

**TOWN OF SCITUATE
SPECIAL TOWN MEETING
APRIL 14, 2014
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 FOURTEENTH DAY OF APRIL 2014 NEXT

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

ARTICLE 1. Fiscal Year 2013 Unpaid Bill

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$294.12, or a greater or lesser sum, for the purpose of paying a Fiscal Year 2013 unpaid bills, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 2. Recovery and Remediation Costs – January 2014 Blizzard

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$486,000.00, or a greater or lesser sum, for the purpose of paying costs associated with the January 2014 Blizzard, or take any other action relative thereto.

Sponsored: by Board of Selectmen

ARTICLE 3. Insurance Proceeds Reconciliation

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$23,873.11, or a great or lesser sum, for the purpose of reconciling insurance recovery proceeds for roof damage at the Scituate Harbor Community Building, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 4. Waste Water Treatment Repair and Maintenance Costs

To see if the Town will vote to transfer from surplus funds in Article 4, Item 15 of the March 3, 2007 Annual Town Meeting for sewer equipment to Sewer Equipment and Repair the sum of \$42,382.74 or a greater or lesser sum, and the sum of \$38,000.00, or a greater or lesser sum,

from Sewer Retained Earnings, totaling \$80,382.74, for the purpose of increased expenses for Fiscal Year 2014, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 5. Fiscal Year 2014 Snow Removal Cost Increase

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$175,000.00 or a greater or lesser sum, for the purpose of paying increased costs of snow removal for Fiscal Year 2014, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 6. Reauthorization of South Shore Recycling Cooperative Inter-Municipal Agreement

To see if the Town will vote to extend the term of the inter-municipal agreement for regional cooperation in the provision of solid waste and recycling services for the South Shore Recycling Cooperative for an additional term through June 30, 2018 and further, to see if the Town will vote to authorize the Board of Selectmen to execute and deliver an amended inter-municipal agreement, a copy of which is on file in the Office of the Town Clerk, to effect the extension of the term and other changes set forth therein; or take any other action relative thereto.

Sponsored by: Board of Selectmen

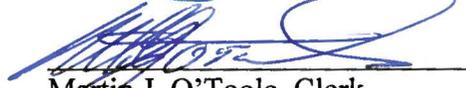
And you are further directed to serve this warrant by posting up attested copies thereof, one at each of the Post Offices in said Town and one at the Town Hall, 15 days at least before the time of holding said meeting.

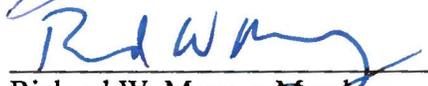
Hereof, fail not, and make due return of this warrant with your doings thereon, to the Town Clerk at the time and place of the meeting as aforesaid.

Given under our hands this 11th day of March, in the year two thousand and fourteen.


Shawn Harris, Chairman


Anthony V. Vegnani, Vice-Chairman


Martin J. O'Toole, Clerk


Richard W. Murray, Member


John F. Danehey, Member

**BOARD OF SELECTMEN
TOWN OF SCITUATE**

**TOWN OF SCITUATE
ANNUAL TOWN MEETING
APRIL 14, 2014
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 FOURTEENTH DAY OF APRIL 2014 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 \$69,707.00, or a greater or lesser sum, or take any other action relative thereto:

SELECTMEN:	Chairman & Legitimate Expenses	\$ 1,500.00
SELECTMEN:	Members & Legitimate Expenses	\$ 2,000.00
	(4 @ \$500)	
ASSESSORS:	Chairman & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2 @ \$400)	
TOWN CLERK:	Personal Services	\$64,207.00

Sponsored by: Board of Selectmen

ARTICLE 2. Reauthorization of Revolving Funds

To see if the Town will vote to reauthorize the following revolving accounts pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and in which shall be deposited receipts received that may be spent only from those sources identified below under "Source of Funds" without further appropriation during Fiscal Year 2015 and as identified below under "Use of Funds," and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under "Annual Expenditure."

Source of Funds	Use of Funds	Expended Under Direction of:	Annual Expenditure
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Senior Center Programming Fees	Senior programs and trips	Director, COA	\$ 35,000
Planning Board Application Fees	Postage, advertising and other administrative expenses	Planning Director	\$ 50,000
Food Establishment Inspection Fees	Inspection of food establishments	Director of the Board of Health	\$ 18,000
School Bus Transportation Fees	Transportation of Students	School Superintendent	\$ 300,000
Beach Sticker Fees	Beach operations maintenance & capital	Recreation Director	\$ 344,000
Flu Clinic Fees	Flu Vaccine	Town Nurse	\$ 1,000
Wind Turbine Revenues	Subsidizing of Town electricity costs	DPW Supt.	\$ 400,000
Maintenance of Private Ways	Private Way Maintenance	Highway/Grounds Superintendent	\$ 15,000
Solar Array Revenues	Subsidizing of Town electricity costs	Town Administrator	\$ 250,000

or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 3. Establishment of Revolving Fund – Scituate Harbor Community Center

To see if the Town will vote to authorize the establishment of a Scituate Harbor Community Center Revolving Fund, pursuant to Massachusetts General Laws, Chapter 44, Section 53E 1/2 , which shall be kept separate and apart from other monies by the Treasurer, and which shall be deposited revenues received that may be spent only from those sources identified below under “Source of Funds” without further appropriation during Fiscal Year 2015 and as identified below under “Use of Funds”, and shall be expended under the direction of those so indicate. Said annual amount expended from such revolving account shall not exceed the amount indicated below under FY 15 limit, or take any other action relative thereto.

Source of Funds	Use of Funds	Expended Under Direction of:	Annual Expenditure
Rental Income Community Center	Operation and maintenance of Community Center	Director of Facilities	\$ 15,000

Sponsored by: Board of Selectmen

ARTICLE 4. Establishment of Stabilization Fund - South Shore Regional School District

To see if the Town will vote to approve the establishment of a Stabilization Fund pursuant to Massachusetts General Laws Chapter 71, Section 16 G ½ for the South Shore Regional School District for the purpose of addressing District capital needs, or take any other action relative thereto.

Sponsored by Board of Selectmen

ARTICLE 5. Capital Improvement Plan

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasury, the following sums of money totaling \$3,506,026.00, or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the Fiscal Year 2015 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:

<u>Item</u>	<u>Department</u>	<u>Amount</u>
A. Integrated Financial Software	Finance	\$400,000
B. Radio Communications Replacement	Police/Fire	\$288,000
C. Roadway Improvements	DPW-Highway	\$200,000
D. Acquire Handicapped Access. Van	School	\$ 40,000
E. Foreshore Protection	DPW-Engineering	\$300,000
F. Voting machines	Town Clerk	\$ 49,500
G. GIS Permitting Software-Phase II	Information Technology	\$ 35,750
H. Zoll Monitor/Defibrillator	Fire	\$ 40,000
I. Upgrade SHS Generator	School	\$ 25,000
J. Replace #106, 1983 Dump Truck	DPW-Highway	\$135,000
K. Building Ventilation-Town Hall	Facilities	\$ 35,000
L. John Deere Loader Replacement	DPW-Public Grounds	\$ 80,000
M. MS4 Compliance	DPW-Engineering	\$ 50,000
N. 2-ton Roller	DPW-Highway	\$ 44,000
O. Relocation of Early Childhood Center	School	\$200,000
P. Playground Stairs-Jenkins School	School	\$ 33,000
Q. Command Vehicle-Deputy	Fire	\$ 40,000
R. School Technology-Phase I of three	School	\$200,000
S. Cudworth Cemetery Expansion	DPW-Public Grounds	\$ 50,000
T. Carpeting- various schools	School	\$ 65,000
U. Capital Stabilization (Future Debt)	Capital Stabilization	\$163,776
V. Replace 1981 Whaler	Waterways	\$ 60,000
W. Standpipe Repair & Maintenance	Water	\$ 75,000
X. Meter Replacement Program	Water	\$162,000
Y. Replace #31, 2002 Chevy	Water	\$ 30,000
Z. Generator at Wells	Water	\$ 50,000
AA. Acquire Refuse Truck	Transfer Station	\$ 55,000

BB.Inflow & Infiltration	Sewer	\$200,000
CC.Engineering- Sewer Phase IV	Sewer	\$400,000

*Sponsored by: Board of Selectmen
Capital Planning Committee*

ARTICLE 6. Fiscal Year 2015 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 \$62,685,455, 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, 2014, or take any other action relative thereto.

