

TOWN OF SCITUATE
ADVISORY COMMITTEE



Report and Recommendations
For
SPECIAL TOWN MEETING

NOVEMBER 2, 2015

7:00 P.M.

**HIGH SCHOOL GYMNASIUMS and
AUDITORIUM**

This Report is furnished for your information.
Please bring it to all sessions of Special Town Meeting.

REPORT OF THE ADVISORY COMMITTEE

To The Voters of Scituate:

In accordance with the Town of Scituate Bylaws, the Advisory Committee submits its Report to the voters. This report contains the complete warrant for the Special Town Meeting, which will convene on November 2, 2015.

Our forum is an Open Town Meeting, which has been described as the purest form of democracy. All registered voters are entitled to attend, ask questions, express their opinions, and vote on all matters.

This evening, the Board of Selectmen, and other town boards will propose various expenditures, funding transfers, zoning changes, and borrowing for capital improvements. The 2015 Special Town Meeting places before the voters seventeen (17) articles for your consideration.

We, the Advisory Committee, recommend on each; but only you will decide which articles pass, and which ones do not.

The Advisory Committee urges you to become an active meeting member. Voice your opinion and seek any clarification necessary to make an informed vote on these articles.

Respectfully submitted,

The Scituate Advisory Committee

James Gilmore, Chairman
Lincoln Heineman, Vice Chairman
Frank Judge
Anthony Antonello
Geoffrey Burns
Sean Delacy
Jerry Kelly
Mark Sandham
Mike Westort

TOWN MEETING RULES AND DEFINITIONS

1. The conduct of Scituate's Town Meeting is bound by state law, the Town's Charter and By-laws, local tradition and the publication entitled, "Town Meeting Time".
2. The Moderator presides over the Town Meeting, decides all questions of order and procedure, and announces the results of all votes. The results of all votes when announced by the Moderator shall be final except on a voice vote that may be questioned by seven (7) voters standing immediately after the announced results of a vote. In such a case, a teller-counted vote shall be taken without debate.
3. Non-voters will be seated in a special section unless permission is granted by the Town Meeting to be seated elsewhere. Non-voters may be allowed to address the Town Meeting with permission of the Moderator unless a majority of voters choose to deny such a privilege.
4. Articles in the Warrant give notice of the issues subject to discussion at a Town Meeting and establish the parameters of matters that can be debated and acted on. Amendments, motions and/or debate determined by the Moderator, with the advice of Town Counsel, to be "beyond the scope" of the articles may not be permitted.
5. In order for the Town Meeting to act on or discuss an article, a motion must be made. The Moderator will call for a motion on each article and, if no motion is made after the second call, the Moderator will "pass over" the article and move on to the next Article. In order to bring back a "passed over" article for a motion and discussion, there must be an approved "motion for reconsideration".
6. Articles may be postponed by a majority vote or advanced by a 2/3 vote.
7. To address the Town Meeting, a speaker must be recognized by the Moderator and once recognized, a speaker should first give his or her name and address for the record. No speaker will be recognized while another person is speaking except to raise "a point of order," which is used to question a ruling of the Moderator or the conduct of Town Meeting. Points of order are not to address the subject matter being discussed.
8. All matters shall be decided by a majority vote unless a 2/3 or greater vote is required. If more than a majority vote is required, the Moderator shall announce the required percentage for passage before calling the vote.
9. The Moderator may set time limits on all presentations and may terminate debate on a motion when deemed appropriate. Debate on a motion may also be terminated by a voter "moving the question" which, if accepted by the Moderator as not being premature, shall be voted on without discussion or debate. A motion to "move the question" requires a 2/3 vote for passage.
10. Only two (2) amendments to a motion may be on the floor at any particular time. Amendments over six (6) words must be submitted to the Moderator in writing and, if over fifty

(50) words, sufficient copies must be available to those attending at the entrance of the hall before the start of that particular session.

11. Generally, amendments shall be voted on in the order made and prior to the vote on the motion to be amended. However, amendments relating to amounts to be appropriated shall be voted on in a descending order until an amount gains approval.

