

Annual Town Meeting

Warrant

SCRIVENER'S ERRORS

May 5, 2014

The following are corrections to Scrivener's errors in the posted Annual Town Meeting Warrant. In the opinion of Town Counsel, the Annual Town Meeting Warrant was posted in a timely manner in accordance with the Town By-law and State Statute and provides sufficient notice to all residents regarding the content and substance of items to be voted upon at Town Meeting. Unfortunately there were errors within the document that need correction and clarification. This document is intended to provide that in order to minimize any confusion at Town Meeting.

The main issue relates to the Annual Town Budget article which is historically Article 4 in the Annual Town Meeting Warrant. When the budget was merged between a Microsoft Word document and Microsoft Excel document, it was not placed properly within the warrant to allow for the correct flow of Article numbers. In addition, the Budget article was missing the Article title and number as well as the text associated with the article. The Budget Article (Article 4) should have been located in the warrant after Article 3 and should have appeared with the following title and text at the beginning:

ARTICLE 4

To see what sums the Town will raise and appropriate, transfer or otherwise provide, for its necessary and expedient purposes as designated hereafter, and to direct that these funds be expended only for such purposes under the direction of the respective boards, committees and officers for the fiscal year which begins July 1, 2014; or take any action relative thereto

(Department Budgets would follow from here)

The Budgets for all Departments appear in the posted warrants, but the aforementioned text does not. In the initial version, the Budgets are located as an extension of Article 3 along with the Consent Calendar Article. The Budget needs to be removed from the Consent Calendar Article and properly placed as Article 4 with the appropriate article language. A corrected Annual Town Meeting Warrant has been developed and attached for distribution and Town Meeting purposes, with all articles in corrected order and with the proper text as stated. Further corrections, Scrivener errors to Article 4 as wells as corrections to Article 7 follow. All posted Warrants remain as they were originally posted.

ARTICLE 4

Spelling Corrections and Scrivener errors to Budgets:

Page 9 Exceptional Children’s Budget:

Changed “Total Exceprional Children Budget” to “Total Exceptional Children Budget”

Page 9 Community Events Budget:

Changed “Total Patriotic Committee Budget” to “Total Community Events Budget”

Page 14

Changed “Total Budget Before Transfers, Allocations and Ofsets” to “Total Budget Before Transfers, Allocations and Offsets”

ARTICLE 7

To see if the Town will vote to transfer from the Stabilization Fund the sum of \$116,968 for the following purposes; or take any action relative thereto.

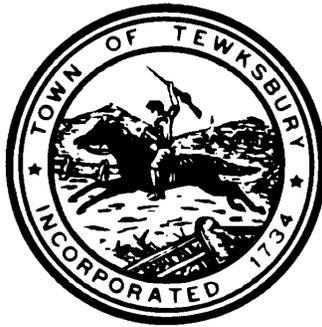
Stormwater and Drainage Mapping	\$50,000
Replacement Digital Radios – Police Cruisers	\$12,861
Replacement Mobile Data Terminals - Police Cruisers	\$30,192
2 Defibrillators and 15 Cases for Police Department Defibrillators	\$5,225
4 Handheld Radar Units and 2 Motorcycle Radar and Portable Breathalyzer	\$12,190
Purchase 4 Rifles and 45 Tasers	\$6,500

Town Manager

Executive Summary: This article allows the Town to utilize funds from the Stabilization Fund for the following one-time expenditures: Mapping a portion of the drainage system as required by DEP; replacing the final two non-digital radios in police cruisers; replace six 911 Mobile Data Terminals purchased in 2002; purchase two defibrillators and fifteen cases to protect all Police Department defibrillators; purchase four handheld radar units, two motorcycle radar units along with two portable breath test PBT devices; and purchase four additional Sig Sauer patrol rifles with EOTECH sights.

ANNUAL TOWN MEETING

2014
WARRANT



TOWN OF TEWKSBURY COMMONWEALTH OF MASSACHUSETTS

Finance Committee Public Hearing

April 23, 2014 7:00 P.M.
Town Hall Auditorium

Annual Town Meeting

May 5, 2014 8:00 P.M.
Tewksbury Memorial High School

Town of Tewksbury Website: <http://www.tewksbury-ma.gov>

Facebook: Town of Tewksbury

Twitter: TownofTewksbury

TOWN MEETING GUIDELINES

- ** Voters and Visitors shall have their identification ribbons conspicuously displayed.
- ** Visitors shall sit in the designated VISITORS SECTION unless they are assigned to a designated area.
- ** Standing at the doors or in the aisles inside the gymnasium or auditorium is prohibited.
- ** No one shall enter the gymnasium or auditorium while voting is in progress.
- ** Everyone shall be at a seat so as to allow the vote to be counted without hindrance.
- ** Collecting signatures upon petitions or nomination papers is prohibited in the building where the Town Meeting is being held.
- ** Food and beverages are not allowed in the gymnasium or auditorium as per order of the School Committee.
- ** Smoking is not allowed in the School Building or on School Property.
- ** To prevent active interference with the conduct of the Town Meeting, any person taping, videotaping or using any other means of sonic reproduction is assigned to the designated Press Table or the side aisle perimeters of the gymnasium or auditorium.

This meeting is being held at a site which is physically accessible to persons with disabilities.

For further information please call 978-640-4355.

CART services need to be requested as early as possible, as CART providers often fill their schedule 2-3 months in advance. Other reasonable accommodations for disability related needs will be provided upon request.

<u>Annual Town Meeting</u>	<u>Annual Town Meeting</u>	<u>Special Town Meeting</u>
MONDAY May 5, 2014 8 P.M.	WEDNESDAY May 7, 2014 8 P.M.	WEDNESDAY May 7, 2014 7 P.M.
<ul style="list-style-type: none"> • Consent Calendar Articles • Annual Budget • Budget Related Articles • Personnel By-Law Amendments 	<ul style="list-style-type: none"> • Zoning By-Law Amendments • Town By-Law Amendments • General Articles 	

Middlesex, s.s.

To any of the Constables of the Town of Tewksbury, in said County:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Tewksbury, qualified to vote in town affairs, to meet and assemble at Tewksbury Memorial High School, 320 Pleasant Street, in said Tewksbury on Monday, May 5, 2014, at 8:00 o'clock p.m. to act on the following articles:

SECTION 1

ARTICLE 1

To choose all necessary Town Officers, by ballot,

Town Clerk Article

SECTION 2

ARTICLE 2	Elected Official Salaries	
ARTICLE 3	Consent Calendar	
ARTICLE 4	Budget	
ARTICLE 5	Budget Related	Sewer Enterprise Fund
ARTICLE 6	Budget Related	Water Enterprise Fund
ARTICLE 7	Budget Related	One Time Expenditures
ARTICLE 8	Budget Related	Town Wide School Maintenance
ARTICLE 9	Budget Related	Water System Improvements
ARTICLE 10	Budget Related	Clark Road Water Main Installation
ARTICLE 11	Budget Related	Sewer System Improvements
ARTICLE 12	Budget Related	Tax Relief Programs
ARTICLE 13	Budget Related	Town Hall and Common Rehabilitation Program
ARTICLE 14	Budget Related	Park Rehabilitation Program
ARTICLE 15	Budget Related	Community Preservation Fund
ARTICLE 16	Budget Related	Affordable Housing
ARTICLE 17	Budget Related	AHTF Allocation Plan
ARTICLE 18	Budget Related	Clark Road Water Main Acquisition

SECTION 2

ARTICLE 2

To see if the Town will vote to fix the salaries of several elected officials for the fiscal year 2015.

	<u>FY14</u> <u>Budgeted</u>	<u>FY15</u> <u>Requested</u>
<u>BOARD OF HEALTH</u>		
Chairman	405	405
Members (4)	315	315
<u>MODERATOR</u>		
	450	450
<u>PLANNING BOARD</u>		
Chairman	1080	1080
Members (4)	765	765
<u>SCHOOL COMMITTEE</u>		
Chairman	2700	2700
Members (4)	2250	2250
<u>SELECTMEN</u>		
Chairman	5400	5400
Members (4)	4500	4500

Executive Summary: The purpose of the article is to fix the salaries of certain elected Town officials.

ARTICLE 3

The Moderator will call out the number of the Articles, one by one. If a voter objects to any particular Article being included in the Consent Calendar, he/she should say the word "HOLD" when the number is called. The Article is then removed from the Consent Calendar and restored to its original numbered place in the warrant, to be acted upon, debated and voted in the usual manner. After calling of the individual items in the Consent Calendar, the Moderator shall ask that the voters pass all the remaining items as a unit.

- ARTICLE 3-19 Accept the Annual Report
 - ARTICLE 3-20 Lease/Purchase Agreement
 - ARTICLE 3-21 Authorize Chapter 90 Funds
 - ARTICLE 3-22 Re-Authorize Revolving Funds
-

ARTICLE 3-19

To hear and act upon reports of the various Town Officers; or take any action relative thereto.

Town Manager

Executive Summary: The purpose of the article is to accept the report of various Town officers; which are in the 2013 Town Report located on the Town's Website.

ARTICLE 3-20

To see if the Town will vote to authorize the Town Manager to enter into Lease/Purchase Agreements up to five (5) years to purchase equipment for Town Departments. Said contracts shall be subject to annual appropriations; or take any action relative thereto.

Town Manager

Executive Summary: This article is acted on annually and allows the Town Manager to lease/purchase equipment for various Town departments subject to an annual appropriation.

ARTICLE 3-21

To see if the Town will vote: (1) to appropriate a sum of money to survey, design and undertake repairs to roads and bridges under the provisions of Chapter 90 of the Massachusetts General Laws, and to obtain any material and/or services incidental thereto; (2) to authorize the Board of Selectmen to acquire easements in conjunction therewith by the purchase, gift, lease, eminent domain, or otherwise; (3) in furtherance of the project(s) to authorize the Board of Selectmen to apply for, accept and expend any federal, state and/or private grants without further appropriation thereof; and (4) to determine whether said appropriation shall be raised by transfer from available funds or by borrowing; or take any other action relative thereto.

Town Manager

Executive Summary: Each year the state indicates the amount it will allot to cities and towns for roadwork under Chapter 90. This article authorizes the Town to spend these funds.

ARTICLE 3-22

To see if the Town will vote to re-authorize under the provisions of Chapter 44 Section 53E1/2 of the Massachusetts General Laws, the following self-sufficient revolving funds as noted below. The funds shall be credited with all amounts received relating to the activities listed below. Expenditures of the funds shall be authorized by the person(s) noted below or their designee. The total amount which may be expended from the funds in any given fiscal year shall be limited to the individual amounts listed below; or take any action relative thereto.

**TOWN OF TEWKSBURY
REVOLVING FUNDS**

NAME	DEPARTMENT	PURPOSE	AUTHORIZATION	EXPENDITURE
Council on Aging	Council on Aging	Trips and Activities	Town Manager	\$50,000
Parks and Recreation	Parks and Recreation	Summer Program/Activities	Town Manager	\$200,000
Emergency 72 Hour Go Kits	Board of Health	Purchase and Sell "Emergency 72 Hour Go Kits" to Tewksbury Residents	Health Director and Town Manager	\$10,000
Traffic Signage	Dept. of Public Works	Purchase, Manufacture and Installation of Street and Traffic Signage, including Pavement Markings	Town Manager	\$10,000
GIS	Community Development	Operate a Geographical Information System	Town Manager	\$25,000
Stormwater	Dept. of Public Works	Maintain Stormwater	Town Manager	\$50,000
Records Preservation	Town Clerk	Preservation and Safe Keeping of Historic Records	Town Clerk	\$20,000
Solid Waste, Recycling and Household Hazardous Waste	Town Manager	Solid Waste, Recycling and Household Hazardous Waste Operations and Programs	Town Manager	\$200,000
Hydrant Markers	Town Manager	Reimbursement of damaged markers and donations to install markers	Town Manager	\$20,000

Town Manager

Executive Summary: This article reauthorizes the Town to continue self-sufficient revolving fund accounts for the items listed above in the Town of Tewksbury. This article is always in the Annual Town Meeting as separate articles and was combined for simplicity.

ARTICLE 4

To see what sums the Town will raise and appropriate, transfer or otherwise provide, for its necessary and expedient purposes as designated hereafter, and to direct that these funds be expended only for such purposes under the direction of the respective boards, committees and officers for the fiscal year which begins July 1, 2014; or take any action relative thereto

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
General Government					
Moderator					
<i>Salaries</i>	-	450	450	450	-
<i>Operating</i>	-	75	75	75	-
<i>Capital Outlay</i>	-	-	-	-	-
Total Moderator Budget	-	525	525	525	-
Selectmen					
<i>Salaries</i>	25,651	26,384	26,567	26,567	183
<i>Operating</i>	137,303	111,140	111,140	111,140	-
<i>Capital Outlay</i>	-	-	-	-	-
Total Selectmen Budget	162,954	137,524	137,707	137,707	183
Town Manager					
<i>Salaries</i>	276,459	281,748	289,227	289,227	7,479
Water Enterprise Fund Allocation	(7,400)	(7,548)	(7,699)	(7,699)	(151)
Sewer Enterprise Fund Allocation	(7,400)	(7,548)	(7,699)	(7,699)	(151)
<i>Total Salaries Net of Allocations</i>	261,659	266,652	273,829	273,829	7,177
<i>Operating</i>	4,119	4,800	4,800	4,800	-
<i>Capital Outlay</i>	-	-	-	-	-
Total Town Manager Budget	280,577	286,548	294,027	294,027	7,479
Total Town Manager Budget Net Allocations	265,777	271,452	278,629	278,629	7,177
Finance Committee					
<i>Salaries</i>	1,475	2,515	2,515	2,515	-
<i>Operating</i>	326	679	679	679	-
<i>Capital Outlay</i>	-	-	-	-	-
<i>Reserve Fund</i>	-	75,000	75,000	75,000	-
Total Finance Committee Budget	1,801	78,194	78,194	78,194	-
Town Counsel					
<i>Operating</i>	178,511	150,000	150,000	150,000	-
Total Operating	178,511	150,000	150,000	150,000	-
Administrative Services					
<i>Salaries</i>	45,824	57,502	64,811	64,811	7,308
Water Enterprise Fund Allocation	(674)	(746)	(858)	(858)	(112)
Sewer Enterprise Fund Allocation	(674)	(746)	(858)	(858)	(112)
Health Insurance Trust	-	-	-	-	-
<i>Total Salaries Net of Allocations</i>	44,476	56,010	63,095	63,095	7,084
<i>Operating</i>	15,157	13,415	13,415	13,415	-
Water Enterprise Fund Allocation	(194)	(201)	(201)	(201)	-
Sewer Enterprise Fund Allocation	(194)	(201)	(201)	(201)	-
<i>Total Operating Net of Allocations</i>	14,769	13,013	13,013	13,013	-
<i>Capital Outlay</i>	-	-	-	-	-
Total Administrative Services Budget	60,981	70,917	78,226	78,226	7,308
Total Administrative Services Budget Net Allocations	59,245	69,023	76,108	76,108	7,084

