

**TOWN OF AUBURN
SPECIAL TOWN MEETING
OCTOBER 15, 2019**

At 7:06 PM Moderator Chester Stencil Jr. checked on a quorum and then called the meeting to order at 7:32 PM in the Auburn High School Auditorium with a quorum present. He led the meeting with the Pledge of Allegiance. The Moderator appointed Kimberley Holstrom, Anne Cavanaugh, Edward Coleman, Andrew Sluckis, Kenneth Charlton and Joe Martin as counters who were sworn in by the Town Clerk.

In compliance with the provisions of the Auburn Charter, copies of the warrant along with the recommendation of the Finance Committee were mailed to each Town Meeting Member on September 30, 2019. Constable Michael Marin posted attested copies of the warrant in at least two conspicuous places in each precinct on September 30, 2019.

Members present: 80

Article 1: REPORTS OF COMMITTEES

Finance Committee Report

Good evening.

When we last met in May 2019, Town Meeting approved a \$70.2 million budget for fiscal 2020.

After recalculating expected revenue sources, including final Cherry Sheet contributions from the Beacon Hill, the proposed budget is now \$70.8 million, which includes a tax levy increase of 1.19%.

Proposed significant revisions to the budget before you tonight include \$150K in net reductions to Article #2 (the Operating Budget).

In addition approval is requested to use of a total of \$645K in eligible Free Cash, including the addition of \$300K to the Stabilization Fund and \$100K to OPEB Liability Trust Fund.

The changes to Article#2 include increases of \$40K to Salary Reserve, \$45K to Insurance and Bonds, and \$84K to Veterans Service Relief and Medical, a decrease of \$48K in Norfolk Assessment, and a decrease of \$300K in Group Insurance.

Regarding the Warrant Articles, the Finance Committee takes the following position:

All Articles (except 16, 19, 20, and 21) we recommend approval; Articles 16, 19, 20, and 21 were deferred to the petitioners due to their initial non-financial impact.

Just a few comments on certain articles:

Article 2 reduces the operating budget by **\$150K**. In addition to the changes already mentioned, there is an increase of \$25K to Legal Negotiator and \$25K to Salt & Calcium, **increase of 10K to Auburn Youth & Family Services**. The Finance Committee recommends approval.

Article 22 requests \$200K from Free Cash to address roadway/municipal drainage improvements in compliance with Federal **Storm-water** mandates.

Respectfully submitted,

Anne Cavanaugh, Chairman
Kimberly Holstrom, Vice Chair
Kevin Kennedy

Edward Coleman
Trevor Sansoucy

Malory O'Brien
Michael Marshall

Board of Selectmen Report

The Board of Selectmen makes the following recommendations on the Special Town Meeting Warrant.

Article 2. The Board of Selectmen voted to recommend approval.

Article 3. The Board of Selectmen voted to recommend approval.

Article 4. The Board of Selectmen voted to recommend approval.

Articles 5 and 6. The Board of Selectmen voted to recommend approval.

Article 7. The Board of Selectmen voted to recommend approval.

Article 8. The Board of Selectmen voted to recommend approval.

Article 9. The Board of Selectmen voted to recommend approval.

Articles 10 through 12. The Board of Selectmen voted to recommend approval.

Article 13. The Board of Selectmen voted to recommend approval.

Article 14. The Board of Selectmen voted to recommend approval.

Article 15. The Board of Selectmen voted to recommend approval.

Article 16. The Board of Selectmen voted to recommend approval.

Article 17. The Board of Selectmen voted to recommend approval.

Article 18. The Board of Selectmen voted to recommend approval.

Articles 19 and 20. The Board of Selectmen voted to recommend approval.

Article 21. The Board of Selectmen voted to recommend approval.

Article 22 The Board of Selectmen voted to recommend approval.

The Auburn Board of Selectmen

Kenneth A. Holstrom, Chairman

Daniel S. Carpenter, Vice Chairman

Doreen M. Goodrich

Lionel R. Berthiaume

Tristan J. Laliberte

Article 2. I move that the Town Meeting vote to amend Article 3 of the May 7, 2019 Annual Town Meeting as follows: Increase Line Item #011322-5782 Salary Reserve from \$270,000.00 to \$310,000.00; Increase Line Item #011512-5308 Legal Negotiator from \$35,000.00 to \$60,000.00; Increase Line Item #011612-542102 Misc. Supplies from \$770.00 to \$1,250.00; Increase Line Item #011612-5732 Certification Dues from \$370.00 to \$490.00; Increase Line Item #011621-511206 Precinct Officers from \$9,000.00 to \$11,500.00; Increase Line Item #011622-542102 Supplies from \$9,700.00 to \$10,100.00; Increase Line Item #011992-5740 Insurance and Bonds from \$820,000.00 to \$845,000.00; Decrease Line Item #01303-5691 Norfolk Assessment from \$111,000.00 to \$63,000.00; Increase Line Item #014252-553302 Salt & Calcium from \$257,000.00 to \$282,000.00; Increase Line Item #015422-538602 Contracted Services from \$120,000.00 to \$130,000.00; Decrease Line Item #015431-5111 Salary from \$32,500.00 to \$18,000.00; Increase Line Item #015432-5770 Relief and Medical from \$60,000.00 to \$144,000.00; Decrease Line Item #019101-5175 Group Insurance from \$7,900,000.00 to \$7,600,000.00; and further to approve an amended FY2020 budget for the Town of Auburn of **\$65,774,851.00.**

By Kimberly Holstrom

Seconded by Gregory Bohling

Vote on Article 2, majority in favor

Article 3. I move that the Town Meeting vote to approve Article 3 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Carolyn Vangel Corriveau

Seconded by Thomas J. Dufour

Vote on Article 3, majority in favor

Article 3 as printed in the warrant:

To see if the Town Meeting will vote to amend Article 15 for the McKinney-Vento Receipts amount approved at the May 7, 2019 Annual Town Meeting from \$2,500.00 to \$2,978.00, which is the actual amount received in July 2019, to fund transportation costs for homeless and/or unanticipated transportation for other students to their educational programs; or act on anything relative thereto.