**Article 6
Fiscal Year 2015 Operating Budget**

Account	FY 2014 Appropriated	FY2015 Selectmen	FY2015 Advisory	% to Total
Board of Selectmen				
123 Town Administrator				
510 Personal Services	\$298,080	\$296,393	\$296,393	
520 Purchase of Services	\$63,811	\$57,847	\$57,847	
530 Town Counsel	\$147,000	\$136,945	\$136,945	
532 Labor Counsel	\$172,500	\$172,500	\$172,500	
540 Materials & Supplies	\$2,575	\$2,625	\$2,625	
599 Salary Adjustments	\$10,000	\$10,000	\$10,000	
	\$693,966	\$676,310	\$676,310	1.08%
131 Advisory Committee				
510 Personal Services	\$1,925	\$1,925	\$1,925	
520 Purchase of Services	\$250	\$250	\$250	
540 Materials & Supplies	\$4,700	\$5,700	\$5,700	
	\$6,875	\$7,875	\$7,875	0.01%
132 Reserve Fund				
570 Transfers	\$90,000	\$90,000	\$90,000	0.14%
Finance Director/Town				
135 Accountant				
510 Personal Services	\$172,304	\$197,352	\$197,352	
520 Purchase of Services	\$83,215	\$53,445	\$53,445	
540 Materials & Supplies	\$1,600	\$1,400	\$1,400	
	\$257,119	\$252,197	\$252,197	0.40%
141 Assessors				
510 Personal Services	\$183,416	\$190,255	\$190,255	
520 Purchase of Services	\$2,955	\$73,155	\$73,155	
540 Materials & Supplies	\$600	\$600	\$600	

		\$186,971	\$264,010	\$264,010	0.42%
145	Treasurer/Collector				
510	Personal Services	\$244,614	\$253,270	\$253,270	
520	Purchase of Services	\$38,175	\$77,985	\$77,985	
540	Materials & Supplies	\$2,300	\$2,000	\$2,000	
580	Capital Outlay	\$2,000	\$0	\$0	
		\$287,089	\$333,255	\$333,255	0.53%
149	Administration		-		
510	Personal Services	\$5,833	\$31,933	\$31,933	
520	Purchase of Services	\$90,500	\$67,500	\$67,500	
540	Materials & Supplies	\$4,000	\$3,800	\$3,800	
		\$100,333	\$103,233	\$103,233	0.16%
155	Information Technology				
510	Personal Services	\$86,561	\$90,230	\$90,230	
520	Purchase of Services	\$169,545	\$148,595	\$148,595	
540	Materials & Supplies	\$800	\$1,000	\$1,000	
510	Capital Outlay	\$11,300	\$14,000	\$14,000	
		\$268,206	\$253,825	\$253,825	0.40%
158	Tax Foreclosures				
521	Tax Foreclosures	\$39,000	\$39,000	\$39,000	0.06%
159	Cable TV				
510	Personal Services	\$89,080	\$82,583	\$82,583	
520	Purchase of Services	\$2,300	\$2,300	\$2,300	
540	Materials & Supplies	\$7,900	\$1,900	\$1,900	
580	Capital Outlay	\$9,500	\$21,600	\$21,600	
		\$108,780	\$108,383	\$108,383	0.17%
161	Town Clerk				
510	Personal Services	\$136,700	\$149,618	\$149,618	
520	Purchase of Services	\$25,650	\$39,400	\$39,400	
540	Materials & Supplies	\$3,100	\$4,300	\$4,300	
		\$165,450	\$193,318	\$193,318	0.31%
171	Conservation				
510	Personal Services	\$103,252	\$110,554	\$110,554	
520	Purchase of Services	\$12,010	\$10,900	\$10,900	
540	Materials & Supplies	\$950	\$1,075	\$1,075	
		\$116,212	\$122,529	\$122,529	0.20%
175	Planning Board				
510	Personal Services	\$114,938	\$159,583	\$159,583	
520	Purchase of Services	\$7,630	\$8,550	\$8,550	
540	Materials & Supplies	\$700	\$700	\$700	
		\$123,268	\$168,833	\$168,833	0.28%
176	Zoning Board of Appeals				
510	Personal Services	\$24,712	\$25,607	\$25,607	
520	Purchase of Services	\$1,500	\$2,850	\$2,850	
540	Materials & Supplies	\$500	\$300	\$300	

		\$26,712	\$28,757	\$28,757	0.05%
182	Board of Selectmen/Economic Development				
520	Purchase of Services	\$20,750	\$78,000	\$78,000	
570	Transfers	\$0	\$13,500	\$13,500	
		\$20,750	\$91,500	\$91,500	0.15%
192	Property/Liability Insurance				
570	Other Charges & Expenses	\$430,000	\$430,000	\$430,000	0.69%
		-			
	Total General Government	\$2,920,731	\$3,163,025	\$3,163,025	5.05%
210	Police				
510	Personal Services	\$3,140,287	\$3,320,446	\$3,320,446	
520	Purchase of Services	\$115,140	\$153,160	\$153,160	
540	Materials & Supplies	\$138,025	\$142,610	\$142,610	
580	Capital Outlay	\$120,000	\$122,000	\$122,000	
		\$3,513,452	\$3,738,216	\$3,738,216	5.96%
220	Fire				
510	Personal Services	\$3,955,966	\$4,023,016	\$4,023,016	
520	Purchase of Services	\$96,400	\$90,345	\$90,345	
540	Materials & Supplies	\$215,750	\$219,250	\$219,250	
580	Capital Outlay	\$5,000	\$0	\$0	
		\$4,273,116	\$4,332,611	\$4,332,611	6.91%
241	Inspections				
510	Personal Services	\$216,689	\$288,133	\$288,133	
520	Purchase of Services	\$9,550	\$10,150	\$10,150	
540	Materials & Supplies	\$3,120	\$3,100	\$3,100	
		\$229,359	\$301,383	\$301,383	0.48%
295	Shellfish				
510	Personal Services	\$10,500	\$10,569	\$10,569	
520	Purchase of Services	\$705	\$705	\$705	
540	Materials & Supplies	\$400	\$400	\$400	
580	Capital Outlay	\$450	\$200	\$200	
		\$12,055	\$11,874	\$11,874	0.02%
	Total Public Safety	\$8,027,982	\$8,384,084	\$8,384,084	13.38%
300	School Committee				
505	Expenses	\$31,419,352	\$32,812,582	\$32,812,582	52.35%
310	South Shore Regional School				
560	Intergovernmental	\$468,127	\$463,751	\$463,751	0.74%
	Total Schools	\$31,887,479	\$33,276,333	\$33,276,333	53.09%
400	Public Works				
510	Personal Services	\$1,365,243	\$1,448,877	\$1,448,877	

