

WARRANT

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 **\$88,487.00**, 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	\$82,987.00

Sponsored By: Select Board

MOTION ARTICLE 1. Compensation of Elected Officials (Consent Agenda)

I move that the Town establish the salaries and compensation of all elected Town officials as follows for a sum totaling **\$88,487.00**.

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	\$82,987.00

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

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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 **\$27,299,989.00** or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the Fiscal Year 2023 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:

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Sponsored By: Select Board/Capital Planning Committee

MOTION ARTICLE 3.

VOTE-MOTION ARTICLE 3. Capital Improvement Plan

I move that the Town appropriate the sum of **\$27,299,989.00** for the purpose of funding the costs of the Fiscal Year 2023 Capital Improvement Plan submitted in accordance with Section 6-6 of the Scituate Town Charter as printed in the warrant and fund such appropriation in the following manner

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	Project	Department	Amount	Funding Source
A	Beach Improvements	Foreshore Protection	\$ 100,000	Free Cash
B	Foreshore Repairs-Seawall Turner Rd/Oceanside	Foreshore Protection	\$ 4,000,000	Borrowing
C	Road & Sidewalk Improvements	DPW - Highway	\$ 300,000	Free Cash, Tax Levy, Other Articles, Premiums
D	Foreshore Protection	Foreshore Protection	\$ 200,000	Free Cash
E	Foreshore Repairs - FEMA - 3rd Cliff	Foreshore Protection	\$ 2,500,000	Borrowing
F	Foreshore Repairs - FEMA - 2nd Cliff	Foreshore Protection	\$ 715,000	Borrowing
G	Foreshore Repairs - FEMA - 1st Cliff	Foreshore Protection	\$ 635,000	Borrowing
H	Foreshore Repairs - FEMA - Minot	Foreshore Protection	\$ 717,500	Borrowing
I	Foreshore Repairs - FEMA - Glades (PW361/821/1171)	Foreshore Protection	\$ 724,147	Borrowing
J	Foreshore Repairs - FEMA - Seaside (PW379)	Foreshore Protection	\$ 121,439	Capital Stabilization
K	Foreshore Repairs -FEMA-Surfside (PW1171/383)	Foreshore Protection	\$ 163,513	Capital Stabilization
L	Foreshore Repairs-FEMA-Cole Pkwy (PW357)	Foreshore Protection	\$ 66,983	Capital Stabilization
M	Harbor Resiliency Design & Engineering	Foreshore Protection	\$ 250,000	Free Cash
N	Replace Zoll monitors (2)	Fire	\$ 50,000	Free Cash
O	Truck 1-9, Diesel Pick-up Truck	DPW - Highway	\$ 65,000	Free Cash
P	Replace ADA Ramp to Maritime Center	Facilities	\$ 108,500	Free Cash
Q	Ballistic Vests	Police	\$ 92,767	Free Cash
R	Town Wide Facilities Plan - Year Two Projects	Facilities Town Wide Plan	\$ 1,166,069	Free Cash
S	MS4 Compliance	DPW-Engineering	\$ 100,000	Free Cash
T	Replace 2001 Trash Truck	DPW - Grounds	\$ 170,000	Free Cash
U	Cemetery Maintenance Database Program	DPW - Grounds	\$ 45,000	Free Cash
V	SHS Floor Replacement	School	\$ 300,000	Free Cash
W	Truck 101 Medium Duty Truck	DPW - Highway	\$ 65,000	Free Cash
X	Replace Forklift	DPW - Highway	\$ 67,300	Free Cash
Y	High School Roof Replacement	School	\$ 1,045,000	Borrowing
Z	School Technology	School	\$ 200,000	Free Cash
AA	Network Switches	Information Technology	\$ 112,000	Free Cash
BB	Replace #2-0 1999 Ford 250 Pick-up	DPW - Grounds	\$ 65,000	Free Cash
CC	Replace HVAC at 68 Capt Peirce (DPW)	Facilities	\$ 67,000	Free Cash
DD	Replace #2-2 2013 Pick-up	DPW - Grounds	\$ 65,000	Free Cash
EE	Automated License Plate Reader & Parking Management System	Police	\$ 82,500	Free Cash
FF	Replace 2010 Command Vehicle	Fire	\$ 65,000	Free Cash
GG	Center for Performing Arts Rigging	School	\$ 26,000	Free Cash
HH	Vehicle for Facilities Director	Facilities	\$ 37,000	Free Cash
II	Inflow & Infiltration Recommended 2021 Priority Areas	Sewer	\$ 4,043,285	Borrowing
JJ	SCADA Phase 5	Sewer	\$ 286,950	Borrowing
KK	Inflow & Infiltration	Sewer	\$ 220,000	Sewer Retained Earnings
LL	Automated Aeration Valves	Sewer	\$ 85,000	Sewer Retained Earnings
MM	Replace #5-1 2005 Ranger with 4x4	Sewer	\$ 71,036	Sewer Retained Earnings, Other Articles
NN	Humarock Water Mains-Construction	Water	\$ 6,300,000	Borrowing
OO	Well #19 & 22 Upgrades	Water	\$ 325,000	Water Retained Earnings, Other Articles
PP	Well #10 & 11 Upgrades	Water	\$ 564,000	Water Retained Earnings
QQ	West End Well Investigation	Water	\$ 250,000	Water Retained Earnings
RR	Redevelopment of Public Wells	Water	\$ 125,000	Water Retained Earnings, Other Articles, Premiums
SS	10 Yr Meter replacement cycle program	Water	\$ 220,000	Water Retained Earnings
TT	Maintenance and Improvement Dredging	Waterways	\$ 250,000	Waterways Retained Earnings
UU	Pump Out Station Jericho Boat Ramp	Waterways	\$ 72,000	Waterways Retained Earnings, Other Articles, Premiums
		Grand Total	\$ 27,299,989.00	

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ARTICLE 4. Fiscal Year 2023 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 **\$89,557,298.00** 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, 2022; or take any other action relative thereto.

