

**Advisory Committee
September 24, 2014
Meeting Minutes, Room 214**

Present was: Patrick Snead, Dave Benton, Jonathan Hurwitz, Rick Stillman, Arthur Frontczak, Lisa Keating and Susan Jacobson. Jay Talerman, Town Moderator was in the audience.

Pat Snead called the meeting to order at 6:35 PM.

Pat said we would focus on the warrant and appointing a new Chairperson.

Recreation Transfer Request:

A \$9,400 request was made because of damage done at the tennis courts. Pat and Jack spoke and they determined that we would not remove funds from the reserve fund this soon into the year. A transfer request will be made at Town Meeting and if necessary the Recreation Department will come back to the Advisory Board for a transfer. This item will not be considered this evening.

Warrant:

Pat said he hopes to go through the Warrant. We will not meet next week but we will be meeting the following evenings at 6:30 October 8, 15, 22 and 29th.

Article 1, Article 2 and Article 3 require no action from the Advisory Committee.

Article 4:

This article is to restore the funds removed from the stabilization fund. There was a prior article in years past that removed this dollar amount from the stabilization fund. Pat felt that this article should be brought forward at the Annual Town Meeting not in the fall.

Jay said that the Kennel article is one every town is changing. The State has made the changes and will make us change them.

Jay said Zoning Board Study Committee was difficult to staff he not sure why.

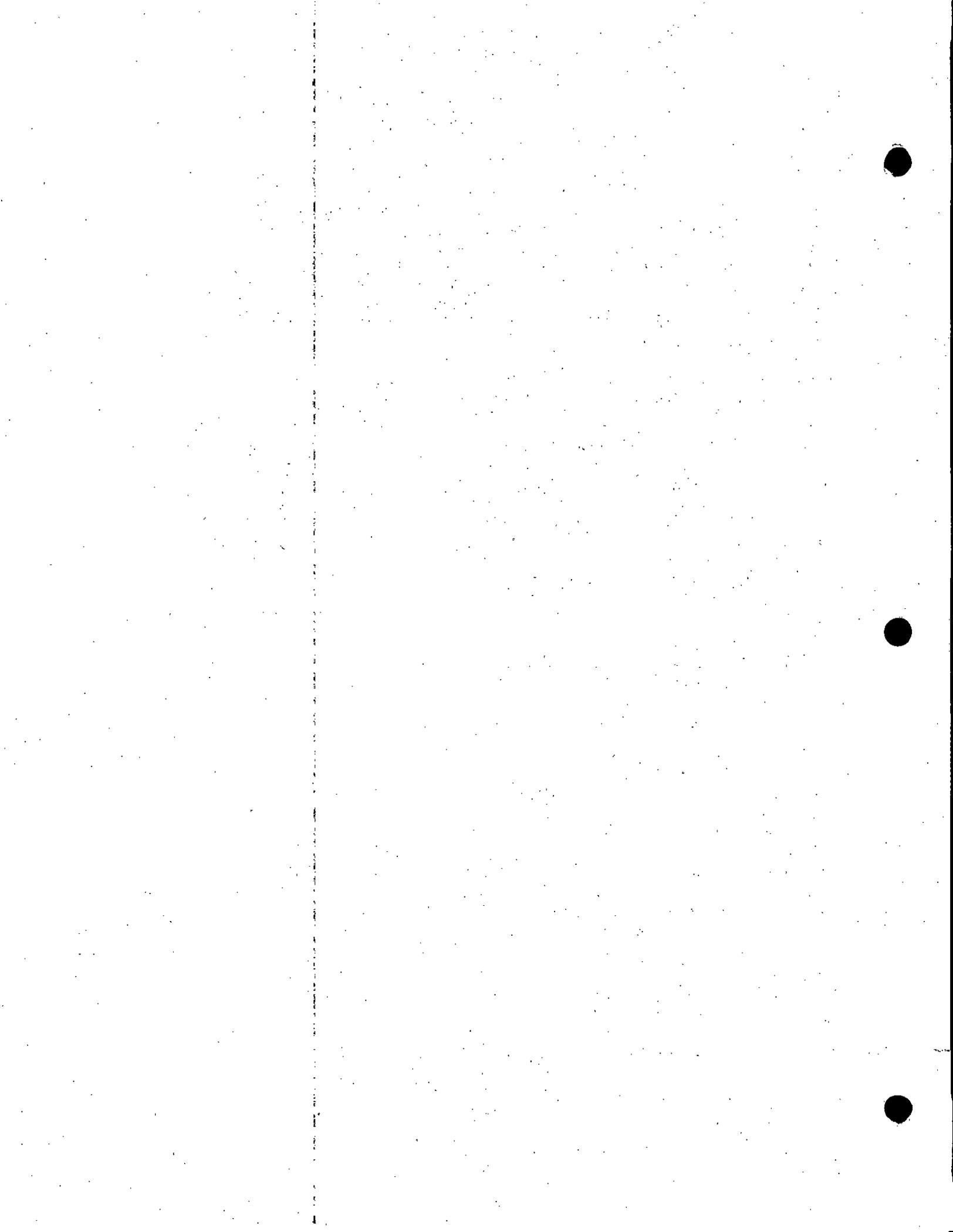
Pat ran through the Warrant and numbered the articles.