Article 4. I move that the Town Meeting vote to approve Article 4 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Tom B. Kies

Seconded by Joe Martin

Vote on Article 4, majority in favor

Article 4. To see if the Town Meeting will vote to amend Article 13 for the Medicaid Reimbursement amount approved for FY2020 at the May 7, 2019 Annual Town Meeting from \$185,000.00 to \$200,000.00 to fund supplies and medical, therapeutic and educational services for significantly disabled special needs students as well as tuition and transportation to and from outside placements or within the District for special needs students; or act on anything relative thereto.

Article 5. I move that the Town Meeting vote to approve Article 5 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Gregory Bohling

Seconded by Thomas J. Dufour

Vote on Article 5, unanimous in favor

Article 5. To see if the Town Meeting will vote to re-purpose CIP funds by amending Article 3 of the May 5, 2015 Annual Town Meeting, Pakachoag Building Rehab, (Acct. #302016-581635) as follows: Authorize the remaining \$4,647.30 in this account to be combined with other CIP funds for Pakachoag Building Rehab towards the installation of univents at the school; or act on anything relative thereto.

Article 6. I move that the Town Meeting vote to approve Article 6 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Ellen M. Ethier

Seconded by Rachel Pressey

Vote on Article 6, unanimous in favor

Article 6. To see if Town Meeting will vote to re-purpose CIP funds by amending Article 4 of the May 2, 2017 Annual Town Meeting, Auburn High School Building Rehab, (Acct.#302018-581842) as follows: Authorize the remaining \$11,360.88 in this account to be used to complete necessary Stage Upgrades at Auburn High School; or act on anything relative thereto.

Article 7. I move that the Town Meeting vote to appropriate the sum of \$300,000 from Free Cash to the Town Stabilization Fund.

By Daniel J. Diamond

Seconded by Ronald Prouty

Vote on Article 7, majority in favor

Article 8. To see if the Town Meeting will vote to appropriate the sum of \$100,000 from Free Cash to the Town OPEB (Other Post-Employment Benefits Liability Trust Fund); or act on anything relative thereto.

By Daniel J. Diamond

Seconded by Carolyn Vangel Corriveau

Vote on Article 8, majority in favor

Article 9. I move that the Town Meeting vote to approve Article 9 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Daniel J. Diamond

Seconded by Ellen Gaboury

Vote on Article 9, majority in favor

Article 9. To see if Town Meeting will vote to appropriate the sum of \$20,000.00 from Free Cash for electronic payroll check advices; or act on anything relative thereto.

Article 10. I move that the Town Meeting vote to approve Article 10 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Thomas Pomfret

Seconded by John Stencel, Sr.

Vote on Article 10, unanimous in favor

Article 10. To see if the Town Meeting will vote to rescind unused borrowing authorizations previously voted by the Town:

Auburn Middle School Project	\$20,185,375
MSBA School Roof Projects/Auburn Middle School & Bryn Mawr	3,024,153

; or act on anything relative thereto.

Article 11. I move that the Town Meeting vote to approve Article 11 as printed in the October 15, 2019 Special Town Meeting Warrant.

By James Callahan

Seconded by Gregory Bohling

Vote on Article 11, majority in favor

Article 11. To see if the Town Meeting will vote to appropriate \$32,500.00 from Pakachoag Golf Course Enterprise Retained Earnings for the purchase of a tractor to be used at the Pakachoag Golf Course and by the Parks Department; or act on anything relative thereto.

Article 12. I move that the Town Meeting vote to approve Article 12 as printed in the October 15, 2019 Special Town Meeting Warrant.

By William Bylund

Seconded by Gregory Bohling

Vote on Article 12, unanimous in favor

Article 12. To see if the Town Meeting will vote to re-purpose CIP funds by amending Article 4 of the May 1, 2018 Town Meeting, Fire Service Truck (Acct. #062202-581912) as follows: Authorize the amount of \$9,236.00 to be used for the purpose of equipping Fire Engine #1 with miscellaneous equipment to place it in service as a front line engine; or act on anything relative thereto.

Article 13. I move that the Town Meeting vote to approve Article 13 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Roberta Baker

Seconded by Mark Maass

Vote on Article 13, majority in favor

Article 13. To see if the Town Meeting will vote to appropriate \$16,000.00 from available funds from Dog License Fees (ORG #261018) for the purpose of floor repairs and fencing at the Kathleen Sabina Animal Compound; or act on anything relative thereto.

