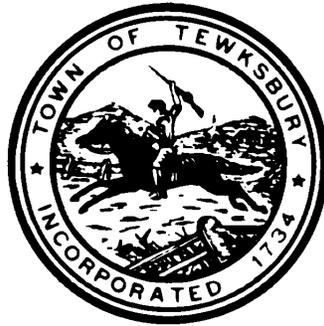


# ANNUAL TOWN MEETING

**2020  
WARRANT**



## TOWN OF TEWKSBURY COMMONWEALTH OF MASSACHUSETTS

### Finance Committee Public Hearing

**June 10, 2020 7:00 P.M.**  
Town Hall

### Annual Town Meeting

**June 22, 2020 7:30 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 by 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 June 22, 2020 7:30 P.M.	WEDNESDAY June 24, 2020 7:30 P.M.	WEDNESDAY June 24, 2020 7:00 P.M.
<ul style="list-style-type: none"> <li>• Consent Calendar Articles</li> <li>• Annual Budget</li> <li>• Budget Related Articles</li> <li>• Personnel Bylaw Amendments</li> <li>• Town Bylaw Amendments</li> <li>• General Articles</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning Bylaw Amendments</li> </ul>	

For more information about Town Meeting:  
[http://www.tewksbury-ma.gov/pages/tewksburyma\\_clerk/annual](http://www.tewksbury-ma.gov/pages/tewksburyma_clerk/annual)

**FACEBOOK:** Library: [www.facebook.com/TewksburyLib](http://www.facebook.com/TewksburyLib)  
Tewksbury Farmers Market: [www.facebook.com/pages/Tewksbury-Farmers-Market/1503117429909936](http://www.facebook.com/pages/Tewksbury-Farmers-Market/1503117429909936)  
Town: [www.facebook.com/pages/Town-of-Tewksbury/393895750722817](http://www.facebook.com/pages/Town-of-Tewksbury/393895750722817)  
**TWITTER:** Library: @TewksburyLib Police: @TewksburyPD Tewksbury Farmers Market: @FarmerMkt Town: @TownofTewksbury  
**WEBSITE:** Library's Website: [www.tewksburypl.org/Pages/index](http://www.tewksburypl.org/Pages/index) Town's Website: [www.tewksbury-ma.gov](http://www.tewksbury-ma.gov)

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, June 22, 2020 at 7:30 p.m. to act on the following articles:

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**SECTION 1**

**ARTICLE 1**

To choose all necessary Town Officers, by ballot, One (1) member of the Board of Selectmen for three years; One (1) member of the School Committee for three years; One (1) member of the School Committee for one year; One (1) member of the Planning Board for five years; One (1) member of the Board of Health for three years; Two (2) members of the Board of Library Trustees for three years; One (1) member of the Housing Authority for five years and One (1) Moderator for three years..

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**SECTION 2**

Article 2	Elected Official Salaries	Elected Official Salaries
Article 3	Consent Calendar	Consent Calendar
Article 4	Budget Related	Fiscal Year 2021 Budget
Article 5	Budget Related	Sewer Enterprise Budget
Article 6	Budget Related	Water Enterprise Budget
Article 7	Budget Related	Stormwater Enterprise Budget
Article 8	Budget Related	Cable TV Enterprise Budget
Article 9	Budget Related	Transfer \$95,000 from Water Enterprise Fund Retained Earnings for Water System Improvements, Projects and Vehicles
Article 10	Budget Related	Transfer \$55,000 from Sewer Enterprise Fund Retained Earnings for Sewer Department Vehicle
Article 11	Budget Related	Authorize the borrowing of \$1,500,000 within the Water Enterprise Fund for Water System Improvements/Projects
Article 12	Budget Related	Transfer \$55,113.92 to reduce Town Exempt Debt Principal
Article 13	Budget Related	Transfer \$52,500 from Overlay Surplus to fund the Senior and Veterans' Tax Relief Work Program
Article 14	Budget Related	Fiscal Year 2021 Affordable Housing Trust Fund Allocation Plan
Article 15	Budget Related	To Appropriate or Reserve from the Tewksbury Community Preservation Fund Annual Revenues
Article 16	Budget Related	To Appropriate and Transfer the Sum of \$40,000 from the Tewksbury Community Preservation Open Space Reserve for improvements Trails and Open Space Parcels

Article 17	Rescind Easement	Rescind drainage easement no longer needed.
Article 18	Land Sale	Authorize the Board of Selectmen to sell all or a portion of certain parcels of land
Article 19	General Bylaw	Amend Chapter 19 Tewksbury Stormwater General Bylaw
Article 20	Citizen Petition Donation of Land	Donation of a Parcel to the Conservation Commission for Conservation Purposes
Article 21	Citizen Petition	Filling vacancies on Town elected boards
Article 22	Citizen Resolution	Resolution regarding voting in elections

**SECTION 2**

**ARTICLE 2**

To see if the Town will vote to fix the salaries of several elected officials for the Fiscal Year 2021.

	<b><u>FY20 Budgeted</u></b>	<b><u>FY21 Requested</u></b>
<b><u>BOARD OF HEALTH</u></b>		
Chairman	405	405
Members (4)	315	315
<b><u>MODERATOR</u></b>		
	450	450
<b><u>PLANNING BOARD</u></b>		
Chairman	1080	1080
Members (4)	765	765
<b><u>SCHOOL COMMITTEE</u></b>		
Chairman	2700	2700
Members (4)	2250	2250
<b><u>SELECTMEN</u></b>		
Chairman	5400	5400
Members (4)	4500	4500

Town Manager

**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 shall 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 3-23 Accept the Annual Report
- ARTICLE 3-24 Lease/Purchase Agreements
- ARTICLE 3-25 Authorize Chapter 90 Funds
- ARTICLE 3-26 Reauthorize Revolving Funds

**ARTICLE 3-23**

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 2019 Town Report located on the Town's Website (<http://www.tewksbury-ma.gov/board-of-selectmen/pages/annual-town-reports>).

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**ARTICLE 3-24**

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.

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**ARTICLE 3-25**

To see if the Town will vote: (1) to appropriate a sum of money to survey, design and undertake repairs to roads and bridges and undertake repairs and installation of sidewalks 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 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 action relative thereto.

Town Manager

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

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**ARTICLE 3-26**

To see if the Town will vote to authorize the expenditure caps under the provisions of Chapter 44 Section 53E½ of the Massachusetts General Laws; or take any action relative thereto.

**TOWN OF TEWKSBURY  
FY2021 REVOLVING FUNDS EXPENDITURE CAPS**

<b>NAME</b>	<b>DEPARTMENT</b>	<b>PURPOSE</b>	<b>AUTHORIZATION</b>	<b>EXPENDITURE</b>
Council on Aging	Council on Aging	Trips and Activities	Director, COA	\$250,000
Parks and Recreation	Parks and Recreation	Summer Program/Activities	Town Manager	\$200,000
Board of Health	Board of Health	Vaccines and Public Health Programs	Health Director	\$10,000
Traffic Signage	Dept. of Public Works	Purchase, Manufacture and Installation of Street and Traffic Signage, Including Pavement Markings	Dept. of Public Works Director	\$10,000
GIS	Community Development	Operate a Geographical Information System	Assistant Town Manager	\$75,000
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
Energy Efficiency of Town & School Buildings, Equip. and Infrastructure	Town Manager	Rebates, Grants and Donations Generated from Energy Efficiency Projects (Commonwealth, Public Utilities and Others)	Town Manager	\$500,000

Town Manager

**Executive Summary:** This article authorizes the Fiscal Year 2021 expenditure caps on the Town's self-sufficient revolving fund accounts for the items listed above in the Town of Tewksbury. This article is in addition to the article which establishes the Revolving Funds through a General Bylaw in accordance with recent changes to Massachusetts General Laws Chapter 44 Section 53E½ by the Act to Modernize Municipal Finance and Government.

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**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, commissions and officers for the fiscal year which begins July 1, 2020; or take any action relative thereto.

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>General Government</b>					
<b>Moderator</b>					
Salaries	450	450	450	450	-
Operating	-	75	75	75	-
Capital Outlay	-	-	-	-	-
<b>Total Moderator Budget</b>	<b>450</b>	<b>525</b>	<b>525</b>	<b>525</b>	<b>-</b>
<b>Selectmen</b>					
Salaries	27,600	28,440	28,553	28,553	113
Operating	143,636	136,870	137,238	137,238	368
Capital Outlay	-	-	-	-	-
<b>Total Selectmen Budget</b>	<b>171,237</b>	<b>165,310</b>	<b>165,791</b>	<b>165,791</b>	<b>481</b>
<b>Town Manager</b>					
Salaries	427,462	462,248	472,916	472,946	10,698
Water Enterprise Fund Allocation	(8,457)	(9,668)	(9,886)	(9,886)	(218)
Sewer Enterprise Fund Allocation	(8,457)	(9,668)	(9,886)	(9,886)	(218)
Total Salaries Net of Allocations	410,548	442,912	453,144	453,174	10,262
Operating	58,234	73,770	73,770	73,770	-
Capital Outlay	-	-	-	-	-
<b>Total Town Manager Budget</b>	<b>485,696</b>	<b>536,018</b>	<b>546,686</b>	<b>546,716</b>	<b>10,698</b>
<b>Total Town Manager Budget Net Allocations</b>	<b>468,782</b>	<b>516,682</b>	<b>526,914</b>	<b>526,944</b>	<b>10,262</b>
<b>Finance Committee</b>					
Salaries	2,277	2,515	2,515	2,515	-
Operating	345	679	679	679	-
Capital Outlay	-	-	-	-	-
Reserve Fund	-	75,000	75,000	75,000	-
<b>Total Finance Committee Budget</b>	<b>2,622</b>	<b>78,194</b>	<b>78,194</b>	<b>78,194</b>	<b>-</b>
<b>Town Counsel</b>					
Operating	155,112	150,000	150,000	150,000	-
<b>Total Operating</b>	<b>155,112</b>	<b>150,000</b>	<b>150,000</b>	<b>150,000</b>	<b>-</b>
<b>Human Resources</b>					
Salaries	88,366	94,273	98,662	98,662	4,389
Water Enterprise Fund Allocation	(1,137)	(1,252)	(1,294)	(1,294)	(42)
Sewer Enterprise Fund Allocation	(1,137)	(1,252)	(1,294)	(1,294)	(42)
Total Salaries Net of Allocations	86,092	91,769	96,074	96,074	4,305
Operating	22,530	25,940	25,984	25,984	44
Water Enterprise Fund Allocation	(389)	(389)	(389)	(389)	-
Sewer Enterprise Fund Allocation	(389)	(389)	(389)	(389)	-
Total Operating Net of Allocations	21,752	25,162	25,206	25,206	44
Capital Outlay	-	-	-	-	-
<b>Total Human Resources Budget</b>	<b>110,896</b>	<b>120,213</b>	<b>124,646</b>	<b>124,646</b>	<b>4,433</b>
<b>Total Human Resources Budget Net Allocations</b>	<b>107,844</b>	<b>116,931</b>	<b>121,280</b>	<b>121,280</b>	<b>4,349</b>

