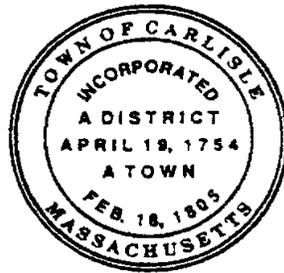


TOWN OF CARLISLE



ANNUAL TOWN MEETING MOTIONS

Annual Town Meeting
Tuesday, May 2, 2017
Corey Auditorium, 7:00 p.m.

Town Elections
Tuesday, June 13, 2017
Town Hall
Polls Open 7:00 a.m. to 8:00 p.m.

Please bring this report with you to Town Meeting

Town of Carlisle

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MOTIONS
ANNUAL TOWN MEETING – MAY 2, 2017

ARTICLE 1 – Consent Agenda: **Nathan Brown**

I move that Articles 2 through 7, be considered in one motion, and that the motions for Articles 2 through 7 be hereby adopted as printed in the Motions booklet at Town Meeting, as indicated by a double asterisk (**), and recommended by the Finance Committee.

***Board of Selectmen Recommendation:** The Selectmen have voted unanimously to support Article 1, the Consent Calendar procedure, inclusive of the main motions under Articles 2 through 8.*

***Finance Committee Recommendation:** The Finance Committee also unanimously recommends approval of Article 1, the Consent Calendar procedure, inclusive of the main motions under Articles 2 through 7.*

ARTICLE 2 - Town Reports:**

I move that the reports of the Town Officers, Boards, Committees, Commissioners and Trustees as published in the Town Report for the Year 2016 be accepted and placed in the permanent records of the Town, it being understood that such acceptance does not constitute a ratification of the contents of those reports.

ARTICLE 3 - Salaries of Elected Officials **:

I move that the salaries of the elected officers of the town be established as provided by Chapter 41, Section 108 of the General Laws, as amended, for the Fiscal Year 2018, beginning July 1, 2017, as follows:

	Voted FY'16	Voted FY'17	Recommended FY'18
Moderator	\$50	\$50	\$50
Town Clerk	\$59,543	\$60,734	\$61,949
Assessors - Chairman	\$100	\$100	\$100
Second Member	\$100	\$100	\$100

ARTICLE XVI REVOLVING FUNDS

16.1 Establishment of Revolving Funds

Pursuant to Section 53E1/2 of Chapter 44 of the General Laws, the Town of Carlisle hereby establishes the following individual revolving funds:

16.1.1 School Bus Revolving Fund.

Funds held in the School Bus Revolving Fund shall be used to provide transportation for seventh and eighth grade students and shall be expended by the School Committee. Receipts credited to this fund shall include school bus user fees collected by the School Department.

16.1.2 Board of Health Inspections Revolving Fund.

Funds held in the Board of Health Inspections Revolving Fund shall be used for expert engineering and consulting services to review septic and well installations and repairs, sanitary inspections, and other reimbursable expenses related to Board of Health inspections and shall be expended by the Board of Health. Receipts credited to this fund shall include inspection fees charged by the Board of Health.

16.1.3 Hazardous Waste Revolving Fund.

Funds held in the Hazardous Waste Revolving Fund shall be used for Transfer Station recycling expenses and household hazardous waste collection and disposal and shall be expended by the Board of Selectmen. Receipts credited to this fund shall include Transfer Station user fees and grants received for these purposes.

16.1.4 Trails Committee Revolving Fund.

Funds held in the Trails Committee Revolving Fund shall be used for the building, maintaining and enhancing recreation trails and shall be expended by the Board of Selectmen. Receipts credited to this fund shall include funds received from the sale of the book "Trails in Carlisle."

16.1.5 Foss Farm Revolving Fund.

Funds held in the Foss Farm Revolving Fund shall be used for activities conducted at, and maintenance of, Foss Farm and shall be expended by the Conservation Commission. Receipts credited to this fund shall include user fees from Foss Farm.

16.1.6 Conservation Commission Building Maintenance Revolving Fund.

Funds held in the Conservation Commission Building Maintenance Revolving Fund shall be used for maintenance and repairs associated with buildings located on land under the care, custody and control of the Conservation Commission and shall be expended by the Conservation Commission. Receipts credited to this fund shall include

user fees and building rental fees collected for the use of such buildings.

- 16.1.7 Historical Commission Revolving Fund.
Funds held in the Historical Commission Revolving Fund shall be used for expenses related to filings and other applications submitted to the Historical Commission and shall be expended by the Historical Commission. Receipts credited to this fund shall include filing fees charged by the Historical Commission.
- 16.1.8 Youth Commission Revolving Fund.
Funds held in the Youth Commission Revolving Fund shall be used to provide for events sponsored by the Youth Commission and shall be expended by the Board of Selectmen. Receipts credited to this fund shall include user fees charged for admission to such events.
- 16.1.9 Building Department Revolving Fund.
Funds held in the Building Department Revolving Fund shall be used to cover inspectional services and related administrative expenses and shall be expended by the Board of Selectmen. Receipts credited to this fund shall include user fees charged for inspectional services.
- 16.1.10 Council on Aging Events Revolving Fund.
Funds held in the Council on Aging Events Revolving Fund shall be used for activities, programs and events sponsored by the Council on Aging and shall be expended by the Council on Aging. Receipts credited to this fund shall include user fees charged by the Council on Aging.
- 16.1.11 Council on Aging Transportation Revolving Fund.
Funds held in the Council on Aging Transportation Revolving Fund shall be used to cover expenses of transportation services for Carlisle residents by the Council on Aging and shall be expended by the Council on Aging. Receipts credited to this fund shall include user fees for such transportation services.

and,

- (2) to set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2018, as follows:
 - a. School Bus Revolving Fund: \$60,000.00
 - b. Board of Health Inspections Revolving Fund: \$60,000.00
 - c. Hazardous Waste Revolving Fund: \$60,000.00
 - d. Trails Committee Revolving Fund: \$10,000.00

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- e. Foss Farm Revolving Fund: \$2,500.00
- f. Conservation Commission Building Maint. Revolving Fund: \$30,000.00
- g. Historical Commission Revolving Fund: \$3,000.00
- h. Youth Commission Revolving Fund: \$10,000.00
- i. Building Department Revolving Fund: \$125,000.00
- j. Council on Aging Events Revolving Fund: \$30,000.00
- k. Council on Aging Transportation Revolving Fund: \$15,000.00

Board of Selectmen: *The Selectmen voted unanimously 5-0 to support Article 8.*

Finance Committee Recommendation: *The Finance Committee recommends approval of Article 8.*

ARTICLE 9- Accept M.G.L. Chapter 40, § 57:

Kerry Kissinger

I move that the Town vote (1) to accept the provisions of M.G.L. Chapter 40, § 57 to enable the Town of Carlisle to deny any application for, or revoke or suspend a building permit, or any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, and (2) to amend the Town Bylaw by deleting Section 14.8 in its entirety and inserting in place thereof a new Section 14.8 as follows:

To see if the Town will vote (1) to accept the provisions of M.G.L. Chapter 40, § 57 to

14.8 Denial or Revocation of Permits

14.8.1 The Town Collector (hereinafter referred to as the "Collector") shall annually, and may periodically, furnish to each department, board or commission, (hereinafter referred to as the "licensing authority") that issues licenses or permits, including renewals and transfers, a list of any person, corporation or business enterprise (hereinafter referred to as the "party") that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

14.8.2 Denial, revocation or suspension of license or permit.

14.8.2.1 The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing authority from the Collector; provided, however, that written notice is given to the party and the Collector, as required by applicable provisions of the law, and the party is given a hearing, to be held no earlier than 14 days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party.

14.8.2.2 The Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension of said license or permit to any party.

14.8.2.3 Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension.

14.8.2.4 Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges payable to the town as of the date of issuance of said certificate.

