

**TOWN OF SCITUATE  
ANNUAL TOWN MEETING  
APRIL 12, 2021  
WARRANT**

**COMMONWEALTH OF MASSACHUSETTS, PLYMOUTH SS**

To either of the constables of the Town of Scituate, in said County

**GREETINGS:** In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs therein, to meet at the Scituate High School Gymnasium, 606 Chief Justice Cushing Highway on

**MONDAY, THE TWELFTH DAY OF APRIL 2021 NEXT**

**At seven o'clock in the evening, then and there to act on the following articles:**

**ARTICLE 1. Compensation of Elected Officials**

To see if the Town will vote to establish the salaries and compensation of all elected Town officials as follows for a sum totaling \$86,460.00, or a greater or lesser sum; or take any other action relative thereto:

SELECT BOARD:	Chair & Legitimate Expenses	\$ 1,500.00
SELECT BOARD:	Members & Legitimate Expenses	\$ 2,000.00
	(4@\$500)	
ASSESSORS:	Chair & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2@\$400)	
TOWN CLERK:	Personal Services	\$80,960.00

*Sponsored By: Select Board*

**ARTICLE 2. Reports of Boards and Committees**

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

*Sponsored By: Select Board*

**ARTICLE 3. Capital Improvement Plan**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasury, in accordance with M.G.L. c. 44, §§ 7 and 8 and any other enabling authority, the following sums of money totaling \$15,857,132.00 or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the Fiscal Year 2022 Capital Improvement Plan submitted in accordance with Section 6-6 of the Scituate Town Charter and outlined as follows; or take any other action relative thereto:

Item	Project	Department	Amount
A	Foreshore Protection	DPW - Foreshore Protection	\$ 200,000
B	Flail Mower	DPW - Grounds	\$ 36,000
C	Stump Grinder	DPW - Grounds	\$ 45,000
D	Road & Sidewalk Improvements	DPW - Highway	\$ 200,000
E	Truck 1-8, Diesel Pick-up Truck	DPW - Highway	\$ 45,000
F	Street Sweeper	DPW - Highway	\$ 260,000
G	MS4 Compliance	DPW-Engineering	\$ 50,000
H	Old Gates School Fire Sprinkler Pump	Facilities	\$ 80,400
I	Town Wide Facilities Plan - Year One	Facilities	\$ 144,042
J	Town Hall & BOH Office HVAC Improvements	Facilities	\$ 40,000
K	Facilities Vehicle	Facilities	\$ 32,500
L	Refurbish 2006 Rescue Pumper	Fire	\$ 70,000
M	Phone System Expansion	Information Technology	\$ 55,000
N	Digitize Departmental Records	Inspections	\$ 308,541
O	Marine Unit Repowering & Safety Equipment	Police	\$ 77,661
P	Replace Flooring - Sections of High School	School	\$ 250,000
Q	School Technology	School	\$ 100,000
R	Wampatuck School Parking Lot	School	\$ 303,673
S	Replacement of sailing docks	Recreation Revolving	\$ 52,315
T*	Infiltration/Inflow- Oceanside	Sewer Enterprise	\$ 4,900,000
U	Clarifier Upgrade	Sewer Enterprise	\$ 230,000
V*	Facilities Plan	Sewer Enterprise	\$ 660,000
W*	Replace 2010 Front End Loader	Transfer Station Enterprise	\$ 180,000
X*	New Water Tank	Water Enterprise	\$ 2,720,000
Y	Storage Tank Improvements - Aeration & Blower	Water Enterprise	\$ 500,000
Z*	Dolan Field Well Construction	Water Enterprise	\$ 3,300,000
AA	Replacement of Docks Cole Pkwy Marina (Town share for grant)	Waterways Enterprise	\$ 200,000
BB	Re-power Unit #1	Waterways Enterprise	\$ 47,000
CC*	Widows Walk Improvements including Parking Lot	Widows Walk Enterprise	\$ 770,000
* 2/3 VOTE, Borrowing		<b>GRAND TOTAL</b>	<b>\$ 15,857,132</b>

*Sponsored By: Select Board/Capital Planning Committee*

#### **ARTICLE 4. Fiscal Year 2022 Operating Budget**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, the sum of \$86,391,415 or a greater or lesser sum, for the purpose of funding personal services and expenses for Town operations as may be necessary for the ensuing Fiscal Year commencing July 1, 2021; or take any other action relative thereto.

Article 4						
Fiscal Year 2022 Operating Budget						
			FY 2021 Appropriated	FY 2022 Selectmen	FY 2022 Advisory	% of total
		<b>Board of Selectmen</b>				
		<b>Town Administrator</b>				
123	510	Personal Services	\$ 343,496	\$ 341,500	\$ 341,500	
	520	Purchase of Services	\$ 163,760	\$ 171,160	\$ 171,160	
	530	Town Counsel	\$ 125,000	\$ 145,000	\$ 145,000	
	532	Contract Bargaining	\$ 49,821	\$ 85,201	\$ 85,201	
	540	Materials & Supplies	\$ 7,400	\$ 7,400	\$ 7,400	
	599	Salary Adjustments	\$ 10,000	\$ 10,000	\$ 10,000	
			\$ 699,477	\$ 760,261	\$ 760,261	0.88%
		<b>Advisory Committee</b>				
131	510	Personal Services	\$ 2,434	\$ 2,225	\$ 2,225	
	520	Purchase of Services	\$ 250	\$ 250	\$ 250	
	540	Materials & Supplies	\$ 4,300	\$ 4,300	\$ 4,300	
			\$ 6,984	\$ 6,775	\$ 6,775	0.01%
132		<b>Reserve Fund</b>				
	570	Transfers	\$ 75,000	\$ 75,000	\$ 75,000	0.09%
135		<b>Finance Director/Town Accountant</b>				
	510	Personal Services	\$ 345,549	\$ 354,629	\$ 354,629	
	520	Purchase of Services	\$ 55,700	\$ 67,880	\$ 67,880	
	540	Materials & Supplies	\$ 1,300	\$ 1,300	\$ 1,300	
			\$ 402,549	\$ 423,809	\$ 423,809	0.49%
		<b>Assessors</b>				
141	510	Personal Services	\$ 204,200	\$ 211,756	\$ 211,756	
	520	Purchase of Services	\$ 31,600	\$ 38,850	\$ 38,850	
	540	Materials & Supplies	\$ 500	\$ 500	\$ 500	
			\$ 236,300	\$ 251,106	\$ 251,106	0.29%
		<b>Treasurer/Collector</b>				
145	510	Personal Services	\$ 311,880	\$ 319,964	\$ 319,964	
	520	Purchase of Services	\$ 97,025	\$ 100,025	\$ 100,025	
	540	Materials & Supplies	\$ 9,000	\$ 9,000	\$ 9,000	
			\$ 417,905	\$ 428,989	\$ 428,989	0.50%
155		<b>Information Technology</b>				
	510	Personal Services	\$ 196,501	\$ 209,331	\$ 209,331	
	520	Purchase of Services	\$ 320,665	\$ 384,395	\$ 384,395	
	540	Materials & Supplies	\$ 500	\$ 500	\$ 500	
	580	Capital Outlay	\$ 20,000	\$ 30,000	\$ 30,000	
			\$ 537,666	\$ 624,226	\$ 624,226	0.72%

