

## WARRANT FOR A SPECIAL TOWN MEETING

Monday, May 2<sup>nd</sup>, 2011,

The first Monday of May, at seven o'clock (7:00) P.M. at the

Tahanto Regional High School Auditorium.

.....  
**Immediately preceding the Annual Town Meeting to transact fiscal year end 2011 town business.**  
.....

**MAY 2, 2011**

THE COMMONWEALTH OF MASSACHUSETTS

**WORCESTER: SS**

**BOYLSTON**

To either of the Constables of the Town of Boylston in the County of Worcester within The Commonwealth aforesaid:

### **GREETING:**

In the name of The Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the following places and times for the following purposes:

**SPECIAL TOWN MEETING** In accordance with the above notice and Article III, Section 1 of the Town of Boylston By-Laws, the following articles will be considered on **Monday, May 2<sup>nd</sup>, 2011, the first Monday of May, at seven o'clock (7:00) P.M. at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston MA.**

Voters of the Town of Boylston, Massachusetts, met in the auditorium of the Tahanto Regional High School according to legal notice on May 2, 2011. With 88 registered voters. Selectmen, Roger Deal, James Stanton were present. Also, present were Town Administrator, Nancy Colbert Puff, Town Counsel Stephen Madaus, and Town Clerk Sandra Bourassa. Dennis Pojani, Moderator called the meeting to order at 7:10 P.M. Mr. Pojani stated we had the required quorum present, Calling of the meeting and officer's return of service are in order as required. He set the bounds of the hall and introduced the Town officials. The Pledge of Allegiance was said. A MOTION by Mr. Stanton was made to waive the reading of the warrant. Seconded by Mr. Sydow. Vote on the MOTION passed.

**ARTICLE 1.** To see if the Town will vote to transfer any unexpended balances of Fiscal Year 2011 appropriations, hitherto made to other accounts, or take any action relative thereto.

MOTION was made by Mr. Stanton to accept the following transfers that will be read by Mrs. Nykiel, Town Accountant, from acct.# 0001.750.5915.000-Debt Interest - \$2,886.50, 001.241.5110.000-Bldg. Insp. Salary-\$20,000.00,#001.158.5780.000-Town Counsel-\$5,000.00,#001.420.5780.000-Hwy.Expenses-\$12,000.00, #001.113.5780.000-Sp. Town Meeting Notices- \$1,750.00,#001-294-5780-000- Tree Warden Expenses-\$3,915.01, #001.122.5780.001-Selectmen's Expenses-\$2,500.00 -#001.210.5780.000 Police Expenses- \$7,9000.00 Total - \$55,951.51 to Act# 001.543.5300.000- Veteran's Benefits-\$10,675.00, #001.423.5780.000-Snow and Ice-\$20,517.47, #001.241.5111.000-Bldg. Clerical-\$2,412.29,#001.913.5171.000-Unemploment-\$14,446.75, #001.210.5850.000-Police Cruiser-\$7,900.00 Total -\$55,951.51. Seconded by Mr. Brose, Finance Committee recommends approval. Vote on the MOTION passes unanimously.

**ARTICLE 2.** To see if the Town will vote to transfer \$62,316 from the FY 2011 Vocational Education Tuition, line item 5320 in the Town Budget, to line item 5510 for funding FY 2011 expenses of the Boylston Elementary School, or take any action relative thereto.

MOTION made by Mr. Stanton to accept this article as read. Seconded by Mr. Brose. Finance committee recommends approval. Mr. Filgate had a question on the article, Mr. Wyatt, School committee member answered. Vote on the MOTION passed unanimously.

**ARTICLE 3.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate an amount not to exceed \$20,000 for the purpose of purchasing a replacement cruiser for the Police Department, or take any action relative thereto.

MOTION was made by Mr. Stanton to accept this article as read as a transfer. Seconded by Mr. Sydow. Finance Committee recommends approval. Vote on the MOTION passes.

MOTION made by Mr. Stanton to adjourn the Special Town Meeting. Seconded by Mr. Sydow. Vote on the MOTION passes.