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>Town Clerk</b>					
Salaries	235,681	252,294	261,398	261,398	9,104
Operating	18,799	22,416	21,461	21,461	(955)
Capital Outlay	-	-	-	-	-
<b>Total Town Clerk Budget</b>	<b>254,480</b>	<b>274,710</b>	<b>282,859</b>	<b>282,859</b>	<b>8,149</b>
<b>Election</b>					
Salaries	24,150	19,300	63,950	63,950	44,650
Operating	10,165	9,050	15,400	15,400	6,350
Capital Outlay	-	-	-	-	-
<b>Total Election Budget</b>	<b>34,315</b>	<b>28,350</b>	<b>79,350</b>	<b>79,350</b>	<b>51,000</b>
<b>Board of Registrars</b>					
Salaries	2,850	2,850	2,850	2,850	-
Operating	601	700	700	700	-
Capital Outlay	-	-	-	-	-
<b>Total Board of Registrars Budget</b>	<b>3,451</b>	<b>3,550</b>	<b>3,550</b>	<b>3,550</b>	<b>-</b>
<b>Computer Services</b>					
Salaries	102,439	121,873	123,678	123,678	1,805
Water Enterprise Fund Allocation	(1,384)	(1,466)	(1,810)	(1,810)	(344)
Sewer Enterprise Fund Allocation	(1,384)	(1,466)	(1,810)	(1,810)	(344)
Total Salaries Net of Allocations	99,671	118,941	120,058	120,058	1,117
Operating	83,729	73,800	108,066	108,066	34,266
Capital Outlay	8,940	-	-	-	-
<b>Total Computer Services Budget</b>	<b>195,108</b>	<b>195,673</b>	<b>231,744</b>	<b>231,744</b>	<b>36,071</b>
<b>Total Computer Services Budget Net Allocations</b>	<b>192,340</b>	<b>192,741</b>	<b>228,124</b>	<b>228,124</b>	<b>35,383</b>
<b>Total General Government</b>	<b>1,413,367</b>	<b>1,552,543</b>	<b>1,663,344</b>	<b>1,663,374</b>	<b>110,832</b>
<b>Total General Government Net Allocations</b>	<b>1,390,633</b>	<b>1,526,993</b>	<b>1,636,586</b>	<b>1,636,616</b>	<b>109,624</b>
<b>Finance Department</b>					
<b>Accounting</b>					
Salaries	245,199	220,556	219,916	219,916	(640)
Water Enterprise Fund Allocation	(5,822)	(5,159)	(5,498)	(5,498)	(339)
Sewer Enterprise Fund Allocation	(5,822)	(5,159)	(5,498)	(5,498)	(339)
Total Salaries Net of Allocations	233,555	210,238	208,920	208,920	(1,318)
Operating	170,254	170,642	176,325	176,325	5,683
Water Enterprise Fund Allocation	(4,329)	(4,266)	(4,382)	(4,382)	(116)
Sewer Enterprise Fund Allocation	(4,329)	(4,266)	(4,382)	(4,382)	(116)
Total Operating Net of Allocations	161,596	162,110	167,561	167,561	5,451
Capital Outlay	-	-	-	-	-
<b>Total Accounting Budget</b>	<b>415,452</b>	<b>391,198</b>	<b>396,241</b>	<b>396,241</b>	<b>5,042</b>
<b>Total Accounting Budget Net Allocations</b>	<b>395,150</b>	<b>372,348</b>	<b>376,481</b>	<b>376,481</b>	<b>4,132</b>

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>Assessor</b>					
Salaries	232,245	256,269	269,312	269,315	13,046
Operating	64,797	51,110	55,500	55,500	4,390
Capital Outlay	-	-	-	-	-
<b>Total Assessor Budget</b>	<b>297,041</b>	<b>307,379</b>	<b>324,812</b>	<b>324,815</b>	<b>17,436</b>
<b>Treasurer/Collector</b>					
Salaries	380,635	400,138	400,946	390,763	(9,375)
Water Enterprise Fund Allocation	(25,869)	(27,398)	(25,244)	(25,244)	2,154
Sewer Enterprise Fund Allocation	(25,869)	(27,398)	(25,244)	(25,244)	2,154
Total Salaries Net of Allocations	328,897	345,342	350,458	340,275	(5,067)
Operating	78,805	82,120	82,240	82,240	120
Water Enterprise Fund Allocation	(7,950)	(8,212)	(8,224)	(8,224)	(12)
Sewer Enterprise Fund Allocation	(7,950)	(8,212)	(8,224)	(8,224)	(12)
Total Operating Net of Allocations	62,905	65,696	65,792	65,792	96
Capital Outlay	-	-	-	-	-
<b>Total Treasurer/Collector Budget</b>	<b>459,440</b>	<b>482,258</b>	<b>483,186</b>	<b>473,003</b>	<b>(9,255)</b>
<b>Total Treasurer/Collector Budget Net Allocations</b>	<b>391,802</b>	<b>411,038</b>	<b>416,250</b>	<b>406,067</b>	<b>(4,971)</b>
<b>Total Finance Department</b>	<b>1,171,934</b>	<b>1,180,836</b>	<b>1,204,238</b>	<b>1,194,058</b>	<b>13,223</b>
<b>Total Finance Department Net Allocations</b>	<b>1,083,994</b>	<b>1,090,766</b>	<b>1,117,542</b>	<b>1,107,362</b>	<b>16,597</b>
<b>Community Services</b>					
<b>Cable Television</b>					
Salaries	-	-	-	-	-
Operating	-	-	-	-	-
Capital Outlay	-	-	-	-	-
<b>Total Cable Television Budget</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Veteran's Services</b>					
Salaries	72,285	98,305	103,955	103,955	5,651
Operating	287,281	386,680	387,450	387,450	770
Capital Outlay	11,326	-	-	-	-
<b>Total Veteran's Budget</b>	<b>370,892</b>	<b>484,985</b>	<b>491,405</b>	<b>491,405</b>	<b>6,421</b>
<b>Community Events</b>					
Operating	32,695	38,100	38,100	38,100	-
Capital Outlay	-	-	-	-	-
<b>Total Community Events Budget</b>	<b>32,695</b>	<b>38,100</b>	<b>38,100</b>	<b>38,100</b>	<b>-</b>
<b>Total Community Services</b>	<b>403,587</b>	<b>523,085</b>	<b>529,505</b>	<b>529,505</b>	<b>6,421</b>

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>Council on Aging</b>					
Salaries	260,776	278,774	291,852	291,852	13,078
Operating	137,839	137,900	146,833	146,833	8,933
Capital Outlay	-	-	-	-	-
<b>Total Council on Aging Budget</b>	<b>398,615</b>	<b>416,674</b>	<b>438,685</b>	<b>438,685</b>	<b>22,011</b>
<b>Facilities</b>					
<b>Town Facilities and Grounds</b>					
Salaries	264,343	291,239	308,455	308,455	17,216
Operating	217,126	167,476	167,866	167,866	390
Capital Outlay	65,229	-	-	-	-
<b>Total Town Facilities and Grounds Budget</b>	<b>546,698</b>	<b>458,715</b>	<b>476,321</b>	<b>476,321</b>	<b>17,606</b>
<b>Town Hall</b>					
Salaries	50,512	54,257	56,530	56,530	2,273
Operating	206,810	188,334	188,334	188,334	-
Capital Outlay	-	-	-	-	-
<b>Total Town Hall Budget</b>	<b>257,322</b>	<b>242,591</b>	<b>244,864</b>	<b>244,864</b>	<b>2,273</b>
<b>Auxiliary Buildings</b>					
Operating	-	-	-	-	-
Capital Outlay	-	-	-	-	-
<b>Total Auxiliary Buildings Budget</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Cemeteries</b>					
Operating	3,000	-	-	-	-
Capital Outlay	-	-	-	-	-
<b>Total Cemeteries Budget</b>	<b>3,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Facilities</b>	<b>807,021</b>	<b>701,306</b>	<b>721,185</b>	<b>721,185</b>	<b>19,879</b>
<b>Library</b>					
Salaries	912,955	993,942	1,030,979	1,032,979	39,037
Operating	386,196	392,591	394,092	392,092	(499)
Capital Outlay	988	-	-	-	-
<b>Total Library Budget</b>	<b>1,300,139</b>	<b>1,386,533</b>	<b>1,425,071</b>	<b>1,425,071</b>	<b>38,538</b>
<b>Planning and Development</b>					
<b>Planning (Community Development)</b>					
Salaries	190,452	198,652	205,518	205,518	6,867
Operating	65,004	28,784	27,707	27,707	(1,077)
Capital Outlay	28,975	-	-	-	-
<b>Total Community Development Budget</b>	<b>284,431</b>	<b>227,436</b>	<b>233,225</b>	<b>233,225</b>	<b>5,789</b>

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>Building Department</b>					
Salaries	325,587	343,318	351,351	351,351	8,033
Operating	12,289	12,354	12,354	12,354	-
Capital Outlay	-	-	-	-	-
<b>Total Building Department Budget</b>	<b>337,876</b>	<b>355,672</b>	<b>363,705</b>	<b>363,705</b>	<b>8,033</b>
<b>Board of Health</b>					
Salaries	252,604	265,351	278,259	278,259	12,907
Operating	33,923	18,000	18,000	18,000	-
Capital Outlay	-	-	-	-	-
<b>Total Board of Health Budget</b>	<b>286,527</b>	<b>283,351</b>	<b>296,259</b>	<b>296,259</b>	<b>12,907</b>
<b>Total Planning and Development</b>	<b>908,834</b>	<b>866,459</b>	<b>893,189</b>	<b>893,189</b>	<b>26,729</b>
<b>Public Safety</b>					
<b>Police</b>					
Salaries	6,690,492	7,032,325	6,673,389	6,673,389	(358,936)
Operating	691,377	654,269	806,793	771,293	117,024
Capital Outlay	377,721	292,700	347,884	345,384	52,684
<b>Total Police Budget</b>	<b>7,759,590</b>	<b>7,979,294</b>	<b>7,828,066</b>	<b>7,790,066</b>	<b>(189,228)</b>
<b>Fire</b>					
Salaries	5,275,516	5,402,538	5,431,490	5,431,490	28,952
Operating	418,491	398,168	388,653	388,653	(9,515)
Capital Outlay	-	-	-	-	-
<b>Total Fire Budget</b>	<b>5,694,007</b>	<b>5,800,706</b>	<b>5,820,143</b>	<b>5,820,143</b>	<b>19,437</b>
<b>Emergency Management</b>					
Salaries	-	4,637	4,637	4,637	-
Operating	35,902	28,890	2,175	2,175	(26,715)
Capital Outlay	-	-	-	-	-
<b>Total Emergency Mgt. Budget</b>	<b>35,902</b>	<b>33,527</b>	<b>6,812</b>	<b>6,812</b>	<b>(26,715)</b>
<b>Parking Clerk</b>					
Salaries	4,000	4,000	4,000	4,000	-
Operating	1,200	1,200	1,200	1,200	-
Capital Outlay	-	-	-	-	-
<b>Total Parking Clerk Budget</b>	<b>5,200</b>	<b>5,200</b>	<b>5,200</b>	<b>5,200</b>	<b>-</b>
<b>Total Public Safety Budget</b>	<b>13,494,699</b>	<b>13,818,727</b>	<b>13,660,221</b>	<b>13,622,221</b>	<b>(196,507)</b>