12. A motion may be reconsidered once for a compelling reason by a 2/3 vote. No further reconsideration will be permitted. There may be no reconsideration of a vote at a subsequent session of the Town Meeting.

13. A resolution is a non-debatable, non-binding motion on any matter calling for a consensus of the Town Meeting. A resolution must be related to the content of an article. If a resolution is over ten (10) words, it must be submitted to the Moderator in writing and, if over fifty (50) words, sufficient copies must be available at the entrance of the hall for those attending.

14. When justice or order requires, the Moderator may make exceptions to these rules, in his or her discretion, as is deemed appropriate under the circumstances.

SPECIAL TOWN MEETING NOVEMBER 2, 2015

ARTICLE 1. Reports of Boards and Committees

To see if the Town will vote to hear or act upon any reports from town officers or committees, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 2. Fiscal Year 2016 Budget Reconciliations

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$740,000.00, or a greater or lesser sum, for the purpose of balancing the Fiscal Year 2016 Operating Budget pursuant to Articles 4, 7 and 9 of the April 13, 2015 Annual Town Meeting warrant, or take any other action relative thereto:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>REASON</u>
Water Department Expense	Retained Earnings	\$350,000	Debt Adjustment & Electricity increase
Sewer Department Expense	Retained Earnings	\$315,000	Electricity increase & Repair of key components
School	Contributory Health Ins.	\$ 50,000	School Technology Surplus
Police	Contributory Health Ins.	\$ 25,000	Personnel Changes

Sponsored by: Board of Selectmen

Comments: This article is required to rebalance selected departmental operating budget line items that are mostly housekeeping in nature as a result of budgetary changes since our April annual town meeting. They are all part of the town budget under Articles 4, 7 and 9 of the annual town meeting warrant and they are transferring interdepartmentally for all of them.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Vote: Unanimous (7-0) in support of this article

ARTICLE 3. 2015 Storm Mitigation and Remediation Costs

To see if the Town will vote to transfer from available funds in the Treasury, the sum of \$1,150,000.00, or a greater or lesser sum, into the Stabilization Fund to replace amounts transferred to pay Fiscal Year 2015 bills associated with record breaking winter storms and weather, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article follows the Town's financial practice of restoring to the Stabilization Fund from Free Cash those funds expended from it in any given year for unanticipated weather events. Given the extraordinary winters we have experienced the past six years this practice has

proved prudent and guards against budgetary deficits that have occurred in several Massachusetts communities.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (7-0) in support of this article.

ARTICLE 4. General Fund Debt Service Reconciliation

To see if the Town will vote to reduce the amount authorized pursuant to Article 4 of the April 13, 2015 annual town meeting warrant relative to General Fund Debt by reducing the appropriation \$1,556,591.00, or a greater or lesser sum, to reflect the actual cost of Debt Service for General Fund Projects for Fiscal Year 2016, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article would reconcile the difference between the estimated amount the Town appropriated for General Fund Debt service in Article 4 of the April 13, 2015 annual town meeting warrant and the actual amount due as a result of the June 2015 bond issuance. Because of favorable interest rates we are reducing the appropriation by \$1,556,591.00.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (7-0) in support of this article

ARTICLE 5. Wampatuck School Renovation Surplus Funding for Middle School Project

To see if the Town will vote to appropriate the unexpended funds initially borrowed to finance costs of the Wampatuck Elementary School Remodeling Project, as approved under Article 2 of the Warrant at the Special Town Meeting held May 17, 2010, which project is now complete, and for which no further financial liability remains, to pay costs of the Middle School Project, which project was authorized by vote of the Town under Article 2 of the Warrant at the December 3, 2014 Special Town Meeting; the amount authorized to be borrowed for the Middle School Project shall be reduced to the extent of excess Wampatuck Elementary School Remodeling project funds applied to pay costs of that project; or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: After this project was completed, there was an amount of \$84,538.98 that was not spent. This projected consisted of colorful new tiling in the cafeteria and the grade 3 and 4 hallway, a HVAC system to improve air circulation building-wide, enlarged skylights to brighten the foyer, converted boiler system from oil to gas, and the beginnings of a comprehensive new security system. This project was estimated to cost \$2.3M. This unused money will be applied

to the Middle School Project authorized by vote of the Town under Article 2 of the December 3, 2014 Special Town Meeting warrant so as to reduce the amount authorized to be borrowed.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (7-0) vote in approval of this article.

