

9/16/14

FALL TOWN MEETING WARRANT

Town meeting 11/18/14

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, the 18th day of November, 2014, at 7:00 p.m. at the King Philip Middle School, 18 King 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, 2015; or take any other action relative thereto.

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.

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.

ARTICLE 4

Submitted by the Board of Selectmen

To see if the Town will vote to transfer from Free Cash, \$100,000 to the Stabilization Fund; or take any other action relative thereto. *- postpone until 10/8/14*

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) *- postpone until 10/8/14*

ARTICLE 6

Submitted by the Zoning Working Committee

To see if the Town will vote to amend the Norfolk Zoning Bylaws, by moving I.7.b.1 Special Permit Uses by the Planning Board and all its contents to I.7.a.1 Special Permit by Planning Board and delete section I.7.b.1 Special Permit Uses by the Planning Board or take any other action relative thereto

ARTICLE 1

Submitted by the Zoning Working Committee

To see if the Town will vote to amend the Norfolk Zoning Bylaws, by renaming I.7.a.1 Special Permit by Planning Board to I.7.a.1 Special Permit Uses by the Planning Board or take any other action relative thereto:

ARTICLE 8

Submitted by the Zoning Working Committee

To see if the Town will vote to amend the Norfolk Zoning Bylaws, by adding to section D.2.c Residential Uses with underline type indicating additions as shown in the following or take any other action relative thereto.

Proposed Uses

	DISTRICTS						
	R	B1*	B2-B4	C1**	C2/C3/C5	C4***	C6**
D.2.c. Residential Uses							
<u>D.2.c.9. Roof Mounted Solar Photovoltaic System</u>	<u>Yes</u>						
<u>D.2.c.10. Ground Mounted Solar Photovoltaic System</u>	<u>SP</u>						
<u>D.2.c.11. Wind Energy System</u>	<u>SP</u>						

ARTICLE 9

Submitted by the Zoning Working Committee

To see if the Town will vote to amend the Norfolk Zoning Bylaws, by deleting the following Sections D.2.b.4, J.7.a.3, I.7.c, K.7.c and L.7.c that state with ~~strikethrough~~ type indicating deletions

	DISTRICTS						
	R	B1*	B2-B4	C1**	C2/C3/C5	C4***	C6**
D.2.b.4. Power generating plant generating more than 1500 kilowatts of electricity	No		No		No		

or take any other action relative thereto.

ARTICLE 10

Submitted by the Zoning Working Committee

To see if the Town will vote to amend the Norfolk Zoning Bylaws, by correcting the Adoption Date from June, 1968 to **March 16, 1953**; or take any other action relative thereto.

ARTICLE 11

Submitted by the Zoning Working Committee

To see if the Town will vote to amend Section D.2, Schedule of Use Regulations of the Norfolk Zoning Bylaws, as follows, with underline type indicating additions and ~~strikethrough~~ type indicating deletions.

	DISTRICTS						
	R	B1*	B2-B4	C1**	C2/C3/C5	C4***	C6**
D.2.d. Agricultural Uses							
D.2.d.5. Kennel (4 or more dogs)	SP		SP		No		

	DISTRICTS						
	R	B1*	B2-B4	C1**	C2/C3/C5	C4***	C6**
D.2.d. Agricultural Uses							
D.2.d.5.a. <u>Personal Kennel (more than 4 dogs)</u>	<u>Yes</u>						
D.2.d.5.b. <u>Commercial Kennel (including commercial, boarding, training and breeder kennels). Minimum requirements: 5 acres of land, kennel enclosures must be at least 100 feet to property line and 500 feet to neighboring dwellings. Subject to Site Plan Approval</u>	<u>SP*</u>	<u>No</u>	<u>SP</u>	<u>SP</u>	<u>No</u>	<u>No</u>	<u>No</u>

ARTICLE 12

Submitted by the Zoning Working Committee

To see if the Town will vote to amend Section B Definitions of the Norfolk Zoning Bylaws, as follows, with underline type indicating additions.