Rick Stillman said that Articles 15 and 16 are because we would like to keep our Police & Fire Chief beyond the age of 65. Pat said he understood that this is a very simple thing to make it happen. Your State Rep files a bill and it is typically passed. It is the Town's desire to have them remain longer as long as a physical is passed. Rick said that Mass is one of the only states that forces a required retirement age. Rick said that he is fine with it.

Jay said isn't it traditional to limit it to a specific time. He believed it was two additional years he said it's traditional to continue working until the age of 67.

Jay said it does happen all time. Special Acts happen all the time he does not know if they actually serve it out. We cannot vote on article this because we have no firm date.

Article 14:



This Article it to vote to accept the Mass General Law.

A motion was made by Dave Benton to approve Article 14. It was seconded by Arthur Frontczak and **so voted**. All were in favor. Pat wanted to make it clear that we are voting the article not the number. All were in favor.

Pat said that **Articles 17, 18 and 19** are about the waste water treatment facility owned by Borelli. There has been an agreement made that the town will take over the wastewater facility. It will operate like the Water Enterprise fund and another fund will be set up. Pat would like the size and cost of this project.

Jay said that there is no number here. Jay said we would have to pay for it and it provided services for the condo's and some other parcels uptown. Pat said that there was some type of trade off there was no actual purchase going on. Rick asked what condition it was in. Jay said taking over a private wastewater facility is very rare. Jay said you are definitely going to want to do your research on this one.

Pat said he had asked if we really had to have this Special Town Meeting. He was told this had to be done. He does not feel that there is enough here to have a meeting.

Rick said he met with Jack and Chuck about the REC center and the day they offered \$1.1 he did not know the outcome of the offer. Susan said that he did not accept the offer. Jay asked them to make a presentation at the Annual Town meeting in the spring. Rick said that they want to get the REC up and running as soon as possible. They want to get it going and they will have the money to start rolling immediately.

New Chairperson:

Pat said he has done three years and he is willing to step down as Chair if someone is willing to take the Chairperson position. A motion was made by Rick Stillman to appoint Dave Benton as chairperson. It was seconded by Arthur Frontczak and **so voted**. All were in favor.

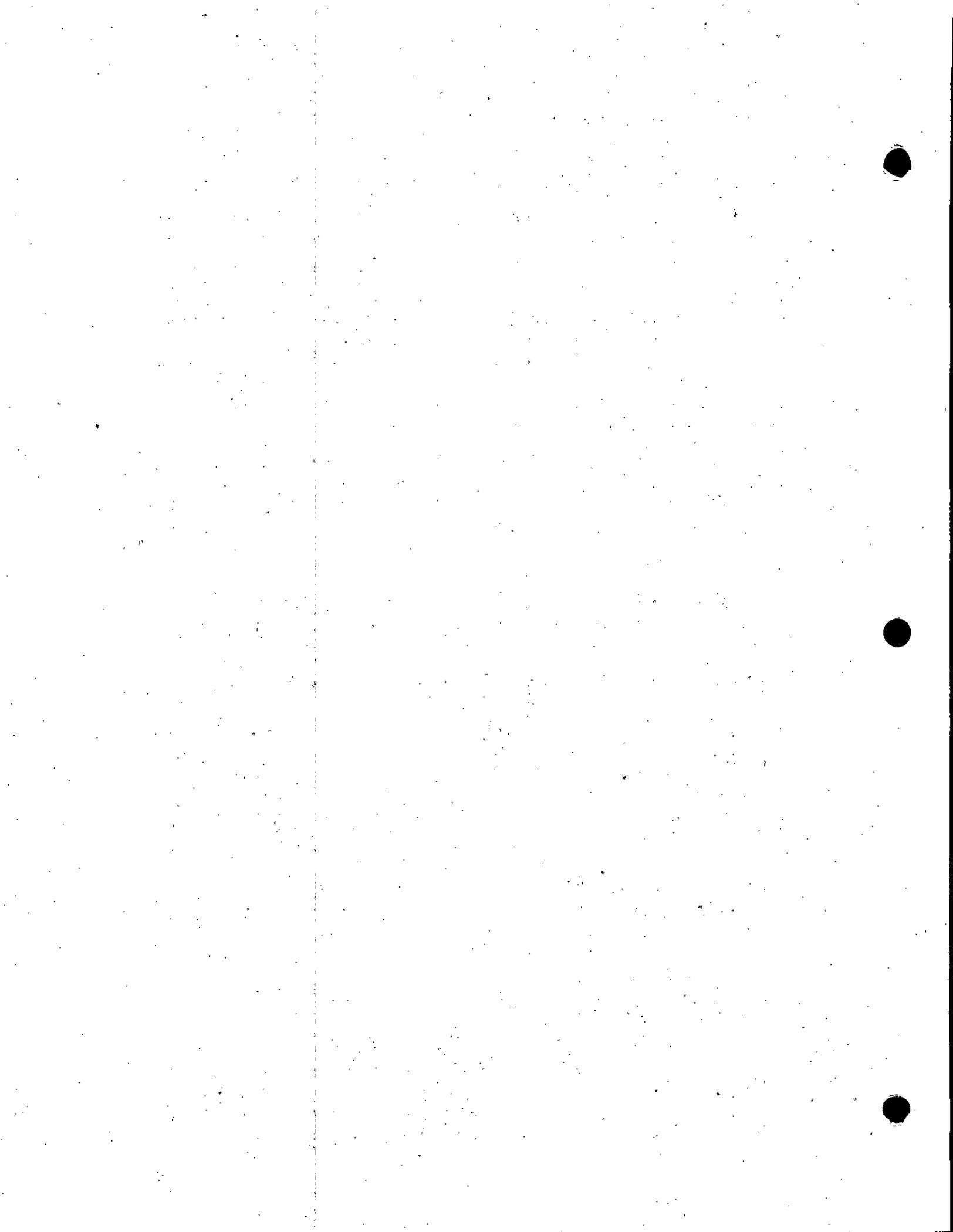
A motion to adjourn was made by Rick Stillman. It was seconded by Lisa Keating and so voted. All were in favor.

