SPECIAL TOWN MEETING

NOVEMBER 19, 2019
7:00 p.m.

Freeman Kennedy School
70 Boardman Street
Norfolk, MA

The Norfolk Town Advisory Committee invites you to attend the 2019 Fall Town Meeting to be held at the Freeman Kennedy School (70 Boardman Street , Norfolk) at 7:00 PM on Tuesday, November 19.

Highlights of this meeting include:

- Spending articles (capital funding requests, CPC proposals, OPEB employee benefit obligations,budget transfers, updating HR Classification and Compensation plan.
- Town bylaw amendments (contracting procedures, severability language)
- Zoning bylaw amendments (site planning, B-1 District changes, parking areas, Holbrook well)

Descriptions of each article along with recommendations of the Advisory Committee are included in this document. These are important issues for our community to decide. Please review this material and join us at Town Meeting to share your opinions and cast your vote. Thank you!

Best Regards,

Arthur Frontczak

Arthur Frontczak
Chair, Advisory Committee

Committee Members:
David Lutes (Clerk), Kristen Balash, Brian Beachkofski, Peg Drisko, Michael Hough, Jonathan Hurwitz, Jackie Katz, Susan Klein,

Administrative Assistant:
Susan Jacobson

WARRANT AND RECOMMENDATIONS

SPECIAL TOWN MEETING

November 19, 2019

ARTICLE	SPONSOR	DESCRIPTION
1	Planning Board	Amend Zoning Bylaw
2	Planning Board	Amend Zoning Bylaw
3	Planning Board	Amend Zoning Bylaw
4	Planning Board	Amend Zoning Bylaw
5	Planning Board	Amend Zoning Bylaw
6	Planning Board	Amend Zoning Bylaw
7	Planning Board	Amend Zoning Bylaw
8	Planning Board	Amend Zoning Bylaw
9	Planning Board	Amend Zoning Bylaw
10	Planning Board	Amend Zoning Bylaw
11	Select Board	Transfers
12	Select Board	Unpaid Bills
13	Select Board	Ridesharing appropriation
14	Select Board	Message Board Sign Funding
15	Select Board	HR Classification & Compensation Funding
16	Select Board	Capital Requests/Debt Funding
17	Select Board	Capital Requests/Cash Funding
18	Select Board	COA Revolving Fund
19	Select Board	Funds for OPEB Trust Fund
20	Select Board	Water Enterprise Fund
21	Select Board	Committee Reports
22	CPC	Funding to Restore Headstones
23	CPC	Funding for Display Case
24	CPC	Funding for Weed Control
25	CPC	Funding for work at Town Fields
26	TGSC	Update Contract Laws
27	Town Clerk	Allow Corrections on Scribner's Errors
28	Town Clerk	Update Bylaw Severability
29	Select Board	Accept Public Ways

NOVEMBER 19, 2019 SPECIAL 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 Tuesday, November 19, 2019 at 7:00 p.m. at the Freeman Kennedy Elementary 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 Planning Board**
To see if the Town of Norfolk will vote to amend Section I.4.a.1 of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto:

I.4.a.1. Building Scale. ~~No Building FOOTPRINT, other than a GROCERY STORE, Municipal BUILDING, or VARIETY STORE, shall exceed 15,000 square feet.~~ No GROCERY STORE or VARIETY STORE FOOTPRINT shall exceed ~~50,000~~ **20,000** square feet. No Municipal BUILDING FOOTPRINT shall exceed 30,000 square feet.

Planning Board's Comments
Article 1 would remove the building footprint cap and put a cap on grocery and variety stores.

The Advisory Committee recommends indefinite postponement of Article 1.

The Advisory Committee recommended an Indefinite Postponement of Article 1 because they felt that a general lifting of the cap on square footage of development in the B1 district combined with the reduction in the square footage cap on groceries store is an overreaction with potentially unintended consequences. The Committee encourages the Planning Board to examine this issue further.

ARTICLE 2 **Submitted by the Planning Board**
To see if the Town of Norfolk will vote to amend Section I.4.a.6. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto:

I.4.a.6. Building Height and Facade. Within the B-1 District BUILDING HEIGHT shall not be more than ~~forty (40) feet~~ **forty six (46) feet** in height to the **mean level of the highest gable or slope of a hip roof.** ~~peak of the roof unless otherwise provided for by the Planning Board through a site plan approval process. In such cases,~~ BUILDING HEIGHT ~~may be extended up to forty-six (46) feet to the peak of the roof for the purpose of accommodating pitched roof lines, but~~ in no case shall ~~the height~~ exceed three **and a half** (3 **1/2**) stories as measured from the street facing finish grade of the building or

structure, including the third **and half** story within the pitched roof. All buildings shall have a pitched roof, or the look of a pitched roof (with a minimum of a 5:12 pitch) and consistent with architecture prevalent within Town Center. In the event that a flat roof is desired, the building shall have the look of a pitched roof, from the front, sides, and the rear, depending upon what may be visible from the street.

BUILDING HEIGHT shall not include any steeples, flag poles, weather vanes, or cupolas. The highest point of any such steeples, flag poles, weather vanes, or cupolas shall not exceed eighty (80') feet.

At least 60% of the vertical wall area of the FRONTAGE SIDE facade of a BUILDING shall be made up of vertical BUILDING wall, dormers, or a parapet or false facade to a minimum height of 20 feet.

Planning Board's Comments
Article 2 would increase height for building(s) within the B-1 Zoning District to 3 ½ stories and 46 feet by right building height.

The Advisory Committee recommends approval of Article 2.

The Advisory Committee voted to support this article because they felt it was a reasonable change for the B-1 district.

ARTICLE 3 **Submitted by the Planning Board**

To see if the Town of Norfolk will vote to amend Section I.4.a.11. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto:

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 **units per acre, unless otherwise provided by Special Permit by the Planning Board through a site plan approval process.** ~~bedrooms for any single LOT or entire PMLD 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.~~

Planning Board's Comments
Article 3 would increase the allowable density for mixed use by right and allow for additional density by special permit from the Planning Board.

The Advisory Committee recommends approval of Article 3.

The Advisory Committee voted to support this article because it was felt that allowing a density of 16 units per acre for all residential development in the B-1 district would provide developers some more flexibility in the mix of housing units that could be available. The previous cap of two bedrooms per unit except by special permit was believed to be too limiting. Committee did vote 4-3 to not support a previous motion to indefinitely postpone this article.

ARTICLE 4 **Submitted by the Planning Board**

To see if the Town of Norfolk will vote to amend Section I.4.b.1.A. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto:

I.4.b.1.A. No BUILDING, STRUCTURE, Use, PARKING AREA, driveway, vehicle circulation area, or other vehicle access way shall be located less than 50 feet from an adjacent parcel within a Residential Zoning District unless otherwise provided by Special Permit by ~~the Zoning Board of Appeals.~~ the **Planning Board.**

Planning Board's Comments

Article 4 would swap the Planning Board for the Zoning Board of Appeals to reduce the buffer distance by special permit.

The Advisory Committee recommends approval of Article 4.

The Advisory Committee voted to support this article as it makes a sensible and appropriate change to the administrative process for reviewing special permit requests for parking restriction appeals.

