessory studio or professional office in the dwelling or on the premises, or may identify other permitted accessory uses, including allowed home occupations.
- c. One bulletin or announcement board or identification sign for a permitted nonresidential building or use, not more than ten (10) square feet signboard area. For churches and institutions, membership clubs, funeral establishments, hospital, other places of public assembly, community facilities or public utilities, one bulletin or announcement board or identification sign is permitted on each building. Each such sign shall be not more than twenty (20) feet signboard area. No such sign shall be located nearer a street than one-half the required front yard depth.
- d. Two subdivision identification signs per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet each in sign area during construction only.
- e. On the premises with a lawfully nonconforming use, one sign not more than six (6) square feet.
- f. One "For Sale" or "For Rent" sign not more than six (6) square feet and advertising only the premises on which the sign is located. It shall be set back at least fifteen (15) feet from the property lot line.
- g. No sign or advertising device shall be illuminated after 11:00 P.M.

2. PERMITTED SIGNS IN BUSINESS ZONES AND INDUSTRIAL ZONES

Signs are allowed as follows in business and industrial zones:

- a. All signs permitted in 10.2, 10-3.1, and 10-5
- b. One freestanding sign per street frontage, up to a maximum of one hundred (100) square feet for a single or double occupancy building. If three (3) or more multiple tenants occupy a building maximum given sign may be increased to one hundred fifty (150) square feet provided that all tenants occupying the building be allocated sign space in proportion to the amount of building space they occupy. Such signs may not exceed a height of thirty (30) feet.
- c. One wall sign per occupancy up to a maximum of one hundred (100) square feet.
- d. One under-canopy sign per occupancy, not to exceed twenty (20) square feet in gross sign area.
- e. Incidental signs, not to exceed twenty (20) square feet in aggregate sign area per occupancy.

- f. The top edge of a sign shall be placed not higher than the main roof of the highest building located on the premises, or if no building exists, the average height of the main roofs of the buildings on the next adjacent properties where buildings do exist and not to exceed thirty (30) feet above ground or sidewalk.

3. SPECIAL REGULATIONS AND ALLOWANCES FOR BUSINESS AND INDUSTRIAL ZONES

- a. Where a lot is on a corner or has more than one entrance way, each entrance being a minimum of three hundred (300) feet apart, more than one free standing sign is permitted. The total sign area of all free standing signs in no case can exceed two (2) times that of a single free standing sign. The top edge of any such free standing sign shall not be higher than thirty (30) feet vertical measure.
- b. Free standing and under-canopy, awning and marquee signs shall have a setback of fifteen (15) feet from any property lot line and a minimum clearance of fifteen (15) feet over vehicular use area and ten (10) feet over any pedestrian use area.
- c. Temporary signs and banners:
 - 1. Erection of a temporary sign shall require a permit from the building inspector. The fee for each fourteen (14) day period shall be determined by the building inspector. No more than two (2) permits shall be granted in one calendar year.
 - 2. Such sign shall be erected for no more than a period of fourteen (14) days, two (2) times per year, for a total of twenty-eight (28) days per year.
 - 3. No temporary sign shall exceed thirty (30) square feet gross display area; a double face sign shall be computed in determining gross display area.
 - 4. Such signs shall be securely attached to the premises or to an existing free standing sign.
 - 5. Farm stands shall be permitted seasonal temporary signs not to exceed a total of thirty (30) square feet gross display area for an annual fee of \$10.00.
 - 6. A-frame signs or trailer signs shall not be permitted.

4. PERMITTED SIGNS IN LOCAL HISTORIC DISTRICTS

All signs in the Ames Local Historic District shall be subject to review by the Easton Historical Commission prior to submission to the Easton Planning and Zoning Board.

5. SIGNS PERMITTED IN ALL ZONES

The following signs are allowed in all zones:

- a. All signs not requiring permits (Sec. 10-4.G).
- b. One construction sign for each street frontage of a construction project, not to exceed six (6) square feet in sign area in residential zones of thirty-two (32) square feet in sign area in all other zones. Such signs may be erected fifteen (15) days prior to beginning of construction and shall be removed following completion of construction.