Article 14. I move that the Town Meeting vote to approve Article 14 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Charles Baker

Seconded by Gregory Bohling

Vote on Article 14, majority in favor

Article 14. To see if the Town Meeting will vote to repurpose \$2,196.97 as the balance from the \$9,000.00 appropriation approve under Article 28 of the May 1, 2018 Annual Town Meeting Acct. #02292-581944 (the purchase of monitoring cameras at the kennel) for the purpose of floor repairs at the Kathleen Sabina Animal Compound; or act on anything relative thereto.

Article 15. I move that the Town Meeting vote to approve Article 15 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Cathy Stone

Seconded by Daniel Largesse

Vote on Article 15, majority in favor

Article 15. To see if the Town Meeting will vote to appropriate \$2,159.40 from Dog Fines (Acct. #262902-4840) for miscellaneous building repairs at the Kathleen Sabina Animal Compound; or act on anything relative thereto.

Article 16. I move that the Town Meeting vote to approve Article 16 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Deborah Valentine

Seconded by Ellen Gaboury

Charlie Baker made a motion to move the question.

Seconded by Joe Martin

Vote in favor of moving the question, was by majority in favor.

Vote on Article 16, majority in favor

Article 16 as printed in the warrant:

To see if the Town Meeting will vote to amend the Town of Auburn General Bylaws by inserting the following bylaw 12.18 of Chapter XII Department of Development and Inspectional Services: A By-law reducing plastic bag pollution, as follows;

Chapter XII: Department of Development and Inspectional Services

12.18 PLASTIC BAG REDUCTION

- (1) Definitions: As used in this bylaw, the following words shall have the following meanings unless the context clearly requires otherwise:

- (A) “Department”, the department of environmental protection.
- (B) “Person”, an individual, partnership, trust, association, corporation, society, club, institution, organization or other entity.
- (C) “Postconsumer recycled material”, material used in a recycled paper bag that would otherwise be destined for solid waste disposal having completed its intended end use and product life cycle, and does not comprise any material or byproduct generated from, and commonly reused within, an original manufacturing and fabrication process.
- (D) “Recycled paper bag”, a paper bag that (i) is 100 per cent recyclable, (ii) contains a minimum of 40 per cent postconsumer recycled materials, provided, however, that an 8 pound or smaller paper bag shall contain a minimum of 20 per cent postconsumer recycled material, and (iii) displays on the outside of the bag, the words "100% Recyclable" and “40 % postconsumer recycled content", or such other per cent of postconsumer recycled material content as required under clause (ii), or other standard established by department regulation.
- (E) “Retail establishment”, any store or premises, in which a person is engaged in the retail business of selling or providing merchandise, goods, groceries, prepared take-out food and beverages for consumption off-premises, or the servicing of an item, directly to customers at such store or premises, including but not limited to, grocery stores, department stores, pharmacies, convenience stores, restaurants, coffee shops, and seasonal and temporary businesses, such as farmers markets and public markets, provided the use of a food truck or other motor vehicle, mobile canteen, trailer, market pushcart, moveable roadside stand, used by a person from which to engage in such business directly with customers, shall be considered a “retail establishment” for the purpose of this definition. A non-profit organization, charity or religious institution that has a retail establishment and holds itself out to the public as engaging in retail activities that are characteristic of similar type retail businesses, whether or not for profit, shall when engaging in such activity, be considered a “retail establishment”.
- (F) “Reusable carryout bag”, a bag with handles made of washable, cloth, hemp, or other fibers, fabrics or materials, or combination thereof, that is designed and manufactured specifically for multiple uses, which meets the standards established by department regulation.
- (G) “Serviced”, or “Servicing”, A service performed to clean, repair, improve, refinish or alter an item of a customer by a person engaged in a retail business of customarily providing such services, including but not limited to, dry cleaning and tailoring articles of clothing, jewelry repair, and shoe and leather repair.
- (H) “Single-use plastic carryout bag”, a plastic film-type bag with or without handles, which is 4 mils thick or less, provided by a retail establishment to customers at its business location to carry items purchased or serviced, and is not a recycled paper bag or reusable carryout bag.

(2) Prohibitions and Exemptions

- (A) Except as provided in this bylaw, a retail establishment shall not provide a customer with a single-use plastic carryout bag or provide any other carryout bag that is not a recycled paper bag, or reusable carryout bag for the customer to carry away an item purchased or serviced, from the retail establishment.
- (B) A retail establishment when delivering prepared food, or other food item, directly to a customer at a place other than the location of such establishment, shall be subject to the prohibition in subsection (a).
- (C) The prohibition in subsection (A), shall not apply to any type of bag, used by a retail establishment, or provided to its customer for: (1) prescription medications, (2) produce, meats, poultry, fish, bread, and other food items to keep such items fresh or unsoiled, (3) preventing frozen food items, including ice cream, from thawing, (4) containing products or items that are saturated, wet, prone to leak, or need to be immersed in a liquid. (5) containing products or items that are granular, powdery, dirty or greasy, (6) protecting an item from damage or contamination, or to protect a second item when both are carried together from the retail establishment, (7) protecting articles of clothing on a hanger, (8) items that contain any herbicide, pesticide, solvent, corrosive, automotive type fluid or other chemical, that can be harmful to public health, whether or not, the item is prepackaged in a sealed container or bag, (9) protecting small items from loss, and (10) any item that requires the use of a certain type bag, under federal and state laws and regulations.
- (D) A retail establishment may charge a fee for a recycled paper bag, reusable carryout bag, or other type of carryout bag. The retail business establishment shall retain any collected fees.
- (E) Notwithstanding the prohibition in subsection (a), a customer shall not be prohibited under said subsection, from bringing a clean personal bag, made or comprised of any material, to the retail establishment to carry out items purchased or serviced from such establishment.
- (F) Notwithstanding the prohibition in subsection (a), a retail establishment shall not be prohibited under said subsection, from selling, or offering for sale, to customers:
 - (1) Any package containing several bags, including but not limited to, food bags, sandwich bags, yard waste bags, garbage bags, or municipal pay-as-you-throw program trash bags;
 - (2) Any product, merchandise, or good with a protective bag, or a bag to hold related accessories, parts, and instruction manuals, or a bag used as product packaging, that

the retail establishment received with such item or product, from the manufacturer, distributor or vendor; or