Meeting adjourned at 7:25 PM

Respectfully Submitted,

Sandra L. Bourassa, Town Clerk

**WARRANT FOR THE ANNUAL TOWN MEETING  
MAY 2, 2011**

THE COMMONWEALTH OF MASSACHUSETTS

**WORCESTER: SS**

**BOYLSTON**

To either of the Constables of the Town of Boylston in the County of Worcester within The Commonwealth aforesaid:

**GREETING:**

In the name of The Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the following places and times for the following purposes:

**1. ANNUAL TOWN MEETING – MAY 2, 2011**

on **Monday, the second (2<sup>nd</sup>) of May AD, 2011 at seven-fifteen (7:15) P.M., at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston MA**, to take any action relative to the business of the Town as set forth in Articles one (1) through thirty (30) of this Warrant; and at its adjournment, which shall be upon completion of Town Meeting action upon all articles listed on the Warrant.

**2. ELECTION AND BALLOT – MAY 9, 2011**

on **Monday, the ninth (9<sup>th</sup>) of May AD, 2011**, to vote by ballot at the Town's annual election, at the Boylston Town Hall, at the Hillside Municipal Complex located at 221 Main Street within the Town of Boylston, **with polls opening at twelve o'clock (12:00) noon and closing at eight o'clock (8:00) P.M.** on the following:

**ARTICLE 31.** To vote by official ballot for the necessary Town Officers, namely:

One Selectman for three (3) years; One Town Clerk for three (3) years; One Assessor for three (3) years; One Board of Health member for three (3) years; One Planning Board member for five (5) years; One Municipal Light Board member for three (3) years; Two Library Trustees for three (3) years each; One Library Trustee for two (2) years; One Cemetery Commissioner for three (3) years; One Parks & Recreation member for five (5) years; One Parks & Recreation member for three (3) years; One Parks & Recreation member for two (2) years; One School committee member for three (3) years.

Voters of the Town of Boylston, Massachusetts, met in the auditorium of the Tahanto Regional High School according to legal notice on May 3, 2010. With only 88 registered voters we waited for the required quorum. Selectmen, Roger Deal, Ken Sydow, James Stanton were present. Also, present were Town Administrator, Nancy Colbert Puff, Town Counsel Stephen Madaus, and Town Clerk Sandra Bourassa. Dennis Pojani, Moderator called the meeting to order at 7:50 P.M.. Mr.Pojani stated we had the required quorum present, Calling of the meeting and officer's return of service are in order as required. He set the bounds of the hall. A MOTION by Mr. Stanton was made to waive the reading of the warrant. Seconded by Mr. Sydow. Vote on the MOTION passed.

Motion was made by Mr. Stanton to group articles 1-13 together, they are articles we approve every year. Seconded by Mr. Brose. Vote on MOTION was taken and passed.

Motion made by Mr. Stanton to accept articles 1-13 as written in the warrant. Seconded by Mr. Sydow, Finance committee recommends approval, Mr. McQuade , Light Dept. recommends approval on article#9. Selectmen recommends approval on article #2. Finance Committee recommends approval. Vote taken on MOTION and MOTION passed unanimously.

**\*ARTICLE 1.** To see if the Town will vote to authorize the Board of Selectmen to choose all necessary Town officers, or take any action relative thereto.

**Sponsor:** Board of Selectmen

**\*ARTICLE 2.** To hear and act upon the reports of Town officials and committees, or take any action relative thereto.

**Sponsor:** Board of Selectmen

**\*ARTICLE 3.** To see if the Town will vote to authorize the Board of Selectmen to employ Counsel where, in their judgment, it may be necessary under the provisions of Chapter 40 of the General Laws of the Commonwealth, or take any action relative thereto.

**Sponsor:** Board of Selectmen

**\*ARTICLE 4.** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of revenue of the financial fiscal year beginning July 1, 2011 and ending June 30, 2012, and to issue a note or notes therefore and to renew any note or notes as may be given for a period of less than one (1) year in accordance with Chapter 44 of the General Laws of the Commonwealth, as amended, or take any action relative thereto.

**Sponsor:** Board of Selectmen

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 5.** To see if the Town will vote to authorize the Trustees of the Public Library to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2011, and to fix the compensation therefore, consistent with the Personnel Plan, or take any action relative thereto.