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>School Departments</b>					
<b>Tewksbury</b>					
Salaries	32,224,455	34,501,227	35,245,995	35,245,995	744,768
Operating	15,608,135	13,738,382	14,537,730	14,537,730	799,348
Capital Outlay	660,074	948,877	850,000	850,000	(98,877)
<b>Total School Operating Budget</b>	<b>48,492,664</b>	<b>49,188,486</b>	<b>50,633,725</b>	<b>50,633,725</b>	<b>1,445,239</b>
Offsets	-	-	-	-	-
<b>Net School Operating Budget</b>	<b>48,492,664</b>	<b>49,188,486</b>	<b>50,633,725</b>	<b>50,633,725</b>	<b>1,445,239</b>
<b>Fixed Costs</b>					
Health	7,577,198	8,219,178	8,173,438	8,173,438	(45,740)
Retirement	1,391,282	1,480,098	1,533,339	1,533,339	53,241
Medicare	479,398	506,000	517,385	517,385	11,385
Unemployment	56,362	75,000	75,000	75,000	-
Insurance	223,671	239,792	254,179	254,179	14,387
Principal	830	-	-	-	-
Long Term Interest	17	-	-	-	-
Short Term Interest	-	-	-	-	-
<b>Total Fixed Costs</b>	<b>9,728,757</b>	<b>10,520,068</b>	<b>10,553,341</b>	<b>10,553,341</b>	<b>33,273</b>
<b>Town Tewksbury School Budget</b>	<b>58,221,421</b>	<b>59,708,554</b>	<b>61,187,066</b>	<b>61,187,066</b>	<b>1,478,512</b>
<b>Exempt School Debt Principal</b>	<b>2,106,185</b>	<b>4,697,375</b>	<b>4,692,965</b>	<b>4,692,965</b>	<b>(4,410)</b>
<b>Exempt School Exempt Interest</b>	<b>876,517</b>	<b>2,899,667</b>	<b>2,791,992</b>	<b>2,791,992</b>	<b>(107,675)</b>
<b>Shawsheen Regional Vocational School</b>	<b>6,201,732</b>	<b>6,593,936</b>	<b>6,924,597</b>	<b>6,924,597</b>	<b>330,661</b>
<b>Essex North Shore Agricultural and Tech. School District</b>	<b>124,159</b>	<b>129,125</b>	<b>128,982</b>	<b>128,982</b>	<b>(143)</b>
<b>Total School Departments</b>	<b>67,530,013</b>	<b>74,028,658</b>	<b>75,725,602</b>	<b>75,725,602</b>	<b>1,696,944</b>
<b>Department of Public Works</b>					
<b>DPW Administration</b>					
Salaries	379,622	410,103	410,993	411,593	1,490
Water Enterprise Fund Allocation	(61,137)	(64,796)	(66,578)	(66,578)	(1,782)
Sewer Enterprise Fund Allocation	(61,137)	(64,796)	(66,578)	(66,578)	(1,782)
<i>Total Salaries Net of Allocations</i>	257,348	280,511	277,837	278,437	(2,074)
Operating	207,013	147,475	145,125	145,125	(2,350)
Water Enterprise Fund Allocation	(30,524)	(36,931)	(36,281)	(36,281)	650
Sewer Enterprise Fund Allocation	(30,524)	(36,931)	(36,281)	(36,281)	650
<i>Total Operating Net of Allocations</i>	145,965	73,613	72,563	72,563	(1,050)
Capital Outlay	45,000	11,000	-	-	(11,000)
<b>Total DPW Administration Budget</b>	<b>631,636</b>	<b>568,578</b>	<b>556,118</b>	<b>556,718</b>	<b>(11,860)</b>
<b>Total DPW Administration Budget Net Allocations</b>	<b>448,314</b>	<b>365,124</b>	<b>350,400</b>	<b>351,000</b>	<b>(14,124)</b>
<b>DPW Engineering</b>					
Salaries	458,402	482,827	504,078	504,078	21,251
Water Enterprise Fund Allocation	(154,348)	(166,973)	(164,074)	(164,074)	2,899
Sewer Enterprise Fund Allocation	(146,192)	(157,406)	(161,357)	(161,357)	(3,951)
<i>Total Salaries Net of Allocations</i>	157,862	158,448	178,646	178,646	20,198
Operating	43,006	36,924	36,927	36,927	3
Water Enterprise Fund Allocation	(15,404)	(15,508)	(15,509)	(15,509)	(1)
Sewer Enterprise Fund Allocation	(12,470)	(12,554)	(12,555)	(12,555)	(1)
<i>Total Operating Net of Allocations</i>	15,132	8,862	8,863	8,863	1
Capital Outlay	-	-	-	-	-
<b>Total DPW Engineering Budget</b>	<b>501,407</b>	<b>519,751</b>	<b>541,005</b>	<b>541,005</b>	<b>21,254</b>
<b>Total DPW Engineering Budget Net Allocations</b>	<b>172,993</b>	<b>167,310</b>	<b>187,509</b>	<b>187,509</b>	<b>20,199</b>

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>DPW Highway</b>					
Salaries	734,939	844,946	886,411	886,411	41,465
Operating	520,237	343,330	351,080	351,080	7,750
Capital Outlay	-	-	-	-	-
<b>Total DPW Highway Budget</b>	<b>1,255,175</b>	<b>1,188,276</b>	<b>1,237,491</b>	<b>1,237,491</b>	<b>49,215</b>
<b>DPW Forestry</b>					
Salaries	-	-	-	-	-
Operating	89,934	84,785	86,255	86,255	1,470
Capital Outlay	-	-	-	-	-
<b>Total DPW Forestry Budget</b>	<b>89,934</b>	<b>84,785</b>	<b>86,255</b>	<b>86,255</b>	<b>1,470</b>
<b>DPW Fleet Maintenance</b>					
Salaries	285,356	303,906	317,015	317,015	-
Water Enterprise Fund Allocation	(36,262)	(50,503)	(52,121)	(52,121)	-
Sewer Enterprise Fund Allocation	(36,262)	(50,503)	(52,121)	(52,121)	-
Total Salaries Net of Allocations	212,832	202,900	212,773	212,773	-
Operating	517,555	512,775	513,395	513,395	620
Water Enterprise Fund Allocation	(46,940)	(52,624)	(53,479)	(53,479)	(855)
Sewer Enterprise Fund Allocation	(46,940)	(52,624)	(53,479)	(53,479)	(855)
Total Operating Net of Allocations	423,675	407,527	406,437	406,437	(1,090)
Capital Outlay	39,650	9,000	24,000	24,000	15,000
<b>Total DPW Fleet Maint, Budget</b>	<b>842,561</b>	<b>825,681</b>	<b>854,410</b>	<b>854,410</b>	<b>15,620</b>
<b>Total DPW Fleet Maint, Budget Net Allocations</b>	<b>676,157</b>	<b>619,427</b>	<b>643,210</b>	<b>643,210</b>	<b>14,765</b>
<b>DPW Snow and Ice</b>					
Salaries	210,864	95,000	95,000	95,000	-
Operating	603,664	161,000	161,000	161,000	-
Capital Outlay	60,565	-	-	-	-
<b>Total DPW Snow and Ice Budget</b>	<b>875,094</b>	<b>256,000</b>	<b>256,000</b>	<b>256,000</b>	<b>-</b>
<b>Street Lighting</b>					
Operating	265,457	180,000	180,000	180,000	-
<b>Total Street Lighting Budget</b>	<b>265,457</b>	<b>180,000</b>	<b>180,000</b>	<b>180,000</b>	<b>-</b>
<b>Solid Waste</b>					
Operating	2,393,291	2,455,195	2,539,013	2,539,013	83,817
<b>Total Solid Waste Budget</b>	<b>2,393,291</b>	<b>2,455,195</b>	<b>2,539,013</b>	<b>2,539,013</b>	<b>83,817</b>
<b>Total DPW Budget</b>	<b>6,854,554</b>	<b>6,078,267</b>	<b>6,250,291</b>	<b>6,250,891</b>	<b>159,515</b>
<b>Total DPW Budget Net Allocations</b>	<b>6,176,414</b>	<b>5,316,118</b>	<b>5,479,878</b>	<b>5,480,478</b>	<b>155,342</b>

General Fund Budget Classification	FY2019 EXPENDED	FY2020 BUDGETED	FY2021 DEPT REQ	FY2021 TM REC	BUDGET INC/DEC
<b>Unclassified</b>					
Non-Exempt Principal Maturing Debt	265,900	244,415	1,015,000	1,015,000	770,585
Non Exempt Interest-Maturing Debt	121,242	111,520	667,106	667,106	555,586
Interest-Temporary Loans	-	-	-	-	-
Exempt Principal Maturing Debt	3,572,370	3,760,630	3,635,280	3,635,280	(125,350)
Exempt Interest-Maturing Debt	2,534,154	1,641,512	1,478,924	1,478,924	(162,588)
<i>Middlesex Retirement Assmt.</i>	6,580,426	7,065,138	7,264,629	7,264,629	199,491
Water Enterprise Fund Allocation	(355,202)	(435,658)	(453,004)	(453,004)	(17,346)
Sewer Enterprise Fund Allocation	(79,196)	(64,048)	(69,209)	(69,209)	(5,161)
Cable Enterprise Fund Allocation	-	-	(11,940)	(11,940)	(11,940)
<i>Total Retirement</i>	6,146,028	6,565,432	6,730,476	6,730,476	165,044
Occupational Injury Reserve	125,000	125,000	125,000	125,000	-
Unemployment Compensation	1,749	5,000	5,000	5,000	-
<i>Group Insurance</i>	4,638,638	4,881,551	4,995,385	4,995,385	113,834
Water Enterprise Fund Allocation	(289,330)	(352,093)	(330,668)	(330,668)	21,425
Sewer Enterprise Fund Allocation	(112,723)	(131,469)	(138,669)	(138,669)	(7,200)
Cable Enterprise Fund Allocation	-	(15,443)	(15,443)	(15,443)	-
<i>Total Group Insurance</i>	4,236,585	4,382,546	4,510,605	4,510,605	128,059
<i>Medicare Tax</i>	303,174	278,000	284,498	284,498	6,498
Water Enterprise Fund Allocation	(19,381)	(20,252)	(19,764)	(19,764)	488
Sewer Enterprise Fund Allocation	(4,931)	(5,925)	(6,009)	(6,009)	(84)
Cable Enterprise Fund Allocation	-	(2,069)	(2,382)	(2,382)	(313)
<i>Total Medicare Tax</i>	278,862	249,754	256,343	256,343	6,589
Other-Post Employment Benefits	650,000	650,000	650,000	650,000	-
<i>Property and Liability Insurance</i>	335,752	469,430	500,540	500,540	31,110
Water Enterprise Fund Allocation	(64,845)	(66,757)	(70,762)	(70,762)	(4,005)
Sewer Enterprise Fund Allocation	(13,705)	(12,991)	(13,770)	(13,770)	(779)
<i>Total Property and Liability</i>	257,202	389,682	416,008	416,008	26,326
North Middlesex Regional Emergency Communications Center	-	-	490,809	490,809	490,809
<b>Total Unclassified Budget</b>	<b>19,128,405</b>	<b>19,232,196</b>	<b>21,112,171</b>	<b>21,112,171</b>	<b>1,879,976</b>
<b>Total Unclassified Budget Net Allocations</b>	<b>18,189,092</b>	<b>18,125,491</b>	<b>19,980,551</b>	<b>19,980,551</b>	<b>1,855,061</b>
<b>Total Budget Before Transfers, Allocations and Offsets</b>	<b>113,411,166</b>	<b>119,785,283</b>	<b>123,623,503</b>	<b>123,575,953</b>	<b>3,790,670</b>
<b>Total Budget Before Transfers Net Allocations/Offsets</b>	<b>111,683,039</b>	<b>117,800,809</b>	<b>121,608,016</b>	<b>121,560,466</b>	<b>3,759,657</b>
<b>Transfers</b>					
To the Sewer Enterprise Fund	36,208	14,749	-	-	(14,749)
To the Water Enterprise Fund	-	-	-	-	-
Special Revenue	-	-	-	-	-
Town Trust Funds	-	-	-	-	-
<b>Total Transfers</b>	<b>36,208</b>	<b>14,749</b>	<b>-</b>	<b>-</b>	<b>(14,749)</b>
<b>ATM General Fund Budget</b>	<b>111,719,247</b>	<b>117,815,558</b>	<b>121,608,016</b>	<b>121,560,466</b>	<b>3,744,908</b>

## Town Manager

**Executive Summary:** The purpose of the article is to fund various department budgets for Fiscal Year 2021



**ARTICLE 6**

To see if the Town will vote to raise and appropriate a sum of \$7,346,811 to be expended by the Town Manager to operate the Water Enterprise Fund; or take any action relative thereto.