520	Purchase of Services	\$465,015	\$482,065	\$482,065	
540	Materials & Supplies	\$294,961	\$294,425	\$294,425	
580	Capital Outlay	\$474,600	\$429,500	\$429,500	
		\$2,599,819	\$2,654,867	\$2,654,867	4.24%
410	Facilities				
510	Personal Services	\$170,422	\$216,351	\$216,351	
520	Purchase of Services	\$103,200	\$123,740	\$123,740	
540	Materials & Supplies	\$6,500	\$17,050	\$17,050	
580	Capital Outlay	\$100,000	\$101,110	\$101,110	
		\$380,122	\$458,251	\$458,251	0.73%
423	Snow & Ice				
510	Personal Services	\$75,000	\$85,399	\$85,399	
520	Purchase of Services	\$202,750	\$192,000	\$192,000	
540	Materials & Supplies	\$190,250	\$218,002	\$218,002	
580	Capital Outlay	\$22,000	\$0	\$0	
		\$490,000	\$495,401	\$495,401	0.79%
424	Street Lights & Beacons				
520	Purchase of Services	\$190,000	\$190,000	\$190,000	0.30%
	Total Public Works	\$3,659,941	\$3,798,519	\$3,798,519	6.06%
510	Board of Health				
510	Personal Services	\$138,533	\$129,542	\$129,542	
520	Purchase of Services	\$6,030	\$7,530	\$7,530	
540	Materials & Supplies	\$2,100	\$1,550	\$1,550	
580	Capital Outlay	\$1,000	\$400	\$400	
		\$147,663	\$139,022	\$139,022	0.22%
541	Council on Aging				
510	Personal Services	\$228,922	\$254,178	\$254,178	
520	Purchase of Services	\$40,200	\$54,900	\$54,900	
540	Materials & Supplies	\$9,100	\$8,850	\$8,850	
		\$278,222	\$317,928	\$317,928	0.51%
543	Veterans' Benefits/Services				
510	Personal Services	\$65,690	\$69,467	\$69,467	
520	Purchase of Services	\$127,100	\$147,910	\$147,910	
540	Materials & Supplies	\$1,300	\$1,225	\$1,225	
		\$194,090	\$218,602	\$218,602	0.35%
549	Commission on Disabilities				
520	Purchase of Services	\$4,750	\$4,750	\$4,750	
540	Materials & Supplies	\$250	\$250	\$250	
		\$5,000	\$5,000	\$5,000	0.01%
	Total Human Services	\$624,975	\$676,306	\$680,552	1.09%
610	Library				

510	Personal Services	\$724,590	\$742,994	\$742,994	
520	Purchase of Services	\$91,266	\$61,135	\$61,135	
540	Materials & Supplies	\$135,600	\$121,175	\$121,175	
580	Capital Outlay	\$5,000	\$18,100	\$18,100	
		\$956,456	\$943,404	\$943,404	1.51%
630	Recreation				
510	Personal Services	\$123,571	\$127,829	\$127,829	
- 520	Purchase of Services	\$1,425	\$1,250	\$1,250	
540	Materials & Supplies	\$650	\$650	\$650	
580	Capital Outlay	\$-	\$1,050	\$1,050	
		\$125,646	\$130,779	\$130,779	0.21%
650	Beautification				
520	Purchase of Services	\$0	\$0	\$0	
540	Materials & Supplies	\$19,500	\$19,500	\$19,500	
		\$19,500	\$19,500	\$19,500	0.03%
691	Historical Buildings				
520	Purchase of Services	\$10,350	\$11,350	\$11,350	0.02%
	Total Recreation & Resources	\$1,111,952	\$1,105,033	\$1,105,033	1.76%
720	Debt & Interest				
590	Debt Service	\$2,362,632	\$2,365,652	\$2,365,652	3.77%
	Total Debt Services	\$2,362,632	\$2,365,652	\$2,365,652	3.77%
910	Non-Contributory Pensions				
512	Other Personal Services	\$62,979	\$65,319	\$65,319	0.10%
911	Plymouth County Retirement				
512	Other Personal Services	\$3,656,599	\$3,912,852	\$3,912,852	6.24%
912	Workers' Compensation				
515	Employee Benefits	\$257,000	\$257,000	\$257,000	0.41%
913	Unemployment Insurance				
515	Employee Benefits	\$64,000	\$75,000	\$75,000	0.12%
914	Contributory Group Insurance				
515	Employee Benefits	\$4,900,000	\$4,975,632	\$4,975,632	7.94%
916	Federal Taxes				
515	Employee Benefits	\$574,729	\$626,454	\$626,454	1.00%
	Total Employee Benefits	\$9,515,307	\$9,912,257	\$9,912,257	15.81%

Total General Fund

\$60,110,999	\$62,685,455	\$62,685,455
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Sponsored By: Board of Selectmen

ARTICLE 7. 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 \$922,918.00, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2014, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 8. 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 \$1,242,179.00 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, 2014, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 9. 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 \$3,311,633.00, 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, 2014, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 10. 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 \$1,186,244.00, 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, 2014, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 11. 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 \$2,658,001.00, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2014, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 12. 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 Massachusetts General Laws, Chapter 40, Section 5B, or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 13. 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 2015 Community Preservation budget and pursuant to Massachusetts General Laws, Chapter 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 2015; (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 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 2015 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds. 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.

- | | | |
|----|-----------|--|
| 1. | \$168,000 | from Community Preservation FY 2015 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act; |
| 2. | \$168,000 | from Community Preservation FY 2015 estimated revenues, to be reserved for acquisition and preservation of Historic Resources consistent with the Act; |
| 3. | \$168,000 | from Community Preservation FY 2015 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act; |
| 4. | \$ 84,000 | from Community Preservation FY 2015 estimated revenues, for Administrative Expense of the Community Preservation Committee; |
| 5. | \$784,000 | for Land for Open Space Preservation – Damon Memorial Preserve; |
| 6. | \$ 79,000 | for Historic Resources – Preservation of Bailey-Ellis House; |
| 7. | \$ 23,000 | for Historic Resources-Mossing Shed Transfer; |
| 8. | \$406,114 | for Recreational Use – Renovation of Scituate Skatepark; |
| 9. | \$375,000 | for Recreational Use – Creation of Tilden Multi-Use Trail |

or take any other action relative thereto.

Sponsored By: Community Preservation Committee

ARTICLE 14. 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 \$141,626.98, or a greater or less 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>Description</u>	<u>Amount</u>	<u>ATM Date</u>
Higgins MacAllister Property	\$141,626.98	2012, 16.5

Sponsored By: Community Preservation Committee

ARTICLE 15. Massachusetts General Laws Chapter 91 Liability

To see if the Town will vote to assume liability in the manner provided by Massachusetts General Laws, Chapter 91, Section 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 Section 11 of said Chapter 91 and to authorize the Selectmen to execute and deliver a bond on indemnity therefore to the Commonwealth; or take any other action relative thereto.