Article 4						
Fiscal Year 2022 Operating Budget						
			FY 2021 Appropriated	FY 2022 Selectmen	FY 2022 Advisory	% of total
		<b>Tax Foreclosures</b>				
158	521	Tax Foreclosures	\$ 39,000	\$ 39,000	\$ 39,000	
			\$ 39,000	\$ 39,000	\$ 39,000	0.05%
159		<b>Cable TV</b>				
	510	Personal Services	\$ 109,263	\$ 112,646	\$ 112,646	
	520	Purchase of Services	\$ 6,500	\$ 6,500	\$ 6,500	
	540	Materials & Supplies	\$ 2,000	\$ 2,000	\$ 2,000	
	580	Capital Outlay	\$ 150,000	\$ 150,000	\$ 150,000	
			\$ 267,763	\$ 271,146	\$ 271,146	0.31%
161		<b>Town Clerk</b>				
	510	Personal Services	\$ 206,316	\$ 177,128	\$ 177,128	
	520	Purchase of Services	\$ 42,842	\$ 26,815	\$ 26,815	
	540	Materials & Supplies	\$ 5,130	\$ 4,530	\$ 4,530	
			\$ 254,288	\$ 208,473	\$ 208,473	0.24%
171		<b>Planning &amp; Community Development</b>				
175	510	Personal Services	\$ 744,937	\$ 836,842	\$ 836,842	
176	520	Purchase of Services	\$ 48,600	\$ 54,600	\$ 54,600	
182	540	Materials & Supplies	\$ 3,450	\$ 4,100	\$ 4,100	
241			\$ 796,987	\$ 895,542	\$ 895,542	1.04%
192		<b>Property/Liability Insurance</b>				
	570	Expenses	\$ 780,204	\$ 819,214	\$ 819,214	0.95%
		<b>Total General Government</b>	\$ 4,514,123	\$ 4,803,541	\$ 4,803,541	5.56%
210		<b>Police</b>				
	510	Personal Services	\$ 3,732,091	\$ 3,767,772	\$ 3,767,772	
	520	Purchase of Services	\$ 118,249	\$ 128,991	\$ 128,991	
	540	Materials & Supplies	\$ 105,450	\$ 108,220	\$ 108,220	
	580	Capital Outlay	\$ 128,005	\$ 184,820	\$ 184,820	
			\$ 4,083,795	\$ 4,189,803	\$ 4,189,803	4.85%
220		<b>Fire</b>				
	510	Personal Services	\$ 5,035,736	\$ 5,083,636	\$ 5,083,636	
	520	Purchase of Services	\$ 57,187	\$ 57,987	\$ 57,987	
	540	Materials & Supplies	\$ 166,991	\$ 166,991	\$ 166,991	
			\$ 5,259,914	\$ 5,308,614	\$ 5,308,614	6.14%

Article 4						
Fiscal Year 2022 Operating Budget						
			FY 2021 Appropriated	FY 2022 Selectmen	FY 2022 Advisory	% of total
230	<b>Combined Public Safety Dispatch</b>					
	510	Personal Services	\$ 599,878	\$ 630,636	\$ 630,636	
	520	Purchase of Services	\$ -	\$ -	\$ -	
	540	Materials & Supplies	\$ 200	\$ 200	\$ 200	
			\$ 600,078	\$ 630,836	\$ 630,836	0.73%
295	<b>Shellfish</b>					
	510	Personal Services	\$ 8,000	\$ 8,000	\$ 8,000	
	520	Purchase of Services	\$ 200	\$ 200	\$ 200	
	540	Materials & Supplies	\$ 600	\$ 600	\$ 600	
			\$ 8,800	\$ 8,800	\$ 8,800	0.01%
	<b>Total Public Safety</b>		\$ 9,952,587	\$ 10,138,053	\$ 10,138,053	11.73%
300	<b>School Committee</b>					
	505	School Expenses	\$ 39,456,165	\$ 41,523,689	\$ 41,523,689	48.06%
310	<b>South Shore Regional School</b>					
	560	Intergovernmental	\$ 691,301	\$ 627,785	\$ 627,785	0.73%
	<b>Total Schools</b>		\$ 40,147,466	\$ 42,151,474	\$ 42,151,474	48.79%
	<b>Public Works</b>					
400	510	Personal Services	\$ 1,779,797	\$ 1,820,620	\$ 1,820,620	
	520	Purchase of Services	\$ 497,284	\$ 557,503	\$ 557,503	
	540	Materials & Supplies	\$ 168,620	\$ 280,033	\$ 280,033	
	580	Capital Outlay	\$ 328,734	\$ 435,360	\$ 435,360	
			\$ 2,774,435	\$ 3,093,516	\$ 3,093,516	3.58%
410	<b>Facilities</b>					
	510	Personal Services	\$ 356,613	\$ 417,883	\$ 417,883	
	520	Purchase of Services	\$ 438,968	\$ 523,753	\$ 523,753	
	540	Materials & Supplies	\$ 228,955	\$ 235,955	\$ 235,955	
	580	Capital Outlay	\$ 33,000	\$ 63,000	\$ 63,000	
			\$ 1,057,536	\$ 1,240,591	\$ 1,240,591	1.44%
423	<b>Snow &amp; Ice</b>					
	510	Personal Services	\$ 107,906	\$ 107,906	\$ 107,906	
	520	Purchase of Services	\$ 176,909	\$ 176,909	\$ 176,909	
	540	Materials & Supplies	\$ 212,299	\$ 212,299	\$ 212,299	
			\$ 497,114	\$ 497,114	\$ 497,114	0.58%

Article 4						
Fiscal Year 2022 Operating Budget						
			FY 2021 Appropriated	FY 2022 Selectmen	FY 2022 Advisory	% of total
424	<b>Street Lights &amp; Beacons</b>					
	520	Purchase of Services	\$ 125,000	\$ 125,000	\$ 125,000	0.14%
	<b>Total Public Works</b>		<b>\$ 4,454,085</b>	<b>\$ 4,956,221</b>	<b>\$ 4,956,221</b>	<b>5.74%</b>
						11.3%
510	<b>Board of Health</b>					
	510	Personal Services	\$ 264,071	\$ 292,084	\$ 292,084	
	520	Purchase of Services	\$ 12,575	\$ 12,575	\$ 12,575	
	540	Materials & Supplies	\$ 1,735	\$ 1,735	\$ 1,735	
	580	Capital Outlay	\$ 125	\$ 125	\$ 125	
			<b>\$ 278,506</b>	<b>\$ 306,519</b>	<b>\$ 306,519</b>	<b>0.35%</b>
541	<b>Council on Aging</b>					
	510	Personal Services	\$ 188,215	\$ 238,186	\$ 238,186	
	520	Purchase of Services	\$ 15,100	\$ 5,540	\$ 5,540	
	540	Materials & Supplies	\$ 2,200	\$ 27,500	\$ 27,500	
	580	Capital Outlay	\$ 500	\$ 5,200	\$ 5,200	
			<b>\$ 206,015</b>	<b>\$ 276,426</b>	<b>\$ 276,426</b>	<b>0.32%</b>
543	<b>Veterans Agent</b>					
	510	Personal Services	\$ 86,337	\$ 86,803	\$ 86,803	
	520	Purchase of Services	\$ 125,650	\$ 126,160	\$ 126,160	
	540	Materials & Supplies	\$ 1,325	\$ 2,150	\$ 2,150	
			<b>\$ 213,312</b>	<b>\$ 215,113</b>	<b>\$ 215,113</b>	<b>0.25%</b>
549	<b>Commission on Disabilities</b>					
	520	Purchase of Services	\$ 5,000	\$ 5,000	\$ 5,000	
	540	Materials & Supplies	\$ -	\$ -	\$ -	
			<b>\$ 5,000</b>	<b>\$ 5,000</b>	<b>\$ 5,000</b>	<b>0.01%</b>
	<b>Total Health &amp; Human Services</b>		<b>\$ 702,833</b>	<b>\$ 803,058</b>	<b>\$ 803,058</b>	<b>0.93%</b>
						14.3%
610	<b>Library</b>					
	510	Personal Services	\$ 815,797	\$ 827,399	\$ 827,399	
	520	Purchase of Services	\$ 142,557	\$ 141,414	\$ 141,414	
	540	Materials & Supplies	\$ 133,250	\$ 136,250	\$ 136,250	
	580	Capital Outlay	\$ 2,000	\$ 2,000	\$ 2,000	
			<b>\$ 1,093,604</b>	<b>\$ 1,107,063</b>	<b>\$ 1,107,063</b>	<b>1.28%</b>