<b>TOWN OF TEWKSBURY</b>				
<b>WATER ENTERPRISE FUND</b>				
<b>FISCAL YEAR 2021 PROPOSED BUDGET</b>				
<b><u>Direct Expenses</u></b>	<b><u>FY19 Expended</u></b>	<b><u>FY20 Approved</u></b>	<b><u>FY21 Recommended</u></b>	<b><u>Inc(Dec)</u></b>
Salaries	1,428,651	1,518,171	1,660,863	142,692
Expenses	1,713,923	1,594,929	1,581,039	(13,890)
Capital Outlay	31,249	-	-	-
Reserve Fund	-	25,000	25,000	-
Occupational Health	-	20,000	20,000	-
Other Post Employment Benefits	-	163,947	163,947	-
Debt	<u>2,578,515</u>	<u>2,520,696</u>	<u>2,576,995</u>	<u>56,299</u>
Subtotal	5,752,338	5,842,744	6,027,844	185,101
<b><u>Indirect Expenses</u></b>				
Town Manager	8,457	9,668	9,886	218
Accounting	10,151	9,425	9,880	455
Computer Services	1,384	1,466	1,810	344
Treasurer/Collector	33,819	35,610	33,468	(2,142)
Administrative Services	1,526	1,641	1,683	42
Dept. of Public Works	344,615	387,335	388,042	707
Group Insurance	289,330	352,093	330,668	(21,425)
Retirement	355,202	435,658	453,004	17,346
Medicare	19,381	20,252	19,764	(488)
Property and Liability	<u>64,845</u>	<u>66,757</u>	<u>70,762</u>	<u>4,005</u>
Subtotal	1,128,710	1,319,905	1,318,967	(938)
<b><u>Capital Expenditures</u></b>	-	-	-	-
<b>Total Appropriation</b>	<b>6,881,048</b>	<b>7,162,649</b>	<b>7,346,811</b>	<b>184,163</b>
<b><u>Projected Water Revenue</u></b>	<b><u>FY19 Collected</u></b>	<b><u>FY20 Projected</u></b>	<b><u>FY21 Projected</u></b>	<b><u>Inc(Dec)</u></b>
User Fees	7,366,076	6,841,522	6,939,511	97,989
Water Liens	416,861	400,000	400,000	-
All Other Fees	<u>147,159</u>	<u>100,000</u>	<u>100,000</u>	<u>-</u>
<b>Total Revenue</b>	<b>7,930,095</b>	<b>7,341,522</b>	<b>7,439,511</b>	<b>97,989</b>
<b>Operating Deficit/Surplus</b>	<b>1,049,047</b>	<b>178,873</b>	<b>92,700</b>	<b>(86,174)</b>

Town Manager

**Executive Summary:** The purpose of this article is to fund the Water Enterprise Fund for Fiscal Year 2021.

**ARTICLE 7**

To see if the Town will vote to raise and appropriate a sum of \$1,162,940 to be expended by the Town Manager to operate the Stormwater Enterprise Fund; or take any action relative thereto.

<b>TOWN OF TEWKSBURY</b>				
<b>STORMWATER ENTERPRISE FUND</b>				
<b>FISCAL YEAR 2021 PROPOSED BUDGET</b>				
<b><u>Direct Expenses</u></b>	<b><u>FY19 Expended</u></b>	<b><u>FY20 Approved</u></b>	<b><u>FY21 Recommended</u></b>	<b><u>Inc(Dec)</u></b>
Salaries	-	-	-	-
Expenses	-	-	637,940	637,940
Capital Outlay	-	-	-	-
Reserve Fund	-	-	25,000	25,000
Subtotal	-	-	662,940	662,940
				-
<b><u>Indirect Expenses</u></b>				
Subtotal	-	-	-	-
<b>Capital Expenditures</b>	-	-	500,000	500,000
<b>Total Appropriation</b>	-	-	<b>1,162,940</b>	<b>1,162,940</b>
				-
<b><u>Projected Stormwater Revenue</u></b>	<b><u>FY19 Collected</u></b>	<b><u>FY20 Projected</u></b>	<b><u>FY21 Projected</u></b>	<b><u>Inc(Dec)</u></b>
User Fees	-	-	1,190,700	1,190,700
<b>Total Revenue</b>	-	-	<b>1,190,700</b>	<b>1,190,700</b>
				-
<i>Operating Deficit/Surplus</i>	-	-	27,760	27,760

Town Manager

**Executive Summary:** The purpose of this article is to fund the Stormwater Enterprise Fund for Fiscal Year 2021.

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**ARTICLE 8**

To see if the Town will vote to raise and appropriate a sum of \$392,219 to be expended by the Town Manager to operate the Cable TV Enterprise Fund; or take any action relative thereto.

<b>TOWN OF TEWKSBURY</b>				
<b>CABLE TV ENTERPRISE FUND</b>				
<b>FISCAL YEAR 2021 PROPOSED BUDGET</b>				
<b><u>Direct Expenses</u></b>	<b><u>FY19 Expended</u></b>	<b><u>FY20 Approved</u></b>	<b><u>FY21 Recommended</u></b>	<b><u>Inc(Dec)</u></b>
Salaries	80,816	156,307	169,616	13,309
Expenses	369,341	61,300	79,800	18,500
Capital Outlay	-	90,000	54,151	(35,849)
Reserve Fund	-	-	50,000	-
Occupational Health			3,000	3,000
Other Post Employment Benefits			6,200	6,200
Debt	-	-	-	-
<b>Subtotal</b>	<b>450,157</b>	<b>307,607</b>	<b>362,767</b>	<b>55,160</b>
<b><u>Indirect Expenses</u></b>				
Subtotal	-	-	29,452	29,452
<b><u>Capital Expenses</u></b>	-	-	-	-
<b>Total Appropriation</b>	<b>450,157</b>	<b>307,607</b>	<b>392,219</b>	<b>84,612</b>
<b><u>Projected Cable TV Revenue</u></b>	<b><u>FY19 Collected</u></b>	<b><u>FY20 Projected</u></b>	<b><u>FY21 Projected</u></b>	<b><u>Inc(Dec)</u></b>
Cable Franchise Fees	766,556	600,000	600,000	
All Other Fees	-	-	-	-
<b>Total Revenue</b>	<b>766,556</b>	<b>600,000</b>	<b>600,000</b>	<b>-</b>
<b><i>Operating Deficit/Surplus</i></b>	<b><i>316,399</i></b>	<b><i>292,393</i></b>	<b><i>207,781</i></b>	<b><i>(84,612)</i></b>

Town Manager

**Executive Summary:** The purpose of this article is to fund the Cable TV Enterprise Fund for Fiscal Year 2021.

**ARTICLE 9**

To see if the Town will vote to transfer the sum of \$95,000 from Water Enterprise Fund Retained Earnings to be expended by the Town Manager for various purposes; or take any action relative thereto.

Replace F-550 dump w/plow package	55,000
Risk and Resiliency Assessment/Emergency Response Plan	40,000
<b>Total</b>	<b>95,000</b>

Town Manager

**Executive Summary:** This article allows the Town to utilize funds from Water Retained Earnings for Capital Equipment and Improvements.

**ARTICLE 10**

To see if the Town will vote to transfer the sum of \$55,000 from Sewer Enterprise Fund Retained Earnings to be expended by the Town Manager for various purposes; or take any action relative thereto.

Replace F-550 dump w/plow package	55,000
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Town Manager

**Executive Summary:** This article allows the Town to utilize funds from Sewer Retained Earnings for Capital Equipment and Improvements.

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**ARTICLE 11**

To see if the Town will vote to appropriate the sum of \$1,500,000 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, and, if by borrowing, 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; or take any action relative thereto. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**Motion:** That the Town hereby appropriates the sum of \$1,500,000, 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. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Town Manager

**Executive Summary:** This article authorizes the Town to borrow funds for the cost to install and replace waterlines in the Town.

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**ARTICLE 12**

To see if the Town will vote to transfer from Bond Premiums the sum of \$55,113.92 to reduce Town Exempt Debt Principal; or take any action relative thereto.

Town Manager

**Executive Summary:** This article transfers funds available from Bond Premiums to reduce the amount of Exempt Debt Service Principal.

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**ARTICLE 13**

To see if the Town will vote to transfer the sum of \$52,500 to be expended by the Town Manager from Overlay Surplus to fund a Senior Tax Relief Work Program and a Veterans Tax Relief Work 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 Work Program and Veterans Tax Relief Work Program that allows eligible Senior Citizens and Veterans of the Town to work for Town and School offices and receive a reduction in their property tax bill.

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**ARTICLE 14**

To see if the Town will vote to approve the FY 2021 Affordable Housing Trust Fund Allocation Plan as follows:

<b>ALLOCATION PLAN</b>	<b>for FY 2021</b>
<b>Starting Balance:</b>	\$4,992,486
<b>Total Available Funds FY21</b>	<b>\$4,992,486</b>
<b>Expenses</b>	
Creation of New Units/ Buy Down of Existing Units	\$4,992,486
<b>Total Projected Expenses for FY21</b>	<b>\$4,992,486</b>

or take any action relative thereto.

Town Manager

**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 2021 allocation plan meets the expenditure requirements of the Special Act.

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**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 2021, with each item to be considered a separate appropriation:

<u>Appropriations:</u>	
Administrative Costs	\$ 54,437.20
<u>Reserves:</u>	
Open Space	\$ 108,874.41
Community Housing	\$ 108,874.41
Historic Preservation	-----
FY2020 Budgeted Reserve	\$ 816,000.00

or take any action relative 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. FY2021 Historic 10% Reserve will be achieved with the Town Hall Rehabilitation Bond payment. The total CPA Estimated FY2021 revenue is \$1,076,456.66.

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**ARTICLE 16**

To see if the Town will vote to appropriate the sum of \$40,000 from the Community Preservation Fund Open Space Reserve for the purpose improving and expanding the existing trail network with the Town and access to existing open space and trail networks within the Town 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; or to take any other action thereon.

Community Preservation Committee

**Executive Summary:** This funding will allow for the improvements of trails and access to trails and open space parcels.

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**ARTICLE 17**

To see if the Town will vote to terminate an existing easement from PSI Atlantic Tewksbury LLC. The easement is shown on a plan entitled “As-Built Plan Cubesmart Self-Storage Facility 395 Woburn Street Tewksbury & Lowell, MA” dated May 8, 2019, revised August 15, 2019, prepared by Hayner/Swanson, Inc., 3 Congress Street Nashua, NH; or take any action relative thereto. A copy of the plans may be viewed at the Department of Public Works, Engineering Division 999 Whipple Road, Tewksbury, MA 01876, and the Town Clerk’s Office, Town Hall, 1009 Main Street, Tewksbury, MA 01876.

Town Manager

**Executive Summary:** PSI Atlantic Tewksbury LLC provided the Town a drainage easement across their land at 395 Woburn Street that is no longer needed and should be terminated.

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**ARTICLE 18**

To see if the Town will vote to authorize the Board of Selectmen to sell all or a portion of the following parcels of land; or take any action relative thereto.