(3) Any bag that is not a retail type carryout bag, which is sold, or offered for sale, as a product or merchandise, including but not limited to, sports bags, handbags, equipment bags, tent bags, or other bags specifically designed to protect or contain a particular item.

(G) Notwithstanding any provision of this bylaw, a nonprofit organization, charity, or religious institution, shall be exempt from the provisions of subsection (a), when providing or distributing, prepared foods, groceries, or articles of clothing directly to those in need, including the elderly.

(3) Enforcement

(A) The Town of Auburn shall enforce this bylaw through its authority, as determined under subparagraph (C).

(B) A retail establishment that violates the provisions of this bylaw shall be subject to enforcement in accordance with the Board of Selectmen Fine/Fee Schedule. Each day a retail establishment is in violation of this bylaw shall be considered a separate violation.

The Board of Health shall dispose of a civil violation under this subsection by the non-criminal method of disposition procedures contained in section 21D of chapter 40, without an enabling ordinance or by law, or by the equivalent of these procedures by the department under its regulations.

A retail establishment that fails to comply with this bylaw's requirements may be subject to fines/fees and closure by the Board of Health.

(C) The Town of Auburn has determined the Board of Health is responsible for the local enforcement of this bylaw and for the collection of monies resulting from civil penalties assessed for violations of this bylaw. The Town shall retain any civil penalties it collects for such violations.

(D) The Board of Health shall enforce the provisions of this bylaw and may assess additional civil administrative penalties when a retail establishment repeatedly violates the provision of this bylaw or related applicable regulations.

(4) Adoption and Implementation

(A) The Board of Health may adopt regulations, and may amend such regulations, to implement, enforce, and administer this bylaw, consistent with the provisions of this bylaw.

The Board of Health may consult with the department of public health relating to issues of food safety regarding the materials used in single-use plastic carryout bags.

(5) Inconsistent Provisions Null and Void

- (A) Any existing municipal by-law, or regulation, including a regulation of a Board of Health, that is inconsistent with the provisions of this bylaw when effective, shall be null and void.

This bylaw shall take effect six (6) months after having been approved at Town Meeting.
;or act on anything relative thereto.

Article 17. I move that the Town Meeting vote to approve Article 17 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Deborah Kozik

Seconded by Kenneth Charlton

Vote on Article 17, majority in favor

Article 17. To see if the Town Meeting will vote to appropriate \$38,000.00 from Sewer Enterprise Retained Earnings for engineering associated with the replacement of a sewer line under the bridge on Bancroft Street; or act on anything relative thereto.

Article 18. I move that the Town Meeting vote to approve Article 18 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Carla J. Morano

Seconded by John Stencel, Sr.

Vote on Article 18, majority in favor

Article 18. To see if the Town Meeting will vote to appropriate \$25,000.00 from Free Cash for the installation of a remote receiver to cover the junction of 12 & 20 to the Oxford line; or act on anything relative thereto.

Article 19. I move that the Town Meeting vote to approve Article 19 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Rocco J. Morano

Seconded by Gregory Bohling

Vote on Article 19, was in favor 56 YES, 18 NO

Article 19. To see if the Town Meeting will vote to amend Section 13 Tiny Homes of the Zoning Bylaw by adding Section 13.5.6.1 and Section 13.5.6.2 and Appendix Q of the International Residential Code as follows:

Section 13.5.6.1 Must comply with the Massachusetts Building Code, as amended.

Section 13.5.6.2 Must comply with the terms and conditions stated in Appendix Q, as attached hereto.

[Footnote: The language of "Appendix Q", as attached hereto, is taken from the proposed appendix to the 2018 International Residential Code. "Appendix Q" has not been adopted by the Commonwealth of Massachusetts, however Appendix Q, as attached hereto, is incorporated into this bylaw by this reference.]

2018 International Residential Code Appendix Q Tiny Houses

This provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance

User note: Appendix Q relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.

Section AQ101

General

AQ101.1 Scope

This appendix shall be applicable to *tiny houses* as single *dwelling units*. *Tiny houses* shall comply with this code except as otherwise stated in this appendix.

Section AQ102

Definitions

AQ102.1 General

The following words and terms shall, for the purposes of this appendix, have meanings shown herein. Refer to Chapter 2 of this code for general definitions.

Egress Roof Access Window. A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of Section R310.2.

Landing Platform. A landing provided as the top step of a stairway accessing a loft.

Loft. A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

Tiny House. A dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts.

Section AQ103

Ceiling Height

AQ103.1 Minimum ceiling height.