ARTICLE 5 **Submitted by the Planning Board**

To see if the Town of Norfolk will vote to amend Section I.6.a. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto:

I.6.a. Shared Parking. Where the APPLICANT demonstrates to the Planning Board through the Site Plan Approval process that **the combination of uses on the site are non-peak demand for parking spaces and not needing the number of required parking spaces, up to thirty percent (30%) of the minimum amount of the parking spaces may be waived.** ~~or parking spaces within the STREET within the B-1 District can be utilized by more than one use located within 500 feet of the entrance of the principal BUILDING, STRUCTURE, or use of the premises, such that vehicles occupying a particular number of spaces are unlikely to require the use of those spaces at the same time of day or the same day of the week, the immediate construction of up to 30% of a parking area may be postponed, provided: (i) adequate land area is reserved for additional parking should it be needed in the future, (ii) the area reserved for future parking is shown on the site plan, (iii) no BUILDING or STRUCTURE may be placed on any area reserved for future parking, (iv) surety or other means of performance assurance in a form and amount acceptable to the Planning Board is given to the Town to insure that such additional parking area (including drainage and landscaping) will be constructed if needed, and (v) as a condition of postponing such construction, the Planning Board shall review the adequacy of the parking area every three years after endorsement of the site plan, or more frequently upon request of the Zoning Enforcement Officer, and certify that the number of parking spaces provided continues to be sufficient having regard for the actual uses of the site. The Planning Board shall be the determining authority regarding the future need of such parking.~~

Planning Board's Comments
Article 5 would give the Planning Board the authority to waive the required parking for a project up to 30 percent.

The Advisory Committee recommends indefinite postponement of Article 5.

The Advisory Committee recommended an Indefinite Postponement of this article due to our concerns about reducing the number of parking spots that would be required for developments in the B1 district. This could exacerbate parking at some of these developments. The Committee encourages the Planning Board to examine this issue further.

ARTICLE 6 **Submitted by the Planning Board**

To see if the Town of Norfolk will vote to amend Section I.7, Section I.7.a, and Section B. DEFINITIONS (to be inserted alphabetically) of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto:

I.7. Uses Permitted and Regulated in the B-1 District

No BUILDING, STRUCTURE or land in the B-1 District shall be used for any purpose or in any manner other than as set forth in this section. Any use not specifically listed in Section I.7.a. and I.7.b. is prohibited. **A B-1 Business Core project shall be mixed-use with a combination of any allowed and/or special permit uses that may contain Residential DWELLINGS UNITS, other than a SINGLE FAMILY DWELLING, and appurtenant residential uses, except on the ground floor of PRINCIPAL BUILDING(S). A minimum of one (1) PRINCIPAL BUILDING with a non-residential ground (street grade) floor shall be located within the BUILD-TO LINE. For a site plan with multiple buildings, additional PRINCIPAL BUILDING(S) shall be located within the BUILD-TO LINE to fill the primary street frontage(s). A site plan with a full frontage of PRINCIPAL BUILDING(S) is allowed SECONDARY BUILDING(S) to be located outside of the BUILD-TO LINE, but these are to be constructed after the PRINCIPAL BUILDINGS are completed.**

In Section I.7.a:

I.7.a. Allowed Uses

- ADULT DAY CARE ancillary to an ASSISTED LIVING FACILITY;
- Art Galleries and Studios;
- ASSISTED LIVING FACILITIES if on a LOT with an existing ground elevation at the proposed BUILDING at or above 255 feet elevation, mean sea level (1927) datum;
- Automatic teller machines;
- Bakeries;
- Banks;
- CHILD CARE FACILITY; (added 5/9/17)
- Coffee shops;
- Collection center for dry cleaning and laundry drop-off;
- CONVENIENCE STORES;

- CRAFT WORKSHOP;
- Cultural Center, symphony hall or other place for the Community's or the Public's enjoyment of indoor or outdoor musical, dramatic, or artistic performances; amphitheaters;
- Dance, exercise and aerobic studios, martial arts studio;
- Delicatessens;
- Electric Vehicle Recharger Facilities;
- FARMER'S MARKETS;
- Funeral home;
- GROCERY STORE;
- HARDGOOD sales stores;
- Historical or cultural society;
- JOB PRINTING;
- Laundromats;
- Licensed INN or HOTEL;
- LIMITED USED MOTOR VEHICLE SALES;
- Medical, Dental and Optical Clinics;
- Meeting Rooms or BUILDINGS Accessory to ASSISTED LIVING FACILITIES;
- Mixed use comprised of any of the Allowed uses;
- Municipal BUILDINGS;
- Offices and Office BUILDINGS;
- Open Space, village greens and squares;
- Parking lot as Principal Use as part of a Planned Multi-Lot development, except on corner LOTS;
- Post office;
- Private Schools (for profit);
- Public transit facilities including stations and platforms;
- Residential DWELLINGS UNITS, **other than a SINGLE FAMILY DWELLING. No residential dwelling units shall be allowed on the ground (street grade) floor of PRINCIPAL BUILDING(S) located within the BUILD-TO LINE. For a site plan with multiple buildings, additional PRINICIPAL BUILDING(S) shall be located within the BUILD-TO-LINE to fill the primary street frontage(s). SECONDARY BUILDING(S) not located within the BUILD-TO LINE may be one hundred percent (100%) residential including dwelling units on the ground floor. In the B-1 Business Core, fifteen percent (15%) of ten (10) or more dwelling units shall be affordable to those earning less than eighty percent (80%) of the area median income (AMI), which supersedes the ten percent (10%) requirement of Section H.3.d.1.a, all other requirements of Section H.3. shall be followed** ~~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 structures(s) and the footprint of residential structure(s) is equal to or less than the footprint of the commercial structure(s), provided that the commercial structure is constructed prior to residential occupancy.~~
- Residential DWELLING UNITS located above the ground floor of BUILDINGS. provided that the ground floor is constructed for, and limited to, business or commercial uses prior to residential occupancy;
- RESTAURANTS;

- RETAIL SALES;
- RETAIL SERVICES;
- SOFTGOOD sales stores;
- TAKE OUT RESTAURANTS;
- Theaters; movie cinemas;
- VARIETY STORE;
- Video conferencing and/or conference facility.

In Section B:
BUILDING(S), PRINCIPAL – In the B-1 Business Core, a building located within the BUILD-TO LINE that is most important and prominent in terms of its position on the property, size and scale, architectural massing and design, and relationship to the street and sidewalk. No residential dwelling units shall be allowed on the ground (street grade) floor of a principal building.

BUILDING(S), SECONDARY – In the B-1 Business Core, a building located outside of the BUILD-TO LINE and set behind the PRINCIPAL BUILDING in such a way that it is subordinate to the , but supports a cohesive site layout. The building shall be less important and prominent than the PRINCIPAL BUILDING in terms of its position on the property, size and scale, architectural massing and design, and relationship to the street and sidewalk. A secondary building may include one hundred percent (100%) residential uses, including dwelling units on the ground floor.

Planning Board's Comments
Article 6 would allow a combination of commercial and residential uses in the inner core of the B-1 Zoning District. An outcome could be a commercial building at the street front with a building to the rear that may be all residential.

The Advisory Committee recommends indefinite postponement of Article 6.

The Advisory Committee was split 4-3 with one abstention on this article. Members generally felt that a vibrant mixed district in downtown Norfolk was a goal worth pursuing, however, the majority felt that this proposal could allow too much residential development, increasing congestion and limiting genuine commercial development opportunities.

ARTICLE 7 **Submitted by the Planning Board**
To see if the Town of Norfolk will vote to amend Section F.11 of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto.