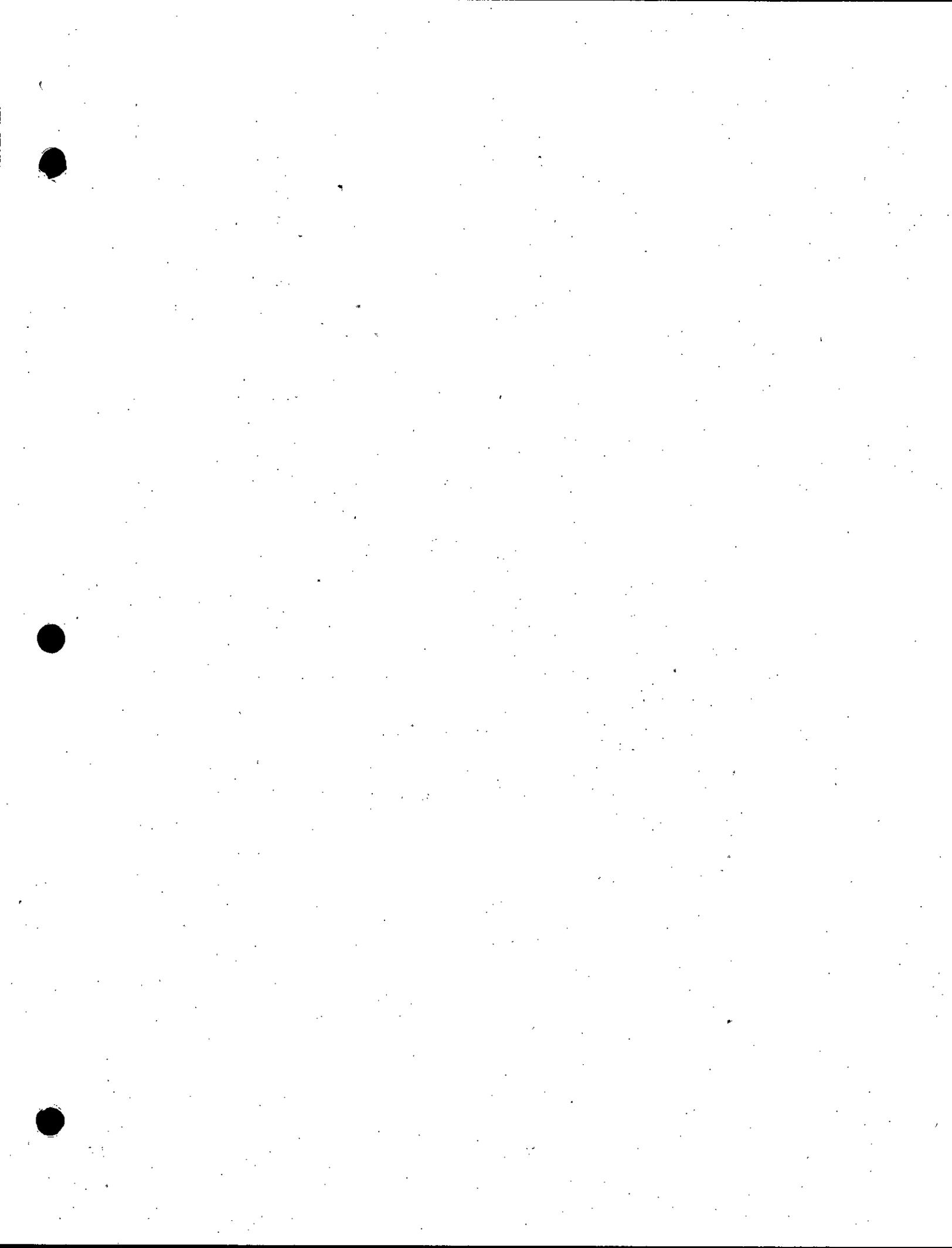
Meeting adjourned at 7:10 PM.