**Sponsor:** Library Trustees

**\*ARTICLE 6.** To see if the Town will vote to authorize the Commissioners of the Cemetery to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2011, including the appointment of a Cemetery Superintendent, and to fix the compensation therefore, consistent with the Personnel Plan, or take any action relative thereto.

**Sponsor:** Cemetery Commission

**\*ARTICLE 7.** To see if the Town will vote to authorize the Planning Board to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2011, and to fix the compensation therefore, consistent with the Personnel Plan, or take any action relative thereto.

**Sponsor:** Planning Board

**\*ARTICLE 8.** To see if the Town will vote to appropriate the money received from The Commonwealth of Massachusetts as a Library grant-in-aid for the purpose of purchasing books and other items at the discretion of the Library Trustees, or take any action relative thereto.

**Sponsor:** Library Trustees

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 9.** To see if the Town will vote that the income from sales of electricity to private consumers, or for electricity supplied to municipal buildings or for municipal power, and from jobbing during the current fiscal year, be appropriated for the Municipal Lighting Plant, the whole to be expensed by the manager of the Municipal Lighting Plant, under the direction and control of the Municipal Light Board, for the expense of the plant for said

fiscal year, as defined in Section 57 of Chapter 164 of the General Laws; and for the purchase, sale, installation and servicing of merchandise and equipment in accordance with the provisions of Chapter 235 of the Acts of 1937; and for any out of state travel expense in accordance with the provisions of Section 5 of Chapter 40 of the General Laws, and if said sum and income shall exceed said expense for the fiscal year, such excess shall be transferred to the Construction Fund of said plant and appropriated and used for such additions thereto as may thereafter be authorized by the Municipal Light Board; and fix the compensation of the Municipal Light Board members for the fiscal year beginning July 1, 2011, as provided by Section 4A of Chapter 41 of the General Laws, as follows: Chairman - \$300.00 and two (2) members - \$300.00 each, a total of \$900.00, and such compensation to be paid from the operating account of the Municipal Light Plant, or take any action relative thereto.

**Sponsor:** Municipal Light Board

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 10.** To see if the Town will vote to accept any highway funds from County, State or Federal agencies, to authorize the Board of Selectmen to enter into agreements with Mass Highway, so-called, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow from time to time during Fiscal Year 2012, in anticipation of reimbursement of said highway assistance, in conformity with the provisions of Massachusetts General Laws Chapter 44 Section 6A for maintenance, repair, construction of Town roads and programs consistent with Chapter 90 funds, to be expended by the Highway Department, or take any action relative thereto.

**Sponsor:** Highway Superintendent

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 11.** To see if the Town will vote to authorize the Board of Cemetery Commissioners to continue its use of the revolving fund, established at the May 1995 Annual Town Meeting, under and subject to the provisions of Chapter 44 Section 53E ½ of the Massachusetts General Laws, for the following purposes:

1. To be the depository for all departmental receipts of the Cemetery Commission and from those funds to make expenditures in accordance with Massachusetts General Laws Chapter 41 Sections 41, 42, 52 and 56 for the following:

- a. For operational purposes other than regular wages and including the cost of grave openings and related expense,
- b. For payment of maintenance expenses including supplies and materials and part-time labor
- c. For payment of expenses related to the expansion of the cemetery
- d. For compensation for part time commissioners and clerk;
- e. To set the expenditure limit as not to exceed \$15,000;  
or take any action relative thereto.

**Sponsor:** Cemetery Superintendent

**Finance Committee comments:** Finance Committee recommends approval.

**Board of Selectmen recommendation:** Recommends approval.

**\*ARTICLE 12.** To see if the Town will vote to authorize the Planning Board to continue its use of the revolving fund established at the May 8, 2000 Annual Town Meeting, established in accordance with Chapter 44 Section 53E ½ of the Massachusetts General Laws, to be utilized for the following purposes:

1. To be the depository for engineering and advertising fees charged by the Planning Board to various developers for the plan review process.
2. To authorize expenditures from said fund to pay engineering and advertising costs associated with the plan review process.
3. To set the annual expenditure limit at \$20,000.
4. To have the Planning Board be the only board authorized to expend funds from said account, or take any action relative thereto.