KENNEL: A pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

KENNEL, COMMERCIAL BOARDING OR TRAINING: An establishment used for boarding, holding, daycare, overnight stays or training of animals that are not the property of the owner of the establishment at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided however that "commercial boarding or training kennel" shall not include an animal

shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily and not in the normal course of business boards or cares for animals owned by others.

KENNEL, COMMERCIAL BREEDER: An establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

KENNEL ENCLOSURE: Indoor or outdoor areas where dogs are held including cages, fenced in runs, dog houses, buildings or other structures where dogs are contained temporarily or for extended periods of time.

KENNEL, PERSONAL: A pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders of other individuals by private sale only and not to wholesalers, brokers, or pet shops; provided further, that personal kennels shall not sell, trade, barter, or distribute a dog not bred from its personally owned dog; and provided further, that dogs temporarily housed at a personal kennel in conjunction with an animal shelter or a rescue registered with the department may be sold, traded, bartered, or distributed if the transfer is not for profit.

Or take any other action relative thereto.

ARTICLE 3 Submitted by the Zoning Working Committee
To see if the Town will vote to amend Section F.14 of the Norfolk Zoning Bylaws, as follows, with underlined type indicating additions and ~~strikethrough~~ type indicating deletions.

~~**F.14 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS**~~

~~F.14.a. ——— PURPOSE~~

~~By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in~~

~~regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.~~

F.14.b. DEFINITION

~~“Medical Marijuana Treatment Center” shall mean a “not for profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”~~

F.14.c. TEMPORARY MORATORIUM

~~For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.~~

F.14. REGISTERED MARIJUANA DISPENSARIES

F.14.a. Purpose. The purpose of this section is to provide for the limited establishment of registered marijuana dispensaries ("RMDs") within the Town of Norfolk as they are authorized pursuant to state regulations set forth in 105 CMR 725.000. Since RMDs are strictly regulated and will be limited in number by the Massachusetts Department of Public Health, the intent of this section is to permit RMDs where there is access to regional roadways and/or public transportation, where they may be readily monitored by law enforcement for health and public safety purposes, and where they will not adversely impact the character of residential neighborhoods and business districts.

F.14.b. RMDs are not allowed as of right. RMDs are not included within the definition of retail sales or services, agriculture, or any other lawful business permitted as of right or by special permit.

F.14.c. RMDs are allowed by special permit. Use of land, buildings or structures for RMDs shall be allowed only by special permit pursuant to Section G and located in the Adult Business and Marijuana Overlay District of the C-1.c district as specified in Section J.3, subject to the requirements and criteria of Sections G and F.14.

F.14.d. Special permit application and procedure. The procedural and application requirements of Section G shall apply. In addition to the procedural and application requirements of Section G, an application for special permit shall include, at a minimum, the following information:

F.14.d.1. Description of Activities: A narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of marijuana or marijuana infused products (MIP's), on-site sales, off-site deliveries, and other programs or activities.

F.14.d.2. Service Area: A map and narrative describing the area proposed to be served by the RMD and the anticipated number of clients that will be served within that area. This description shall indicate where any other RMDs exist or have been proposed within the expected service area.

F.14.d.3. Transportation Analysis: A quantitative analysis, prepared by a qualified transportation specialist acceptable to the director of planning and development and the director of transportation, modeling the expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.

F.14.d.4. Context Map: A map depicting all properties and land uses within a minimum one thousand (1,000) foot radius of the proposed site, whether such uses are located in Norfolk or within surrounding communities, including but not limited to all educational uses, daycare, preschool and afterschool programs. The context map shall include the measured distance to all property and land used for education, daycare, preschool or afterschool programs and to all houses of worship or religious use.

F.14.d.5. Registration Materials: Copies of registration materials issued by the Massachusetts Department of Public Health and any materials submitted to that department for the purpose of seeking registration, to confirm that all information provided to the Zoning Board of Appeals is consistent with that provided to the Massachusetts Department of Public Health.