- c. One non-illuminated real estate sign per lot or premises, not to exceed six (6) square feet in sign area. Signs used to advertise commercial property not to exceed three (3) by five (5) feet. Signs must be removed following sale, rental or lease. It shall be set back at least fifteen (15) feet from the property lot line.
- f. Two attached nameplates per occupancy, not to exceed four (4) square feet in sign area.
- g. Political signs shall not be erected more than thirty (30) days prior to the election or referendum concerned and shall be removed two (2) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.
- h. Directional/Information signs not to exceed six (6) feet in sign area or ten (10) feet in height.

6. SIGNS PROHIBITED IN ALL ZONES

The following types of signs are prohibited in all districts:

- a. Abandoned signs.
- b. Any sign which by reason of its location, shape, size, or color; will interfere with traffic signs, signals, or markings.
- c. Signs imitating or resembling official traffic or government signs or signals.
- d. Snipe signs or signs attached to trees, utility poles, streetlights, or placed on public property or public right-of-way.
- e. Flashing, animated or internally illuminated, including LED and neon, not specifically allowed by the Planning Board.
- f. Portable signs.
- g. Other signs specifically excluded by this By Law.
- h. Signs attached to motor vehicles, trailers, or other movable objects regularly or recurrently located for fixed display.
- i. Changing image sign

10.4 GENERAL PROVISIONS

It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the Town of Easton except in accordance with the provisions of this By Law.

A. Determination of Sign Area.

Sign measurement shall be based upon the entire area of the sign, with a single continuous perimeter enclosing the extreme limits of the actual sign surface. For a sign

painted on or applied to a building or structure, the area shall be considered to include all lettering, wording and accompanying designs or symbols together with any background of a different color than the natural color or finish material of the building or structure. For a sign consisting of individual letters or symbols attached to or painted on a surface, building wall or window, the area shall be considered to be that of the smallest rectangle, circle, oval or other simple straight-lined shape which encompasses all of the letters and symbols. The area of supporting framework, such as the brackets and posts, shall not be included in the area if such framework is incidental to the display. When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two (2) faces are placed back to back and are at no point more than two (2) feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

B. Sign Height

No part of any sign or light illuminating a sign shall be at a height in excess of the maximum height as specified in this section with respect to the height of the building or structure situated on the premises to which the sign relates. No part of any freestanding sign or any light illuminating a sign shall be higher than the highest point of any building or other structure on the premises on which such sign is located or if a vacant lot, at a height of no more than ten (10) feet above ground.

C. Sign Setbacks

Signs over one (1) square foot in area which are not temporary signs shall be set back at least fifteen (15) feet from the street line. Temporary signs in Nonresidential Districts shall be set back at least ten (10) feet from the street line.

D. Approval

All applicants for sign permits, as required by this section, in Business and Industrial zones shall submit plans and supporting materials to the Planning and Zoning Board for approval.

E. Illumination

1. Illumination in Residential Zones. Illumination of a sign shall be by steady white light which shall be properly shielded. Internally illuminated signs shall not be permitted.

2. Illumination in Business and industrial Zones. Illumination of a sign shall be by steady white light which shall be properly shielded or by internal illumination of only the lettering, wording or insignia within the sign.

3. Illumination in Local Historic Districts. Illumination of a sign shall be by steady white light which shall be properly shielded as approved by the Easton Historical Commission and the Planning & Zoning Board.

4. Moving/Animated/Flashing Signs Prohibited in All Districts.

a. Flashing signs shall not be permitted in any District.

b. Movement of a sign body or any segment thereof, such as rotating, revolving, moving

up or down or any other type of action involving a change of position of a sign body or segment thereof, whether caused by mechanical, animated, computer generated or other means, shall not be permitted in any District.

c. No neon or external florescent lighting shall be permitted in any District.