14.8.3 Payment agreement.

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit, and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

14.8.4 Non-applicability

Sections 14.8.1 through 14.8.3, inclusive, shall not apply to the following licenses and permits:

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- A. Open burning (Section 13 of Chapter 48 of the General Laws);
- B. Sale of articles for charitable purposes (Section 33 of Chapter 101 of the General Laws);
- C. Children work permits (Section 69 of Chapter 149 of the General Laws);
- D. Clubs, associations dispensing food or beverage licenses (Section 21E of Chapter 140 of the General Laws);
- E. Dog licenses (Section 137 of Chapter 140 of the General Laws);
- F. Fishing, hunting, trapping licenses (Section 12 of Chapter 131 of the General Laws);
- G. Marriage licenses (Section 28 of Chapter 207 of the General Laws); and,

- H. Theatrical events, public exhibition permits (Section 181 of Chapter 140 of the General Laws).

Board of Selectmen: *The Selectmen voted unanimously 5-0 to support Article 9.*

Finance Committee Recommendation: *The Finance Committee recommends approval of Article 9.*

ARTICLE 10 – Fiscal Year 2017 Budget Transfers:

Scott Triola

I move that the Town vote to transfer sums of money into various line items of the Fiscal Year 2017 operating budget from other line items of said budget, from unexpended funds in various accounts or from other available funds as follows:

To:

<i>01110 Legal</i>	<i>\$20,000</i>
<i>01112 Board of Appeals</i>	<i>42,000</i>
<i>01423 Snow & Ice</i>	<i>51,000</i>
<i>01914 Group Ins/Medicare Tax</i>	<i>90,000</i>
<i>01919 Blanket Insurance</i>	<i><u>5,000</u></i>
<i>Total</i>	<i>\$208,000</i>

From:

<i>01137 Wage Study</i>	<i>\$ 6,250</i>
<i>01209 Auditorium Seat Refurb</i>	<i>10,160</i>
<i>01211 Police Roof Repair/Replace</i>	<i>11,752</i>
<i>01298 Telecommunication Design</i>	<i>60,495</i>
<i>01500 Senior Voucher System</i>	<i>5,000</i>
<i>01612 Library Septic System</i>	<i>10,660</i>
<i>01913 Unemployment Insurance</i>	<i>40,000</i>
<i>01950 Unemployment Ins. Encumbrance</i>	<i>5,000</i>
<i>Free Cash</i>	<i><u>58,683</u></i>
<i>Total</i>	<i>\$208,000</i>

Board of Selectmen: *The Selectmen voted unanimously 5-0 to support Article 10.*

Finance Committee Recommendation: *The Finance Committee recommends these FY2017 transfers.*

ARTICLE 11 – FY18 Operating Budget:

Scott Triola

I move that a total of Twenty Nine Million Two Hundred Fifty-One Thousand Seven Hundred Ninety-Five Dollars (\$29,251,795) be raised and appropriated for FY 2018, as set forth in the column entitled “FY 2017 Budget” in the chart accompanying this motion; and to meet this appropriation that Two Hundred Ten Thousand Dollars (\$210,000) be transferred from Free Cash, that Fifty-Three Thousand Dollars (\$53,000) be transferred from the Ambulance Fund, that Fourteen Thousand Nine Hundred Forty-Five Dollars (\$14,945) be transferred from the Stabilization Fund, that Thirty Six Thousand Six Hundred Seventy-Nine Dollars (\$36,679) be transferred from the Reserve for Bond Premiums account, and that the balance be raised from the FY2018 tax levy and other general revenues of the Town, as set forth in the column entitled “FY 2018 Levy Limit Budget” in the chart accompanying this motion.

TWO-THIRDS VOTE

	FY 2017 Budget	FY 2018 Levy Limit Budget
General Government	1,308,106	1,317,118
Protection of Persons & Property	2,518,092	2,612,045
Board of Health	106,292	108,537
Public Works	1,160,241	1,180,414
Public Assistance	243,298	227,879
Education	18,254,264	18,805,118
Library	618,899	619,898
Recreation	159,973	177,172
Insurance & Benefits	1,395,000	1,690,000
Unclassified	152,000	152,000
County Retirement	820,032	877,464
Long Term Debt	1,502,170	1,484,150
Total	28,238,367	29,251,795

General Government

	FY 2017	FY 2018 Levy Limit
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	Budget	Budget
General Government		
General Expense & Town Hall	786,674	795,338
Citizen Recognition	275	275
Treasurer/Collector	186,888	177,993
Town Clerk	78,510	79,967
Registrars & Elections	19,237	19,479
Assessors	137,939	142,549
Planning Board	98,583	101,517
sub-total	1,308,106	1,317,118

General Expenses & Town Hall: *The Finance Committee recommends a balanced budget appropriation of \$795,338 for this budget item.*

Citizen Recognition: *The Finance Committee recommends a balanced budget appropriation of \$275 for this budget item.*

Treasurer/Tax Collector: *The Finance Committee recommends a balanced budget appropriation of \$177,993 for this budget item.*

Town Clerk: *The Finance Committee recommends a balanced budget appropriation of \$79,967 for this budget item.*

Registrars and Elections: *The Finance Committee recommends a balanced budget appropriation of \$19,479 for this budget item.*

Assessors: *The Finance Committee recommends a balanced budget appropriation of \$142,549 for this budget item.*

Planning Board: *The Finance Committee recommends a balanced budget appropriation of \$101,517 for this budget item.*

Protection of Persons and Property

	FY 2017 Budget	FY 2018 Levy Limit Budget
Protection of Persons & Property		
Police	1,487,100	1,559,997
Fire	492,809	517,460
Communications	352,088	351,986
Conservation	111,283	120,933
Dog & Animal Control	14,998	15,274
Inspectional Services	35,814	36,395

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Street-Lighting	24,000	10,000
Sub-total	2,518,092	2,612,045

Police: *The Finance Committee recommends a balanced budget appropriation of \$1,559,997 for this budget item.*

Fire: *The Finance Committee recommends a balanced budget appropriation of \$517,460 for this budget item, with \$464,460 to be raised from taxation or other available funds of the town and \$53,000 to be transferred from the Ambulance Fund.*

Communications: *The Finance Committee recommends a balanced budget appropriation of \$351,986 for this budget item.*

Conservation: *The Finance Committee recommends a balanced budget appropriation of \$120,933 for this budget item.*

Dog & Animal Control: *The Finance Committee recommends a balanced budget appropriation of \$15,274 for this budget item.*

Inspectional Services: *The Finance Committee recommends a balanced budget appropriation of \$36,395 for this budget item.*

Street Lighting: *The Finance Committee recommends a balanced budget appropriation of \$10,000 for this budget item.*

Board of Health

	FY 2017 Budget	FY 2018 Levy Limit Budget
Board of Health	106,292	108,537

Board of Health: *The Finance Committee recommends a balanced budget appropriation of \$108,537 for this budget item.*

Public Works

	FY 2017 Budget	FY 2018 Levy Limit Budget
Public Works		
DPW (incl. trees)	741,356	761,529
Snow & Ice	65,785	65,785
Transfer Station	264,684	264,684
Road Maintenance	88,416	88,416
sub-total	1,160,241	1,180,414

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DPW: *The Finance Committee recommends a balanced budget appropriation of \$761,529 for this budget item.*

Snow & Ice: *The Finance Committee recommends a balanced budget appropriation of \$65,785 for this budget item.*

Transfer Station: *The Finance Committee recommends a balanced budget appropriation of \$264,684 for this budget item.*

Road Maintenance: *The Finance Committee recommends a balanced budget appropriation of \$88,416 for this budget item.*

Public Assistance

	FY 2017 Budget	FY 2018 Levy Limit Budget
Public Assistance		
Youth Commission	3,651	3,709
Council on Aging	203,047	212,570
Senior Tax Voucher Program	25,000	
Veteran's Agent and Benefits	11,600	11,600
sub-total	243,298	227,879

Youth Commission: *The Finance Committee recommends a balanced budget appropriation of \$3,709 for this budget item.*

Council on Aging: *The Finance Committee recommends a balanced budget appropriation of \$212,570 for this budget item.*

Senior Tax Voucher Program: *The Finance Committee recommends that the Senior Tax Voucher Program be funded from the Board of Assessors' Allowance for Abatements and Exemptions account.*

Veteran's Agent: *The Finance Committee recommends a balanced budget appropriation of \$11,600 for this budget item.*

Education

	FY 2017 Budget	FY 2018 Levy Limit Budget
Education		

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Carlisle Public Schools	10,629,420	10,946,247
CCRS	6,107,238	6,463,043
CCRS debt service	1,344,047	1,320,380
Vocational schools, including debt service	173,559	75,448
sub-total	18,254,264	18,805,118

Carlisle Public Schools: The Finance Committee recommends a balanced budget appropriation of \$10,946,247 for this budget item.