F.11. SITE PLAN APPROVAL

F.11.a. Requirements for Site Plan

In all districts no BUILDING or ~~structure~~ **STRUCTURE** shall be constructed or externally enlarged and no use shall be expanded in ground area or established in an

existing BUILDING **or STRUCTURE or no new tenancy** except in conformity with a site plan bearing an endorsement of approval by the Planning Board unless Site Plan Approval is specifically exempted **under M.G.L. Chapter 40A, Section 3** or herein. This provision shall not apply to **any** SINGLE **or TWO** FAMILY homes **in any district**, including additions or enlargements. ~~In addition, this provision shall not apply to uses exempt under M.G.L. Chapter 40A, Section 3., which are permitted in the district in which the property is located as a matter of right including single family homes located within an Open Space Preservation residential subdivision. In addition, this provision shall not apply to uses exempt under M.G.L. Chapter 40A, Section 3 or to continuously occupied single-family residentially occupied dwellings in the B1 and C1 Districts.~~ The Building Commissioner/Zoning Enforcement Officer **in conjunction with the Town Planner** shall make a **written** determination as to which of the following applies:

1. **F.11.a.1** ~~Full~~ Site Plan Approval **Not Required; or,** ~~under Section F.11.a.;~~
2. **F.11. a.2 Site Plan Modification Approval is required; or,**
3. **F. 11.a.3 Site Plan Full Approval is required.** ~~Site Plan Approval is not required as the application either meets the conditions for Non-Applicability or the application is exempt~~; 3). ~~Limited review applies and Site Plan Approval shall have a limited scope of review~~**.**

F.11.a.1. Site Plan Approval Not Required ~~Conditions for Non-Applicability of Section F.11.a.:~~ Upon payment of a fee and the formal application **to the Building Department a written** determination **shall be made by** the Building Commissioner/Zoning Enforcement Officer **in conjunction with Town Planner** for change of use or change to an existing, occupied BUILDING **or STRUCTURE with a previous site plan approval**, the Site Plan Approval requirements of **Full or Modification** may not apply if all of the following information is provided and the following conditions (A-F) are determined to exist by the Building Commissioner/Zoning Enforcement Officer:

A. Provide a ~~BUILDING~~ **floor** plan indicating the occupied space~~'~~s existing use, its proposed new use, its ~~net floor area~~ **USABLE FLOOR AREA**, its locus within the BUILDING **or STRUCTURE and its consistency with the original site plan approval.**

B. Provide a written statement indicating ~~the new use is no more intensive than the existing use and that~~ the new space use is permitted as a matter of right (per current zoning) in the district in which the BUILDING **or STRUCTURE** is located **and that it is consistent with the original site plan approval.**

C. Provide a written statement **stating** the number of parking spaces required **in the original site plan approval** ~~indicating the new use and/or change will generate no increase in parking or traffic activity.~~ **Calculate the number of required parking spaces under current zoning for the existing use(s).** State the **number of parking spaces required or the new use based on Section F.7. If it is a multi-use BUILDING(s) or STRUCTURE show the parking requirements based on Section F.7 for each tenant and their designated spaces.**

D. Provide a written statement indicating how the existing BUILDING or STRUCTURE and site function **in accordance with the original site plan approval** relative to

handicapped accessibility, **storage, exterior lighting** ~~percent of impervious site surface, storm water discharge~~ and property line to BUILDING setback (with site diagram).

E. Provide a written statement indicating that the existing BUILDING has been continuously occupied which shall be defined as a BUILDING that has not been fully vacant for a period of no more than 23 months.

F. An application shall not be considered complete until the owner(s) of record or their legally authorized agent walks the property with the Building Commissioner/Zoning Officer and Town Planner

G.~~F~~. The Building Commissioner/Zoning Enforcement Officer **in conjunction with the Town Planner** may determine that the proposed new use and/or change in the existing BUILDING or Structure **does not require Site Plan Modification or Full Site Plan Approval.** ~~, is no more intensive than the current use, generates no increase in parking or traffic than the current use, will have no increased impact on the neighborhood or adjacent property(s) and is permitted in the district as a matter of right.~~ A **written** determination under this section shall be issued within 15 days after the completed application is received for action by the Building **Department**. Occupancy shall not occur until compliance with all conditions of the determination have occurred.

H. ~~G.~~ A**ny** determination issued with conditions **must be** consistent with the Planning Board's most current Rules and Regulations.

~~H. The following uses shall not be considered for non-applicability of this bylaw: restaurants, coffee shops, bakeries, schools, and banks permitted as a matter of right in the district where the BUILDING is located.~~

I. A finding shall be made that the application does not qualify for a determination under this section in which case Site Plan **Modification or Full** Approval ~~Limited Site Plan Approval~~ is required.

Plan Requirements Modification or Full Site Plan Approval F.11.a.2 and 3

If **Modification** or ~~Limited~~ **Full** Site Plan Approval is required, said plan shall show, among other things, all existing and proposed BUILDINGS, STRUCTURES, free standing signs, parking spaces, driveway openings, driveways, service areas, open area uses and other improvements; all disposal facilities for sewage, refuse and other waste disposal; and for surface water drainage and all storage facilities for equipment, material and other; all landscape features (such as fences, walls, planting areas, and walks); and all existing natural features, including ponds, brooks, and wetlands on the LOT. The site plan shall be prepared, signed and certified by a Professional Engineer (PE) or a Registered Land Surveyor, as appropriate. The proposed use(s) and site development shall conform to the requirements set forth in this bylaw and other regulations as applicable. The plan shall conform to the administrative requirements set forth in the Planning Board Rules and Regulations as most recently adopted.

~~Compliance with the requirements of F.11.a. shall not apply to continuously occupied buildings meeting the Conditions of Non-Applicability, F.11.a.1. Further, compliance~~

~~with the requirements of F.11.a. may be exempted or modified for changes to an existing, continuously occupied BUILDING and site by decision of the Building Commissioner/Zoning Enforcement Officer for which there is a determination of minimal impact as herein set forth in Sections F.11.a.1., F.11.a.2., or F.11.a.3.~~

F.11.a.2. Site Plan Modification to a previously approved Site Plan ~~Exemption~~. Upon payment of a fee and submission of a formal application **to** the Building **Department a written determination** shall **be made by the Building Commissioner/Zoning Enforcement Officer in conjunction with the Town Planner** whether the Site Plan **Modification is applicable** ~~Application is exempt~~. The conditions for **Modification** ~~exemption~~ shall be based on a determination that: (1) The site has a previous Site Plan Approval by the Planning Board and (2) a determination is made that the proposed change generates minimal impact using the following criteria: (a) the use is allowed as a matter of right; (b) **the alteration or** ~~the BUILDING~~ enlargement and use requires the addition of no more than ten (10) ~~or fewer additional~~ parking spaces. ~~or less than 5 %more parking whichever is greater the addition of less than 10 % of the current parking whichever is greater~~; and c). ~~no~~ critical elements of the site are being **minimally** altered. Critical elements shall be defined as location, width, and surface materials of the egress, walkways, driveways, parking areas, drainage, lighting or screened trash or storage areas, and traffic.

The determination shall be rendered within ~~30~~ **15** days of ~~the~~ submitting ~~of the~~**a** complete application with required plans and statement~~s~~**(s)** for ~~an~~ **Modification** ~~exemption~~.

A. Any determination issued with conditions shall be consistent with the Planning Board's most current Rules and Regulations.