**Sponsor:** Planning Board

**Finance Committee comments:** Finance Committee recommends approval.

**Board of Selectmen recommendation:** Recommends approval.

**\*ARTICLE 13.** To see if the Town will vote to authorize the Conservation Commission to continue its use of the revolving fund established at the May 14, 2002 Annual Meeting, established in accordance with Chapter 44 Section 53E½ of the Massachusetts General Laws, to be utilized for the following purposes:

1. To be the depository for engineering and advertising fees charged by the Conservation Commission to various developers for the plan review process.
2. To authorize expenditures from said fund to pay engineering and advertising costs associated with the plan review process.
3. To set the annual expenditure limit at \$10,000.
4. To have the Conservation Commission be the only board authorized to expend funds from said account; or take any action relative thereto.

**Sponsor:** Conservation Commission

**Finance Committee comments:** Finance Committee recommends approval.

**Board of Selectmen recommendation:** Recommends approval.

**ARTICLE 14.** To see if the Town will vote to fix the compensation for the following Town Officers: three (3) Selectmen, Town Clerk, Moderator, three (3) Assessors, three (3) School Committee members, three (3) Board of Health members, three (3) Cemetery Commissioners, five (5) Planning Board members, all in accordance with the recommendations of the Finance Committee, and to instruct the Selectmen or other boards to fix a given compensation for the persons hired or appointed by such boards, or take any action relative thereto.

Selectmen, Chair	\$ 1,354	2 members each at \$ 1,137
Town Clerk	\$ 29,689 plus fees	
Town Moderator	\$ 15	
Assessors, Chair	\$ 1,500	2 members each at \$ 1,000
School Committee, Chair	\$ 100	2 members each at \$ 50
Board of Health, Chair	\$ 277	2 members each at \$ 185.50
Cemetery Commission, Chair	\$ 213	2 members each at \$ 160
Planning Board, Chair	\$ 370	4 members each at \$ 53
Planning Board, Vice-Chair	\$ 53	
Planning Board Clerk	\$ 53	

MOTION was made by Mr. Stanton to accept this article as written in the warrant. Seconded by Mr. Sydow. Personnel Board recommends approval. Finance Committee recommends approval. Vote taken on the MOTION unanimously passes.

**ARTICLE 15.** To see if the Town will vote to amend the Town's Personnel Plan and By-laws by replacing Schedules A, B and C with the following; or take any action relative thereto: (proposed changes are in **bold**)

**Section 15:** Classification Schedule Amended May 2011 - Effective July 1, 2011

Classification	Position Status	Grade	Hourly Rates	
			Min	Max
Library Page	Hourly		<b>8.68</b>	<b>8.96</b>
Election Worker	Hourly		<b>8.68</b>	<b>8.96</b>
Town Meeting Checker	Hourly		<b>8.68</b>	<b>8.96</b>
Election Clerk	Hourly		<b>9.67</b>	<b>9.67</b>
Election Warden	Hourly		<b>9.67</b>	<b>9.67</b>
Clerical	Special Temp		<b>8.68</b>	<b>11.63</b>
Library Housekeeper	Special Part Time		<b>9.84</b>	<b>10.52</b>

Asst Laborer	Special Hourly	2
Library Assistant/Sr. Technician	Reg. Part Time	3
Laborer/Custodian	Reg. Full Time	3
Emergency Medical Technician	Hourly	3
Firefighter	Hourly	3
Deputy Chief	Hourly	3+\$500
Fire Captain	Hourly	3+\$300
Fire Lieutenant	Hourly	3+\$200
Asst Town Clerk	Special Part Time	5
Police Service Aide	Hourly	5
Asst. Inspector/Electrician	Hourly	5
Assessors' Clerk	Reg. Part Time	5
Children's Librarian	Reg. Part Time	5
COA Coord/Community Outreach	Reg. Part Time	5
P&R Program Coordinator	Reg. Part Time	5
Equipment Operator/Laborer	Reg. Full Time	6
Facilities Technician	Reg. Full Time	6
Assistant Treasurer/Collector	Reg. Part Time	6
Asst Library Director	Reg. Part Time	7
Admin Asst. Board of Assessors	Reg. Part Time	7
Admin Asst to Hwy Supt.	Reg. Part Time	7
Admin Asst to Chief of Police	Reg. Part Time	7
Admin Asst to Planning Board	Reg. Part Time	7
Admin Asst to Board of Selectmen	Reg. Full Time	7
Equipment Operator/Mechanic	Reg. Full Time	7
Working Foreman	Reg. Full Time	8
Admin Asst to Health & Conservation	Reg. Part Time	8
Town Treasurer/Collector	Reg. Full Time	9
Foreman	Reg. Full Time	9
Building Inspector	Salaried	10
Library Director	Salaried	11
Fire Chief/Forest Warden	Salaried	12
Hwy/Cemetery Superintendent	Salaried	12+\$845
Police Chief	Salaried	14
Town Administrator	Salaried	14