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			FY 2022 Appropriated	FY 2023 Select Board	FY 2023 Advisory Com	% of total
155	Information Technology					
	510	Personal Services	\$ 209,331	\$ 275,126	\$ 275,126	
	520	Purchase of Services	\$ 384,395	\$ 385,595	\$ 385,595	
	540	Materials & Supplies	\$ 500	\$ 500	\$ 500	
	580	Capital Outlay	\$ 30,000	\$ 30,000	\$ 30,000	
			\$ 624,226	\$ 691,221	\$ 691,221	0.77%
	Tax Foreclosures					
158	521	Tax Foreclosures	\$ 39,000	\$ 39,000	\$ 39,000	
			\$ 39,000	\$ 39,000	\$ 39,000	0.04%
159	Cable TV					
	510	Personal Services	\$ 112,646	\$ 113,732	\$ 113,732	
	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	
			\$ 271,146	\$ 272,232	\$ 272,232	0.30%
161	Town Clerk					
	510	Personal Services	\$ 177,128	\$ 211,681	\$ 211,681	
	520	Purchase of Services	\$ 26,815	\$ 44,122	\$ 44,122	
	540	Materials & Supplies	\$ 4,530	\$ 4,130	\$ 4,130	
			\$ 208,473	\$ 259,933	\$ 259,933	0.29%
171	Planning & Community Development					
175	510	Personal Services	\$ 836,842	\$ 877,477	\$ 877,477	
176	520	Purchase of Services	\$ 54,600	\$ 63,600	\$ 63,600	
182	540	Materials & Supplies	\$ 4,100	\$ 4,600	\$ 4,600	
241			\$ 895,542	\$ 945,677	\$ 945,677	1.06%
192	Property/Liability Insurance					
	570	Expenses	\$ 819,214	\$ 999,983	\$ 999,983	1.12%
	Total General Government		\$ 4,803,541	\$ 5,296,441	\$ 5,296,441	5.91%
210	Police					
	510	Personal Services	\$ 3,767,772	\$ 3,943,033	\$ 3,943,033	
	520	Purchase of Services	\$ 128,991	\$ 137,145	\$ 137,145	
	540	Materials & Supplies	\$ 108,220	\$ 134,020	\$ 134,020	
	580	Capital Outlay	\$ 184,820	\$ 203,820	\$ 203,820	
			\$ 4,189,803	\$ 4,418,018	\$ 4,418,018	4.93%
220	Fire					
	510	Personal Services	\$ 5,083,636	\$ 5,294,042	\$ 5,294,042	
	520	Purchase of Services	\$ 57,987	\$ 71,987	\$ 71,987	
	540	Materials & Supplies	\$ 166,991	\$ 166,991	\$ 166,991	
			\$ 5,308,614	\$ 5,533,020	\$ 5,533,020	6.18%

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			FY 2022 Appropriated	FY 2023 Select Board	FY 2023 Advisory Com	% of total
510	Board of Health					
	510	Personal Services	\$ 292,084	\$ 301,882	\$ 301,882	
	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	
			\$ 306,519	\$ 316,317	\$ 316,317	0.35%
541	Council on Aging					
	510	Personal Services	\$ 238,186	\$ 247,832	\$ 247,832	
	520	Purchase of Services	\$ 5,540	\$ 5,440	\$ 5,440	
	540	Materials & Supplies	\$ 27,500	\$ 28,000	\$ 28,000	
	580	Capital Outlay	\$ 5,200	\$ 5,200	\$ 5,200	
			\$ 276,426	\$ 286,472	\$ 286,472	0.32%
543	Veterans Agent					
	510	Personal Services	\$ 86,803	\$ 89,590	\$ 89,590	
	520	Purchase of Services	\$ 126,160	\$ 120,915	\$ 120,915	
	540	Materials & Supplies	\$ 2,150	\$ 2,150	\$ 2,150	
			\$ 215,113	\$ 212,655	\$ 212,655	0.24%
549	Commission on Disabilities					
	520	Purchase of Services	\$ 5,000	\$ 5,000	\$ 5,000	
	540	Materials & Supplies	\$ -	\$ -	\$ -	
			\$ 5,000	\$ 5,000	\$ 5,000	0.01%
	Total Health & Human Services		\$ 803,058	\$ 820,444	\$ 820,444	0.92%
610	Library					
	510	Personal Services	\$ 827,399	\$ 828,278	\$ 828,278	
	520	Purchase of Services	\$ 141,414	\$ 148,183	\$ 148,183	
	540	Materials & Supplies	\$ 136,250	\$ 139,000	\$ 139,000	
	580	Capital Outlay	\$ 2,000	\$ 5,000	\$ 5,000	
			\$ 1,107,063	\$ 1,120,461	\$ 1,120,461	1.25%
630	Recreation					
	510	Personal Services	\$ 158,717	\$ 164,521	\$ 164,521	
	520	Purchase of Services	\$ 1,420	\$ 1,710	\$ 1,710	
	540	Materials & Supplies	\$ 150	\$ 150	\$ 150	
	580	Capital Outlay	\$ -	\$ -	\$ -	
			\$ 160,287	\$ 166,381	\$ 166,381	0.19%
650	Beautification					
	540	Materials & Supplies	\$ 29,586	\$ 30,000	\$ 30,000	
			\$ 29,586	\$ 30,000	\$ 30,000	0.03%

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from the Transfer Station Enterprise Fund \$160,317.00,
from the Waterways Enterprise Fund \$208,838.00,
from Debt Premium Reserve \$1,996.00,
from the PEG Access Cable Revolving Fund \$272,232.00,
from the Wind Turbine Revolving Fund \$100,000.00,
from Solar Array Revolving Fund \$100,000.00,
from the Septic Loan Fund \$12,344.00,
from Premiums Reserved for the Senior Center \$12,991.00,
and from the Massachusetts School Building Assistance Reserve \$53,930.00,
totaling **\$89,557,298.00, to the General Fund** for the purpose of funding personal services and
expenses for Town operations as may be necessary for the Fiscal Year commencing July 1, 2022.