B. A finding shall be made that t the application does not qualify for a determination under this section in which case **Full** Site Plan Approval ~~or Limited Site Plan Approval~~ will be required.

F.11.a.3. Conditions of **Full** ~~Limited~~ Site Plan Approval under Section F.11.a~~.: Upon payment of a fee and submission of a formal application to the Building Commissioner/Zoning Enforcement Officer~~ a change in an allowed use and/or configuration of a BUILDING or Structure and/or site layout **will require Full Site Plan Approval if:** ~~may be determined to not require full compliance with Section F.11.a., Requirements for Site Plan.~~

~~The conditions for Limited Site Plan Approval shall be based on a determination that:~~ 1). The site **does not have** ~~has~~ a previous Site Plan Approval by the Planning Board and 2). ~~A determination is made that the proposed change of use or configuration is not substantial. The following criteria shall be satisfied:~~ (a) The use proposed is permitted as a matter of right; (b) The alteration or enlargement would result in the addition of (~~5~~) eleven **(11)** or more ~~fewer~~ parking spaces. ~~**or the addition of less than 11 % of the current parking whichever is greater**. or the addition of less than 10% of the current parking capacity whichever is greater~~; and ~~c). The change or alteration does not substantially impact the existing site's critical elements. Critical elements shall be defined as location, width, and surface materials of the egress, walkways,~~

~~driveways, parking areas, drainage, lighting or screened trash or storage areas and traffic.~~

~~A. A determination that a proposal is subject to Full Site Plan Approval eligible for Limited-Applicability shall permit an applicant to request a site plan approval from the Planning Board complying with Section F.11.a. limited to the area of specific impact.~~

~~B~~. The determination shall be rendered within fifteen **(15)** days of submitting of the complete application with required plans and statements~~. for limited-applicability~~.

~~C. The Building Commissioner/Zoning Enforcement Officer may make a finding that the application does not qualify for a determination under this section in which case Site Plan Approval or Limited Site Plan Approval is required.~~

F.11.b. Procedure for Approval

Any person desiring approval of a site plan under this Section shall submit said plan with application for approval and appropriate fee in accordance with the Site Plan Approval Rules and Regulations as most recently amended directly to the Planning Board. The Board shall, within **ten** ~~fifteen~~ (~~15~~) **(10)** days after the receipt, transmit one (1) copy of such plan to the following: Building ~~Inspector~~ **Commissioner**, Board of Health, Conservation Commission, ~~Water Commissioners~~, Police Chief, Fire Chief, ~~Highway Superintendent~~ DPW Superintendent.

Each agency shall, at its discretion, investigate the case and report in writing, its recommendations to the Planning Board. When a site plan is submitted in conjunction with an application to the Board of Appeals for a Special Permit (Section G.6.b.2.f), the Planning Board shall also request a review and report of findings from the Board of Appeals. The Planning Board shall include the findings from the Board of Appeals in its recommendations.

The Planning Board shall not take final action on such plan until it has received reports from said agencies or until said agencies have allowed twenty-one (21) days to elapse after receipt of such plan without submission of a report thereon. No building permit shall be issued unless the site plan has been approved by the Planning Board. No Certificate of Occupancy shall be issued until all requirements of the approved site plan have been completed. **A temporary occupancy permit may be issued by the Building Commissioner where the site plan work has not been completed if the Planning Board determines that a temporary occupancy permit is warranted, based upon the request of the owner of property that is the subject of the Site Plan Approval.**

In exercising its jurisdiction under this Section, the Planning Board shall comply with all requirements and procedures applicable to those of a PERMIT GRANTING AUTHORITY when deciding requests for special permits pursuant to M.G.L. c. 40A, §§ 11 and 17, including, but not limited to those relating to notice, public hearing and appeals, as most recently amended.

F.11.c. General Conditions for Approval

In considering a site plan under this Section, the Planning Board shall assure, to a degree consistent with a reasonable use of the site for the purposes permitted or permissible by the regulations of the district in which **the property is** located:

F.11.c.1. protection of adjoining premises against seriously detrimental or offensive uses on the site;

F.11.c.2. convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent STREETS, property, or improvements;

F.11.c.3. adequacy of the methods of disposal for sewage, refuse, and other wastes resulting from the uses on the site, and the methods of drainage for surface water from its parking spaces and driveways;

F.11.c.4. adequacy and safety of storage facilities/methods for fuel, refuse, vehicles and other material and equipment incidental to the use of the site;

F.11.c.5. provision for emergency access and operations within the site;

F.11.c.6. provision for off-STREET loading, unloading, and parking of vehicles incidental to the normal operation of the establishment.

F.11.d. Authority of the Board

The Planning Board shall have the power to require that technical data and study results be provided by the APPLICANT to support the site plan.

The Planning Board shall have power to **modify a determination from Section F.11.a 2 and** modify or amend its approval of a site plan on application of the person owning or leasing the premises, or upon its own motion in the event of changes in physical conditions sufficient to justify such action within the intent of this Section. All of the provisions of this Section applicable to approval shall, where apt, be applicable to such modification or amendment.

Site Plan Approval may be revoked by the Board if, after a public hearing, it determines that a site has not been developed or maintained in accordance with the approved site plan.

Planning Board's Comments

Article 7 would create 3-tiered site plan approval process. It would also require any commercial site to have a site plan as a base. Determination of what tier is applicable would be shared by the Building Commissioner and Town Planner.

The Advisory Committee recommends approval of Article 7.

This will create a new joint review process between the Building Inspector and the Town Planner for site plan reviews, allowing a "second set of eyes" on these matters.

ARTICLE 8 **Submitted by the Planning Board**

To see if the Town of Norfolk will vote to amend Section F.7.e of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto.

F.7.e. In the Business 1 through Business 4 and Commercial 1 through Commercial 6 districts, PARKING AREAS shall be located in the rear YARD or side YARD of STRUCTURES and not in the front YARD of such STRUCTURES, unless otherwise authorized by Special Permit issued by the ~~Zoning Board of Appeals~~ **Planning Board**.

Planning Board's Comments

Article 8 would transfer responsibility for approval of parking areas in front yard in several zoning districts from the Zoning Board of Appeals to the Planning Board.

The Advisory Committee recommends approval of Article 8.

This would change the responsibility for reviewing specials permits related to certain parking requirements from the Zoning Board of Appeals to the Planning Board. Similar to Article 4, the Committee felt that this was a sensible and necessary change.

ARTICLE 9 **Submitted by the Planning Board**

To see if the Town of Norfolk will vote to amend Section D.4.d.2. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto.

D.4.d.2. The boundaries of the Water Supply Protection District are delineated on the Zoning Map dated ~~November 27, 2018~~ **November 19, 2019** which is depicted and is hereby made a part of this Bylaw. These boundaries reflect the best hydrologic information available as of the date of the map(s). In the event of a discrepancy between the map and the criteria that follow, the criteria shall govern.

Planning Board's Comments

Article 9 would add to the zoning map the new Holbrook Street well field as is required by the State Department of Environmental Protection as part of the Town's permit to construct and operate this well.

The Advisory Committee recommends approval of Article 9.

The Advisory Committee supports this article to amend Section D.4.d.2. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto.

D.4.d.2. The boundaries of the Water Supply Protection District are delineated on the Zoning Map dated November 27, 2018 November 19, 2019 which is depicted and is hereby made a part of this Bylaw. These boundaries reflect the best hydrologic

information available as of the date of the map(s). In the event of a discrepancy between the map and the criteria that follow, the criteria shall govern.