Article 4							
Fiscal Year 2022 Operating Budget							
			FY 2021 Appropriated	FY 2022 Selectmen	FY 2022 Advisory	% of total	
630	<b>Recreation</b>						
	510 Personal Services		\$ 154,108	\$ 158,717	\$ 158,717		
	520 Purchase of Services		\$ 1,419	\$ 1,420	\$ 1,420		
	540 Materials & Supplies		\$ 150	\$ 150	\$ 150		
	580 Capital Outlay		\$ -	\$ -	\$ -		
			\$ 155,677	\$ 160,287	\$ 160,287	0.19%	
650	<b>Beautification</b>						
	540 Materials & Supplies		\$ 25,000	\$ 29,586	\$ 29,586		
			\$ 25,000	\$ 29,586	\$ 29,586	0.03%	
691	<b>Historical Buildings</b>						
	520 Purchase of Services		\$ 20,200	\$ 23,200	\$ 23,200		
			\$ 20,200	\$ 23,200	\$ 23,200	0.03%	
	<b>Total Recreation &amp; Resources</b>		\$ 1,294,481	\$ 1,320,136	\$ 1,320,136	1.53%	2.0%
720	<b>Debt &amp; Interest</b>						
	590 Debt Service		\$ 7,513,308	\$ 8,417,125	\$ 8,417,125	9.74%	
			\$ 7,513,308	\$ 8,417,125	\$ 8,417,125	9.74%	12.0%
911	<b>Plymouth County Retirement</b>						
	512 Other Personal Services		\$ 5,326,418	\$ 5,875,196	\$ 5,875,196	6.80%	
912	<b>Workers' Compensation</b>						
	515 Employee Benefits		\$ 210,000	\$ 523,715	\$ 523,715	0.61%	
913	<b>Unemployment Insurance</b>						
	515 Employee Benefits		\$ 242,875	\$ 130,000	\$ 130,000	0.15%	
914	<b>Contributory Group Insurance</b>						
	515 Employee Benefits		\$ 6,265,804	\$ 6,461,034	\$ 6,461,034	7.48%	
916	<b>Federal Taxes</b>						
	515 Employee Benefits		\$ 780,637	\$ 811,862	\$ 811,862	0.94%	
	<b>Total Employee Benefits</b>		\$ 12,825,734	\$ 13,801,807	\$ 13,801,807	15.98%	7.6%
	<b>Total General Fund</b>		\$ 81,404,617	\$ 86,391,415	\$ 86,391,415	100.00%	6.1%

*Sponsored By: Select Board*

**ARTICLE 5. Waterways Enterprise Fund**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$1,093,218.00, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2021; or take any other action relative thereto.

Personal Services	\$ 436,481
Other Expenses	\$ 656,737
Total	\$ 1,093,218

*Sponsored By: Select Board*

**ARTICLE 6. Golf Course Enterprise Fund**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,350,749.00, or a greater or lesser sum, for the purpose of funding the Widow's Walk Golf Course for the ensuing fiscal year commencing July 1, 2021; or take any other action relative thereto.

Personal Services	\$ 236,979
Other Expenses	\$ 1,113,770
Total	\$ 1,350,749

*Sponsored By: Select Board*

**ARTICLE 7. Wastewater Enterprise Fund**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$3,526,817.00, or a greater or lesser sum, for the purpose of funding Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2021; or take any other action relative thereto.

Personal Services	\$ 590,807
Other Expenses	\$ 2,936,010
Total	\$ 3,526,817

*Sponsored By: Select Board*

**ARTICLE 8. Transfer Station Enterprise Fund**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,362,159.00, or a greater or lesser sum, for the purpose of funding the



Landfill and Transfer Station operations and expenses for the ensuing fiscal year commencing July 1, 2021; or take any other action relative thereto.

Personal Services	\$ 280,789
Other Expenses	\$ 1,081,370
Total	\$ 1,362,159

*Sponsored By: Select Board*

#### **ARTICLE 9. Water Enterprise Fund**

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$5,928,167.00, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2021; or take any other action relative thereto.

Personal Services	\$ 1,156,289
Other Expenses	\$ 4,771,878
Total	\$ 5,928,167

*Sponsored By: Select Board*

#### **ARTICLE 10. Stabilization Fund Excess Levy**

To see if the Town will vote to raise and appropriate the difference between the levy net and the levy limit to the Stabilization Fund, in accordance with M.G.L. c. 40, § 5B; or take any other action relative thereto.

*Sponsored By: Select Board*

#### **ARTICLE 11. Revolving Fund Limits**

To see if the Town will vote to set the annual spending limits for the revolving funds authorized under General Bylaw Section 10260 for Fiscal Year 2022, in accordance with M.G. L., c. 44, § 53E1/2 as follows; or take any other action relative thereto.

<b>Revolving Fund</b>	<b>FY22 Expenditure Limit</b>
Senior Center Revolving	\$70,000
Planning Board Application	\$15,000
Food Establishment Inspection	\$35,000
School Transportation	\$400,000
Beach Sticker	\$500,000
Public Health Vaccinations	\$30,000
Wind Turbine	\$450,000
Maintenance of Public Ways	\$10,000
GATRA Transport	\$130,000
Solar Array	\$485,000
Recreation Program	\$485,000
Athletic Fields	\$50,000
Maritime Center Rental	\$30,000
Scituate Harbor Community Building Rental	\$10,000
Aquaculture	\$5,000
Perc Witness Fees	\$25,000

*Sponsored By: Select Board*

## **ARTICLE 12. Community Preservation**

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee (the “CPC”) on the Fiscal Year 2022 Community Preservation budget and pursuant to M.G.L. c. 44B (the “Act”) to appropriate and/or reserve the sums of money as indicated below (i) to meet the administrative expenses and all other necessary and proper expenses of the CPC for Fiscal Year 2022; (ii) for the acquisition, creation, and preservation of open Space; (iii) for the acquisition, creation, preservation, rehabilitation, and restoration of land for recreational use; (iv) for the acquisition, preservation, rehabilitation, and restoration of historic resources; and (v) for the creation, acquisition, preservation and support of community housing. Appropriations for the items below are to be expended first from any existing reserves for the purposes of such item, then appropriated from Community Preservation FY 2022 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds unless otherwise specified below. All such sums appropriated are further to be expended subject to all of the terms and conditions of the applications regarding such projects filed with the CPC and the votes of the CPC regarding approval of such items; or take any other action relative thereto.

1. \$226,641 From Community Preservation FY 2022 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act;
2. \$226,641 From Community Preservation FY 2022 estimated revenues, to be reserved for the acquisition and preservation of Historic Resources consistent with the

Act;

3. \$226,641 From Community Preservation FY 2022 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act;
4. \$56,660 From Community Preservation FY 2022 estimated revenues, for Administrative Expense of the Community Preservation Committee;
5. \$334,764 From Community Preservation FY 2022 estimated revenues and premiums reserved for payment of debt relevant to the Athletic Field Renovation Project voted as Article 12 ATM 04/2019;
6. \$100,000 For Community Housing Purposes — Emergency Rental Assistance Program;
7. \$5,600 For Recreation Purposes — Cedar Point Bench Replacement;
8. \$30,000 For Recreation Purposes – Trail Parking and Access Additional Funding;
9. \$100,000 For Recreation Purposes – Thoreau’s Way Library Green Space;
10. \$77,660 For Recreation Purposes – MBTA Berm Trail Crossings Design/Permitting;

*Sponsored By: Community Preservation Committee*

### **ARTICLE 13. Community Preservation Act Reconciliations**

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee to rescind the balance of funds authorized but unexpended totaling \$217,527.78, or a greater or lesser sum, and to transfer said funds into the Reserve or General Fund Balance from which they were originally appropriated, in accordance with the provisions of the Community Preservation Act, or take any other action relative thereto.