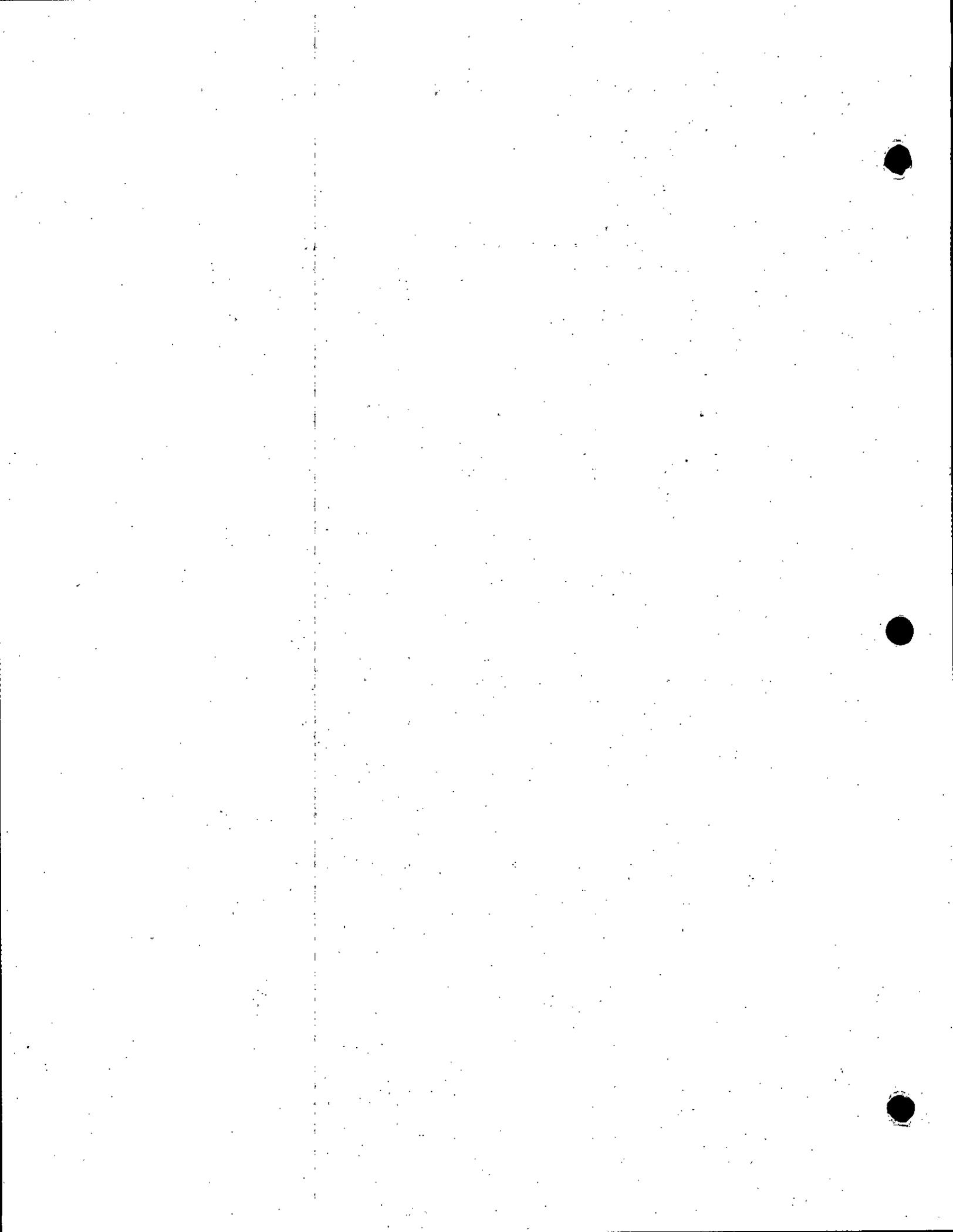
Respectfully submitted,

Patrick Snead, Chair


Susan Jacobson, Administrative Assistant







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A motion to adjourn was made by Rick Stillman. It was seconded by Lisa Keating and so voted. All were in favor.

Meeting adjourned at 7:10 PM.

Respectfully submitted,

Patrick Snead, Chair

Susan Jacobson, Administrative Assistant

9/16/14

FALL TOWN MEETING WARRANT

NORFOLK, ss.

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

GREETINGS:

You are required in the name of the Commonwealth of Massachusetts to notify and warn the inhabitants of Norfolk, qualified to vote in Town affairs residing in Precincts 1, 2, and 3, to meet on 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.

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)

ARTICLE

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

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

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

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

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

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

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.

ARTICLE**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**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**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.

The current local time in Norfolk, MA is Wednesday October 1, 2014 10:34 AM EDT

All meetings before Friday October 3, 2014 10:34 AM EDT must already be posted.

Upcoming Meetings

Board	Time	Location	
Library Trustees	Oct 1, 2014 5:15 PM EDT	Norfolk Public Library - School House	Details and Age
Community Preservation	Oct 1, 2014 7:30 PM EDT	Norfolk Town Hall Roo 214	Details and Age
Affordable Housing Trust	Oct 7, 2014 12 PM EDT	Room 124 @ Town Hall	Details and Age
Advisory Board	Oct 15, 2014 6:30 PM EDT	Room 124 @ Town Hall	Details and Age
Council on Aging	Oct 20, 2014 9:30 AM EDT		Details and Age
Historical Commission	Oct 21, 2014 7 PM EDT	town hall, NHC office	Details and Age
Advisory Board	Oct 22, 2014 6:30 PM EDT	Room 214 @ Town Hall	Details and Age
Advisory Board	Oct 29, 2014 6:30 PM EDT	Room 124 @ Town Hall	Details and Age
Advisory Board	Nov 5, 2014 6:30 PM EST	Room 124 @ Town Hall	Details and Age
Advisory Board	Nov 12, 2014 6:30 PM EST	Room 214 @ Town Hall	Details and Age
Council on Aging	Nov 17, 2014 9:30 AM EST	senior center	Details and Age