**Schedule B: Salary Compensation Schedule**

<b>Grade</b>	<b>Min</b>	<b>Mid</b>	<b>Max</b>
1	10.01	11.78	13.57
2	10.80	12.77	14.66
3	11.71	13.81	15.91
4	12.61	14.86	17.07
5	13.65	16.05	18.44
6	14.76	17.35	19.94
7	15.94	18.65	21.52
8	17.20	20.23	23.25
9	18.60	21.83	25.07
10	20.08	23.58	27.12
11	21.72	25.46	29.28

12	23.41	27.50	31.60
13	25.29	29.69	34.14
14	27.30	32.07	36.85
15	29.50	34.65	39.80
16	31.84	37.42	42.98
17	34.37	40.42	46.43
18	37.11	42.52	50.13

**Schedule C: Salary Compensation Schedule-**

<b><u>Job Title</u></b>	<b><u>Annual Salary</u></b>
Chairman, Registrar of Voters	\$ 693
Council on Aging, Meal Coordinator	\$ 1008
Director of Veteran's Services	\$ 208
Electrical Inspector	\$ 7,999
Assistant Electrical Inspector	\$ 552
Plumbing Inspector	\$ 8,583
Assistant Plumbing Inspector	\$ 715
Gas Inspector	\$ 2,582
Assistant Gas Inspector	\$ 220
Registrar of Voters	\$ 279
Health Agent	\$ 37,471
Dog Officer	\$ 2,108
Animal Inspector	\$ 1,212
Nurse	\$ 1,500
Vital Stat Clerk	\$ 200
Tree Warden	\$ 1,137

MOTION was made by Mr. Stanton to accept this article as written in the warrant. Seconded by Mr. Sydow. Personnel Board recommends approval. Finance Committee recommends approval. Vote on the MOTION taken passes unanimously.

**ARTICLE 16.** To see if the Town will vote to transfer and appropriate a sum of money not to exceed \$ 182,000 from the Hillside Receipts Reserved Account to the Appropriation Account (Account # 193-5780), for the maintenance, upkeep, repair, operations and improvements of town-owned buildings, property and land, to be expended by the Board of Selectmen; or take any action relative thereto.

MOTION made by Mr. Sydow to accept this article as read. Seconded by Mr. Stanton. Vote on the MOTION taken passes unanimously.

**ARTICLE 17.** To see if the town will vote to transfer and appropriate a sum of \$74,000 from the Ambulance Receipts Reserved Account to the Fire Department budget to supplement that portion of the operating budget associated with ambulance operations; or take any action relative thereto.

MOTION was made by Chief Flanagan to accept this article as a transfer as read. Seconded by Mr. Stanton. Finance Committee recommends approval. Vote on the MOTION taken and unanimously passes.



**ARTICLE 18.** To see if the town will vote to transfer and appropriate from available funds in the treasury, a sum of \$50,000 for the purpose of purchasing new structural turnout gear for firefighters; or take any action relative thereto

MOTION was made by Chief Flanagan to accept this article as a transfer as read. Seconded by Mr. Stanton. Finance Committee recommends approval. Vote on the MOTION taken and unanimously passes.