Advisory Committee-Jamie Gilmore

Quantum of vote: Majority

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	510	Personal Services	\$ 209,331	\$ 275,126	\$ 275,126	
	520	Purchase of Services	\$ 384,395	\$ 385,595	\$ 385,595	
	540	Materials & Supplies	\$ 500	\$ 500	\$ 500	
	580	Capital Outlay	\$ 30,000	\$ 30,000	\$ 30,000	
			\$ 624,226	\$ 691,221	\$ 691,221	0.77%
	Tax Foreclosures					
158	521	Tax Foreclosures	\$ 39,000	\$ 39,000	\$ 39,000	
			\$ 39,000	\$ 39,000	\$ 39,000	0.04%
159	Cable TV					
	510	Personal Services	\$ 112,646	\$ 113,732	\$ 113,732	
	520	Purchase of Services	\$ 6,500	\$ 6,500	\$ 6,500	
	540	Materials & Supplies	\$ 2,000	\$ 2,000	\$ 2,000	
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			\$ 271,146	\$ 272,232	\$ 272,232	0.30%
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			\$ 208,473	\$ 259,933	\$ 259,933	0.29%
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182	540	Materials & Supplies	\$ 4,100	\$ 4,600	\$ 4,600	
241			\$ 895,542	\$ 945,677	\$ 945,677	1.06%
192	Property/Liability Insurance					
	570	Expenses	\$ 819,214	\$ 999,983	\$ 999,983	1.12%
	Total General Government		\$ 4,803,541	\$ 5,296,441	\$ 5,296,441	5.91%
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	510	Personal Services	\$ 3,767,772	\$ 3,943,033	\$ 3,943,033	
	520	Purchase of Services	\$ 128,991	\$ 137,145	\$ 137,145	
	540	Materials & Supplies	\$ 108,220	\$ 134,020	\$ 134,020	
	580	Capital Outlay	\$ 184,820	\$ 203,820	\$ 203,820	
			\$ 4,189,803	\$ 4,418,018	\$ 4,418,018	4.93%
220	Fire					
	510	Personal Services	\$ 5,083,636	\$ 5,294,042	\$ 5,294,042	
	520	Purchase of Services	\$ 57,987	\$ 71,987	\$ 71,987	
	540	Materials & Supplies	\$ 166,991	\$ 166,991	\$ 166,991	
			\$ 5,308,614	\$ 5,533,020	\$ 5,533,020	6.18%

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		FY 2022 Appropriated	FY 2023 Select Board	FY 2023 Advisory	% of total
510	Board of Health				
	510 Personal Services	\$ 292,084	\$ 301,882	\$ 301,882	
	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	
		\$ 306,519	\$ 316,317	\$ 316,317	0.35%
541	Council on Aging				
	510 Personal Services	\$ 238,186	\$ 247,832	\$ 247,832	
	520 Purchase of Services	\$ 5,540	\$ 5,440	\$ 5,440	
	540 Materials & Supplies	\$ 27,500	\$ 28,000	\$ 28,000	
	580 Capital Outlay	\$ 5,200	\$ 5,200	\$ 5,200	
		\$ 276,426	\$ 286,472	\$ 286,472	0.32%
543	Veterans Agent				
	510 Personal Services	\$ 86,803	\$ 89,590	\$ 89,590	
	520 Purchase of Services	\$ 126,160	\$ 120,915	\$ 120,915	
	540 Materials & Supplies	\$ 2,150	\$ 2,150	\$ 2,150	
		\$ 215,113	\$ 212,655	\$ 212,655	0.24%
549	Commission on Disabilities				
	520 Purchase of Services	\$ 5,000	\$ 5,000	\$ 5,000	
	540 Materials & Supplies	\$ -	\$ -	\$ -	
		\$ 5,000	\$ 5,000	\$ 5,000	0.01%
	Total Health & Human Services	\$ 803,058	\$ 820,444	\$ 820,444	0.92%
610	Library				
	510 Personal Services	\$ 827,399	\$ 828,278	\$ 828,278	
	520 Purchase of Services	\$ 141,414	\$ 148,183	\$ 148,183	
	540 Materials & Supplies	\$ 136,250	\$ 139,000	\$ 139,000	
	580 Capital Outlay	\$ 2,000	\$ 5,000	\$ 5,000	
		\$ 1,107,063	\$ 1,120,461	\$ 1,120,461	1.25%
630	Recreation				
	510 Personal Services	\$ 158,717	\$ 164,521	\$ 164,521	
	520 Purchase of Services	\$ 1,420	\$ 1,710	\$ 1,710	
	540 Materials & Supplies	\$ 150	\$ 150	\$ 150	
	580 Capital Outlay	\$ -	\$ -	\$ -	
		\$ 160,287	\$ 166,381	\$ 166,381	0.19%
650	Beautification				
	540 Materials & Supplies	\$ 29,586	\$ 30,000	\$ 30,000	
		\$ 29,586	\$ 30,000	\$ 30,000	0.03%

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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 **\$1,063,001.00**, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise operations and expenses for the ensuing fiscal year commencing July 1, 2022; or take any other action relative thereto.

Personal Services	\$ 443,756
Other Expenses	\$ 619,245
Total	\$ 1,063,001

Sponsored By: Select Board

MOTION ARTICLE 5. Waterways Enterprise Fund (Consent Agenda)

I move that the Town transfer from Waterways Enterprise Receipts the sum of **\$1,063,001.00** for the purpose of funding the Waterways Enterprise operations and expenses for the ensuing fiscal year commencing July 1, 2022.

Personal Services	\$ 443,756
Other Expenses	\$ 619,245
Total	\$ 1,063,001

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

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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 **\$3,574,773.00**, 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, 2022; or take any other action relative thereto.