All Meetings

[View by Month](#)

Boards and Committees

Name	Chair	Clerk
Advisory Board		Susan Jacobso
Affordable Housing Trust		Susan Jacobso
Board of Assessors	John Neas	
Board of Health		Betsy Fijol
Board of Registrars		Carol Greene
Board of Selectmen	Jack Hathaway	Marian Harrinc
Budget Sub Committee		Pam Kinahan
Bylaw Committee	Jay Tallerman	Jack Hathaway
Cable Advisory Committee		Marian Harrinc

Information for Meeting of Advisory Board Wednesday October 15, 2014 6:30 PM EDT

Town: [Norfolk, MA](#)
Board: [Advisory Board](#)
Time: Wednesday October 15, 2014 6:30 PM EDT
Location: Room 124 @ Town Hall

[Print Agenda](#)

Agenda:

Continue Warrant Discussion
Jack Hathaway, Town Administrator, Ray Goff, Town Planner and Scott Bugbee, BOS Chair attending to discuss articles.
Approve Minutes

Scheduled By: [Susan Jacobson](#)
Posted At: Oct 1, 2014 9:46 AM EDT
Last Modified: Oct 1, 2014 9:50 AM EDT
Minutes: Minutes are not on record with the Town Clerk's office

[Update](#)

[Email a link to this Meeting](#) or [Recommend](#)

Manage Documents

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Meeting Revision History

Date	Changes
Oct 1, 2014 9:50 AM EDT	Agenda Details...

Information for Meeting of Advisory Board Wednesday October 22, 2014 6:30 PM EDT

Town: [Norfolk, MA](#)
Board: [Advisory Board](#)
Time: Wednesday October 22, 2014 6:30 PM EDT
Location: Room 214 @ Town Hall

[Print Agenda](#)

Agenda:

Continue Warrant Discussion
Approve Minutes

Scheduled By: [Susan Jacobson](#)
Posted At: Oct 1, 2014 9:47 AM EDT
Last Modified: Oct 1, 2014 10:02 AM EDT
Minutes: Minutes **are not** on record with the Town Clerk's office

[Update](#)

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Meeting Revision History

Date	Changes
Oct 1, 2014 10:02 AM EDT	Location Details...

Information for Meeting of Advisory Board Wednesday October 29, 2014 6:30 PM EDT

Town: [Norfolk, MA](#)
Board: [Advisory Board](#)
Time: Wednesday October 29, 2014 6:30 PM EDT
Location: Room 124 @ Town Hall

[Print Agenda](#)

Agenda:

Continue Warrant Discussion
Approve Minutes

Scheduled By: [Susan Jacobson](#)
Posted At: Oct 1, 2014 9:48 AM EDT
Last Modified: Oct 1, 2014 9:48 AM EDT
Minutes: Minutes **are not** on record with the Town Clerk's office

[Update](#)

[Email a Link to this Meeting](#) or **Recommend**

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Information for Meeting of Advisory Board Wednesday November 5, 2014 6:30 PM EST

Town: [Norfolk, MA](#)
Board: [Advisory Board](#)
Time: Wednesday November 5, 2014 6:30 PM EST
Location: Room 124 @ Town Hall

[Print Agenda](#)

Agenda:

Continue Warrant Discussion
Approve Minutes

Scheduled By: [Susan Jacobson](#)
Posted At: Oct 1, 2014 9:48 AM EDT
Last Modified: Oct 1, 2014 9:48 AM EDT
Minutes: Minutes are not on record with the Town Clerk's office

[Update](#)

[Email a link to this Meeting](#) or [Recommend](#)

Manage Documents

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Information for Meeting of Advisory Board Wednesday November 12, 2014 6:30 PM EST

Town: [Norfolk, MA](#)
Board: [Advisory Board](#)
Time: Wednesday November 12, 2014 6:30 PM EST
Location: Room 214 @ Town Hall

[Print Agenda](#)

Agenda:

Continue Warrant Discussion
Approve Minutes

Scheduled By: [Susan Jacobson](#)
Posted At: Oct 1, 2014 9:49 AM EDT
Last Modified: Oct 1, 2014 10:02 AM EDT
Minutes: Minutes are not on record with the Town Clerk's office

[Update](#)

[Email a Link to this Meeting](#) or [Recommend](#)

Manage Documents

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Upload other documents used in this meeting: [Choose File](#) no file selected

Meeting Revision History

Date	Changes
Oct 1, 2014 10:02 AM EDT	Location Details...

9/16/14

FALL TOWN MEETING WARRANT

NORFOLK, ss.

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

GREETINGS:

You are required in the name of the Commonwealth of Massachusetts to notify and warn the inhabitants of Norfolk, qualified to vote in Town affairs residing in Precincts 1, 2, and 3, to meet on 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.

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)

ARTICLE

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

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

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

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

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

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

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 ~~striketrough~~ 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.

ARTICLE

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

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

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.

Duplicate

9/16/14

FALL TOWN MEETING WARRANT

NORFOLK, ss.

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

GREETINGS:

You are required in the name of the Commonwealth of Massachusetts to notify and warn the inhabitants of Norfolk, qualified to vote in Town affairs residing in Precincts 1, 2, and 3, to meet on 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.

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)

ARTICLE

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

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

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

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

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

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		Ne		

	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

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.

ARTICLE

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

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

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.



