

**The TOWN OF WILLIAMSBURG**  
**Annual Town Meeting**  
**June 4, 2018**

The Annual Town meeting was held at the Anne T. Dunphy Gymnasium, 1 Petticoat Hill Rd. at 7:00 p.m.

The warrant was signed on May 10, 2018 and posted on May 21, 2018.

Moderator: Paul Rudof

Town Clerk: Brenda Lessard

Selectmen Present: William Sayre-Chair, David Mathers-Clerk, and Denise Banister

Constable: Paul Sanderson

There were 179 voters present of 1956 registered voters.

Last day to register to vote was May 15, 2018

A quorum of sixty (60) registered voters being present, there were 179 voters, the town meeting was called to order at 7:05 p.m. by the Town Clerk. The Town Clerk noted the return of the warrant and that it had been properly posted.

The first order of the town meeting was to elect a Moderator as the new Moderators term does not begin according to the Town's Bylaws until July 1, 2018.

Motion made and seconded to nominate Paul Rudof as Moderator for Town Meeting. There were no other nominations and it was a unanimous vote to elect Paul Rudof as Moderator.

The Moderator introduced himself and called the Board of Selectmen up to make a few announcements. William Sayre asked for a moment of silence for the residents who have passed over the last year. He also noted the dedication for the 2017 Annual Town Report was made to James Locke. Sandra Warren, James's wife spoke to Town Meeting. He noted the Town Flag is being created and orders are being taken if anyone would like to purchase one. Vacancies on committees was discussed.

The Moderator made an announcement that the Town Meeting was being filmed. The majority of the filming would have no audio but there would be audio for Article 33.

Motion made and seconded that the Town vote to adopt a rule that the Moderator be authorized to declare a 2/3 or 4/5 vote in the same manner as a majority vote is declared, provided that if a vote so declared is questioned by seven (7) or more members, the Moderator shall verify the vote by taking a count.

**Motion Passed Unanimously**

**Article 1**

Moved and seconded that the Town petition the Massachusetts General Court to enact legislation to allow Robert Lapointe, a member of the Williamsburg Fire Department, to continue in his position until he reaches 70 years of age or the date of his retirement or until his non-reappointment, whichever occurs first, and to direct that no further deduction shall be made from the regular compensation of Robert Lapointe in connection with his service to the town for retirement or pension purposes under Chapter 32 of the General Laws for any service subsequent to his reaching the age of 65.

**Article 1 Passed Unanimously**

**Article 2**

Moved and seconded that the Town petition the Massachusetts General Court to enact legislation to allow Alan Everett, a member of the Williamsburg Fire Department, to continue in his position until he reaches 70 years of age or the date of his retirement or until his non-reappointment, whichever occurs first, and to direct that no further deduction shall be made from the regular compensation of Alan Everett in connection with his service to the town for retirement or pension purposes under Chapter 32 of the General Laws for any service subsequent to his reaching the age of 65.

**Article 2 Passed Unanimously**

**Article 3**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$21.52 to pay Lawson Products for items purchased for the Highway Department in Fiscal Year 2017.

**Article 3 Passed Unanimously**

**Article 4**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$500 to Unibank for financial reporting done in Fiscal Year 2017.

**Article 4 Passed Unanimously**

**Article 5**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$300.20 to pay Hugh Parker, member of the Fire Department, for work done in Fiscal Year 2017.

**Article 5 Passed Unanimously**

**Article 6**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$1,200, the amount received by the Town in Fiscal Year 2015 and put in the General Fund in error, to a Recycling Dividend Program account for use by the Board of Health.

**Article 6 Passed Unanimously**

**Article 7**

Moved and seconded that the Town vote pursuant to M.G.L. c.268A, §21A to authorize the Board of Selectmen, Board of Water/Sewer Commissioners, Board of Assessors, Board of Health, Board of Appeals, Finance Committee, and the Trustees of Libraries to appoint their own members to positions under their respective jurisdictions at such salaries or wage rates to be established by the Board of Selectmen.

**Article 7 Passed Unanimously**

**Article 8**

Moved and seconded that the Town vote to authorize the Moderator to choose a committee to expend the income from the Whiting Street Fund.

**Article 8 Passed Unanimously**

**Article 9**

Moved and seconded that the Town vote to approve a Capital Improvement Plan, as prepared by the Capital Planning Committee and approved by the Finance Committee, including recommended capital improvements for the following five fiscal years.

**Article 9 Passed Unanimously**

**Article 10**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$17,843, an amount equal to one-half of the amount received by the Town as Medicaid reimbursements, to the Williamsburg School Department.

**Article 10 Passed Unanimously**

**Article 11**

Moved and seconded that the Town vote to fix the salary and compensation of all elected and appointed officers of the Town for the twelve month period ending June 30, 2019, as provided in M.G.L. c.41, §108, as amended, and to see if the Town will vote to raise and appropriate such sums of money as shall be deemed necessary to defray the expenses of the Town for that same period, with each line being its own appropriation and in the total sum of 7,538,809, as recommended by the Finance Committee, such sum to be appropriated by transferring \$158,000 from Free Cash and raising \$7,320,809 from taxation.

Motion made and seconded to amend the Free Cash amount to \$218,000

**Motion passed unanimously**

**Article 11 as amended**

Moved and seconded that the Town vote to fix the salary and compensation of all elected and appointed officers of the Town for the twelve month period ending June 30, 2019, as provided in M.G.L. c.41, §108, as amended, and to see if the Town will vote to raise and appropriate such sums of money as shall be deemed necessary to defray the expenses of the Town for that same period, with each line being its own appropriation and in the total sum of 7,538,809, as recommended by the Finance Committee, such sum to be appropriated by transferring \$218,000 from Free Cash and raising \$7,320,809 from taxation.