Habitable space and hallways in tiny houses shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception Ceiling heights in lofts are permitted to be less than 6 feet 8 inches (2032 mm).

Section AQ104

Lofts

AQ104.1 Minimum loft area and dimensions

Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AQ104.1.1 through AQ104.1.3

AQ104.1.1 Minimum Area

Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

AQ104.1.2 Minimum dimensions

Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AQ104.1.3 Height effect on loft area.

Portions of a loft with sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-Percent slope), portions of a loft with sloped ceiling measuring less than 16 inches (406 mm) from finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

AQ104.2 Loft access

The access to and primary egress from lofts shall be of any type described in Sections AQ104.2.1 through AQ104.2.4.

AQ104.2.1 Stairways

Stairways accessing lofts shall comply with this code or with Sections AQ104.2.1.1 through AQ104.2.1.5

AQ104.2.1.1 Width.

Stairways accessing lofts shall not be less than 17 inches (432 mm) in clear width at or above a handrail. The width below the handrail shall not be less than 20 inches (508 mm).

AQ104.2.1.2 Headroom

The headroom in stairways accessing a loft shall not be less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AQ104.2.1.3 Treads and risers.

Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

AQ104.2.1.4 Landing Platforms

The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches (1880) mm) where the stairway meets the loft. The landing platform shall be measures 18 inches to 22 inches (457 to 559 mm) in

depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft floor.

AQ104.2.1.5 Handrails

Handrails shall comply with Section R311.7.8

AQ104.2.1.6 Stairway Guards

Guards at open sides of stairways shall comply with Section R312.1

AQ104.2.2 Ladders

Ladders accessing lofts shall comply with Sections AQ104.2.1 and AQ104.2.2

AQ104.2.2.1 Size and capacity

Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform width 3/8 inch (9.5 mm)

AQ104.2.2.2 Incline

Ladders shall be installed at 70 to 80 degrees from horizontal.

AQ104.2.3 Alternating tread devices.

Alternating tread devices accessing lofts shall comply with Section R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AQ104.2.4 Ships ladders.

Ships ladders accessing lofts shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AQ104.2.5 Loft Guards

Loft guards shall be located along the open side of lofts. Loft guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

Section AQ105

Emergency Escape and Rescue Openings

AQ105.1 General

Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44

inches (1118 mm) above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1
; or act on anything relative thereto.

Article 20. I move that the Town Meeting vote to approve Article 20 as printed in the October 15, 2019 Special Town Meeting Warrant.

By Thomas Healy

Seconded by Gregory Bohling

Vote on Article 20, unanimous in favor

Article 20. To see if the Town Meeting will vote to amend Section 4.5 the Zoning Bylaw Regional Mall Overlay District (RM District), by amending Section 4.5.3.1, Section 4.5.5 and the Table of Uses Section 3.1, as follows:

4.5 Regional Mall Overlay District (RM District)

4.5.3 Definitions – The following definitions are applicable to the RM District:

4.5.3.1 Regional Mall

A multi-store complex containing at least 400,000 gross square feet of interior floor area used for retail stores and **retail** sales, including mail order sales, and which may also include restaurants or food courts, business or professional offices, **medical center or medical offices**, financial services, personal service facilities, parking lots, decks and garages, and other structures, uses and facilities now or hereafter contained in, or associated with, shopping malls so-called. The term “Regional Mall” shall mean use of a property for a Regional Mall and for Special LB District Use in accordance with Section 4.5.4.3.

4.5.5 Dimensional Requirements – The dimensional requirements of the Local Business District shall apply except as follows:

4.5.5.4 The minimum frontage requirement for lots within the RM District may be reduced to zero if appropriate access is provided to said lot through a permanent easement.

4.5.5.5 The minimum side yard setback for lots within the RM District may be reduced to zero.

4.5.5.6 Multiple buildings may be allowed on one lot in order to accomplish a campus concept within the Regional Mall.

Section	Land Use Classification	Standards and Conditions	Zoning Districts													
			RA	RB	RC	RR	RO	LB	HB	GI	IA	IP	OS	RM	DSVD	
3.2.1	EXTENSIVE USES															
3.2.1.0	Forestry and the harvesting of forest products		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	SP	N	N

3.2.1.1	Orchard, market garden, nursery, or other use of land for commercial agricultural production		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	SP	N	N
3.2.1.2	Commercial greenhouse; salesroom or stand for the sale of nursery, garden, or other agricultural produce (including articles of home manufacture from such produce	The major portion of produce or articles to be sold shall be raised on the premises or made from produce so raised.	N	N	Y	Y	N	Y	Y	N	N	N	N	N	N	N	N
3.2.1.3	Commercial poultry or livestock, farm, raising of pets for gainful purposes	Provided the lot is greater than 5 acres.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
3.2.1.4	Reservation, wildlife preserve, or other conservation use		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
3.2.1.5	Country club, organized camp, sporting grounds, other predominantly outdoor recreational use	Not to be conducted as a gainful business.	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	N
3.2.1.6	Commercial camping, hunting, fishing or ski grounds, commercial golf course or riding academy	Any structure shall be entirely incidental to the operation of the outdoor recreation activities.	N	N	SP	SP	N	N	N	N	N	N	N	N	N	N	N
3.2.2	RESIDENTIAL USES	There shall only be one principal structure per lot.															
		See Section 4.2 for Open Space Residential Development.															
3.2.2.0	One family detached dwelling		Y	Y	Y	Y	Y	SP	N	N	N	N	N	N	SP	N	N
3.2.2.1	Two family detached dwelling		SP	SP	SP	SP	SP	A	N	N	N	N	N	N	SP	N	N
	Town House	3.2.2.1.1 See Section 9.3 for SPGA															
3.2.2.2		3.2.2.2.1 Each building shall have no fewer than 3 nor more than 12 dwelling units	SP	SP	N	N	SP	A	N	N	N	N	N	N	SP	N	SP
		3.2.2.2.2 The building(s) shall be connected with the public															