<b>Address</b>	<b>Assessors</b>		<b>Square Feet</b>	<b>Current</b>
	<b>Map and Block</b>	<b>Acreage</b>		<b>Assessed Value</b>
Maryland Road	81/202	0.07	3,049	\$ 3,100.00
Hillman Street	49/14	0.07	3,049	\$ 300.00
Hillman Street	49/15	0.04	1,742	\$ 100.00
Portland Street	49/16	0.04	1,742	\$ 300.00
Portland Street	49/17	0.04	1,742	\$ 300.00
Portland Street	49/21	0.04	1,742	\$ 100.00
Portland Street	48/61	0.07	3,049	\$ 300.00
Washington Street	49/27	0.07	3,049	\$ 300.00
Washington Street	48/68	0.07	3,049	\$ 300.00
Rockland Street	34/26	0.13	5,663	\$ 400.00
Woodside Terrace	85/71	0.26	11,326	\$ 35,300.00

Town Manager

**Executive Summary:** This article would allow for the sale of these parcels of land in accordance with the Town Bylaw.

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## ARTICLE 19

To see if the Town will vote to amend the Tewksbury General Bylaws by amending the Town's Stormwater Bylaw – Chapter 19 with additions redlined and deletions appearing as strikeouts. Modification of the bylaw is necessary to comply with the EPA Stormwater Permit; or take any action relative thereto.

### Chapter 19

#### Stormwater Management & Erosion Control

**Sections:**

19.010	Purpose
19.020	Definitions
19.030	Authority
19.40	Applicability
19.41	Regulated Activities
19.42	Exempt Activities
19.43	Activities Allowed to Request Exemption
19.050	Administration
19.060	Permits and Procedures
19.070	Fees
19.080	Surety
19.090	Waivers
19.100	Inspections
19.110	Enforcement
19.120	Stormwater Management Plan
19.130	Operation and Maintenance Plans
19.140	Severability

**19.010 Purpose**

A. Increased volumes of stormwater, contaminated stormwater runoff from impervious surfaces, and soil erosion and sedimentation are major causes of:

1. impairment of water quality ~~and decreased flow in lakes, ponds, streams, rivers, wetlands and groundwater;~~
2. decreased flow in lakes, ponds, streams, rivers, wetlands and groundwater;
3. contamination of drinking water supplies;
4. erosion of stream channels;
5. alteration or destruction of aquatic and wildlife habitat;
6. flooding;
7. overloading or clogging of municipal catch basins and storm drainage systems; and
8. flooding and erosion on abutting properties.

The United States Environmental Protection Agency (EPA) has identified sedimentation from land disturbance activities and polluted stormwater runoff from land development and redevelopment as major sources of water pollution, impacting drinking water supplies, natural habitats, and recreational resources. Regulation of activities that result in the disturbance of land and the creation of stormwater runoff is necessary for the protection of the Town of Tewksbury water bodies and groundwater resources, to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town.

In addition, this bylaw establishes stormwater management standards for the final conditions that result from development and redevelopment projects to minimize adverse impacts offsite and downstream which would be borne by abutters, townspeople and the general public.

B. The **objectives** of this Bylaw are to:

1. protect water resources;
2. require practices that eliminate soil erosion and sedimentation;

3. control the volume and rate of stormwater runoff resulting from land disturbance activities in order to minimize potential impacts of flooding;
4. require practices to manage and treat stormwater runoff generated from new development and redevelopment;
5. protect groundwater and surface water from degradation or depletion;
6. promote infiltration and the recharge of groundwater;
7. prevent pollutants from entering the municipal storm drain system;
8. prevent flooding and erosion to abutting properties;
9. ensure that soil erosion and sedimentation control measures and stormwater runoff management practices are incorporated into the site planning and design process and are implemented and maintained;
10. ensure adequate long-term operation and maintenance of stormwater best management practices so that they work as designed;
11. require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at construction sites that may cause adverse impacts to water quality;
12. comply with state and federal statutes and regulations relating to stormwater discharges; and
13. establish the Town of Tewksbury legal authority to ensure compliance with the provisions of this Bylaw through inspection, monitoring and enforcement.

**19.020 Definitions**

**ABUTTER:** The owner(s) of land abutting the land disturbance site.

**AGRICULTURE:** The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act (M.G.L. c. 131 § 40) and its implementing regulations (310 CMR 10.00).

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, or the force, quantity, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined, discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

**APPLICANT:** Shall be the owner of record of all of the land shown on any plan submitted for approval to the Planning Board in accordance with the Stormwater Management Bylaw and Regulations, any person or persons acting on behalf of the applicant for purposes of preparing and submitting plans and documents to the Planning Board, and may include engineers, surveyors, contractors or attorneys, and may also include any person or persons having an equitable interest in the land under an agreement or option to purchase the land. The owner shall certify in writing the identity of each applicant who is authorized to submit plans and/or documents and act on behalf of the owner. Without such certification an applicant shall not act on behalf of the owner. The applicant shall submit the title reference or references from the Middlesex County Registry of Deeds indicating the owner of record. All applications shall include original signatures of all owners.

**AUTHORIZED ENFORCEMENT AGENCY:** The Planning Board and its employees or agents who will be in charge of enforcing the requirements of this bylaw.

**BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

**THE BOARD –** Town of Tewksbury Planning Board.

**CONSTRUCTION AND WASTE MATERIALS:** Excess or discarded building or construction site materials that may adversely impact water quality, including but not limited to **discarded building materials**, concrete truck washout, chemicals, litter and sanitary waste.

**CLEARING:** Any activity that removes the vegetative surface cover. Clearing activities generally include grubbing activity as defined below.

**DEVELOPMENT:** The modification of land to accommodate a new use or expansion of use, usually involving construction.

**DISTURBANCE OF LAND:** Any action, including clearing and grubbing, that causes a change in the position, location, or

arrangement of soil, sand, rock, gravel, or similar earth material.

**EROSION:** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**EROSION AND SEDIMENTATION CONTROL PLAN:** A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a public land surveyor (PLS), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbance activities.

**GRADING:** Changing the level or shape of the ground surface.

**GRUBBING:** The act of clearing land surface by digging up roots and stumps.

**IMPAIRED WATER:** A water is impaired if it does not meet one or more of its designated use(s). For purposes of the MS4 permit, "impaired" refers to categories 4 and 5 of the five-part categorization approach used for classifying the water quality standards attainment status for water segments under the Total Maximum Daily Load (TMDL) program. Impaired waters compilations are also sometimes referred to as "303(d) lists." Category 5 waters are impaired because at least one designated use is not being supported or is threatened and a TMDL is needed. Category 4 waters indicate that at least one designated use is not being supported but a TMDL is not needed (4a indicates that a TMDL has been approved or established by EPA; 4b indicates other required control measures are expected in result in the attainment of water quality standards in a reasonable period of time; and 4c indicates that the nonattainment of the water quality standard is the result of pollution (e.g. habitat) and is not caused by a pollutant.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and roof tops. Impervious surface also includes soils, gravel driveways, and similar surfaces with a runoff coefficient (Rational Method) greater than 85.

**LAND-DISTURBING ACTIVITY or LAND DISTURBANCE:** Any activity, including clearing and grubbing, that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

**LAND-DISTURBANCE PERMIT:** A permit issued by the Planning Board.

**LOT:** An area or parcel of land or any part thereof, in common ownership, designated on a plan filed with the Town of Tewksbury by its owner or owners as a separate lot.

**LOW-IMPACT DEVELOPMENT (LID):** The use of innovative stormwater management systems that are modelled after natural hydrologic features. Rainfall is managed at the source using small, cost-effective landscape features located at the lot level.

~~**MASSACHUSETTS STORMWATER MANAGEMENT POLICY:** The Policy issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act MGL c. 131 s. 40 and the Massachusetts Clean Waters Act MGL c. 21, ss. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.~~

~~**MAJOR LAND DISTURBANCE:** The disturbance of 40,000 square feet or more of land as listed in Section 19.041(B). Major land disturbances require a Land Disturbance Permit, as well as a Public Hearing.~~

~~**MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS:** The Stormwater Standards and accompanying Stormwater Handbook, as amended, issued by the Department of Environmental Protection pursuant to authority under the Wetlands Protection Act, M.G.L. c. 131, §40, and the Massachusetts Clean Waters Act, M.G.L. c. §26-53. The Stormwater Management Standards are incorporated in the Wetlands Protection Act Regulations, 310 CMR 10.05(6)(k) and the Water Quality Certification Regulations, 314 CMR 9.06(6)(a).~~

~~**MINOR LAND DISTURBANCE:** The disturbance of five hundred (500) cubic yards or more of material or clearing activity which disturbs an area of 20,000 square feet or more and less than 40,000 square feet within any twelve (12) month period. Minor land disturbances require a Land Disturbance Permit but are exempt from the Public Hearing requirement.~~

**MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, swales, brooks, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Tewksbury.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION GENERAL PERMIT:** A permit issued under the authority of the Clean Water Act (CWA) by the Environmental Protection Agency (EPA) which authorizes the discharge of stormwater (and certain authorized non-stormwater discharges) from construction sites that disturb one acre or more of land, and from smaller sites that are part of a larger common plan of development. This permit requires operators of such construction sites to implement stormwater controls to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff.

**NEW DEVELOPMENT:** Any construction activities or land alteration resulting in total earth disturbances greater than or equal to one half acre (or activities that disturb less than one acre of land but are part of a larger common plan of development disturbing greater than one acre) on an area that has not previously been developed to include impervious cover.

**OPERATION AND MAINTENANCE PLAN:** A plan developed by a Massachusetts licensed professional engineer (PE) describing the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

**OUTFALL:** The point at which stormwater flows out from a discernible, confined point source or discrete conveyance into waters of the Commonwealth.

**OUTSTANDING RESOURCE WATERS (ORWs):** Waters designated by Massachusetts Department of Environmental Protection as ORWs. These waters have exceptional sociologic, recreational, ecological and/or aesthetic values and are subject to more stringent requirements under both the Massachusetts Water Quality Standards (314 CMR 4.00) and the Massachusetts Stormwater Management Standards. ORWs include vernal pools certified by the Natural Heritage Program of the Massachusetts Department of Fisheries and Wildlife and Environmental Law Enforcement, all Class A designated public water supplies with their bordering vegetated wetlands, and other waters specifically designated.

**OWNER:** Shall be the owner of record of all the land shown on any plan submitted. The owner shall submit the title reference or references from the Middlesex County Registry of Deeds indicating the owner of record.

**PERMITTEE:** The person who holds a land disturbance permit and therefore bears the responsibilities and enjoys the privileges conferred thereby.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POINT SOURCE:** Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

**PRE-CONSTRUCTION:** All activity in preparation for construction.

**PRIVATE STORM DRAIN SYSTEM or PRIVATE SEPARATE STORM SEWER SYSTEM:** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system that is not owned and maintained by the Town.

**REDEVELOPMENT:** ~~Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.~~ Any construction, land alteration, or improvement of impervious surfaces resulting in total earth disturbances greater than one half acre (or activities that disturb less than one acre of land but are part of a larger common plan of development disturbing greater than one acre) that does not meet the definition of new development (see above).

**REGULATED ACTIVITY:** Activities disturbing or substantially altering an area of 40,000 square feet or more. Regulated activities require a Land Disturbance Permit under this bylaw.

**RESPONSIBLE PARTIES:** owner(s), persons with financial responsibility, and persons with operational responsibility.

**RUNOFF:** Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

**SEDIMENTATION:** The process or act of deposition of sediment.

**SITE:** Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

**SLOPE:** The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**SOIL:** Earth materials including duff, humic materials, sand, rock and gravel

**STABILIZATION:** The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

**STORMWATER:** Stormwater runoff, snow melt runoff, and surface water runoff and drainage.

**STORMWATER MANAGEMENT PLAN:** A document containing narrative, drawings and details prepared by a qualified professional engineer (PE) or a professional public land surveyor (PLS), which includes structural and non-structural best management practices to manage and treat stormwater runoff generated from regulated development activity. A stormwater management plan also includes an Operation and Maintenance Plan describing the maintenance requirements for structural best management practices.

**STRIP:** Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

**TOTAL MAXIMUM DAILY LOAD (TMDL):** A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive while still meeting water quality standards, and allocation of that amount to the pollutant's sources.

**TSS:** Total Suspended Solids (**TSS**): Material, including but not limited to trash, debris, soils, sediment and sand suspended in stormwater runoff.