**Article 11 Passed Unanimously as amended**

		18Williamsburg1.xls				05/24/18		
		16 Oct 2017 FREE CASH \$ 781,029						
		<b>TOWN OF WILLIAMSBURG BUDGET YEAR 2019</b>				<b>FISCAL</b>		
		6/30/17 STABILIZATION FUND = \$ 1,428,897						
		<b>ACCT</b>	<b>ACCOUNT</b>	<b>FY 18</b>	<b>FY 19</b>	<b>FY19</b>	<b>%</b>	<b>\$</b>
Town Payroll		<b>NBR</b>	<b>NAME</b>	<b>Budget</b>	<b>REQUEST</b>	<b>Finance Recommend</b>	<b>CHG</b>	<b>CHG</b>
	1	114	MODERATOR	332	332	339	2.0%	7
	1	122	SELECT BOARD SALARIES	9,284	9,284	9,470	2.0%	186
		122	SELECT BOARD EXPENSES	3,750	3,750	3,750	0.0%	0
	1	123	TOWN ADMINISTRATOR SALARY	66,661	66,661	67,994	2.0%	1,333
	1	123	TOWN ADMIN ASSISTANT	16,095	16,095	16,417	2.0%	322
		123	TOWN ADMIN EXPENSES	750	750	750	0.0%	0
	1	130	CAPITAL PLANNING SALARIES	348	300	306	-12.1%	(42)
		130	CAPITAL PLANNING EXPENSES	75	75	75	0.0%	0
	1	131	FINANCE COMMITTEE SALARIES	4,196	4,196	4,280	2.0%	84
	1	131	FINANCE COM SECRETARY	0	0	0	0.0%	0
		131	FINANCE COMMITTEE EXPENSES	500	500	500	0.0%	0
		132	RESERVE FUND	60,000	60,000	60,000	0.0%	0
		135	ACCOUNTANT LABOR	28,585	29,439	29,439	3.0%	854
		135	ACCOUNTANT EXPENSES	300	300	150	-50.0%	(150)
		135	ACCOUNTING SOFTWARE	750	750	750	0.0%	0
		135	AUDIT SERVICES	14,500	14,500	14,500	0.0%	0
	1	141	ASSESSORS SALARIES	9,284	9,284	9,470	2.0%	186
	1	141	ASSESSORS LABOR	14,266	14,266	13,219	-7.3%	(1,047)
		141	ASSESSORS EXPENSES	14,200	19,200	19,200	35.2%	5,000
		142	ASSESSORS REVALUATION	7,500	7,500	7,500	0.0%	0
	1	145	TREASURER SALARY	22,504	22,504	22,954	2.0%	450
		145	TREASURER ADDITIONAL SALARY	1,000	1,000	1,000	0.0%	0
	1	145	TREASURER'S ASSISTANT	5,976	5,976	6,096	2.0%	120
		145	TREASURER EXPENSES	5,000	5,000	4,720	-5.6%	(280)
		145	TREASURER SOFTWARE	5,300	8,400	8,400	58.5%	3,100
		145	OPEB Reval	750	0	0	-100.0%	(750)
		145	OPEB Trust	5,000	1,000	1,000	-80.0%	(4,000)
	1	146	COLLECTOR SALARY	30,438	30,438	31,047	2.0%	609
		146	COLLECTOR ADD'L SALARY	1,000	1,000	1,000	0.0%	0
		146	COLLECTOR EXPENSES	9,130	9,130	7,992	-12.5%	(1,138)
		146	DEPUTY COLLECTOR EXPENSES	2,000	2,000	1,700	-15.0%	(300)
		146	TAX TITLE EXPENSES	0	1,549	1,549	100.0%	1,549
	1	149	OLIVER SMITH TRUSTEE	36	36	37	2.0%	1
		151	TOWN LEGAL COUNSEL	15,000	20,000	20,000	33.3%	5,000
		159	ADVERTISING	1,200	1,200	1,200	0.0%	0
		159	ENERGY COMMITTEE	250	250	250	0.0%	0
	1	160	CONSTABLE SALARY	444	444	453	2.0%	9
		160	CONSTABLE ELECTIONS	100	100	0	-100.0%	(100)
	1	161	CLERK SALARY	20,965	20,965	21,384	2.0%	419
	1	161	CLERK'S ASSISTANT	2,393	2,393	2,441	2.0%	48
		161	CLERK'S EXPENSES	1,700	1,700	1,700	0.0%	0
		161	CLERK'S SOFTWARE	500	500	500	0.0%	0
		162	ELECTIONS/REGISTRATION	8,000	9,500	9,500	18.8%	1,500
		164	STREET LISTING	1,450	1,450	1,450	0.0%	0
	1	171	CONSERVATION COMMISSION	1,989	1,989	2,029	2.0%	40
		171	CONSERVATION COM EXPENSES	3,025	3,025	3,025	0.0%	0
		175	PLANNING BOARD EXPENSES	750	519	519	-30.8%	(231)
		176	BOARD OF APPEALS EXPENSES	600	600	600	0.0%	0
	1	192	CUSTODIAN LABOR	11,877	11,877	12,115	2.0%	238
	1	192	BUILDING SUPERVISOR SALARY	7,212	7,212	7,356	2.0%	144