ARTICLE 10 **Submitted by the Planning Board**

To see if the Town of Norfolk will vote to amend Section C.2.a. of the zoning bylaws by deleting the following strikethrough language and inserting the new language in bold print, or take any action relative thereto.

C.2.a. Said districts are located and bounded as shown on a map entitled "Zoning Map of Norfolk, Massachusetts", dated ~~April 2, 2002~~ **November 19, 2019** as most recently amended, and on file in the office of the Town Clerk. The Zoning Map, with all explanatory matter thereon, is hereby made a part of this bylaw.

Planning Board's Comments

Article 10 would update the Town's zoning map from the version approved in 2002 to this version effective the date of this meeting.

The Advisory Committee recommends approval of Article 10.

The Advisory Committee supports this article to amend C.2.a. Said districts are located and bounded as shown on a map entitled "Zoning Map of Norfolk, Massachusetts", dated April 2, 2002 November 19, 2019 as most recently amended, and on file in the office of the Town Clerk. The Zoning Map, with all explanatory matter thereon, is hereby made a part of this bylaw.

ARTICLE 11 **Submitted by the Select Board**

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, 2020; or take any other action relative thereto.

Town Administrator's Comments

Article 11 is the Transfer article and asks for authorization to adjust budgets for the current fiscal year.

The Advisory Committee recommends approval of Article 11.

We unanimously approve the proposed list of mid-year budget adjustments requested by the Town Administrator. The full list of proposed changes will be presented at Town Meeting

ARTICLE 12 **Submitted by the Select Board**

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.

Town Administrator's Comments

Article 12 is the request to authorize paying bills from a prior fiscal year. At the time the warrant was executed, none are anticipated.

There are no unpaid bills at this time.

ARTICLE 13 **Submitted by the Select Board**

To see if the Town will vote to appropriate the funds received from the Commonwealth Transportation Infrastructure Fund ("Fund") pursuant to St. 2016, c.187, § 8(c)(i) to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure; or take any other action relative thereto.

Town Administrator's Comments

Article 13 is a request to appropriate monies received from ridesharing services (Uber & Lyft) that originated in Norfolk in calendar years 2017 and 2018 totaling $1,208.20.

The Advisory Committee recommends approval of Article 13.

The Advisory Committee supports the use of the $1,208.20 from the Commonwealth Transportation Infrastructure Fund for transportation-related expenses like buying signs or other small items.

ARTICLE 14 **Submitted by the Select Board**

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum of money to purchase a trailer mounted message board sign; or take any other action relative thereto.

Town Administrator's Comments

Article 14 is intended to request $8,600.00 to supplement a State grant of $10,000 to purchase a second trailer mounted message board sign.

The Advisory Committee recommends approval of Article 14.

The Advisory Committee supports having a second message board trailer to assist in emergency management, road safety and other Town messaging. The $8,600 spent with the passing of this Article will be matched by the state grant. If the Town doesn't spend the money on the message board trailer, we will lose the grant.

ARTICLE 15 **Submitted by the Select Board**

To see if the Town will vote to raise and appropriate or transfer from any available source of funds, a sum money for a Human Resources classification and compensation plan review; or take any action relative thereto.

Town Administrator's Comments

Article 15 is intended to request funds to conduct this study to update the current system which was developed in 2002.

The Advisory Committee recommends approval of Article 15.

The Advisory Committee believes that having a 17-year-old Classification, Job Description and Compensation system hampers the Town's ability to operate

efficiently. The current system creates a number of human resources challenges such as recruiting, compensation, training and management

ARTICLE 16 **Submitted by the Select Board**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for purchase of a roll off truck; as well as engineering, construction and materials for repairs to Lake Street, and other roadway and pavement management plan projects, including all expenses incidental and related, and further, to authorize the Treasurer, with the approval of the Select Board, to borrow such sum pursuant to M.G.L. Chapter 44, §7 or 8 or any other enabling authority and issue bonds or notes therefor; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or, to take any other action relative thereto.

Town Administrator's Comments

Article 16 is intended to request authorization to purchase capital items through debt funding. The Town is seeking authorization purchase a replacement truck used to haul waste and recyclables from the transfer station, funds to complete the paving of Lake Street, and funding for other roadway repairs as identified by the Town's pavement management plan.

The Advisory Committee recommends approval of Article 16.

This is the debt-funded capital plan requested by the Town. The Board unanimously agrees with the urgency and priority of the items totaling $430,000 which include a much needed truck and roadway paving/repairs. A full list of the proposed items with descriptions will be presented at Town Meeting. This will be "debt neutral" as retiring debt will make room for the new items.

ARTICLE 17 **Submitted by the Select Board**

To see if the Town will vote to raise and appropriate or transfer from any available source of funds a sum of money to fund capital and other expense items; or take any other action relative thereto.

Town Administrator's Comments

Article 17 is intended to request authorization to purchase capital items through cash funding.

The Advisory Committee recommends approval of Article 17.

This represents the cash-funded capital plan for the Town. The Advisory Committee unanimously approves this article. The spending for a police cruiser, upgraded police & fire communications gear, and other items — is both important

and urgent. The full list of the proposed items will be presented at Town Meeting. Funding will be drawn from free cash ($199,077), grants the Town received ($50,539), and salary transfers ($17,500) for a total of $267,116.

ARTICLE 18 **Submitted by the Select Board**

To see if the Town will vote to establish a Council on Aging Revolving Fund by amending the General Bylaws of the Town Article II, Section 5 to insert a new row in the table after Planning Board - Advertising; or take any other action relative thereto.

Town Administrator's Comments

Article 18 is a request to authorize a new revolving fund for Council on Aging programming. The registration fees for programs will be paid into the fund. The costs of running the programs will be paid from the fund.

The Advisory Committee recommends approval of Article 18.

This article is a request to authorize the Council on Aging to set up a revolving fund to deposit fees for programs they offer into. The fees will go into this fund which will then be used to pay for costs of the program. Up to now fees charged went into the general fund from which the COA could not pay for programs. (Program costs have been paid from other sources).

ARTICLE 19 **Submitted by the Select Board**

To see if the Town will vote to raise and appropriate or transfer a sum of money to the Other Post-Employment Benefits Liability Trust Fund established by the Select Board on April 16, 2019, to meet the Town's obligations under standards set by the Government Accounting Standards Board (GASB) to fund the Town's future obligations for the cost of other post-employment benefits identified by the GASB; or, to take any other action relative thereto.

Town Administrator's Comments

Article 19 is a request to make an initial contribution to the Trust fund for the purpose of funding the Town's share of the cost of providing health insurance coverage for employees who retire from the Town of Norfolk.

The Advisory Committee recommends approval of Article 19.

The Advisory Committee voted to support this article in order to begin addressing the significant liability that the town currently owes its current and future retirees. Some members felt strongly that the proposed amount was insignificant and that a more comprehensive plan should be put in place, members generally believed that a first commitment must be made to begin addressing this issue

ARTICLE 20 **Submitted by the Select Board**

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 a sum of money to fund capital and other expense items for the Water Enterprise Fund; or take any other action relative thereto.

Town Administrator's Comments

Article 20 is intended to allow the authorization of capital items for the Water enterprise fund. This year the request is to install a water main to the new Holbrook Street well field.

The Advisory Committee recommends approval of Article 20.