Personal Services	\$	619,933
Other Expenses	\$	2,954,840
Total	\$	3,574,773

Sponsored By: Select Board

MOTION ARTICLE 7. Wastewater Enterprise Fund (Consent Agenda)

I move that the Town transfer from the Wastewater Enterprise receipts the sum of **\$3,574,773.00** for the purpose of funding Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2022.

Personal Services	\$	619,933
Other Expenses	\$	2,954,840
Total	\$	3,574,773

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

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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 **\$6,198,546.00**, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2022; or take any other action relative thereto.

Personal Services	\$ 1,231,669
Other Expenses	\$ 4,966,877
Total	\$ 6,198,546

Sponsored By: Select Board

MOTION ARTICLE 9. Water Enterprise Fund (Consent Agenda)

I move that the Town transfer from Water Enterprise receipts, the sum of **\$6,198,546.00** for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2022.

Personal Services	\$ 1,231,669
Other Expenses	\$ 4,966,877
Total	\$ 6,198,546

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

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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 2023, in accordance with M.G. L., c. 44, § 53E1/2 as follows; or take any other action relative thereto.

Revolving Fund	FY23 Expenditure Limit
Senior Program Revolving	\$70,000
Senior Center Food Service	\$40,000
Planning Board Application	\$15,000
Food Establishment Inspection	\$40,000
School Transportation	\$400,000
Beach Sticker	\$500,000
Public Health Vaccinations	\$50,000
Wind Turbine	\$750,000
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	\$40,000
Scituate Harbor Community Building Rental	\$10,000
Aquaculture	\$5,000
Perc Witness Fees	\$50,000

Sponsored By: Select Board

MOTION ARTICLE 11. Revolving Fund Limits (Consent Agenda)

I move that the Town set the annual spending limits for the revolving funds authorized under General Bylaw Section 10260 for Fiscal Year 2023, in accordance with M.G. L., c. 44, § 53E1/2 as printed in the warrant.

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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 2023 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 2023; (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 2023 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. \$251,417 From Community Preservation FY 2023 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act;
2. \$251,417 From Community Preservation FY 2023 estimated revenues, to be reserved for the acquisition and preservation of Historic Resources consistent with the Act;
3. \$251,417 From Community Preservation FY 2023 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act;
4. \$62,854 From Community Preservation FY 2023 estimated revenues, for Administrative Expense of the Community Preservation Committee;
5. \$281,800 From Community Preservation FY 2023 estimated revenues and premiums reserved for payment of debt relevant to the Athletic Field Renovation Project voted as Article 12 ATM 04/2019;
6. \$1,900,000 For Historic Resources – Scituate Lighthouse restoration;
7. \$41,000 For Open Space – Land Acquisition Hollett Street – Parcel 20-4-38;
8. \$1,200 For Historic Resources – Town Archives, digitization of WPA project documents;
9. \$13,560 For Recreation Purposes – Feasibility study for restoration of High School Tennis Courts;
10. \$29,833 For Recreation Purposes – Small Dog Park;

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9. \$13,560 For Recreation Purposes – Feasibility study for restoration of High School Tennis Courts;
10. \$29,833 For Recreation Purposes – Small Dog Park;
11. \$400,000 For Open Space – Land Acquisition Mordecai Lincoln property;

*Advisory Committee-Elise Russo
CPC-Dan Fennelly*

Quantum of vote: Majority / 2/3rds for land acquisition

VOTE- Declared unanimous in favor

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NEW MOTION made by Tony Vegnani, Select Board member to advance Article 28 and discuss with Article 14.

Motion seconded.

VOTE- Declared unanimous in favor to advance Article 28.

Discussion from citizens and the Article 28 petitioner, Ellen Kasper.

WARRANT

ARTICLE 14. Wind Turbine Partial Curtailment

To see if the Town will vote to authorize the Select Board to enter into a curtailment agreement with Scituate Wind, LLC, so-called, for the cessation of operation of the wind turbine located at 161 Driftway year round from the hours of 11:00 pm – 6:00 am; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 14. Wind Turbine Partial Curtailment

Select Board-Andrew Goodrich

I move that the Town authorize the Select Board to enter into a curtailment agreement with Scituate Wind, LLC, so-called, for the cessation of operation of the wind turbine located at 161 Driftway year round from the hours of 11:00 pm – 6:00 am.

Advisory Committee-Lynda Ferguson

Quantum of vote: Majority

Discussion

Motion made by Wayne Robbins to move the question.

Motion seconded.

Voted-Declared in favor by 2/3s to move the question

Vote challenged by 7 voters.

Card count-YES-391 NO-40

Motion passes by two-thirds card count vote to move the question.

VOTE-Declared majority in favor

WARRANT

ARTICLE 15. Affordable Housing Trust - Small Grant Non Deed Restricted Program

To see if the Town will vote to create a Small Grant Non Deed Restricted Program to be administered by the Affordable Housing Trust and to fund such program appropriate the sum of **\$25,000**; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 15. Affordable Housing Trust - Small Grant Non Deed Restricted Program

Select Board-Maura Curran

I move that the Town create a Small Grant Non Deed Restricted Program to be administered by the Affordable Housing Trust and to fund such program appropriate the sum of \$25,000.

Advisory Committee-Missy Seidel

Quantum of vote: Majority

VOTE-Declared unanimous in favor

WARRANT

ARTICLE 17. Zoning Bylaw Amendment – Section 440.5 Business Districts

To see if the Town will vote to amend the Zoning Bylaws Section 440.5 Business Districts by inserting the words “and/or VCN (Village Center & Neighborhood)” as shown below; or take any other action relative thereto.