Town Payroll	ACCT	ACCOUNT	FY 18	FY 19	FY19	%	\$
	NBR	NAME	Budget	REQUEST	Finance Recommend	CHG	CHG
	192	TOWN BLDGS & GROUNDS	41,500	35,275	35,275	-15.0%	(6,225)
	192	TOWN OFFICE EXPENSE	2,500	2,500	2,500	0.0%	0
	192	TOWN OFFICE INTERNET SERV.	5,159	5,159	5,159	0.0%	0
	192	TOWN TELEPHONE	8,068	8,068	8,068	0.0%	0
	192	COPIER MAINTENANCE	2,835	2,835	2,835	0.0%	0
	192	TOWN HEATING FUEL	50,492	44,492	44,492	-11.9%	(6,000)
	192	TOWN ELECTRIC	25,500	25,500	25,500	0.0%	0
	192	TOWN COMPUTER SERVICE	22,289	24,289	24,289	9.0%	2,000
	192	TECHNOLOGY UPGRADES	5,000	5,000	5,000	0.0%	0
	192	TOWN BUILDING REPAIRS	20,000	20,000	20,000	0.0%	0
	192	DOCUMENT STORAGE CONTRACT	0	2,100	2,100	100.0%	2,100
	195	TOWN REPORT	1,900	1,900	1,900	0.0%	0
		GENL GOVERNMENT TOTAL	602,208	606,057	607,242	0.8%	5,034
	1 210	POLICE CHIEF SALARY	67,403	67,403	68,751	2.0%	1,348
	1 210	POLICE DEPT LABOR	125,505	116,000	118,320	-5.7%	(7,185)
	210	POLICE DEPT EXPENSES	24,626	24,626	24,626	0.0%	0
	210	POLICE RECORDS SOFTWARE	5,500	5,500	5,500	0.0%	0
	1 220	FIRE DEPT CHIEF SALARY	24,187	24,187	24,671	2.0%	484
	1 220	FIRE DEPT LABOR	29,540	22,072	22,513	-23.8%	(7,027)
	1 220	FIRE DEPT ADMIN ASST	5,274	5,274	5,379	2.0%	105
	220	FIRE DEPT TRAINING	0	13,268	13,268	100.0%	13,268
	220	FIRE DEPT EXPENSES	27,500	29,872	29,872	8.6%	2,372
	231	AMBULANCE SERVICE	108,191	102,538	102,538	-5.2%	(5,653)
	1 232	EMER MANAGEMT DIR SALARY	1,194	1,194	1,218	2.0%	24
	1 232	EMER MANAGEMT DEPUTY	556	556	567	2.0%	11
	232	EMER MANAGEMT EXPENSES	3,750	3,750	3,750	0.0%	0
	232	EMER COMMUNICATIONS	486	486	486	0.0%	0
	294	TREE REMOVAL/PLANTING	7,000	7,000	7,000	0.0%	0
		PUBLIC SAFETY TOTAL	430,712	423,726	428,460	-0.5%	(2,252)
	1 310	LOCAL SCHOOL COMM SALARIES	1,665	1,665	1,698	2.0%	33
	310	LOCAL SCHOOL BUDGET (+\$100,000 school choice in FY19)	2,066,470	2,093,251	2,093,251	1.3%	26,781
	310	REGIONAL SCHOOL ASSESSMENT	1,367,965	1,407,726	1,407,726	2.9%	39,761
	310	VOCATIONAL TUITION	329,586	364,045	364,045	10.5%	34,459
	310	VOCATIONAL TRANSPORT	38,158	38,882	38,882	1.9%	724
		EDUCATION TOTAL	3,803,844	3,905,569	3,905,602	2.7%	101,758
	1 422	HIGHWAY SUPERINTENDENT SAL	62,709	62,709	63,963	2.0%	1,254
	1 422	HIGHWAY LABOR	154,852	154,852	157,949	2.0%	3,097
	422	HIGHWAY ROAD MAINTENANCE	65,463	65,463	65,463	0.0%	0
	422	HIGHWAY GARAGE/EQUIP MAINT.	36,641	36,641	36,641	0.0%	0
	422	VEHICLE FUEL	35,000	35,000	35,000	0.0%	0
	422	HIGHWAY SURPLUS & SAFETY EQUIP	3,000	3,000	3,000	0.0%	0
	422	INVASIVE SPECIES ERADICATION	1,000	1,000	1,000	0.0%	0
	422	SIDEWALK CONSTRUCTION	5,000	5,000	5,000	0.0%	0
	1 423	WINTER OVERTIME	14,936	14,936	15,235	2.0%	299
	423	WINTER EXPENSES	72,500	72,500	72,500	0.0%	0
	424	STREET LIGHTING	11,432	11,432	11,432	0.0%	0
	1 433	TRANSFER STATION SALARIES	28,638	28,638	29,211	2.0%	573
	433	TRANSFER STATION EXPENSES	71,000	71,000	71,000	0.0%	0
	491	CEMETERY COMMISSION	1,000	1,000	1,000	0.0%	0
		PUBLIC WORKS TOTAL	563,171	563,171	568,394	0.9%	5,223