<u>Project</u>	<u>Authorization</u>	<u>Amount</u>
Community Park & Playground	Art 17-15, ATM 04/2011	\$4,700.00
Seawall – Site Preservation	Art 12-17, ATM 04/2013	\$1,486.25
Central Park Fields	Art 12-14, ATM 04/2013	\$1,538.49
Lighthouse Lantern Room Evaluation	Art 11-14, ATM 04/2015	\$10,082.50
N Scituate Beach Nourishment	Art 11-05, ATM 04/2015	\$7,076.24
Restoration Lighthouse Lantern Room	Art 12-07, ATM 04/2016	\$160,000.00
Clapp Road Field Study	Art 11-16, ATM 04/2017	\$32,167.65
North River Shipyard Markers	Art 12-8, ATM 04/2019	\$150.82
Mass Humane Boat House Roof	Art 12-9, ATM 04/2019	\$300.00
Scituate Historic Mile Markers	Art 5-1, STM 11/2019	\$25.83

*Sponsored By: Community Preservation Committee*

**ARTICLE 14. Debt Authorization for the South Shore Regional Vocational School District (South Shore Regional Vocational Technical High School)**

To see if the Town will authorize the South Shore Regional Vocational School District (SSRVSD) to incur debt in the amount of \$18,960,537.00 under the authority of M.G.L. c. 71, § 16(d), or any other enabling authority, for the purpose of remodeling and making extraordinary repairs to its school building which will extend the useful life of the school and support the required education program, under the following terms:

1. SSRVSD will use any and all monies borrowed to make extraordinary repairs and permanent improvements to its school building and, where necessary, remodel and expand its building footprint. Priority project determinations will include but are not limited to recommendations from its 2018 Facilities Master Plan as provided to the town;
2. The terms of any agreement to incur debt or borrow monies under this Article shall be approved by the school committee and any sums borrowed pursuant to this Article will be expended under the direction of the school committee;
3. The monies received pursuant to this article shall be kept separate and apart from other School funds and may be expended by the school committee without further appropriation provided, however, that any balance remaining in such account at the close of a fiscal year shall remain in said account and may be expended for the upkeep and maintenance of any facility under the control of the school committee;

or take any other action relative thereto.

*Sponsored By: Select Board*

**ARTICLE 15. Massachusetts General Laws Chapter 91 Liability**

To see if the Town will vote to assume liability in the manner provided by M.G.L. c. 91, § 29, as amended, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach in accordance with M.G.L. c. 91, §11 and to authorize the Select Board to execute and deliver a bond on indemnity therefor to the Commonwealth; or take any other action relative thereto.

*Sponsored By: Select Board*

**ARTICLE 16. Local Option Acceptance –Voluntary Donation Check-off on Property Tax and Motor Vehicle Excise Bills for Veterans Assistance Fund**

To see if the Town will vote to accept M.G.L. c. 60, §3F to provide a voluntary donation check-off with property tax and motor vehicle excise tax bills for a municipal veterans assistance fund; or take any other action relative thereto.

*Sponsored By: Select Board*

**ARTICLE 17. Local Option Acceptance – Reduce Residency Requirements for Veterans Exemptions**

To see if the Town will vote to accept M.G.L. c. 59, §5 clause Twenty-Second F to reduce residency requirements from two years to one year for veterans' exemptions; or take any other action relative thereto.

*Sponsored By: Board of Assessors*

**ARTICLE 18. Local Option Acceptance – Deferral & Recovery Agreements for Betterments**

To see if the Town will vote to accept M.G.L. c. 80, §13B to enable taxpayers that qualify to defer their taxes under M.G.L. c. 59, §5, clause 41A to also defer their annual sewer betterment apportionment; or take any other action relative thereto.

*Sponsored By: Select Board*

**ARTICLE 19. Land Acquisition – Cowings Cove**

To see if the Town will vote to authorize the Select Board to purchase the property on Cowings Cove in Norwell, and identified by the Town of Norwell's Assessor's Office as Map 3D, Block 10, Lot 104 and the Town of Scituate Assessor's Office as Map 29, Block 2, Lot 2-S and by Deed recorded at the Plymouth Registry of Deeds in Book 39515, page 315, for the sum of \$5,252.84, or a greater or lesser sum and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article, or take any other action relative thereto.

*Sponsored By: Select Board*

**ARTICLE 20. Land Acquisition – Chief Justice Cushing Highway**

To see if the Town will vote to authorize the Select Board to purchase property located at 443-461 Chief Justice Cushing Highway, Scituate, and identified by the Town of Scituate Assessor's Office Assessors Parcels 47-2-26 A through 47-2-26 I and by Quitclaim Deed recorded at the Plymouth Registry of Deeds on 6/17/98 in Book 16306, page 11, for the sum of \$1,350,000.00, or a greater or lesser sum and to execute such instruments, agreements and documents and to take such actions as may be necessary or appropriate to effectuate the purpose of this article, or take any other action relative thereto.

*Sponsored By: Select Board*

## **ARTICLE 21. Acceptance of Public Way – Deer Common Drive**

To see if the Town will vote to accept Deer Common Drive as laid out by the Select Board as a public way; and authorize the Select Board to accept and 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: Select Board*

## **ARTICLE 22. General Bylaw Amendment – Revolving Funds**

To see if the Town will vote to amend the General Bylaws Section 10260 – Revolving Funds, as follows; or take any other action relative thereto.

### **Authorized Revolving Funds**

#### **1. Add SENIOR CENTER FOOD SERVICE FUND**

**Fund Name.** There shall be a separate fund called Senior Center Food Service Fund.

**Revenues.** The Town Accountant shall establish the Senior Center Food Service Fund as a separate account and credit to the fund all charges for the preparation and service of food to seniors through the Scituate Senior Center.

**Purposes and Expenditures.** During each fiscal year, the Council on Aging Director may incur liabilities against and spend monies from the Senior Center Food Service Fund for the preparation and service of food to seniors through the Scituate Senior Center, whether on-site or delivered to seniors' homes.

**Fiscal Years.** The Senior Center Food Service Fund shall operate for fiscal years that begin on or after July 1, 2021.

And further to set the expenditure limit for FY 2022 at \$40,000.00; or take any other action relative thereto.

*Sponsored By: Select Board*

## **ARTICLE 23. General Bylaw Amendment – Waterways - Sections 30920 and 30930**

To see if the Town will vote to amend Section 30920 – B. Mooring Permits of the General Bylaws by inserting the words “Other than the Town of Scituate” at the beginning of the second paragraph; and amend the title of Section 30930 by deleting the word “Decks” and replacing it with the word “Docks” and further to strike the first sentence in Section 30930 - B and replace it with “No person shall tie or secure any boat to any town-owned dock, pier or float without first obtaining a Tie-up permit from the harbormaster”; or take any other action relative thereto.

## **SECTION 30920 MOORING PERMITS**

A. The purpose of this section is to preserve the public peace, good order and welfare; to preserve and protect the coastal waters within the jurisdiction of the town of Scituate and all beaches, flats, tidelands and submerged lands lying seaward of the line of mean high water, and to prevent encroachments therein; to promote, preserve and protect the exercise and enjoyment of the public rights of fishing, fowling and navigation; to so regulate the use of said coastal waters as to protect and promote the public health, safety, convenience and enjoyment thereof.

B. Mooring Permits: No person shall moor any boat or shall place any block, chain, pennant or other mooring device within the limits of Scituate waterways without first obtaining a Mooring Permit from the harbor master. Such permit must be obtained for each calendar year and a mooring fee, set by the Select Board, shall be paid for said permit to the harbormaster on a form prescribed by the Select Board. The application shall set forth the name and address of the owner, the size and type of the boat to be moored, the size and type of the mooring, and if the mooring is already in the water, the location thereof with sufficient details to enable the harbormaster to locate it. No person shall own more than one mooring, except a Commercial Fisherman, as defined in Section 30910 (Definitions), and an owner of a Certified Mooring Service who may own up to two (2) moorings for the purpose of mooring Commercial (fishing) Vessels owned by said Commercial Fisherman or Commercial Vessels used in the operation of certified Mooring Service. Furthermore, a Commercial Fisherman, as defined in Section 30910 (Definitions), may also own one (1) additional mooring for the purpose of mooring a recreational vessel owned by said Commercial Fisherman, or take any other action relative thereto.

**Other than the Town of Scituate**, no mooring shall be rented. Provided, however, that any yacht club or boat club or other non-profit organization having a membership of at least fifteen persons may own not more than five moorings for the use of transient guests. Occupancy of such guest moorings for more than seven consecutive days by any one vessel shall be presumptive evidence of violation thereof. The harbormaster shall not issue mooring permits or slip rentals to persons who have delinquent boat excise taxes.

Subject to the Town of Scituate Mooring Rules and Regulations and Waterways By-Laws, Subsection Mooring Rules and Regulations (H), a mooring owned by a Commercial Fisherman as defined in Section 30910 (Definitions), with the approval of the Harbormaster, may be used to moor a Commercial Fishing Vessel owned by another Commercial Fisherman for up to two years.

