



**FALL SPECIAL TOWN
MEETING WARRANT**
Including Advisory Committee
Recommendations

NOVEMBER 29, 2012
7:00 p.m.

Freeman Kennedy School
70 Boardman Street
Norfolk

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WARRANT AND RECOMMENDATIONS
FALL SPECIAL TOWN MEETING
NOVEMBER 29, 2012

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On behalf of the Advisory Committee, I invite you to the Special Town Meeting to be held at 7:00 PM on Thursday, November 29, 2012 at the Freeman-Kennedy School. As many of you may recall, at the Spring Town Meeting both the capital budget and the article regarding hunting on private property were indefinitely postponed with the anticipation that they would be revisited in the fall, and both of those articles are included in the warrant for this meeting.

This meeting also provides an opportunity to deal with several issues that will benefit from timely action now rather than waiting until the Spring Town Meeting. An additional benefit of addressing these items now will be to take some of the burden away from what is always a lengthy spring meeting.

In addition to the articles already mentioned, the warrant also includes articles concerning:

- Changes to the zoning bylaws to encourage development in the Town's center
- A transfer of free cash to the Stabilization Fund
- Expenditures from the Community Preservation Fund for a number of purposes, including preservation and/or restoration of the Tramp House and the Pondville Cemetery Crypt, the preservation of Norfolk's vital and other historic records, and a study of the Town's future recreational needs

Approximately a third of the articles on the warrant are those pertaining to changes to the zoning bylaws. As already mentioned, the primary purpose of most of those articles is the encouragement of economic development, both business and residential, in the center of Town. The Advisory Committee has recommended approval of all these articles (although not always unanimously) since we believe they are consistent with the Town's development priorities while preserving the basic nature of the Town. I mention this because some of the articles get quite technical, and, taken one at a time, it is easy to lose sight of the overall purpose of the articles as a group.

All of the articles in the warrant, along with explanations of their meaning and intent and the recommendations of the Advisory Committee, are included in the remainder of this document.

These are important issues for the Town, so please join us at Town Meeting to make your opinions known and to cast your vote. We look forward to seeing you there.

Patrick Snead

Chairman, Advisory Committee

FALL TOWN MEETING WARRANT

NORFOLK, ss.

To either Constable in the Town of Norfolk, in said County:

GREETINGS:

You are required in the name of the Commonwealth of Massachusetts to notify and warn the inhabitants of Norfolk, qualified to vote in Town affairs residing in Precincts 1, 2, and 3, to meet on Thursday, the 29th day of November, 2012, at 7:00 p.m. at the Freeman-Kennedy School, 70 Boardman Street, Norfolk, MA 02056, for a Special Town Meeting, then and there to act on the following articles, viz:

ARTICLE 1

Submitted by the Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to be added to departmental budgets and appropriations for the fiscal year ending on June 30, 2013; or take any other action relative thereto.

The Advisory Committee will make its recommendation at Town Meeting.

Only Town Meeting has the authority to transfer funds between budget appropriations and to add additional funds to existing budget appropriations. The Town Administrator will present a list of those recommended transfers and additions to the Advisory Committee right before Town Meeting.

ARTICLE 2

Submitted by the Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to pay unpaid bills of a prior year pursuant to Massachusetts General Laws Chapter 44, Section 64; or take any other action relative thereto.

The Advisory Committee recommends indefinite postponement of this article.

After the close of any fiscal year, no bill incurred in that year can be paid without the approval of Town Meeting. We have been advised that there are no such bills to be considered at this Town Meeting

ARTICLE 3

Submitted by the Board of Selectmen

To see if the Town will vote to appoint any committee, or hear or act on the report of any committee or town officer, or instruct any committee or town officer; or take any other action relative thereto.

No Advisory Committee recommendation is needed for this Article.

ARTICLE 4

Submitted by the Board of Selectmen

To see if the Town will vote to transfer from Free Cash, \$500,000 to the Stabilization Fund; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

The Stabilization Fund is considered one of the Town's primary savings accounts. The Commonwealth of Massachusetts recently certified that the Town has just over \$1,000,000 in Free Cash (a combination of revenues that exceeded anticipated levels and unexpended appropriations) as of June 30, 2012. This action will move about half of those funds into savings.