Town Payroll	ACCT	ACCOUNT	FY 18	FY 19	FY19	%	\$
	NBR	NAME	Budget	REQUEST	Finance Recommend	CHG	CHG
	247	ANIMAL INSPECTOR	1,224	1,224	1,248	2.0%	24
	510	BOARD OF HEALTH SALARIES	4,096	4,096	4,178	2.0%	82
	510	BOARD OF HEALTH EXPENSES	1,050	1,050	1,050	0.0%	0
	510	PUBLIC HEALTH EMERGENCY & TRAINING (formerly Public Nurse)	2,550	1,550	1,550	-39.2%	(1,000)
	541	COUNCIL ON AGING--DIRECTOR	23,453	28,552	29,123	24.2%	5,670
	541	COA--STAFF LABOR	18,017	39,795	35,390	96.4%	17,373
	541	COA--MEAL SITE STAFFING	8,989	0	0	-100.0%	(8,989)
	541	COA--ADMIN ASSIST	12,789	0	0	-100.0%	(12,789)
	541	COA--EXPENSES	3,718	3,718	3,718	0.0%	0
	541	COA--HEN PROGRAM	3,500	3,500	3,500	0.0%	0
	543	VETERANS EXPENSES	10,111	10,805	10,805	6.9%	694
	543	VETERANS BENEFITS	41,500	40,618	40,618	-2.1%	(882)
	549	AMERICAN'S w/DISABILITIES	400	400	400	0.0%	0
		HEALTH / HUMAN SERVICES TOTAL	131,397	135,308	131,580	0.1%	183
	610	LIBRARY DIRECTOR	47,989	47,989	48,949	2.0%	960
	610	LIBRARY LABOR	83,105	83,105	84,767	2.0%	1,662
	610	LIBRARY MAINTENANCE	13,590	15,000	15,000	10.4%	1,410
	610	LIBRARY BOOKS & SUPPLIES	1,500	3,000	3,000	100.0%	1,500
	630	RECREATION	4,184	4,184	4,268	2.0%	84
	630	ATHLETIC FIELDS	5,000	5,000	5,000	0.0%	0
	630	WOODLAND TRAILS COMMITTEE	500	500	500	0.0%	0
	691	HISTORICAL COMMISSION	500	500	500	0.0%	0
	699	VETERANS RECOGNITION	500	500	500	0.0%	0
		CULTURE / RECREATION TOTAL	156,868	159,778	162,484	3.6%	5,616
	310	HRHS DEBT SERVICE - DE1	73,341	74,109	74,109	1.0%	768
	710/751	SCHOOL FEASIBILITY--PRINCIPAL	23,350	0	0	-100.0%	(23,350)
	710/751	SCHOOL FEASIBILITY--INTEREST	1,401	0	0	-100.0%	(1,401)
	710/751	ATD SCHOOL--PRINCIPAL - DE1	231,650	270,000	270,000	16.6%	38,350
	710/751	ATD SCHOOL--INTEREST - DE1	128,750	121,800	121,800	-5.4%	(6,950)
	710/751	FIRE TRUCK--PRINCIPAL - DE1	53,000	53,000	53,000	0.0%	0
	710/751	FIRE TRUCK--INTEREST & HW Truck (combined in FY2019) - DE1	2,885	1,605	1,308	-54.7%	(1,577)
	710/751	TOWN GARAGE--PRINCIPAL DE1	15,000	20,000	20,000	33.3%	5,000
	710/751	TOWN GARAGE--INTEREST - DE1	3,250	2,800	2,800	-13.8%	(450)
	710/751	HIGHWAY TRUCK--PRINCIPAL	27,000	27,000	27,000	0.0%	0
	710/751	HIGHWAY TRUCK--INTEREST	972	0	297	-69.4%	(675)
		DEBT SERVICE TOTAL	560,599	570,314	570,314	1.7%	9,715

Town Payroll	ACCT	ACCOUNT	FY 18	FY 19	FY19	%	\$
	NBR	NAME	Budget	REQUEST	Finance Recommend	CHG	CHG
	710/751	HIGHLAND AMBULANCE VEHICLE	0	8,027	8,027	100.0%	8,027
	830	HIGHLAND AMBULANCE BLDG	13,795	14,287	14,287	3.6%	492
	830	HCOG ASSESSMENT	1,252	1,252	1,252	0.0%	0
	830	HAMP CO REGIONAL LOCKUP	2,358	2,358	2,358	0.0%	0
	840	HILLTOWN RESOURCE MANGMT	10,638	12,324	12,324	15.8%	1,686
	840	FOOTHILLS HEALTH DISTRICT	23,942	29,729	29,729	24.2%	5,787
	830	BUILDING INSPECTION PROG	37,800	39,125	39,125	3.5%	1,325
	840	PVPC ASSESSMENT	391	401	401	2.6%	10
	840	PLUMBING/GAS INSPEC TRAINING	300	300	300	0.0%	0
		INTERGOVERNMENTAL TOTAL	90,476	0	107,803	19.2%	17,327
	911	HAMPSHIRE COUNTY RETIREMENT	257,132	276,992	276,992	7.7%	19,860
	912	WORKERS COMPENSATION	33,993	35,109	35,109	3.3%	1,116
	913	UNEMPLOYMENT INSURANCE	8,500	5,000	5,000	-41.2%	(3,500)
	913	POLICE & FIRE ACCIDENT INSUR	14,513	13,500	13,500	-7.0%	(1,013)
	914	GROUP HEALTH INSURANCE	557,910	607,000	607,000	8.8%	49,090
	916	MEDICARE/SOCIAL SECURITY TAX	42,731	44,868	45,765	7.1%	3,034
	193	TOWN PROPERTY INSURANCE	73,564	73,564	73,564	0.0%	0
		FIXED COSTS TOTAL	988,343	1,056,033	1,056,930	6.9%	68,587
		<b>TOTAL OPERATING BUDGET</b>	<b>7,327,618</b>	<b>7,527,759</b>	<b>7,538,809</b>	<b>2.9%</b>	<b>211,191</b>

### Article 12

Moved and seconded that the Town vote to accept monies from the Massachusetts Department of Transportation, including but not limited to Chapter 90 funds, for the maintenance and reconstruction of Town roads and bridges, and to authorize expenditure of the same without further appropriation.

### Article 12 Passed Unanimously

### Article 13

Moved and seconded that the Town vote pursuant to M.G.L. c.44, §54E½, as most recently amended, to set Fiscal Year 2019 spending limits for the Revolving Funds as follows:

Revolving Fund	FY19 Spending Limit
Gas Inspector Revolving Fund	\$ 1,500
Electrical Inspector Revolving Fund	\$ 7,500
Plumbing Inspector Revolving Fund	\$ 3,500

Transfer Station Open Box Revolving Fund	\$18,000
Planning Board Revolving Fund	\$30,000
Animal Control Officer Revolving Fund	\$ 5,000
Recreation Commission Revolving Fund	\$30,000
Council on Aging Revolving Fund	\$ 2,000
Conservation Commission Revolving Fund	\$ 5,000
Board of Appeals Revolving Fund	\$ 6,000
Fire Dept. Revolving Fund	\$ 3,000
<b>Total Spending</b>	<b>\$111,500</b>

**Article 13 Passed Unanimously**

**Article 14**

Moved and seconded that the Town vote to raise and appropriate the sum of \$198,287.50, as set forth in Article 14 of the Warrant, for the purpose of operating and maintaining and constructing the Town water system, including the laying of mains, for Fiscal Year 2019, and raise said sum from Water Enterprise Revenue.