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
Town Clerk					
Salaries	177,097	186,921	201,128	201,128	-
Operating	13,006	15,005	15,005	15,005	(0)
Capital Outlay	-	-	-	-	-
Total Town Clerk Budget	190,104	201,926	216,133	216,133	14,207
Election					
Salaries	34,376	14,400	35,200	14,700	300
Operating	12,681	6,430	6,150	6,150	(280)
Capital Outlay	-	-	-	-	-
Total Election Budget	47,056	20,830	41,350	20,850	20
Board of Registrars					
Salaries	2,850	2,850	2,850	2,850	-
Operating	600	700	700	700	-
Capital Outlay	-	-	-	-	-
Total Board of Registrars Budget	3,450	3,550	3,550	3,550	-
Computer Services					
Salaries	138,523	106,198	84,059	84,059	(22,139)
Water Enterprise Fund Allocation	(2,333)	(1,275)	(1,275)	(1,275)	-
Sewer Enterprise Fund Allocation	(2,333)	(1,275)	(1,275)	(1,275)	-
Total Salaries Net of Allocations	133,857	103,648	81,509	81,509	(22,139)
Operating	235,446	83,512	73,008	73,008	(10,504)
Capital Outlay	38,507	8,000	8,000	8,000	-
Total Computer Services Budget	412,475	197,710	165,067	165,067	(32,643)
Total Computer Services Budget Net Allocations	407,809	195,160	162,517	162,517	(32,643)
Total General Government	1,337,910	1,147,725	1,164,779	1,144,279	(3,446)
Total General Government Net Allocations	1,316,708	1,128,185	1,144,713	1,124,213	(3,972)
Finance Department					
Accounting					
Salaries	201,617	208,536	212,631	213,631	5,095
Water Enterprise Fund Allocation	(4,958)	(5,143)	(5,246)	(5,246)	(103)
Sewer Enterprise Fund Allocation	(4,958)	(5,143)	(5,246)	(5,246)	(103)
Total Salaries Net of Allocations	191,701	198,250	202,139	203,139	4,889
Operating	25,930	170,362	173,787	172,787	-
Water Enterprise Fund Allocation	(132)	(4,259)	(4,345)	(4,345)	-
Sewer Enterprise Fund Allocation	(132)	(4,259)	(4,345)	(4,345)	-
Total Operating Net of Allocations	25,666	161,844	165,097	164,097	-
Capital Outlay	-	-	-	-	-
Total Accounting Budget	227,548	378,898	386,418	386,418	7,520
Total Accounting Budget	217,368	360,094	367,236	367,236	7,142

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
Assessor					
Salaries	214,073	233,284	228,982	200,812	(32,471)
Operating	32,151	42,900	64,475	64,475	21,575
Capital Outlay	-	-	-	-	-
Total Assessor Budget	246,224	276,184	293,457	265,287	(10,896)
Treasurer/Collector					
Salaries	292,161	319,441	338,071	339,071	19,630
Water Enterprise Fund Allocation	(17,932)	(18,798)	(22,504)	(22,504)	(3,706)
Sewer Enterprise Fund Allocation	(17,932)	(18,798)	(22,504)	(22,504)	(3,706)
Total Salaries Net of Allocations	256,297	281,846	293,063	294,063	12,217
Operating	126,779	130,233	161,514	161,514	-
Water Enterprise Fund Allocation	(9,450)	(10,023)	(16,151)	(16,151)	-
Sewer Enterprise Fund Allocation	(9,450)	(10,023)	(16,151)	(16,151)	-
Total Operating Net of Allocations	107,879	110,187	129,212	129,212	19,025
Capital Outlay	-	-	-	-	-
Total Treasurer/Collector Budget	418,939	449,674	499,585	500,585	50,911
Total Treasurer/Collector Budget Net Allocations	364,175	392,033	422,275	423,275	31,242
Total Finance Department	892,711	1,104,756	1,179,460	1,152,290	47,534
Total Finance Department Net Allocations	827,767	1,028,310	1,082,968	1,055,798	27,488
Community Services					
Cable Television					
Salaries	2,077	2,160	2,160	2,160	-
Operating	330	969	969	969	-
Capital Outlay	-	-	-	-	-
Total Cable Television Budget	2,407	3,129	3,129	3,129	-
Veteran's Services					
Salaries	50,344	51,366	50,602	50,602	(764)
Operating	304,841	250,943	250,943	250,943	-
Capital Outlay	-	-	-	-	-
Total Veteran's Budget	355,185	302,309	301,545	301,545	(764)
Exceptional Children					
Salaries	-	-	-	-	-
Operating	-	-	-	-	-
Capital Outlay	-	-	-	-	-
Total Exceptional Children Budget	-	-	-	-	-
Community Events					
Operating	3,180	3,100	11,000	11,000	7,900
Capital Outlay	-	-	-	-	-
Total Community Events Budget	3,180	3,100	11,000	11,000	7,900

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
Parks and Recreation					
Salaries	73,570	83,100	95,590	95,590	12,489
Operating	54,554	41,235	39,786	39,786	(1,449)
Capital Outlay	-	-	-	-	-
Total Parks and Recreation Budget	128,124	124,335	135,375	135,375	11,040
Total Community Services	488,896	432,873	451,049	451,049	18,175
Council on Aging					
Salaries	154,608	173,697	152,985	152,985	(20,712)
Operating	79,379	72,030	71,830	71,830	(200)
Capital Outlay	-	-	-	-	-
Total Council on Aging Budget	233,988	245,727	224,815	224,815	(20,912)
Facilities					
Town Hall					
Salaries	42,585	42,893	43,731	43,731	838
Operating	49,943	63,870	50,150	50,150	(13,720)
Capital Outlay	-	-	-	-	-
Total Town Hall Budget	92,528	106,763	93,881	93,881	(12,882)
Auxiliary Buildings					
Operating	35,443	32,400	32,400	32,400	-
Capital Outlay	-	-	-	-	-
Total Auxiliary Buildings Budget	35,443	32,400	32,400	32,400	-
Cemeteries					
Operating	3,000	3,000	3,000	3,000	-
Capital Outlay	-	-	-	-	-
Total Cemeteries Budget	3,000	3,000	3,000	3,000	-
Total Facilities	130,971	142,163	129,281	129,281	(12,882)
Library					
Salaries	660,679	697,664	713,272	699,789	2,125
Operating	253,055	251,748	255,871	255,871	4,123
Capital Outlay	-	-	-	-	-
Total Library Budget	913,734	949,412	969,143	955,660	6,248
Planning and Development					
Planning (Community Development)					
Salaries	220,529	231,188	241,361	241,361	10,173
Wetlands Protection Allocation	-	-	-	-	-
Total Salaries Net of Allocations	220,529	231,188	241,361	241,361	10,173
Operating	23,651	24,285	24,785	24,785	500
Capital Outlay	-	-	-	-	-
Total Community Development Budget	244,180	255,473	266,146	266,146	10,673
Total Community Development Budget Net Allocations	244,180	255,473	266,146	266,146	10,673

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
Building Department					
Salaries	227,482	245,317	249,246	249,246	3,929
Water Enterprise Fund Allocation	(1,525)	(1,617)	(1,624)	(1,624)	(7)
Sewer Enterprise Fund Allocation	(3,557)	(3,772)	(3,789)	(3,789)	(17)
Total Salaries Net of Allocations	222,400	239,928	243,833	243,833	3,905
Operating	5,894	5,210	5,710	5,710	500
Capital Outlay	-	-	-	-	-
Total Building Department Budget	233,377	250,527	254,956	254,956	4,429
Total Building Department Budget Net Allocations	228,295	245,138	249,543	249,543	4,405
Board of Health					
Salaries	209,399	226,014	231,713	228,855	2,841
Operating	9,648	8,225	8,225	8,225	-
Capital Outlay	-	-	-	-	-
Total Board of Health Budget	219,047	234,239	239,938	237,080	2,841
Total Planning and Development	696,604	740,239	761,040	758,182	17,943
Total Planning and Development Net Allocations	691,522	734,850	755,627	752,769	17,919
Public Safety					
Police					
Salaries	5,094,421	5,353,288	5,648,040	5,603,939	250,651
Operating	653,194	435,823	394,176	390,176	(45,647)
Capital Outlay	129,452	163,325	310,952	172,849	9,524
Total Police Budget	5,877,067	5,952,436	6,353,168	6,166,964	214,528
Fire					
Salaries	4,188,063	4,361,556	4,393,789	4,393,789	32,234
Operating	370,913	271,206	249,961	249,961	(21,245)
Capital Outlay	-	-	-	-	-
Total Fire Budget	4,558,976	4,632,762	4,643,750	4,643,750	10,988
Emergency Management					
Salaries	4,637	4,637	4,637	4,637	-
Operating	33,462	27,685	29,290	29,290	1,605
Capital Outlay	-	-	39,044	-	-
Total Emergency Mgt. Budget	38,099	32,322	72,971	33,927	1,605
Parking Clerk					
Salaries	4,000	4,000	4,000	4,000	-
Operating	555	1,200	1,200	1,200	-
Capital Outlay	-	-	-	-	-
Total Parking Clerk Budget	4,555	5,200	5,200	5,200	-
Total Public Safety Budget	10,478,697	10,622,720	11,075,090	10,849,842	227,121

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
School Departments					
Tewksbury					
Salaries	25,059,785	27,060,648	27,955,576	27,955,576	894,928
Operating	12,782,250	11,673,394	11,647,317	11,647,317	(26,077)
Capital Outlay	19,570	20,000	20,000	20,000	-
Total School Operating Budget	37,861,605	38,754,042	39,622,893	39,622,893	868,851
Offsets	(1,857,000)	(2,011,837)	(2,029,557)	(2,029,557)	(17,720)
Net School Operating Budget	36,004,605	36,742,205	37,593,336	37,593,336	851,131
Fixed Costs					
Health	7,753,457	8,441,281	8,830,689	8,830,689	389,408
Retirement	903,772	963,309	1,021,723	1,021,723	58,414
Medicare	360,233	375,950	383,469	383,469	7,519
Unemployment	51,152	25,000	25,000	25,000	-
Insurance	117,716	148,501	164,387	164,387	15,886
Principal	10,000	11,020	11,910	11,910	890
Long Term Interest	11,759	1,150	1,105	1,105	(45)
Short Term Interest	-	-	-	-	-
Total Fixed Costs	9,208,089	9,966,211	10,438,283	10,438,283	472,072
Town Tewksbury School Budget	45,212,694	46,708,416	48,031,619	48,031,619	1,323,203
Exempt School Debt Principal	1,971,490	2,005,850	1,997,035	1,997,035	(8,815)
Exempt School Exempt Interest	1,151,198	1,083,175	1,026,064	1,026,064	(57,111)
Regional Vocational School	5,625,001	5,970,959	5,937,325	5,937,325	(33,634)
Total School Departments	53,960,383	55,768,400	56,992,044	56,992,044	1,223,644
Department of Public Works					
DPW Administration					
<i>Salaries</i>					
Salaries	277,425	282,907	313,115	313,115	30,208
Water Enterprise Fund Allocation	(65,756)	(68,356)	(70,081)	(70,081)	(1,725)
Sewer Enterprise Fund Allocation	(65,756)	(68,356)	(70,081)	(70,081)	(1,725)
<i>Total Salaries Net of Allocations</i>	<i>145,913</i>	<i>146,195</i>	<i>172,953</i>	<i>172,953</i>	<i>26,758</i>
<i>Operating</i>					
Operating	132,348	118,230	118,230	118,230	-
Water Enterprise Fund Allocation	(30,033)	(29,558)	(29,558)	(29,558)	-
Sewer Enterprise Fund Allocation	(30,033)	(29,558)	(29,558)	(29,558)	-
<i>Total Operating Net of Allocations</i>	<i>72,282</i>	<i>59,114</i>	<i>59,114</i>	<i>59,114</i>	<i>-</i>
<i>Capital Outlay</i>					
Capital Outlay	-	-	-	-	-
Total DPW Administration Budget	409,773	401,137	431,345	431,345	30,208
Total DPW Administration Budget Net Allocations	218,195	205,309	232,067	232,067	26,758
DPW Engineering					
<i>Salaries</i>					
Salaries	185,791	187,693	192,974	200,965	13,272
Water Enterprise Fund Allocation	(77,315)	(74,793)	(53,637)	(53,637)	21,156
Sewer Enterprise Fund Allocation	(46,307)	(54,792)	(53,109)	(53,109)	1,683
<i>Total Salaries Net of Allocations</i>	<i>62,169</i>	<i>58,108</i>	<i>86,228</i>	<i>94,219</i>	<i>36,111</i>
<i>Operating</i>					
Operating	8,162	7,745	8,850	8,850	1,105
Water Enterprise Fund Allocation	(3,001)	(3,253)	(3,253)	(3,253)	-
Sewer Enterprise Fund Allocation	(2,429)	(2,633)	(2,633)	(2,633)	-
<i>Total Operating Net of Allocations</i>	<i>2,732</i>	<i>1,859</i>	<i>2,964</i>	<i>2,964</i>	<i>1,105</i>
<i>Capital Outlay</i>					
Capital Outlay	-	-	-	-	-
Total DPW Engineering Budget	193,954	195,438	201,824	209,815	14,377
Total DPW Engineering Budget Net Allocations	64,902	59,967	89,192	97,183	37,216