**ARTICLE 19.** To see if the Town will vote to authorize the Board of Selectmen to make available for lease portions of Town-owned parcels of land, known as and identified on the Assessors Map as Parcel 56-9 (located off of Mile Hill Road), for the purpose of locating wireless communications facilities, for lease terms of up to twenty years each and subject to any additional terms and conditions that the Board of Selectmen deem to be in the best interest of the Town; or take any action relative thereto.

MOTION was made by Mr. Stanton to accept this article as read. Seconded by Mr. Sydow. Finance Committee recommends approval. Vote on MOTION taken and unanimously passes.

**ARTICLE 20.** To see if the Town will vote to accept the provisions of M.G.L. c. 32B, § 20 that allows the Town to establish an Other Post Employment Benefits Liability Trust Fund and a funding schedule for the fund; or take any action relative thereto.

MOTION was made by Mr. Sydow to accept this article as read. Seconded by Mr. Stanton. Mr. Sydow explained the purpose of this article. Vote on the MOTION taken and unanimously passes.

**ARTICLE 21. Accessory Dwelling Bylaw.** To see if the Town will vote to make the following change to Section 10 of the Zoning Bylaw by adding the following new Section 10.05, and make the following change to Section 4.02.02 of the Uses of the Zoning bylaw; or take any action relative thereto:

MOTION was made by Mr. Baker, Chairman Planning Board to accept this article as written in the warrant. Seconded by Mr. Stanton. Mr. Baker explained the article and the Planning Board had held a Public Hearing and the Planning Board recommends approval. Vote was taken on the MOTION, it was not unanimously. A stand vote was taken with 88- YES and 9- NO. A 2/3 vote is needed, MOTION passes.

## **Section 10.05 Accessory Apartment**

### **10.05.01 Purposes**

The purposes of the Accessory Apartment bylaw are to:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
2. Add moderately priced rental units to the housing stock to meet the needs of smaller households;
3. Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in their life cycle; and
4. Protect stability, property values, and the residential character of a neighborhood.

### **10.05.02 Definition**

Accessory Apartment - An Accessory Apartment is a self-contained housing unit incorporated within a detached, accessory structure to a single-family dwelling that is clearly subordinate to the single-family dwelling and has received a special permit pursuant to the criteria below.

#### **10.05.03 Procedures**

Application for a Special Permit may be made in accordance with Section 11.04.06 of this Bylaw and M.G.L. c.40A, Section 9. In any district in which an accessory apartment is allowed by Special Permit, the Planning Board, serving as the Special Permit Granting Authority as set forth in the regulations of the applicable zoning district, may grant a Special Permit for an accessory apartment provided that all of the following conditions are met.

At its discretion, the Planning Board may waive or modify any of the following upon petition of the applicant and upon finding such a waiver or modification is no more detrimental to the neighborhood than the existing requirement and is in the best interest of the Town.

1. A plot plan and scaled architectural drawings of the existing dwelling unit and proposed addition (if any) shall be submitted, showing location of the building on the lot, location of septic system, and parking.
2. The accessory apartment shall be located in an accessory structure on the same lot, such as a detached garage or barn, not further than 75' from the principal structure, and shall clearly be subordinate to the principal building.
3. The lot shall conform to the area and yard requirements in Section 9.
4. The accessory apartment shall not exceed 1,000 square feet, nor shall it contain more than two bedrooms.
5. The applicant shall be an owner occupant of the premises. As part of the special permit application, the owner shall certify in writing that he or she is, and shall remain, an occupant of either the principal single-family dwelling or the accessory apartment.
6. Not more than one accessory apartment shall be permitted on a lot.
7. The exterior appearance of the buildings shall remain, to the extent practicable, that of a single-family dwelling.
8. There shall be at least one off street parking space to serve the accessory apartment, with access to the driveway serving the single-family dwelling.
9. The septic system serving the accessory dwelling shall meet current Title V regulations and the regulations of the Boylston Board of Health.
10. For properties located within the Boylston Historic District: Upon filing the application for a special permit for an accessory apartment, the Applicant shall forward a copy of the application to the Boylston Historical Commission.
11. The Special Permit shall provide that in the event that the title to the lot is transferred to a new owner, or the owner-occupant ceases to reside on the premises, the Special Permit expires automatically and the new owner(s), if they desire to rent an accessory apartment on the premises, shall be required to file a new application for a Special Permit in accordance with this bylaw.