Stipends	\$ 2,800.00
<u>Expenses</u>	<u>\$195,487.50</u>
Total	\$198,287.50

**Article 14 Passed Unanimously**

**Article 15**

Moved and seconded that the Town vote to raise and appropriate the sum of \$152,187.50, as set forth in Article 15 of the Warrant, for the purpose of operating, maintaining and constructing the Town sewer system for Fiscal Year 2019, and to raise said sum from Sewer Enterprise Revenue.

Stipends	\$ 2,800.00
<u>Operation &amp; Maintenance</u>	<u>\$149,387.50</u>
Total	\$152,187.50

**Article 15 Passed Unanimously**



## **Article 16**

Moved and seconded that the Town vote to transfer the sum of \$57,243 from Sewer Retained Earnings to Sewer Expenses to conduct an assessment of the Town sewer system.

### **Article 16 Passed Unanimously**

## **Article 17**

Moved and seconded that the Town vote to transfer the sum of \$10,000 from Sewer Retained Earnings to Sewer Expenses to conduct infiltration and inflow work and repair on the Town sewer system.

### **Article 17 Passed Unanimously**

## **Article 18**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$7,000 for the purpose of upgrading and installing a new server for the Police Department, and any other incidental and related expenses.

Town Moderator asked the voter if they authorized Denise Wickland, Police Chief who is a non-voter to speak to the article.

### **Passed Unanimously**

### **Article 18 Passed Unanimously**

## **Article 19**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$3,000 for planning and coordinating the Town's 250<sup>th</sup> Anniversary celebration to take place in the year 2021, and any other incidental and related expenses.

### **Article 19 Passed Unanimously**

## **Article 20**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$500 for producing the town flag, and any other incidental and related expenses.

### **Article 20 Passed Unanimously**

## **Article 21**

Moved and seconded that the Town vote to accept M.G.L. c.64L, §2(a) to establish a local meals excise.

### **Article 21 Passed Majority**

## **Article 22**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$7,500 to purchase an optical scan tabulator and any other incidental and related expenses for the Town Clerk's Office.

### **Article 22 Passed Unanimously**

### **Article 23**

Moved and seconded that the Town vote to authorize the Board of Selectmen to acquire for park land associated with the Mill River Greenway, certain property, consisting of the lower 4 acres, more or less, being a portion of that property identified as Assessors Map 7G, Parcel 66, described in a deed recorded with the Hampshire Registry of Deeds in Book 1922, Page 117, as approximately shown on a sketch plan entitled "Proposed River Park", on file with the Town Clerk and, to transfer from the Mill River Greenway Donation Account the sum of \$4,800, for the purpose of acquiring said property and the Board of Selectmen and the Mill River Greenway Committee be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Williamsburg to effect said acquisition on such terms and conditions as they deem appropriate and further be authorized to apply for, accept and expend any grant funds.

**Article 23 Passed 2/3 Majority (1 no)**

### **Article 24**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$7,500 for the purchase and installation of two pedestrian flashing beacon crosswalk lights, and any other incidental and related expenses.

**Article 24 Passed Unanimously**

### **Article 25**

Moved and seconded that the Town vote to raise and appropriate \$152,522 for the purchase of a rubber-tire excavator, and to equip the same, such sum to be raised by \$21,300 from sewer retained earnings and \$21,300 from water retained earnings, and transferring \$109,922 from Free Cash.

**Article 25 Passed Unanimously**

### **Article 26**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$22,650 for the purchase of a tractor, and to equip the same, to maintain the school grounds and other Town property.

**Article 26 Passed Unanimously**

### **Article 27**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$24,450 for carpentry and painting repairs to the Old Town Hall, and other incidental and related expenses.

**Article 27 Passed Unanimously**

## **Article 28**

To see if the Town will vote to cease assessing the excise imposed under M.G.L. c.59, §8A on farm animals, machinery and equipment owned by individuals and non-corporate entities principally engaged in agriculture, or take any other action relative thereto.

Moved and seconded to take no action on Article 28.

### **Article 28 Motion to Take No Action Passed Unanimously**

## **Article 29**

Moved and seconded that the Town vote to authorize the Board of Selectmen (i) to enter into an agreement for payments-in-lieu-of-taxes pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authority, in the amount of \$14,000 per megawatt (DC), which amount shall escalate at a rate of 1% percent each year, for personal property attributable to a solar photovoltaic facility located (or to be located) on privately land owned by Hull Forestlands, LP and accessed from East Street off of Goshen Road and located within Williamsburg on Assessors Map A, Lot 4, and (ii) to take all other actions necessary or convenient to implement and administrate such agreement.

### **Article 29 Passed Unanimously**

## **Article 30**

Moved and seconded that the Town vote to transfer the care, custody, management and control of the parcels of land known as 21, 23, and 25 Mountain Street, and shown, respectively, on Assessors' Map 011.K as Lot 0046.0, and Map 008.H, as Lots 0015.0 and 0020.0, commonly referred to as the Capped Wood Waste Landfill, to the Board of Selectmen for such landfill purposes and also for the purpose of leasing the same to a solar energy electricity production entity for the installation of a solar energy facility or facilities, and to authorize the Board of Selectmen to enter into a lease or leases for all or portions of such parcels for a term of at least 20 years from the date of commencement of commercial operations of the solar energy facility or facilities and such additional term as the Board of Selectmen shall deem appropriate, all on such terms and conditions, and for such consideration, as the Board of Selectmen deems appropriate; and to authorize the Board of Selectmen to grant such access, utility, and other easements in, on, and under said parcels as may be necessary or convenient to construct, operate and maintain such solar energy facility or facilities; to authorize the Board of Selectmen and the Board of Health to take all actions necessary in connection therewith; and to authorize the Board of Selectmen, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 38H or any other enabling authority, to enter into agreements for payment in lieu of taxes (PILOT Agreements) on account of such facility or facilities for a term of 20 years and such additional term as the Board of Selectmen shall deem appropriate, upon such terms as the Board of Selectmen shall deem to be in the best interest of the Town, and further, to authorize the Board of Selectmen to take such actions as may be necessary to implement such agreements.