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
DPW Highway					
Salaries	445,404	518,047	541,581	541,581	23,533
Operating	178,088	174,290	173,000	173,000	(1,290)
Capital Outlay	-	-	-	-	-
Total DPW Highway Budget	623,492	692,337	714,581	714,581	22,243
DPW Forestry					
Salaries	-	-	-	-	-
Operating	49,581	61,450	61,450	61,450	-
Capital Outlay	-	-	-	-	-
Total DPW Forestry Budget	49,581	61,450	61,450	61,450	-
DPW Fleet Maintenance					
Salaries	179,121	241,992	237,617	237,617	(4,376)
Water Enterprise Fund Allocation	(29,409)	(32,874)	(31,796)	(31,796)	1,078
Sewer Enterprise Fund Allocation	(29,409)	(32,874)	(31,796)	(31,796)	1,078
Total Salaries Net of Allocations	120,303	176,244	174,025	174,025	(2,220)
Operating	175,100	428,648	433,103	433,103	4,455
Water Enterprise Fund Allocation	(35,000)	(35,120)	(37,051)	(37,051)	(1,931)
Sewer Enterprise Fund Allocation	(35,000)	(35,120)	(37,051)	(37,051)	(1,931)
Total Operating Net of Allocations	105,100	358,408	359,001	359,001	593
Capital Outlay	-	-	-	-	-
Water Enterprise Fund Allocation	-	-	-	-	-
Sewer Enterprise Fund Allocation	-	-	-	-	-
Total Capital Outlay Net of Allocations	-	-	-	-	-
Total DPW Fleet Maint, Budget	354,222	670,640	670,720	670,720	79
Total DPW Fleet Maint, Budget Net Allocations	225,404	534,652	533,026	533,026	(1,627)
DPW Electrician					
Salaries	-	-	-	-	-
Operating	5,463	-	-	-	-
Capital Outlay	-	-	-	-	-
Total DPW Electrician Budget	5,463	-	-	-	-
DPW Snow and Ice					
Salaries	100,713	95,000	95,000	95,000	-
Operating	607,282	161,000	161,000	161,000	-
Capital Outlay	-	-	-	-	-
Total DPW Snow and Ice Budget	707,995	256,000	256,000	256,000	-

General Fund Budget Classification	FY2013 EXPENDED	FY2014 BUDGETED	FY2015 DEPT REQ	FY2015 TM REC	BUDGET INC/DEC
Street Lighting					
<i>Operating</i>	159,971	160,000	160,000	160,000	-
Total Street Lighting Budget	159,971	160,000	160,000	160,000	-
Solid Waste					
<i>Operating</i>	2,412,642	2,315,530	2,376,153	2,376,153	60,623
Total Solid Waste Budget	2,412,642	2,315,530	2,376,153	2,376,153	60,623
Total DPW Budget	4,917,092	4,752,532	4,872,073	4,880,064	127,531
Total DPW Budget Net Allocations	4,467,644	4,285,245	4,422,468	4,430,459	145,214
Unclassified					
Non-Exempt Principal Maturing Debt	30,000	115,495	105,615	105,615	(9,880)
Non Exempt Interest-Maturing Debt	126,703	15,534	12,102	12,102	(3,432)
Interest-Temporary Loans	333	1,000	1,000	1,000	-
Exempt Principal Maturing Debt	2,341,421	2,291,873	2,718,005	2,718,005	426,132
Exempt Interest-Maturing Debt	1,933,336	1,961,386	1,886,463	1,886,463	(74,923)
<i>Middlesex Retirement Assmt.</i>	4,664,837	4,974,958	5,282,287	5,282,287	307,329
Water Enterprise Fund Allocation	(275,770)	(318,543)	(330,375)	(330,375)	(11,832)
Sewer Enterprise Fund Allocation	(87,023)	(107,492)	(111,894)	(111,894)	(4,402)
<i>Total Retirement</i>	4,302,044	4,548,923	4,840,018	4,840,018	291,095
Occupational Injury Reserve	80,800	105,795	100,000	100,000	(5,795)
Unemployment Compensation	9,360	10,000	10,000	10,000	-
<i>Group Insurance</i>	4,270,352	4,620,244	4,825,363	4,825,363	205,119
Water Allocation	(227,067)	(233,962)	(247,265)	(247,265)	(13,303)
Sewer Allocation	(70,364)	(66,958)	(80,289)	(80,289)	(13,331)
<i>Total Group Insurance</i>	3,972,921	4,319,324	4,497,809	4,497,809	178,485
<i>Medicare Tax</i>	194,330	190,000	193,800	193,800	3,800
Water Enterprise Fund Allocation	(9,291)	(9,790)	(10,246)	(10,246)	(456)
Sewer Enterprise Fund Allocation	(3,465)	(3,322)	(4,070)	(4,070)	(748)
<i>Total Medicare Tax</i>	181,574	176,888	179,484	179,484	2,596
Fire and Liability Insurance	322,012	330,900	355,565	355,565	24,665
Total Unclassified Budget	13,973,485	14,617,185	15,490,201	15,490,201	873,016
Total Unclassified Budget Net Allocations	13,300,505	13,877,118	14,706,062	14,706,062	828,945
Total Budget Before Transfers, Allocations and Offsets	89,881,470	92,535,569	95,338,530	95,057,262	2,521,693
Total Budget Before Transfers Net Allocations/Offsets	86,810,814	89,215,003	91,953,259	91,671,991	2,456,988
Transfers					
To the Sewer Enterprise Fund	281,485	268,721	263,794	263,794	(4,927)
To the Water Enterprise Fund	-	-	-	-	-
Special Revenue	-	-	-	-	-
Town Trust Funds	-	-	-	-	-
Total Transfers	281,485	268,721	263,794	263,794	(4,927)
ATM General Fund Budget	87,092,299	89,483,725	92,217,053	91,935,785	2,452,061

ARTICLE 5

To see if the Town will vote to raise and appropriate \$5,541,478 to operate the sewer enterprise fund; or take any other action relative thereto.

TOWN OF TEWKSBURY	
SEWER ENTERPRISE FUND	
FISCAL YEAR 2015 PROPOSED BUDGET	
Direct Expenses	
Salaries	\$322,549
Expenses	\$330,050
Capital Outlay	\$0
Lowell Sewer	\$1,330,000
Reserve Fund	\$60,000
Debt	<u>\$3,016,318</u>
Subtotal	\$5,058,917
Indirect Expenses	
Town Manager	\$7,699
Accounting	\$9,590
Computer Services	\$1,286
Treasurer/Collector	\$38,656
Administrative Services	\$1,060
Building Dept.	\$3,789
Dept. of Public Works	\$224,228
Group Insurance	\$80,289
Retirement	\$111,894
Medicare	\$4,070
Subtotal	<u>\$482,561</u>
Total	\$5,541,478
Projected Sewer Revenue	
User Fees	\$4,707,856
New Connections	\$56,552
Sewer Liens	\$500,000
Connection Fees	\$172,800
Application Fees	\$7,000
Prior Year Surplus	\$0
Transfer From General Fund	<u>\$263,794</u>
Total	\$5,708,001
Deficit/Surplus	\$166,523

Town Manager

Executive Summary: The purpose of this article is to fund the Sewer Enterprise Fund for FY15.

ARTICLE 6

To see if the Town will vote to raise and appropriate \$6,272,029 to operate the water enterprise fund; or take any action relative thereto.

TOWN OF TEWKSBURY	
WATER ENTERPRISE FUND	
FISCAL YEAR 2015 PROPOSED BUDGET	
Direct Expenses	
Salaries	\$1,386,747
Expenses	\$1,395,808
Capital Outlay	\$0
Reserve Fund	\$25,000
Debt	<u>\$2,591,297</u>
Subtotal	\$5,398,852
Indirect Expenses	
Town Manager	\$7,699
Accounting	\$9,590
Computer Services	\$1,286
Treasurer/Collector	\$38,656
Administrative Services	\$1,060
Building Dept	\$1,624
Dept of Public Works	\$225,376
Group Insurance	\$247,265
Retirement	\$330,375
Medicare	<u>\$10,246</u>
Subtotal	\$873,177
Total	<u>\$6,272,029</u>
Projected Water Revenue	
User Fees	\$5,766,432
Water Liens	\$650,000
Connection Fees	\$15,000
Total	<u>\$6,431,432</u>
Deficit/Surplus	\$159,403

Town Manager

Executive Summary: The purpose of this article is to fund the Water Enterprise Fund for FY15.

ARTICLE 7

To see if the Town will vote to transfer from the Stabilization Fund the sum of \$116,968 for the following purposes; or take any action relative thereto.

Stormwater and Drainage Mapping	\$50,000
Replacement Digital Radios – Police Cruisers	\$12,861
Replacement Mobile Data Terminals - Police Cruisers	\$30,192
2 Defibrillators and 15 Cases for Police Department Defibrillators	\$5,225
4 Handheld Radar Units and 2 Motorcycle Radar and Portable Breathalyzer	\$12,190
Purchase 4 Rifles	\$6,500

Town Manager

Executive Summary: This article allows the Town to utilize funds from the Stabilization Fund for the following one-time expenditures: Mapping a portion of the drainage system as required by DEP; replacing the final two non-digital radios in police cruisers; replace six 911 Mobile Data Terminals purchased in 2002; purchase two defibrillators and fifteen cases to protect all Police Department defibrillators; purchase four handheld radar units, two motorcycle radar units along with two portable breath test PBT devices; and purchase four additional Sig Sauer patrol rifles with EOTECH sights.

ARTICLE 8

To see if the Town will vote to transfer from the Stabilization Fund the sum of \$788,195 for the following purposes; or take any action relative thereto.

School Buildings and Maintenance	\$227,195
School Technology	\$311,000
School Instructional	\$250,000

Town Manager

Executive Summary: This article allows the Town to utilize funds from the Stabilization Fund, for the above one-time expenditures. These expenditures have been identified and prioritized by both School Administration and the School Committee and are needed in order to maintain School facilities/infrastructure while providing students with a quality educational experience.

ARTICLE 9

To see if the Town will vote to transfer the sum of \$875,000 from Water Enterprise Fund Retained Earnings to undertake the following:

Hydrant Replacement Program:	\$100,000
Water Tank Mixers:	\$16,000
Dump Truck Body Replacement	\$9,000
Water Distribution Improvements	\$750,000

or take any action relative thereto.

Town Manager

Executive Summary: This article allows the Town to utilize funds that were considered available as of July 1, 2014, for the above expenditures: Hydrant Replacement Program: Funds will be used for ongoing hydrant replacement program at various locations. This article funds the replacement of 25 hydrants in FY15; Water Tank Mixers: Install two tank mixers at the Colonial Water Tank; Dump Truck Body Replacement: Replace a dump truck body on a 1996 water/sewer vehicle, cost will be shared with Sewer Enterprise Fund; Water Distribution Improvements: Replace water transmission main on Shawsheen Street from Main Street to just beyond Kenneth Lane.

ARTICLE 10

To see if the Town will vote to appropriate the sum of \$1,650,000 to be expended by the Town Manager for the cost of installing and replacing waterlines in the Town, and including the payment of all costs incidental and related thereto and to determine whether such amount should be raised by taxation, by transfer from available funds, by borrowing or by any combination of the foregoing, or take any other action relative thereto.

Motion: That the Town hereby appropriates the sum of \$1,650,000, for the cost of installing and replacing waterlines in the Town, and for the payment of all costs incidental and related thereto, and that to meet this appropriation the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44 Section 8(5) of the Massachusetts General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.

Town Manager

Executive Summary: This article authorizes the Town to borrow funds for the cost to install approximately 3000 feet of 12” ductile iron water main on Main Street to Clark Road via Relocation Road and tie into an existing 12” water main dedicated to fire protection for 558 Clark Road and tie all services and laterals to the same, cost is estimated to be \$1,200,000. Also \$450,000 will fund the replacement of water transmission main on Crest Road from Hood Road to Cleghorn Road.

ARTICLE 11

To see if the Town will vote to transfer from the certified Sewer Enterprise Fund Retained Earnings the sum \$329,000 for the following purposes;

Portable Generator	\$120,000
Sewer Pump Station Upgrades	\$150,000
Inflow and Infiltration Investigation and Repair and Upgrades	\$50,000
Dump Truck Body Replacement	\$9,000

or take any action relative thereto

Town Manager

Executive Summary: This article utilizes funds available as of July 1, 2014, for the above expenditures: Portable Generator: Purchase a 200+ kilowatt generator to maintain power at various sewer pump stations when needed; Sewer Pump Station Upgrades: Purchase and install nine small back-up generators at various pump stations associated with a Hazard Mitigation Grant; Inflow and Infiltration Investigation and Repair and Upgrades: To contract work for elimination of leaks and the adjustment and repair to manhole frames and covers; Dump Truck Body Replacement: Replace a dump truck body on a 1996 water/sewer vehicle, cost will be shared with Water Enterprise Fund.

ARTICLE 12

To see if the Town will vote to transfer the sum of \$25,000 from Overlay Surplus to fund a Senior Tax Relief Work Program and a Veterans Tax Relief Program; or take any action relative thereto.

Town Manager

Executive Summary: This article allows the Town to utilize funds considered surplus from Assessors Overlay Reserve to fund a Senior Tax Relief Program/Veterans Tax Relief Program that allows eligible Senior Citizens /Veterans of the Town to work for Town and School offices and receive a reduction in their property tax bill.

ARTICLE 13

To see if the Town of Tewksbury will vote to appropriate and transfer from available Tewksbury Community Preservation Funds in accordance with the Community Preservation Act the sum of \$825,000 to rehabilitate the historic Tewksbury Town Hall and Town Common, 1009 Main Street; including allowed costs incidental and related thereto; said rehabilitation expenses as necessary for Town Hall and Common to continue to serve as an historic municipal services facility and community meeting place, as required by Massachusetts General Law, Section 2 of Chapter 44B, The Community Preservation Act.

To fund such rehabilitation:

\$825,000 shall be transferred from the Tewksbury Community Preservation Fund Budgeted Reserve, or take any action relative thereto.

Pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority, said funds to be expended under the direction of the Community Preservation Committee and the Town Manager or to take any other action thereon.

Community Preservation Committee

Executive Summary: The Tewksbury Town Hall is the symbolic center of town government and historic landmarks. It was built in 1917 and is in need of a significant rehabilitation. The condition of this facility is near the point of being uninhabitable and being condemned. The project has received CPA funds in FY10 for Construction and other associated costs in the amount of \$6.1 million dollars. Due to increases in costs since 2010, this proposal seeks additional funding for this historic property in accordance with the allowed uses of Community Preservation Funds.

ARTICLE 14

To see if the Town of Tewksbury will vote to appropriate the sum of \$70,000 for the rehabilitation of the Wamesit Park, Main Street and \$50,000 to rehabilitate Muster Park including allowed costs incidental and related thereto; said expenses as necessary for drainage improvements and landscaping of said Parks.

To fund the Wamesit Park rehabilitations, \$70,000 shall be transferred from the Tewksbury Community Preservation Undesignated Reserve Fund.

To fund the Muster Park rehabilitations, \$50,000 shall be transferred from the Tewksbury Community Preservation Open Space Reserve Fund.

Pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority, said funds to be expended under the direction of the Planning Board, the Town Manager and the Community Preservation Committee; or take any other action relative thereto.

Community Preservation Committee

Executive Summary: The Community Preservation Committee requests CPA funds for the rehabilitation of Muster Park and Wamesit Park, including landscaping. The sites are home to two of several sculptures by the distinguished artist Mico Kaufman: the Firemen's Muster Statue and the Wamesit Indian Statue. The Wamesit Project has matching funds in place in the amount of \$25,000 which were a donation from Walmart as part of the Planning Board's effort. Plans for Wamesit Park have been designed by a Landscape Architect, under the direction of the Planning Board and Town staff.