Sponsored By: Board of Selectmen

ARTICLE 16. Town Pier Rehabilitation Project

To see if the Town will vote to transfer from Retained Earnings in the Waterways Enterprise Fund the sum of \$70,231.00, or a greater or lesser sum, for the purpose of paying increased costs for rehabilitation of the Town Pier contingent upon such funds beings used as part of the Town’s share of a grant received from the Commonwealth of Massachusetts Seaport Advisory Council, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 17. Grant of Easement- Glades Road

To see if the Town will vote to grant an easement to Lighthouse View Condominium at 71-73 Glades Road and its successors for perpetual, non-exclusive rights and easement to pass and repass by vehicular traffic or otherwise with the land described, and on file with the Department of Public Works, for the purpose of accessing property through the Minot Beach Park Lot on Bailey’s Causeway, in exchange for the sum of \$7,500.00, or a greater or lesser sum, for granting such easement, or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 18. Acceptance of Public Way – Walnut Tree Hill

To see if the Town will vote to accept as a public way, Walnut Hill Drive, Garrison Drive, Woolworth Lane, Bridle Lane, and Greenbriar Way 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; and/or to raise and appropriate a sum of money and impose betterments for the improvement thereof; or take any other action relative thereto.

Sponsored by: Board of Selectmen

ARTICLE 19. Zoning Amendment – Extend and Modify Village Business Overlay District

To see if the Town will vote

- (1) *To amend the Zoning Map by including within the boundaries of the Village Business Overlay District the dark shaded area shown as “Lots Proposed to be Added” on the map entitled “Proposed Driftway Extension of Village Business Overlay District – 2/19/2014” on file with the Town Clerk in addition to other areas presently in this district, and to issue a new zoning map reflecting this amendment;*
- (2) *To add the following new definitions to Section 200, Definitions, to be listed in alphabetical order with the definitions currently in the bylaw:*

MIXED USE BUILDING

A building that contains retail or office uses and residential uses.

MIXED USE DEVELOPMENT

An existing or proposed structure or group of structures containing retail, office and/or residential uses, and including one or more mixed use buildings. A mixed use development may include buildings containing only multiple dwellings as long as there is an existing or proposed mixed use building on the same lot.

- (3) *To replace existing paragraphs 560.3, Village Business Overlay District, Uses Permissible by Special Permit and 560.4, Village Business Overlay District, Requirements for Mixed Use Buildings, with the new language below:*

560.3 USES PERMISSIBLE BY SPECIAL PERMIT

The following uses may be permitted by special permit in the Village Business Overlay District:

- A. Any use permitted by special permit in the underlying zoning district in accordance with the provisions of that district.
- B. A mixed use development provided that a special permit is obtained from the Planning Board in accordance with the provisions of Section 560 of this bylaw.

560.4 REQUIREMENTS FOR MIXED USE DEVELOPMENTS

The Planning Board may issue a special permit for a mixed use development including one or more mixed use buildings and which may also include additional buildings containing only multiple dwellings and including no other use, on the same lot in the Village Business Overlay District, subject to the following conditions:

- A. The lot or yard areas required for any new building or use shall not include any part of a lot that is required by any other building or use to comply with any requirements of this bylaw.
- B. In the opinion of the Planning Board, the project meets the Design Review Standards of Section 560.8.
- C. Fifteen percent of the total number of dwelling units must be affordable to low- and moderate-income households as defined in Section 560.7 B, Affordability Standards, Rental or Sales Price.
- D. In order to concentrate retail uses in the center of each village, so they can better be supported by pedestrian activity, on Front St., Booth Hill Rd., all of Country Way in Greenbush, Country Way south of the Bound Brook in North Scituate, the Driftway, New Driftway and Gannett Rd., more than 50% of the net floor area of the first floor of a mixed use building shall be occupied by retail uses.

All new mixed use buildings must meet the following dimensional requirements:

Minimum Lot Area Per Dwelling Unit	The number of units permitted shall be equivalent of up to 16 units per 40,000 sq. ft. <i>or</i> The equivalent of 17 to 20 units per 40,000 sq. ft. may be authorized if significant public benefits are provided ¹ <i>or</i> Due to the higher residential densities already existing in that village, the equivalent of up to 36 units per 40,000 sq. ft. may be authorized in Scituate Harbor if parking is located underground <i>and</i> significant public benefits are provided ¹
Open Space	20% of lot area ²
Frontage	An amount sufficient in the opinion of the Planning Board to provide adequate access for the proposed use, not less than 20’.

¹ See Section 560.5, Bonus Density Requirements, below.

² Open space shall not include land set aside for buildings, driveways or parking uses. This requirement may be waived by the Planning Board in the case of re-use of existing buildings for mixed use.

Where dimensional requirements are not specified, construction must meet the requirements of the underlying zoning district.

Sponsored by: Planning Board

ARTICLE 20. Zoning Article - Registered Marijuana Dispensaries

To see if the Town will vote

- (1) *In Section 200, Definitions, add the new definitions of Agricultural Use and Marijuana and change the wording “Medical Marijuana Treatment Center” in the definition of the same name to “Registered Marijuana Dispensary” to conform to the language now used by the Massachusetts Department of Public Health, as follows below:*

AGRICULTURAL USE

Agricultural use shall not include cultivation of marijuana for any purpose, with the exception of personal cultivation by qualifying patients or cultivation by personal caregivers on behalf of qualifying patients or others as provided by 105 CMR 725.000 or except as otherwise allowed under Massachusetts General Laws Chapter 40A, Section 3.

MARIJUANA

Shall include all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. The term also includes Marijuana-Infused Products except where the context clearly indicates otherwise.

REGISTERED MARIJUANA DISPENSARY

ANY registered marijuana dispensary, defined under state law as a not-for-profit entity (as defined by Massachusetts law only), that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

- (2) *Add the following new use and designation to Section 420, Table of Use Regulations, Paragraph 3., Commercial Uses:*

Use Category	R-1	R-2	R-3	RM	GB	HB	C
3. Commercial Uses							
EE. Registered marijuana dispensary	N	N	N	N	N	N	SP

- (3) *Delete the existing Section 491 Temporary Moratorium Medical Marijuana Treatment Centers in its entirety.*
- (4) *Change Section 440, Special Provisions for Commercial Uses, by substituting the following language for Paragraph 440.2, and renumbering the existing Paragraphs 440.2, 440.3 and 440.4 as Paragraphs 440.3, 440.4 and 440.5:*

440.2 REGISTERED MARIJUANA DISPENSARIES

The zoning of Registered Marijuana Dispensaries in the Town of Scituate shall be governed in accordance with this Section.

A. Purpose.

The purpose of this Section is to regulate the locations for Registered Marijuana Dispensaries which serve a legitimate need for human health, in order to minimize any potential adverse impacts on residents of the Town, including impacts on residential neighborhoods and incompatible land uses, children and vulnerable populations.

B. Applicability.

The cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited except as permitted under this Section, except for personal cultivation by registered qualifying patients or cultivation by personal caregivers on behalf of qualifying patients or others as provided by 105 CMR 725.000 found in 105 CMR 725.000: Implementation of an Act for the Humanitarian Medical Use of Marijuana, adopted May 8, 2013.

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated as a not-for-profit entity, or otherwise fails to meet the definition of a Registered Marijuana Dispensary.

In no case shall the acquisition, cultivation, possession, processing, transference, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any other use, other than personal cultivation by registered qualifying patients or cultivation by personal caregivers on behalf of qualifying patients or others as provided by 105 CMR 725.000.