**WATERCOURSE:** A natural or man-made channel through which water flows, including a river, brook, or stream.

**WETLAND RESOURCE AREA:** Areas specified in the Massachusetts Wetlands Protection Act M.G.L. c. 131, s.40 and in the Town of Tewksbury Wetland Protection By-law.

### **19.030 Authority**

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the federal Clean Water Act found at 40 CFR 122.34.

### **19.040 Applicability**

No person may undertake a construction activity, including clearing, grading and excavation that results in a land disturbance that will disturb equal to or greater than one half acre of land or will disturb less than one acre of land but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one acre of land draining to the Town of Tewksbury's municipal separate storm sewer system without a permit from the Planning Board. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity or the original purpose of the site.

Except as permitted below or as otherwise provided in this Bylaw, no person shall perform any activity that results in disturbance or clearing of land without a land disturbance permit.

## 19.041 Regulated Activities.

- A. For minor land disturbance, defined as the disturbance of five hundred (500) cubic yards or more of material or clearing activity which disturbs an area of 20,000 square feet or more and less than 40,000 square feet within any twelve (12) month period, the activity shall be allowed only under a Land Disturbance Permit issued by the Planning Board. Said permit shall be considered an administrative action by the Planning Board and no public hearing shall be required. The Department of Community Development shall be the administrator of a minor land disturbance permit.
- B. Regulated activities by the Planning Board, **which constitute major land disturbances**, shall include, but not be limited to:
1. Land disturbance of 40,000 square feet or more of land, associated with construction or reconstruction of structures,
  2. Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs 40,000 square feet or more of land,
  3. Paving or other change in surface material over an area of 40,000 square feet or more causing a significant reduction of permeability or increase in runoff,
  4. Construction of a new drainage system or alteration of an existing drainage system or conveyance serving a drainage area of more than 40,000 square feet,
  5. Any other activity altering the surface of an area exceeding 40,000 square feet that will, or may, result in increased stormwater runoff flowing from the property into a public way or the municipal storm drain system, OR
  6. Land disturbance where there is a 15% or greater slope and where the land disturbance is greater than or equal to 200 square feet within the sloped area.
- C. Minimum performance standards for regulated activities:

**Applications for a Land Disturbance Permit for both Minor Land Disturbances and Regulated Activities (Major Land Disturbance) shall include an Erosion and Sediment Control Plan. This Plan shall be designed to ensure compliance with this Bylaw, and if applicable, the NPDES General Permit for Stormwater Discharges from Construction Activities. The Plan shall ensure that the Massachusetts Surface Water Quality Standards (314 CMR 4.00) are met in all seasons, and shall conform to the design standards outlined in the most recent version of the Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas.<sup>1</sup> The following minimum performance standards for erosion and sediment control shall be met on all regulated construction sites:**

1. Erosion control structures will be located no closer than 15 feet from an abutting property line and will be designed so as not to create point discharges onto abutting properties.
2. Dust from all earthmoving activities shall be controlled.
3. Earth materials shall not be deposited onto any roadways.
4. **The amount of disturbed area shall be minimized. Natural resources shall be protected.**
5. Vegetative stabilization measures shall be employed during the Regulated Activity and construction activity as required by the approving authority. All perimeter dikes and slopes, basin or trap embankments shall be stabilized with sod, seed, anchored mulch within seven (7) days of disturbance. All other disturbed areas shall be stabilized with sod, seed and anchored mulch within fourteen (14) days after disturbing activities are ceased.
6. Topsoil shall be stripped from disturbed areas and stockpiled in an approved area and stabilized with a temporary vegetative cover if left more than fifteen (15) calendar days. Perimeter sediment controls shall be installed around stockpiled topsoil.
7. During cold weather months, when seeding and sodding may be impractical, anchored mulch shall be applied as approved.
8. **All storm drain inlets shall be protected, and all newly constructed outlets shall be armored in accordance with the above-mentioned guidelines.**
9. **Perimeter controls shall be used at the site.**
10. **All construction site entrances and exits shall be stabilized to prevent off-site tracking.**
11. **Stormwater controls shall be inspected at consistent intervals, including during or immediately after a storm.**

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<sup>1</sup> <https://www.mass.gov/files/documents/2016/08/qz/esfull.pdf>

12. Construction site operators shall control all construction and waste materials, as defined in Section 19.020 of this bylaw. These wastes may not be discharged to the MS4.

#### 19.042 Exempt Activities.

The following activities are exempt from the requirements of this Bylaw:

1. Normal maintenance and improvement of Town owned public ways and appurtenances.
2. Normal maintenance and improvement of land in agricultural use.
3. Repair of septic systems when required by the Board of Health for the protection of public health.
4. Normal maintenance of currently existing landscaping, gardens or lawn areas associated with a single-family dwelling.
5. The construction of fencing that will not alter existing terrain or drainage patterns.
6. Construction of utilities other than drainage (gas, water, electric, telephone, etc.) that will not alter terrain or drainage patterns.
7. Maintenance of existing town drainage system, including, but not limited to removal of trees, debris, sediment and trash from swales, brooks, culverts, and any other impediment to the flow of the town's drainage system.
8. Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04;
9. As authorized in the Phase II Small MS4 General Permit for Massachusetts, storm water discharges **resulting from activities that disturb less than one acre and are not part of a larger common plan of development that disturbs more than once acre** ~~resulting from the activities identified in Section 19.043~~ that are wholly subject to jurisdiction under the Wetlands Protection Act and demonstrate compliance with the Massachusetts Stormw ~~W~~ater Management **Policy Standards** as reflected in an Order of Conditions issued by the Conservation Commission are exempt from compliance with this bylaw.

#### ~~19.043 Activities Allowed to Request Exemption:~~

~~Areas of land that have had a Stormwater Management review either through the Conservation Commission or Planning Board using the performance standards as defined in this bylaw and Regulations may request an exemption from the requirements of this bylaw. Requests must include a plan of the area of land reviewed and approved by either the Planning Board or Conservation Commission accompanied by a sign-off from the issuing authority. The Planning Board will review each request on an individual basis and issue a decision as to whether the exemption is granted or whether the applicant is required to file for a permit.~~

#### 19.050 Administration

- A. The Planning Board shall administer this bylaw. The Town of Tewksbury's Community Development Department shall serve as the Planning Board's primary staff support for this bylaw. The Department may use the Director, Conservation Administrator, Town Engineer, or others to implement this bylaw.
- B. The Planning Board and its agents shall review all applications for a land disturbance permit, conduct inspections, issue a final permit and conduct any necessary enforcement action.
- C. The Planning Board may adopt and periodically amend Stormwater Regulations relating to Land Disturbance Permits, exemption or waiver applications; permit terms or conditions, Design Criteria, additional definitions, enforcement, fees (including application, inspection, and/or consultant fees), or other procedures and administration of this Bylaw after conducting a public hearing to receive comments on any proposed revisions. Such hearing dates shall be advertised in a newspaper of general local circulation, at least seven (7) days before the hearing date. After public notice and hearing, the Planning Board may promulgate rules and regulations to effectuate the purposes of this Bylaw. Failure by the Planning Board to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Bylaw.
- D. The Planning Board will refer to ~~the policy,~~ the criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Management **Policy Standards, the criteria required under Section 19.120 of this bylaw,** or with Design Criteria that may be developed or in Tewksbury's Subdivision Regulations, whichever is more stringent, in the protection of the town's environmental and infrastructure resources, for execution of the provisions of this Bylaw.

- E. All meetings of the Planning Board are subject to the Open Meeting Law. A notice in the local newspaper of a hearing on the Land Disturbance Application and that the Planning Board is accepting comments on the Land Disturbance Application shall be published at the applicant's expense. The Land Disturbance Application shall be available for inspection by the public during normal business hours at the Town offices. Comments may be submitted to the Planning Board during business hours at the Town offices.
- F. Filing an application for a land disturbance permit grants the Planning Board or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.
- G. The Planning Board may:
  - i. Approve the Application and issue a permit if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this Bylaw;
  - ii. Approve the Application and issue a permit with conditions, modifications, requirements for operation and maintenance requirements of permanent structural BMPs, designation of responsible party, or restrictions that the Planning Board determines are required to ensure that the project will protect water resources and will meet the objectives and requirements of this Bylaw; or
  - iii. Disapprove the application and deny a permit if it finds that the proposed plan fails to meet the objectives and requirements of this Bylaw and its Regulations. If the Planning Board finds that the applicant has submitted insufficient information to describe the site, the work, or the effect of the work on water quality and runoff volume, the Planning Board may disapprove the application, denying a permit.
- H. The Planning Board shall take final action on an Application within 30 days of receipt of a complete application. If in the Planning Board's opinion, additional time or information is required for review, the Planning Board by written agreement of the applicant may continue a consideration of the request to a date certain announced at the meeting.
- I. Failure to take action shall be deemed to be approval of said application. Upon certification by the Town Clerk that the allowed time has passed without the Planning Board's action, the Land Disturbance Permit shall be issued by the Planning Board.
- J. Appeals of Action by the Planning Board. A decision of the Planning Board shall be final. Further relief of a decision by the Planning Board made under this Bylaw shall be reviewable in the Superior Court or Land Court in accordance with the applicable law. The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law. No work shall commence until the applicable appeal period has passed with no appeal or if an appeal has been filed, the appeal has been finally resolved by adjudication or otherwise.
- K. All activity permitted by the Land Disturbance Permit must be completed within one-year of permit issuance. Extensions of time can be granted by the Planning Board upon formal written request by the applicant. Should the one-year pass without an extension being granted the permit is then considered revoked.
- L. Project Completion. At completion of the project the permittee shall submit as-built record drawings of all structural stormwater controls and treatment best management practices required for the site. The as-built drawing shall show deviations from the approved plans, if any, and be certified by a Registered Professional Engineer. As-built drawings must comply with the Town's Digital data submission requirements.

#### **19.060 Permits & Procedures**

Permit Procedures and Requirements ~~shall be~~ are defined and included as part of ~~the any rules and regulations~~ **Stormwater Management and Erosion Control Regulations** promulgated as permitted under Section 19.050 of this Bylaw.

**19.070 Fees**

The Planning Board shall establish fees subject to cover expenses connected with application review and monitoring permit compliance. The fees shall be sufficient to cover Town secretarial staff and professional staff. The Planning Board is also authorized to charge the applicant fees to pay a Registered Professional Engineer or other professional consultant to advise the Planning Board on any or all aspects of the project. The applicant for a Land Disturbance Permit may be required to establish and maintain an escrow account to cover the costs of said consultants.

**19.080 Surety**

The Planning Board may require the permittee to post before the start of land disturbance activity, a surety bond, or other acceptable security. The form of the bond shall be approved by the Planning Board, which may consult with town counsel when necessary, and be in an amount deemed sufficient by the Planning Board to ensure that the work will be completed in accordance with the permit. If the project is phased, the Planning Board may release part of the bond as each phase is completed in compliance with the permit, but the bond may not be fully released until the Planning Board has issued a certificate of completion.

**19.090 Waivers**

- A. The Planning Board may waive strict compliance with any requirement of this by-law, or the rules and regulations promulgated hereunder, where the activity:
  - 1. is allowed by federal, state or local statutes and/or regulations, or
  - 2. is in the public interest and is not inconsistent with the purpose and intent of this bylaw and its regulations.
- B. Any applicant may submit a written request to be granted such a waiver at the time of submission. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that the activity is allowed by federal, state or local statutes and/or regulations or is in the public interest and is not inconsistent with the purpose and intent of this bylaw and its regulations.
- C. All waiver requests shall be discussed, and a decision will be made at the time of final action by the Planning Board.
- D. If in the Planning Board's opinion, additional information is required for review of a waiver request, the Planning Board may continue a consideration of the waiver request to a date certain announced at the meeting. In the event the applicant fails to provide requested information, the waiver request shall be denied.