This capital funding is necessary to install a water main to bring the new Holbrook Street well online. This expenditure is a requirement in order to operationalize the well and ensure a return on this project's previous funding through Town Meeting.

ARTICLE 21 **Submitted by the Select Board**

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.

Town Administrator's Comments

Article 21 provides the opportunity for Town Officials to provide status updates and for residents to ask questions.

This Article does not require a recommendation from the Advisory Committee.

ARTICLE 22 **Submitted by Community Preservation Committee**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Historic Reserve, a sum of $10,000 for the purpose of removing, repairing, resetting, and cleaning approximately 40 headstones in the Norfolk and Pondville Cemeteries; or take any other action relative thereto.

Community Preservation Committee's Comments

Article 22 is intended to provide funds to repair old headstones at these cemeteries that have broken over time.

The Advisory Committee recommends approval of Article 22.

This article allows the usage of CPC funds towards cleaning, repairing and restoring headstones within the Town's two cemeteries.

ARTICLE 23 **Submitted by Community Preservation Committee**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, Historic Reserve, an amount of $500 to build and install a display

case for historic items, to be located outside of meeting room G-7 in Norfolk Town Hall; or take any other action relative thereto.

Community Preservation Committee's Comments
Article 23 would enable the Historic Commission to erect a display case similar to the existing display cases near the Historic Commission office. It will be removable in the event that the roll-up window is utilized in the future.

The Advisory Committee recommends approval of Article 23.

This article allows the usage of CPC funds towards a display case of historic Town items and artifacts, for display at Town Hall.

ARTICLE 24 **Submitted by Community Preservation Committee**
To see if the Town will vote to allocate from the Community Preservation Fund, Open Space and Recreation Reserve, an amount not to exceed $40,000 for a three- to five-year weed control program to preserve Highland Lake and City Mills Pond, or take any other action relative thereto.

Community Preservation Committee's Comments
Article 24 would provide funds for an on-going weed control program necessary to preserve open water. Residents near Highland Lake had been hand harvesting the water chestnut weed in past years. This summer, a mechanical harvester was used to remove the weeds (ATM approved General Fund). This weed spreads exponentially. City Mills Pond has not been treated in the past.

The Advisory Committee recommends approval of Article 24.

This article will allow the usage of CPC funds provide continue funding for water chestnut weed control for Highland Lake provide new such funding for City Mills Pond. This weed control is critically necessary for the preservation of this lake and pond. This Article had one member abstain (who is an abutter of this property) from the vote.

ARTICLE 25 **Submitted by Community Preservation Committee**
To see if the Town will vote to allocate from the Community Preservation Fund, Open Space and Recreation Reserve, an amount not to exceed $90,000 for the rehabilitation and restoration of three Norfolk ball fields: the Little League/AAA Baseball Field (Recreation Field 8) and the Softball Field (Field 2) at the Freeman Kennedy School, and the Babe Ruth Field at the Pond Street Complex (Field 12); or take any other action relative thereto.

Community Preservation Committee's Comments
These fields require restoration beyond what can be done by DPW to bring them up to field standards, with the goal of having them complete for the 2020 season.

The Advisory Committee recommends approval of Article 25.

This article will allow the usage of CPC funds to upgrade and rehabilitate the playing field surfaces at three baseball and softball fields. If approved the work is expected to be concluded prior to the start of the baseball and softball seasons. If weather causes an unforeseen delay, arrangements have been made to utilize fields at Plainville's PAL facility to avoid any impact or delay to the softball season.

ARTICLE 26 Submitted by Town Government Study Committee

To see if the Town of Norfolk will vote to amend Article VI: Contracts of the general bylaws by deleting the following strikethrough language and inserting the new underlined language in bold print:

SECTION 1. Town Employees Prohibited from Selling Materials to the Town

No Town officer and no salaried employee of the Town or any agent of any such officer or employee shall sell materials or supplies or furnish labor to the Town by contract or otherwise without permission of the Select Board or other board authorized to purchase or otherwise secure materials, supplies and labor for the Town, expressed in a vote which shall appear on the records of such board with the reason therefore. All such contracts or agreements shall be made or awarded as far as is practicable, in such manner as to secure reasonable competition. (3/16/36)

SECTION 2. Compliance with the Massachusetts Uniform Procurement Act

All contracts for goods, equipment or services in the Town of Norfolk will be put out to competitive bid in conformance with Chapter 30B, the Uniform Procurement Act of the Commonwealth of Massachusetts. (5/7/91)

~~**SECTION 3. Bid Procedures**~~

~~The bids shall be sealed, properly endorsed and kept under lock and key until opened at the time stated, in the presence of the board, committee or officer authorized by the Town to make the contract. No bids shall be received after the time advertised for openings. Any or all bids may be rejected. (3/16/36)~~

SECTION <u>34</u>. Performance Bond Requirement

Every contract exceeding ~~$2,000~~ **<u>$10,000</u>** shall be accompanied by a suitable bond for the performance of same, or by the deposit of money or security to the amount of such bond. **<u>Unless required by Massachusetts General Law, the awarding authority may waive this requirement.</u>** (3/16/36), **<u>Amended 3/18/63, Amended on 11/19/19</u>**)

SECTION 45. Review of Contracts by Town Accountant

No contract for equipment, goods, services or a labor agreement shall be signed until the contract has been reviewed by the Town's Accountant. Said review shall be expeditious and shall not be unreasonably withheld. Amended on 11/19/19";

or take any action relative thereto.

<u>Town Government Study Committee's Comments</u>
These language changes would bring the Town's contract laws up to date with state law and current practice.

The Advisory Committee recommends approval of Article 26.

Section 3 and 4 were last updated in 1936 and refer to practices that are either no longer in use or common. For example, many bids are electronic and are not practically kept "under lock and key". Furthermore, Chapter 30B of the Uniform Procurement Act of the Commonwealth of Massachusetts, which is referred to in Section 2 and added in 1991, covers bid procedures and so Section 3 is no longer necessary to cover it separately.
Section 4 changes the minimum performance bond requirement, which currently states a number that made sense in 1936 but should be increased for current reality, as well as allows the Select Board to waive the bond requirement. Both these modifications are based on typical amounts and practices of other Massachusetts towns as researched by the Town Government Study Committee and confirmed by the Town Administrator.

ARTICLE 27 **Submitted by the Town Clerk**

To see if the Town will vote to amend the General Bylaws of the Town by inserting in Article I a new section "C" to read as follows:

> "The Town Clerk shall have the authority to assign appropriate numbers or letters to General Bylaw sections, subsection, paragraphs and subparagraphs and to make non-substantive editorial revisions to the same to ensure consistent and appropriate sequencing and numbering; and to make non-substantive editorial revisions to references regarding such numbering or lettering as contained within the bylaws to ensure accuracy and conformity.
>
> This section shall not be construed to authorize the Town Clerk to make any substantive revisions or changes to the bylaws or proposed additions or amendments, not allowed by law. Such changes include textual changes, correction of typographical errors, or changes pertaining to punctuation";

or take any action relative thereto.

Town Clerk's Comments
This bylaw change would enable the Town Clerk to make appropriate corrections to lettering and numbering in the bylaws to ensure consistency.

The Advisory Committee recommends approval of Article 27.

The Advisory Committee supports adding the amendment to improve efficiency of our Town's governance. We feel that there are sufficient safeguards, such as approval processes with change management controls, to ensure that allowing the Town Clerk to adjust the General Bylaws as described in the Article will not create any unintended changes.