Concord Carlisle Regional High School (CCRS): The Finance Committee recommends a balanced budget appropriation of \$6,463,043 for this budget item.

Concord Carlisle Regional High School (CCRS) Debt Service: The Finance Committee recommends a balanced budget appropriation of \$1,320,380 for this budget item, with \$1,185,380 to be raised from taxation or other available funds of the town and \$135,000 to be transferred from Free Cash.

Vocational Schools: The Finance Committee recommends a balanced budget appropriation of \$75,448 for this budget item.

Library

	FY 2017	FY 2018
	Budget	Levy Limit
Library	618,899	619,898

Library: The Finance Committee recommends a balanced budget appropriation of \$619,898 for this budget item.

Recreation

	FY 2017	FY 2018
	Budget	Levy Limit
Recreation	159,973	177,172

Recreation: *The Finance Committee recommends a balanced budget appropriation of \$177,172 for this budget item.*

Insurance & Benefits

	FY 2017 Budget	FY 2018 Levy Limit Budget
Insurance & Benefits		
Blanket Insurance	220,000	220,000
Group Insurance	900,000	1,120,000
Contribution to OPEB Trust	225,000	300,000
Unemployment Insurance	50,000	50,000
sub-total	1,395,000	1,690,000

Blanket Insurance: *The Finance Committee recommends a balanced budget appropriation of \$220,000 for this budget item.*

Group Insurance: *The Finance Committee recommends a balanced budget appropriation of \$1,120,000 for this budget item.*

Contribution to OPEB Trust: *The Finance Committee recommends a balanced budget appropriation of \$300,000 for this budget item with \$225,000 to be raised from taxation or other available funds of the town and \$75,000 to be transferred from Free Cash.*

Unemployment Insurance: *The Finance Committee recommends a balanced budget appropriation of \$50,000.*

Unclassified

	FY 2017 Budget	FY 2018 Levy Limit Budget
Unclassified		
Interest, fees, & costs	1,000	1,000
Public Celebrations	1,000	1,000
Reserve Fund Balance	150,000	150,000
sub-total	152,000	152,000

Interest, Fees, & Costs: *The Finance Committee recommends a balanced budget appropriation of \$1,000 for this budget item.*

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Public Celebrations: *The Finance Committee recommends a balanced budget appropriation of \$1,000 for this budget item.*

Reserve Fund: *The Finance Committee recommends a balanced budget appropriation of \$150,000 for this budget item.*

County Retirement

	<u>FY 2017</u>	<u>FY 2018</u>
	<u>Budget</u>	<u>Levy Limit</u>
	<u>Budget</u>	<u>Budget</u>
County Retirement	820,032	877,464

County Retirement: *The Finance Committee recommends a balanced budget appropriation of \$877,464 for this budget item.*

Long Term Debt Service

	<u>FY 2017</u>	<u>FY 2018</u>
	<u>Budget</u>	<u>Levy Limit</u>
	<u>Budget</u>	<u>Budget</u>
Long Term Debt	1,502,170	1,484,150

Long Term Debt: *The Finance Committee recommends a balanced budget appropriation of \$1,484,150 for this budget item with \$1,432,526 to be raised from taxation or other available funds of the town, \$14,945 to be transferred from the Stabilization fund, and \$36,679 to be transferred from the Reserve for Bond Premiums account.*

Board of Selectmen: *The Selectmen voted unanimously 5-0 to support Article 11.*

ARTICLE 12 – CAPITAL EQUIPMENT:

Josh Kablotsky

I move that Three Hundred Seventy Five Thousand Eighty-Five Dollars (\$375,085) be raised and appropriated for FY 2017, and to meet this appropriation that One Hundred Thousand Dollars (\$100,000) be transferred from Free Cash, and that the balance of Two Hundred Seventy Five Thousand Eighty-Five Dollars (\$275,085) be raised from the FY2018 tax levy and other general revenues of the Town, to be spent by the Board of Selectmen, except for the items for the Carlisle Public Schools which sums are to be spent by the Carlisle School Committee, for the following capital purposes, and further, that after June 30, 2020, any residual unexpended portion of any listed appropriation shall be returned to the General Fund:

Long Term Capital Requirements

FY'18

Department	Project/Program	Amount	Appropriation Expires
Fire	Replace hydraulic generator – ladder truck	\$25,000	June 30, 2020
Fire	Defibrillator replacements	\$15,000	June 30, 2020
Fire	Miscellaneous building projects	\$5,000	June 30, 2020
Library	Technology upgrades	\$4,000	June 30, 2020
Library	Carpet replacement	\$80,000	June 30, 2020
Library	Emergency lighting	\$2,300	June 30, 2020
Library	Miscellaneous maintenance projects	\$5,000	June 30, 2020
Town Hall	Major repair/replacement account	\$5,000	June 30, 2020
Town Hall	Technology upgrades	\$3,000	June 30, 2020
Carlisle School	Annual maintenance projects	\$25,000	June 30, 2020
Carlisle School	Tractor replacement	\$25,985	June 30, 2020
Carlisle School	Technology replacement	\$80,000	June 30, 2020
Police	Technology replacements	\$6,000	June 30, 2020
Police	Lease/purchase cruiser replacements	\$73,800	June 30, 2020
DPW	Snow Plow equipment for new truck	\$20,000	June 30, 2020
	TOTAL	\$375,085	

Long Term Capital Requirements: *The Finance Committee and the Long Term Capital Requirements Committee recommend a balanced budget appropriation of \$375,085 for these budget items with \$275,085 to be raised from taxation or other available funds of the town, and \$100,000 to be transferred from Free Cash.*

Board of Selectmen: *The Selectmen voted unanimously 5-0 to support Article 12.*

ARTICLE 13 – Special Appropriations:

04/26/2017

I move that the Town vote to raise and appropriate the sum of \$27,000 to be expended by the Board of Selectmen for the purposes of conducting studies, providing services and facilitating projects for the following departments:

<u>Department</u>	<u>Amount</u>	<u>Purpose</u>
Council on Aging	\$6,500	Social Worker
Assessors	\$5,000	Assessors' Maps updates
Treasurer/Accountant	\$3,500	Financial Consulting
Selectmen Library)	\$12,000	Facility Condition Study (CPS,

***Board of Selectmen:** The Selectmen voted unanimously 5-0 to support Article 13.*

***Finance Committee Recommendation:** The Finance Committee recommends approval of Article 13.*

ARTICLE 14 – Center Park Maintenance:

Kerry Kissinger

I move that the Town vote to raise and appropriate the sum of \$6,000 for the purpose of funding landscaping and maintenance at Center Park.