C. Procedures.

1. Applications. Applicants for special permits under this Section shall include the following information with the application:

- a. All requirements for a Major Site Plan Review, as described in Section 770.5;
- b. A deed, purchase and sale agreement or lease as evidence of the applicant's right to use the site;
- c. A copy of the license from the Mass. Dept. of Public Health (MDPH) for the Registered Marijuana Dispensary, including the detailed written operating procedures submitted to MDPH and any conditions of operation specific to the proposed operation;
- d. A labeled, dimensioned floor plan by a licensed architect showing the different functions within the building in which the Registered Marijuana Dispensary will be located, and the area to be occupied by the Registered Marijuana Dispensary, with square footage;
- e. The proposed hours of operation, number of employees and number of vehicles used for regular operations;
- f. A description of the proposed system of fire protection;
- g. A detailed description of proposed security measures to ensure the safety of customers, employees and property, and to protect the premises from theft including lighting, fencing, gates and alarms, etc. as required to meet the standards of 105 CMR 125.000.
- h. Identification of any of the following facilities within five hundred (500') linear feet of the proposed location, with stated distance to any of the following as applicable:
 - i. Any school, library, park, ball field or other recreation facility typically used by children;
 - ii. Any other Registered Marijuana Dispensary or related activity including but not limited to an independent testing laboratory;
 - iii. Any drug or alcohol rehabilitation facility;
 - iv. Any correctional facility, half-way house or similar facility.

2. Distribution.

Applications for special permits for Registered Marijuana Dispensaries shall be distributed to the Superintendent of Schools and Police Chief, in addition to the departments and boards listed in Section 940, referrals.

3. Process.

The Planning Board shall be the special permit granting authority for Registered Marijuana Dispensaries. The process for application shall be governed by MGL Ch 40A, § 9 and this Section.

4. Standard of Review.

a. In reviewing a special permit application under this Section, the Planning Board shall insure the proposal meets the Standard of Review contained in Section 770.6 Site Plan Review, Standard of Review.

b. The Special Permit Granting Authority must also find all the following:

i. That the Registered Marijuana Dispensary including its site plan is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest;

ii. That the Registered Marijuana Dispensary demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations;

iii. That the applicant has satisfied all of the conditions and requirements of this Section and other applicable Sections of this Bylaw;

iv. That the site plan for the Registered Marijuana Dispensary adequately addresses issues of traffic demand, circulation flow, parking and queuing, particularly at peak periods at the facility, and its impact on neighboring uses.

c. The special permit review shall also be subject to the procedure set forth in Section 970.2 of the Zoning Bylaw, and the Planning Board may issue further conditions to the special permit, in addition to those stated herein.

5. Any Registered Marijuana Dispensary permitted under this Section shall be located only in a zoning district that is designated for its use within this Zoning Bylaw.

6. Location.

No Registered Marijuana Dispensary shall be located within five hundred (500) linear feet of the nearest point of the property line where the following activities or uses occur:

a. Any school, library, park, ball field or other recreation facility typically used by children;

b. Any other Registered Marijuana Dispensary or related activity including but not limited to an independent testing laboratory;

c. Any drug or alcohol rehabilitation facility;

d. Any correctional facility, half-way house or similar facility.

The five hundred (500) linear foot distance under this Section is measured in a straight line from the nearest point of the property line to the proposed Registered Marijuana Dispensary.

7. As a condition of its special permit, off-site signage or advertising for a Registered Marijuana Dispensary shall not be permitted.
8. As a condition of its special permit, the appearance and/or aroma of marijuana products or treatment, or of associated activities shall not be detectable from the exterior of a Registered Marijuana Dispensary.
9. As a condition of its special permit, a Registered Marijuana Dispensary shall provide the Scituate Police Department, Building Commissioner, and the Planning Board with the names, phone numbers, and e-mail addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the Registered Marijuana Dispensary.
10. A special permit granted to an applicant under this Section is non-transferable and shall have a term limited to the earlier of the duration of the applicant's ownership or control of the premises as a Registered Marijuana Dispensary.
11. In the event the Massachusetts Department of Public Health license for cultivation of marijuana, manufacture of marijuana products, or operation of a Registered Marijuana Dispensary is not renewed, is cancelled, or is otherwise terminated for any reason, the special permit shall immediately become void.
12. As a condition of its special permit, the holder shall file an annual report to the Planning Board no later than January 31st of each year, providing a copy of all current applicable state licenses for the Registered Marijuana Dispensary and its owners and demonstrate continued compliance with all conditions of the special permit.

or take any other action relative thereto.

Sponsored by the Planning Board

ARTICLE 21. Zoning Amendment -- Changes to Water Resource Protection District

To see if the Town will vote

**ZONING ARTICLE
CHANGES TO WATER RESOURCE PROTECTION DISTRICT**

- (1) *To amend the Zoning Map by replacing the boundaries of the Water Resource Protection District on the Town of Scituate Zoning Map with the new boundaries shown on the map entitled "Proposed Water Resource Protection District" by Amory Engineers, P.C. dated December 2013 and on file with the Town Clerk, and to issue a new zoning map reflecting this amendment with the following DEP disclaimer for these layers added to the map:*

These layers were compiled from MassGIS data layers for Mass DEP Water Supply Protection Areas. The map displays Approved Wellhead Protection Areas (Zone II) and Surface Water Protection Areas (Zone A), as defined in the Commonwealth of Massachusetts Drinking Water Regulations (310 CMR 22.02). The information shown on this map comes from many different sources, at different scales. Some data may not be complete, some generalization may occur, and some information may not have been field verified.

- (2) *To delete the existing definition of Toxic or Hazardous Materials and add the following new definitions to Section 200, Definitions, to be listed in alphabetical order with the definitions currently in the bylaw:*

CMR

Code of Massachusetts Regulations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The agency of the Commonwealth of Massachusetts charged with regulating water quality, allocation, and drinking water supply management. Also referred to herein as "DEP" and "the Department".

DISCHARGE

In connection with toxic or hazardous materials or hazardous waste, the accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, pouring, or placing of toxic or hazardous material or hazardous waste upon or into any land or water such that it may enter the surface or groundwaters.

HAZARDOUS MATERIAL

Any substance in any form which because of its quantity, concentration, or its chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with one or more substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment, when improperly stored, treated, transported, disposed of, used, or otherwise managed. Hazardous material includes, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as toxic or hazardous under MGL c. 21E. This term shall not include hazardous waste or oil. 3,4

HAZARDOUS WASTE

A substance or combination of substances, which because of quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed. This term shall include all substances identified as hazardous pursuant to the Hazardous Waste Regulations, 310 CMR 30.000.

IMPERVIOUS SURFACE

Any material or structure on or above the ground that prevents water from infiltrating through the underlying soil. Impervious surface is defined to include, without limitation: paved surfaces (parking lots, sidewalks, driveways), roof tops, swimming pools, patios, and paved, gravel and compacted dirt surfaced roads.

NON-SANITARY WASTEWATER

Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage including, but not limited to, activities specified in 310 CMR 15.004(6).

TREATMENT WORKS

Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage, or disposal.

UTILITY WORKS

Regulated activities providing for public services, including roads, water, sewer, electricity, gas, telephone, transportation and their associated maintenance activities. This term shall include the installation of detention and retention basins for the purpose of controlling storm water.

ZONE A

a) The land between a surface water source and the upper boundary of the bank; b) The land area within a 400 foot lateral distance from the upper boundary of a Class A surface water source, as defined in 314 CMR 4.05(3)(a) or c) The land area within a 200 foot lateral distance from the upper boundary of the bank of a tributary or associated water body.