F. PERMITS REQUIRED

Unless otherwise provided by this By Law, all signs shall require permits and payment of fees. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

G. SIGNS NOT REQUIRING PERMITS

The following types of signs are exempted from permit requirements, but must be in conformance with all other requirements of this By Law:

- a. One construction sign of thirty-two (32) square feet or less.
- b. Directional/Information signs of six (6) square feet or less.
- c. Holiday or special event decorations and/or festoons.
- d. Nameplates of six (6) square feet or less.
- e. Political signs.
- f. Public signs or notices, or any sign relating to an emergency.
- g. Real estate signs.
- h. Window signs.
- i. Incidental signs.

H. MAINTENANCE

All signs shall be maintained in a safe and neat condition to the satisfaction of the building inspector and in accordance with requirements of the State Building Code. Structural damage, missing letters, or other deterioration obscuring content shall be remedied or the sign removed within sixty (60) days.

10-5 NONCONFORMING SIGNS

1. DETERMINATION OF LEGAL NONCONFORMITY

Existing signs which do not conform to the specific provisions of the By- Law may be eligible for the designation "legal nonconforming" provided that:

- a. The building inspector determines that such signs are properly maintained and do not in any way endanger the public.
- b. The sign was properly covered by a valid permit or variance or complied with all applicable laws on the date of adoption of this By- Law.
- c. Sign, or signs, were constructed or present prior to zoning.

2. LOSS OF LEGAL NONCONFORMITY STATUS

A legal nonconforming sign may lose this designation if:

- a. The sign is relocated.

- b. The structure or size of the sign is altered in any way except towards compliance with the By Law.

This does not refer to change of copy of normal maintenance.

3. MAINTENANCE AND REPAIR OF NONCONFORMING SIGNS

The legal nonconforming sign is subject to all requirements this code regarding safety, maintenance, and repair.

10-6 CONSTRUCTION SPECIFICATIONS

1. COMPLIANCE WITH BUILDING AND ELECTRICAL CODES

All signs shall be constructed in accordance with all requirements of the State Building Code and the National Electrical Code and Town of Easton By-laws.

2. ANCHORING

- a. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.
- b. All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.

10-7 SIGN AND DESIGN GUIDELINES

Applicants shall refer to the Town of Easton Sign and Design Guidelines adopted by the Planning & Zoning Board in its rules and regulations for additional guidance in building and signage design.

Submitted by Planning & Zoning Board

Explanation: The intent of the bylaw amendment is to allow greater flexibility and promote more consistent and attractive signage that fits within a given neighborhood context. The amendment is primarily a reorganization of the existing bylaw sections into a more straight forward, user-friendly format. The amendment primarily focuses on the type of sign illumination allowed in each zoning district.

The amendment would allow internally illuminated signs in Business Districts that are consistent with the Planning & Zoning Board's Sign and Design Guidelines. The Guidelines will provide guidance to applicants on appropriate sign design based on location and context. Procedurally, signs will be reviewed by the Planning & Zoning Board to ensure consistency with the Sign and Design Guidelines; signs proposed in historic districts would also be reviewed by the Easton Historical Commission.

The Planning & Zoning Board will make a presentation at town meeting regarding this proposal

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning & Zoning Board Recommendation: Recommended

ARTICLE 45. ZONING AMENDMENT; PLANNED BUSINESS DEVELOPMENT

To see if the Town will vote, pursuant to MGL Chapter 40A, to amend the Easton Zoning By Law at Section 7-6, as shown below with added and deleted language:

7-6 Planned Business Development

For planned business development of land subject to maximum building coverage more than the maximum permitted in the Table of Density and Dimensional Regulations and less than the parking requirements contained in the Table of Off-Street Parking Regulations, the following conditions shall apply:

- A. The tract shall be in single or consolidated ownership at the time of application and shall be at least ~~5~~ 2 acres in size, except as may be reduced by the Planning & Zoning Board, by a Special Permit.
- B. Uses shall be contained in one continuous building except that groupings of buildings may be allowed by the Planning & Zoning Board where such groupings are consistent with the safety of the users of the development and are further consistent with the overall intent of this section.
- C. The gross floor area of buildings shall not exceed 50% of the total area.
- D. The development shall be served by one common parking area and by common exit and entrance areas except that the Planning & Zoning Board may allow segmented parking areas.
- E. Reduction in parking space requirements shall not exceed more than 10 percent of those required
- F. The development shall be served by a public water system.
- G. Roadway and utility construction shall conform to the Town of Easton Planning Board Subdivision Rules and Regulations except as may be modified or may be waived by the Planning Board.
- H. Plan depicting exterior building elevations, parking layout, access points and site utilities shall be submitted to the Planning Board on properly scaled plans prepared by a Professional Engineer.