***Board of Selectmen:** The Selectmen voted 3-2 to not support Article 14.*

***Finance Committee Recommendation:** The Finance Committee does not recommend approval of Article 14.*

ARTICLE 15 – Transfer of Land – 338 Bedford Road

Luke Ascolillo

I move that the Town will vote as follows:

To transfer the care, custody, control and management of the of the property at 338 Bedford Road, Carlisle, MA, shown as “Unleased Area” of Lot A on a plan entitled “Plan of Land in Carlisle, Massachusetts (Middlesex County) For: Carlisle Housing Authority” dated November 2, 2015, prepared by Stamski and McNary, Inc., said plan recorded with the Middlesex North District Registry of Deeds in Plan Book 240, Plan 87, containing 3.6775 acres, more or less, from the Carlisle Affordable Housing Trust for affordable housing trust purposes to the Board of Selectmen for the following purposes:

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- a. active and passive recreational uses including, without limitation, one or more ballfields and one or more tennis courts, basketball courts, trails, fences, game viewing stands, scoreboards, recreational buildings and structures including without limitation a senior center and/or a community center containing recreational facilities, accessory parking, underground fire cisterns, and the like;
- b. access and egress to and from Bedford Road, a public way, for either or both of the Premises and abutting land now owned by the Town of Carlisle, commonly known as the Banta Davis Land, containing 38 acres, more or less, including without limitations, any multi-family housing;
- c. public and private utilities and service for either or both of the Premises and/or said abutting Banta Davis Land and any building and/or structures which may now or hereafter be located on said Banta Davis Land, including without limitation any multi-family housing, as well as the recreational buildings and/or uses described in (a) above.

TWO-THIRDS VOTE

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 15.

ARTICLE 16 – Community/Senior Center Feasibility Study: Luke Ascolillo

I move that the Town vote to raise and appropriate the sum of \$20,000 to be expended by the Board of Selectmen for the purpose of funding a feasibility study for a Community/Senior Center where programs and services can be better provided to Carlisle seniors and multiple generations of Carlisle residents. This study will generate a schematic design for a building to be located on the former Goff property at 338 Bedford Road and produce an estimate of construction and operating costs.

Board of Selectmen: The Selectmen voted unanimously 5-0 to not support Article 16.

Finance Committee Recommendation: The Finance Committee does not recommend approval of Article 16.

ARTICLE 17 – Cranberry Bog Maintenance:

Luke Ascolillo

04/26/2017

I move that the Town vote to raise and appropriate the sum of \$10,000 to be expended by the Board of Selectmen for the purpose of funding property maintenance at the Cranberry Bog property.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 17.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 17.

ARTICLE 18 – CCRSD LANDFILL REMEDIATION \$1,200,000: Bill Fink

I move that the Town vote to approve \$1,200,000 of debt authorized by the Concord-Carlisle Regional School Committee for landfill remediation; provided, however, that this approval shall be contingent upon passage of a Proposition 2 1/2, debt exclusion referendum under General Laws Chapter 59, §21C (k) to exempt the Town's allocable share of the amounts required for the payment of interest and principal on said borrowing.

TWO-THIRDS VOTE

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 18.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 18.

ARTICLE 19 – PUBLIC SAFETY COMMUNICATIONS SYSTEM

APPROPRIATION: Bill Risso

I move that the Town vote to borrow pursuant to any applicable statute the sum of \$2,961,100 (Two Million Nine Hundred Sixty-One Thousand One Hundred Dollars) to be expended by the Board of Selectmen for the purpose of procuring, purchasing and installing a public safety communications system and communications-related equipment; where such installation shall occur on a telecommunications tower, such installation shall occur on either an existing tower, or if new telecommunications towers are to be constructed within Carlisle, those towers shall be located at the following town-owned properties: Parcel 14-23-0 (304 Bedford Road - Banta-Davis property) and Parcel 32-11-0 (Lowell Street at Proctor Road), Parcel 22-31-0 (41 Lowell Street – Police Station), and Parcel 21-1-0 (80 Westford Street – Fire Station), including the payment of costs incidental or related thereto; and to authorize the Selectmen to enter into a contract or contracts for said purpose(s); provided, however, that this approval shall be contingent upon passage of a Proposition 2 ½ debt exclusion referendum under General Laws Chapter 59, §21C(k); on said borrowing. Any premium received upon the sale of any bonds or notes approved by this vote, or any prior vote of the town, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be

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applied to the payment of costs approved by this vote, or any other vote of the town, in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

TWO-THIRDS VOTE

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 19.

Finance Committee Recommendation: The Finance Committee will make their recommendation for Article 19 at the Town Meeting.

ARTICLE 20 – REDUCE COMMUNITY PRESERVATION ACT SURCHARGE:

Michael Bishop

I move that the Town vote in accordance with Section 16(a) of Chapter 44B of the Massachusetts General Laws to reduce the surcharge of the Community Preservation Act, Sections 3 to 7 of Chapter 44B of Massachusetts General Laws, from 2.0% to 1.0% and further to place such reduction if approved by the Town Meeting on the ballot for acceptance by the voters of the Town of Carlisle at the next qualifying Town or State election.

Board of Selectmen: The Selectmen voted 3-2 to support Article 19.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 20.

ARTICLE 21 – FY18 PEG Local Access appropriation: Nathan Brown

I move that the Town vote to appropriate the sum of \$143,000.00 from the PEG Local Access Receipts reserved for appropriation special revenue account for the purpose of providing local cable access services, equipment and programming for the Town of Carlisle.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 21.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 21.

ARTICLE 22 – Approve/Fund Collective Bargaining Agreements:

NO MOTION

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ARTICLE 23– BOARD OF HEALTH - WATER RESOURCE PROTECTION FUND: Lee Storrs/Bill Risso

I move that the Town vote to raise and appropriate ~~or transfer from available funds~~ the sum of \$7,500.00 for the purpose of establishing a Water Resource Protection Fund to conduct water testing and other water supply related activities.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 23.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 23.

ARTICLE 24 – CAPITAL FUNDING - TECHNOLOGY: Bill Risso

I move that the Town vote to raise and appropriate, ~~transfer from available funds~~, or borrow pursuant to any applicable statute the sum of \$25,000 for the purpose of funding for technology capital projects.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 24.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 24.

ARTICLE 25– ESTABLISH OPEB TRUST (MGL CH. 32B, S.20): Scott Triola

I move that the Town vote to accept the provisions of Section 20 of Chapter 32B of the Massachusetts General Laws, as amended by Section 15 of Chapter 218 of the Acts of 2016, establishing an Other Post-Employment Benefits Liability Trust Fund; to authorize the Board of Selectmen and Treasurer to execute a declaration of trust creating an expendable trust for the purpose of holding monies appropriated to such fund; to designate the Treasurer as the trustee of such trust; to authorize the transfer of any and all monies currently held for the purpose of paying retiree health and life benefits to such trust; and to authorize the trustee to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 25.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 25.

ARTICLE 26 – GENERAL BYLAW AMENDMENT – SECTION 3.3, TREASURER: Nathan Brown

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I move that the Town vote to amend the General Bylaws of the Town by deleting Section 3.3.1 in its entirety and replacing it with new Section 3.3.1 to read as follows:

“3.3 Treasurer

3.3.1 The Treasurer shall receive and take charge of all money belonging to the town and shall pay out all accounts for the town upon receipt of a warrant approved by the Selectmen consistent with G.L. Ch. 41, Section 56.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 26.

Finance Committee Recommendation: The Finance Committee recommends approval of Article 26.

ARTICLE 27 – CPA Annual Recommendations:

Ed Rolfe

I move that the Community Preservation Committee recommendations for transfers and expenditures for Fiscal Years 2017 and 2018 be approved as follows:

Motion 1 That the following amounts be appropriated from the Fiscal Year 2018 Community Preservation Fund estimated revenues to the Community Preservation Fund accounts as follows:

- a. Fifty-Four Thousand Five Hundred Dollars (\$54,500) to be appropriated to the Open Space Reserve Fund.
- b. Fifty-Four Thousand Five Hundred Dollars (\$54,500) to be appropriated to the Community Housing Reserve Fund.
- c. Fifty-Four Thousand Five Hundred Dollars (\$54,500) to be appropriated to the Historic Reserve Fund.
- d. Five Thousand Dollars (\$5,000) to be appropriated for Administrative Expenses.
- e. Three Hundred Seventy-Six Thousand Five Hundred Dollars (\$376,500) to be appropriated to the fiscal year 2018 Community Preservation Budget Reserve account.