F.14.e. Special Permit Criteria. In granting a special permit for a Registered Marijuana Dispensary, the Zoning Board of Appeals shall find that the following criteria are met:

F.14.e.9. The site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site, whether driving, bicycling, walking or using public transportation.

F.14.e.10. Traffic generated by client trips, employee trips, and deliveries to and from the RMD shall not create a significant adverse impact on nearby uses.

F.14.e.11. Loading, refuse and service areas are designed to be secure and shielded from abutting uses.

F.14.e.12. The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.

F.14.e.13. The building and site are accessible to persons with disabilities.

F.14.e.14.e. The site is accessible to regional roadways and/or public transportation.

F.14.e.15. The site is located where it may be readily monitored by law enforcement and other code enforcement personnel.

F.14.e.16. The RMD's hours of operation will have no significant adverse impact on nearby uses.

F.14.f. Severability: If any portion of this section is ruled invalid, such ruling will not affect the validity of the remainder of the section.

or take any other action relative thereto.

ARTICLE 14 Voted & Passed Submitted by the Town Clerk
To see if the Town will vote to accept Massachusetts General Law Chapter 140, Section 139(c) which states

No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. No fee shall be charged for a license for a dog owned by a person aged 70 years or over in a city or town that accepts this provision. No license fee or portion thereof shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal of the dog, nor shall a license fee or portion thereof paid by mistake be paid or recovered after it has been paid over to a city or town under Section 147".

or take any other action relative thereto.

ARTICLE 15

Submitted by the Board of Selectmen

To see if the Town will vote to petition the Massachusetts General Court (State Legislature) for a special act allowing Coleman Bushnell, Chief of the Norfolk Fire Department, to continue to serve in that position until December 31, 201x, until the date of his retirement or until the date he is relieved of his duties by the Board of Selectmen, whichever first occurs; provided, however, that he is mentally and physically capable of performing the duties of his office. The Board of Selectmen, at their own expense, may require that Coleman Bushnell be examined by an impartial physician designated by the Board to determine his capability; or take any other action relative thereto.

ARTICLE 16

Submitted by the Board of Selectmen

To see if the Town will vote to petition the Massachusetts General Court (State Legislature) for a special act allowing Charles H. Stone, Jr., Chief of the Norfolk Police Department, to continue to serve in that position until December 31, 201x, until the date of his retirement or until the date he is relieved of his duties by the Board of Selectmen, whichever first occurs; provided, however, that he is mentally and physically capable of performing the duties of his office. The Board of Selectmen, at their own expense, may require that Charles H. Stone, Jr. be examined by an impartial physician designated by the Board to determine his capability; or take any other action relative thereto.

ARTICLE 17

Submitted by the Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise ownership the Waste Water Treatment Facility located at Map ____, Block ____, Lot ____ and to authorize the Selectmen to operate the Treatment Facility as a municipal utility and to collect revenue and expend funds related to the operating the facility; or take any other action relative thereto.

ARTICLE 18

Submitted by the Board of Selectmen

To see if the Town will authorize the creation of an enterprise fund for the purpose of operating a waste water treatment facility; or take any other action relative thereto.

ARTICLE 19

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, 2015; or take any other action relative thereto. *remove?*



Susan Jacobson <susanjacobson5@gmail.com>

Tennis Courts - flat surfaces not covered under insurance

1 message

Ann Proto <proto@virtualnorfolk.org>

Mon, Sep 15, 2014 at 2:26 PM

To: susanjacobson5@gmail.com, Lawrence_Kenneth@hotmail.com, kdcleaningco@hotmail.com, triplefarm1@comcast.net, carpenoch@aol.com, tomt80838@aol.com

I found out today that flat surfaces are not covered under our Town's insurance policy so the tennis court vandalism is not covered. I have submitted the repair quote and pictures of vandalism to Advisory Board and have requested that they cover the full amount.

Flat surfaces also include recreation fields so our fields are not covered by insurance either. If someone decided to tear up the fields some night with their vehicle, depending on the time of year, the location they choose and the amount of field area, the dollar amount to repair this could be tens of thousands of dollars and hundreds of people could be affected. Although we have been fairly lucky with this type of vandalism, we have had people do circles on the fields, but only with minimal damage due to the time of year it was done.