ARTICLE 15

To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2015, with each item to be considered a separate appropriation:

Reserves:

Open Space	\$ 20,400
Community Housing	\$ 20,400
Historic Preservation	\$ 20,400

or take any other action related thereto.

Community Preservation Committee

Executive Summary: Massachusetts General Law, Chapter 44B, the Community Preservation Act, requires that each year, the Town appropriate or reserve for spending at least 10% for each- open space, historic preservation, and community housing. The Commonwealth of Massachusetts contributed an extra \$25 Million Dollars in November 2013 to the State CPA fund for distribution to CPA municipalities. As a result, Tewksbury's extra State Match in November 2013 for FY2014 was \$204,500. This article accounts for each of the three 10% reserve funds, which were not accounted for or anticipated at Town Meeting- May 2013.

ARTICLE 16

To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2015, with each item to be considered a separate appropriation:

Appropriations:

Administrative Costs	\$ 40,305
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Reserves:

Open Space	\$ 80,611
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Community Housing	\$ 80,611
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Historic Preservation	\$ 80,611
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FY2014 Budgeted Reserve	\$ 523,970
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Or take any other action related thereto.

Community Preservation Committee

Executive Summary: Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or reserve for future spending, from the fund balance at least 10% for open space, 10% for historic preservation, and 10% for community housing.

The total CPA Estimated FY15 revenue is \$806,108.

ARTICLE 17

To see if the Town will vote to approve the FY 2015 Affordable Housing Trust Fund Allocation Plan as follows:

ALLOCATION PLAN	for FY 2015
Starting Balance:	\$2,384,318
5 payments in lieu of affordable units (\$130K/ unit)	\$650,000
Total Available Funds FY15	\$3,034,318
 Expenses	
LHP Consulting Services	\$40,000
 Creation of New Units/ Buydown of existing units	 \$2,994,318
 Total Projected Expenses for FY15	 \$3,034,318

Town Manager
Community Development Director

Executive Summary: According to Chapter 105 of the Acts of 2003, the Tewksbury Affordable Housing Trust Fund is to have an allocation submitted to and approved at the Annual Town Meeting. The 2015 allocation plan meets the expenditure requirements of the Special Act.

ARTICLE 18

To see if the Town will vote to authorize the Board of Selectmen to acquire any fee, easement, or other interest in a (12") twelve inch water-main that is located on Clark Road.

Motion: That the Town hereby authorizes the Board of Selectmen to acquire any fee, easement, or other interest in a (12") twelve inch water-main that is located on Clark Road from the City of Lowell town-line to 558 Clark Road, the same having been installed for the sole purpose of fire protection to 558 Clark Road by an Inter-municipal Agreement between the Town of Tewksbury, City of Lowell and Clark Road Investments, LLC.; or take any other action relative thereto.

Town Manager

Executive Summary: This article authorizes the Board of Selectmen to acquire the private 12" inch water-line on Clark Road, allowing a Town proposed water-line installation project to connect to the line, which will provide a loop in the distribution system and greater fire protection for that area of Tewksbury.

ANY ARTICLES VOTED TO BE REMOVED FROM THE CONSENT CALENDAR SHALL BE RESTORED TO ITS ORIGINAL NUMBERED PLACE IN THE WARRANT.

ARTICLE 3-19

ARTICLE 3-20

ARTICLE 3-21

ARTICLE 3-22

SECTION 3

ARTICLE 23	Zoning By-Law	Modify Special Requirements for Registered Marijuana Dispensaries Section 6510
ARTICLE 24	Zoning By-Law	Modify Flood Plan Overlay District Section 8100
ARTICLE 25	Zoning By-Law	Modify Multiple Family Dwellings Section 7100
ARTICLE 26	Zoning By-Law	Add Large-Scale Ground Mounted Solar Photovoltaic Facilities Section 6600
ARTICLE 27	Zoning By-Law	Modify Interstate Overlay District Section 8410
ARTICLE 28	Zoning By-Law	Modify Assessor’s Map 76 Lot 23 from Residential to Heavy Industry
ARTICLE 29	Zoning By-Law	Modify Bylaw and Map Community Village Overlay District Section 8680
ARTICLE 30	Zoning By-Law	Modify Appendix A Table of Use Regulations, Section C
ARTICLE 31	Zoning By-Law	Add to Appendix A Table of Use Regulations, Section C: Heavy Industrial District
ARTICLE 32	Zoning By-Law	Modify Family Suite Section 3400
ARTICLE 33	Zoning By-Law	Street Acceptance: Katie Way
ARTICLE 34	Town By-Law	Modify Chapter 2.16 Council on Aging

ARTICLE 23

To see if the Town of Tewksbury will vote to amend the Tewksbury Zoning Bylaw by replacing the existing Section 6500 Interim Restriction/ Moratorium for Medical Marijuana Treatment Centers in its entirety with the new section below entitled Section 6500 Special Requirements for Registered Marijuana Dispensaries and amend the Town of Tewksbury Zoning Map of September 2013 by adding the attached Medical Marijuana Overlay District.

6500. SPECIAL REQUIREMENTS FOR REGISTERED MARIJUANA DISPENSARIES

6510. Purpose

6511. To provide for the establishment of Registered Marijuana Dispensaries in appropriate places and under strict conditions in accordance with the passage of Chapter 369 of the Acts of 2012, An Act for the Humanitarian Medical Use of Marijuana.

6512. To minimize the adverse impacts of Registered Marijuana Dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with said Dispensaries.

6513. To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Registered Marijuana Dispensaries.

6520. Applicability

6521. The cultivation [unless it meets the requirements for an agricultural exemption under M.G.L. c.40A, § 3], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Registered Marijuana Dispensary under this Section 6500.

6522. No Registered Marijuana Dispensary shall be established except in compliance with the provisions of this Section 6500.

6523. Nothing in this Bylaw shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

6530. Definitions

Registered Marijuana Dispensary – A facility for the cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use, located inside a structure or building.

Marijuana for Medical Use – Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as set forth in Chapter 369 of the Acts of 2012.

Marijuana – The same substance defined as “marihuana” under M.G.L. c.94C and 105 CMR 725.004.

6540. Eligible Locations for Registered Marijuana Dispensaries.

6541. Registered Marijuana Dispensaries, other than agricultural operations meeting exemption standards under Chapter 40A Section 3, may be allowed by Special Permit of the Tewksbury Planning Board in the following locations, as further described in the Overlay Map for the Medical Marijuana Overlay District dated February 3, 2014 and provided the facility meets the requirements of this Section 6500:

- a) In the Commercial District on Rt. 38
- b) In a stand-alone single use facility
- c) Must be one thousand two hundred (1,200) feet from schools, churches, daycares or other locations that children generally congregate, provided that those facilities were at their current location prior to the effective date of this Bylaw.

6550. General Requirements and Conditions for all Registered Marijuana Dispensaries.

6551. Only one non-exempt Registered Marijuana Dispensary shall be allowed in Town of Tewksbury (Town) and it shall be contained within a building or structure.

6552. No Registered Marijuana Dispensary shall have a gross floor area in excess of 5,000 square feet.

6553. A Registered Marijuana Dispensary may not be located in buildings that contain any medical doctors offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.

6554. The hour of operation of Registered Marijuana Dispensaries shall be set by the Special Permit Granting Authority, but in no event shall said Dispensaries be open and/or operating between the hours of 8:00 PM and 8:00 AM.

6555. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Registered Marijuana Dispensary.

6556. No Registered Marijuana Dispensary shall be located inside a building containing residential units, including transient housing such as motels, hotels and dormitories, or inside a movable or mobile vehicles such as a van or truck.

6557. Signage for the Registered Marijuana Dispensary shall include the following language: “Registration card issued by the Massachusetts Department of Public Health required.” The required text shall be a minimum of two inches in height.

6558. Registered Marijuana Dispensaries shall provide the Tewksbury Police Department, Building Commissioner and the Special Permit Granting Authority with the names, phone numbers and email addresses of all management staff and keyholders to whom one can provide notice if there are operating problems associated with the dispensary.

6560. Special Permit Requirements

6561. A Registered Marijuana Dispensary may only be allowed by special permit from the Tewksbury Planning Board acting as the Special Permit Granting Authority in accordance with M.G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.

6562. A special permit for a Registered Marijuana Dispensary shall be limited to one or more of the following uses that shall be prescribed by the Special Permit Granting Authority:

- a) cultivation of Marijuana for Medical Use (horticulture) [special permit not required for sites meeting agricultural exemption standards found in M.G.L. c40A, § 3];
- b) processing and packaging of Marijuana for Medical Use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products;
- c) retail sale or distribution of Marijuana for Medical Use to Qualifying Patients;
- d) wholesale sale of Marijuana for Medical Use to other Registered Marijuana Dispensaries located in Town or in another municipality in Massachusetts.

6563. In addition to the application requirements set forth in Sections 6550 and 6560 of this Bylaw, a special permit application for a Registered Marijuana Dispensary shall include the following:

- a) the name and address of each owner of the dispensary;
- b) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the dispensary;
- c) evidence of the Applicant’s right to use the site for the dispensary, such as a deed, or lease;
- d) if the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
- e) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- f) Proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft. These security measures shall be reviewed and approved by the Police Chief and Fire Chief or their designees.

6564. Mandatory Findings. The Special Permit Granting Authority shall not issue a special permit for a Registered Marijuana Dispensary unless it finds that:

- a) the dispensary is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in M.G.L. c. 40A, §11;
- b) the dispensary is fully permitted by all applicable agencies of the Commonwealth of Massachusetts and is in compliance with all applicable state laws and regulations; and
- c) the applicant has satisfied all of the conditions and requirements of Sections 6550 and 6560 herein;

6565. Annual Reporting. Each Registered Marijuana Dispensary permitted under this Bylaw shall as a condition of its special permit file an annual report to and appear before the Special Permit Granting Authority and the Town Clerk no later than January 31st, providing a copy of all current applicable state licenses required under 105 CMR 725.000 for the dispensary and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

6566. A special permit granted under this Section shall have a term limited to the duration of the applicant’s ownership of Registered Marijuana Dispensary at the premises. A special permit may be transferred only with the approval of the Special Permit Granting Authority in the form of an amendment to the special permit with all information required in this Section 6500.

6567. Any violation of this Section 6500 or any other state regulations or state laws shall be grounds for revocation of a special permit issued under this Section.

6570. Abandonment or Discontinuance of Use

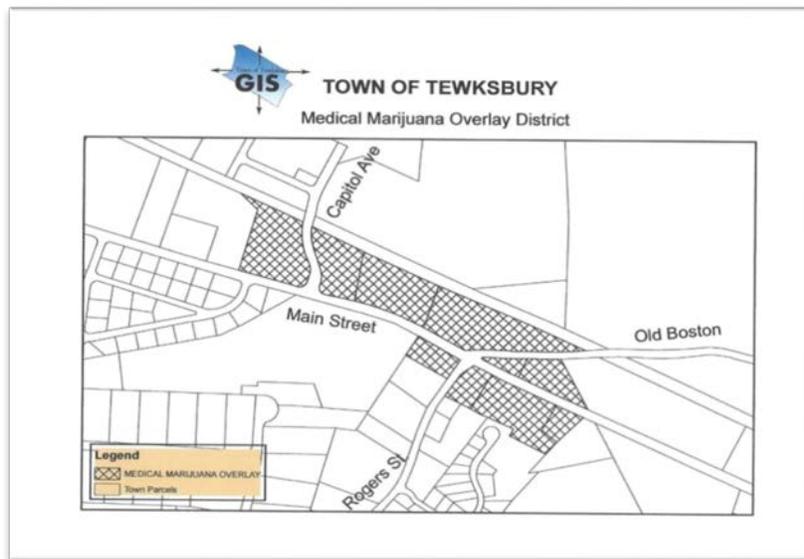
6571. A Special Permit shall lapse if not exercised within one year of grant of special permit.

6572. A Registered Marijuana Dispensary shall be required to remove all material, plants equipment and other paraphernalia:

- a) prior to surrendering its state issued licenses or permits; or
- b) within six months of ceasing operations; whichever comes first.

6573. In the event the property ceases to be actively used as a Registered Marijuana Dispensary and/or any other allowed use under this bylaw, any and all signs identifying or promoting the property for such uses shall be immediately removed. This shall include exterior and interior signs visible to the public. Should said signage fail to be removed within thirty (30) calendar days, the Town, or its designee shall have the right to enter upon the property and takes such actions as are necessary to remove, cover, or otherwise render any such signage non-visible to the public. The Town shall not be responsible for any damage cause to the property in association with carrying said actions. Any costs incurred by the Town for such actions shall be the responsibility of the property owner.

6580. Severability. If any provision of this Bylaw is held invalid by a court of competent jurisdiction, the remainder of the Bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this Bylaw shall not affect the validity of the remainder of the Tewksbury Zoning Bylaw.



Planning Board

Executive Summary: The Town of Tewksbury passed a moratorium at the 2013 Annual Town Meeting to allow the Town to study the effects of Chapter 369 of the Acts of 2012, An Act for the Humanitarian Medical Use of Marijuana and the subsequent State regulations published as 105 CMR 725.000. The Planning Board with input from Town Counsel, the Chief of Police and the Board of Health has drafted this amendment to allow for the regulation of registered marijuana dispensaries in appropriate areas of Town.

ARTICLE 24

To if the Town will vote to amend the following sections of the Tewksbury Zoning Bylaw: (~~Strikethroughs~~ representing deletions and underlines representing additions)

2300. MAP. The districts identified in Section 2100 are shown, defined and bounded on the map accompanying this By-Law entitled "Town of Tewksbury Zoning Map, Underlying Districts" (map 1 of 2) dated March 25, 2005, and on file with the Town Clerk.

The overlay districts identified in Section 2200, with the exception of the Flood Plain District, are shown on a map accompanying this By-Law entitled "Town of Tewksbury Zoning Map, Overlay Districts" (map 2 of 2) dated March 25, 2005 and on file with the Town Clerk.

The Flood Plain District includes all special flood hazard areas within the Town of Tewksbury designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Tewksbury are panel numbers 25017C0142E, 25017C0144E, 25017C0163E, 25017C0164E, ~~25017C0256E, 25017C0257E, 25017C0259E,~~ 25017C0276E, 25017C0277E, 25017C0278E, ~~25017C0279E,~~ 25017C0281E and 25017C0283E dated June 4, 2010-; and 25017C0256E, 25017C0257E, and 25017C0259E dated July 7, 2014 or most recent maps as approved by FEMA. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated ~~June 4, 2010~~ July 7, 2014 or most recent maps approved by FEMA. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Town Engineer.