Motion 2:

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That Fifteen Thousand Dollars (\$15,000) be appropriated from the Historic Reserve Fund (FY '17) to the Carlisle Office of the Town Clerk for restoration and preservation of certain Town of Carlisle records and documents deemed historically significant by the Historical Commission. Any appropriation not expended by June 30, 2019 shall be returned to the Historic Reserve Fund.

Motion 3:

That Eighteen Thousand Dollars (\$18,000) be appropriated from the Historic Reserve Fund (FY '17) to the Carlisle Office of the Town Clerk to procure an archival records management and retention system for historical documents within the Town vault and to organize, index and properly store in suitable boxes and shelving all historic documents in the vault. Any appropriation not expended by June 30, 2019 shall be returned to the Historic Reserve Fund.

Motion 4

That Ten Thousand Dollars (\$10,000) be appropriated from the Historic Reserve Fund (FY '17) to the Carlisle Historical Society for installing track lighting fixtures with LED lamps to illuminate displays of historic artifacts, replacing the existing lighting which emits ultraviolet radiation that is damaging to susceptible artifacts. Any appropriation not expended by June 30, 2019 shall be returned to the Historic Reserve Fund.

Motion 5:

That Fifty Thousand Dollars (\$50,000) be appropriated from the Open Space Reserve Fund (FY '18) to the Carlisle Recreation Commission for rehabilitation of the Banta Davis little league diamond by: scraping and removing the surface of the infield and adjacent lip areas; installing an undersurface layer to allow good field drainage; measuring, aligning, and constructing new base paths and pitching mound; installing new turf within the infield and adjacent lip areas; and removing bad turf and various areas in the outfield and adjacent field areas as needed. Any appropriation not expended by June 30, 2019 shall be returned to the Open Space Reserve Fund.

Motion 6:

That Five Thousand Dollars (\$5,000) be appropriated from the Historic Reserve Fund (FY '17) to the Trustees of the Gleason Public Library for preserving the Gleason Public Library Carlisle Mosquito Collection (1988-to date). Any appropriation not expended by June 30, 2020 shall be returned to the Historic Reserve Fund.

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Board of Selectmen: The Selectmen voted unanimously 5-0 to support Motion 1.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Motion 2.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Motion 3.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Motion 4.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Motion 5.

*Board of Selectmen: The Selectmen voted 4-1 to **not** support Motion 6.*

ARTICLE 28 – ACCEPTANCE OF HANOVER AND JOHNSON ROADS: Luke Ascolillo

I move that the Town vote to lay out Hanover Road and Johnson Road as shown on the plan entitled “Hanover Hill in Carlisle, Massachusetts As-built Plan and Profile, For: Wilkins Hill Realty, LLC Scale: 1” = 40’ August 24, 2007” prepared by Stamski and McNary, last revised February 4, 2016, which plan is recorded with Middlesex North District Registry of Deeds at Book of Plans 227 as Plan 36, and filed with the Town Clerk, or any portion thereof, as a Town way; and further to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain the fee or lesser title interests in said way, and further to see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, a sum of money for such purpose.

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 28.

ARTICLE 29 – HOME RULE PETITION- APPOINTED TOWN CLERK: Luke Ascolillo

I move that the Town vote to authorize the Board of Selectmen to petition the General Court to enact legislation substantially as provided below; provided that the General Court may make clerical or editorial changes in form only to the bill, unless the Board of Selectmen approves amendments to the bill that shall be within the scope of the general public objectives of this petition prior to enactment by the General Court.

SECTION 1. Notwithstanding the provisions of Chapter 41 of the General Laws or any other general law, special law or bylaw to the contrary, the Office of Town Clerk in the Town of Carlisle shall be appointed by the Board of Selectmen. The Town Clerk shall be governed by the Town of Carlisle Personnel Bylaw and shall have all the powers, perform all the duties and be subject to the liabilities and penalties conferred and imposed

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by the law on town clerks.

SECTION 2. Notwithstanding Section 1, the position of elected Town Clerk shall be abolished upon the expiration of the term of the current elected incumbent, and provided further that such incumbent shall also then become the first appointed Town Clerk, unless sooner resignation or retirement.

SECTION 3. This Act shall take effect upon its passage. (*BOARD OF SELECTMEN*)

Board of Selectmen: The Selectmen voted unanimously 3-2 to support Article 29.

ARTICLE 30 – ZONING AMENDMENT – SOLAR FACILITY OVERLAY DISTRICT: Claude von Roesgen

I move that the Town vote to amend the Zoning Bylaws of the Town of Carlisle as follows:

1. By deleting existing Section 5.8 Solar Photovoltaic Overlay District in its entirety and inserting in its place new Section 5.8 Solar Photovoltaic Facilities, to read as follows:

5.8 Solar Photovoltaic Facilities

5.8.1 The purpose of this Section 5.8 is to facilitate the creation of Solar Photovoltaic Facilities by providing standards for the size, placement, design, construction, operation, maintenance, monitoring, modification and removal of such facilities, which standards address public safety and minimize impacts on scenic, natural and historic resources; providing adequate financial assurance for the eventual decommissioning of such facilities; and to promote the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Facilities by establishing a Solar Photovoltaic Facility Overlay District for construction of a Large-Scale Ground-Mounted Solar Photovoltaic Facility.

5.8.2 Definitions. As used in this Section, the following terms shall have the meanings indicated:

Roof-Mounted Solar Photovoltaic Facility. A solar photovoltaic system that is structurally mounted to the roof of a building or structure and has a nameplate capacity of no more than 25 kW DC. Notwithstanding the above, a Roof-Mounted Solar Photovoltaic Facility may be more than 25kW DC, provided there exists a higher electrical demand for the permitted uses on the lot and/or other lots under the same ownership within the Town of Carlisle, that such demand is documented to the satisfaction of the Building Commissioner, and the facility is no larger than necessary to meet such documented demand.

Accessory Ground-Mounted Solar Photovoltaic Facility. A solar photovoltaic system and all associated equipment and structures which has a nameplate capacity of no more than 25 kW DC that is structurally mounted on the ground, is not larger than 1,250 square feet in aggregate, is accessory to the principal use on the lot, and that benefits and supports the principal use on the same lot.

Intermediate Ground-Mounted Solar Photovoltaic Facility. A solar photovoltaic system and all associated equipment and structures which has a nameplate capacity of more than 25 kW DC and no more than 100 kW DC that is structurally mounted on the ground, and is not larger than 12,000 square feet in aggregate.

Large-Scale Ground-Mounted Solar Photovoltaic Facility. A solar photovoltaic system and all associated equipment and structures which has a minimum nameplate capacity of 250 kW DC that is structurally mounted on the ground, and is not larger than 1.5 acres in aggregate.

Rear Yard. For purposes of this section, the portion of a lot beyond the furthest point of the principal structure opposite the street frontage.

5.8.3 Modifications. All provisions of this Section also pertain to physical modifications that materially alter the type, configuration, or size of a Ground-Mounted Solar Photovoltaic Facility.

5.8.4 Roof-Mounted Solar Photovoltaic Facilities are permitted as-of-right in General Residence District A, General Residence District B, the Business District, Carlisle Center Business District, and Residence District M as an accessory use, subject to the need to obtain the approval of the Historical Commission pursuant to Article IX of the General Bylaws, where applicable, and all generally applicable dimensional requirements including the maximum building height set forth in Section 4.6, and provided further that the facility is mounted to a building or structure that has been primarily designed and constructed for a use otherwise permitted under zoning, and is actually used as such. The exception to the maximum building height set forth in Section 4.7 shall not apply to Roof-Mounted Solar Photovoltaic Facilities.

5.8.4.1 In accordance with the foregoing, in the event that the Building Commissioner determines that the design or construction of a building or structure is driven primarily by the solar use, the proposed solar facility shall be subject to the permitting requirements applicable to the corresponding (based on size and capacity) class of Ground-Mounted Solar Photovoltaic Facility.