ARTICLE 5

Submitted by the Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, borrow or bond pursuant to any applicable statute to fund capital and other expense items; or take any other action relative thereto. (Capital Budget)

The Advisory Committee will make its recommendation at Town Meeting.

At the Spring Town Meeting, this article was deferred due to uncertainty about the amount that might be available for capital acquisitions. Specific purchases of capital items have not yet been recommended by the Capital Outlay Committee, but it is our understanding that there will be some purchase recommendations made at Town Meeting.

ARTICLE 6

Submitted by the Board of Selectmen

To authorize the Board of Selectmen to petition the legislature for one (1) additional license for the sale of alcoholic beverages not to be drunk on the premises substantially as follows:

Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Norfolk may grant an additional license for the sale of all alcoholic beverages not be drunk on the premises under Section 15 of said Chapter 138 to Sarthi Convenience, Inc., d/b/a Norfolk Food Mart, located at 10 Rockwood Road, Norfolk, MA. The license shall be subject to all of said Chapter 138 except said Section 17. The applicant holds a Wine and Malt License which shall be surrendered upon licensing authority approval of the Package Store license.

The licensing authority shall not approve the transfer of the license to any other location. The license may be reissued by the licensing authority to a new applicant at the same location if the applicant files with the licensing authority a letter from the Department of

Revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

The Advisory Committee supports expanding the Norfolk Food Mart's existing "wine and malt" liquor license to now include the sale of "all alcoholic beverages". Benefits would include expanded sales opportunities for a local business and an additional license overall for our Town. This license covers the sale of alcohol only (i.e. "not to be drunk on the premises"). The Board of Selectmen requires Town approval to go before the state legislature to request this additional license.

ARTICLE 7

Submitted by the Board of Selectmen

To see if the Town will add a new Section, sequentially numbered, to Article X of the General Bylaws, entitled "Hunting" as follows:

No person shall hunt on Town owned lands without the permission of the Board of Selectmen. A hunter will be allowed on private property with the written permission of the property owner. Each property owner who wishes to allow hunting on their property must file written notification in person with the Norfolk Police Department. It is the responsibility of all duly licensed hunters to register with the Norfolk Police Department each day that they intend to hunt, to ascertain the location of properties where hunting is prohibited and to not exceed said boundaries.

Violations of this bylaw shall be punishable by a fine of \$100 for the first violation and \$300 for each subsequent violation. As an alternative to criminal prosecution or civil action, the Town may elect to enforce this bylaw by non-criminal disposition procedure pursuant to G.L. c 40, §21D and Article XIV of these bylaws, in which case the Chief of Police or any Norfolk Police Officer shall be the enforcing officer. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

This bylaw is not intended to apply to nuisance trapping and/or control.

And further to amend Appendix A of the General Bylaws to include the penalty and enforcing officer for a violation of this bylaw; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

Currently, a hunter may hunt on private property regardless of whether or not he or she is the landowner. If a landowner does not want a hunter to hunt on his or her property, it is the landowner's responsibility to post and maintain "no hunting" signs.

By approving Article 7, the responsibility for determining whether hunting is allowed on a particular piece of property will be shifted from the landowner to the hunter. If a property owner wishes to grant permission for a hunter to hunt on his or her property, he or she must file written notification, in person, with the Norfolk Police Department. It will then be the responsibility of all duly licensed hunters to register with the Norfolk Police Department each day that they intend to hunt and to determine if hunting is in fact allowed on the properties where they wish to hunt.

ARTICLE 8

Submitted by the Planning Board

To see if the Town will vote to amend Section H.3 AFFORDABLE HOUSING DEVELOPMENT of the Zoning Bylaw, as set forth below, by inserting the provisions shown that are underlined, with the text not being changed shown for informational purposes only.

H.3.e.1 Provisions Applicable to Affordable Housing Units On- and Off-Site:

1. Siting of affordable units. All affordable units constructed or rehabilitated under this bylaw shall be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units. The affordable units shall be located within the subdivision unless otherwise waived by the SPGA. If such a waiver is granted, it shall be subject to H.3.f (provision of Affordable Housing Units Off-Site). The affordable units shall not be replaced with Market Rate units within the subdivision unless the developer demonstrates, to the satisfaction of the SPGA, that doing so will create a clear benefit to the Town.