ARTICLE 6. Allocation of Bond Sale Premium for Public Facilities Projects and Reduction in Authorized/Unissued Balance of Total Project Borrowing

To see if the Town will vote to appropriate the net premium paid to the Town upon the sale of bonds issued in the amount of \$5,085,000.00, for (i) designing, constructing and equipping the Scituate Middle School, and the Scituate High School auditorium and the renovation of the existing Scituate High School space, which bonds were approved by a vote of the Town passed at the special town meeting held on December 3, 2014 (Article 2), (ii) designing, constructing and equipping the public safety complex, which bonds were approved by a vote of the Town passed at the special town meeting held on December 3, 2014 (Article 1), and (iii) designing renovating and adding to the public library, which bonds were approved by a vote of the Town passed at the special town meeting held on November 4, 2013 (Article 12), each of which is the subject of a Proposition 2½ debt exclusion, to pay costs of each respective project being financed by such bonds or notes and to reduce the amount authorized to be borrowed for each such project, but not yet issued by the Town, by the same amount, or to take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The purpose of this article is to approve the use of the cash premium made at the time of the June bond issue to write down the principal of the \$86,863,000 bond the town issued to fund the construction of the new middle school, the Performing Arts Center and additional space, as well as the construction of the public safety complex and the library. The Town received a \$7M cash premium, of which \$5,085,000 was used to immediately pay down the outstanding principal on the three debt exclusions; \$355,000 for the library renovation, \$1,155,000 for the public safety complex and \$3,575,000 for the new middle school in the bond issuance. The \$1,153,000 attributable to the Water Enterprise fund for the water pipe project had to be addressed differently and will be addressed in Article 10. In the Advisory Committee's opinion, this is the best use of the cash premium, since it will immediately result in reducing the amount of the overall bond issuance, but also would immediately reduce taxes each resident of Scituate will pay for this bond issuance. This method, to reduce the principal of the loan/bond issuance immediately is the most clean and most beneficial for the residents of the town.

Recommendation: The Advisory Committee recommends approval of this article

Advisory Committee Vote: Unanimous (7-0) In Support of this article

ARTICLE 7. Public Safety Complex Funding

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$938,315.85, or a greater or lesser sum, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$562,000.00, or a greater or lesser sum, for the purpose of fully funding the designing, construction and furnishing of a new Public Safety Complex pursuant to Article 1 of the December 3, 2014 special town meeting, with said additional amounts to fund the “base bid” set out in the general contractor bid documents and all costs incidental thereto, or take any other action related thereto.

Sponsored by: Board of Selectmen

Comments: The general contractor’s bids for the Public Safety Complex received on October 7, 2015 were approximately 10% above estimates even after the removal of the second sally port and third fire apparatus bay. This article considers a variety of funding sources to complete the project without the second sally port and third fire apparatus bay. The funding sources consist of 1) a transfer of \$780,000 in unallocated funds from the Capital Stabilization fund, 2) transfers totaling approximately \$158,000 in unspent general fund articles and completed capital project funds and 3) to borrow an additional amount of \$562,000 with corresponding future debt service to be supported within the existing levy limit through the general fund operating budget and not added to the debt exclusion. The above funding would allow the project to move forward and not increase the tax burden on the taxpayers.