It is worthwhile looking into having these facilities covered by insurance even if it is with a higher deductible. I have asked Scott Bragdon to research getting the Town's Recreation fields and possibly tennis courts covered by insurance.

Ann

Ann Proto

Recreation Director
Town of Norfolk, MA
(508)520-1315

www.virtualnorfolk.org/rec

Norfolk Recreation...Building Community Spirit, Health, and Opportunity



Susan Jacobson <susanjacobson5@gmail.com>

Town hall keys?

3 messages

andrades@sprynet.com <andrades@sprynet.com>

Mon, Sep 15, 2014 at 9:30 PM

To: susanjacobson5@gmail.com, Susan Jacobson <SJacobson@virtualnorfolk.org>

Hi Susan,

I sent an email to Marian but got her away reply. Do you know if the town hall key situation has been resolved? Or more clearly put, are keys available yet for use? Only asking as we have a meeting Wednesday night.

Thanks,

Cyndi

PS If no keys are available yet, we can get in through rec door since there is a class going on, but figured I'd ask since our own key is certainly preferable.

 **Attach0.html**
1K

Susan Jacobson <susanjacobson5@gmail.com>

Mon, Sep 15, 2014 at 9:31 PM

To: andrades@sprynet.com

Hi Cyndi,

I will check with Jack in the morning, I know the situation has been resolved just not sure how many fobs/keys we received.

I will get back to you tomorrow

Thanks,

Susan

[Quoted text hidden]

[Quoted text hidden]
<Attach0.html>

andrades@sprynet.com <andrades@sprynet.com>

Mon, Sep 15, 2014 at 10:47 PM

Reply-To: andrades@sprynet.com

To: Susan Jacobson <susanjacobson5@gmail.com>

TY!



Susan Jacobson <susanjacobson5@gmail.com>

Fwd: Graffiti

1 message

Ann Proto <proto@virtualnorfolk.org>

Mon, Sep 15, 2014 at 12:05 PM

To: susanjacobson5@gmail.com, Susan Jacobson <SJacobson@virtualnorfolk.org>

Hi Sue-

Here is the quote for the repainting of the tennis courts. Unfortunately, both courts were vandalized and many of the court lines were affected. We initially tried to power wash the courts but immediately stopped because everything was lifting off.

Hinding Tennis has done work on our courts before and they do very good work. I initially called them after they resurfaced the courts at King Philip High School. We had used another vendor prior to that (Cape and Island Tennis), do some work and their work was OK but not great and their follow up was less than acceptable.

Thanks,
Ann

Ann Proto

Recreation Director
Town of Norfolk, MA
(508)520-1315

www.virtualnorfolk.org/rec

Norfolk Recreation...Building Community Spirit, Health, and Opportunity

----- Original Message -----

From: Mike Reed <mike@hindingtennis.com> Thursday, September 11, 2014 11:50:57 AM

Subject: Graffiti

To: Ann Proto

Attachments: Town of Norfolk - Pond Street.pdf Uploaded File 4.1M

Ann,

Please review the attached quote.

Because of the nature of the graffiti I can get a crew there asap with your approval

--

RSI MAGAZINE-10 and Under Tennis Facility Developer of the Year: Hinding Tennis, West Haven, Conn.

Mike Reed

Hinding Tennis
Sr. Account Executive
mike@hindingtennis.com
203-285-3055
860-319-1473 cell

http://www.newengland.usta.com/news/hinding_tennis_serving_up_winners_with_10_and_under_courts/

7 attachments



photo 1.JPG
105K



photo 2.JPG
100K



photo 3.JPG
110K



photo 4.JPG
99K



photo 5.JPG
128K

 **Attach0.html**
1K

 **Town of Norfolk - Pond Street.pdf**
4100K

VOUCHER NO.
VENDOR NO:

Payable to:

W.B. MASON

Date:

7-1-14

Amount:

\$62.99

ACCOUNT TO BE CHARGED

Name:
Number:

Advisory Board
011312

Invoice No.