440.5 BUSINESS DISTRICTS

In a B and/or VCN (Village Center & Neighborhood) District, all uses permitted as of right or by special permit and all uses accessory thereto shall be conducted wholly within an enclosed building, except for the following:

1. Uses permitted as of right in R-1, R-2 and R-3 Districts.
2. Outdoor dining areas accessory to a restaurant, hotel *or* microbrewery on the same premises, and serving only persons seated at tables.
3. Parking lots for passenger automobiles.
4. Exterior signs, as hereinafter permitted.
5. Plants growing in the soil.

Sponsored by: Planning Board

MOTION ARTICLE 17. Zoning Bylaw Amendment – Section 440.5 Business Districts

Select Board-Tony Vegnani

I move that the Town amend the Zoning Bylaws Section 440.5 Business Districts by inserting the words “and/or VCN (Village Center & Neighborhood)” as printed in the warrant.

Advisory Committee-Dan McGuiggin

Planning Board-Ann Burbine

Quantum of vote: 2/3rds

VOTE- Declared unanimous in favor

Town of Scituate
Annual Town Meeting
April 11, 2022

MOTION ARTICLE 18. Zoning Bylaw Amendment – Section 610.1 Lot Area and Width Requirements

Select Board-Tony Vegnani

I move that the Town amend the Zoning Bylaws, Section 610.1 Lot Area and Width Requirements as indicated in the printed warrant.

Advisory Committee-Dan McGuiggin
Planning Board-Ann Burbine

Quantum of vote: 2/3rds

VOTE- Declared two-thirds in favor

change shall meet all dimensional requirements for front, side, or rear yard setbacks or maximum height; provided, that any repair, alteration, reconstruction, extension or structural change which by itself or in the aggregate with other repairs, alterations, reconstructions, extensions or structural changes would increase the gross floor area of the nonconforming single or two family home structure which existed on the date that the single or two family home structure became nonconforming by more than 20% may not be permitted by the Building Commissioner pursuant to this paragraph.

- C. In all other instances of alteration, reconstruction, extension or structural change to single or two family dwellings structures governed by this bylaw, the applicant may petition the Board of Appeals for a finding under General Laws Chapter 40A, Section 6 to allow the proposed repair, alteration, reconstruction, extension or structural change, which the Board may grant if the Board finds the proposed repair, alteration, reconstruction, extension or structural change will not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The repair, alteration, reconstruction, extension or structural change of such nonconforming structure so as to increase an existing nonconformity, or create a new nonconformity, including the extension of an exterior wall at or along the same nonconforming distance within a required yard setback, shall require the issuance of a variance from the Board of Appeals.

~~810.3 NONCONFORMING STRUCTURES OTHER THAN SINGLE AND TWO FAMILY~~

~~The Board of Appeals may allow the repair, alteration, reconstruction, extension or structural change of a nonconforming structure other than a single or two family dwelling (or structures accessory thereto) if the board makes a finding that such repair, alteration, reconstruction, extension or structural change will not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The repair, alteration, reconstruction, extension or structural change of such nonconforming structure so as to increase an existing nonconformity, or create a new nonconformity, including the extension of an exterior wall at or along the same nonconforming distance within a required yard setback, shall require the issuance of a variance from the board of appeals.~~

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CHANGE OF NONCONFORMING USE

The Board of Appeals may by a finding under General Laws Chapter 40A Section 6 authorize a nonconforming use to be changed to a specified use not substantially different in character, or not substantially more detrimental or injurious to the neighborhood than the existing nonconforming use, subject to the following limitations:

1. If the pre-existing, nonconforming use is located within the Water Resources Protection District, such use may not be changed to a use specifically prohibited by the Use Regulations of the Water Resources Protection District enumerated in Section 510.4.
2. If the pre-existing, nonconforming use is located within the Water Resources Protection District, such use may not be changed to another nonconforming use if the changed use would result in a greater average daily sewage discharge, as determined by Title V, the State Environmental Code, than average daily sewage discharge of the pre-existing use or greater storage, usage or disposal of toxic or hazardous material.

WARRANT

ARTICLE 20. Zoning Bylaw Amendment – Section 440.2 – Replace existing Section 440.2 – Registered Marijuana Dispensaries with a new Section 440.2 Medical Marijuana Treatment Centers

To see if the Town will vote to delete the definition of Registered Marijuana Dispensary in Section 200, to delete EE. Registered Marijuana Dispensary in Section 420 Table of Uses and to delete the existing Section 440.2 Registered Marijuana Dispensaries and replace with a new definition Medical Marijuana Treatment Center (MTC) in Section 200, replace with EE. Medical Marijuana Treatment Center (MTC) in Section 420 and replace with a new Section 440.2 with updated language and requirements as indicated below.

~~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.~~

MEDICAL MARIJUANA TREATMENT CENTER (MTC) (FORMERLY KNOWN AS REGISTERED MARIJUANA DISPENSARY OR RMD)

An entity licensed under 935 CMR 501.000 that acquires, cultivates, possesses, processes (including development of related products such as Edibles, MIP's, Tinctures, aerosols, oils, or ointments), repackages, transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Marijuana, related supplies, or educational materials to Registered Qualifying Patients or their Personal Caregivers for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparation of Marijuana for medical use.

USE CATEGORY		RESIDENTIAL DISTRICTS			COMMERCIAL DISTRICT	VILLAGE CENTER & NEIGHBORHOOD DISTRICTS¹									
						GREENBUSH-DRIFTWAY								NORTH SCITUATE	
		R-1	R-2	R-3	B	GVC	GWB	NDTV	NRN	DBP	NRCR	DCR	VC	OV	
3. Commercial Uses															
EE.	Registered marijuana dispensary Medical Marijuana Treatment Center (MTC)	N	N	N	N	N	N	N	N	SP	N	N	N	N	

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~~

- ~~i. Any school, library, park, ballfield 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, Standards 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; and~~
 - ~~iii. That the applicant has satisfied all of the conditions and requirements of this Section and other applicable Sections of this Bylaw/Ordinance;~~
 - ~~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 and conditions of approval set forth in Section 950.2 and 950.3 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, ballfield or other recreation facility typically used by children;~~

3. To regulate the siting, design, placement, security, safety, monitoring, modification and removal of Medical Marijuana Treatment Centers (MTC).