**19.100 Inspections**

- A. The Board or its agents shall inspect the project site at the following stages:
  - 1. Initial Site Inspection: prior to approval of any plan.
  - 2. Erosion Control Inspection: to ensure erosion control practices are in accordance with the filed plan.
  - 3. Bury Inspection: prior to backfilling of any underground drainage or stormwater conveyance structures.
  - 4. Final Inspection. After the stormwater management system has been constructed and before the surety has been released, the applicant must submit a record plan detailing the actual stormwater management system as installed. The Board shall inspect the system to confirm its "as-built" features. This inspector shall also evaluate the effectiveness of the system in an actual storm. If the inspector finds the system to be adequate, he shall so report to the Board which will issue a Certificate of Completion.
- B. If the system is found to be inadequate by virtue of physical evidence of operational failure, even though it was built as called for in the Stormwater Management Plan, it shall be corrected by the permittee before the performance guarantee is released. If the permittee fails to act the Town of Tewksbury may use the surety bond to complete the work. Examples of inadequacy include but shall not be limited to: errors in the infiltrative capability, errors in the maximum groundwater elevation, failure to properly define or construct flow paths, or erosive discharges from basins.

## 19.110 Enforcement

The Planning Board or its authorized agent shall enforce this Bylaw, its regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

- A. Orders. The Planning Board or its authorized agent may issue a written order to enforce the provisions of this Bylaw or the regulations thereunder, which may include:
1. a requirement to cease and desist from the land-disturbing activity until there is compliance with the Bylaw or provisions of the land-disturbance permit;
  2. maintenance, installation or performance of additional erosion and sediment control measures;
  3. monitoring, analyses, and reporting;
  4. remediation of erosion and sedimentation resulting directly or indirectly from the land- disturbing activity;
  5. compliance with the Operation and Maintenance Plan.

If the enforcing person determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Tewksbury may, at its option, undertake such work, and the property owner shall reimburse the town's expenses. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner shall be notified of the costs incurred by the Town of Tewksbury, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Board within thirty (30) days of receipt of the notification of the costs incurred.

- B. Fines. Any person who violates any provision of this Bylaw, regulation, order or permit issued there under, shall be punished by a fine of not more than \$ 300.00. Each day or part thereunder that such violation occurs or continues shall constitute a separate offense.
- C. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Planning Board may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, §21D, which has been adopted by the Town, in which case the Planning Board or authorized agent shall be the enforcing person. The penalty for each violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

## 19.120 Stormwater Management Plan

- A. The Stormwater Management Plan shall contain sufficient information for the Board to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater. The Plan shall be designed to meet the Massachusetts Stormwater Management Standards, **the requirements** set forth in Parts B through D of this section, and DEP Stormwater Management Handbook Volumes I and II. The Stormwater Management Plan shall fully describe the project in drawings, and narrative. The Planning Board may adopt regulations for specific submittal requirements.
- B. Standards. **All p**Projects requiring a Land Disturbance Permit shall meet the Massachusetts Stormwater Management Standards as well as the requirements outlined in this section. ~~the Standards of the Massachusetts Stormwater Management Policy, which are as follows:~~
- ~~1. No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or water of the Commonwealth.~~
  - ~~2. Stormwater management systems must be designed so that post development peak discharge rates do not exceed pre-development peak discharge rates. The rates may be equal to be better than pre-existing conditions.~~
  - ~~3. Loss of annual recharge to groundwater should be minimized through the use of infiltration measures to the maximum extent practicable. The annual recharge from the post development site should approximate the annual recharge rate from the pre-development or existing site conditions, based on soil types.~~
  - ~~4. For new development, stormwater management systems must be designed to remove 80% of the average annual load (post-development conditions) of Total Suspended Solids (TSS). It is presumed that this standard is met when:~~
  - ~~5. Suitable nonstructural practices for source control and pollution prevention and implemented;~~
  - ~~6. Stormwater management best management practices (BMPs) are sized to capture the prescribed runoff volume; and~~

- ~~7. Stormwater management BMPs are maintained as designed.~~
- ~~8. Stormwater discharges from areas with higher potential pollutant loads require the use of specific stormwater management BMPs (see Stormwater Management Volume I: Stormwater Policy Handbook). The use of infiltration practices without pretreatment is prohibited.~~
- ~~9. Stormwater discharges to critical areas must utilize certain stormwater management BMPs approved for critical areas (see Stormwater Management Volume I: Stormwater Policy Handbook). Critical areas are Outstanding Resource Waters (ORWs), shellfish beds, swimming beaches, cold water fisheries and recharge areas for public water supplies.~~
- ~~10. Redevelopment of previously developed sites must meet the Stormwater Management Standards to the maximum extent practicable. However, if it is not practicable to meet all the Standards, new (retrofitted or expanded) stormwater management systems must be designed to improve existing conditions.~~
- ~~11. Erosion and sediment controls must be implemented to prevent impacts during disturbance and construction activities.~~
- ~~12. All stormwater management systems must have an operation and maintenance plan to ensure that systems function as designed.~~
- ~~13. When one or more of the Standards cannot be met, an applicant may demonstrate that an equivalent level of environmental protection will be provided.~~

1. Low-Impact Development. Low-Impact Design (LID) practices shall be implemented in all projects to the maximum extent feasible. Applicants shall address each of the following LID principles in the project narrative:

- Preservation of natural areas;
- Tree Protection;
- Vegetation and landscaping;
- Riparian buffer protection;
- Limit land disturbance during construction;
- Limit new impervious surfaces;
- Promote the use of vegetative (green infrastructure) stormwater controls;
- Disconnect flow paths;
- Promote infiltration;
- Capture and reuse stormwater.

Applicants not incorporating low-impact development practices into their plans must indicate why LID is not feasible at the site.

2. The design of treatment and infiltration practices shall follow the guidance in Volume 2 of the Massachusetts Stormwater Handbook, as amended, or other federally or State approved BMP design guidance.
3. Stormwater management systems for major land disturbances on new development sites shall be designed to meet an average annual pollutant removal equivalent to 90% of the average annual load of Total Suspended Solids (TSS) related to the total post-construction impervious area on the site AND 60% of the average annual load of Total Phosphorus (TP) related to the total postconstruction impervious surface area on the site<sup>2</sup>.
  - a. Average annual pollutant removal requirements are achieved through one of the following methods;
    - installing BMPs that meet the pollutant removal percentages based on calculations developed consistent with EPA Region 1's BMP Accounting and Tracking Tool (2016)<sup>3</sup> or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance, then any federally or State-approved BMP design guidance or performance standards (e.g., the MA Stormwater Management Handbook)<sup>4</sup> may be used to calculate BMP performance; or
    - retaining the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the new development site; or
    - meeting a combination of retention and treatment that achieves the above standards

<sup>2</sup> Pollutant removal is calculated based on average annual loading and not on the basis of any individual storm event.

<sup>3</sup> <https://www.epa.gov/tmdl/opti-tool-epa-region-1s-stormwater-management-optimization-tool>

<sup>4</sup> <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>

4. Stormwater management systems for major land disturbances on redevelopment sites shall be designed to meet an average annual pollutant removal equivalent to 80% of the average annual post-construction load of Total Suspended Solids (TSS) related to the total post-construction impervious area on the site AND 50% of the average annual load of Total Phosphorus (TP) related to the total post-construction impervious surface area on the site<sup>5</sup>.
  - a. Average annual pollutant removal requirements are achieved through one of the following methods:
    - Installing BMPs that meet to pollutant removal percentages based on calculations developed consistent with EPA Region 1's BMP Accounting and Tracking Tool (2016)<sup>6</sup> or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance, then any federally or State-approved BMP design guidance or performance standards (e.g., the MA Stormwater Management Handbook)<sup>7</sup> may be used to calculate BMP performance; or
    - retaining the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the new development site; or meeting a combination of retention and treatment that achieves the above standards.
5. All Stormwater Management Best Management Practices employed on new development and redevelopment sites within a watershed of a water body with a phosphorus impairment shall be shown to be optimized for phosphorus removal by the standards set forth by the Massachusetts Stormwater Management Handbook or the approved TMDL, if it exists, whichever is more strict.
6. Redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways, (including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving projects) shall improve existing conditions where feasible and are exempt from Section 19.120.B.4. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirements of Section 19.120.B.4 fully.

#### **19.130 Operation and Maintenance Plans**

- A. A post construction Operation and Maintenance plan (O&M Plan) is required prior to final release of the project. The maintenance plan shall be designed to ensure compliance with the **administered Land Disturbance** Permit, this Bylaw and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The Board shall make the final decision of what maintenance option is appropriate in a given situation. The Board will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. Once approved, The Operation and Maintenance Plan shall remain on file with the Town Engineer and shall be an ongoing requirement. The Planning Board may adopt regulations for specific submittal requirements.
- B. Stormwater Management Easement(s).
  1. Stormwater management easements shall be provided by the property owner(s) as necessary for:
    - a. access for facility inspections and maintenance,
    - b. preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event.
    - c. direct maintenance access by heavy equipment to structures requiring regular cleanout.
  2. The purpose of each easement shall be specified in the maintenance agreement signed by the property owner.

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<sup>5</sup> Pollutant removal is calculated based on average annual loading and not on the basis of any individual storm event.

<sup>6</sup> <https://www.epa.gov/tmdl/opti-tool-epa-region-1s-stormwater-management-optimization-tool>

<sup>7</sup> <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>

3. Stormwater management easements are required for all areas used for off-site stormwater control unless a waiver is granted by The Board.
4. Easements shall be recorded with the Middlesex North County Registry of Deeds prior to issuance of a Certificate of Completion by the Board.

**C. Use and Storage of Road Salt**

1. Salt usage shall be minimized whenever feasible. Salt alternatives shall be used where deemed necessary by the Town.
2. Operation and Maintenance Plans for commercial or industrial projects must include a provision to prevent the exposure of any salt stockpiles stored on the property to precipitation and/or stormwater runoff.

**D. Changes to Operation and Maintenance Plans**

1. The owner(s) of the stormwater management system must notify the Board and Town Engineer of changes in ownership or assignment of financial responsibility.
2. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of this bylaw by mutual agreement of the Board, the Town Engineer and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility.

**E. Maintenance Responsibility**

The responsibility party named in the Operation and Maintenance Plan shall maintain in good condition and promptly repair and restore all structural and non-structural stormwater BMPs and all necessary access routes and appurtenances (grade surfaces, walls, drains, dams and structures, vegetation, erosion and sedimentation controls, and other protective devices). Such repairs or restoration and maintenance shall be in accordance with the approved stormwater management design plan, the stormwater maintenance agreement and the stormwater maintenance plan.

**F. Maintenance Inspection by Planning Board, its agent, or Town Engineer**

The Planning Board or its Representatives shall conduct periodic inspections for all stormwater practices for which a Stormwater Certificate of Completion has been issued in accordance with section 19.050. All inspections shall document any maintenance and repair needs and any discrepancies from the stormwater maintenance agreement and stormwater maintenance plan.

**G. Record of Maintenance Activities**

The responsible party shall make records of the installation and of all maintenance and repairs and shall retain the records for at least five (5) years. These records shall be submitted to the Town Engineer on an annual basis.