Amount

~~62.99~~ 109.54

TOTAL

APPROVED FOR PAYMENT

~~62.99~~ 109.54

Department Head

[Signature]
[Signature]

Committee/Board Members

[Signature]
[Signature]



W.B. MASON CO., INC.
59 Centre St - Brockton, MA 02301
Address Service Requested

888-WB-MASON www.wbmason.com

NORFOLK BOARD OF SELECTMEN
1 LIBERTY LANE
NORFOLK, MA 02056

(C1-1)(1-1)

PM

Delivery Address	Invoice Number:	118872160
Norfolk Board Of Selectmen	Customer Number:	C1110112
1 Liberty Lane	Reference Number:	118872160
Norfolk, MA 02056	Invoice Date:	06/23/2014
	Due Date:	07/23/2014
	Customer Reference:	S019552232
	Order Date:	06/20/2014
	Order Number:	S019640063
	Order Method:	PHONE
	Cost Center:	Norfolk Board Of Select

W.B. Mason Federal ID #: 04-2455641

Important Messages

Sign up for Paperless Invoicing at wbmason.com/paperless. Your Registration Code: 5637517047

Now you can access your W.B. Mason Invoices online!
Use the Registration Code above to activate Paperless Invoicing for your account. Sign up today to reduce clutter of paper invoices piling up on your desk.

-E-mail notifications let you know when new invoices are ready to view

-Access your account's full invoice history on wbmason.com

Registration is quick and easy at www.wbmason.com/paperless

ITEM NUMBER	DESCRIPTION	QTY ORDERED	QTY SHIPPED	U/M	UNIT PRICE	EXT PRICE
LAKLSF1610CBM	FAN,16" STAND,BK	1	1	EA	62.99	62.99

SUBTOTAL: 62.99
TAX & DEPOSITS TOTAL: 0.00
ORDER TOTAL: 62.99

To ensure proper credit, please detach and return below portion with your payment



W.B. MASON CO., INC.
59 Centre St - Brockton, MA 02301

Address Service Requested
888-WB-MASON

NORFOLK BOARD OF SELECTMEN
1 LIBERTY LANE
NORFOLK, MA 02056

Remittance Section

Customer Number:	C1110112
Invoice Number:	118872160
Reference Number:	118872160
Invoice Date:	06/23/2014
Terms:	Net 30
Total Due:	\$62.99

Amount Enclosed \$ _____

W.B. MASON CO., INC.
PO BOX 981101
BOSTON, MA 02298-1101



C11101121188721601188721600000000062991



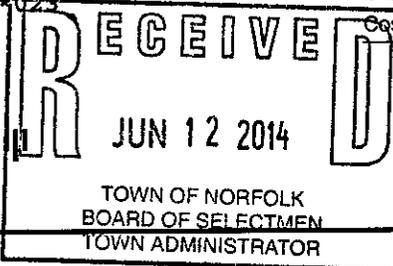
W.B. MASON CO., INC.
59 Centre St - Brockton, MA 02301
Address Service Requested

88-WB-MASON www.wbmason.com

Delivery Address	Invoice Number:	118576987
Norfolk Board Of Selectmen	Customer Number:	C1110112
ATTN.: SUSAN JACOBSON	Reference Number:	118576987
1 Liberty Lane	Invoice Date:	06/06/2014
Norfolk, MA 02056	Due Date:	07/06/2014
	Order Date:	06/05/2014
	Order Number:	S019032269
	Order Method:	WEB
	Cost Center:	Norfolk Board Of Select

*09H219571*H0*****SCH*3-DIGIT*023

NORFOLK BOARD OF SELECTMEN
1 LIBERTY LN
NORFOLK, MA 02056-1499



W.B. Mason Federal ID #: 04-2455641

Important Messages

Sign up for Paperless Invoicing at wbmason.com/paperless. Your Registration Code: 5637517047

Now you can access your W.B. Mason Invoices online!