5.8.4.2 If both a Roof-Mounted Solar Photovoltaic Facility and an Accessory Ground-Mounted Solar Photovoltaic Facility are permitted on the same lot, the total nameplate capacity of the systems combined shall not exceed 25 kW DC or that which will meet the documented onsite demand, whichever is higher. The presence of a Roof-Mounted Solar Photovoltaic Facility on a particular lot shall not affect eligibility for Ground-Mounted Solar Photovoltaic Facilities pursuant to Sections 5.8.6, 5.8.7 or 5.8.8, nor shall the presence of such a Ground-Mounted Facility on a particular lot affect eligibility to construct a Roof-Mounted Facility otherwise allowed herein.

5.8.5 Accessory Ground-Mounted Solar Photovoltaic Facilities are permitted as-of-right in General Residence District B, but not in General Residence District A, subject to the provisions of Section 7.6.1, provided that the lot on which a Facility is located conforms with all generally applicable dimensional requirements for new lots in Residence District B. For all lots containing a

principal structure, Accessory Ground-Mounted Solar Photovoltaic Facilities shall be installed in the rear yard to the extent practicable.

5.8.6 Intermediate Ground-Mounted Solar Photovoltaic Facilities may be authorized by special permit by the Planning Board in the General Residence District B, but not in General Residence District A, subject to the provisions of Section 7.2, provided that there are no other ground-mounted solar photovoltaic facilities on the lot on which a Facility is located and the lot is a minimum of 4 acres in area and conforms with all other generally applicable dimensional requirements for new lots in Residence District B. For all lots containing a principal structure, Intermediate Ground-Mounted Solar Photovoltaic Facilities shall be installed in the rear yard to the extent practicable.

5.8.7 Large-Scale Ground-Mounted Solar Photovoltaic Facility. The Solar Photovoltaic Facility Overlay District shall consist of an area of approximately 7 acres comprised of Assessor's Map 21 Parcels 10 & 11 and a 200 ft x 200 ft portion of Map 20 Parcel 1 along its boundaries with Map 21 Parcels 10 & 9, which shall be shown on a map entitled "Property Maps, Carlisle, Massachusetts." The location of renewable energy generation facilities in the form of a Large-Scale Ground-Mounted Solar Photovoltaic Facility shall be permitted as of right in this district.

5.8.7.1 No building permit shall be issued for a Large-Scale Ground-Mounted Solar Photovoltaic Facility and no modifications as described in Section 5.8.3 above shall be allowed without prior approval by the Planning Board pursuant to the Site Plan Review process set forth in Section 7.6 of these Bylaws. Notwithstanding Section 7.6.2 of these Bylaws, a Site Plan for a Large-Scale Ground-Mounted Solar Photovoltaic Facility shall be deemed constructively approved if not acted upon within one year after submission of complete plans and other materials required by Section 7.6 of these Bylaws.

5.8.8 Applications for Site Plan Review or Special Permit shall include evidence that the utility company that operates the electrical grid where the Facility is to be located has been informed and consents to the Ground-Mounted Solar Photovoltaic Facility owner's or operator's plan to connect to the electrical grid. Off-grid systems are exempt from this requirement.

5.8.9 Compliance with Laws. The construction and operation of a Ground-Mounted Solar Photovoltaic Facility shall be consistent with all applicable local, state, and federal requirements, including but not limited to the need to obtain the approval of the Historical Commission pursuant to Article IX of the General Bylaws, where applicable, and all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of or associated with a Ground-Mounted Solar Photovoltaic Facility shall be constructed in accordance with the State Building Code.

5.8.10 Dimensional and Other Requirements. The height of all structures comprising a Ground-Mounted Solar Photovoltaic Facility shall not exceed 12 feet above the pre-existing natural grade.

5.8.10.1 For an Accessory or Intermediate Ground-Mounted Solar Photovoltaic Facility, all setbacks from lots lines shall be at least 40 feet.

The Planning Board may require, as a condition of a site plan approval, larger setbacks where appropriate for screening provided, however, that such larger setbacks shall not have the effect of rendering an Accessory Ground-Mounted Solar Photovoltaic Facility infeasible.

5.8.10.2 For a Large-Scale Ground-Mounted Solar Photovoltaic Facility, all setbacks from lots lines shall be at least 40 feet. As part of Site Plan Review, the Planning Board may require larger setbacks if appropriate for screening, provided, however, that such larger setbacks shall not have the effect of rendering a Large-Scale Ground-Mounted Solar Photovoltaic Facility infeasible.

5.8.10.3 In addition to the special dimensional requirements included in Section 5.8.10.1 and 5.8.10.2, all structures included within a Ground-Mounted Solar Photovoltaic Facility shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking, and building coverage requirements. All such structures, including but not limited to equipment shelters, storage facilities, transformers, and substations shall be architecturally compatible with each other. All structures associated with the Ground-Mounted Solar Photovoltaic Facility shall be reasonably screened from view by vegetation and/or joined or clustered to minimize adverse visual impacts.

5.8.10.4 All utility connections to the Ground-Mounted Solar Photovoltaic Facility shall be via underground lines. Electrical transformers for utility interconnections may be above ground if required by the utility provider; however, they shall be screened from view.

5.8.10.5 Lighting of a Ground-Mounted Solar Photovoltaic Facility shall be consistent with local, state, and federal law. Lighting of other parts of the Facility, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the Facility shall be directed downward and away from residential structures and shall incorporate full cut-off fixtures to reduce light pollution.

5.8.10.6 A sign at a Ground-Mounted Solar Photovoltaic Facility shall be required to identify the owner and operator of the Facility and provide a 24-hour emergency contact phone number. The Facility shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the Facility.

5.8.10.7 The Facility owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Carlisle Fire Department. Upon request, the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the Facility shall be clearly marked. The owner or operator shall identify and provide the Town with contact information for a responsible person for public inquiries throughout the life of the Facility.

5.8.10.8 Clearing of natural vegetation shall be limited to what is

necessary for the construction, operation and maintenance of the Ground-Mounted Solar Photovoltaic Facility, or otherwise prescribed by applicable laws, regulations, and bylaws.

5.8.10.9 Additional Findings for Special Permits. In addition to the findings required pursuant to Section 7.2.1, a special permit authorizing an Intermediate Ground Mounted Solar Photovoltaic Facility shall require the Board to find as follows:

5.8.10.9.1 The visibility impact to all abutting properties has been adequately addressed through natural screening, landscaping, fencing, or otherwise;

5.8.10.9.2 The site provides the solar access necessary to make the project feasible as proposed; and

5.8.10.9.3 Site clearing and tree removal will be kept to a minimum, and other impacts to the environment will be avoided or adequately managed.

5.8.11 Maintenance. The owner, operator, successors, and assigns of the Ground-Mounted Solar Photovoltaic Facility shall maintain the Facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and ensuring the integrity of security measures, and otherwise shall be maintained as set forth in any Operations and Maintenance Plan approved by the Planning Board. Site access shall be maintained by the owner or operator of the Facility at its sole cost, unless any access road(s) are accepted as a public way.

5.8.12 Abandonment or Decommissioning

5.8.12.1. Removal Requirements: Any Ground-Mounted Solar Photovoltaic Facility that has reached the end of its useful life or has been abandoned consistent with sub-section 5.8.12.2 of this section shall be removed. The owner or operator shall physically remove the Facility no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Building Commissioner by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning of the Facility shall consist of:

0 Physical removal of the Facility and all associated structures, equipment, security barriers, cables, and transmission lines from the site;

Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and

Stabilization or re-vegetation of the site as necessary to minimize erosion. With prior written authorization from the Planning Board, the owner or operator of the Facility may leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

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5.8.12.2 Abandonment: Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the Facility shall be considered abandoned when it fails to operate for more

than one year without the written consent of the Planning Board. If the owner or operator of the Facility fails to remove the Facility in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning, the Town may enter the property and physically remove the Facility.