Submitted by Planning & Zoning Board

Explanation: This article will create additional flexibility for landowners by reducing the land area required for a Planned Business Development from 5 acres to 2 acres. The land area requirement could be reduced further with approval from the Planning and Zoning Board.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning & Zoning Board Recommendation: Recommended

ARTICLE 46. ZONING AMENDMENT; HOME OCCUPATION

To see if the Town will amend its zoning bylaws by amending the definition of “Home Occupation” in Section 2 as shown below:

Section II. Definitions

HOME OCCUPATION

An accessory use which by custom has been carried on entirely within a dwelling unit, or within an accessory building thereto, and is incidental and subordinate to the dwelling use and which shall not occupy more than twenty five (25) percent of the net floor area of the net floor area or four hundred (400) square feet whichever is less, of the dwelling unit or accessory building so used. ~~No commodities shall be sold on the premises.~~ Such use shall be carried on by the occupants of the dwelling unit with no more than three employees, one of whom can be a nonresident, and shall not in any manner change the residential character of the building

And

To see if the Town will amend its zoning bylaws by amending Section 7-9 as follows:

7-9 Home Occupation

For the use of a dwelling in the "R" District for a home occupation, the following conditions shall apply:

- A. No more than three employees, one of whom can be a nonresident, shall be employed therein.
- B. The use is carried on strictly within the principal building or a building accessory thereto.
- C. Not more than 25 percent of the existing net floor area of the principal building or 400 square feet is devoted to such use.
- D. There shall be no display of goods or wares visible from the street
- E. The use shall not in any manner change the residential character of the building.

A. Site Plan Review

All home occupations shall require abbreviated site plan review by the Planning & Zoning Board to ensure such use will not adversely impact the neighborhood due to issues related to design, traffic and public safety and welfare. Plans submitted for review shall include floor plans, parking areas, driveways and such other information as may be determined by the Planning Board. Decisions on Site Plan Review shall be made within 60 days of submission of all plans required by the Planning & Zoning Board.

Submitted by Planning & Zoning Board

Explanation: The purpose of this article is to allow a greater diversity of home occupations. This article modifies the existing definition of home occupation and requires proposed home occupations to undergo Site Plan Review with the Planning and Zoning Board.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning & Zoning Board Recommendation: Recommended

ARTICLE 47. ZONING AMENDMENT; ADMINISTRATIVE UPDATES

To see if the Town will amend its zoning bylaws by amending Section 5-3 to allocate Special permit Granting Authority to the Zoning Board and Planning and Zoning Board, as follows:

Section 5-3 TABLE OF USE REGULATIONS

R - Residential, R1 - Residential 1, B - Business, BN - Business Neighborhood, I - Industrial, E - Eleemosynary, F - Flood Plain, and M - Municipal or Open Space. SP (ZBA) – Special Permit/Zoning Board of Appeals, SP (PZB) – Special Permit/Planning & Zoning Board

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
PRINCIPAL USES								
A. Residential Uses								
1. Detached dwelling on a separate lot occupied by not more than one family	Y	Y	Y	SP (ZBA)	N	SP (ZBA)	SP (ZBA)	N
2. One 2-family or one duplex dwelling on a separate lot	SP (ZBA)	SP (ZBA)	SP (ZBA)	N	N	N	SP (ZBA)	N
4. Apartments (See Sec. VII)	N	N	Y	N	N	N	SP	N
5. and 6. deleted Special Town Meeting 1/23/95								
7. Motels (See Section VII)	N	N	Y	N	N	N	SP (ZBA)	N
8. Renting of rooms in an existing dwelling in excess of three (3. persons	SP (ZBA)	SP (ZBA)	SP (ZBA)	N	N	N	SP (ZBA)	N
9. Conversion of an existing dwelling to accommodate not more than two families	SP (ZBA)	SP (ZBA)	Y	N	N	N	SP (ZBA)	N
10. Manufactured Home	N	N	N	N	N	N	N	N