Use the Registration Code above to activate Paperless Invoicing for your account. Sign up today to reduce clutter of paper invoices piling up on your desk.

-E-mail notifications let you know when new invoices are ready to view

-Access your account's full invoice history on wbmason.com

Registration is quick and easy at www.wbmason.com/paperless

ITEM NUMBER	DESCRIPTION	QTY ORDERED	QTY SHIPPED	U/M	UNIT PRICE	EXT PRICE
IVR61014	MOUSE,OPTICAL,WRD,ERGO,BK	1	1	EA	23.39	23.39
IVR50448	PAD, MOUSE, GEL WCLOTH,BK	1	1	EA	5.62	5.62
MMMWR309LE	REST,WRIST,GEL,BK	1	1	EA	6.21	6.21
MMMWR308DS	REST,WRIST,GEL,DAISY DSGN	1	1	EA	5.22	5.22
MMMWR308DS	REST,WRIST,GEL,DAISY	1	1	EA	6.21	6.21

SUBTOTAL:	46.65
TAX & DEPOSITS TOTAL:	0.00
ORDER TOTAL:	46.65

To ensure proper credit, please detach and return below portion with your payment



W.B. MASON CO., INC.
59 Centre St - Brockton, MA 02301

Address Service Requested
888-WB-MASON

NORFOLK BOARD OF SELECTMEN
1 LIBERTY LN
NORFOLK, MA 02056-1499

Remittance Section

Customer Number:	C1110112
Invoice Number:	118576987
Reference Number:	118576987
Invoice Date:	06/06/2014
Terms:	Net 30
Total Due:	\$46.65

Amount Enclosed \$ _____

W.B. MASON CO., INC.
PO BOX 981101
BOSTON, MA 02298-1101



C11101121185769871185769870000000046655

FALL TOWN MEETING WARRANT

4/10/14
~~DRAFT~~
157

NORFOLK, ss.

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

No longer
used

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, the 18th day of November, 2014, at 7:00 p.m. at the King Philip Middle School, 18 King Street, Norfolk, MA 02056, for a Special Town Meeting, then and there to act on the following articles, viz:

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ARTICLE 5

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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)

ARTICLE

Submitted by the Building Commissioner and Fire Chief

To see if the Town will raise and appropriate the sum of \$_____ to raze the buildings and secure the site of land commonly known as Southwood Hospital property identified as Map 26, Block 80, Lot 9-1 and Map 26, Block 80, Lot 3-1 on the Town of Norfolk Assessors Map, said costs to be assessed 100% to the owner of the property, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of

D.2.d.5.b. Commercial Kennel (including commercial, boarding, training and breeder kennels). <u>Minimum requirements: 5 acres of land, kennel enclosures must be at least 100 feet to property line and 500 feet to neighboring dwellings. Subject to Site Plan Approval</u>	SP*	No	SP	SP	No	No	No
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ARTICLE **Submitted by the Zoning Working Committee**
 To see if the Town will vote to amend Section B Definitions of the Norfolk Zoning Bylaws, as follows, with underline type indicating additions.

KENNEL: A pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

KENNEL, COMMERCIAL BOARDING OR TRAINING: An establishment used for boarding, holding, daycare, overnight stays or training of animals that are not the property of the owner of the establishment at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided however that "commercial boarding or training kennel" shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily and not in the normal course of business boards or cares for animals owned by others.

KENNEL, COMMERCIAL BREEDER: An establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

KENNEL ENCLOSURE: Indoor or outdoor areas where dogs are held including cages, fenced in runs, dog houses, buildings or other structures where dogs are contained temporarily or for extended periods of time.

KENNEL, PERSONAL: A pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders of other individuals by private sale only and not to wholesalers, brokers, or pet shops; provided further, that personal kennels shall not sell, trade, barter, or distribute a dog not bred from its personally owned dog; and provided further, that dogs temporarily housed at a personal kennel in conjunction with an animal shelter or a rescue registered with the department may be sold, traded, bartered, or distributed if the transfer is not for profit.