			sewer system prior to occupancy.													
		3.2.2.2.3	The maximum number of units per structure in the R0 district shall be four (4).													
3.2.2.3	Apartments	3.2.2.3.1	Each building shall have no fewer than 3 nor more than 12 dwelling units, however, the maximum number of units per building in the RO district shall be (four) 4.													
		3.2.2.3.2	Each building shall be connected to the public sewer system prior to occupancy.	SP	SP	N	N	SP A	SP	SP	N	N	N	SP	N	SP
		3.2.2.3.3	Special Permits for apartments in the HB district will not be allowed except in the mixed use overlay.													
3.2.2.4	Converted dwelling	The building shall be connected with the public sewer system. All lot area and area and yard requirements and all parking regulations shall be met.	SP	SP	SP	SP	SP	SP	SP	N	N	N	N	SP	N	N

3.2.2.5	Combined business and dwelling		N	N	N	N	SP A	SP	SP	N	N	N	N	N	SPA
3.2.2.6	Congregate housing for the elderly and handicapped	The minimum lot area shall be 12,000 sq. ft. or 1,000 sq. ft. multiplied by the number of sleeping rooms, whichever is greater. The building shall be connected with the public sewer system prior to occupancy. A minimum parcel size of 5 acres in Residential districts is required.	SP	SP	SP	SP	SP A	SP	SP	N	N	N	N	N	N
3.2.2.7	Lodging, boarding house or "bed and breakfast" house	The building shall be connected to the public sewer system prior to occupancy. This does not apply to up to four paying guests in an established dwelling unit.	N	N	N	N	N	SP	N	N	N	N	N	N	SPA
3.2.2.8	Mobile home parks		N	N	N	N	N	N	N	N	N	N	N	N	N
3.2.2.9	Mobile homes		N	N	N	N	N	N	N	N	N	N	N	N	N
3.2.2.10	Accessory Apartment		SP	SP	SP	SP	SP	N	N	N	N	N	N	N	N
3.2.3	INSTITUTIONAL USES														
3.2.3.0	Non-profit educational institution, including any educational use on land owned or leased by the Commonwealth or any of its agencies, subdivisions, or bodies politic, or by a religious sect or denomination		SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SPA
3.2.3.1	Kindergarten, day nursery, childcare, or other agency for the day care of children, or cultural school for the arts		SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	N
3.2.3.1.1	Family day care, the licensed care of six children or less in a person's own home		SP A	SP A	SP A	SP A	N	N	N	N	N	N	N	N	N
3.2.3.2	Trade, professional, or other school conducted as a gainful business		N	N	N	N	N	SP A	SP A	N	N	N	N	N	N
3.2.3.3	Church or other place of worship, parish house, rectory, or convent		SP A	SP A	SP A	SP A	N	SP A	SP A	N	N	N	N	N	N

3.2.3.4	Library or museum not conducted as a gainful business		SP A	SP A	SP A	SP A	N	SP A	SP A	N	N	N	N	N	N	SPA
3.2.3.5	Public park, playground or other public recreation facility		SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	N	SPA
3.2.3.6	Hospital, sanitarium, nursing, rest or convalescent home, orphanage or other philanthropic or charitable institution		SP	SP	SP	SP	SP	SP	SP	SP	N	N	N	N	N	N
3.2.3.7	Cemetery		SP	SP	SP	SP	N	N	N	N	N	N	N	N	N	N
3.2.3.8	Private lodge or club	Operated for members or employees only where the chief activity is one not conducted as a gainful business.	SP	SP	SP	SP	SP	SP A	SP A	N	N	N	N	N	N	N
3.2.4	GOVERNMENTAL AND PUBLIC SERVICE USES															
3.2.4.0	Telephone exchange, transformer station, radio or TV station or broadcasting facility, railroad or bus depot	Excluding any office, storage or repair unless otherwise allowed by the regulations of the district. Transmission towers of a type greater than 35' in height are excluded.	SP	SP	SP	SP	SP	SP	SP A	SP A	SP A	SP A	SP	N	N	
3.2.4.1	Airport or heliport	A 200' buffer zone between this use and surrounding uses is required.	N	N	N	SP	N	N	N	N	N	SP	N	N	N	
3.2.4.2	Governmental administration building; fire or police station		SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	N	N	SPA
3.2.4.3	Reservoir, pumping station, sewage treatment plant, or water supply use		SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP A	SP	N	SPA
3.2.4.4	Other governmental use not specifically listed herein		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SPA
3.2.4.5	Personal Wireless Service Facility consisting of freestanding tower	See Special Permit procedures & design criteria in Sec. 9.3.11	N	N	N	N	N	N	N	N	SP	SP	SP	N	N	N
3.2.4.6	Personal Wireless Service Facility NOT on freestanding tower	See Special Permit procedures & design criteria in Sec. 9.3.11	N	N	N	N	N	SP	SP	SP	SP	SP	SP	N	SP	N
3.2.5	RETAIL BUSINESS AND CONSUMER SERVICE USES															