B. APPLICABILITY

1. The commercial cultivation (unless it meets the requirements for an agricultural exemption under M.G.L. c. 40A § 3), production, processing, assembly, packaging, retail or wholesale trade, distribution or dispensing of Marijuana for Medical use is prohibited unless granted a special permit in accordance with this bylaw.
2. Nothing in this bylaw shall be construed to supersede any state or federal laws or regulations governing the sale and distribution of narcotic drugs.

C. SEVERABILITY

1. If any provision of this section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this section, to the extent it can be given effect or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this section are severable.

D. GENERAL REQUIREMENTS AND CONDITIONS FOR ALL MEDICAL MARIJUANA TREATMENT CENTERS (MTC)

1. MTCs shall be contained within a building or structure.
2. The hours of operation shall be set by the Special Permit Granting Authority.
3. No MTC shall be located within 500 feet of the nearest point of the property line where the following activities or uses occur: a public or private school providing education in kindergarten or any grades 1 through 12, or any daycare or preschool facility licensed by the Massachusetts Department of Early Education and Care, religious educational facilities, addiction treatment or recovery center, playgrounds, libraries or ballfields, provided that such a school, daycare, preschool, religious educational facility, addiction treatment or recovery center, playgrounds, libraries or ballfields pre-exists the MTC's date of application submittal. The 500-foot distance under this section is measured in a straight line from the nearest point of the property line to the nearest point of the proposed Medical Marijuana Treatment Center.
4. No smoking, burning or consumption of any product containing THC or marijuana-related products is permissible on the premises of an MTC.
5. MTCs shall not be located inside a building containing residential units.
6. Signage shall be in accordance with Section 710 of this bylaw.

documents submitted by the applicant to the Scituate Police Chief shall be confidential. Such security measures shall include the ability for law enforcement to access the MTC's security cameras from a remote computer or device operated by the Scituate Police Department. MTCs shall maintain compliance with any Town Police Department approved security and public safety plans as the Police Department may require, which plan may include measures relating to alarms, fencing, gates, limited access areas, delivery procedures, police details, specification of video and lighting locations. A MTC shall notify the Police Department in the event of a reportable incident in accordance with 935 CMR 501.110(9).

- h. Access to Limited Access Areas within a MTC shall be in accordance with 935 CMR 501.110(4).
 - i. MTCs shall file an emergency response plan with the Town's Fire, Police and Health Departments and any updates to them in the event they are modified.
 - j. A MTC shall identify any pre-existing public or private schools providing education in grades kindergarten through 12 within 500 feet of the MTC and any daycare and preschool facility licensed by the Massachusetts Department of Early Education and Care, religious facility, addiction treatment or recovery center, playgrounds, library and ballfield that pre-exists the date of the MTC's application submittal. The Special Permit Granting Authority may reduce the buffer zone to less than 500 feet but no less than 400 feet upon a showing by the applicant that it is unreasonably impracticable to gain site control over a site that complies with the 500-foot distance stipulated in the section above.
- 2. Distribution. Applications for special permits for MTCs shall be distributed in accordance with § 940, Referrals, under these bylaws.
 - 3. Process. The Planning Board shall be the Special Permit Granting Authority for MTCs. The process for application shall be governed by MGL ch. 40A, § 9, this section, and other relevant portions of this bylaw.
 - 4. Standard of Review.
 - a. In reviewing a special permit application under this section, the Special Permit Granting Authority shall ensure the proposal meets the Standards of Review contained in § 770.6 Site Plan Review, Standards of Review.
 - b. The Special Permit Granting Authority must also find all the following:

renewed, is cancelled or is otherwise terminated for any reason, its special permit shall immediately become void. A special permit shall lapse if not exercised within one year of issuance. A MTC shall be required to remove all materials, plants, equipment, and other paraphernalia within three months of ceasing operations.

7. A special permit granted under this section shall have a term limited to the duration of the applicant's ownership of the marijuana establishment. A special permit may be transferred only by the approval of the Special Permit Granting Authority after a public hearing and supported by all updated information required herein.
8. 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 MTC and its owners and demonstrate continued compliance with all conditions of the special permit.

Sponsored By: Planning Board

MOTION ARTICLE 20. Zoning Bylaw Amendment – Section 440.2 – Replace existing Section 440.2 – Registered Marijuana Dispensaries with a new Section 440.2 Medical Marijuana Treatment Centers

Select Board-Karen Canfield

I move that the Town delete the definition of Registered Marijuana Dispensary in the Zoning Bylaws, Section 200, to delete EE. Registered Marijuana Dispensary in Section 420 Table of Uses and to delete the existing Section 440.2 Registered Marijuana Dispensaries and replace it with a new definition Medical Marijuana Treatment Center (MTC) in Section 200, replace it with EE. Medical Marijuana Treatment Center (MTC) in Section 420 and replace it with a new Section 440.2 with updated language and requirements as printed in the warrant.

Advisory Committee-Patrice Metro
Planning Board-Ann Burbine

Quantum of vote: 2/3rds

VOTE- Motion Failed

Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

MARIJUANA DELIVERY OPERATOR OR DELIVERY OPERATOR

An entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under M.G.L. c. 94G, S4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b)

MARIJUANA ESTABLISHMENT

A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana delivery courier, marijuana delivery operator, marijuana retailer, marijuana transporter or any other type of licensed marijuana-related business, except a Medical Marijuana Treatment Center (MTC).