C. The harbormaster shall prepare regulations governing the use of moorings, applications for mooring permits, the size and specifications for moorings, their hardware and pennants. All such regulations shall be submitted to the Select Board for approval. Upon approval, the regulations shall, for informational purposes be published once in a newspaper published in the town, and posted for seven consecutive days at the Harbormaster's Office and at the Town Clerk's Office. Copies of such regulations shall be available upon request at the Town Clerk's Office and the Harbormaster's Office. Such regulations may be amended from time to time in the same manner.

D. Any hazard to navigation or property, or any mooring placed within the limits of Scituate waterways in violation of the foregoing provisions, may be removed by the harbormaster at the expense of the owner.

E. As far as practical, the harbormaster shall require all commercial boats to be moored in a common area.

## **SECTION 30930 TOWN LANDINGS, PIERS, ~~DECKS~~ DOCKS, FLOATS**

A. No person carrying passengers for hire shall embark or disembark such passengers from any boat at the town landings without permission of the harbormaster.

~~B. No person shall tie or secure any boat to any town-owned dock, pier or float for more than sixty minutes without first obtaining a Tie-up Permit from the harbormaster.~~ **No person shall tie or secure any boat to any town-owned dock, pier or float without first obtaining a Tie-up Permit from the harbormaster.** Such permit may be issued on a daily, seasonal or calendar basis and a tie-up fee, set by the Select Board, shall be paid to the harbormaster or other agent authorized by the Town Administrator. The harbormaster shall prepare regulations governing the use of such town facilities and applications for Tie-up Permits. All such regulations shall be submitted to the Select Board for approval subject to the procedural requirements of Section 30920C above. Nothing herein shall prohibit the harbormaster from issuing a Tie-up Permit for no fee for any disabled vessel or any transient vessel requiring temporary refuge in Scituate Harbor.

C. No person shall clean or scale fish on town floats or piers.

D. No person shall leave any boating or fishing equipment or any personal property upon town landing places, floats or piers for longer than is reasonably necessary in the act of loading or unloading same, to or from boats or vehicles, without written permission of the Harbormaster.

E. No person shall swim or dive from town-owned piers or floats unless enrolled in organizational instruction permitted by the harbormaster.

F. No major repairs or complete maintenance work shall be done at town piers, docks, or floats without the permission of the Harbormaster.

G. The town is not responsible for any loss or damage to boats at town piers. Owners will be held responsible for damage to structures and pilings owned by the town.

H. No boat shall be left in dead storage at the town pier.

Or take any other action relative thereto.

*Sponsored By: Select Board*

## **ARTICLE 24. General Bylaw Amendment – Water Conservation - Section 30660**

To see if the Town will vote to amend Section 30660 – Water Conservation of the General Bylaws by deleting it in its entirety and inserting the following new Section 30660 in its place;

### **Section 30660 Water Conservation**



### Section 1: Authority

This Bylaw is adopted by the Town of Scituate [hereinafter referred to as Town] under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c. 40, §§ 21 et seq. and implements the Town's authority to regulate water use pursuant to M.G.L. c. 41, §69B. This bylaw also implements the Town authority under M.G.L. c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §§ 15-17. This bylaw is also intended to implement other water conservation requirements of M.G.L. c. 21G, the "Massachusetts Water Management Act" and its regulations promulgated at 310 CMR 36.00.

### Section 2: Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a "State of Water Supply Conservation" or a "State of Water Supply Emergency" by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Town in accordance with this bylaw and/or by the Department of Environmental Protection under its state law authorities.

### Section 3: Applicability

All Town persons who are customers of the public water supply system shall be subject to this bylaw. This bylaw shall be in effect year round.

### Section 4: Definitions

Agriculture shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.<sup>1</sup>

Automatic irrigation system, including sprinklers, shall mean any system for watering vegetation other than a handheld hose or a bucket.

Nonessential outdoor water use shall mean those uses that are not required:

1. for health or safety reasons;
2. for the production of food and fiber;
3. for the maintenance of livestock; or
4. to meet the core functions of a business.

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<sup>1</sup> This statutory definition includes cultivation of the soil, dairying and the production, cultivation, growing and harvesting of agricultural, aquacultural, floricultural or horticultural commodities as well as forest harvesting, raising livestock inclusive of bees and fur-bearing animals and forestry, lumbering, preparation for market, delivery to storage or market or to carriers to market incidental to an agricultural operation.

Nonessential outdoor water uses that are subject to mandatory restrictions include but are not limited to:

- irrigation of lawns via sprinklers or automatic irrigation systems;
- washing of vehicles, boats, or other vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and
- washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.

Exceptions to nonessential outdoor water uses are:

- irrigation with harvested and stored stormwater runoff.

The following outdoor water uses are subject to review and may be approved by the Town, through the Water Department or its designee:

- irrigation of public parks and recreation fields during the hours of 9 AM to 5 PM;
- irrigation to establish replanted or resodded lawn or plantings during the months of May and September;
- irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months; and
- filling of privately owned outdoor pools.

Person shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, §§ 15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town pursuant to Section 5 of this bylaw.

Water Customers shall mean all persons using the public water supply irrespective of that person's responsibility for payment for use of the water.

Water Users shall mean all persons using the public water supply or using privately-owned wells within the Town boundaries.

#### Section 5: Declaration of a State of Water Supply Conservation

The Select Board sitting as the Water Commissioners (the "Board") or its designee is authorized to:

- a) declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands; and

b) declare a State of Water Supply Conservation as necessary to ensure compliance with the Water Management Act.

Upon notification to the public that a State of Water Supply Conservation has been declared, no water customer shall violate any provision, restriction, requirement or condition of the declaration. The Board or its designee may declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Conservation shall be given under Section 8 of this bylaw before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

## Section 6. Restricted Water Uses

A declaration of a State of Water Supply Conservation shall limit nonessential outdoor water use by water customers as necessary to control the volume of water pumped each day, except as exempted or permitted in Section 4. This State of Water Supply Conservation goes into effect every year between May 1 and September 30, and comprises four tiers of water restrictions. The Board or its designee will determine which tier that all water customers must adhere to beginning on May 1. And as the months progress until September 30, the Town will inform the public when and if a new tier of restrictions is required. Following are the four water restriction tiers:

### **Tier 1**

Between May 1 and September 30 all outdoor watering must occur *before* 9 AM and *after* 5 PM.

Between May 1 and September 30, automatic irrigation systems may be used one day per week, as designated by the Water Department according to precinct.

- Properties in Precinct 1 may irrigate lawns on Monday
- Properties in precinct 2 may irrigate lawns on Tuesday
- Properties in Precinct 3 may irrigate lawns on Wednesday
- Properties in Precinct 4 may irrigate lawns on Thursday
- Properties in Precinct 5 and 6 may irrigate on Friday

### **Tier 2**

No use of automatic irrigation. Only handheld hoses are allowed before 9 AM and after 5 PM

### **Tier 3**

No use of automatic irrigation. Only watering cans or buckets are allowed before 9 AM and after 5 PM

### **Tier 4**

NO OUTDOOR WATER USE. Total ban on all nonessential water use.

When a Tier 4 total outdoor water ban is in place, all of the following activities are prohibited:

- Irrigating a lawn via an automatic irrigation system

- Adding water to any type of swimming pool, in-ground or above ground
- Washing any vehicle, boat, or other vehicle except as necessary for operator safety
- Washing exterior building surfaces, parking lots, driveways, sidewalks, etc. except as necessary to apply surface treatments such as paint, preservatives, stucco, pavement, or cement.

At the discretion of the Board or its designee, the following uses may be allowed, even when mandatory restrictions are in place. All persons must seek permission from the Board or its designee for any of the following:

- Irrigating to establish a new lawn or plantings, but ONLY during the months of May and September.
- Irrigating of public parks and recreational fields between 9 AM and 5 PM.
- Irrigating of gardens, flowers, and ornamental plants with a handheld hose or drip irrigation system before 9 AM and after 5 PM,
- Irrigating a lawn by means of a handheld hose before 9 AM and after 5 PM

#### Section 7: Penalties

The Board or its designee shall enforce this bylaw.