Town Meeting Authorization	Description	Balance
STM 11/2014 Art 5	HYBRID VEHICLES	\$8,229.82
ATM 04/2014 Art 5G	GIS & Permitting Phase II	\$1,787.50
STM 11/2013 Art 1	SPECIAL ELECTION US SENATOR	\$14,711.51
ATM 04/2014 Art 5H	Defibrillator	\$4,762.65
ATM 04/2014 Art 5Q	Fire Command Vehicle	\$585.53
ATM 04/2011 Art 3H	School Bus	\$5,112.00
ATM 04/2011 Art 3J	School-two emergency generators	\$1,936.00
STM 11/2012 Art 3	Gates Feasibility	\$5,210.32
ATM 04/2014 Art 5D	Handicapped Accessible Van	\$9,000.00
ATM 04/2012 Art 4L	DPW vehicles	\$1,897.15
ATM 04/2012 Art 4G	1-ton dump truck - highway	\$1,146.00
ATM 04/2012 Art 4K	Asphalt reclamation system	\$400.00
ATM 04/2014 Art 5N	Highway 2 Ton Roller	\$500.00
ATM 04/2014 Art 5L	Public Grounds Loader	\$11,617.28
ATM 04/2013 Art 3B	School Security Installations	\$119.00
ATM 04/2013 Art 3F	Replace GIS & Permitting Programs	\$11,118.00
STM 11/2013 Art 8	FIRE TRUCK	\$45,465.05
ATM 04/2011 Art 3F	DPW Bobcat	\$2,308.00
ATM 04/2014 Art 5J	Highway Dump Truck	\$5,092.00
ATM 04/2011 Art 3G	Library Metal Ductwork	\$27,318.04
	Total	\$158,315.85

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (7-0) vote in approval of this article.

Capital Planning Committee Vote: Unanimous (4-0) vote in approval of this article.

ARTICLE 8. Public Safety Complex Funding For Second Sally Port Bay & Third Fire Bay

To see if the Town will vote to appropriate the sum of \$751,000, or a greater or lesser sum for the purpose of fully funding Add Alternates 1) Sally port and 2) third bay, as set out in the general bid contract documents and all costs incidental thereto associated with the proposed new Public Safety Complex pursuant to Article 1 of the December 3, 2014 special town meeting warrant, and to determine if borrowing shall be authorized for said purpose or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: Essentially, many of the same issues that brought Article #7 before the voters, also applies to Article #8. However, by adopting this, the Town is agreeing to build the PCS at it was originally envisioned and planned. That means including the Second Sally Port Bay, and the Third Fire Bay sections.

Unlike Article #7, which is funded via Capitalization stabilization funds, and within the operational budget, the additional funds required (\$751,000) here, will be added to the original override amount. It's estimated this will result in an additional annual tax increase of \$9 per year/per household (based on average home assessed value).

We've come so far in the process. The majority position of the committee position is that we build a PSC that properly meets the needs and requirements of our public safety operations.

The dissenting vote opinion was that approval of Article #7 was sufficient, and that adoption of this article adds additional hardship to the residents.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: The majority (6-1) voted in support of this article.

Capital Planning Committee Vote: Unanimous (4-0) vote in approval of this article.

ARTICLE 9. Water Stabilization Fund

To see if the Town will vote to transfer from Retained Earnings in the Water Enterprise Fund to the Water Stabilization Fund the sum of \$250,000.00, or a greater or lesser sum, for the purpose of apportioning water payments for repair and improvement of the Town's water system infrastructure pursuant to Article 9 of the April 13, 2015 warrant, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article would transfer \$250,000 to the recently established Water Stabilization Fund to offset the future cost of debt repayments on the 25-year bond for the ongoing water pipe replacement project. The Water Stabilization Fund was established so that current payments for residential and commercial water service will be available for future repayments on outstanding debt; this in turn will allow future payments for water service to be allocated to capital projects necessary in upcoming years, rather than these payments being used for debt service on already-completed projects. This will allow the Town to better stay abreast of necessary capital maintenance and improvements to our water infrastructure in the future. The Town recently instituted a 19% water rate increase, raising approximately \$500,000: half of these funds would be allocated in this article, and half would be appropriated by Article 2 of this Town Meeting warrant.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (7-0) vote in support of this article.

ARTICLE 10. Reduction of Borrowing Authorized for Water Pipe Replacement Project

To see if the Town will appropriate a sum of \$1,153,000.00, or a greater or lesser sum, from Retained Earnings in the Water Enterprise Fund to pay costs of the Water Pipe Replacement Project approved pursuant to Article 11 of the November 14, 2013 annual town meeting warrant, for which said funds shall reduce the amount authorized to be borrowed but not yet issued by the Town for the project, or take any other action relative thereto.