Or take any other action relative thereto.

ARTICLE

Submitted by the Zoning Working Committee

To see if the Town will vote to amend Section F.14 of the Norfolk Zoning Bylaws, as follows, with underlined type indicating additions and ~~strikethrough~~ type indicating deletions.

~~F.14 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS~~

~~F.14.a. ——— PURPOSE~~

~~By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.~~

~~F.14.b. DEFINITION~~

~~“Medical Marijuana Treatment Center” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”~~

~~F.14.c. TEMPORARY MORATORIUM~~

~~For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Facilities and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers and related uses.~~

F.14. REGISTERED MARIJUANA DISPENSARIES

F.14.a. Purpose. The purpose of this section is to provide for the limited establishment of registered marijuana dispensaries ("RMDs") within the Town of Norfolk as they are authorized pursuant to state regulations set forth in 105 CMR 725.000. Since RMDs are strictly regulated and will be limited in number by the Massachusetts Department of Public Health, the intent of this section is to permit RMDs where there is access to regional roadways and/or public transportation, where they may be readily monitored by law enforcement for health and public safety purposes, and where they will not adversely impact the character of residential neighborhoods and business districts.

F.14.b. RMDs are not allowed as of right. RMDs are not included within the definition of retail sales or services, agriculture, or any other lawful business permitted as of right or by special permit.

F.14.c. RMDs are allowed by special permit. Use of land, buildings or structures for RMDs shall be allowed only by special permit pursuant to Section G and located in the Adult Business and Marijuana Overlay District of the C-1.c district as specified in Section J.3, subject to the requirements and criteria of Sections G and F.14.

F.14.d. Special permit application and procedure. The procedural and application requirements of Section G shall apply. In addition to the procedural and application requirements of Section G, an application for special permit shall include, at a minimum, the following information:

F.14.d.1. Description of Activities: A narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of marijuana or marijuana infused products (MIP's), on-site sales, off-site deliveries, and other programs or activities.

F.14.d.2. Service Area: A map and narrative describing the area proposed to be served by the RMD and the anticipated number of clients that will be served within that area. This description shall indicate where any other RMDs exist or have been proposed within the expected service area.

F.14.d.3. Transportation Analysis: A quantitative analysis, prepared by a qualified transportation specialist acceptable to the director of planning and development and the director of transportation, modeling the expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.

F.14.d.4. Context Map: A map depicting all properties and land uses within a minimum one thousand (1,000) foot radius of the proposed site, whether such uses are located in Norfolk or within surrounding communities, including but not limited to all educational uses, daycare, preschool and afterschool programs. The context map shall include the measured distance to all property and land used for education, daycare, preschool or afterschool programs and to all houses of worship or religious use.

F.14.d.5. Registration Materials: Copies of registration materials issued by the Massachusetts Department of Public Health and any materials submitted to that department for the purpose of seeking registration, to confirm that all information provided to the Zoning Board of Appeals is consistent with that provided to the Massachusetts Department of Public Health.

F.14.e. Special Permit Criteria. In granting a special permit for a Registered Marijuana Dispensary, the Zoning Board of Appeals shall find that the following criteria are met:

F.14.e.1. An RMD shall not be located within a radius of five hundred (500) feet from a school, daycare center, preschool or afterschool facility or any facility in which minors commonly congregate, or from a house of worship or religious use, but may be located within a lesser distance if the Zoning Board of Appeals finds that the RMD is sufficiently buffered such that these facilities or uses will not be adversely impacted by the RMD's operation. Such distance shall be measured in a straight line from the nearest property line of the proposed RMD to the nearest property line of the facility.

F.14.e.2. An RMD shall be properly registered with the Massachusetts Department of Public Health pursuant to 105 CMR 725.000 and shall comply with all applicable state and local public health regulations, public safety code regulations and all other applicable state and local laws, ordinances, rules and regulations. No building permit or certificate of occupancy shall be issued for an RMD that is not properly registered with the Massachusetts Department of Public Health. The RMD shall file copies of its initial certificate of registration and each annual renewal certificate with the clerk of the Zoning Board of Appeals within one week of issuance, and shall immediately notify said clerk if its registration is not renewed or is revoked. The RMD shall provide the Norfolk police department with the names and contact information for all management staff and shall immediately notify the police department of any changes.