(MARIJUANA) INDEPENDENT TESTING LABORATORY

A laboratory that is licensed or registered by the Commission and is:

- a) Currently and validly licensed under 935 CMR 500.101, or formerly and validly registered by the Commission;
- b) Accredited to ISO 174025: 2017 or the International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
- c) Independent financially from an MTC Marijuana Establishment or Licensee; and
- d) Qualified to test Marijuana and Marijuana Products, including MIP's, in compliance with M.G.L. c. 94C, §34; M.G.L c. 94G §15; 935 CMR 500.000; 935 CMR 501.0000: Medical Use of Marijuana; and Commission protocol (s).

(MARIJUANA) MICROBUSINESS

An entity that can be either a Tier 1 Marijuana Cultivator or Marijuana Product Manufacturer or both, in compliance with the operating procedures for each License and, if in receipt of a Delivery Endorsement issued by the Commission, may deliver Marijuana or Marijuana Products produced at the licensed location directly to Consumers in compliance with established regulatory requirements for retail sale as it relates to delivery. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of Marijuana per year from other Marijuana Establishments for the purpose of Marijuana Product manufacturing by the Licensee.

MARIJUANA PRODUCT MANUFACTURER

An entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

USE CATEGORY		RESIDENTIAL DISTRICTS			COMMERCIAL DISTRICT	VILLAGE CENTER & NEIGHBORHOOD DISTRICTS¹									
		R-1	R-2	R-3	B	GREENBUSH-DRIFTWAY								NORTH SCITUATE	
						GVC	GWB	NDTV	NRN	DBP	NRCR	DCR	VC	OV	
2. Agricultural, Horticultural, Floricultural Uses															
F.	Marijuana Cultivator	N	N	N	N	N	N	N	N	SP	N	N	N	N	
G.	Marijuana Product Manufacturer	N	N	N	N	N	N	N	N	SP	N	N	N	N	
3. Commercial Uses															
EE.	Medical Marijuana Treatment Center (MTC)	N	N	N	N	N	N	N	N	SP	N	N	N	N	
GG.	Marijuana Retailer	N	N	N	SP	SP	SP	SP	N	SP	N	N	SP	SP	
HH.	Marijuana Delivery Operator or Marijuana Courier	N	N	N	N	SP	SP	SP	N	SP	N	N	SP	SP	
II.	Marijuana Transporter	N	N	N	N	SP	SP	SP	N	SP	N	N	SP	SP	
JJ.	Craft Marijuana Cooperative	N	N	N	N	N	N	N	N	SP	N	N	N	N	
KK.	(Marijuana) Social Consumption Establishment	N	N	N	N	N	N	N	N	N	N	N	N	N	
LL.	(Marijuana) Microbusiness	N	N	N	N	N	N	N	N	SP	N	N	N	N	
4. Industrial Uses															
M.	(Marijuana) Independent Testing Facility	N	N	N	N	N	N	N	N	SP	N	N	N	N	
N.	Marijuana Testing Facility	N	N	N	N	N	N	N	N	SP	N	N	N	N	
O.	Marijuana Research Facility	N	N	N	N	N	N	N	N	SP	N	N	N	N	
P.	(Marijuana) Research Permit	N	N	N	N	N	N	N	N	SP	N	N	N	N	

440.3 MARIJUANA ESTABLISHMENTS (ADULT USE MARIJUANA ESTABLISHMENTS)

A. Purpose.

1. To provide for the placement of marijuana establishments in appropriate places under conditions in accordance with the provisions of M.G.L. ch. 94G and in compliance with any state regulations issued thereunder.
2. To minimize the adverse impacts of marijuana establishments on adjacent properties, residential neighborhoods, schools, and other sensitive land uses.
3. To regulate the siting, design, placement, security, safety, monitoring, modification, and discontinuance of marijuana establishments.

B. Applicability.

1. Marijuana establishments shall not be established except in compliance with the provisions of this § 440.3.
2. Nothing in this section shall be construed to supersede federal or state laws governing the sale and distribution of narcotic drugs.
3. **No Marijuana Establishment shall be sited or allowed unless and until such time as Section 492 of the Zoning Bylaw and Section 32060 of the General Bylaw are removed.**

- C. Severability. If any provision of this section or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those held invalid, shall not be affected thereby, and to this end the provisions of this section are severable.

- c. A Marijuana Product Manufacturer shall be limited to 2,500 square feet unless contained within a cultivation facility then the square footage shall be limited to the amount reasonably required to meet its scale of operations.
- d. A Marijuana Cultivator cannot be within 1,000 ft. of another Marijuana Cultivator the distance shall be measured in a straight line from the geometric center of the marijuana cultivator entrance to the geometric center of the next marijuana cultivator unless there is an Impassable Barrier within those 1,0000 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the marijuana cultivator entrance to the geometric center of the next marijuana cultivator center entrance.

E. Special permit requirements.

- 1. The Planning Board shall be the Special Permit Granting Authority for Marijuana Establishments.
- 2. A marijuana establishment shall only be allowed by special permit from the Special Permit Granting Authority in accordance with M.G.L. c. 40A, § 9, these Zoning Bylaws, including § 970, and subject to the requirements of this Section E.
- 3. No special permit shall be issued without a site plan approval by the Planning Board under § 770.
- 4. Any applicant for a special permit shall have first executed a **host community agreement** with the Town governing the responsibilities of the Town and the marijuana establishment and may include a community impact fee of up to 3% of gross sales to be paid to the Town.
- 5. The special permit shall limit marijuana establishments to one or more of the following uses:
 - i. Marijuana Courier
 - ii. Marijuana Cultivator
 - iii. Marijuana Delivery Operator
 - iv. Marijuana Product Manufacturer
 - v. Marijuana Retailer
 - vi. Marijuana Testing Facility
 - vii. Marijuana Transporter
 - viii. Craft Marijuana Cooperative
 - ix. (Marijuana) Microbusiness
 - x. (Marijuana) Independent Testing Facility
 - xi. (Marijuana) Research Permit
 - xii. Marijuana Research Facility

require that the Marijuana Establishment provide the draft or the final license application information consistent with 935 CMR 500.