Comments: This article would allocate the \$1,153,000 cash premium received from the Town's June bond issuance for financing Phases I and II of the water pipe replacement project. This allocation would reduce the remaining \$8 million borrowing authorization (for Phase III) thereby reducing future interest costs to all rate payers.

Recommendation: Advisory recommends approval of this article.

Advisory Committee Vote: Unanimous (7-0) in support of this article.

ARTICLE 11. Acceptance of Loan – Seawall Repairs Oceanside Drive

To see if the Town will authorize the Treasurer to borrow, with the approval of the Board of Selectmen, pursuant to Massachusetts General Laws Chapter 44, or any other applicable law, \$1,500,000.00 in the form of a low interest loan from the Commonwealth's Executive Office of Energy and Environmental Affairs Dam and Seawall Loan Fund, to fund the replacement of a portion of the seawall at Oceanside Drive, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: In July 2015 the Town submitted an application to the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs for funding assistance in

the amount of \$3 million for the rehabilitation of a section of seawall along Oceanside Drive. On October 13, 2015 the town was notified of a \$3 million Seawall and Dam Repair Fund award to rehabilitate and elevate a section of seawall along Oceanside Drive. The award is a \$1.5 million grant and a \$1.5 million low interest loan.

This section of the Oceanside Drive seawall has been continuously impacted by several recent major storm events. The majority of this wall is comprised of the original unreinforced, concrete structure that was constructed in 1933 and is over 80 years old. Accordingly, the remaining structural integrity of this wall is not anticipated to be capable of providing adequate long-term storm protection to the surrounding area.

The proposed project will rehabilitate and elevate the existing Oceanside Seawall by up to an additional two (2) feet over a distance of approximately +/- 585 linear feet (LF) in the vicinity of 11th Ave and Kenneth Rd so that long-term coastal and economic resiliency is attained by reducing storm and flood damage and associated claims and minimizing local emergency response efforts and costs following major storm events.

All easements are in place to begin without delay once all authorizations are in hand.

Recommendation: The Advisory Board recommends approval of this article.

Advisory Committee Vote: Unanimous (7 – 0) vote in approval of this article.

ARTICLE 12. Rescission of Community Preservation Funds – Girls Softball Field

To see if the Town will vote to rescind a \$314,150.00, Community Preservation appropriation for construction of a Girls Softball Field pursuant to Article 15, Item 12, of the 2009 annual town meeting warrant and an additional \$104,000 authorized under Article 16, Item 16 of the 2012 annual town meeting warrant also for construction of the field, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The CPC approved funds of \$314,150 in 2009 and an additional \$104,000 in 2012 for the construction of a Girls Softball Field. The approval was site specific and that site is no longer a viable option. This article would rescind the Town's approval. The Recreation Commission has approved the rescission.

Recommendation: The Advisory Board recommends approval of this article.

Advisory Committee Vote: Unanimous (7 – 0) vote in approval of this article.

ARTICLE 13. Rescission of Authorized Unissued Debt

To see if the Town will vote to rescind the balance of the loan authorized and un-issued pursuant to the following article and town meeting approval:

<u>Item</u>	<u>Original Amount</u>	<u>ATM/STM Date(s)</u>	<u>Balance Unissued</u>
Bucket Truck – DPW	\$130,000	04/2009 Art. 4-N	\$60,000

or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article would rescind the authorization given by the Town pursuant to Article 4, Item N of the April 2009 annual town meeting for \$130,000, to purchase a bucket truck for the DPW. The original appropriation has a surplus of \$60,000 as a result of the Town purchasing a used truck in 2010 rather than purchasing a new vehicle.

Recommendation: Advisory recommends approval of this article.

Advisory Committee Vote: Unanimous (7-0) in support of this article.