Any person who violating an order under this by-law shall be liable to the Town in the amounts listed below:

- Warning for the first violation
- \$100.00 for the second violation
- \$200.00 for the third violation
- \$300.00 for each subsequent offense.

Each day of violation shall constitute a separate offense. Fines shall be recovered by the Town. This bylaw may be enforced by non-criminal disposition. If a State of Water Supply Emergency has been declared the Board or its designee may, in accordance with G.L. c. 40, § 41A, shut off the water at the meter or the curb stop.

#### Section 8: Public Notification of a State of Water Supply Conservation

Notification of any provision, restriction, or condition imposed by the Town as part of a State of Water Supply Conservation shall be made as soon as possible, but no later than one week following the declaration of a State of Water Supply Conservation by publication in a newspaper of general circulation within the Town. Notification shall be made within 48 hours of the declaration by signage on major roadways or intersections. Notification may also include email, websites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all water users.

#### Section 9: Termination of a State of Water Supply Conservation

A State of Water Supply Conservation may be terminated by a vote of the Board or its designee upon a determination that the conditions requiring the State of Water Supply Conservation no longer exist, or in accordance with the Water Management Act permit conditions. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in Section 8 for notice of its imposition.

#### Section 10: Inground Irrigation Systems

No new underground irrigation systems installed after the effective date of this bylaw can be connected to the Town's water distribution system and in any manner using municipal water. All irrigation systems installed in accordance with this provision shall be supplied by an on-site source, such as a well, at the sole expense of the property owner. In addition, the property owner shall prominently display a sign, indicating that a well is located on the premises. Violations of this bylaw shall result in a fine of \$100.00 per day.

Commercial agriculture is exempt from this restriction. Municipal sports fields may be exempt based on approval by the Board or its designee.

All inground irrigation systems shall be registered with the Town's Water Department in such form and manner as it shall determine. A fee may be charged for this registration. Registration fees shall be set by the Water Department. The Water Department may require inspection of the irrigation system.

#### Section 11: Severability

The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof.

Or take any other action relative thereto.

*Sponsored By: Select Board*

### **ARTICLE 25. Zoning Bylaw Amendment – North Scituate, Village Center & Neighborhood District (VCN) and VCN Housekeeping**

To see if the Town will vote to amend the Zoning Bylaws and zoning map to add a new Village Center and Neighborhood District (VCN) in North Scituate and do some housekeeping to delete sections previously changed by adding a VCN and to make the VCN bylaw more user friendly. All references below refer to sections of the Zoning Bylaw.

1. Amend All Sections – change all references throughout the bylaw accordingly from General Business (GB) District to Business (B).
2. Amend All Sections – remove Harbor Business (HB), Commercial(C) and Residential Multi-family (RM) districts throughout the bylaw accordingly.

3. Amend All Sections – change Board of Selectmen throughout and replace with Select Board throughout the bylaw accordingly.
4. Section 200 Definitions - Amend Definition of “Cottage Court” – delete number of bedrooms.
5. Section 310 Types of Districts – add a new Village Center and Neighborhood District to include North Scituate Village (NSV) and its subdistricts.
6. Section 320 Location of Districts– clarify Location of District map by adding current zoning map date of April 8, 2019 and add previously approved Humarock Village Overlay Business District (STM November 5, 2019) and add North Scituate Village Center and Neighborhood District and its subdistricts.
7. Section 420 Table of Use Regulations– amend the table to include titles of the districts for the Village Center and Neighborhood District by adding a title Greenbush-Driftway Gateway District to the table and add North Scituate Village (NSV) and its subdistricts and uses to the Table of Uses.
8. Section 490 Planned Development District– Delete Section 490 Planned Development District in its entirety as it was previously replaced (ATM April 9, 2019, STM November 2019) with the Village Center and Neighborhood District - Greenbush-Driftway Gateway District.
9. Section 560 Village Business Overlay District– remove all references to North Scituate as a Village Business Overlay District and its boundaries, uses and requirements.
10. Amend Section 580 - add North Scituate Village (NSV) and its subdistricts as a new Village Center and Neighborhood District (VCN) with requirements and design and development standards; update Greenbush-Driftway allowed Building Types in the VCN District in Table 1 and Table 2 and delete the maximum dwelling units per building under Bulk Standards.
11. Section 720 Common Driveways - correct Standards of Review listed in 720.1 from Section to 770.5 from 770.6
12. Section 750 Design Review for Business, Commercial, Mixed Use and Multi-Family Development - re-organize to make more user friendly by separating Design Standards and Design Guidelines and adding a new North Scituate VCN to be included in the building types and design standards and building activation encroachments. Delete ordinances in Figure 12 Building Activation Encroachments and replace with Bylaws.
13. Section 751 Low Impact Development Standards – Amend Section 751.3 B. 4. To add “as applicable” for use of native landscaping and delete the excess words “The maximum” in Section 751.3 H. 1.
14. Section 753 Public Realm Standards – Update Table 1 – Public Realm Design Standards to clarify street width components and sidewalk components.

15. Amend Section 754 Fair Housing and Affordability Standards – Delete sentence on bedrooms in Section 754.6
16. Amend Section 760 Parking – clarify parking to so that use of Table 1 and Table 2 is clarified and update Table 2 for restaurant use and delete Place of Assembly in Table 2.

The text of the current Zoning Bylaw and the complete text of the proposed amendments to the Zoning Bylaw are available for inspection during the normal hours of business of the Scituate Town Hall at the offices of the Town Clerk and the Planning Board at Town Hall, 600 Chief Justice Cushing Highway, Scituate, Massachusetts and on the Town of Scituate website on the Planning Board web page under proposed bylaw changes; or take any other action relative thereto.

*Sponsored by: Planning Board*

## **ARTICLE 26. Zoning Bylaw Amendment – Signs (Section 710)**

To see if the Town will amend the Zoning Bylaws by deleting Section 710 Signs and inserting the following new section in its place; a copy of which shall be posted on the Town website and available in the Planning Board office and Town Clerk's office; or take any action related thereto.

### **Section 710. Signs**

#### **710.1. PURPOSE**

The purposes of this section are to:

1. protect public health, safety and welfare;
2. reduce traffic hazards;
3. promote and protect the aesthetic nature of the town;
4. protect property values; and
5. promote economic development.

#### **710.2. DEFINITIONS**

- A. **BUSINESS ESTABLISHMENT:** A location where business is conducted, goods are made or stored or processed, or where services are rendered and may include a commercial and/or institutional land use; generally a site where the main objective is the receipt or generation of a financial return in exchange for goods or services. For purposes of this Section 710, "business establishment" shall not include a home occupation.
- B. **SIGN:** As defined in Section 200. The following, however, shall not be considered signs in this Bylaw:

1. Flags and insignia of any government except when displayed in connection with commercial promotion.
  2. Legal notices, or informational devices erected or required by public agencies.
  3. Temporary window displays, covering not more than 30 percent of window area, illuminated by building illumination only.
  4. Standard gasoline pumps bearing thereon in usual size and form the name, type, and price of gasoline.
  5. Integral decorative or architectural features of a building, except letters or numbers, trademarks, or moving parts.
  6. Devices identifying a building as distinct from 1 or more of its occupants, such device being carved into or attached in such a way as to be an integral part of the building, not illuminated separate from building illumination, and not exceeding 4 square feet in area.
  7. Address identification through numerals or letters not exceeding 3 inches in height.
- C. SIGN, SANDWICH BOARD SIGN: A sign consisting of two faces in an "A" shape, connected at the top, which sits on, but is not secured to, the ground.
- D. SIGN, AREA OF: The area of a sign shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include any supporting structure or bracing. The area of a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, shall be considered to be that of the smallest rectangle, circle, or triangle which encompasses all of the letters and symbols.
- E. SIGN, BANNER: A sign on a textile, synthetic, plastic or similar material that is affixed and secured to a building or to a permanent pole, such as support pole for a building canopy or a parking lot light pole.
- F. SIGN, ELECTRONIC MESSAGE BOARD: A sign capable of displaying words, images, symbols and figures utilizing a series or grid of lights that may be changed through electrostatic means using light emitting diodes (LEDs) or other similar technology.
- G. SIGN, FREE-STANDING SIGN: A free-standing sign that is mounted on the ground, or on a wall or other base situated directly on the ground; or a sign mounted on a pole or poles or other similar support where the bottom edge of the sign is elevated off of the ground.
- H. SIGN, OFF-PREMISES: Any sign or other advertising device that is used to identify a building, use of land, or services sold or conducted in a location other than the property on which the sign is located.
- I. TEMPORARY SIGN: A structure or device used for the public display of visual messages or images, which is easily installed with or without common hand tools and which is not intended or suitable for long-term or permanent display due to lightweight or flimsy construction materials. Examples include but are not limited to banners, pennants, streamers, or similar non-



permanent signs made of paper, cloth, canvas, lightweight fabric, or other non-rigid material, with or without frames.