12. No construction shall commence without issuance of a building permit by the Building Inspector, and there shall be no use or occupancy of the accessory apartment until the Building Inspector has issued a certificate of occupancy.

Following the third item in the table of section 4.02.02, add a new use:

Use	RR	R	GR	VB	HB	NB	RB	C	H	IP	FBD	MUI	NOTES
Accessory Apartment	SP#	SP#	SP#	SP#		SP#		SP#	SP#			SP#	See Section 10.05 for SP requirements.

**ARTICLE 22.** To see if the Town will vote to amend the Zoning Bylaw by making the following changes to correct errors and omissions:

MOTION was made by Mr. Baker to accept this article as written in the warrant. Seconded by Mr. Stanton. Mr. Baker explained the article and the Planning Board had held a Public Hearing. The Planning Board recommends approval. Vote on MOTION was taken and unanimously passes.

- Item 1.** In Section 10.01.02, first sentence, after Commercial insert “, Neighborhood Business,” “Route 140 Business”.
- Item 2.** In Section 10.01.03, first sentence, delete the references to “Limited Industrial” and substitute “Mixed Use Industrial” therefore.
- Item 3.** In Section 10.02.01.1.c, delete “Board of Appeals” and substitute “Planning Board” therefore.
- Item 4.** In Section 10.02.01.1.f, delete “Board of Appeals” and substitute “Planning Board” therefore.
- Item 5.** In Section 10.02.01.2.b, delete the words “Industrial Districts” and substitute “Mixed Use Industrial Districts and Industrial Uses as set forth in Section 4.02.04 of the Schedule of Use Regulations...”.
- Item 6.** Delete existing Section 10.03.01, regarding site plan review, and substitute the following therefore:

#### **10.03.01 APPLICABILITY**

With the exception of a single and two family dwelling, any use in any district designated as “Y” as set forth in the Table of Uses Regulations, Subsections 4.02.02 to 4.02.07, inclusive, or designated by special permit shall require site plan approval by the Planning Board as set forth herein.

**Item 7.** In Section 9.02, delete all references in the Notes column to Section 9.03.05.

**Item 8.** In Section 9.02., FBD Dimensional Table, NB Dimensional Table, RB Dimensional Table, and MUI Dimensional Table add the following in each respective Notes column for maximum building height:

... provided that mechanical facilities, elevator shafts, antennae, electronic transmission devices or other appurtenances customarily carried above roofs and buildings nor designed for human occupancy may be erected to a height of sixty (60) feet.

**Item 9.** Delete Section 9.03.05, and substitute the following therefore:

In any district, except for Industrial Park, Flexible Business Development, Mixed Use Industrial, Neighborhood Business, and Route 140 Business, no building or structure shall be erected or altered to a height more than thirty-five (35) feet. Within an Industrial Park district, no building or structure shall be erected to a height of more than forty-five (45) feet.

In any district, a private or public utility structure may be erected to a height of sixty (60) feet provided said structure is not designed for human occupancy. In any district, a church or other place of worship may have a roof of not more than forty-five (45) feet and a steeple of not more than eighty-five (85) feet, providing that no portion of such structures above thirty-five (35) feet shall be occupied.

**ARTICLE 23.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate an amount not to exceed \$ 75,000 for the purpose of reclaiming and paving the Municipal Office Buildings parking areas and driveways; or take any action relative thereto.

MOTION made by Mr. Stanton to accept this article as read. Seconded by Mr. Sydow. Finance Committee recommends approval. Vote on the MOTION was taken and unanimously passes.

**ARTICLE 24.** To see if the Town will vote transfer from available funds in the Treasury and appropriate an amount not to exceed \$ 15,000 for the purpose of purchasing a lawn tractor for the Municipal Office Building; or take any action relative thereto.

MOTION was made by Mr. Sydow to accept this article as read. Seconded by Mr. Stanton Finance Committee recommends approval. Vote on MOTION was taken and unanimously passes.