ZONE II

The delineated recharge area to a public drinking water well as approved by MassDEP and defined under the Massachusetts Drinking Water Regulations 310 CMR 22.02, Definitions.

(3) To replace the entire existing Section 520, Water Resource Protection District, with the following language:

520.1 PURPOSE

The purpose of the Water Resource Protection District is to safeguard and protect Scituate's sources of water supply. This bylaw is intended to preserve and maintain the filtration and purification capacity of the land, the groundwater table, the purity of groundwater and surface water supplies, to conserve the natural environment, to protect the public health, safety, and welfare and to comply with state law.

520.2 FINDINGS

The Town of Scituate finds that:

- A. The Old Oaken Bucket Pond, Tack Factory Pond and The Reservoir and their watersheds and tributaries, and the groundwater underlying Scituate are the primary sources of Scituate's existing and future drinking water supply;
- B. The Old Oaken Bucket Pond is listed in the Massachusetts Department of Environmental Protection's (DEP's) water withdrawal permit as Scituate's surface water supply source. The Massachusetts Drinking Water Regulations, 310 CMR 22.00, establish a Surface Water Protection Zone, known as a Zone A, which is significant to the surface water supply source and is required to be protected;
- C. The tributaries to Old Oaken Bucket Pond are a water resource that is integrally connected with, and flows into, the reservoir, surface waters, lakes, streams and coastal estuaries. These waters also constitute significant recreational and economic resources of the town used for bathing and other water-related recreation, shellfishing and fishing;
- D. The Town's drinking water also comes from groundwater. Groundwater is the water held in the cracks and spaces in the soil. Groundwater is stored in--and moves slowly through--layers of soil, sand and rocks called aquifers. Public drinking water wells obtain water from a portion of the aquifers in Scituate.
- E. The Massachusetts Drinking Water Regulations, 310 CMR 22.00, establish Zones of Contribution or Zone II's to designate that area of an aquifer that contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated, or 180 days of pumping at approved yield, with no recharge from precipitation.
- F. Within each of these areas, many human activities can occur that have been shown to contaminate the surface water supply and groundwater used by public wells; Accidental spills and discharges of petroleum products and other toxic and hazardous materials and sewage discharge have repeatedly threatened the quality of groundwater and surface water supplies and related water resources throughout towns in Massachusetts, posing potential public health and safety hazards and threatening economic losses to the affected communities.

- G. It is of critical importance to the Town that both the surface water supply and its Zones of Contribution to public water supply wells be protected from contamination by human activities to the greatest extent possible.

520.3 WATER RESOURCE PROTECTION DISTRICT

The Water Resource Protection District includes areas significant to the Town's drinking water supply sources which require zoning protection, as shown on the map entitled "Proposed Water Resource Protection District by Amory Engineers, P.C." dated December 2013. This district contains two Subdistricts, Zone A's, consisting of areas designated by DEP as influencing the surface water supply, and Zone II's, designated by DEP as Zones of Contribution to the public drinking water supply wells.

This District and its Subdistricts shall be superimposed over any other districts established in this bylaw. The requirements enumerated hereafter for the Water Resource Protection District shall be in addition to, rather than in place of, the requirements for the underlying district. Where property is located in both the Zone A and Zone II Subdistricts, the more restrictive regulation and requirements shall apply.

520.4 BUFFER ZONE

- A. Non-Disturbance Buffer Zone: A non-disturbance buffer zone shall exist one hundred and fifty feet horizontally from the high water mark of Tack Factory Pond Reservoir and from the edge of all tributaries in the reservoir watershed. Within this buffer zone, in addition to all other restrictions of the Water Resource Protection District, the following additional activities are prohibited:
1. any activities which cause earth movement or disturbance;
 2. vegetation removal or cutting;
 3. construction or placement of any permanent structures, other than those associated with the providing of public water;
 4. any surface or sub-surface discharge, including, but not limited to, storm water runoff and domestic or industrial wastewater.

520.5 DESIGN AND OPERATIONS GUIDELINES

For all uses within the Water Resource Protection District the following design and operation guidelines shall be observed. Please note that more restrictive use and activity regulations which apply to the Zone A's and Zone II's are found in Section 520.6 below.

- A. Safeguards.
Provision shall be made to protect against toxic or hazardous materials discharge or loss resulting from corrosion, accidental damage, spillage or vandalism through measures such as: spill control provisions in the vicinity of chemical or fuel delivery points; secured storage areas for toxic or hazardous materials; and indoor storage provisions for corrodible or dissolvable materials. For operations which allow the evaporation of toxic or hazardous materials into the interiors of any structures, a closed vapor recovery system shall be provided for each such structure to prevent discharge of contaminated condensate into the groundwater.

B. Location.

Where the premises are partially outside of the Water Resource Protection District, potential pollution sources such as on-site waste disposal systems shall be located outside the District to the extent feasible.

C. Disposal.

For any toxic or hazardous wastes to be produced in quantities greater than those associated with normal household use, the applicant must demonstrate the availability and feasibility of disposal methods which are in conformance with Massachusetts General Laws Chapter 21C.

D. Drainage.

All runoff from impervious surfaces shall be recharged on the site, diverted toward areas covered with vegetation from surface infiltration to the extent possible or as otherwise directed by the Scituate Department of Public Works and Conservation Commission. Infiltration standards may be met using the following or similar best management practices:

1. For lots occupied or proposed to be occupied by single or two family residences, recharge shall be attained through site design that incorporates natural drainage patterns and vegetation, in order to maintain pre-development stormwater patterns and water quality to the greatest extent possible. Stormwater runoff from rooftops, driveways, and other impervious surfaces shall be routed through grassed water quality swales, as sheet flow over lawn areas, or to constructed stormwater wetlands, sand filters, organic filters, and/or similar systems capable of removing nitrogen from stormwater. Rooftop runoff must be designed to recharge the first 1 inch of rainfall.
2. For lots occupied or proposed to be occupied by other uses, a stormwater management plan shall be developed which provides for the artificial recharge of precipitation to groundwater through site design that incorporates natural drainage patterns and vegetation and through the use of constructed (stormwater) wetlands, wet (detention) ponds, water quality swales, sand filters, organic filters or similar site-appropriate best management practices capable of removing nitrogen and other contaminants from stormwater and by meeting the Stormwater Management Standards and technical guidance contained in the current DEP's Stormwater Management Handbook, for the type of use proposed and the soil types present on the site. Such runoff shall not be discharged directly to rivers, streams, or other surface water bodies, wetlands or vernal pools. Dry wells shall be prohibited.
3. Except when used for roof runoff from non-galvanized roofs, all such wetlands, ponds, swales or other infiltration facilities shall be preceded by oil, grease, and sediment traps or other best management practices to facilitate control of hazardous materials spills and removal of contamination and to avoid sedimentation of treatment and leaching facilities. All such artificial recharge systems shall be maintained in full working order by the owner(s) under the provisions of an operation and maintenance plan approved by the Town to ensure that systems function as designed. Infiltration systems greater than three feet

deep shall be located at least one hundred feet from drinking water wells. Infiltration basins or trenches shall be constructed with a three foot minimum separation between the bottom of the structure and maximum groundwater elevation.