F.14.e.3. A special permit granted by the Zoning Board of Appeals authorizing the establishment of an RMD shall be valid only for the registered entity to which

the special permit was issued, and only for the site on which the RMD has been authorized by the special permit. If the registration for the RMD is revoked, transferred to another controlling entity, or relocated to a different site, a new special permit shall be required prior to the issuance of a certificate of occupancy.

F.14.e.4. An RMD shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home delivery to qualified clients pursuant to applicable state regulations.

F.14.e.5. An RMD shall conform to the dimensional requirements applicable to the zoning district in which it is located.

F.14.e.6. An RMD shall be subject to the number of parking spaces required in Section F.7 unless a lesser or greater number of spaces is required as a result of site plan review (Section F.11.)

F.14.e.7. All signage shall conform to the requirements of 105 CMR 725.000 and to the requirements of Section F.9 of the Town of Norfolk Zoning Bylaws. No graphics, symbols or images of marijuana or related paraphernalia shall be displayed or clearly visible from the exterior of an RMD.

F.14.e.8. An RMD's hours of operation shall not adversely impact nearby uses. The Zoning Board of Appeals may, as a special permit condition, limit the hours of operation of an RMD to mitigate any adverse impact on nearby uses.

F.14.e.9. The site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site, whether driving, bicycling, walking or using public transportation.

F.14.e.10. Traffic generated by client trips, employee trips, and deliveries to and from the RMD shall not create a significant adverse impact on nearby uses.

F.14.e.11. Loading, refuse and service areas are designed to be secure and shielded from abutting uses.

F.14.e.12. The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.

F.14.e.13. The building and site are accessible to persons with disabilities.

F.14.e.14.e. The site is accessible to regional roadways and/or public transportation.

F.14.e.15. The site is located where it may be readily monitored by law enforcement and other code enforcement personnel.

F.14.e.16. The RMD's hours of operation will have no significant adverse impact on nearby uses.

F.14.f. Severability: If any portion of this section is ruled invalid, such ruling will not affect the validity of the remainder of the section.

or take any other action relative thereto.

ARTICLE

Submitted by the Town Clerk

To see if the Town will vote to accept Massachusetts General Law Chapter 140, Section 139(c) which states

No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. No fee shall be charged for a license for a dog owned by a person aged 70 years or over in a city or town that accepts this provision. No license fee or portion thereof shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal of the dog, nor shall a license fee or portion thereof paid by mistake be paid or recovered after it has been paid over to a city or town under Section 147".

or take any other action relative thereto.

ARTICLE

Submitted by the Board of Selectmen

To see if the Town will vote to petition the Massachusetts General Court (State Legislature) for a special act allowing Coleman Bushnell, Chief of the Norfolk Fire Department, to continue to serve in that position until December 31, 201x, until the date of his retirement or until the date he is relieved of his duties by the Board of Selectmen, whichever first occurs; provided, however, that he is mentally and physically capable of performing the duties of his office. The Board of Selectmen, at their own expense, may require that Coleman Bushnell be examined by an impartial physician designated by the Board to determine his capability; or take any other action relative thereto.

ARTICLE

Submitted by the Board of Selectmen

To see if the Town will vote to petition the Massachusetts General Court (State Legislature) for a special act allowing Charles H. Stone, Jr., Chief of the Norfolk Police Department, to continue to serve in that position until December 31, 201x, until the date of his retirement or until the date he is relieved of his duties by the Board of Selectmen, whichever first occurs; provided, however, that he is mentally and physically capable of performing the duties of his office. The Board of Selectmen, at their own expense, may require that Charles H. Stone, Jr. be examined by an impartial physician designated by the Board to determine his capability; or take any other action relative thereto.