### **710.3. ADMINISTRATION**

- A. Building Commissioner. The Building Commissioner is charged with the enforcement of this Section 710. The Building Commissioner and any duly authorized agents employed by the Town shall, if permitted by the owner or otherwise lawfully authorized representative, or as otherwise permitted by law, and at reasonable times and upon presentation of credentials, enter upon the premises on which any sign is erected or maintained for the purpose of inspecting for compliance with the provision of Section 710.
- B. Permit Required. No sign shall be erected or installed until a permit is issued by the Building Commissioner, except as otherwise provided in this Section 710. A sign permit application shall be filed with the Building Commissioner containing all information, including photographs, plans, and scale drawings, as specified on the application form. The sign permit shall be issued if the Building Commissioner determines that the sign complies or will comply with all applicable provisions of this Section 710. A schedule of content-neutral fees for sign permits shall be as determined by the Select Board.
- C. Commercial and Non-commercial Signs. Wherever and however this Section 710 permits commercial signs, noncommercial messages, without restriction on content, shall also be permitted. No provision of this Section 710 shall be interpreted or administered in a manner that regulates or restricts signs containing non-commercial messages more stringently than signs advertising business or commercial activities and uses, or that prohibits noncommercial messages on signs permitted for commercial purposes.
- D. Sign Waivers. The Board of Appeals, acting as special permit granting authority, may approve, approve with conditions, or disapprove, requests to waive the requirements of Section 710, provided that such waivers shall be consistent with the purposes in Section 710.1. In no event shall the Board issue a waiver solely to allow larger signs or more signs than would otherwise be allowed provided such waivers are consistent with the purposes in Sec. 710.1.

### **710.4. PROHIBITED SIGNS**

- A. Signs on parked motor vehicles and where the Building Commissioner determines that a vehicle's primary use is for the display of signage and not for transportation.
- B. Revolving, moving, flashing, or blinking signs, signs that appear to be in motion, animated signs, or signs with visible moving parts, except for signs which display public service information.
- C. Signs or parts thereof that contain or consist of animated parts, ribbons, streamers, spinners, or similar moving or fluttering devices, including feather banner and wind flag signs.
- D. Roof signs and signs protruding above the roofline of the building to which the sign is attached.

- E. Signs that obstruct the view of any traffic sign, signal, or other traffic device, or obstruct the view of a driver entering or exiting a street intersection or driveway intersecting with a street, except in accordance with Section 710.5(D).
- F. Off-premises signs except in accordance with Section 710.8.
- G. Internally illuminated signs outside the building.

#### **710.5. EXEMPT SIGNS**

This Section 710 shall not apply to the following:

- A. The message of a sign.
- B. Traffic control signs and safety signs, including disability access signs.
- C. Signs, banners, or markers, or electronic message boards required or erected by local, state, or federal government.
- D. Public utility identification markings.
- E. Flags not used for advertising or commercial purposes.
- F. Legal notice signs such as “no trespassing” and similar signs.
- G. Any sign limited solely to directing traffic or providing direction, such as arrows or entrance and exit signs or setting out restrictions on the use of parking areas and not exceeding 4 square feet in area.
- H. Temporary signs, except as required under Section 710.6.

#### **710.6. TEMPORARY SIGNS**

Temporary signs are permitted in all districts without a Sign Permit from the Building Commissioner, subject to the following requirements:

- A. No sign shall exceed 6 square feet in area and no portion of a sign shall be more than 4 feet in height from ground level.
- B. All signs shall be located on private property and a minimum of 10 feet from the edge of the pavement of any street or sidewalk.
- C. No sign shall obstruct traffic sight lines or pedestrian traffic.
- D. No sign shall be illuminated.
- E. Unless otherwise provided for in this section, temporary signs or banners shall not be installed for a period to exceed 60 days. The Board of Appeals may waive this provision in accordance with Section 710.3.

- F. No more than 4 temporary signs may be displayed on a lot, none of which shall exceed 6 square feet in area.

#### **710.7. GENERAL PROVISIONS FOR SIGNS IN ALL DISTRICTS**

- A. No signs shall be affixed upon or painted on any rock, tree, utility pole, or town sign on public property within the Town of Scituate.
- B. No signs shall be permitted on Town property without written permission from the Select Board or their designee. The Applicant shall provide a copy of the Board's written permission to the Building Commissioner prior to displaying the sign.
- C. No sandwich board signs are allowed on public sidewalks or ways.
- D. Any permanent lawful sign existing at the time this amendment to the bylaw is adopted may be continued, although such signs do not conform to the provisions hereof.
- E. Any total replacement or substantial change of an existing sign shall be required to conform to this Section 710.
- F. Signs shall be affixed and maintained in such a way as to be safe and free of hazard to the public and shall be maintained in good repair.
- G. Fixed free-standing signs are subject to setback restrictions in Section 620.4.B.

#### **710.8. OFF-PREMISES SIGNS ON TRAVELED WAYS**

Off-premises business and commercial signs may be placed along traveled ways for the purposes of indicating direction to their facility by special permit of the Board of Appeals after review and comment by the Planning Board. Such signs must be needed for directional purposes and shall not exceed 20 square feet in area.

#### **710.9. SIGNS IN RESIDENTIAL DISTRICTS**

- A. The following signs are permitted as of right subject to receipt of a sign permit from the Building Commissioner:
  - 1. In the R-1, R-2, or R-3, one non-flashing sign not over 8 square feet in area indicating the owner or occupant.
  - 2. One non-flashing sign not over 8 square feet in area pertaining to nonresidential premises shall be permitted provided that the sign complies with Section 620.4.B. A permit from the Building Commissioner or his designee is required after review and approval by the Planning Board.
- B. A special permit from the Board of Appeals is required for the following signs:
  - 1. Property protection signs larger than one square foot but not exceeding 10 square feet.
  - 2. For sale signs, for rent signs, rooms to let signs, etc. between 6 square feet and 20 square feet.

- C. No business and commercial sign of general advertising nature that does not pertain to a structure or use on the same premises as the sign's location shall be permitted except as provided in Section 710.8.

#### **710.10. SIGNS IN BUSINESS AND COMMERCIAL DISTRICTS**

- A. In the B and VCN Districts, all signs allowed as a matter of right in the residential district shall be allowed with a sign permit from the Building Commissioner. Additionally, exterior signs pertaining to uses on the same premises as the location of such sign are permitted upon the issuance of a permit by the Building Commissioner subject to the following restrictions:
  - 1. No sign shall obstruct visibility in such a way as to constitute a hazard to the safety of persons traveling upon a public way.
  - 2. The top edge of such sign, whether freestanding or not, 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. Such signs may be illuminated only from the exterior of the advertising matter.
  - 3. No sign shall exceed 100 square feet of sign area.
  - 4. Each business establishment is permitted not more than 2 signs, excluding signs necessary for public safety or convenience.
- B. Special permits by the Board of Appeals shall be granted only after a finding that the sign is reasonable in design and size, the sign is economically necessary, and the sign will not be a hazard to the public.
  - 1. For sale signs, for rent signs, rooms to let signs, etc. between 6 square feet and 20 square feet.
  - 2. No off-premises business or commercial sign of general advertising nature shall be allowed except as provided in Section 710.8.

#### **710.11. ACCESSORY USE SIGNS**

- A. In a residential district, one sign not over 2 square feet is allowed as of right for a home occupation or other permitted accessory use upon the issuance of a permit by the Building Commissioner or his designee.
- B. The Board of Appeals may grant a special permit for an accessory use sign between 2 and 10 square feet.