E. Erosion and Sedimentation Control.

All clearing and earth moving operations shall only occur while erosion and sedimentation control measures, approved by the Town Engineer, after consultation with the conservation agent, are in place. Such control measures shall remain in place until the Town Engineer determines, after consultation with the conservation agent that the danger of erosion or sedimentation no longer exists. Hay bales shall only be used where it has been determined that the danger of soil erosion or sedimentation is minimal and in those instances where they are used as a control method, no bales shall be allowed to remain in place if they have begun to fall apart or deteriorate.

F. Dimensional Regulations.

In order to minimize erosion of existing natural slopes and reduce resulting sedimentation of natural drainage areas, the following dimensional requirements shall apply within the Water Resource Protection District. The Board of Appeals may grant a variance from any regulation or percentage set forth in this paragraph for locations outside a Zone A or Zone II, provided the applicant for such variance satisfies the criteria set forth in Massachusetts General Laws Chapter 40A, Section 10.

1. No more than fifteen (15%) of the area or two thousand five hundred (2,500) sq. ft., whichever is greater, of any lot shall be rendered impervious unless a system of storm water management and artificial recharge of precipitation is developed which is designed to:
 - a. prevent untreated discharges to wetland and surface water;
 - b. preserve hydraulic conditions that closely resemble pre-development conditions;
 - c. reduce or prevent flooding by managing peak discharges and volumes of runoff;
 - d. minimize erosion and sedimentation;
 - e. avoid significant degradation of groundwater;
 - f. reduce suspended solids and other pollutants to improve water quality and
 - g. provide increased protection of sensitive natural resources.
2. There shall be no grading, earth disturbance activity or vegetation clearing of land having a natural slope exceeding twenty-five percent (25%).

3. No finished slope shall be created that exceeds 25% with the exception of side slopes associated with new road construction.

520.6 USE AND ACTIVITY REGULATIONS

The following use and activity regulations are in addition to the standards in Section 520.4. They include use and activity regulations which apply to the Water Resource Protection District, its Subdistricts, and locations where the two Subdistricts overlap, as specified below:

Prohibited Land Uses and Activities in Water Supply Protection Areas	Water Resource Protection District	ZONE A (Surface Water)	ZONE II (Ground-water)	<i>OVER-LAPPING ZONE A's and ZONE II's</i>
<p>1. Treatment or disposal works subject to 314 CMR 3.00 or 5.00, except for:</p> <ul style="list-style-type: none"> a. the replacement or repair of an existing treatment or disposal works that will not result in a design capacity greater than the design capacity of the existing treatment or disposal works; b. treatment or disposal works for sanitary sewage if necessary to treat existing sanitary sewage discharges in non-compliance with Title 5, 310 CMR 15.00, provided the facility owner demonstrates to the Department's satisfaction that there are no feasible siting locations outside the Zone A. Any new facility shall be permitted in accordance with 314 CMR 5.00 and shall be required to disinfect the effluent. c. treatment works approved by the Department designed for the treatment of contaminated ground or surface waters and operated in compliance with 314 CMR 5.05(3) or 5.05(13); and d. discharge by public water system of waters incidental to water treatment process 		✓		✓
<p>2. Facilities that generate, treat, store or dispose of hazardous waste except:</p> <ul style="list-style-type: none"> a. very small quantity generators, as defined by 310 CMR 30.00; b. household hazardous waste collection centers or events operated pursuant to 310 CMR 30.390; c. waste oil retention facilities required by M.G.L. c. 21 s. 52A; and d. treatment works approved by the Department designed in accordance with 314 CMR 5.00 for the 	✓		✓	

treatment of contaminated ground or surface waters				
3. Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31	✓		✓	✓
4. Human or animal cemeteries or mausoleums		✓		✓
5. Automobile graveyards, junkyards, or salvage operations	✓		✓	✓
6. Landfills or open dumps	✓		✓	✓
7. Self-service laundries, unless connected to public sewerage	✓	✓	✓	✓
8. Facilities that, through their acts or processes, generate, treat, store or dispose of hazardous waste that are subject to M.G.L. c. 21C and 310 CMR 30.000, except for: very small quantity generators as defined by 310 CMR 30.000; and treatment works approved by the Department designed in accordance with 314 CMR 5.00 for the treatment of contaminated ground or surface waters		✓		✓
9. Floor drain systems in <u>existing</u> industrial and commercial process areas and hazardous material and hazardous waste storage areas, which discharge to the ground without a DEP permit or authorization. Any existing facility with such a drainage system shall be required to either seal the floor drain (in accordance with the state plumbing code, 248 CMR 2.00), connect the drain to a municipal sewer system (with all appropriate permits and pre-treatment), or connect the drain to a holding tank meeting the requirements of all appropriate regulations and policies.	✓		✓	✓
10. Storage of sodium chloride, chemically treated abrasives or other chemicals used for the removal of ice and snow on roads, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate	✓		✓	
11. Storage of road or parking lot deicing and sanding materials unless covered or contained		✓		
12. Storage of commercial fertilizers, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate	✓		✓	✓
13. Storage of fertilizers unless covered or contained		✓		
14. Storage of animal manures, unless stored in a structure designed to prevent the generation and escape of contaminated runoff and leachate	✓		✓	✓
15. Stabling, hitching, standing, feeding or grazing of livestock or other domestic animals within 150 feet of the bank of the Old Oaken Bucket Pond or a tributary		✓		✓

thereto.				
16. Storage of animal manure, unless covered or contained, and storage is a minimum of 150 feet from any waterbody		✓		✓
17. Commercial outdoor washing of vehicles and commercial car washes		✓		✓
18. Motor vehicle repair operations, including automobiles, airplanes, and watercraft		✓		✓
19. Dumping of snow from outside the district.	✓	✓	✓	✓
20. Dry cleaning establishments	✓	✓	✓	✓
21. Metal Plating, finishing, or polishing establishment		✓		✓
22. Photographic processing establishment	✓	✓	✓	✓
23. Printing establishment	✓		✓	✓
24. Electronic circuit assembly establishment	✓	✓	✓	✓
25. Chemical and bacteriological laboratories	✓	✓	✓	✓
26. Painting, wood preserving and furniture stripping establishment	✓	✓	✓	✓
27. Solid waste combustion facilities or handling facilities as defined by 310 CMR 16.00		✓		✓
28. Underground storage tanks		✓		✓
29. Sand and gravel operations		✓		✓
30. Petroleum, fuel oil and heating oil bulk stations and terminals, including, but not limited to, those listed under Standard Industrial Classification (SIC) Codes 5171 and 5983, except for liquefied petroleum (liquid propane)	✓		✓	✓
31. Storage of liquid hazardous materials or liquid petroleum products unless such storage is above ground level on an impervious surface; and in containers or above-ground tanks within a building, or outdoors in covered containers or above-ground tanks with a containment system designed and operated to hold 10% of the total possible storage capacity of all containers, or 110% of the largest container's storage capacity, whichever is greater.	✓		✓	✓