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
11 Manufactured home or manufactured home subdivision	N	N	N	N	N	N	N	N
B. Institutional, Recreational, and Educational Uses								
1. Place of Worship	Y	Y	Y	Y	Y	Y	Y	Y
2. Religious, sectarian, non-sectarian, denominational, private or public school or other educational facility (see paragraph 7-12)	Y	Y	Y	Y	Y	Y	Y	Y
3. Cemeteries	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	N	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	Y
4. Recreation facility owned or operated by an agency of Town or other government	Y	Y	Y	N	Y	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	Y
5. Public Utilities	Y	Y	Y	Y	Y	Y	Y	Y
6. Private nonprofit libraries or museums	Y	Y	Y	Y	Y	Y	SP <u>(ZBA)</u>	Y
7. Private nonprofit, community center building, settlement house, adult education center or other similar facility provided indoor or outdoor noisy activities shall be not less than 50 ft. from any lot line and shall not be detrimental to the neighborhood by reason of noise in any season	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	N	Y	SP <u>(ZBA)</u>	N
8. Hospital, infirmary, nursing home, convalescent home, elderly retirement facility and/or elderly congregate housing	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	Y	N	N	Y	SP <u>(ZBA)</u>	Y
9. Day nursery, nursery, school, kindergarten, or other agency giving day care to children, provided any outdoor play area is screened by fence, wall, or planting line and from any neighboring residential structure and is not detrimental to the neighborhood by reason of noise	Y	Y	Y	Y	Y	Y	Y	Y
10. Trade, professional, or other school conducted as a private business for gain	N	N	Y	Y	SP <u>(ZBA)</u>	Y	SP	N

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
11. Fraternal, nonprofit membership club or lodge	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	Y	N	N	Y	SP <u>(ZBA)</u>	N
12. Country, golf, swimming, tennis, fitness center, or other recreational facility	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>
13. Entertainment and recreational facilities operated as a business for gain, including but not limited to bowling alley, theater, or sports arena, provided such use is housed indoors in sound-insulated structure protecting neighborhood from inappropriate noise in any season	N	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N
14. All Town and municipal uses	Y	Y	Y	Y	Y	Y	Y	Y
C. Agricultural Uses								
1. Farming - agricultural, orchard, horticultural, or silvicultural	Y	Y	Y	Y	Y	Y	Y	Y
2. Farming - livestock or poultry but not swine, provided that any building housing livestock or poultry be not less than 50 ft. from the property boundary	Y	Y	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	Y	Y	Y
3. One roadside stand per farm for sale of agricultural products, the major portion of which are grown or produced on the premises	Y	Y	Y	Y	Y	N	SP <u>(ZBA)</u>	N
4. Farmers market	SP <u>(PZB)</u>	SP <u>(PZB)</u>	SP <u>(PZB)</u>	SP <u>(PZB)</u>	SP <u>(PZB)</u>	N	SP <u>(ZBA)</u>	SP <u>(PZB)</u>
D. Office and Laboratory								
1. Business, financial, and professional use	N	N	Y	Y	Y	N	SP <u>(ZBA)</u>	N
2. Offices and clinics for medical, psychiatric, or other health services for examination or treatment of persons as outpatients, including only laboratories that are part of such office or clinic	N	N	Y	Y	Y	N	SP <u>(ZBA)</u>	N
3. Lab or research facility	N	N	Y	Y	Y	N	SP <u>(ZBA)</u>	N