8100. FLOODPLAIN DISTRICT

8110. Statement of Purpose. The purposes of the Floodplain District are to:

1. Ensure public safety through reducing the threats to life and personal injury.
2. Eliminate new hazards to emergency response officials;
3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions;
6. Reduce damage to public and private property resulting from flooding waters.

8120. Floodplain District Boundaries.

The Floodplain District is herein established as an overlay district. The District includes all the special flood hazard areas within the Town of Tewksbury designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP. The map panels of the Middlesex FIRM are wholly or partially within the Town of Tewksbury are panel numbers 25017C0142E, 25017C0144E, 25017C0163E, 25017C0164, ~~25017C0256E, 25017C0257E, 25017C0259E,~~ 25017C0276E, 25017C0277E, 25017C0278E, ~~25017C0279E,~~ 25017C0281E, and 25017C0283E dated June 4, 2010-; and 25017C0256E, 25017C0257E, 25017C0259E dated July 7, 2014 or most recent maps approved by FEMA. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated ~~June 4, 2010~~ July 7, 2014 or most recent maps approved by FEMA. The FIRM and FIS are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Town Engineer. The above referenced maps and study booklet may be amended from time to time.

8130. Base Flood Elevation and Floodway Data.

8131. Floodway data. In Zone A, ~~A1-A30,~~ and AE along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

8132. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

8140. Notification of Watercourse Alteration.

8141. Notify, in a riverine situation, the following of any alteration or relocation of a watercourse:

1. Adjacent Communities,
2. NFIP State Coordinator-Massachusetts Department of Conservation and Recreation
3. ~~Massachusetts Office of Water Resources~~
4. NFIP Program Specialist- FEMA Region 1
5. ~~FEMA Region 1~~

8150. Use Regulations

8151. Reference to existing regulations. The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and the following:

1. 780 CMR (Massachusetts State Building Code), ~~“Flood Resistant Construction”, (currently Chapter 3107.0) which addresses floodplain;~~
2. 310 CMR (Commonwealth of Massachusetts Regulations), Department of Environmental Protection, Wetlands Protection Regulations. (currently Section 10.00);
3. Inland Wetlands Restriction, DEP (currently 302 CMR 6.00); and
4. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

Any variances from the provisions and requirements of the above-referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

8152. Other Use Regulations.

1. In Zone AE, along watercourses that have a regulatory floodway within the Town of Tewksbury as designated on the Middlesex County Flood Insurance Rate Maps, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. Existing contour intervals of site and elevations of existing structures must be included on plan proposal.
3. Applicant shall be required to submit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, and Building Commissioner for comments which will be considered by the appropriate permitting board prior to issuing applicable permits.

(Note: Original text of 8152 subparagraph 2 deleted as per Attorney General response of August 21, 2002)

4. All subdivisions proposals must be designed to assure that:
 - a) such proposals minimize flood damage;
 - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c) adequate drainage is provided to reduce exposure to flood hazards.

Tewksbury Planning Board

Executive Summary: The recommended changes to the Floodplain Overlay District were suggested by the MA Flood Hazard Mapping Coordinator to make the bylaw consistent with current requirements of the National Flood Insurance Program.

ARTICLE 25

To see if the Town will vote to amend the Section 7100 of the Tewksbury Zoning Bylaw as follows with additions underlined and deletions as ~~striketroughs~~:

7100. MULTIPLE FAMILY DWELLINGS ~~IN THE MFD.~~

7110. Purpose. This section is intended to regulate the development of multiple family dwellings by establishing eligibility requirements and reasonable conditions for construction in the MFD. This section is not intended ~~to intended~~ to supersede, modify or conflict with the powers and duties delegated to the Planning Board pursuant to the Subdivision Control Law, M.G.L. c. 41, ss: 81K - 81GG.

7120. Special Permit Required. Multiple-family dwellings will be permitted only upon the issuance of a special permit by the Planning Board. The following eligibility standards apply:

7121. Where proposed for multiple family dwellings, the site shall have a minimum lot area of 4 acres with the 150 feet of frontage on a public way. By special permit, the Planning Board may vary the requirement of 150 feet of frontage on a public way to not less than 40 feet of frontage on a public way provided that a suitable private access road into the site area can be constructed with the reduced frontage. These provisions shall not apply to the development of single-family dwellings.

7130. Application. An application for a special permit shall be filed in accordance with the regulations set forth in Section 9300.

7140. Parking. Provision shall be made for not less than two (2) parking spaces per unit, one (1) of which shall be completely enclosed. Detached parking garages will be permitted and designed so as to complement the building design and site layout, but shall not be constructed within the setback areas.

7141. Enclosed parking spaces shall be 10 feet in width and 20 feet in length; unenclosed parking spaces shall be not less than 9 feet wide and 18.5 feet in length.

7142. Additional enclosed or unenclosed parking spaces shall be provided for guests and recreational areas as indicated below:

Guest	1 parking space per two dwelling units
Tennis Court	2 parking spaces per court
Recreation buildings/swimming pools	1 parking space per 10 dwelling units, but not less than 10 parking spaces

7150. Design Standards. A multiple family dwelling shall meet the following standards:

7151. ~~Not more than 100 dwelling units shall be authorized by special permit.~~ Commercial and industrial uses are prohibited.

7152. All lighting shall be directed away from adjoining property.

7153. Services.

- a) All utilities shall be installed underground using standards promulgated by the Planning, Health, Building and DPW Departments of the Town of Tewksbury and sewage shall be disposed of by means of adequate connections as required by State and local Departments and Board of Health.
- b) If curbside pick-up of trash and recycling materials is not viable, then shared waste disposal facilities (such as dumpsters for household trash and dumpsters for recycling) shall be adequately sized for the development as recommended by the Board of Health.

7154. There shall not be more than a maximum of seven (7) units per acre nor more than fourteen (14) bedrooms per acre. This will allow for flexibility in the number of bedrooms per unit to vary from 1 to 3 bedrooms. The ratio of three

(3) bedroom market rate units to three (3) bedroom Affordable Housing Units shall be 1 to 1. No more than 5% of the total MFD site area within the wetlands and/or flood plain shall be used in calculating the density requirements of site. If more than 5% of the total MFD site area is in wetlands and/or flood plains that exceeds the 5% requirement shall be deleted from the area used to determine density requirements.

7155. The maximum coverage of the site available for use by all buildings, including garages, and carports shall not exceed 30 percent of the site area.

7156. The maximum building height shall be 35 feet measured from base floor level.

7157. Any roadway/driveway located in an area that is within 50 feet of a property line shall be shielded from the property line by a planting of shielding type trees satisfactory to the Planning Board between the roadway and property line for the entire length of the roadway within the 50 foot area. This planting shall be in addition to any existing vegetation between the property line and the proposed roadway and shall be placed a maximum of 10 feet apart.

7158. Walkways, tables, benches, flowering bushes/trees may be allowed in 50 to 100 foot buffer areas at the discretion of the Planning Board to improve the aesthetics of the site area.

7159. Television, radio and communications services shall be supplied by a central system with underground connections.

7160. Distance Parameters. The Planning Board shall determine the distance between the buildings that are structurally connected together by roofing, fencing or other means but not enclosed or heated. The distance parameters will be determined on the aesthetics, created by the design, practicality of design, and the effect on the development by the design. The Planning Board shall determine any distance parameters between buildings not covered under this Zoning By-Law. ~~Within the site area the following distance parameters shall apply:~~

~~**7161.** Any building abutting the main roadway within the site development shall have a minimum distance of 17 feet from the closest exterior protruding surface of the building (steps, decks, balconies) to the edge of the traveled way segment of the roadway. (Berm is not considered part of a traveled way).~~

~~**7162.** Any building abutting the main roadway within the site development with parking facilities between the main roadway and the building shall have a minimum distance of 45 feet from the closest exterior protruding surface of the building (decks, balconies, steps) to the edge of the traveled way segment of the roadway. There shall be a minimum 2 foot landscaped buffer strip between the edge of the traveled way and the parking area with allowances for drive entrances and exits.~~

~~**7163.** No proposed structure shall be located nearer than 50 feet from any public way.~~

~~**7164.** Separate, enclosed garages, assigned to a specific building may be located no closer than 30 feet from the closest points on the buildings (decks, balconies, steps) to the closest entrance to the garage.~~

~~**7165**~~**7161.** No building within the site area shall be constructed within 50 feet of any perimeter border of site. ~~or 100 feet from any public way providing access to the site.~~

~~**7166.** The minimum distance between buildings on site not structurally connected together shall be as listed below:~~

~~NO PARKING AND/OR ROADWAY BETWEEN BUILDINGS~~

Between the side of one building and the side of another building	25 feet
Between the side of one building and the rear of another building	30 feet
Between the side of one building and the front of another building	40 feet
Between the front of one building and the front of another building	60 feet
Between the front of one building and the rear of another building	60 feet
Between the rear of one building and the rear of another building	60 feet

PARKING AND/OR ROADWAY BETWEEN BUILDINGS

No parking allowed between the side of one building and the side of another building	
Between the side of one building and the rear of another building	58 feet
Between the side of one building and the front of another building	70 feet
Between the front of one building and the front of another building	100 feet
Between the front of one building and the rear of another building	80 feet
Between the rear of one building and the rear of another building	58 feet

~~**7170. Special Permit to Vary Requirements.** The Planning Board by special permit may vary the distance parameters if in the opinion of the Planning Board the site development plan would be improved.~~

7170. Reserved.

7180. Open Space.

7181. Suitable recreational facilities shall be provided on the required open space. Not less than 60% of the upland area of the site available for use shall remain free from structures, parking and drives, and such area shall be left either in its natural state, attractively landscaped, or developed for uncovered recreational facilities.

7182. The owner or owners shall be responsible for the maintenance of common areas, including but not limited to snow plowing within the site limits and rubbish disposal. No outside burning of rubbish or inside incineration shall be permitted.

Tewksbury Planning Board

Executive Summary: This article removes items that are no longer applicable to multi-family developments.

ARTICLE 26

To see if the Town will vote to amend the Tewksbury Zoning Bylaw by adding a new section 6600 Large-Scale Ground Mounted Solar Photovoltaic Facilities as follows:

6600 LARGE-SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC FACILITIES

6601. Purpose. The purpose of this Section 6600 is to regulate the creation of new large scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning and removal of such installations. The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.

6602. Applicability. This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment. A Large-scale Ground Mounted Solar Photovoltaic Facility shall be defined as a Solar Photovoltaic system that is structurally mounted on the ground and is not roof-mounted and has a minimum nameplate capacity of 250 kW DC. There shall be no ground mounted Solar Photovoltaic system allowed unless as permitted in this Bylaw.

6603. General requirements for all large-scale solar power generation installations. The following requirements are common to all solar photovoltaic installations to be sited in specific designated locations.

a. Compliance with laws, bylaws and regulations. The construction and operation of all large-scale solar photovoltaic installations shall be consistent with, and insofar as pertinent, compliant with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code in force and applicable at any relevant time.

b. Building permit and building inspection. No large-scale ground-mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section, nor shall construction or installation be commenced without first obtaining the necessary or appropriate permits.

c. Site Plan Special Permit. All large-scale ground-mounted solar photovoltaic installations shall require a Site Plan Special Permit from the Planning Board prior to the issuance of a building permit.

d. General. All applications for a large-scale ground-mounted solar photovoltaic installation shall be submitted in accordance with the Planning Board's Rules and Regulations Governing Site Plans as may be amended from time to time. All substantive plans or other technical documents submitted in support of the application shall have been prepared by engineers or surveyors licensed to practice in Massachusetts.

6604. Additional information. In addition to the information required for a Site Plan Special Permit application, the following additional information shall be submitted for each large scale ground-mounted solar photovoltaic installation:

- a. Drawings of the solar photovoltaic installation showing the proposed layout of the system and any potential shading from nearby structures.
- b. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices.
- c. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter.
- d. Name, address, and contact information for proposed system installer.
- e. The name, contact information and signature of any agents representing the applicant in connection with the Special Permit application process, or general project oversight following the issuance of any special permit.
- f. Documentation of actual or prospective access and control of the project site (see also Section 6605).
- g. An operation and maintenance plan (see also Section 6606).
- h. Description of financial surety that satisfies Section 6614.
- i. Vegetated buffer plan showing size, type and amount of trees and/or shrubs to be installed to protect street(s) and residential homes from view of site, which buffer as approved within the reasonable discretion of the Special Permit Granting Authority, is hereby required for any installation pursuant to this section.

6605. Site Control. The applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation. Fencing, if installed, shall be compatible with the scenic character of the Town and satisfactory to the Planning Board, and shall not consist of barbed wire or razor wire.

6606 Operations and Maintenance Plan. The applicant shall submit a plan for the operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation as well as general procedures for operational maintenance of the installation and emergency shutdown of the site if needed.

6607. Utility Notification. No large-scale ground-mounted solar photovoltaic installation shall be approved by the Planning Board until satisfactory evidence has been submitted to the Planning Board that the local electric utility has been informed of the applicant's intent to install an interconnected customer-owned generator.

6608. Dimension and Density Requirements. For large-scale ground-mounted solar photovoltaic installations, the following dimensional requirements shall apply;

- a. The minimum lot or parcel size for any installation shall be twenty acres.
- b. Setbacks: 50 foot front, and 20 side and rear yard setbacks, provided that such setbacks shall be 200 feet to any adjoining residential lot line unless waived by the Planning Board based upon findings of sufficient buffering and screening and a determination that the waiver is in the best interest of the Town.
- c. Height: The height of any or all structures comprising the large-scale ground-mounted solar photovoltaic facility shall not exceed 20 feet above the pre existing natural grade underlying each particular structure unless waived by the Planning Board based upon findings of sufficient buffering and screening and a determination that the waiver is in the best interest of the Town.

6609 Appurtenant Structures. All structures appurtenant to large-scale ground mounted solar photovoltaic installations shall be subject to the dimensional requirements of the zoning district in which they are located. All such appurtenant structures, including, but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible and harmonious with each other. Whenever feasible, in the reasonable opinion of the Planning Board, structures should be sheltered from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

6610 Design Standards. The following standards shall apply to all large-scale ground-mounted solar photovoltaic installations in addition to those contained in the Rules and Regulations Governing Site Plans.