After much discussion, a motion was made and seconded to call the question.

**Motion Passed Unanimously**

**Article 30 Passed Unanimously**

**Article 31**

Moved and seconded that the Town vote to transfer the care, custody, management and control of the parcels of land known as 51R, 53, and 55 South Street, and shown, respectively, on Assessors' Map 007.G as Lots 0032.0, 0010.0, and 0010.1, to the Board of Water and Sewer Commissioners and the Board of Selectmen for Water Department purposes and also for the purpose of leasing the same to a solar energy electricity production entity for the installation of a solar energy facility or facilities, and to authorize the Board of Selectmen to enter into a lease or leases for all or portions of such parcels for a term of at least 20 years from the date of commencement of commercial operations of the solar energy facility or facilities and such additional term as the Board of Selectmen and Board of Water and Sewer Commissioners shall deem appropriate, all on such terms and conditions, and for such consideration, as the Board of Selectmen and Board of Water and Sewer Commissioners deem appropriate; and to authorize the Board of Selectmen and Board of Water and Sewer Commissioners to grant such access, utility, and other easements in, on, and under said parcels as may be necessary or convenient to construct, operate and maintain such solar energy facility or facilities; to authorize the Board of Selectmen and the Board of Water and Sewer Commissioners to take all actions necessary in connection therewith; and to authorize the Board of Selectmen, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 38H or any other enabling authority, to enter into agreements for payment in lieu of taxes (PILOT Agreements) on account of such facility or facilities for a term of 20 years and such additional term as the Board of Selectmen shall deem appropriate, upon such terms as the Board of Selectmen shall deem to be in the best interest of the Town, and further, to authorize the Board of Selectmen to take such actions as may be necessary to implement such agreements.

After much discussion a motion was made and seconded to call the question. The vote to call the question was Yes-74 and No-72.

**Motion to Call the question passed**

**Article 31 Failed 2/3 Majority**

**Article 32**

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw by revising Section 9.0 b. by adding at the end of the existing text the following new text: "From the front line of the lot, to any point fifty (50) feet back from the front line, the width of the lot should be no less than two hundred (200) feet,".

**Article 32 Passed Unanimously**

### **Article 33**

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw as follows by designating the existing sentence contained in Section 5.10 as subparagraph (a) and by adding new subparagraphs (b) and (c), such that the Section, as amended, will read as follows:

- a. Any substantial change, alteration, or expansion of a use allowed by Special Permit shall require a new Special Permit from the Zoning Board of Appeals.
- b. If a use allowed under the terms of a Special Permit ceases or is inactive for twenty-four consecutive months, the Special Permit shall expire.
- c. If a new use is allowed by a new Special Permit, and a previous use allowed by a previous Special Permit is not included under the new Special Permit, the previous Special Permit shall expire.

### **Article 33 Passed 2/3 Majority (1 No)**

### **Article 34**

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw to add a new section 9.21, entitled “More Than Four Dwelling Units in a Multi-Family Dwelling or Mixed-use Building, and ”by amending Section 3.0 of the Zoning Bylaw, the Schedule of Use Regulations, as outlined in Article 34 of the Warrant.

#### **9.21 9.21 More Than Four Dwelling Units in a Multi-Family Dwelling or Mixed-use Building**

##### **1. Purpose**

- a. To allow reuse and redevelopment of existing structures that make a significant positive contribution to the character of the Town of Williamsburg’s village centers
- b. To increase the number and diversity of dwelling units available in Williamsburg

##### **2. Applicability**

- a. More than four dwelling units in a multi-family dwelling or mixed-use building may be allowed per Section 3, Schedule of Use Regulations, subject to both of the following criteria:
  1. The existing structure is equal to or greater than 3,500 square feet of floor space.
  2. The existing structure was constructed prior to 1925, or the structure is listed on an existing historic register maintained by the Town of Williamsburg, the Commonwealth of Massachusetts or the federal government.
- b. A Special Permit may be granted that modifies or waives otherwise applicable on-site parking requirements if the applicant demonstrates that the project would not otherwise be feasible and the Special Permit Granting Authority determines that the project would have substantial public benefit. On-site parking requirements may only be waived if, as a condition of the Special Permit, adequate, new, additional

off-site public parking is created within five hundred (500) feet of the development. The applicant shall provide proof of control of the off-site parking through ownership or other form acceptable to the Zoning Board of Appeals. If the off-site parking location shares parking with other parties, the parking spaces dedicated to applicant's use shall be subject to a covenant, which shall be recorded at the appropriate registry of deeds.

- c. A Special Permit may be granted even if the lot on which the existing structure is located does not satisfy applicable lot size requirements if the Special Permit Granting Authority determines that the proposed alteration is not substantially more detrimental to the neighborhood than the existing structure or use. If a proposed alteration would require more than one Special Permit under these Zoning Bylaws, the Special Permit hearing and decision shall be combined into one Special Permit.
- d. Examples of substantial public benefits include, but are not limited to, one or more of the following:
  - 1. Increasing the availability or diversity of housing
  - 2. Contributing to the vibrancy of the village centers by means of improved design or maintenance of building facades, sidewalks, or public or private frontages
  - 3. The creation of new public space, improved pedestrian or bicycle amenities, or new or protected access to the Mill River.

**3. Approval Criteria**

- a. The special permit granting authority must find that the proposed reuse and development is consistent with one or more of the purposes of this section 9.21.
- b. The Special Permit granting authority must find that the proposed reuse and - development can be reasonably accommodated on the property.