<p>32. Storage of liquid hazardous material, liquid propane, or liquid petroleum products, <i>unless</i> storage is incidental to normal household use, outdoor maintenance, or heating of a structure; use of emergency generators; or a response action conducted or performed in accordance with M.G.L.c.21E and 310 CMR 40.000 and which is exempt from a groundwater discharge permit pursuant to 314 CMR 5.05; or the replacement of existing tanks or systems for the keeping, dispensing or storing of gasoline, provided the replacement is performed in accordance with applicable state and local requirements; and storage is above ground on an impervious surface; and in containers or above-ground tanks within a building, or outdoors in covered containers or above-ground tanks with a containment system designed and operated to hold 10% of the total possible storage capacity of all containers, or 110% of the largest container's storage capacity, whichever is greater.</p>		✓		✓
<p>33. Removal of soil, loam, sand, gravel or any other mineral substances within four (4) feet of the historical high groundwater table elevation unless re-deposited within 45 days and except for the construction of building foundations or the installation of utility works.</p>	✓		✓	✓
<p>34. Rendering impervious any lot/parcel more than 15% or 2,500 square feet, whichever is greater, unless a system for artificial recharge of precipitation is provided that will not result in the degradation of groundwater quality.</p>	✓		✓	✓
<p>35. Land uses that render impervious any lot or parcel more than 15% or 2,500 square feet, whichever is greater, but no more than 20% with artificial recharge.</p>		✓		
<p>36. Land uses that render impervious any lot or parcel more than 15% or 2,500 square feet, whichever is greater, unless a system for artificial recharge, that will not degrade groundwater quality is provided. However no more than 20% of any lot or parcel shall be rendered impervious.</p>				✓

520.7 VIOLATIONS

Written notice of any violations of this section shall be provided by the Building Commissioner or his or her designee to the owner of the premises, specifying the nature of the violations and a schedule of compliance, including cleanup of any spilled materials. This compliance schedule must be reasonable in relation to the public health hazard involved and the difficulty of compliance. In no event shall more than thirty days

be allowed for either compliance or finalization of a plan for longer-term compliance. In the enforcement of this section, the Building Commissioner shall notify the Director of the DPW and Director of Public Health of any violations and seek their assistance in securing compliance. The issuance of written notice shall not preclude the Town from seeking or obtaining any or all other legal and equitable remedies to prevent or remove a violation of this Bylaw.

520.8 INTERPRETATION OF BOUNDARIES OF WATER RESOURCE PROTECTION DISTRICT, ZONE A AND ZONE II SUBDISTRICTS AND TRIBUTARY BUFFER

All plans submitted in connection with applications for building permits, special permits and other approvals under this bylaw shall include field verification of boundaries of the Water Resource Protection District, its Zone A and Zone II Subdistricts, or a tributary buffer governed by this section by a professional land surveyor. This information shall be provided in an electronic file produced by a computerized drafting system, in either Autocad Drawing format (.dwg), Data Exchange Format (.dxf) or ESRI Interchange format (.e00), registered to the Massachusetts State Plane (Mainland) Coordinates, North American Datum of 1983. Where this information is disputed by parties in standing, further field verification by the DEP may be requested. Where the DEP is able to field verify these boundaries, the decision of the DEP in these matters shall be final.

- (4) *To replace the existing language of Section 320, Location of Districts with the following language below:*

320

LOCATION OF DISTRICTS

All districts now existing except the Flood Plain and Watershed Protection District, Water Resource Protection District including its Zone A and Zone II Subdistricts, Residential Cluster District, Wireless Communication District, Village Business Overlay District and Humarock Village Residential Overlay District which are further described below, now existing or hereafter adopted shall be located and bounded as shown on a map entitled Zoning District Map, Town of Scituate, Massachusetts, by Amory Engineers P.C. and dated October 25, 2011 approved by Town Meeting on October 25, 2011 and filed in the office of the Town Clerk, which map, together with all explanatory matter thereon and all subsequent amendments adopted by Town Meeting is hereby incorporated in and made a part of this bylaw; additional or revised districts will be shown on said map as any such additions or revisions are voted at any Annual or Special Town Meeting.

All Flood Plain and Watershed Protection Districts shall be located and bounded as shown on the map described in Section 470.3. herein, which is hereby incorporated in and made a part of this bylaw.

The Planned Development District shall be located and bounded as described in Article 25 of the April 1980 Annual Town Meeting and the map dated February 8, 1980, (as amended or revised) associated with Article 25 which is hereby incorporated in and made a part of this bylaw.

The Residential Cluster District shall be located and bounded as shown on the map identified as Town of Scituate Zoning Map, Proposed Residential Cluster District, dated January 26, 1986, (as amended or revised) as approved at the April, 1986 Annual Town Meeting, which is hereby incorporated in and made a part of this bylaw.

The Water Resource Protection District and its Zone A and Zone II Subdistricts shall be located and bounded as shown on a map entitled "Proposed Water Resource Protection District" by Amory Engineers, PC dated December 2013 and on file with the Town Clerk, which is hereby incorporated in and made a part of this bylaw.

The Wireless Communication District shall be located and bounded as shown on the map entitled Proposed Wireless Communications Overlay District, dated 12/23/97, as approved at the March 2, 1998 Annual Town Meeting, which is hereby incorporated and made a part of this bylaw.

The Village Business Overlay District shall be located and bounded as shown on three maps entitled "Village Business Overlay District – Scituate Harbor", "Village Business Overlay District – North Scituate," and "Village Business Overlay District – Greenbush", all dated December 13, 2005, adopted by March 4, 2006 Annual Town Meeting.

The Humarock Village Residential Overlay District shall be located and bounded as shown on the map entitled "Humarock Village Residential Overlay District: 1/10/08 Boundary" by Larry Koff & Associates dated January 15, 2008. **(Voted ATM, March 29, 2008)**

- (5) *And to replace the paragraph titled Water Resource Protection District in Section 340, Definition of Zoning Districts, with the following language:*

WATER RESOURCE PROTECTION DISTRICT

The Water Resource Protection District, including its Zone A and Zone II Subdistricts shall be located and bounded as shown on a map entitled "Proposed Water Resource Protection District by Amory Engineers, P.C." dated December 2013 and on file with the Town Clerk, which is hereby incorporated in and made a part of this bylaw

Or take any other action relative thereto

Sponsored by the Planning Board

ARTICLE 22. Seawall Funding Citizens Article – BY PETITION

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasurer the sum of \$1,000,000.00 for the purpose of repairing, reconstructing, or maintaining existing foreshore protection structures in the Town of Scituate

ARTICLE 23. Senior Center Needs Assessment – BY PETITION

Petition for “Transfer of Funds for Senior Center Needs Assessment:”

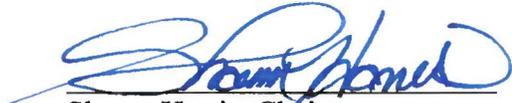
To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow, pursuant to any applicable statute, the sum of \$25,000.00 to the Town of Scituate’s FY 15 budget for the purposes of hiring a consultant to conduct a needs assessment for a new Scituate Senior Center, or take any other action related thereto.”

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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.

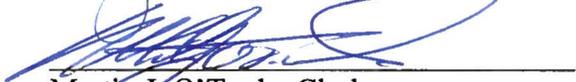
Given under our hands this 11th day of March, in the year two thousand and fourteen.



Shawn Harris, Chairman



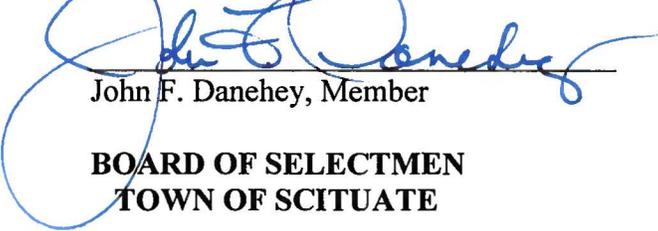
Anthony V. Vegnani, Vice-Chairman



Martin J. O'Toole, Clerk



Richard W. Murray, Member



John F. Danehey, Member

**BOARD OF SELECTMEN
TOWN OF SCITUATE**