REQUEST FOR TRANSFER
FROM
THE RESERVE FUND

Advisory Board
Town of Norfolk

Date 9/24/14

Board Members:

Request is hereby made for the following transfer from the Reserve Fund in accordance with Chapter 40, Section 6, of the Massachusetts General Laws:

1. Amount requested: \$9,480.00
2. To be transferred to: Recreation
(give name of appropriation and Department)
3. Present balance in said appropriation: _____
4. The amount requested will be used for (give specific purpose):
tennis court repairs

5. This expenditure is extraordinary and/or unforeseen for the following reasons:
To clean, remove graffiti, color coating, line striping, clean up.

Department Head/ Committee Chairman

Action of the Advisory Board

Date of Meeting: _____ Number Present and Voting: _____

Transfer voted in sum of _____ Transfer disapproved

Advisory Board

Request must be made and transfer voted before any expenditure in excess of appropriation is incurred



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Department Head/ Committee Chairman

Action of the Advisory Board

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Advisory Board

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THE RESERVE FUND

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Town of Norfolk

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Advisory Board

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Town of Norfolk

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Advisory Board

Request must be made and transfer voted before any expenditure in excess of appropriation is incurred



Hinding Tennis Courts, LLC • 24 Spring Street • West Haven, CT 06516 • p 203-285-3055

SEPT 10, 2014

Town of Norfolk, Recreation Department
Ann Proto, Director
1 Liberty Lane
Norfolk MA 02056

Re: Pond Street Park – Graffiti Repair

Dear Ann:

Thank you for allowing “Hinding Tennis” the opportunity to provide figures for this project. We appreciate your time and hope you will consider “Hinding Tennis” for all your Recreational Needs. Enclosed is our proposal for your review.

Our goal is to provide you with the highest quality materials and workmanship. We are a fully licensed and insured company as well as a member of the American Sports Builders Association.

Please call me if you have any questions or would like to schedule this work to be done. We will do our very best to accommodate our schedule around your particular job. Once again, thank you for your time.

Sincerely,

Mike Reed
203-285-3055

www.HindingTennis.com



Pond Street Park - Tennis Courts

Procedures To Be As Follows:

Furnish all materials, labor and insurance to perform the HINDING TENNIS ACRYLIC COLOR COATING SYSTEM to 2 bituminous concrete tennis court.

1. **Cleaning** : Courts to be cleaned air blow and/or power washed where needed
2. **Graffiti Removal**: Graffiti will be sanded off surface preparing area to be painted
3. **Color Coating-** : Furnish and install the Acrylic Color Coating System over entire area. (2) coats of color. Colors Determined by Owner
4. **Line Striping**: Mask out USTA lines, hand paint with a coat of textured white line paint.
5. **Clean Up**- Clean up general work area.

Prices as indicated below

CT. STATE SALES TAX WILL BE CHARGED WHERE APPLICABLE. PAYMENT IS EXPECTED UPON TIMELY COMPLETION

Total: \$9,480.00

www.HindingTennis.com

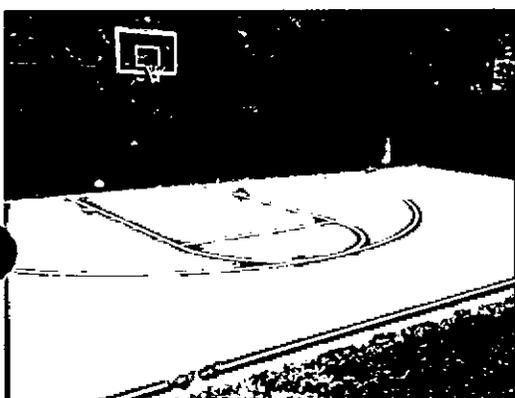


ABOUT US



"Over the years, Hinding Tennis has helped make GRSC a community club with the best hard court surfaces inside and out, as well as junior lines and stand alone courts, outdoor lighting and pickleball courts. They are a great partner in the tennis business."

— Sarah Boone, Owner, Guilford Racquet & Swim Club



Since 1994 the Team at Hinding Tennis, has not only built a tremendous reputation for itself, but it has made its name known throughout the country. Because of our success today contractors, club owners, architects and even competitors call upon us for advice, problem solving issues and just to pick our brains. We are constantly on the cutting edge of technology and are always looking for better ways to serve you.

Our specialty is "All Weather Cushioned Courts." Nobody can compare to our products or service when it comes to putting in the finest all weather cushioned surfaces today. We have over 1,000 cushioned courts in place today and we have not only improved the quality of the game but have given many of the aching players their quality of life back. Our players feel less fatigue, experience less injuries and can play longer when they play on one of our cushioned systems. If you haven't had the privilege to play on one of these courts, please ask and we'll get you set up to go try one out. However, be prepared because once you play on one, you'll never want that old fashioned hard court that you were once use to.