3.2.5.0	Retail store and sales	All display and sales to be conducted within the building.	N	N	N	N	N	SP A	SP A	N	N	N	N	SP A	SPA **limited in size to no greater than 10,000 sq. ft. in gross floor area per business use
3.2.5.1	Barber or beauty shop, laundry or drycleaning shop, shoe repair shop, self-service dry cleaning or laundry	See Section 3.9.12 for conditions when these uses are located in a home.	N	N	N	N	N	Y	SP A	N	N	N	N	SP A	SPA
3.2.5.2	Lunch room, restaurant, cafeteria, or similar place	For serving food and beverages to persons inside the building.	N	N	N	N	N	Y	SP A	SP	SP	SP	N	SP A	SPA
3.2.5.3	Refreshment stand drive-in or other place for the serving of food or beverages to persons outside the building		N	N	N	N	N	SP	SP	N	N	N	N	SP	SPA
3.2.5.4	Amusement Facility		N	N	N	N	N	SP	SP	N	N	N	N	SP	SP
3.2.5.5	Funeral Home		N	N	N	N	N	SP A	SP A	N	N	N	N	SP	SP
3.2.5.6	General services	All work and storage (including the regular parking of commercial vehicles) to be conducted within a building.	N	N	N	N	N	Y	SP A	N	N	N	N	SP	N
3.2.5.7	Building trade shop	All work and storage (including the regular parking of commercial vehicles) to be conducted within a building.	N	N	N	N	N	Y	SP A	N	N	N	N	SF	N
3.2.5.8	Veterinary care		N	N	N	N	N	SP	SP	N	N	N	N	SP	SP
3.2.5.9	Financial services	See 3.9.12 for drive-in service.	N	N	N	N	N	Y	SP A	N	N	N	N	SP A	SPA
3.2.6.0	Real estate, insurance or professional office	In the RO District there shall be no more than 3 employees and/or principals on the premises unless a special permit is granted.	N	N	N	N	Y	Y	SP A	N	N	N	N	SP A	SPA
3.2.6.1	Medical or dental laboratory		N	N	N	N	N	Y	SP A	N	N	N	N	SP	N
3.2.6.2	Motor vehicle service station or car wash		N	N	N	N	N	SP	SP	N	N	N	N	SP	N
3.2.6.3	Light vehicular and equipment sales		N	N	N	N	N	SP	SP A	N	N	N	N	SP	N

3.2.6.4	Commercial parking lot or parking garage		N	N	N	N	N	SP	SP	SP	SP	SP	N	SP A	N
3.2.6.5	Commercial recreation		N	N	N	N	N	N	SP A	N	N	N	N	SP A	SP
3.2.6.6	Medical or dental center		N	N	N	N	N	Y	SP A	N	N	N	N	SP	N
3.2.6.7	Auction gallery for exhibition, sale by auction, so-called "tag sales" and so-called "flea markets"		N	N	N	N	N	SP A	SP A	N	N	N	N	SP	N
3.2.6.8	Shop of a potter, ceramist, sculptor, silversmith, jeweler, lapidary, weaver, clockmaker, musical instrument maker, wood carver, photographer, graphic artist, leather worker (not including tanning or processing), candle maker, or similar craftsman	All work and storage (including the regular parking of commercial vehicles) to be conducted within a building. No more than five full-time workers, or equivalent thereof, to be employed on the premises.	N	N	N	N	N	Y	SP A	N	N	N	N	SP	SPA
3.2.6.9	Hotel or motel, but excluding retail and consumer services other than restaurant facilities	The building shall be connected with the public sewer system prior to occupancy.	N	N	N	N	N	SP A	SP A	N	N	N	N	SP	N
3.2.6.10	Business services		N	N	N	N	Y	Y	SP A	N	N	N	N	SP A	SPA
3.2.6.11	Mall or other multiple business/service/commercial use		N	N	N	N	N	N	SP	N	N	N	N	SP A	N
3.2.6.12	Office building for multiple offices		N	N	N	N	N	SP	SP	N	N	SP	N	SP A	SPA
3.2.6.13	Regional Mall		N	N	N	N	N	N	N	N	N	N	N	SP A	N
3.2.6.14	Adult Live Entertainment Establishment	These are subject to the provisions of MGL Ch. 40A, Sec. 9A See standards listed in Section 9.3.10	N	N	N	N	N	N	N	SP	SP	SP	N	N	N
3.2.6.15	Adult Book Store, Adult Video Store, Adult Paraphernalia Store or Adult Motion Picture Theatre	See standards listed in Section 9.3.10	N	N	N	N	N	N	N	SP	SP	SP	N	N	N
3.2.7	COMMERCIAL AND INDUSTRIAL USES	Commercial and Industrial uses in the IA Zone must be sewerred and conform to the regulations of 4.3.5.1 and 4.3.5.2: Area A. In the IA Zone, the intensity of storm water runoff from the developed site(s)													