- a. Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with all provisions of this Zoning Bylaw relative to signs. A sign consistent with said provisions shall be required to identify the owner of the premises, as well as the operator of the solar photovoltaic installation, if different from the owner, and provide a 24 hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.
- b. Utility connections. Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the electric utility. If an existing above ground connection solution already exists, however, this can be used if it meets the requirements of the electric utility. Electrical transformers for utility interconnections may be aboveground if required by the electric utility concerned with the project.
- c. Glare. The plan shall show how the abutting properties and local traffic will be protected from glare or reflected light from the installation.

6611. Safety and Environmental Standards.

- a. Emergency services. The large-scale solar photovoltaic installation applicant shall provide a copy of the project summary, electrical schematic, and site plan to the local Fire Chief and concerned electric utility. Upon request, the applicant shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The applicant shall identify a responsible person for public inquiries throughout the life of the installation.

- b. Solar photovoltaic installation conditions. The large-scale ground-mounted solar photovoltaic installation applicant shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and emergency medical services. The applicant shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

6612. Abandonment or Decommissioning. Any large-scale ground-mounted solar photovoltaic installation that has reached the end of its useful life or has been abandoned consistent with Subsection 6613 of this section shall be removed. The applicant shall physically remove the installation no more than 150 days after the date of discontinued operations. The applicant shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- a. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to existing vegetation. All disturbed areas shall be covered with a minimum of 6 inches of good quality top soil before seeding.

6613. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances deemed reasonable by the written acknowledgment of the Planning Board, which shall not be unreasonably refused, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. The failure to operate shall be conclusively determined based on the records showing the power supplied by the installation to the grid. If the applicant of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may enter the property and physically remove the installation.

6614. Financial Surety. As a condition of the Site Plan Special Permit, the Planning Board shall require the applicant to provide surety in an amount approved by the Planning Board to be necessary to ensure the proper removal of the installation. The form of the surety shall be through an escrow account, surety bond, or other means of like character acceptable to the Planning Board. The amount of the surety shall be based on a fully inclusive estimate of the costs associated with removal and site restoration, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation or the increased market rate cost of the equipment and services necessary to achieve the removal

and site restoration. In no case shall the amount of the surety exceed 125% of the cost of removal and compliance with the additional requirements set forth herein. Such surety will not be required for municipally or state-owned facilities.

Planning Board

Executive Summary: To allow for and to regulate the creation of new large scale ground-mounted solar photovoltaic installations on at least 20 acres of land by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning and removal of such installations. The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations. This Section does not apply to roof-mounted solar photovoltaic installations on residential or commercial facilities.

ARTICLE 27

To see if the Town of Tewksbury will vote to amend Section 8400 Interstate Overlay District of the Tewksbury Zoning By-law and the Town Of Tewksbury Zoning Map 2013 as follows.

Add to Section 8410 Location, a new paragraph 4

8410. Location. The Interstate Overlay District shall be defined as follows:

4. That portion of the Town of Tewksbury shown on the attached Map, which is an extension of the overlay described in 8410.2 above, near the intersection of Routes 38 and 495. In this portion of the overlay, the overlay district may be superimposed on the Commercial (COM) District land with frontage on Main Street.

Marc P. Ginsburg and Others

Executive Summary: Article would allow an extension of Interstate Overlay District to a portion Main Street near Route I- 495. Interstate Overlay District is only allowed to be superimposed over Commercial Districts only in this overlay. The following additional uses are allowed in the Interstate Overlay District upon the issuance of a Special Permit from the Planning Board: (a) Automotive Refueling Station and accessory uses incidental thereto; (b) Car Wash; and, (c) Garaging and Towing of Motor Vehicles; and, (d) Motor Vehicle Rental or Leasing Agencies, as an accessory use.

ARTICLE 28

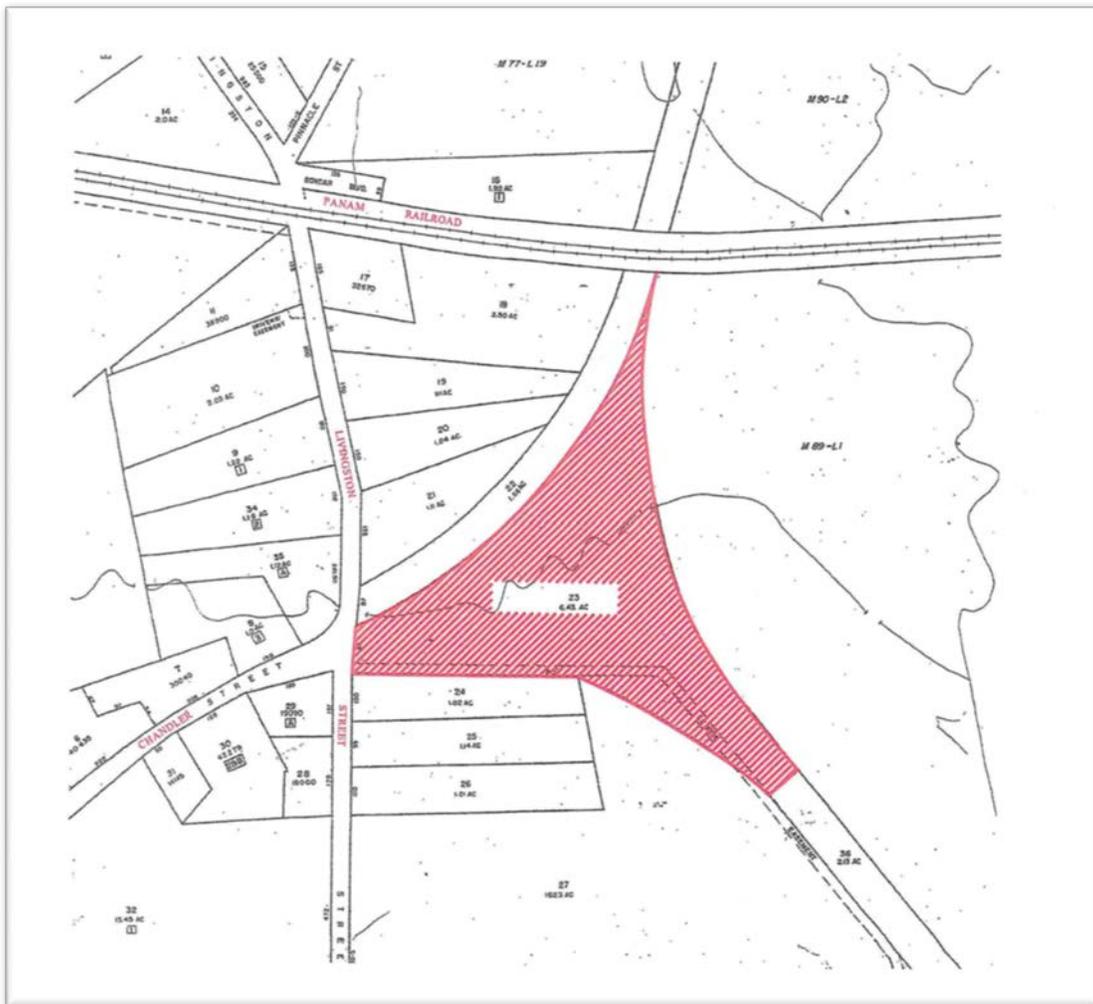
To see if the Town will vote to amend the Zoning Map for parcels shown on Assessor's Map 76 Lot 23, from Residential (R40) to Heavy Industry.

LEGAL DESCRIPTION:

Beginning at a point on the easterly line of Livingston Street at the north west corner of land of now or formerly David & Jessica Deniger, being Lot 24 on Tewksbury Assessor's Map 76, thence; northerly by the easterly line of Livingston Street, 83 feet, more or less, to land of now or formerly New England Telephone Company thence; Northeasterly said New England Telephone land, by a curved line to the left, having a radius of 1211.22 feet, a length of 1025.20 feet, more or less, to a point at land junction of land of now or formerly the Boston & Maine Railroad and the Commonwealth of Massachusetts, thence; Southerly by said Commonwealth land, by a curved line to the left, a distance of 1,010 feet, more or less, to a point, thence; Southwesterly by said Commonwealth land, a distance of 92.92 feet, more or less, to a point, thence; Northwesterly by said Commonwealth land to a point at the northeast corner of said Deniger land, thence; Westerly by said Deniger land 400 feet, more or less, to the point of beginning.

Arnie Martel and Others

Executive Summary: The proposed zoning article seeks to rezone land currently used by residential dwellings from Residential (R40) to Heavy Industry (HI) which is consistent with the surrounding zoning.



ARTICLE 29

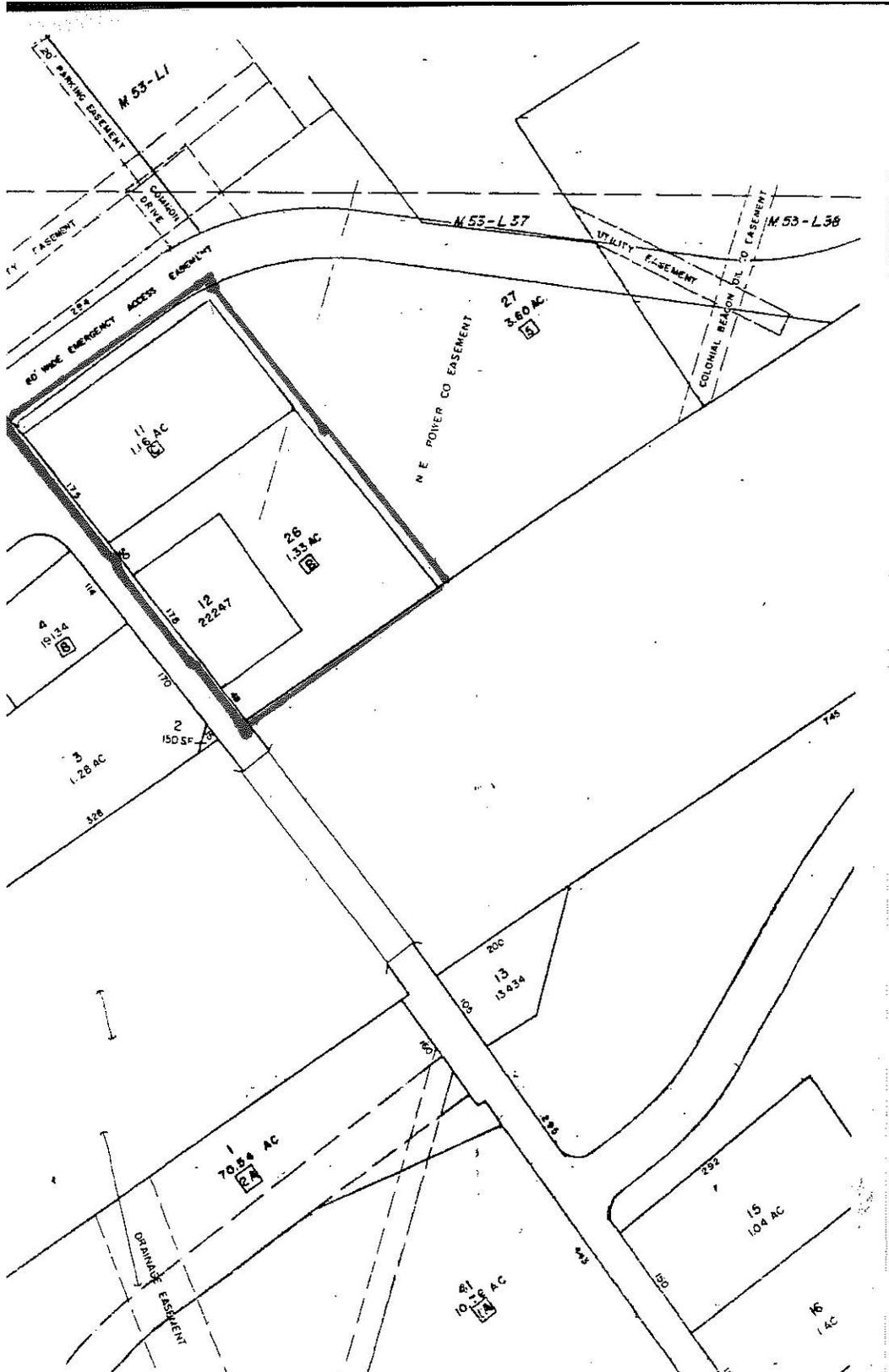
To see if the Town of Tewksbury will vote to amend the Tewksbury Zoning Bylaw and the Zoning Map by adding the land area described below to the zoning map comprising a portion of Community Village Overlay District (CVOD), Section 8680, or do anything in relation thereto.

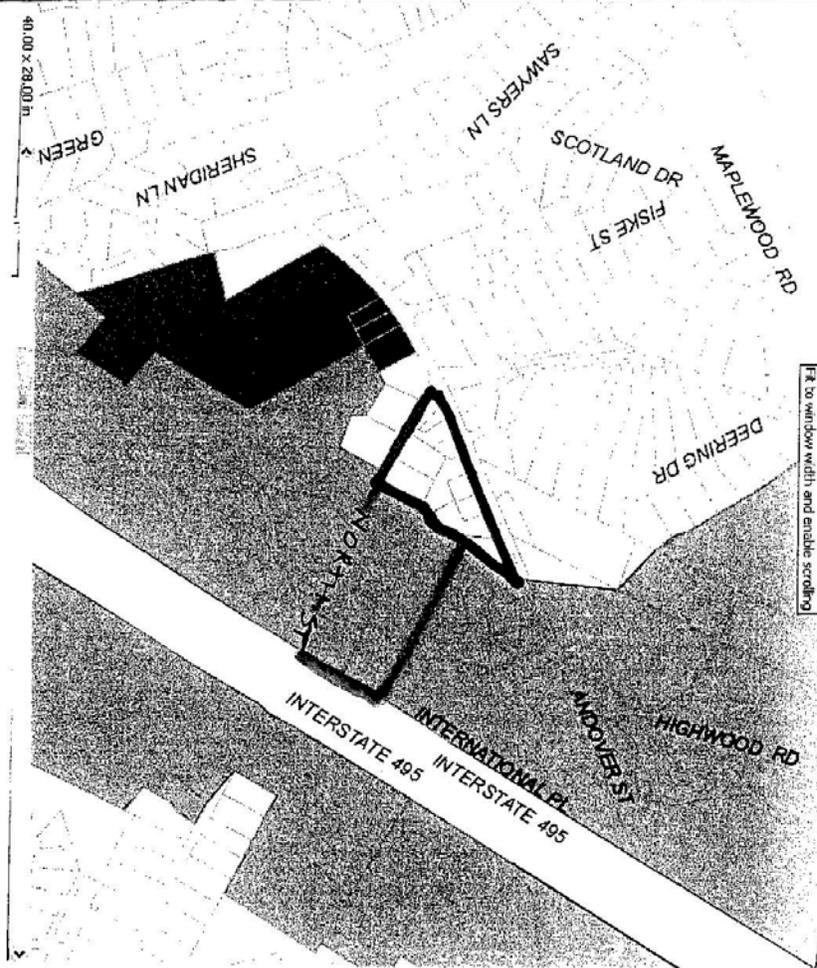
- 52-0026 0 North Street, Tewksbury, MA
- 52-0011 937 North Street, Tewksbury, MA
- 52-0012 927 North Street, Tewksbury, MA
- 52-0027 0 International Drive, Tewksbury, MA -a portion thereof