H.3.f Provision of Affordable Housing Units Off-Site:

1. As an alternative to the requirements of Section H.3.e, an applicant subject to the bylaw may develop, construct or otherwise provide affordable units equivalent to those required by Section H.3.d off-site. All requirements of this bylaw that apply to on-site provision of affordable units, shall apply to provision of off-site affordable units. In addition, the location of the off-site units to be provided shall be approved by the SPGA as an integral element of the Special Permit review and approval process. If off-site affordable units are approved, the SPGA may allow replacement of affordable units on-site with equivalent Market Rate units if the developer demonstrates, to the satisfaction of the SPGA, that doing so will create a clear benefit to the Town. or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

Under Norfolk's Zoning Bylaws, any new subdivision of ten or more units is also required to contribute to the stock of local affordable housing units. The primary requirement is that these additional affordable units shall be built within the new subdivision. This bylaw change clarifies the conditions under which the Special Permit Granting Authority (in this case, the Planning Board) can waive the location requirement and allow the affordable units to be constructed at an alternative location.

ARTICLE 9

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section D.1.a of the Norfolk Zoning Bylaws; by changing the numbering from "D.1.a" to "D.1.a.1" and adding the phrase "For non-residential uses," to the beginning of D.1.a.1, removing the word "Very" from the last sentence of D.1.a.1 and adding a new D.1.a.2 so that it reads as follows, with inserted text underlined and deleted text stricken:

D.1.a.1 For non-residential uses, ~~Land~~ clearing, excavation, filling, gravel removal, or other clear cutting of trees in anticipation of any use permitted or authorized by these Zoning Bylaws, Town Bylaws, and regulations of the Town of Norfolk and the Planning Board, or laws of the Commonwealth is prohibited prior to issuance of all required approvals, permits, VARIANCES, licenses, and authorizations. ~~Very~~ Limited clearing and excavation is permitted to obtain necessary survey and engineering data or other activities required to secure necessary permits.

D.1.a.2 Clearing, excavation, filling, gravel removal, or other clear cutting of trees prior to receiving a building permit may be performed on individual lots for SINGLE-FAMILY DWELLINGS within an approved subdivision, on a plan endorsed by the Planning Board as not subject to approval under the Subdivision Control Law, or otherwise legally in existence, but only in accordance with the provisions of the first paragraph of Section D.1. The cleared area must be stabilized by loaming and seeding or other method approved by the Building Commissioner within 90 days of the completion of the clearing, excavation, filling, gravel removal, or other clear cutting of trees unless construction activity is underway or has been authorized to commence during that time.

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

This article will give developers greater leeway as they determine how best to develop a property prior to receiving a building permit. Under current law developers face severe limitations on the extent to which they can clear or test a plot prior to receiving a building permit. In practical terms the existing bylaws discourage development in Norfolk relative to neighboring communities.

These changes do not allow developers unrestricted clear-cutting rights. Clear-cutting remains restricted under other bylaws.

ARTICLE 10

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section I.4.a.11 Residential Density of the Norfolk Zoning Bylaws by deleting the word "sixteen" and replacing it with "thirty-two" so that it reads as follows, with inserted text underlined and deleted text stricken:

I.4.a.11 Residential Density. Residential DWELLING UNITS, except for ASSISTED LIVING FACILITIES, shall not have more than two bedrooms per unit. Residential densities, except for ASSISTED LIVING FACILITIES, shall not exceed the ratio of ~~sixteen~~ thirty-two bedrooms for any single LOT except by special permit. Residential densities for ASSISTED LIVING FACILITIES shall not exceed the ratio of 16 bedrooms per acre for any single LOT except by Special Permit by the Zoning Board of Appeals.

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

The changes in this article refer solely to the B-1 Business District (all zoning bylaws beginning with the prefix "T" refer to the B-1 Business District). By increasing the number of bedrooms allowed per lot developers will be allowed to increase the number of units on their lots in the B-1 Business District. This should create an incentive for developers in Norfolk. We note, however, that restricted sewer capacity in the B-1 district is likely to limit the number of bedrooms that will be allowed in any case.