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
4. Commercial or educational radio or television studio	N	N	Y	Y	Y	N	SP <u>(ZBA)</u>	N
E. Retail Business and Consumer Service Establishments								
1. Store for retail sale of merchandise, provided all display, storage, and sale of materials are conducted within a building and provided there be no manufacturing or assembly on the premises	N	N	Y	Y	Y	N	SP <u>(ZBA)</u>	N
2. Eating places serving food and beverages to be consumed within the building	N	N	Y	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N
3. Drive-in, open-air restaurant, outside dining facility, or other establishment providing food and beverages with no live or mechanical entertainment	N	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N
4. Space for manufacturing, assembly, or packaging of consumer goods, provided that at least 50% of such merchandise is sold at retail on premises and that all display, sales, and storage is conducted within building and further provided that not more than 25% of floor area is devoted to manufacturing, assembly, or packaging of consumer goods and not more than 5 persons are employed at any one time for manufacturing, assembly, or packaging of such goods	N	N	Y	N	Y	N	SP <u>(ZBA)</u>	N
5. Service businesses serving local needs, such as barber shops, beauty shops, shoe repair, self- service laundry, or dry cleaning or pick-up agency	N	N	Y	Y	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N
6. Hand laundry, dry cleaning, or tailoring, or other similar uses, provided personnel is limited to not more than six (6) persons at any one time on the premises	N	N	Y	N	Y	N	SP <u>(ZBA)</u>	N

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
7. Mortuary, undertaking, or funeral establishment	N	N	Y	N	N	N	SP <u>(ZBA)</u>	N
8. Veterinary establishment, provided that animals are kept indoors	N	N	Y	Y	Y	N	SP <u>(ZBA)</u>	N
9. Store for retail sale of merchandise such as but not limited to lumber yards and building supply yards wherein merchandise is stored in the open, provided that all merchandise is screened from ground level view from any abutting street or abutting property where such materials are stored	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
10. Planned Business Development	N	N	Y	N	Y	N	SP <u>(ZBA)</u>	N
F. Automotive Service and Open Air Drive-in Retail Service								
1. Gasoline service station	N	N	SP <u>(ZBA)</u>	N	Y	N	SP <u>(ZBA)</u>	N
2. Sale or rental of auto- mobiles, boats, and other motor vehicles and accessory storage conducted partly or wholly within an enclosed sound-insulated structure to protect the neighborhood from inappropriate noise and other disturbing effects such as but not limited to flashing, fumes, gases, smoke, and vapors	N	N	Y	N	Y	N	SP <u>(ZBA)</u>	N
3. Automobile repair shops, provided all work is carried out within the building	N	N	Y	N	Y	N	SP <u>(ZBA)</u>	N
4. Car washing establishments	N	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N	N	N
5. Truck and heavy equipment repair shops provided all work is carried out within the building	N	N	SP <u>(ZBA)</u>	N	Y	N	SP <u>(ZBA)</u>	N
6. Sales places for flowers, garden supplies, agricultural produce partly or wholly outdoors, including commercial green- houses	N	N	Y	N	Y	N	SP <u>(ZBA)</u>	N

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
7. Outdoor sports facility conducted for profit such as golf course, country clubs, tennis club	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>
8. Place for exhibition, lettering, or sale of grave- stones	N	N	Y	N	N	N	SP <u>(ZBA)</u>	N
G. Industrial, Wholesale, and Transportation Uses								
1. Laundries and dry cleaning plant	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
2. Printing, binding, publishing and related arts and trade	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
3. Bottling of beverages	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
4. Plumbing, electrical, or carpentry shop or other similar service or repair establishment	N	N	SP <u>(ZBA)</u>	N	Y	N	SP <u>(ZBA)</u>	N
5. Place for manufacturing, assembling, or packaging of goods, provided that all resulting cinders, dust, flashing, fumes, gases, odors, refuse matter, smoke and vapor be effectively confined to the premises or be disposed of in a manner that does not create a nuisance or hazard to safety or health	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
6. Wholesale business and storage in a roofed structure	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
7. Trucking and freight terminals	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
8. Planned Industrial Development	N	N	N	N	Y	N	SP <u>(ZBA)</u>	N
H. Other Principal Uses								
1. Extractive industries, manufacture, distribution or sale of explosives, or any trade, industry or other use that is noxious or hazardous by reason of vibration or dust, gas, fumes, smoke, cinders, flashing, or excessively bright lights, refuse matter or electro-magnetic radiation	N	N	N	N	N	N	N	N