**19.140 Severability**

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Town Manager

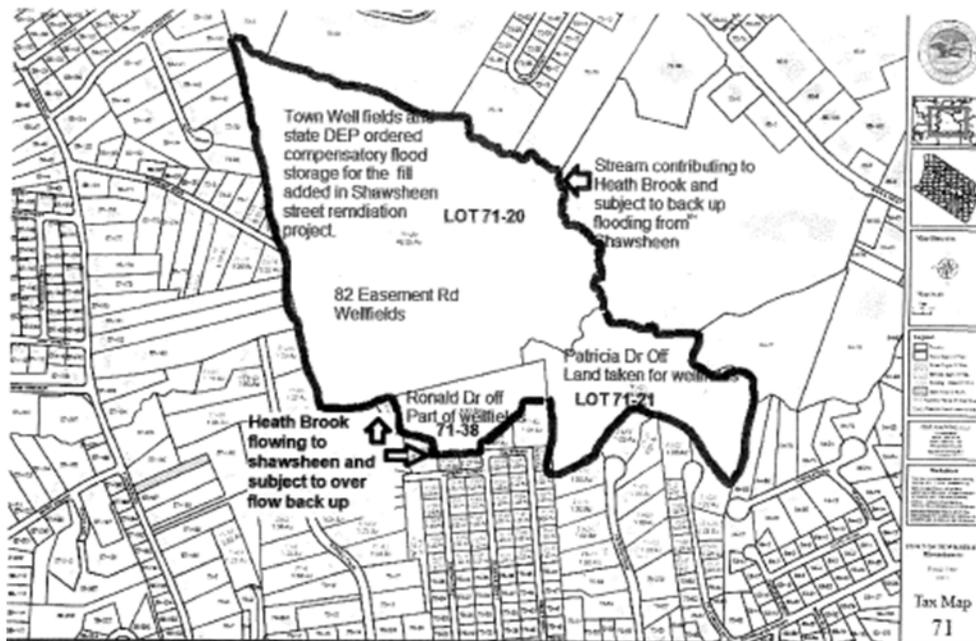
**Executive Summary:** This article makes modification of the bylaw that is necessary to comply with the EPA Stormwater Permit.

**ARTICLE 20**

To see if the Town will vote to transfer to the Tewksbury Conservation Commission, to be held under the care, custody and control of the Conservation Commission for conservation purposes, for the promotion and development of natural resources, and for the protection of the watershed resources of the Town of Tewksbury, under the provisions of M.G.L. c. 40 §8C, as it may hereafter be amended and of Amended Article 97 of the Massachusetts Constitution, a certain parcel of land described in the order of taking recorded at Middlesex North Registry of Deeds Book 1223, page 212, and as shown on Tax Map 71 as Lots 20, 21 and 38, as attached, all to be protected by this vote.

Patricia Walazek

**Executive Summary:** The purpose is to place the parcels under the control of the Conservation Commission to promote and protect in perpetuity watershed resources, open space, and wildlife habitat. This land was originally taken by eminent domain from private owners for the specific purpose of establishing a water supply. A substantial portion of the parcels are wetlands and buffer zones. An uplands portion was mandated by MA DEP to be maintained permanently as compensatory flood storage in connection with the alterations taken to remediate flooding in Shawsheen Street Heath Brook project under the Superseding Order of Conditions DEP 305-1030.



**ARTICLE 21**

Filling of vacancies – If a vacancy shall occur in any elective Town office more than ninety days preceding a regular Town election such vacancy shall be filled by the candidate who, at the most recent Town election was a candidate for a full term to such office who failed to be elected, but did receive more than twenty-five percent of the votes calculated as follows; by dividing the number of votes received by the candidate by the total number of votes who cast a ballot in the election and further provided such candidate remains eligible and willing to serve in the office. If more than one candidate shall meet the requirements said candidates shall be considered in descending order of votes received. The Town Clerk shall within ten days following notification of any such vacancy certify the said candidate to the office to serve until the next regular Town election. In the absence of any such candidate the vacancy shall be filled in the manner provided by General Laws. If less than ninety days shall elapse before the next regular Town election the vacancy shall remain until such regular election.

George Ferdinand

(NO SUMMARY SUBMITTED)

**ARTICLE 22**

Resolution: Be it resolve that the Town of Tewksbury (Town) vote to reaffirm that voting in all Federal, State and Municipal elections is the exclusive right and privilege of United States citizens, an futher, that the Town urges all non-citizens who desire to participate in our Federal, State and Municipal election, seek and obtain US citizenship, through the citizenship process. Be it futher resolved that the Town will vote to instruct its Representatives in the Massachusetts Legislature and the United States House and Senate to vote against any legislation or constitutional amendment that would alter the qualifications of voters in all Federal, State and Munciple elections and to defend voting as the exclusive right and priviledge of United States citizens in all Federal, State and Munciple elections.

George Ferdinand

(NO SUMMARY SUBMITTED)

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**ARTICLE 3**

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

- ARTICLE 3-23
  - ARTICLE 3-24
  - ARTICLE 3-25
  - ARTICLE 3-26
- 

**SECTION 3**

Article 27	Zoning Bylaw	Entire By-Law Replacement
Article 28	Zoning Bylaw Map	Update Town Zoning Map

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**ARTICLE 27**

To see if the Town will vote to amend the Zoning Bylaw by replacing the current bylaw on file with the Town Clerk's Office dated January 2020 with the Zoning Bylaw and Appendix A as follows:

1. Re-organizing, re-positioning, re-captioning and re-numbering portions of the Zoning Bylaw to enhance accessibility and adaptability;
2. Updating and clarifying the purpose and authority of the Zoning Bylaw to clearly state the Town's legal and factual premises for zoning regulations;
3. Improving definitions to more clearly describe zoning districts, uses, and requirements;
4. Providing consistency with present State law;
5. Eliminating redundant or unnecessary provisions; making amendments such as correcting spelling and typographical errors, and eliminating or updating outdated statutory references;
6. Revising, re-organizing and clarifying Zoning Bylaw administrative provisions;
7. Reducing number of overlay districts;
8. Strengthening design guidelines in the Town Center District;
9. Adding new definitions;
10. Adding site plan review;
11. Adding request for reasonable accommodations;
12. Adding recreational marijuana establishments (excluding retail);
13. Mandating 15% affordable housing in multifamily developments;
14. Capping multifamily developments to 7 units per acre except in the Town Center and Mixed Use Business District; and
15. Updating the sign section of the bylaw.

and by taking the following actions:

1. Deleting in their entirety the following provisions and all their subparts of the existing Zoning Bylaw:

Section 1000.	Purpose and Authority;
Section 2000.	Districts;
Section 3000.	Use Regulations;
Section 4000.	Dimensional Regulations;
Section 5000.	General Regulations;
Section 6000.	Special Regulations;
Section 7000.	Special Residential Regulations;
Section 8000.	Overlay Districts;
Section 9000.	Administration and Procedures;
Section 10000.	Definitions;
Appendix A.	Table of Use Regulations;
Appendix B.	Table of Dimensional Requirements
Appendix C.	Table of Parking Requirements.

2. Substituting the following provisions and their subparts in the zoning article submitted by the Zoning Bylaw Committee on file in the office of the Town Clerk and the Department of Planning and Community Development:

Section 1	Purpose and Authority;
Section 2	Definitions;
Section 3	Administration and Enforcement;
Section 4	Establishment of Districts;
Section 5	District Regulations;
Section 6	Site Development Standards;
Section 7	Special Use Regulations;
Section 8	Other Development Regulations;
Appendix A	Table of Uses.

or take any action relative thereto.

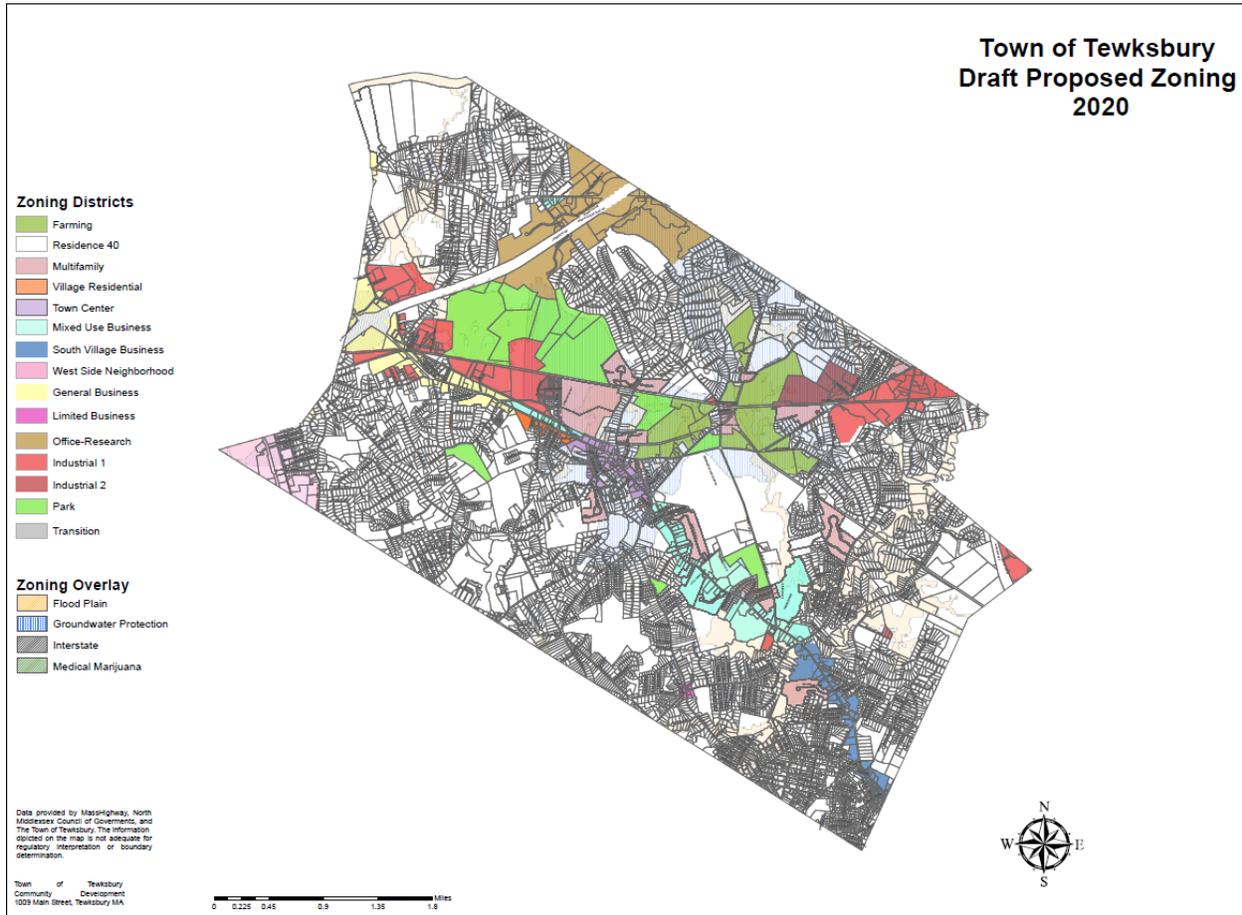
Zoning Bylaw Committee

**Executive Summary:** This Article will recodify, and therefore amend the Zoning Bylaw to make the Bylaw easier for users to navigate, simplify and update its language, and provide a better structure for predictability and flexibility in both the interests of current use and future adaptability. This article is a complete rewrite of the Tewksbury Zoning Bylaw following a 3 year process by the Committee over the course of 30 plus public meetings and 7 public presentations with the assistance of land use planning, land use legal, and design consultants.

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**ARTICLE 28**

To see if the Town will vote to replace the existing Zoning Map dated January 2020 with the proposed zoning map on file with the Town Clerk’s Office as depicted below or take any action relative thereto.



Zoning Bylaw Committee

**Executive Summary:** This article is the companion to the new Zoning Bylaw. The map shown above aligns the districts in the zoning bylaw to their physical locations in Town. Large scale versions of the map are online and available for viewing at the Town Clerk’s Office, Community Development Office, Library, and Senior Center.