ARTICLE 11

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section I.7.a of the Norfolk Zoning Bylaws by deleting the words "provided that all said buildings are located within a PLANNED MULTILOT DEVELOPMENT"; from the item "Residential DWELLING UNITS as part of . . . provided that all said buildings are located within a PLANNED MULTILOT DEVELOPMENT"; so that it now reads as follows, with deleted text stricken:

Residential DWELLING UNITS as part of a commercial site plan where the square footage of residential dwelling units consists of 65% or less of the total combined square footage of the residential and commercial structure(s), provided that the commercial structure is constructed prior to residential occupancy. ~~and further provided that all said buildings are located within a PLANNED MULTILOT DEVELOPMENT~~

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

The specific situation anticipated in this revision is the redevelopment of commercial property in the B-1 district that is not currently in a planned multilot development. Under the proposed language such a redevelopment would be allowed to include residential dwellings – that option is not available under current bylaw. We believe the change will encourage development in the B-1 district although we note that there are few properties that fall under its purview.

ARTICLE 12

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section I.4.a.6 Streetscape in the Norfolk Zoning Bylaws by adding the following: between the sentence “Outside the BUSINESS CORE, BUILDINGS shall not be more than 40 feet in height,” and “BUILDING HEIGHT shall not include flag poles, weather vanes, or cupolas.”:

BUILDING HEIGHT may be extended up to 46 feet for the purpose of accommodating pitched roof lines as approved as part of site plan review by the Planning Board, but in no case shall the height exceed 3 stories.

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

This article allows a builder to include a pitched roof not to exceed a total height of 46 feet outside the Business Core. It still restricts buildings to three stories. The current section limits building heights to 40 feet, which is still the height limit for the building itself. The additional six feet is being added solely for the purpose of allowing the appearance of the building to be improved by the addition of a pitched roof.

ARTICLE 13

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section F.7.b SCHEDULE OF MINIMUM OFF-STREET PARKING REQUIREMENTS of the Norfolk Zoning Bylaws by adding F.7.b.1.a for DWELLING UNITS other than SINGLE FAMILY DWELLINGS and requiring 1 space per unit as follows:

Permitted Uses	Minimum Number of Spaces
F.7.b.1.a. DWELLING UNIT, other than a SINGLE FAMILY DWELLING	1 per unit

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

This article adds a new definition of a “ Dwelling Unit”, different than a “ Single Family Dwelling” and requires only one off-street parking space for this newly defined dwelling unit instead of the two spaces required for “ Single Family Dwellings”. The lower amount of required parking for this new category gives builders more flexibility in how they utilize parking spaces.

ARTICLE 14

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section I.6.b of the Norfolk Zoning Bylaws by deleting the phrase “ where an on-STREET space abuts the FRONTAGE of that LOT. Where an on-STREET space abuts more than one LOT, said space may be allocated to a particular LOT only if more than 66% of the space abuts that LOT.” And inserting in its place the following: “ in accordance with the provisions of Section I.6.a Shared Parking,” so that it reads as follows, with inserted text underlined and deleted text stricken:

I.6.b Attribution of Parking Spaces. Parking spaces may be considered as a part of the requisite parking allocated to a particular LOT or use, if those spaces are entirely on that LOT or the use of the spaces has been assured by assignment through easement or other legal guaranty. On-STREET parking, where allowed, may be considered as part of the requisite parking allocated to a LOT ~~where an on-STREET space abuts the FRONTAGE of that LOT. Where an on-STREET space abuts more than one LOT, said space may be allocated to a particular LOT only if more than 66% of the space abuts that LOT.~~ in accordance with the provisions of Section I.6.a Shared Parking.

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

Currently the Zoning By-Laws allow an on-street parking to be considered as part of the parking allocated to a particular lot only if at least 66% of the parking space abuts the lot. This article removes the requirement the on-street parking abuts the lot and instead subjects the parking spaces to the requirements of Zoning By-Law I.6.a, which allows these on-street spaces to be considered as part of the Site Plan Approval process if within 450 feet of the lot.