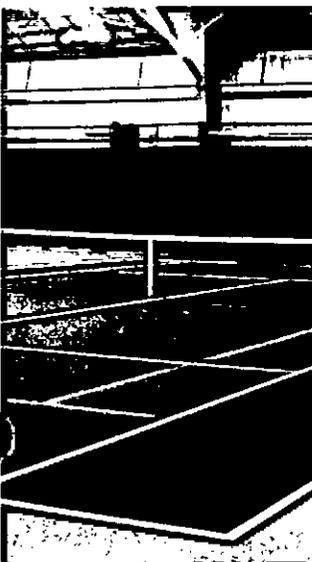
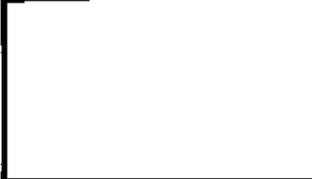
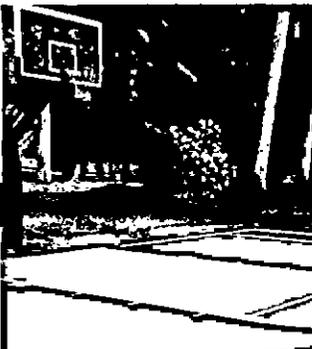
As Tennis is one of the few growing sports today, we have shared our success regarding the new 10 and Under Tennis format with many clubs, towns and camps. Our hard work granted us Racquet Sports Industry's inaugural 10 and Under Developer of the Year Award in 2011 and we are continually educating owners, clubs, park and recreation directors, etc. on this exciting format. If you are not involved, please ask us today how you can be.



24 Spring Street • West Haven, CT 06516
203-285-3055 • HindingTennis.com

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REFERENCES



COLLEGE	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
Mitchell College	New London, CT	Bernadette Macca	860-701-5058	(4) Tennis Courts Reconstruction Project
US Coast Guard	New London, CT	Garrett Starainic	860-701-6324	(3) Tennis Court New Construction
Univ of Rhode Island	Kingston, RI	Valerie A. Villucci	401-874-2867	(8) New DecoTurf Tennis Courts

HOA	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
Timber Ridge	Mt. Kisko, NY	Bonnie Haber	516-625-9696	(1) Tennis Court Crack Repair & Coloring
Doral Farms	Stamford, CT	John Sullivan	203-967-8337	(2) Tennis Court Crack Repair & Coloring

RESIDENTIAL	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
Stovell	Fairfield, CT	Helen	203-255-6824	(1) Installation of PC 300 Overlay Cushion Court
Varshinsky	Greenwich, CT	Michael	203-550-2525	(1) Tennis Court Cushion Extreme
Smith	Dedham, MA	Tina	617-823-5600	(1) Tennis Court Cushion Extreme

INDOOR CLUBS	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
Guliford Racquet Club	Guliford, CT	Sarah Boone	203-453-4367	(6) Cushion Extreme Tennis Courts
Chelsea Piers	Stamford, CT	Gigi Fernandez	203-989-1000	(7) Tennis Court Cushion Extreme & (2) 10 & Under Courts
Bennington Tennis Center	Bennington, VT	Richard Ader	212-581-4540	(3) Tennis Courts (2) 10 & Under, New Cushion Extreme
Longwood Covered Courts	Chestnut Hill, MA	Dick Sabin	617-566-9066	(2) Tennis Courts Cushion Extreme
New York Sports Club	Brooklyn, NY	Michael Phillips	718-643-4800	(2) Rooftop Tennis Courts Cushion Extreme
Manhattan Plaza Racquet Club	New York, NY	Skip Hartman	917-881-0489	Installation of 5 Cushion Extreme Courts
Mill Basin Health & Racquet Club	Brooklyn, NY	Billy Kruse	908-591-5444	Installation of 6 Cushion Extreme Courts

MUNICIPALITY	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
City of New Haven	New Haven, CT	David Moser	203-946-8201	(7) Tennis and (4) 36' 10 & Under Courts Reconstructed
NYC Parks Dept	New York, NY	George Kroenert	718-760-6731	Multiple Locations Painted Games, Running Tracks
Town of Guilford	Guliford, CT	Rick Maynard	203-453-8068	Multiple Courts New Construction, Crack Repair and Coloring
Town of New Milford	New Milford, CT	Dan Calhoun	860-355-6050	(2) Tennis and (2) Basketball Reconstruction
Town of Creskill	New Jersey	Steve at SCS	201-563-9117	(2) Basketball Court Resurfacing
Town of Oakland	New Jersey	Dave Simln	201-327-1002	(6) Tennis Court Resurfacing

NOTABLE CLIENTS	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
Tennis Hall of Fame	Newport, RI	Mary Rompf	401-849-4777	(3) Tennis Courts Resurfacing
Boston Lobsters	Manchester, MA	Bahar Uttman	978-312-1735	(1) Tennis Court Paint for WTT Competition
Nike		Porl Saikda	212-239-0904	Coating of the Famed Rucker Park
Regis Philbin	Greenwich, CT			(1) Tennis Court Resurfacing
Tommy Hilfiger	Greenwich, CT			(1) Tennis Court New Construction