5.8.12.3 Financial Surety: The owner or operator of an Intermediate or Large-Scale Ground-Mounted Solar Photovoltaic Facility shall provide a form of surety acceptable to the Planning Board, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the Facility and restore the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein. Such surety will not be required for a municipally- or state-owned Facility. The project owner or operator shall submit a fully inclusive estimate of the costs associated with removal of the Facility, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. Upon a showing of good cause, the Planning Board may accept a surety that is effective for a fixed term of less than the anticipated useful life of the project, subject to a special permit condition specifically requiring that a substitute surety, otherwise acceptable and consistent with this section, is provided before the surety expires, so that the Town's surety remains effectively uninterrupted.

5.8.13 Rules and Regulations. The Planning Board shall adopt reasonable rules and regulations for the submission of applications for a special permit hereunder.

2. By inserting in the second paragraph of Section 7.2 Special Permits a reference to new Section #5.8.6 (Intermediate Ground-Mounted Solar Photovoltaic Facilities), so that said paragraph reads as follows:

The Board of Appeals shall be the special permit granting authority for all special permits except as provided in Section #5.1 (Residence District M), Section #5.2 (Wetland/Flood Hazard District), Section #5.4 (Private Driveways), Section #5.5 (Conservation Clusters), Section #5.6 (Accessory Apartments), Section #5.7 (Senior Residential Open Space Community), Section #5.8.6 (Intermediate Ground-Mounted Solar Photovoltaic Facilities), and Section #5.9 (Personal Wireless Service Facilities).

3. By amending Section 7.6.1 to include Intermediate Ground-Mounted Solar Photovoltaic Facilities among the non-residential uses that are not subject to site plan review, and to add a new subsection 7.6.1.7 specifically requiring site plan review for Accessory Ground-Mounted Solar Photovoltaic Facilities, so that said sections read as follows:

7.6.1 For the purpose of administering the provisions of the bylaw relating to non-residential and certain other uses in all districts, not including senior residential open space community as allowed under Section 5.7 of these bylaws, personal wireless communication facilities as allowed under Section 5.9 of these bylaws, accessory apartments as allowed under Section 5.6 of these bylaws, intermediate ground-mounted solar photovoltaic facilities as allowed under Section 5.8.6 of these bylaws, and accessory uses permitted in the General Residence Districts under Section 3.2.1.11 of these bylaws, and to ensure the most advantageous use of all properties within the same district and for the reasonable protection of the legitimate interests of adjoining property owners, site

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plan approval shall be required prior to the:

7.6.1.7 Construction, installation or modification of an Accessory Ground-Mounted Solar Photovoltaic Facility as allowed under Section 5.8.5.

TWO-THIRDS VOTE

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 30.

ARTICLE 31 – ZONING AMENDMENT – ACCESSORY APARTMENTS: Nathan Brown

I move that the Town vote to amend the Zoning Bylaws of the Town as follows:

1. By amending Section 5.6 Accessory Apartments as set forth below, with the text to be added to the existing section shown within the article in italics, and the deletions from the existing section shown within the article in strikethrough:

5.6 Accessory Apartments

5.6.1 Purpose

To increase the availability of moderately priced housing for town employees, the young, the elderly, people of low and moderate income, and dependent relatives of town residents by permitting the creation of accessory apartments by:

- 5.6.1.1 Providing an opportunity for homeowners who can no longer physically or financially maintain their single-family home to remain in homes that they might otherwise be forced to leave;
- 5.6.1.2 Making housing units available to low and moderate income households who might otherwise have difficulty finding homes within the town;
- 5.6.1.3 Provide a variety of housing to meet the needs of its residents;
- 5.6.1.4 Protect stability, property values, and the single-family residential character of a neighborhood;
- 5.6.1.5 Legalize conversions to encourage the Town to monitor conversions for compliance with the State Building Code; and
- 5.6.1.6 Create incentives and modify regulations to encourage the creation of affordable accessory apartments that will count towards meeting the Town's Planned Production goals under the provisions of MGL Chapter 40B.

5.6.2 Considerations

The Town has limited water resources, lacks a significant aquifer, does not have municipal water and sewage systems, and as a result, must be sensitive to the burden and impact of any increase in housing density. Limiting the number of the accessory apartments is intended to minimize the impact on those finite resources, although the scope of the impact hereunder is believed to be offset by the public benefit afforded by this permitted use.

5.6.3 Definitions

5.6.3.1 An "accessory apartment" (*“AA unit”*) is a distinct portion of a single-family dwelling *or a unit in an accessory structure on a single-family lot*, having its own kitchen and bathroom facilities, and subordinate in size to the principal part of said dwelling *or, if an accessory structure, subordinate in size to the principal structure.*

5.6.3.2 An “affordable accessory apartment” (“AAA” unit) is a distinct portion of a single-family dwelling, a unit in an accessory structure on a single-family lot, or a unit accessory to a non-residential use, in all cases having its own kitchen and bathroom facilities, being subordinate in size to the principal part of said dwelling or structure, and meeting the affordability requirements under the provisions of MGL Chapter 40B.

5.6.4 Special Permits

An owner or owners may apply to the Planning Board for a special permit for the construction and occupancy of one (1) ~~accessory apartment~~ *AA unit* or AAA unit (as defined in Section 5.6.3) in a single-family or in a non-residential structure, the accessory apartment thus created being hereinafter referred to in this subsection #5.6 as an apartment.

5.6.5 Procedure

The Planning Board shall notify the Board of Health of the application for a special permit hereunder and allow them a reasonable time to inspect and comment upon said application. The Planning Board may grant a special permit under this Section upon findings that the request is compatible with the purpose of this Section, meets the minimum requirements hereunder.

After notice and public hearing as may be required by the General Laws of the Commonwealth, the Planning Board may grant such a special permit for the creation of an accessory apartment provided that:

- 5.6.5.1 no more than 75 special permits for accessory apartments shall be issued, *of which no more than 25 may be in accessory structures;*
- 5.6.5.2 the apartment is accessory to the principal residence and will be a complete, separate housekeeping unit that functions as a separate unit from the original single-family dwelling;

5.6.5.2.1 An AA unit may be placed in an accessory structure provided that the lot conforms with all generally applicable dimensional requirements for new lots in Residence District B, the accessory structure conforms to street, side and rear setback requirements established in Sections 4.2 and 4.3.2 of these bylaws, and both the principal structure and the accessory structure were constructed more than ten (10) years prior to the date of application for the special permit.

5.6.5.2.2 Any addition less than ten (10) years old shall be deemed to be part of the structure(s) provided that the addition does not increase the floor area of the original structure(s) by more than 10% and provided further that the addition does not alter the character of the structure.

5.6.5.2.3 An AAA units may be placed in ~~detached~~ an accessory structures, including a pre-existing structures and a new structures, providing the new structures ~~are~~ is appropriate to the single-family character of the neighborhood and ~~comply~~ complies with all other provisions of the zoning bylaws.