#### **710.12. SIGN MAINTENANCE**

- A. Maintenance of Signs. All signs permitted under this Section 710 shall be appropriately maintained. Appropriate maintenance includes the replacement of missing letters, removal of peeling paint and repainting, replacement of any cracked or broken glass or plastic or similar, replacement of any failed lighting, and replacement of any broken, defective, worn out or

damaged signs. If the Building Commissioner determines that a sign has not been maintained in accordance with this Section 710, a notice to repair or remove the sign maybe issued to the sign owner to repair or replace the sign within 30 days.

- B. **Unsafe or Unlawful Signs.** When any sign becomes unsecured, in danger of falling, or otherwise derelict or unsafe, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of law, the sign owner or the person or firm maintaining the sign shall, upon written notice of the Building Commissioner, immediately in the case of imminent danger, and in any other case within not more than 10 days, make the sign conform to the provisions this Section 710 or shall remove it. If within 10 days the order is not complied with, the Building Commissioner may, in conformance with state law, remove the sign at the expense of the owner or lessee. Costs may be recovered for the removal from the owner or lessor in the District Court.
- C. **Derelict Signs.** Signs which become decrepit, dilapidated, illegible, or dangerous to the public safety, shall be condemned and removed by the Building Commissioner. Costs may be recovered for the removal from the owner or lessor in the District Court.

*Sponsored by: Planning Board*

## **ARTICLE 27. Zoning Bylaw Amendment – Fair Housing and Affordability Standards (Section 754)**

To see if the Town will amend the Zoning Bylaws by changing the marked up language to provide that Fair Housing and Affordability Standards should apply to all projects with more than five units in all districts; a copy of which shall be posted on the Town website and available in the Planning Board office and Town Clerk's office; or take any action related thereto.

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## **SECTION 700 - GENERAL PROVISIONS AFFECTING ALL DISTRICTS**

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### **754**

### **FAIR HOUSING AND AFFORDABILITY**

#### **754.1 APPLICABILITY**

- A. **General.** ~~Where affordable housing units are required or provided in exchange for increased density under the provisions in Section 510 Residential Cluster District, Section 530 Accessory Dwellings, Section 550 Flexible Open Space Development, Section 560 Village Business Overlay District, Section 570 Humarock Village Residential Overlay District, or Section 580 Village Center & Neighborhood District, The following standards shall apply to all housing developments generating more than five units in all districts. Land under common ownership for housing developments cannot be segmented to avoid this requirement.~~
- B. **Specific Application to VBOD and VCN**

1. Exemptions. Applications requesting ~~seven~~ *five* or fewer dwelling units are exempt from this requirement. The Planning Board may waive this requirement if housing units are entirely within an existing historic structure either on the National Register of Historic Places, the State Register of Historic Places or on a list of historic structures maintained by the Scituate Historical Society.
2. Number of Affordable Units. The number of affordable housing units required shall be equal to fifteen per cent (15%) of the total of proposed housing units, rounded to the nearest whole number, except that fractions up to and including .5 units shall be rounded down to the next lower whole number. The requirements for affordable units are thus as follows:

Total Housing Units	Required Affordable Units
<u>6</u> 8-10	1
11-16	2
17-23	3
24-30	4
31-36	5
37-40	6
Above 40	15% of total

3. Density Bonuses. For all projects receiving a density bonus, not less than twenty percent (20%) of housing units constructed shall be Affordable Housing. For purposes of calculating the number of units of Affordable Housing required within a project, any fractional unit shall be deemed to constitute a whole unit. The total number of Affordable Housing units constructed in a VBOD or VCN District shall equal not less than twenty percent (20%) of the total number of all units constructed within projects in the district. A Project shall not be segmented to evade the Affordability threshold set forth above.

*Sponsored by: Planning Board*

## **ARTICLE 28. Grant of Easement – First Parish Road**

To see if the Town will vote to grant an easement at 327 First Parish Road to Susannah Green, Emilie Green and Tyler Marino, with an address of 337 First Parish Road, Scituate, MA, 02066 solely for residential purposes of access to, egress from and parking on 337 First Parish Road on that portion of the Town's land as depicted on the plan of Bargmann, Hendrie & Archetype Inc., dated August 31, 2019 (the "Plan") and highlighted in pink on said Plan, available for inspection in the Town Clerk's office and on the Town's website; or take any other action related thereto.

*Sponsored By: Select Board*

## **ARTICLE 29. Release of Easement – Gardiner Road**

To see if the Town will vote to grant a release of easement for a 20' wide drainage easement on 26 Gardiner Road as shown on a plan entitled "Plan Accompanying Notice of Intent – 32 Gardiner Road Drainage Improvements", prepared by the Scituate Department of Public Works Engineering Division dated May 22, 2018, a copy of which is on file at the Scituate Public Works Department;

or take any other action related thereto.

*Sponsored By: Select Board*

### **ARTICLE 30. Petition – Water Conservation Mandates and Rebate Program**

To see if the Town of Scituate (the "Town") will vote to require water-conserving and/or efficient plumbing fixtures be installed in all Town multifamily and commercial properties on or before January 1, 2030.

To see if the Town will vote to create a rebate program to convert all toilets, showerheads, interior faucets and sprinkler/irrigation systems with energy efficient water conserving replacements for single-family residences in the Town beginning on January 1, 2022.

To see if the Town will vote to require that all newly constructed single-family residences and rehabilitation and/or remodeling including bathroom, plumbing or irrigation work at single-family residences include water-conserving toilets, showerheads, interior faucets and sprinkler/irrigation, as defined herein below, for single family residences by 2040.

To be in compliance, plumbing fixtures shall use the following water amounts:

- (1) Toilets -1.28 gallons per flush
- (2) Urinals- .5 gallon per flush
- (3) Showerheads- 2.0 gallons per minute
- (4) Interior faucets -1.5 gallons per minute
- (5) Irrigation System- WaterSense labeled spray sprinkler bodies

NOTE: Water-conserving plumbing fixtures must operate at the manufacturer's rated water consumption.

Beginning January 1, 2022, single family residences will be offered a rebate program in an effort to convert all toilets, showerheads, interior faucets and sprinkler/irrigation.

Beginning on January 1, 2030 any alterations or improvements to a room with noncompliant fixtures that require a building permit in a single family residence, must be compliant with the Town's water conservation guidelines, as they may be amended from time to time.

Beginning January 1, 2030, single family residence construction and/or additions, in which the sum of concurrent building permits by the same permit applicant increases the floor area by more than thirty (30%) percent will require the applicant to replace all non-compliant plumbing fixtures in the building.

Beginning January 1, 2030, single family residence building alterations or improvements in which the total construction cost estimated in the building permit is more than one hundred fifty thousand dollars (\$150,000.00, the applicant must replace all non-compliant plumbing fixtures that service the specific area of the improvement.

Beginning January 1, 2040, single family residences must be brought into full compliance.  
Water service for the building has been/is permanently disconnected.  
Irrigation or Sprinklers using rain barrels as a water source.  
Or take any other action relative thereto.

*By Petition*



And you are further directed to serve this warrant by posting up attested copies thereof, one at each of the Post Offices in said Town and one at the Town Hall, seven days at least before the time of holding said meeting.

Hereof, fail not, and make due return of this warrant with your doings thereon, to the Town Clerk at the time and place of the meeting as aforesaid.

Given under our hands this 9th day of March, in the year two thousand and twenty-one.

**SELECT BOARD  
TOWN OF SCITUATE**

And you are further directed to serve this warrant by posting up attested copies thereof, one at each of the Post Offices in said Town and one at the Town Hall, seven (7) days at least before the time of holding said meeting.

HEREOF, fail not, and make due return of this warrant with your doings thereon, to the Town Clerk at the time and place of the meeting as aforesaid.

Given under our hands this 9<sup>th</sup> day of March 2021.



Karen B. Canfield  
Chair



Anthony V. Vegnani  
Vice-Chair



Karen E. Connolly  
Clerk



Maura C. Curran  
Member



Andrew W. Goodrich  
Member

**SELECT BOARD  
TOWN OF SCITUATE**