ARTICLE 28 **Submitted by the Town Clerk**

To see if the Town will vote to amend the General Bylaws of the Town by inserting a new section - Article XVIII to read as follows:

> "In addition to and notwithstanding any other language in the General Bylaws regarding severability should any provision or section of the General Bylaws be held invalid, such holding shall not be construed as affecting the validity of any remaining provisions or sections, it being the intent that the General Bylaws shall stand notwithstanding the invalidity of any section or provision thereof. Such invalidity shall be construed as narrowly as possible.";

or take any other action relative thereto.

Town Clerk's Comments

This bylaw change would ensure that if one section of the Town's bylaws were found to be invalid, it would not make the rest of the bylaw invalid.

The Advisory Committee recommends approval of Article 28.

The Advisory Committee supports adding the amendment to improve our Town's General Bylaws as a legal document.

ARTICLE 29 **Submitted by the Select Board**

To see if the Town will vote to accept as public ways the following streets as laid out by the Select Board: Meetinghouse Road, Liberty Lane, Tailwind Circle, Saddle Ridge Way, and Silver Fox Run; or take any other action relative thereto.

Town Administrator's Comments

Article 29 would accept these streets as public ways, which transfers ownership and responsibility for maintenance to the Town of Norfolk.

The Advisory Committee recommends approval of Article 29.

This is a request to accept the following streets as public ways as requested by the Select Board. I will now make for separate motions for each street so that they may be voted on individually. There will be a separate Motion for each Street so they can be voted individually. Meetinghouse Road, Liberty Lane, Tailwind Circle, Saddle Ridge Way and Silver Fox Run.

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 twenty-ninth day of October, 2019 A.D.

NORFOLK SELECT BOARD

Kevin Kalkut, Chairman

Christopher Wider, Vice Chair

Carolyn Van Tine, 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

10/31/19
Date

Rules of Town Meeting

TOWN MEETING

Norfolk's Town Meeting is an open town meeting in which all registered voters may participate in the voting. The Meeting is a deliberative assembly, conducted in the democratic process, charged with engaging in a full but expedient debate on all matters presented, and with full regard to the rights of those who are either supportive of, opposed to or neutral on the subject being discussed.

AUTHORITY

The Moderator presides at and regulates the proceedings, decides all questions of order, and makes declarations of all votes. The Moderator is guided by State Law, the Town's General Bylaws, a treatise on parliamentary procedure entitled Town Meeting Time, and common sense. No attendee of Town Meeting may speak on an issue without being recognized by the Moderator. All declarations of the Moderator are final, subject to points of order that may be legitimately raised. The Moderator appoints Tellers for the purpose of counting close votes of the meeting.

The Town Clerk is responsible for voter registration and keeping the record of the Meeting.

The Advisory Committee prepares recommendations for Town Meeting articles and presents the Main Motion for most of the articles on the Town Meeting Warrant.

The Planning Board makes recommendations on all articles proposing zoning amendments.

Town Counsel is present to address, as directed by the Moderator, any legal questions that arise during Town Meeting.

THE WARRANT

All matters to be considered at Town Meeting must be published in the Town Meeting Warrant, which is predominantly the responsibility of the Board of Selectmen. The Selectmen may consider the inclusion of items proposed by local officials, boards and committees. Other items may be added to the warrant at the discretion of certain local boards such as the Community Preservation Committee, or by groups of ten or more registered voters (100 or more registered voters for a Special Town Meeting). The Advisory Committee reviews the warrant, making recommendations on all the items of business to be presented. In accordance with the by-laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting votes to change the order.

PARTICIPATION

Anyone wanting to ask questions, make a statement, or otherwise participate in the meeting must go to one of the floor microphones and wait to be recognized by the Moderator. Upon recognition by the Moderator, speakers must state their name and address and then state your business.

Anyone whose name is not on the list of registered voters requires the approval of either the Moderator or a majority of the Meeting to address the Town Meeting.

All remarks should be limited to the subject then under discussion. It is improper to indulge in references to personalities and all expressions of approval or disapproval, such as applause or booing, are out of order. The Moderator may interrupt any speaker to halt inappropriate comments and request any person to keep silent. If after warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order a person to leave the Meeting and if he fails to withdraw, may order a police officer to remove such person from the Meeting.

Under local bylaws, the Moderator may, but is not required to, limit any speaker to two opportunities to speak on any motion, with the first opportunity being limited to five minutes and the second opportunity limited to three minutes. There is no fixed time limit to the debate of any question. Regardless of these limits, each individual who speaks to the Meeting should make an effort to be as brief as possible, out of consideration for the others attending the Meeting and the need to

give adequate time to all matters coming before it. The Moderator may limit repetitive comments in an effort to expedite the Meeting.

Anyone who wishes to make a special presentation with respect to any article must, prior to the Meeting, inform the Moderator of the length of time required and the nature of the presentation in seeking his approval. This is preferably done at the Moderator's Organizational Meeting which occurs two weeks prior to Town Meeting.

In the event that any Town Meeting attendee believes that debate has gone on too long, such person may "move the question" or "move to cut off debate." The moderator may reject such a motion if he feels it is premature. Passage of such a motion requires a two-thirds majority vote.

HOW ARE MOTIONS CLASSIFIED?

Main Motions
Motions of this group are generally for the bringing of consideration of the particular warrant article before the Meeting for consideration. Only one main motion can be considered at a given time by the Meeting, and such a motion, when introduced, excludes all other main motions until it has been disposed of. Main motions include both motions to approve the article under consideration or to reject it. The latter can be accomplished by a Motion to Indefinitely Postpone or a Motion to Pass Over. Motions to Reconsider a particular matter are also classified as main motions. Motions to Reconsider can be made only once with respect to any particular article and must be made within two articles of the article being reconsidered.

Subsidiary Motions
Motions of this group have for their object the amendment or disposition of the main motion that is being considered. Their existence as motions depends entirely upon the principal motion to which they are subordinate. Since they relate to the main motion that is before the Meeting, it is "in order" to propose them when a main motion is still before the Meeting and to vote upon them before voting upon the main motion. Subsidiary motions include a wide variety of various devices including, but not limited to: motions to amend a main motion and motions to postpone consideration of a main motion.

Incidental Motions
Motions of this group have few characteristics in common, but for convenience have been grouped into one class. The name, "incidental," has been chosen because they arise only incidentally out of the business of the Meeting. These motions include such devices as a motion to divide a particular article into two or more parts for separate consideration. Raising a "point of order" which is the raising of a question regarding the correctness of the procedure being employed, is also classified as an incidental motion

Privileged Motions
Motions of this group have no connection whatsoever with the main motion before the Meeting, but are motions of such importance that they are entitled to immediate consideration. These motions have the privilege of setting aside temporarily the main business before the Meeting and include motions to dissolve or adjourn the Town Meeting.

VOTING

Voting is by voice or hand vote and the Moderator declares the results of such votes. At the Moderator's discretion the Moderator may employ the Tellers to count the votes. If seven or more registered voters immediately question the vote, so declared, the Moderator shall determine the results by a standing count of votes by the Tellers.

ADJOURNMENT AND DISSOLUTION

Sessions of the Town Meeting normally adjourn at eleven o'clock in the evening but may adjourn at such earlier or later time as the Meeting upon vote of the majority may determine. The Town Meeting may be adjourned to a specific time and date if there are remaining articles to be considered. The Town Meeting may be dissolved (or adjourned without a new date) when all articles in the warrant have been properly considered or when the Town Meeting determines that Meeting should be concluded.