Further, that Section 3.0 of the Zoning Bylaw, the Schedule of Use Regulations, be amended by inserting under Section 3.1, Residential Uses, Multi-family dwelling (up to four dwelling units) the following new use: More than four dwelling units in a multi-family dwelling or mixed-use building.

Section	Use	VR	VM	RU	Notes
3.1	<b>Residential Uses</b>				
	Single-family dwelling	P	P	P	
	Two-family dwelling	P	P	P	
	Multi-family dwelling (up to 4 dwelling units)	SP	SP	SP	
	<b><i>More than four dwelling units in multi-family dwelling or mixed-use building</i></b>	<b><i>SP/SPR</i></b>	<b><i>SP/SPR</i></b>	<b><i>N</i></b>	<b><i>See section 9.21</i></b>
	Accessory apartment	SP	SP	SP	See Section 9.0
	Upper-floor apartments in Mixed Use buildings	P	P	SP	See Section 9. Limited to a maximum of 3 residential dwelling units per structure

**Article 34 Passed 2/3 Majority (1 No)**

## Article 35

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw by adding new definitions to Section 18; to amend Section 9.11 by deleting the language in the existing Section 9.11 Home Occupations in its entirety and replacing it; and to amend Section 3.0 of the Zoning Bylaw, the Schedule of Use Regulations, as outlined in Article 35 of the Warrant.

### Section 18, **Definitions:**

**Home Occupation:** The production and/or sale of goods and services conducted within a dwelling or in a structure that is accessory to a dwelling, by a resident of the dwelling, with not more than one (1) full time non-resident employee; such business activity being clearly secondary to the residential use of the dwelling, and not infringing upon the residential character of the neighborhood in which the dwelling unit is located.

**Home Occupation, Major:** A home occupation with not more than two (2) full time non-resident employees and/or a home occupation that is located in a detached accessory structure. The floor space occupied by the Major Home Occupation shall not exceed 1,000 square feet.

## 9.11 Home Occupations

**9.11.1** Home Occupations must be secondary to a permitted primary residential use of a dwelling unit. Examples may include:

- a. Artist, hair dresser, or real estate broker.
- b. Building trades.
- c. Professional offices of a resident doctor, lawyer, accountant, engineer, or writer.
- d. Cultivation for off-premises sale of fruits, vegetables, and flowers.

**9.11.2** A Home Occupation shall be permitted by right in compliance with the following:

- a. The use shall not change the character of the dwelling unit and shall not be characterized by outward manifestations, such as traffic generation, noise, public services and utility demand, etc., unlike those of dwelling units in the particular neighborhood in which the dwelling is located.
- b. All operations, including incidental storage, shall be carried on within the dwelling unit except as permitted by Section 9.11.1.d and no more than 1,000 sq. ft. of floor space shall be used for the home occupation.
- c. The use shall not constitute a nuisance by reason of increased traffic, hours of operation and/or delivery, an unacceptable level of air or water pollution, odor, excessive noise or visually flagrant structures and accessories, and the use shall not pose a hazard to abutters, vehicles or pedestrians.
- d. Adequate off-street parking shall be provided to prevent interference with traffic flow.
- e. Any signs shall comply with Section 9.8, Signs.
- f. The occupation shall be owned, operated, or managed by at least one (1) member of the family residing in the dwelling unit with not more than the equivalent of one (1) full time employee.
- g. The home occupation shall not be in violation of any other provision of this Bylaw.

**9.11.3** The Zoning Board of Appeals may issue a special permit for a Major Home Occupation. All parts of 9.11.2 apply except that a Major Home Occupation may include up to two (2) full-time equivalent non-resident employees; and/or may use an existing detached structure, such as a garage or barn, for the home occupation provided that: the total floor area occupied by the home occupation does not exceed 1,000 square feet. The home occupation may not include a use that is not similar to those illustrated in Section 9.11.1. The home occupation must be in compliance with 9.11.2 a., c., d., e., and g. The occupation shall be owned, operated, or managed by at least one (1) member of the family residing in the dwelling unit.

*Changes to Section 3.0, Schedule of Use Regulations Use Table*

*Table Rows that relate to Home Occupations*

Section	Use	VR	VM	RU	Notes
3.2	<b>Business Uses</b>				
	...				
	Home Occupation	P	P	P	See Section 9.11
	Home Occupation, Major	SP	SP	SP	See Section 9.11

**Article 35 Passed 2/3 Majority (1 No)**

**Article 36**

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw by amending the definition in Section 18; to amend Section 9.1 by deleting the language in the existing Section 9.1 Accessory Apartments in its entirety and replacing it with new language; and to amend Section 3.0 of the Zoning Bylaw, the Schedule of Use Regulations Section 3.1, Residential Uses, and to correct the reference note from 9.0 to 9.1 as outlined in Article 36 of the Warrant.

Definitions

**Definitions**

**Accessory Apartment** — An accessory apartment is a second dwelling unit, complete with its own means of egress, sleeping, cooking and sanitary facilities, that is accessory to and contained within a single-family dwelling. An owner of the single-family dwelling shall occupy either the single-family dwelling or the accessory apartment as his or her primary residence.

**9.1 Accessory Apartments**

- a. An Accessory Apartment shall be defined as a second dwelling unit, complete with its own means of egress, sleeping, cooking and sanitary facilities, that is accessory to a single-family dwelling.
- b. Either the single-family dwelling or the accessory apartment shall be the primary residence of an owner of the property.
- c. Total floor space of the Accessory Apartment shall not exceed 1,000 square feet or one-third of the total livable square footage of the dwelling, whichever is less. Habitable floor area does not include, for example, unfinished attic space, unfinished basement space, unfinished garage space, porch, or patio.