Note that distance is not the only condition that must be met. The Planning Board evaluates other conditions besides distance (a street or other significant barrier, for example) that would preclude the reasonable use of a parking space by a lot.

ARTICLE 15

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section I.6.a of the Norfolk Zoning Bylaws by deleting the number “450” and replacing it with “500.”

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

As mentioned in Article 15, currently parking spaces may be utilized by a lot if as part of the Site Plan Approval process if they are within 450 feet of the lot. This article increases the 450 feet maximum distance to 500 feet.

As noted in the recommendation for Article 14, the Planning Board evaluates other conditions besides distance in the Site Plan Approval process to assure that a particular parking space may reasonably be used by a particular lot.

ARTICLE 16

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend the Norfolk Zoning Map by adding the following parcel to the B-1 – Outside the Business Core district:

Map 14, Block 49, Lot 11

As shown on attached map

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

The Advisory Committee approves the inclusion of this lot in the B-1 “Outside the Business Core” zone. This special zoning was created to increase the density of businesses and residents at the center of town. Adding this lot furthers this goal and grows revenue opportunities for the Town. This recommendation was not unanimous.

Concerns were expressed over expanding the zone while other B-1 lots remain undeveloped. The minority belief was that the Town does not yet fully understand -- and surrounding residents and community do not yet fully feel -- the impact higher density development will have, particularly on traffic.

The majority, however, felt rezoning was appropriate because the lot:

- is located within the existing B-1 area, surrounded by several other B-1 lots
- directly abuts the Commuter Rail train tracks
- would provide greater economic benefit to the Town if more densely developed.

ARTICLE 17

Submitted by Planning Board

To see if the Town will vote to amend Section 1 Earth Removal of Article VII of the Town Bylaws by deleting the words “stockpiled or” from the first sentence of Section B. Applicability, and adding the phrase “or contiguous parcels under common ownership” so that it now reads as follows, with inserted text underlined and deleted text stricken:

B. Applicability: No earth shall be ~~stockpiled or~~ removed from any parcel of land or contiguous parcels under common ownership within the Town to another parcel either within or without the Town without a special permit except as follows:

and

adding to Section 4 of Section B the words “including construction on individual lots as well as of roadways” between the words “under construction,” and “provided that” so that it reads as follows, with inserted text underlined:

4) Moving and/or stockpiling of earth within a subdivision under construction, including construction on individual lots as well as roadways, provided that any stockpiles shall not be located within 500 feet of any lot for which an occupancy permit has been granted;

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

This article would make it easier for developers to manage excavation work. Current rules require, under certain circumstances, for earth be trucked offsite for storage only to be returned later. This and other restrictions create unnecessary expense, delays and leads to unsightly storage situations for residents.

ARTICLE 18

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section I.4. of the Norfolk Zoning Bylaws by adding a new Section I.4.c as follows:

I.4.c For PLANNED MULTI-LOT DEVELOPMENTS, the Planning Board may waive the dimensional requirements of Section I.4.b.2 and I.4.b.3 as part of the special permit approval process for a PMLD if it determines that APPLICANT has presented a comprehensive design concept meets all of the following standards:

1. The design fulfills the purpose of this Section I in terms of advancing the goals of the Master Plan.

2. The design addresses architectural detail, the location of buildings in relation to the access road and each other, general open space, local open space adjacent to buildings, pathways/sidewalks, any non-residential or common recreation or assembly facilities, and streetscape issues such as streetlights, street trees, sidewalks and landscaping,
3. All other requirements, including Residential Density, of Section I are met.
4. The comprehensive design concept provides greater quantifiable public benefits in terms of environmental and/or fiscal impacts or community amenities than a plan that meets the dimensional requirements. [e.g. less impervious surface, more public open space (perhaps with amenities), better vehicular and pedestrian access and circulation, energy consumption, use of sustainable materials, etc.]

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

This article would increase the Planning Board’s discretion to make zoning exceptions in cases of Planned Multi-Lot Developments (PMLD). Currently, any variation from a zoning requirement must be approved by the Zoning Board of Appeals. This lengthy, formal, and potentially expensive process does not adequately provide the “back and forth” communication, judgement, and discretion that PMLD projects require.