**ARTICLE 25.** To see if the Town will vote to authorize the Board of Selectmen to enter a lease/purchase agreement, so called, with an option to purchase and for a term of up to four (4) years, subject to annual appropriation, for the lease/purchase of a replacement cruiser for the Police Department and for said purpose, to raise and appropriate or transfer from available funds in the Treasury an amount not to exceed \$ 7,385.00, or take any action relative thereto.

MOTION was made by Mr. Deal to accept this article as read. Seconded by Mr. Stanton. Finance Committee recommends approval. Vote on MOTION was taken and unanimously passes.

**ARTICLE 26.** To see if the Town will vote transfer from available funds in the Treasury and appropriate an amount not to exceed \$ 15,000 for the purpose of repairing the Highway Department sweeper; or take any action relative thereto.

MOTION was made by Mr. Stanton to accept this article as read. Seconded by Mr. Sydow. Finance Committee recommends approval. Vote on MOTION was taken and unanimously passes.

**ARTICLE 27.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate an amount not to exceed \$ 25,000 for the replacement of the fire alarm panel in the Town Hall; or take any action relative thereto.

MOTION was made by Mr. Stanton to accept this article as read. Seconded by Mr. Sydow. Finance Committee recommends approval. Vote on MOTION was taken and unanimously passes.

**ARTICLE 28:** To see if the Town will vote to accept as public ways Ridgefield Circle and Juniper Hill Drive, both as laid out heretofore by the Board of Selectmen and according to the boundaries and measurements shown on a plan on file at the office of the Town Clerk, entitled "Street Acceptance Plan, Ridgefield Circle and Juniper Hill drive" dated November 12, 2010, revised March 14, 2011, prepared by Cabco Consult, and to authorize the Board of Selectmen to accept on behalf of the Town a deed of easement(s) for public street purposes in said ways, which shall be known as "Ridgefield Circle" and "Juniper Hill Drive" as shown on said plan, or take any action relative thereto.

MOTION was made by Mr. Stanton to accept this article as read in the warrant the following added conditions: All being subject to approval of the Planning Board, in consultation with the highway superintendent and Town Counsel and upon such terms, conditions and approvals the planning Board deems appropriate; compliance with this requirement to be deemed satisfied only by a document to that effect issued by the Planning Board and recorded at the registry of deeds within 120 days from the date of termination of this Town Meeting and furthermore, prior to recording of the certificate issued by the Planning Board at the registry of deeds the project must obtain a Certificate of Compliance issued by the Town's Conservation Commission in accordance with the provisions of the W.P.A. and Town bylaws. Seconded by Mr. Sydow. Mr. McGrath, Conservation Commission made an amend to the MOTION to add furthermore, prior to recording.... MOTION seconded by Mr. Brose. Vote on the amended MOTION taken and passes. Vote on the MOTION was taken and passes.

**ARTICLE 29.** To see if the Town will vote to transfer from available funds in the Treasury the sum of \$15,000 to reduce the tax rate, or take any action relative thereto.

MOTION was made by Mr. Sydow to accept this article as read. Seconded by Mr. Stanton. Finance Committee recommends approval. Vote on MOTION was taken and unanimously passes.

**ARTICLE 30.** To see if the Town will vote to raise by taxation and appropriate or transfer from available funds in the Treasury, such sums as may be necessary to defray and pay all Town debts and charges and appropriate the same as the Town sees fit for the fiscal year 2012, and to fix the compensation and salaries of all Town Officers, as may be shown in whole or in part by the Town Budget, so-called, as shown in the Fiscal Year 2012 Report of the Finance Committee, or take any action relative thereto.

MOTION made by Mr. Stanton to accept this article as written in the warrant. With the amendment in the school budget as follows: Elementary School 5510 – Elementary Education -\$3,047,119- Regional District- 5651- 3,306,323 –Vocational Education 5320- Tution-353,716 – Transportation- 5380- 13,942 Seconded by Mr. Brose. Finance Committee recommends approval. Vote on MOTION was taken and unanimously passes.

MOTION made by Mr. Stanton to adjourn the meeting until the election on May 9, 2011, Seconded, Vote on MOTION taken and passed unanimously.  
Meeting Adjourned at 8:40 P.M.

Respectfully Submitted,

Sandra L. Bourassa, Town Clerk