David Ward and Others

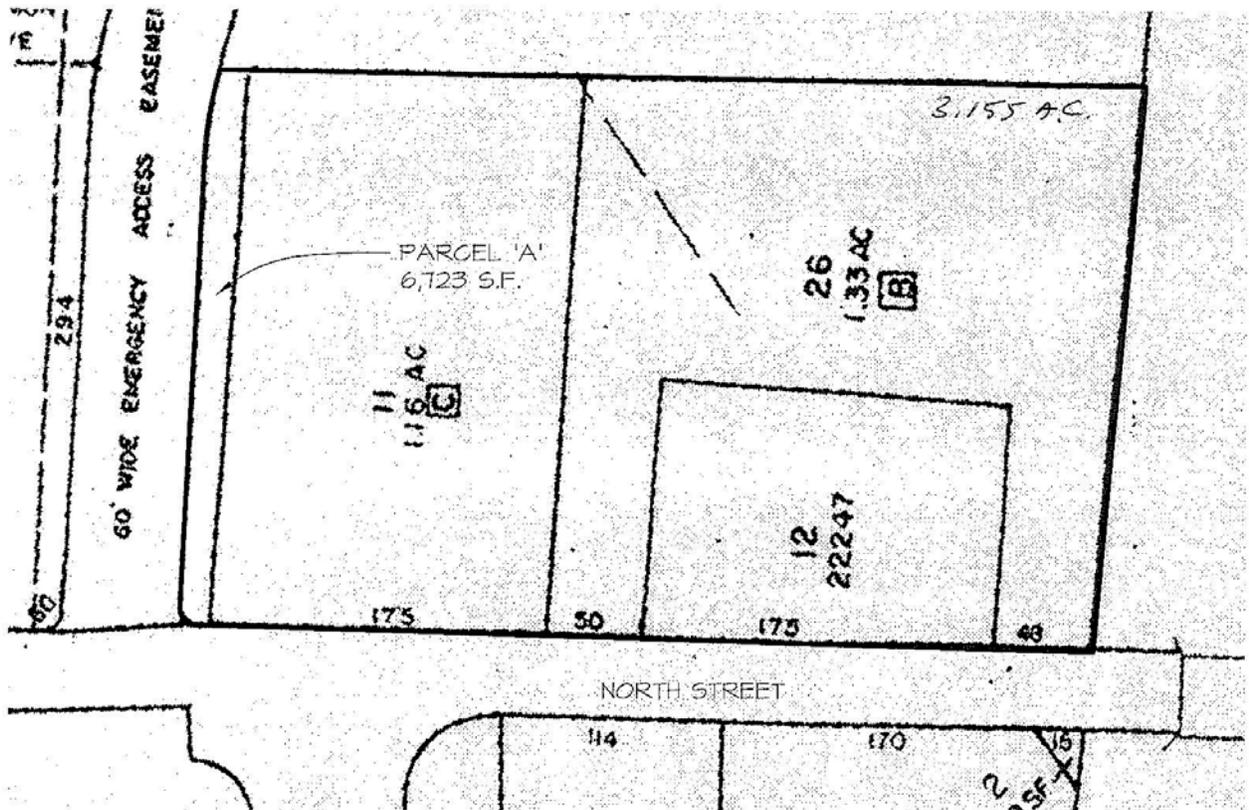
Executive Summary: The adoption of this article will include the land above in a new zoning overlay district along North Street in the area of Route 133 (Andover Street). This Overlay District recognizes the existing nature of the land described above and allows for this as well as other uses, while underlying zoning rights remain intact. This action was a recommended implementation step of Town of Tewksbury Master Plan endorsed at the 2004 Annual Town Meeting. The overlay district bylaw and design guidelines emphasize the highest quality of architectural and site design in development, increase the economic incentive for new investment and redevelopment by providing mixed-use opportunities. Design guidelines and accompanying overlay map are available at the Town Clerk's Office and Department of Community Development.







ASSESSORS	AREA
MAP 52, LOT 12	22,247 S.F.
MAP 52, LOT 26	57,934.8 S.F. (1.33 Ac.)
MAP 52, LOT 11	50,529.6 S.F. (1.16 Ac.)
MAP 52, PARCEL A**	6,723 S.F.
PARCEL 'A' AS SHOWN ON PLAN BOOK 232, PLAN 109 (PREVIOUSLY PART OF ASSESSOR'S MAP 52, LOT 27)	



ARTICLE 30

To see if the Town will vote to amend the Zoning By-Laws as follows:

By deleting that portion of Appendix A Table of Use Regulations, Section C. Commercial Uses shown as Item "12a. Motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental" from the table and inserting in its place:

C. COMMERCIAL USES	R40	FA	LB	COM	TR	P	MN	MFD	MFD/55	CDD	HI	OR
12a. Motor vehicle, motorcycle, trailer, all-terrain vehicle, snowmobile, boat or personal water craft sales, rental and leasing	N	N	N	N	N	N	N	N	N	N	N	N
12b. Accessory Motor Vehicle Rental and Leasing	N	N	N	PB	N	N	N	N	N	N	N	N

And by amending Section 10000.DEFINITIONS by inserting the following:

ACCESSORY MOTOR VEHICLE RENTAL AND LEASING: The indoor or outdoor rental or leasing of passenger motor vehicles that satisfies all of the following criteria:

1. No such rented or leased motor vehicle shall exceed 9,000 lbs. in gross weight; and
2. No such rented or leased motor vehicle shall be a box truck, cargo van, moving van, motorcycle, trailer, all-terrain vehicle, snowmobile, boat or personal water craft; and
3. No more than fifteen such rented or leased motor vehicles may be stored, parked or maintained at the Premises at any time; and
4. All of such rented or leased motor vehicles are Principally Garaged in the Town of Tewksbury.
5. Use must be accessory to a lawfully existing principal use as a motor vehicle sales dealership.

And by amending **Section 10000. DEFINITIONS** by inserting the following:

PRINCIPALLY GARAGED: The principal location where a registered vehicle is garaged as set forth in the Massachusetts Registry of Motor Vehicles RMV-1 form, or any other form promulgated by the Commonwealth of Massachusetts, for the purpose of registering a motor vehicle.

Kenneth J. Mackey and Others

Executive Summary: SUMMARY OF ARTICLE IN ACCORDANCE WITH TOWN BY-LAW SECTION 204.020
 The purpose of this article is to allow a lawfully existing car sales dealership to rent or lease passenger motor vehicles as an accessory use, in the Commercial District only. Such accessory use would be subject to specific conditions enumerated in the by-law, and it would require a Special Permit from the Planning Board.

ARTICLE 31

To see if the Town will vote to amend the Tewksbury Zoning Map of September 2013 by adding a new Heavy Industrial District (HI-1) as provided within this Article, and, further to amend the provisions of the Zoning Bylaw in Appendix A, Table of Use Regulations, Section C. 13, Commercial Uses, by inserting the new HI-1 District, and further inserting therein the symbol "PB", meaning and intending that such use is allowed by Special Permit/Planning Board in said HI-1 District, with all other uses within the HI-1 District to remain the same as were in effect in the HI District immediately prior to the adoption of this amendment, as shown below:

C. COMMERCIAL USES	R40	FA	LB	COM	TR	P	MN	MFD	MFD/55	CDD	HI	HI-1	OR
13. Motor vehicle light service; Motor vehicle general and body repair	N	N	N	N	N	N	N	N	N	N	N	PB	N

;and, to further amend Section 1000, Definitions, Motor Vehicle General and Body Repair, by deleting therefrom the definition of "Motor Vehicle General and Body Repair" in said Section 1000 of the Zoning Bylaw, and inserting in lieu thereof the following new definition of "Motor Vehicle General and Body Repair Services" as follows:

DELETING (OLD)

~~MOTOR VEHICLE GENERAL AND BODY REPAIR: An establishment, garage or work area enclosed within a building for the servicing and repair of autos, including fenders, bumpers and similar components of motor vehicle bodies, but not including the storage vehicles for the cannibalization of parts or fuel sales.~~

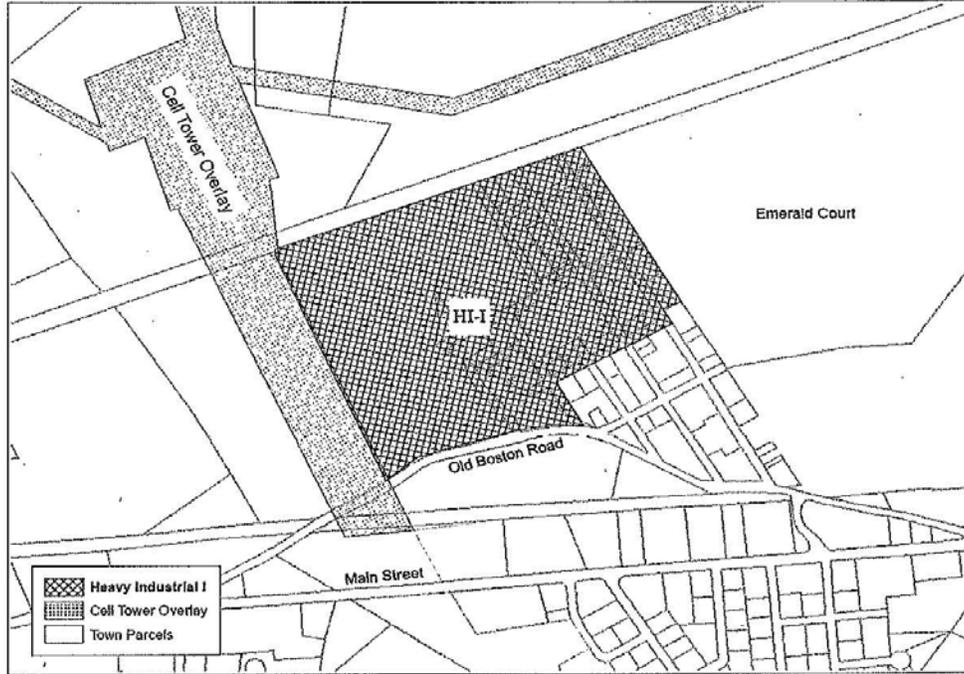
INSERTING IN LIEU THEREOF (NEW)

MOTOR VEHICLE GENERAL AND BODY REPAIR SERVICES: An establishment, garage or work areas enclosed within a building for the servicing and repair of motor vehicles. The term "motor vehicle general and body repair services" means the services of mending or bringing back to working order the body or any operating parts of a motor vehicle that was broken, damaged, malfunctioning or defective. The term "motor vehicle general and body repair services" also includes the services of restoring, rebuilding or replacing any motor, engine, working parts, accessories, body or interior of the motor vehicle. The term "motor vehicle general and body repair services" also includes all maintenance services that keep a motor vehicle in good working order, including but not limited to replacing vehicle fluids (e.g., oil or coolant), lubricating the chassis, diagnostic testing, replacing spark plugs and filters, rotating tires, recharging the air conditioning system, rust proofing, painting or repainting, and applying fabric protection or paint sealant. The term "motor vehicle general and body repair services" does not include (1) the service of installing new parts or accessories that are not replacements for existing parts or accessories (e.g., customizing), (2) the service of towing or storing a motor vehicle, (3) the storage of vehicles for the cannibalization of vehicle parts, (3) fuel sales, and (4) the indoor or outdoor sale and rental of motor vehicles, box truck, cargo van, motorcycle, trailer, all-terrain vehicle, snowmobile, boat or personal water craft.

or take any other action relative thereto.

Stephen Reppucci

Executive Summary: This amendment will allow the creation of a new Heavy Industrial District, HI-1. A limited motor vehicle general and body repair use in a HI-1 District will be allowed only by Special Permit from the Planning Board. Further, the definition of MOTOR VEHICLE GENERAL AND BODY REPAIR SERVICES is revised to more accurately describe by example the type and character of motor vehicle and body repair services that will generally be allowed in the HI-1 District.



ARTICLE 32

To see if the Town will vote to amend the Zoning Bylaw by deleting therefrom Section 3400. Family Suite, and inserting in lieu thereof the following new Section 3400. Family Suite:

3400. FAMILY SUITE

3410. Family Suite. A Family Suite is allowed as an accessory use, attached to a single family dwelling in R40, R80, FA, TR and LB zones including Cluster Developments, in accordance with the below listed (1-12) requirements. Except as noted, these requirements are not subject to relief through a variance.

- (1) The maximum floor area of a Family Suite shall not exceed 1,000 square feet upon the issuance of a Special Permit by the Planning Board. Common entries and open decks shall not be included in the square footage calculation of the Family Suite.
- (2) A Family Suite shall not contain more than two (2) bedrooms.
- (3) The Family Suite shall be contiguous with the single family dwelling with direct access or connected with a common closed entry.
- (4) The Family Suite shall not have its own front door, however, it may have a side or rear exit with an open deck and egress.

- (5) Any structural addition of a Family Suite must meet all front, side and rear setbacks and lot coverage requirements for the zone unless variances are granted by the Tewksbury Zoning Board of Appeals in accordance with MGL § 40A.
- (6) No more than three (3) related persons shall occupy the Family Suite.
- (7) A minimum of one additional off-street parking space shall be provided, however, a separate driveway is not permitted.
- (8) Annual Certification by notarized affidavit shall be provided to the Building Commissioner that the owner of the property, except for bona fide temporary absence shall occupy one of the two dwelling units.
- (9) The Family Suite shall be subject to review and approval by the Board of Health as to sanitary wastewater disposal in full conformance with the provisions of 310 CMR 15.00 (Title V of the State Environmental Code). The Family Suite shall be required to hook-up to town sewer if available and, if not, as soon as town sewer is available.
- (10) Only one Family Suite may be constructed onto any dwelling.
- (11) Notwithstanding anything else contained herein to the contrary, nothing herein shall be construed as to require a Family Suite to be under its own roof.
- (12) Notwithstanding anything else contained in the Zoning By-Law to the contrary, if the owner, or a child of the owner, is disabled and requires assistance with Activities of Daily Living (ADL's) then the other dwelling unit may be occupied by a Personal Care Attendant (P.C.A.) who need not be related to the owner. In such case, a letter from a licensed physician, verifying the disability and the need for assistance with ADL's is to be submitted to the Building Commissioner.

or take any other action related thereto.