Support for this change was not unanimous. Concerns were raised about the potentially wide range of interpretations possible, as there are no specific limitations on the scope of the changes that would be allowed under this article. However, the majority felt that the benefits outweighed this concern, as the four conditions listed in the article must be met. In addition, these projects are both few in number and highly visible, so the potential for serious problems is minimal.

ARTICLE 19

Submitted by Zoning Bylaw Study Committee

To see if the Town will vote to amend Section I.4.B.3 Outside the Business Core of the Zoning Bylaw, as set forth below, with inserted text underlined and deleted text stricken:

I.4.b.3 Outside the Business Core

- (A) BUILD-TO LINE: none;
- (B) Minimum front YARD setback: 25 feet for principle BUILDING;
- (C) Minimum LOT size: ~~8000~~ 4000 square feet* or 30,000 square feet;
- (D) Minimum LOT COVERAGE: 60 percent;

- (E) Minimum side YARD setbacks: zero (0) feet;
- (F) Minimum LOT FRONTAGE: 40 feet* or 100 feet; and
- (G) Minimum rear YARD setbacks: 10 feet.

*For PLANNED MULTILOT DEVELOPMENT

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

The only change to the bylaws being made by this article is the reduction in the minimum size of "Outside the Business Core" lots from 8,000 to 4,000 square feet. Support for this was not unanimous. Questions were raised as to whether this article is even necessary given the discretion proposed under Article 18 (see above). A majority, however, felt being specific rather than relying on Planning Board discretion was more attractive to potential developers and therefore of greater benefit to the Town.

ARTICLE 20

Submitted by the Planning Board

To see if the Town will vote to amend the Norfolk Zoning Map by amending the Flood Plain overlay district to reflect the changes in the Flood Plain overlay district that were adopted by Article 38 at the Annual Town Meeting on May 8, 2012 as shown on a map entitled Floodplain Map, dated May 8, 2012, prepared for the Norfolk Planning Board by Professional Services, Corporation, PC,

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

The Norfolk Zoning Map has been updated to reflect the changes in the Flood Plain districts that were approved at the most recent Town Meeting.

ARTICLE 21

Submitted by the Board of Assessors

To see if the Town will vote to accept G.L. c. 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans, as defined in clause Forty-third of Section 7 of Chapter 4, to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed \$1,000.00 and not to exceed the current minimum wage of the Commonwealth per hour; and further to see if the Town will vote to adjust the exemption by

ARTICLE 24 Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Historical Reserve, an amount not to exceed \$40,000, to preserve Norfolk vital and other historic records, including, without limitation, to obtain equipment, software, and consulting and training services to scan and laserfiche said records into a secure and searchable database specific to Town of Norfolk's needs; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

Approval of this article will allow the town to adopt a method of preserving and accessing the town's "vital and other historic records" through a reliable storage medium and searchable database. Currently those records are maintained only on paper, which puts them at risk of loss by fire or other hazards. This funding will allow the town to acquire the equipment, software, and training needed to begin the process of digitally capturing all of these records.

In addition to benefit of safe and permanent storage of these records, the Town Clerk's office will be able to process requests for information more efficiently, and the Town will have the potential to expand the system to other types of information in the future.

ARTICLE 25 Submitted by the Community Preservation Committee

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Open Space Reserve, an amount not to exceed \$20,000, to create an Athletic Field and Park Amenities Strategic Plan to assess the recreation needs of the Town, identify potential field and other space land to be acquire or created by the Town, and preserve and manage the Town's recreational assets; or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

Currently, the Town's recreational facilities are strained to, and sometimes beyond, their maximum capacity. As this situation can only get worse as our population increases, the need for a study such as this is apparent. While the Recreation Department has the ability to evaluate some of the issues involved in creating a long-term strategy, time is limited, and concerns such as access for persons with disabilities and the siting and design of any buildings that might be necessary go beyond the expertise of the Town's employees.

Therefore, to help the Town plan for its longer term needs for recreational facilities, this article will enable the Town to contract with an experienced third party consulting firm to conduct a thorough analysis and make recommendations as appropriate.