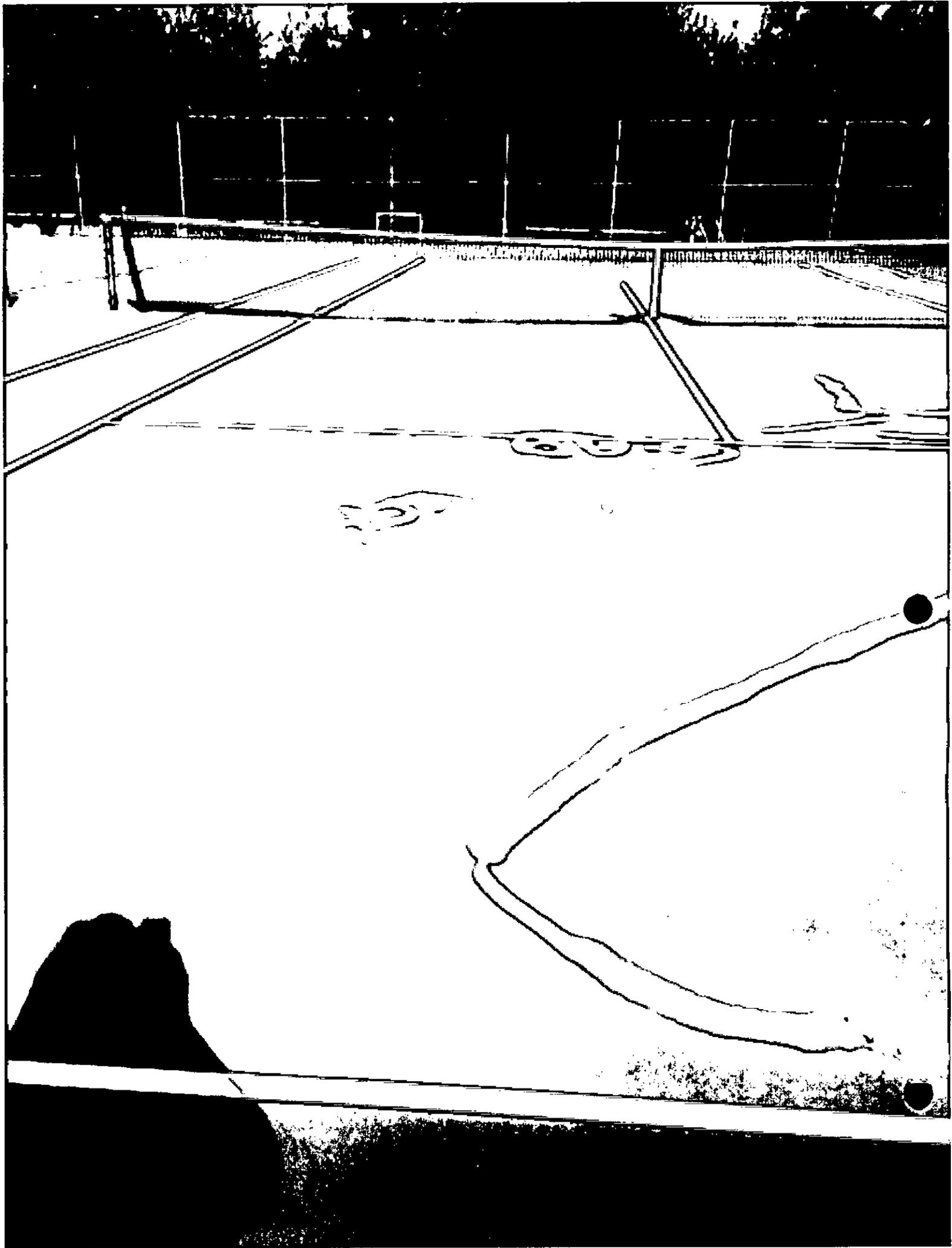
CAMPS	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
Camp Wahnee	Torrington, CT	Dave Stricker	516-946-4246	Wahnee Rd. New Construction, Crack Repair and Coloring
Greenwood Trails	Winsted, CT	Adam Langbart	516-483-7272	Multiple Locations New Construction, Crack Repair and Coloring
Ebner Camps	Banton, CT	Kevin Ebner	860-379-4050	Multiple Locations New Construction, Crack Repair and Coloring
Winding Trails	Farmington, CT	Scott Brown	860-677-8458	(4) Tennis and (3) Basketball Courts Crack Repair and Coloring

TENNIS AND COUNTRY CLUBS	CITY, STATE	CONTACT	PHONE	SERVICE PERFORMED
The Stanwich Club	Greenwich, CT	Scott Niven	203-869-1812	New Cart Path Painting
Village Club of Sands Pt.	Sands Point, NY	Ed Ronan	516-322-4378	(3) Court Resurfacing & Crack Repair, Har Tru Courts
Manchester Athletic Club	Manchester, MA	Keith Callahan	978-526-8900	(10) Tennis Courts Resurfaced with DecoTurf
Saw Mill Club	Mt. Kisko, NY	Kevin Kane	914-403-7053	(13) DecoTurf Courts
Pleasantville Tennis Club	Pleasantville, NY	Marlelise Watts	914-837-0185	Construction of New Har Tru Court



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Proud Sponsor of USTA New England Official 10 and Under Tennis Court Installer







REQUEST FOR TRANSFER FROM THE RESERVE FUND

Advisory Board
Town of Norfolk

Date _____

Board Members:

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1. Amount requested: _____
2. To be transferred to: _____
(give name of appropriation and Department)
3. Present balance in said appropriation: _____
4. The amount requested will be used for (give specific purpose):

5. This expenditure is extraordinary and/or unforeseen for the following reasons:

Department Head/ Committee Chairman

Action of the Advisory Board

Date of Meeting: _____ Number Present and Voting: _____

Transfer voted in sum of _____ Transfer disapproved

Advisory Board

Request must be made and transfer voted before any expenditure in excess of appropriation is incurred



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