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
2. Open-lot storage including storage in trailers and semitrailers	N	N	N	N	N	N	N	N
3. Any use hazardous to health because of danger of flooding, inadequacy of drainage or inaccessibility of drainage or inaccessibility to firefighting apparatus or other protective service	N	N	N	N	N	N	N	N
4. Junk yard, sales of junk, or salvaged materials	N	N	N	N	N	N	N	N
5. Heliport, helistop	N	N	N	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	N
6. Dog Kennel	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>
7. Trailer for business use	N	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>
8. Communications Tower and Wireless Communications Facility	N	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>
I. Accessory Uses								
1. Private greenhouse, stable, tennis court, swimming pool, or other similar building or structure for domestic use	Y	Y	Y	Y	Y	Y	SP <u>(ZBA)</u>	Y
2. The raising or keeping of livestock or poultry as pets or for use by residents of the premises provided that no building for livestock or poultry may be less than 25 ft. from any side or rear lot line nor nearer than 50 ft. to any front lot line	Y	Y	Y	Y	Y	Y	SP <u>(ZBA)</u>	Y
3. Minor home occupation, provided that not more than three (3) employees, one of whom can be a nonresident shall be employed on the premises at any one time	Y	Y	Y	Y	Y	N	SP <u>(ZBA)</u>	N

	EASTON ZONING DISTRICTS							
	R	R1	B	BN	I	E	F	M
4. Home office for resident physician, dentist, attorney-at-law, architect, engineer or member of other recognized profession provided that not more than three (3) persons shall be employed on the premises at any one time.	Y	Y	Y	Y	Y	N	SP <u>(ZBA)</u>	N
5.Heliport, helistop	N	N	N	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	N
6.Dog Kennel	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>
7.Car Washing Establishments	N	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	N	N	N
8.Trailer for business use	N	N	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	SP <u>(ZBA)</u>
9.Adult Entertainment Establishments may not be located less than 750 (seven hundred fifty) feet from: a. Each other; b. Residential uses; c. Public or private nursery schools; d. Public or private day care centers; e. Public or private kindergartens; f. Public or private elementary schools; g. Public or private secondary schools; h. Playgrounds; i. Churches	N	N	N	N	SP <u>(ZBA)</u>	N	N	N
10. Antenna Transmitter/ Receiving Tower, Residential Use (in excess of 25 feet above roof ridge height)	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	Y
11. Antenna Transmitter/Receiving Tower, Commercial (in excess of 25 feet above roof ridge height)	N	N	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	SP <u>(ZBA)</u>	N	Y

Submitted by Planning & Zoning Board

Explanation: The purpose of this amendment is to more clearly indicate the special permitting authorities pursuant to the Table of Use Regulations in Section 5-3 of the Zoning By Law.

Selectmen Recommendation: Recommended

Finance Committee Recommendation: Recommended

Planning & Zoning Board Recommendation: Recommended

ARTICLE 48. ZONING AMENDMENT; EXTENSION AND ALTERATION

To see if the Town will amend its zoning bylaws by replacing Section 9-2(D) with the following:

- D. The reconstruction, extension, alteration or structural change of a valid pre-existing nonconforming structure used for single family or two family residential purposes in such a manner as to create a new nonconformity, shall require the issuance of a special permit from the Board of Appeals. The reconstruction, extension, alteration or structural change of a valid pre-existing nonconforming structure used for any other purposes, in such a manner as to create a new nonconformity, shall require the issuance of a variance from the Board of Appeals.

Submitted by Planning & Zoning Board

Explanation: The purpose of this article is to recognize a change in the law pursuant to the Gale v. Gloucester case which eliminates a variance requirement for changes to pre-existing nonconforming residential structures and, rather, places such applications in a special permit context.

Selectmen Recommendation: Recommended

Finance Committee Recommendation:

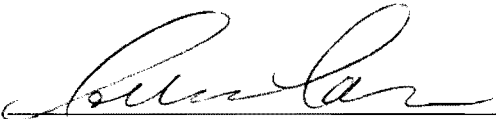
Planning & Zoning Board Recommendation: Recommended

ARTICLE 49.