Richard O'Neill, Jr. and Others

Executive Summary: The substantive changes to the existing Section 3400 will (1) require (1) that all applications for a Family Suite of whatever size will be approved through the special permit process overseen by the Planning Board, thereby giving to the Planning Board greater oversight over this process; and, (2) eliminating the requirement that the applicant obtain a Subordination Agreement from its lender, if applicable, and executing a Restriction Agreement, both requirements that now under the review of the Building Commissioner and are becoming increasingly burdensome. This second change will also give the Planning Board greater oversight over this process, and, if such documents are needed, may be included in the special permit approval as special conditions, thus facilitating the administration of this process for both the applicant and the Town.

3400. FAMILY SUITE (Redlined Version For Review Purposes Only)

3410. Family Suite. A Family Suite is allowed as an accessory use, attached to a single family dwelling in R40, R80, FA, TR and LB zones including Cluster Developments, in accordance with the below listed (1-24) requirements. Except as

(1) ~~The Family Suite shall not contain more than 800 square feet of floor area by right.~~ The maximum floor area of a Family Suite ~~may be enlarged; however, to a maximum floor area shall not to exceed 1,000 square feet upon the issuance of a Special Permit by the Planning Board.~~ Common entries and open decks shall not be included in the square footage calculation

noted, these requirements are not subject to relief through a variance. of the Family Suite.

(2) A Family Suite shall not contain more than ~~one two (12)~~ two (2) bedrooms.; ~~unless a Special Permit for a second bedroom is~~

~~issued by the Planning Board, prior to occupancy. In no case shall a Family Suite have more than two (2) bedrooms.~~

(3) The Family Suite shall be contiguous with the single family dwelling with direct access or connected with a common closed entry.

(4) The Family Suite shall not have its own front door, however, it may have a side or rear exit with an open deck and egress.

(5) Any structural addition of a Family Suite must meet all front, side and rear setbacks and lot coverage requirements for the zone unless variances are granted by the Tewksbury Zoning Board of Appeals in accordance with MGL § 40A.

(6) ~~There are n~~No more than three (3) related persons shall occupying the Family Suite.

(7) A minimum of one additional off-street parking space shall be provided, however, a separate driveway is not permitted.

(8) Annual Certification by notarized affidavit shall be provided to the Building Commissioner that the owner of the property, except for bona fide temporary absence shall occupy one of the two dwelling units.

(9) The Family Suite shall be subject to review and approval by the Board of Health as to sanitary wastewater disposal in full conformance with the provisions of 310 CMR 15.00 (Title V of the State Environmental Code). The Family Suite shall be required to hook-up to town sewer if available and, if not, as soon as town sewer is available.

(10) Only one Family Suite may be constructed onto any dwelling.

~~(11) Subordination Agreements (as required) and Restriction Agreements shall be completed by the applicant, submitted to the Building Commissioner, then approved and recorded at the North Middlesex Registry of Deeds by Town Counsel.~~

~~(11²)~~ Notwithstanding anything else contained herein to the contrary, nothing herein shall be construed as to require a Family Suite to be under its own roof.

~~(11³)~~ Notwithstanding anything else contained in the Zoning By-Law to the contrary, if the owner, or a child of the owner, is disabled and requires assistance with Activities of Daily Living (ADL's) then the other dwelling unit may be occupied by a Personal Care Attendant (P.C.A.) who need not be related to the owner In such case, a letter from a licensed physician, verifying the disability and the need for assistance with ADL's is to be submitted to the Building Commissioner.

ARTICLE 33

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 82, Section 23, as amended, and other applicable statutes, to accept the laying out of particular town ways by order of the Board of Selectman as follows: To accept the Roadway named Katie Way as shown on a Plan approved by the Tewksbury Board of Appeals for the subdivision known as "Roberts Reach".

Legal Description- Katie Way, Tewksbury, Middlesex County, Massachusetts

Beginning at a point on the Easterly side of Livingston Street at the North Easterly corner of Katie way, and thence running easterly by Katie Way, by a line curving, having a radius of 30 feet, a distance of 42.48 feet to a bound, thence

EASTERLY having a radius of 482 feet, by three lines measuring respectively, 89.48 feet, 46.08 feet and 198.80 feet, commencing a line curving to the left having a radius of 100.00 feet and 30.00 feet respectively for a distance of 18.28 feet and 39.26 feet to a stone bound

NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY along a curved line to the right, forming the cul-de-sac, having the radius of 55.00 feet for a distance of 273.85 feet then along the cul-de-sac 273.85 feet to a line curving to the left having a radius of 30.00 feet for a distance of 22.85 feet to a stone bound thence

SOUTHWESTERLY to a line curving to the right, by two lines with a radius of 140.00 feet, measuring 58.17 feet and 198.80 feet respectively, then along the same line and direction to a line curving to the right by two lines for a distance of 49.90 feet and 73.89 feet respectively, to a line curving to the left with the radius of 30.00 feet, a distance of 51.76 feet, to a stone bound, 101.21 feet from the beginning

Robert Scarano and Others

Executive Summary: This article requests the Town accept the Roadway known as "Katie Way", or do anything in relation there to.

ARTICLE 34

To see if the voters of the Town of Tewksbury will vote to amend the Tewksbury Bylaws by replacing the existing General Bylaw, Chapter 2.16 Council of Aging with the following revised Bylaw as shown, with DELETIONS denoted in strike-through format and ADDITIONS denoted in underline format.

2.16.020 Membership.

MEMBERSHIP OF COUNCIL: The Council shall consist of eleven (11) members who shall serve for a three (3) year term. ~~and, three Alternate members who will serve for a two (2) year term.~~ The Board of Selectmen shall appoint five (5) members of the Council. The remaining six (6) Council members ~~and three (3) Alternate members of the Council on Aging~~ shall be appointed by the Council Chairperson from interested and representative community groups and individuals. ~~Alternate member appointments by the Chairman must be approved by a majority vote of the full Council membership.~~ (Art. 34, ATM 2002: Art. 39 (part), ATM 1982: ByLaws Art. IV § 5B)

2.16.040 Election of Chairperson

ELECTION OF CHAIRPERSON: The Council shall each year, within the sixty (60) day period preceding ~~December 31st~~ June 30th meet and elect a Chairperson from within their membership by majority vote. (Art. 39 (part), ATM 1982: ByLaws Art. IV § 5D)

2.16.050 Appointment of new members.

APPOINTMENT OF NEW MEMBERS: The Board of Selectmen shall, each year, prior to ~~December 31st~~ June 30th each year appoint persons to fill any vacancies among their five (5) and each appointee to serve a three year term. The new Chairperson, elected as above, shall appoint persons to fill any vacancies among the remaining six (6) appointments each appointed to serve a three year term. All newly appointed members shall commence their terms on ~~January 1st~~ July 1st. (Art.39 (part), ATM 1982: ByLaws Art. IV § 5E)

2.16.060 Council Organization.

ORGANIZATION OF COUNCIL: The Council shall, each year, within the sixty (60) day period following ~~January 1st~~ July 1st, elect a Vice Chairperson, Treasurer and Clerk from among their members by majority vote. Each officer so elected shall serve from the date of election until ~~December 31st~~ until June 30th of the year of the election. (Art.39 (part), ATM 1982: ByLaws Art. IV § 5F)[25]

Council on Aging

Executive Summary: Passage of this article will modify the existing Council on Aging Bylaw to

- (1) Revert the membership to its original status and eliminate the three (3) alternate member positions.
- (2) Change the Council on Aging Chairman appointments to be made prior to June 30th whereby taking place at the same time of year as the Board of Selectmen appointments.
- (3) Change the time of electing a Chairperson to within the sixty (60) day period preceding June 30th.
- (4) Change the election of other Officers to take place within (60) days of appointments.

And you are directed to serve the within Warrant by posting up true and attested copies thereof upon the Town Hall and in each precinct, fourteen (14) days at least before the time of holding said meeting; also, leaving additional copies at the Town Hall or at such convenient places as the Selectmen shall think proper in said Town of Tewksbury.

HEREOF, FAIL NOT, AND MAKE DUE RETURNS OF THIS WARRANT, with your doings thereon, to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 8th day of April in the Year of Our Lord, Two Thousand and Fourteen.

BOARD OF SELECTMEN



Todd R. Johnson, Chairman



Scott Wilson, Vice Chairman



Bruce Panilaitis, Clerk



James D. Wentworth



David H. Gay

Tewksbury “Adopt A Hydrant” Program

The **Tewksbury Fire Department** has partnered with *Hy-Viz Inc.* to bring fiberglass hydrant markers to the community. These highly reflective hydrant markers will allow hydrants to be visible, day or night, from a great distance. The markers will help locate snow covered hydrants during the winter months and tree and shrub obstructed hydrants during the warmer months. **Hy-Viz** markers have a stainless steel spring and ring mount for years of maintenance free service. We have chosen the "Patriot Banding" design for use in Tewksbury.

Donation Made by: _____ Date: _____
Address: _____ Phone: _____

Tewksbury Fire Department
c/o: Adopt a Hydrant Program
21 Town Hall Avenue
Tewksbury, MA 01876

Street Address of Hydrant(s) to be adopted:

(I.e. in front of 123 Main Street)

Cost of each marker: \$ 14.99
of hydrant markers purchased: x _____
Total: = _____

Once a group of orders have been placed, the Fire Department will locate the adopted hydrants and place the reflective markers with "Patriot Banding" design. In the event that there are multiple requests for marking the same hydrant, we will place the marker one of the many critical hydrants that we have in town that may be overlooked. We will notify residents or businesses of our placement once the marker is in place.

For additional information visit: www.tewksbury.info/Pages/TewksburyMA_Fire/hydrant

Thank You for your support!

What is a “File of Life”?

A “File of Life” is a mini medical history posted on the outside of one’s refrigerator, or personally carried in a person’s wallet. The “File of Life” card enables EMT’s to obtain a quick medical history when the patient, who, in a frightened state, may forget to mention something important.

The card which is kept in a red plastic pocket labeled “File of Life”, lists the patients name, emergency medical contacts, insurance policy and social security number, health problems, medications, dosages, allergies, recent surgeries, doctors name and a health care proxy. The entire pocket is held with a magnet to the outside of the refrigerator. Details will be provided at the fire stations or call 978-640-4410.

Who should have one?

-Anyone who has many or complicated medical problems and or takes many medications.



Please take a moment to sign up to be notified by your local emergency response team in the event of emergency situations or critical community alerts. Examples include: evacuation notices, bio-terrorism alerts, boil water notices, and missing child reports: <http://cne.coderedweb.com/>

Unwanted Medication Kiosk available 24/7

The Unwanted Medication Kiosk is located in the Tewksbury Police Station lobby, 918 Main Street. The kiosk is available 24/7. Please place unwanted medication in plastic sealed bags that will fit in Kiosk slot only. Do not include liquids or sharps. Please contact the Police Department with any questions or concerns: 978-640-7373

GLOSSARY OF TERMS

Town Meeting: A duly called meeting in which all Town of Tewksbury registered voters are eligible to participate to act upon fiscal issues, zoning changes, by-law amendments, and other matters affecting the Town. Each voter has one vote in the decision making process.

The Annual Town Meeting is held each May to decide issues for the fiscal year starting July first. Special Town Meeting(s) may be called at other times, to address issues that cannot wait for the next Annual Town Meeting, a Special Town Meeting is called by the Board of Selectmen; or by a petition of 200 registered voters.

Warrant: Public notice of business to be considered at the Town Meeting. It is publicly posted in each Precinct throughout the Town, on the Town's Website www.tewksbury-ma.gov/Pages/TewksburyMA_Warrants/ and describes all of the Articles which will be acted upon at the Town Meeting.

Article(s): Individual subjects are described in the articles so that all voters are warned of potential action to be taken. The scope of each article sets the bounds of action that may be taken. Articles are submitted by the Town Departments or by voter petitions. Articles submitted by voter petitions require ten (10) or more registered voters signatures for insertion in the Annual Town Meeting Warrant, and one hundred (100) or more registered voters signatures for insertion in a Special Town Meeting Warrant.

General Information: The Moderator presides at the Town Meeting and is responsible for the ruling on procedural matters, overseeing an orderly debate, announcing the result of all votes and preserving decorum. The proceedings are governed by Town Meeting Time, a handbook of parliamentary law prepared under the auspices of the Massachusetts Moderators Association. This guide may be simpler and easier to understand than the more widely known and consulted Robert's Rules of Order. Copies are available for reference at the Town Clerk's Office, Board of Selectmen's Office and the Tewksbury Public Library.

Registered voters are entitled to attend, address and vote at the Meeting. Visitors may attend the meeting and shall sit in the "reserved for visitors" section.

A voter desiring to speak should approach the microphone, await recognition by the Moderator, and identify him or herself when recognized by name and address.

Motions, Motions to Amend, and Votes Required: An Article in the Warrant states a question for the Town Meeting voters to answer. Separate issues are described in the Town Meeting Articles so that all voters are warned of potential action to be taken. The scope or intent of each Article set the bounds of action that may be taken. Customarily the Finance Committee Chairman makes the first or Main Motion or if the Article relates to the Zoning By-law the Planning Board Chairman will make the first or Main Motion. The sponsor or Petitioner of an article also may make the first or Main Motion.

The Motion is then open for discussion by the assembly.

Motions to Amend the Main Motion, which is within the scope or intent of the Article, may be made on the Town Meeting floor.

Ordinarily motions require a majority vote of the voters present and voting for an Article to pass. Certain motions require a 2/3, 4/5 or a 9/10 vote to pass because of the provisions of the Town By-laws or Massachusetts General Laws. The Moderator will announce the voting requirement before each vote requiring more than a majority vote.

Motions For Indefinite Postponement of an Article: A motion to Indefinitely Postpone an Article is equivalent to a motion to take no action on the Article. If the Motion to Indefinitely Postpone the Article is Adopted; the Article is defeated.

Reconsideration of an Article: No vote on a prior Article shall be Reconsidered except to correct a procedural defect, scrivener's error or an oversight. Reconsideration for the above exceptions requires a majority vote.

Move the Question: The voters have heard all the discussion that they wish to hear on the pending Article and prefer to vote at once.

The Moderator shall allow those presently standing, at the time of the motion, the opportunity to be heard and then he or she will take the vote to Move the Question.

Rules to Govern Speakers: No voter shall speak twice on any one subject, if any other voter who has not spoken already and is standing to be recognized by the moderator. No voter shall speak for more than five minutes at one time, except by vote of permission of the assembly.