GLOSSARY OF TERMS

The following list is Glossary of Terms commonly used at Town Meeting:

Article - An item listed in the Town Meeting Warrant which must contain a sufficient description of what is proposed to be voted upon. Every action taken at the town meeting must be pursuant to some Article printed in the Warrant, and must be within the scope of such Article.

Assessed Valuation - A valuation set upon real property and personal property by the Board of Assessors as a basis for levying taxes.

Available Funds - Balances in the various fund types that represent non-recurring revenue sources. Examples of Available Funds include Free Cash, Stabilization Funds, and Overlay Surplus.

Chapter 70 School Aid – Chapter 70 refers to the school funding formula created under the Education Reform Act of 1993, by which the state aid portion of public education funding is distributed to cities and towns.

Chapter 90 Highway Funds – State funds derived from periodic transportation bond authorizations and apportioned to communities for roadway projects based on a formula under the provisions of MGL Ch. 90 §34. The amount granted to each town is paid in the form of reimbursements by the state after the town completes local work and submits certified expenditure reports to Mass Highway.

Cherry Sheet – A cherry-colored form issued by the State each year which lists all state and county charges required to be paid by the town, as well as all reimbursements and Local Aid to be paid to the town. Some reimbursements paid to the town are based on formulas which review how much the town spent on certain items during the previous fiscal year.

Community Preservation Act ("CPA") – Enacted in 2000, MGL Ch. 44B permits towns accepting its provisions to establish a restricted fund from which monies can only be appropriated for the acquisition, creation and preservation of open space, historic resources, land for recreational use, community housing, and the rehabilitation and restoration of those town assets previously acquired or created using monies from the fund. Community Preservation is funded annually by a combination of a surcharge on the local real property tax levied on valuations of $100,000 and above and a variable percentage state match using funds realized from deed registration fees.

Debt Exclusion - A town can vote to assess taxes in excess of its Levy Limit (see below) in order to borrow money and make annual loan payments. A Debt Exclusion for a town is similar to a mortgage for a home, with the exception that annual payments for Debt Exclusions usually decrease each year until the debt is completely paid. The additional amount approved for the payment of the annual loan payments ("Debt Service") is added to the Levy Limit for the life of the debt only. Unlike Overrides (see below), Debt Exclusions do not become part of the base upon which the Levy Limit is calculated for future years. A Debt Exclusion is typically used to pay for capital equipment purchases and municipal building construction/renovation projects.

Debt Service – The repayment cost to be budgeted each year to make principal and interest payments due on the bonds owed by the town. It is similar to a homeowner's budget for mortgage payments.

Enterprise Funds - Funds that are set up pursuant to MGL Chapter 44 §53F½ to collect fees paid by users to pay for certain self-sufficient programs. These funds account for all revenues and expenditures for services and allow surpluses to be used to reduce future fees for the services or to pay for future capital improvements for that service. Each fund has an independent budget.

Estimated Receipts – Funds expected to be received by the town in the coming fiscal year, but not including real estate taxes. Building permit fees, marriage license fees, and automobile and boat excise taxes are examples of items included in Estimated Receipts.

Fixed Costs – Costs that are legally or contractually mandated; such as retirement, FICA/Social Security, the town's liability insurance, or Debt Service.

Free Cash - Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items.

General Fund – The fund used to account for most financial resources and activities governed by the normal town meeting appropriation process.

Level Funded Budget – A budget for a certain department(s) or town service(s) which provides the same total dollar amount as last year's budget. Since costs usually rise each year (fuel, salaries, supplies), a Level Funded Budget typically results in reduced services to residents because the same budget amount must pay for the rising costs, which will require reductions in work hours, staffing or other department services in order to balance the budget.

Level Service Budget – A budget for a certain department(s) or town service(s) which provides increased funding which is sufficient only to provide for the same level of services as last year's level of services. No new employees or expanded services are funded for the coming Fiscal Year.

Levy Limit – The maximum amount that any town can collect (or levy) in a given fiscal year through the real estate tax and personal property tax. The Levy Limit can grow by 2½% of the prior year's Levy Limit, plus New Growth and any voter-approved Overrides or Debt Exclusions.

Local Aid – Revenue allocated and paid by the State to our town. Some Local Aid is unrestricted (the town votes how to spend it), and other types of Local Aid are restricted to education uses, highway/street maintenance, and the like.
Local Revenues – Locally generated revenues which do not include real estate taxes or personal property taxes. Examples include motor vehicle excise taxes, investment income, permit fees paid to the town, etc.

New Growth – Additional tax revenue expected to be collected by the town in the coming fiscal year due to taxes being assessed to new construction projects (commercial and residential) and other increases in the property tax base (home renovations, building upgrades or additions, etc.).

Non-Recurring Funds – Money that the town expects to collect this year, but not next year. As an example, if the town plans to sell a piece of real estate this year, the money received from the sale would be Non-Recurring Funds.

Overlay - The Overlay is the amount used by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements granted.

Override – The ability of residents to increase the town's Levy Limit by more than 2½% by voting to approve a higher Levy Limit. A majority vote by the Board of Selectmen is required to place an Override question on a ballot, and a majority vote by registered voters at a subsequent ballot box election is required to approve an Override.

Raise and Appropriate – A phrase used to mean that an item will be paid for by real estate taxes and other revenue sources (excise taxes, permit fees, local aid, etc.) to be collected by the town in the coming fiscal year.

Recurring Funds – Money that the town expects to collect each and every year for the foreseeable future, although the exact amounts may vary. Real estate taxes, fees collected for local permits and licenses, and local aid money from the state are all examples of Recurring Funds.

Reserve Fund - A small fund established each year by the Annual Town Meeting. The money is controlled by the Advisory Committee, which may authorize transfers at the end of each fiscal year to cover any extraordinary or unforeseen expenditures of the town.

Revolving Fund – Funds established each year for certain town departments to allow those departments to collect fees for a specific service and use those fees/revenues to support the service without using tax dollars. Per MGL Ch. 44 §53E½, each Revolving Fund must be re- authorized each year at the Annual Town Meeting, as well as the limit on the total amount that may be spent from each fund.

Stabilization Fund - A special account created to provide a reserve for municipal purposes. It is typically considered as a town's savings account or a "rainy day fund", to be used to balance budget shortfalls in years when local revenues or state

aid is low, or when unique or unexpected expenses arise, or for any other purpose that Town Meeting authorizes. To deposit or withdraw money from the Stabilization Fund, Town Meeting must approve the amount by a 2/3 vote.

Surplus Revenue - The total amount of cash, accounts receivable, and other current assets that exceed liabilities and reserves. As a simple example, if the Town collected taxes, fees and local aid of $100, but only spent $90 on actual costs and expenses, our Surplus Revenue would be $10.

TOWN OF NORFOLK
NORFOLK ADVISORY COMMITTEE
ONE LIBERTY LANE
NORFOLK, MA 02056

U.S. POSTAGE
P A I D
Norfolk, MA
02056
Permit #12
PRSTD-STD
ECRWSS

POSTAL PATRON
NORFOLK, MA 02056

SPECIAL TOWN MEETING
NOVEMBER 19, 2019
WARRANT

FREEMAN KENNEDY SCHOOL
70 BOARDMAN STREET
NORFOLK, MA 02056

PLEASE ATTEND

YOUR VOTE IS IMPORTANT