ARTICLE 26

Submitted by the Treasurer / Collector

To see if the Town will vote to confirm acceptance of Massachusetts General Law Chapter 40, Section 57 and to amend the Town of Norfolk General Bylaws, Article II: Financial Affairs, Section 4 by striking said Section 4 and replacing it with the following:

Section 4. Denial, Revocation or Suspension for Licenses and Permits for Failure to Pay Municipal Taxes or Charges

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, 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 for not less than a twelve month period, 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.

(b) 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 tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. 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. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax 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 municipality as the date of issuance of said certificate.

(c) 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.

(d) The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

This article adopts the provisions of state law that will allow the Town to revoke certain licenses and permits as a consequence of failure to pay taxes or fees owed to the Town.

ARTICLE 27

Submitted by the Town Clerk

To see if the Town will vote to amend the Town of Norfolk General Bylaws by adding a new Article, sequentially numbered, to read as follows:

Article ____: Fee Schedule Relating to the Town Clerk

The following fees of the Town Clerk have been adopted by the Town Meeting:

FEE SCHEDULE

Bylaws / Regulations: (also available on website)	
Subdivision Rules & Regulations (Planning Board)	\$45.00
Zoning bylaws	\$15.00
Zoning Map	\$10.00
Wetlands	\$5.00
Certified Copy of any record	\$10.00
Genealogy Research fee – per state mandated guideline	

(Currently hourly rate of lowest paid office employee per office and .20 per copy)

DBA Certificate filing	\$50.00
DBA change	\$25.00
DBA – List of current DBA’s	\$20.00
Dog License List of current licenses	\$35.00
Dog License, Male/Female – before May 1 st	\$15.00
Dog License, Spayed/Neutered – before May 1 st	\$10.00
Dog Kennel License up to 4 dogs	\$50.00
“ 5 to 9 dogs	\$100.00
“ 10 or more dogs	\$150.00

(*note: Kennel Licenses require Zoning Board approval prior to licensing)

***Dog late fee for license renewal after May 1st as follows:

A late fee of \$15.00 for the month of May and an increase of the late fee by \$5 per month through the end of the calendar year for a maximum fine of \$50 charged by owner.

General copies – per state mandated guidelines (currently .20 ea.)

Marriage Intentions filing fee	\$40.00
Re-issue certificate due to solemnizer error	\$25.00
Pole Locations (per pole)	\$50.00
Residents List (over age 17) on disk	\$25.00
Street Listing Book (must sign log)	\$10.00
Voter Activity Report, per election (disk or email)	\$15.00
Voter List (disk or email)	\$25.00

Any mailed or on-line transactions may also be charged a postage and handling fee.

or take any other action relative thereto.

The Advisory Committee recommends approval of this article.

This article simply adds the fees charged by the Town Clerk for various reasons to the Town bylaws, as recommended by legal counsel.

Hereof, fail not, but make due return of this warrant, with your doings thereon to the Town Clerk, on or before the hour of said meeting. Given under our hands and seal of the Town of Norfolk on the fifth day of November, 2012 A.D.

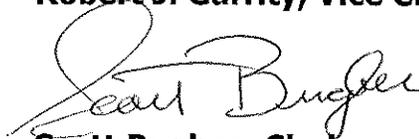
NORFOLK BOARD OF SELECTMEN



James C. Lehan, Chairman



Robert J. Garrity, Vice Chairman



Scott Bugbee, Clerk

A true copy, attest:
Town of Norfolk
Norfolk, ss

By virtue of this Warrant, I have notified and warned the legal voters of the Town of Norfolk aforesaid to meet at the time and place and for the purposes specified in said Warrant, by posting true and attested copies thereof in the Town Hall, and in at least one public place in each of the three (3) precincts, not less than fourteen (14) days at least before the date of said meeting.

Constable

Date

**TOWN OF NORFOLK
ONE LIBERTY LANE
NORFOLK, MA 02056**



November 29, 2012
@ 7:00 PM
FALL SPECIAL TOWN MEETING

FREEMAN KENNEDY SCHOOL
NORFOLK, MA 02056

PLEASE ATTEND

YOUR VOTE IS IMPORTANT