- 5.6.5.3 the floor area of the apartment does not exceed 1200 square feet. *In cases where an AA unit is proposed to be located in an accessory structure that has greater than 1200 square feet of gross floor area, including without limitation basement and attic area, the special permit shall include a condition requiring periodic inspections by the Building Commissioner to confirm that there has been no unauthorized expansion of the AA, or an alternate method of confirming the same that is satisfactory to the Planning Board;*
- 5.6.5.4 the floor area of the apartment is less than 35% of the floor area of the principal residence and the proposed apartment combined, as measured after conversion, except that for AAA units, the floor area is less than 50% of the floor area of the single-family structure or non-residential structure and the proposed apartment combined;
- 5.6.5.5 either the apartment or the principal residence is occupied by the owner(s) of the lot on which the apartment is to be located, except for bona fide temporary absences. If the lot on which the apartment is to be located is owned by the Town of Carlisle or used for non-residential purposes, the owner-occupancy requirement of this paragraph shall not be applicable as long as the lot and the structures thereon continue to be owned by the Town of Carlisle or used for non-residential purposes;
- 5.6.5.6 adequate provision has been made for the disposal of sewage, waste and drainage generated by the occupancy of such apartment in accordance with the requirements of the Commonwealth or the Carlisle Board of Health, whichever is applicable;

- 5.6.5.7 in consideration of the neighborhood and the existing access to the street of the single-family dwelling, adequate provision has been made for ingress and egress to the apartment from said street, *provided that there shall not be more than one driveway or curb cut providing access to the structure or structures except for existing half circular or horseshoe driveways located in the front of the structure(s);*
- 5.6.5.8 the construction and occupancy of the apartment will not be detrimental to the neighborhood in which the lot is located or injurious to persons or property;
- 5.6.5.9 the lot on which the apartment and principal residence are located contains at least two (2) acres; except that an AAA unit shall be permitted on any legal building lot provided the owner complies with all other provisions of the zoning bylaw;
- 5.6.5.10 no more than two bedrooms are allowed ~~for lots less than three (3) acres in area~~ *in an AA or an AAA unit;*
- 5.6.5.11 adequate provision has been made for off street parking of motor vehicles in such a fashion as is consistent with the character of a single-family residence;
- 5.6.5.12 there is no other apartment on the lot on which the apartment is to be located;
- 5.6.5.13 the external appearance of said house before or after the creation of the apartment is that of a single-family residence. In general, any new entrances shall be located on the side or rear of the building *and all stairways to upper floors shall be enclosed within the exterior walls of the dwelling.* Any new additions or structures associated with the AAA unit may be permitted providing they are appropriate to the character of the principal residence; ~~and~~
- 5.6.5.14 the construction of any accessory apartment must be in conformity with the State Building Code requirements; *and*
- 5.6.5.15 ~~5.6.5.14~~ *the apartment shall not be held in, or transferred into separate ownership from the Principal Unit under a condominium form of ownership, or otherwise.*
- 5.6.6 No accessory apartment shall be used unless the owner or owners of the building have a permit issued hereunder or as otherwise provided in the Bylaws. The renewal of any accessory apartment permit previously granted shall not be denied by reason of amendments to Section #5.6 after the granting of the original permit, notwithstanding the failure of the apartment to conform to said Section as thus amended.
- 5.6.7 A special permit granted under this Section #5.6 shall lapse if, within one (1) year from the grant thereof (not including such time as is required to pursue or await the determination of an appeal) a substantial use of the permit has not sooner commenced except for good cause.

5.6.8 The special permit shall not become effective until a copy, certified by the Town Clerk as provided by Chapter 40A, Section 11 of the General Laws, has been recorded with Middlesex North District Registry of Deeds.

5.6.9 For AAA units, a Deed Restriction/Regulatory Agreement (“Agreement”) with the following provisions shall be signed and recorded with the Middlesex North Registry of Deeds by the owner of an AAA unit:

5.6.9.1 The Agreement is for a minimum of 15 years,

5.6.9.2 The Agreement will terminate upon sale of the property,

5.6.9.3 An owner may terminate the Agreement prior to its expiration, which will revoke the special permit. Thereupon, the apartment must be removed unless the owner applies for and receives a new special permit,

5.6.9.4 Upon termination of this Agreement, additional restrictions shall apply regarding repayment to the Town of any funds received from the Town pursuant to a grant or loan agreement,

5.6.9.5 An owner must rent to income-qualified tenants selected through an open process to be defined by the Local Initiative Program (760 CMR 45.03) guidelines,

5.6.9.6 An owner must set the rent according to the methodology prescribed in the Local Initiative Program guidelines.

5.6.10 The special permit authorizing an accessory apartment shall terminate upon the sale of the property or transfer of title of the building; provided, however, that a sale or transfer of title shall not dispossess the then resident(s) of the accessory apartment of their tenancy. The new owner or owners may apply for a reapproval of the special permit which, if the Planning Board finds that conditions at the time of the original application remain substantially unchanged, shall be approved without a hearing. A special permit granted hereunder shall not terminate upon a transfer of title which converts an owner's individual title to a tenancy by the entirety or a joint tenancy for the owner and his or her spouse or to otherwise provide for said spouse to share in the ownership of the property.

5.6.11 The Planning Board shall adopt reasonable rules and regulations for the submission of applications for a special permit hereunder. Said rules and regulations shall be concise, easily understood and will contain a step by step explanation of the procedure to obtain the special permit. In order to assure that such rules and regulations may be easily understood and followed, the Planning Board will submit them to and consult with the Housing Authority, the Council on Aging, the Building Inspector, the Board of Health and the Selectmen and allow a reasonable time before adoption by the Planning Board for such boards to comment.

5.6.12 The Carlisle Housing Authority shall adopt reasonable guidelines for administering and monitoring AAA units in accordance with the Local Initiative Program.

2. By inserting in Section 1.3 Definitions, as new Section 1.3.1, a definition to read as follows:

1.3.1 A “dwelling” or "dwelling unit" is a structure or portion thereof providing complete, independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking and sanitation.

and renumbering the remaining existing definitions in Section 1.3 in sequential order to account for the addition of this new definition.

3. By deleting from Section 3.2.1.11.1 (accessory uses permitted as of right in General Residence Districts) the words “Private family guest house,” and capitalizing the word “garage,” so that said section reads as follows:

3.2.1.11.1 Garage, stable, greenhouse, tool shed, play-house, tennis court, swimming pool or other similar building or structure for domestic storage or use.

and by inserting a new Section 3.2.1.11.6, to read as follows:

3.2.1.11.6 A private family guest house without a kitchen or other facilities for the preparation of food which is used only for the occasional housing of guests of the occupants of the principal structure and which may not be used as a dwelling unit.

TWO-THIRDS VOTE

Board of Selectmen: The Selectmen voted unanimously 5-0 to support Article 31.

ARTICLE 32 – ZONING AMENDMENT – BEDFORD ROAD: Citizens’ Petition

NO MOTION

**ARTICLE 33 – ZONING AMENDMENT – RECREATIONAL MARIJUANA
MORATORIUM: Claude von Roesgen**

I move that the Town vote to amend the Zoning Bylaw by adopting a new Section 5.11 entitled Temporary Moratorium on Marijuana Establishments, to read as follows:

5.11 Temporary Moratorium on Marijuana Establishments

5.11.1 Purpose. By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, manufacture, processing, distribution, sale, possession, testing and use of marijuana. The law provides that it is effective on December 15, 2016, and that a new state agency, the Cannabis Control Commission (CCC), is required to issue regulations regarding implementation by March 15, 2018.

The regulation of such Marijuana Establishments raises novel and complex legal, planning, and public safety issues. The Town needs time to consider and address these issues, as well as the potential impact of the forthcoming Cannabis Control Commission regulations, by means of a comprehensive planning process to consider amending the Zoning Bylaw to regulate Marijuana Establishments. The temporary moratorium provided in Section 5.11.3 is intended to allow sufficient time for the Town to engage in such a planning process and to adopt suitable Zoning Bylaw provisions in a manner consistent with sound land-use planning objectives.

5.11.2 Definition. As used in Section 5.11.3, the term “Marijuana Establishment” shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a “Medical Marijuana Treatment Center” or “RMD” shall not be deemed to be a Marijuana Establishment.

5.11.3 Temporary Moratorium. For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures as a Marijuana Establishment. The moratorium shall be in effect through December 31, 2018, unless extended, continued, or modified as a subsequent Town Meeting. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of Marijuana Establishments and other related land uses and structures, consider the Cannabis Control Commission regulations regarding Marijuana Establishments when they are issued, and shall consider adopting new provisions of the Zoning Bylaw governing the location, operation and effects of Marijuana Establishments for consideration by the 2018 Annual Town Meeting. (BOARD OF SELECTMEN)

04/26/2017

04/26/2017