3. The applicant has satisfied all the requirements set forth in this Bylaw.

- G. Transfer of special permit. A special permit granted under this section shall have a term limited to the duration of the applicant's ownership of the marijuana establishment. A special permit may be transferred only by the approval of the Special Permit Granting Authority after a public hearing and supported by all updated information required herein.
- H. Abandonment or discontinuance of use. In the event the Massachusetts Cannabis Control Commission license for a Marijuana Establishment is not renewed, is cancelled or is otherwise terminated for any reason, its special permit shall immediately become void.
- I. A special permit shall lapse if not exercised within one year of issuance.
- J. A Marijuana Establishment shall be required to remove all materials, plants, equipment, and other paraphernalia within three months of ceasing operations.

~~440.3~~— 440.4 GARAGE FOR COMMERCIAL VEHICLES

A private, fully enclosed one-story garage for housing not more than two commercial vehicles used in conjunction with the principal occupation of the occupant of the residence, provided that:

- 1. The residence and the garage shall be on one parcel of land or contiguous parcels held by the same owner, and that the common ownership shall be a continuing requirement and in the event that said ownership conditions cease, the permitted use shall terminate forthwith.
- 2. The architecture of the building shall be compatible in appearance with dwellings in the vicinity.
- 3. A plan, with architectural elevations of the building and its location on the lot, shall be submitted to the Board of Appeals.
- 4. The garage shall be suitably screened from view of the abutters and/or the public. Screening shall be by natural vegetation, landscaping, or other means approved by the Board of Appeals.
- 5. The building shall not exceed one thousand square feet in floor area.
- 6. The building shall not exceed eighteen feet in height.
- 7. The height of the doors of said garage shall not exceed eleven feet.
- 8. Said garage shall not be less than forty feet from side and rear lot lines and sixty feet from any street line.
- 9. There shall be no exterior signs, except as otherwise permitted herein.
- 10. No stock in trade shall be regularly maintained on the premises.

Town of Scituate
Annual Town Meeting
April 11, 2022

WARRANT

ARTICLE 22 – Zoning Bylaw Amendment – Section 491. Temporary Moratoria

To see if the Town will vote to delete the Temporary Moratorium on the Sale and Distribution of Recreational Marijuana as the time period for it has expired and add the existing definitions in the Section to Section 200 Definitions.

Sponsored By: Planning Board

MOTION ARTICLE 22 – Zoning Bylaw Amendment – Section 491. Temporary Moratoria

Select Board-Karen Canfield

I move that the Town delete Section 491 of the Zoning Bylaws, the Temporary Moratorium on the Sale and Distribution of Recreational Marijuana as the time period for it has expired and add the existing definitions in Section 491 to Section 200 Definitions.

Advisory Committee-Patrice Metro
Planning Board-Patricia Lambert

Quantum of vote: 2/3rds

VOTE-Motion failed

WARRANT

ARTICLE 24 – Local Option Recreational Marijuana Excise Tax

To accept M.G.L. c.64N, Section 3(a) as amended by Section 13 of Chapter 55 of the Acts of 2017, and impose a sales tax upon sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment, at the rate of 3% of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products.

Sponsored by: Planning Board

MOTION ARTICLE 24 – Local Option Recreational Marijuana Excise Tax

Select Board-Karen Canfield

I move that the Town accept M.G.L. c.64N, Section 3(a) as amended by Section 13 of Chapter 55 of the Acts of 2017, and impose a sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment, at the rate of three percent (3%) of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products.

Advisory Committee-Patrice Metro

Planning Board-Patricia Lambert

Quantum of vote: Majority

VOTE-Motion failed

Town of Scituate
Annual Town Meeting
April 11, 2022

WARRANT

ARTICLE 26. General Bylaw Amendment – New Section 30125 – Tenting, Camping and Sleeping in Public

To see if the Town will vote to amend the Town of Scituate General By-Laws, Section 30100 Miscellaneous, by adding the following new section:

Section 30125 – Tenting, Camping, Sleeping in Public.

No person shall between the hours of 8:00 P.M. and 8:00 A.M. on private property without the written permission of the landowner or on Town-owned property without the permission of the Select Board set up a tent, camp, sleep in a vehicle, or sleep in the open within the limits of the Town of Scituate. Any person violating this bylaw shall be punished by a fine of not more than two hundred (\$200.00) dollars; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 26. General Bylaw Amendment – New Section 30125 – Tenting, Camping and Sleeping in Public

Select Board-Karen Canfield

I move that the Town amend the Town of Scituate General By-Laws, Section 30100 Miscellaneous, by adding a new Section 30125 - Tenting, Camping, Sleeping in Public as printed in the warrant.

Advisory Committee-Lincoln Heineman

Quantum of vote: Majority

Discussion

Motion made by Nicolai Afanasenko to amend main motion by deleting the word shall and adding the word may in the last sentence.

Motion seconded.

Voted majority in favor to amend the main motion.

Discussion

Ann Burbine made a motion to move the question.

Seconded.

Voted a declared two thirds vote to move the question.

Town of Scituate
Annual Town Meeting
April 11, 2022

WARRANT

ARTICLE 27. Acceptance of Land Donation – Deer Common Drive

To see if the Town will vote to accept Parcel 37-02-18 located near Deer Common Drive; or take any other action relative thereto.

Sponsored By: Select Board

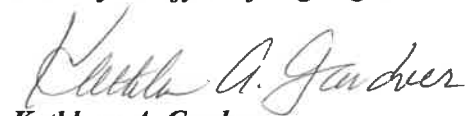
MOTION ARTICLE 27. Acceptance of Land Donation – Deer Common Drive (Consent Agenda)

I move that the Town accept the donation of land, Parcel 37-02-18, located near Deer Common Drive.

Quantum of vote: Majority

VOTE- Passed by Consent Agenda-Declared Unanimous in favor

I hereby certify the foregoing to be a True Copy Attest.



Kathleen A. Gardner
Town Clerk