		shall not exceed the intensity of runoff from the previously un-developed site(s) from a 25-year storm event.														
3.2.7.0	Warehouse or other enclosed building for the storage, distribution or wholesale marketing of material, merchandise, products or equipment	Such use not to be hazardous by reason of potential fire, explosion, or radiation. This includes "mini-warehouses."	N	N	N	N	N	N	N	SP A	SP A	SP A	SP A	N	N	N
3.2.7.1	Lumber yard, heating fuel sales and service, construction yard, heavy vehicle and equipment sales, other open-air storage, distribution, or sale at wholesale or retail of merchandise, products or equipment.	Salvage materials not included. Truck terminals are prohibited.	N	N	N	N	N	N	N	N	SP	N	SP	N	N	N
3.2.7.2	Research or testing facility	All operations to be such as to confine disturbing smoke, fumes, dust and noise to the premises, and further, no operations to be hazardous by reason of potential fire, explosion, or radiation. No research or testing to be conducted outdoors unless a Special Permit is granted for this purpose by the Zoning Board of Appeals. The definitions for Hazardous Wastes or Hazardous Materials found in Massachusetts General Laws, Chapter 21C, will apply in all cases.	N	N	N	N	N	N	N	N	SP A	SP A	SP A	N	N	N
3.2.7.3	Publishing, data processing and computer software manufacturing including associated offices and distribution facilities	All operations to be such as to confine disturbing smoke, fumes, dust and noise to the premises, and further, no operations to be hazardous by reason of potential fire, explosion, or radiation. The definitions for Hazardous Wastes or	N	N	N	N	N	N	SP	SP	SP	SP	SP A	N	N	N

		Hazardous Materials found in Massachusetts General Laws, Chapter 21C, will apply in all cases.														
3.2.7.4	Printing, packaging, assembling and allied uses	All operations to be such as to confine disturbing smoke, fumes, dust and noise to the premises, and further, no operations to be hazardous by reason of potential fire, explosion, or radiation. The definitions for Hazardous Wastes or Hazardous Materials found in Massachusetts General Laws, Chapter 21C, will apply in all cases.	N	N	N	N	N	N	N	Y	SP	SP A	N	N	N	N
3.2.7.5	Light manufacturing, bottling, finishing, or processing	All operations to be such as to confine disturbing smoke, fumes, dust and noise to the premises, and further, no operations to be hazardous by reason of potential fire, explosion, or radiation. The definitions for Hazardous Wastes or Hazardous Materials found in Massachusetts General Laws, Chapter 21C, will apply in all cases.	N	N	N	N	N	N	N	Y	SP	SP A	N	N	N	N
3.2.7.6	Motor vehicle repair or body shop	Such use not to include the sale of fuel. The making of all but minor repairs to be conducted wholly within building sufficiently sound insulated to confine disturbing noises to the premises. The definitions for Hazardous Wastes or Hazardous Materials found in Massachusetts General Laws, Chapter 21C, will apply in all cases	N	N	N	N	N	N	SP A	SP A	N	N	N	N	N	N

3.2.7.7	Removal of soil, sod, loam, sand, gravel, rock, quarried stone or other earth products		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP
3.2.7.8	Radioactive waste storage and disposal	No burial, incineration, storage or disposal of lowlevel radioactive wastes, transuranic wastes or high level radioactive wastes to be permitted. The definitions for Hazardous Wastes or Hazardous Materials found in Massachusetts General Laws, Chapter 21C, will apply in all cases.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
3.2.7.9	Salvage yard for the dismantling, storage and sale of parts for automobiles and light trucks	A buffer comprised of landscaping natural vegetation, fencing or a combination of these shall be constructed around the perimeter of the parcel in accordance with specifications ordered by the Zoning Board of Appeals. All waste materials and storm water runoff shall be disposed of in a manner specified by the Zoning Board of Appeals. The Zoning Board of Appeals shall consult with the Town Engineer, Board of Health and DEP concerning the appropriate methods of disposal. All operations to be such as to confine disturbing smoke, fumes, dust, glare and noise to the premises.	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	N
3.2.7.10	Registered Marijuana Dispensary (RMD)	Subject to the provisions of 105 CMR 725.000 See standards listed in Section 9.3.13	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	N

;or act on anything relative thereto.

Article 21. I move that the Town Meeting vote to approve Article 21 as printed in the October 15, 2019 Special Town Meeting Warrant.


By Joe Martin
Seconded by Melinda Kemp
Vote on Article 21, majority in favor

Article 21. To see if the Town Meeting will vote to grant to National Grid temporary and/or permanent easements across, over, and under town property on Jerome Avenue for the purpose of constructing, reconstructing, repairing, maintaining, operating and patrolling a transmission line of high and low voltage consisting of at least three (3) poles with associated wires and cables. And to further authorize the Board of Selectmen and Town Manager to execute any and all documents necessary for the conveyance of such easements to National Grid, in accordance with law; or act on anything relative thereto.

Article 22. I move that the Town Meeting vote to approve Article 22 as printed in the October 15, 2019 Special Town Meeting Warrant.
By Jeffrey Labonte
Seconded by Charlie Baker
Vote on Article 22, majority in favor

Article 22. To see if the Town Meeting will vote to appropriate \$200,000.00 from Free Cash for roadway/municipal drainage improvements in compliance with EPA National Pollutant discharge elimination system general permit for storm-water discharges from small municipal separate storm sewer systems; or act on anything relative thereto.

Meeting dissolved on a motion by Norman Bergeron and seconded by Charles Baker at 9:28 PM.
A True Copy Attest:



Debra A. Gremo, CMC/CMMC

Town Clerk