ARTICLE 14. General Bylaw Amendment – Community Preservation Committee Term

To see if the Town will vote to amend the General Bylaws of the Town, Section 20440, , by deleting the words “Community Preservation Committee” in line seven, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This is article looks to remove one section of the Town’s General Bylaws that references the Community Preservation Committee as being a 3 year term and keep the references that CPC is a 1 year term. The board voted against this change. They felt like most boards in town a 3 year term gives new people a chance to get up and running and a staggered term prevented a wholesale board turn over.

Recommendation: The Advisory Board does not recommend approval of this article.

Advisory Committee Vote: Unanimous (0-7) vote in disapproval of this article.

ARTICLE 15. General Bylaw Amendment – Historical Commission

To see if the Town will vote to amend the General Bylaws of the Town, Section 20560, by changing the two appearances of the word “Society” to the word “Commission” in the second sentence, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This is a housekeeping item. This article simply seeks to correct an unintentional error in the Town’s General Bylaws by changing the word “Society” to the word “Commission” in Section 20560.

Recommendation: The Advisory Board recommends approval of this article.

Advisory Committee Vote: Unanimous (7 – 0) vote in approval of this article.

ARTICLE 16. Acceptance of Public Way – Evangeline Drive

To see if the Town will vote to accept Evangeline Drive as laid out by the Board of Selectmen as a public way; and authorize the Selectmen to accept or take by eminent domain easements for such public way and any appurtenant drainage or municipal services, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The residents & developer of Evangeline Drive are requesting that the Town accept it as a public way. Evangeline Drive is a recently completed neighborhood (with cul-de-sac), located on the southern side of Elm Street. (See picture below).

The developer has completed the street acceptance process that was adopted by the Board of Selectmen (2010), and endorsed by the Street Acceptance Committee. The SAC recently voted (2-1) to accept the street as a public way, with the dissenting vote primary position being the current width of the road. The street is in near-perfect condition, and no betterments are required for this street.

The committee recommends acceptance of relatively new street. Acceptance also increases the number of streets in Town that are directly considered under the formula for the receipt of Chapter 90 road funds from the Commonwealth. The dissenting vote on the committee recommends that the road remain a private way



Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: The majority (6-1) voted in support of this article.

ARTICLE 17. Zoning Amendment - Microbrewery (BY PETITION)

1) Add definition of “Microbrewery” to section 200 of Zoning Bylaws (definitions)

MICROBREWERY: An entity where up to 15,000 barrels (1 barrel=31 gallons) of beer is made annually and prepared for sale, both on premises and wholesale to other establishment.

Microbreweries are licensed by the United States Alcohol and Tobacco Tax and Trade Bureau (TTB) as well as the Commonwealth of Massachusetts Alcoholic Beverages Control Commission (AABCC), under the farmer-brewery statutes, to produce and sell beer and/or ale. A Microbrewery sells to the public by one of more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer through carry-outs and/or on-site taproom sales.

2) Add “Microbrewery” to Section 420 of Zoning Bylaws (Table of Regulated Uses) under the Commercial Uses category in the following manner:

Use Category	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>RM</u>	<u>GB</u>	<u>HB</u>	<u>C</u>
3. Commercial Uses							
Microbrewery	N	N	N	N	SP	SP	SP

3) Revise Section 440.5 of Zoning Bylaws (Business Districts) as follows to allow for outdoor seating at a Microbrewery:

In a GB or HB District, all uses permitted as of right or by special permit and all uses accessory thereto shall be conducted wholly within an enclosed building, except for the following:

Uses permitted as of right in R-1, R-2 and R-3 Districts

Outdoor seating or dining areas accessory to a restaurant, hotel, or microbrewery on the same premises, and serving only person seated at tables.

3. Parking lots for passenger automobiles. Exterior signs, as hereinafter permitted.

Plants growing in the soil. Or take any other action relative thereto.

Comments: The petitioner desires to establish a Microbrewery in the Greenbush Business District and this requires the Zoning Bylaws to be amended to include the definition of a Microbrewery, adding the term Microbrewery to the Table of Regulated Uses and allowing for outdoor seating. This is a desirable addition to the economy of Scituate and will add employment as well as increased tourist volume. This Article allows for the possibility of the establishment of a Microbrewery and will require the appropriate committee approvals.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Vote: Unanimous (7-0) in support of this article