To transact any other business that may legally come before said meeting.

You are directed to serve this Warrant by posting attested copies thereof one at each meeting house and post office and one at the Oliver Ames High School Auditorium and one at the Town Offices, seven days at least before the time of holding said meeting.

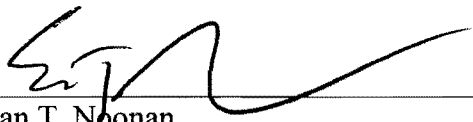
Given under our hands this 7thday of May the year Two Thousand Twelve.




Colleen A. Corona, Chair




Ellen Barlow, Clerk



Sean T. Noonan



Daniel J. Murphy



Todd M. Gornstein

EASTON BOARD OF SELECTMEN

Easton, Mass _____
By virtue hereof and as within directed, I have this day
posted attested copies of this Warrant.

_____, Constable of Easton

OFFICIAL PROCEDURES TO BE USED AT TOWN MEETING
Approved - Town Meeting - May 1978

- 1. Main Motion:** **Debatable**
When a motion has been made, seconded and stated by the Chair, the assembly is not at liberty to consider any other main motion until this motion has been disposed of.
- 2. Motion to Amend:** **Majority Vote Required** **Debatable**
This motion is to change, add, or omit words in the original main motions.
- 3. Motion to Amend the Amendment** **Majority Vote Required** **Debatable**
This is a motion to change, add, or omit words in the first amendment.
Method of Vote: The first vote is on changing words of second amendment. If the first vote adopts the change, the second vote is on the first amendment as changed or amended. The third vote is on adopting the main motion as changed or amended.
- 4. Motion to Commit or Refer:** **Majority Vote Required** **Debatable, Amendable**
When a motion becomes involved through amendments or when it is wise to investigate a question more carefully, it may be moved to commit or refer the motion to a committee for further consideration.
- 5. Motion to Close Debate** **2/3 Vote Required** **Not Debatable**
When debate does not seem to be shedding additional light on a question, you may move to end it by calling the question: "Mr. Moderator, I call the question." You must be recognized by the Chair before making this motion. As soon as this Motion is made, debate ceases and a vote on closing debate is taken. If the motion is carried, a vote is immediately taken on the question under consideration.
- 6. Motion to Reconsider:** **Majority Vote Required** **Debatable**
This motion must be made the same day as the original motion was carried or defeated. "A vote can be reconsidered only once."
- 7. Motion to Adjourn:** **Majority Vote Required** **Debatable**
This motion is always in order except (a) when a speaker has the floor, (b) when a vote is being taken, (c) after it has just been voted down (d) when the assembly is in the middle of some business which cannot be abruptly stopped. A definite time and place must be set.

MISCELLANEOUS MOTIONS

These motions (or questions) are not necessarily related to the Main Motion and do not fall within the order of precedence. They may be made as appropriate or necessary.

- 1. Question of Privilege:** A motion unrelated to the business taking place, e.g. "Question of privilege, please! It is too noisy. I request that the Chair ask that all talking be stopped."
- 2. Point of Information:** Motion used to ask a question or obtain clarification of facts pertaining to the motion at hand. "Point of information, please! What would be the cost to repair this piece of machinery rather than replace it?" There is no vote or debate. The Chair provides the information sought.
- 3. Point of Order:** This motion is always in order but can be used only to present an objection to some method of parliamentary procedure. "Mr. Moderator, I rise to a point of order!" Then the objection is stated. There is no vote or debate and the Chair immediately rules on the point of order.
- 4. Point of No Quorum:** This motion requires no second and is not debatable. No other motion may be applied to it. It may not be used to interrupt a speaker. When the point is properly raised, the Moderator must then ascertain whether or not a quorum exists.
- 5. Secret Ballot:** At any Annual or Special Town Meeting when any article is put to the meeting for a vote, if a voter stands to request a secret ballot, he shall be promptly recognized by the Moderator and if on inquiry by the Moderator such voter is joined by at least 29 other standing voters, the Moderator shall automatically order a secret ballot without a debate.