- d. New residential space may be created in association with an Accessory Apartment through addition to an existing dwelling.
- e. The Accessory Apartment shall have no more than two bedrooms and shall not be occupied by more than five persons.
- f. For the purposes of calculating required lot area, an Accessory Apartment shall not be subject to Section 9.0.d.
- g. When an Accessory Apartment is added to an existing dwelling which is non-conforming due to lot area, frontage, setbacks, or lot coverage, the creation of the accessory apartment shall not be considered an expansion of a non-conforming use, provided that any structural enlargement or expansion shall comply with the minimum setback and lot coverage standards of this Bylaw.
- h. The Accessory Apartment must comply with the parking requirements and all other sections of this Bylaw.
- i. An applicant must demonstrate that an Accessory Apartment will be adequately served by municipal sewer or an on-site septic system before a Building Permit can be obtained for an Accessory Apartment.
- j. An Accessory Apartment shall be designed to maintain the architectural design, style, appearance, and character of the principal dwelling. If an attached accessory dwelling unit extends beyond the current footprint or existing height of the principal dwelling, such an addition must be compatible with the existing facade, roof pitch, siding materials, and windows.
- k. The procedure for the submission and approval of a Building Permit for an Accessory Apartment shall be the same as prescribed elsewhere in this Bylaw except the application shall include a notarized letter of application from the owner(s) stating that the owner(s) will occupy one of the dwelling units on the premises. Such notarized letter shall be renewed and submitted annually to the Building Inspector for as long as the Accessory Apartment is used as such.
- l. The Inspector of Buildings shall not issue a Certificate of Occupancy for an Accessory Apartment until the owner(s) of the property presents a time-stamped copy of a Declaration of Covenants for the subject property that has been filed at the County Registry of Deeds. The Declaration shall state that the right to occupy an Accessory Apartment ceases if the property is not the primary residence of one or more of its owners, or upon transfer of title unless the new owner takes the action described in paragraph 9.1.m. below.
- m. Transfer of ownership of a dwelling with an Accessory Apartment. If a structure that has received approval for an Accessory Apartment is sold, and if the new owner wishes to continue to exercise the use, the new owner must, within 30 days of the sale, submit a notarized letter to the Zoning Enforcement Officer stating that the owner will occupy one of the dwelling units in the structure as the owner's permanent/primary residence and shall conform to all of the criteria and conditions for Accessory Apartments. .
- n. A second driveway and curb cut leading to an Accessory Apartment is not permitted.

**Changes to Section 3.1, Schedule of Use Regulations Use Table**

Section	Use	VR	VM	RU	Notes
3.1	<b>Residential Uses</b>				
	Single-family dwelling	P	P	P	
	Two-family dwelling	P	P	P	
	Multi-family dwelling (up to 4 dwelling units)	SP	SP	SP	
	<i>More than four dwelling units in multi-family dwelling or mixed-use building</i>	<i>SP/SPR</i>	<i>SP/SPR</i>	<i>N</i>	<i>See section 9.21</i>
	<b>Accessory Apartment</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>See Section 9.1</b>
	Upper-floor apartments in Mixed Use buildings	P	P	SP	See Section 9. Limited to a maximum of 3 residential dwelling units per structure

Motion made and seconded to amend the bylaw to require a special permit to allow accessory apartments.

**Motion to amend fails majority.**

Motion made and seconded to amend the bylaw to decrease occupancy from five (5) to three (3).

**Motion to amend fails majority**

Motion made and seconded to call the question.

**Motion to Call the question Passed Unanimously**

**Article 36 Passed 2/3 Majority Yes-90 No-15**

**Article 37**

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw by adding new definitions to Section 18; by adding a new Section entitled Marijuana for Adult Use; to amend the Table of Uses by inserting uses for Marijuana Retailer, Marijuana Transporter, Independent Testing Laboratory, Marijuana Cultivator, and Marijuana Product Manufacturer as uses allowed by Special Permit/Site Plan Review in certain designated zoning districts, as outlined in Warrant 37 of the Warrant; to amend the Table of Contents to add this section, and further, to authorize the Town Clerk to assign an appropriate Section number consistent with the current Zoning Bylaw.

Section 18 – Definitions of the Zoning Bylaw is amended by adding the following new definitions in alphabetical order:

- a. Independent Testing Laboratory: a laboratory that is licensed by the Massachusetts Cannabis Control Commission ("Commission") and is (i) accredited to the most current International Organization for Standardization 17025, by a third-party accrediting body that is signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement, or that is otherwise approved by the Commission; (ii) independent financially from any medical marijuana treatment center or any licensee or marijuana establishment for which it conducts a test; and (iii) qualified to test cannabis or marijuana in compliance with regulations promulgated by the Commission.

- b. Marijuana Cultivator: an entity licensed by the Massachusetts Cannabis Control Commission to cultivate, process, and package marijuana, and to transfer marijuana to other marijuana establishments but not to consumers.
- c. Marijuana Establishment: a marijuana cultivator, Craft Marijuana Cooperative, independent testing laboratory, marijuana product manufacturer, marijuana retailer, or any other type of licensed marijuana-related businesses, except a medical marijuana treatment center, which is also referred to as a Registered Marijuana Dispensary under these Zoning Bylaws.
- d. Marijuana Product Manufacturer: an entity licensed by the Massachusetts Cannabis Control Commission to obtain, manufacture, process, and package cannabis or marijuana products, and to transfer these products to other marijuana establishments, but not to consumers.
- e. Marijuana Products: products that have been manufactured and that contain marijuana or an extract of marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils, and tinctures.
- f. Marijuana Retailer: an entity licensed by the Massachusetts Cannabis Control Commission to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell, or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.
- g. Marijuana Transporter: an entity not otherwise licensed by the Massachusetts Cannabis Control Commission, that is licensed to purchase, obtain, and possess cannabis or marijuana products solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not to consumers.

## **Marijuana for Adult Use**

### **A. Purpose**

The purpose of this bylaw is to:

- a. Allow state-licensed marijuana establishments to exist in the Town of Williamsburg in accordance with applicable state laws and regulations issued by the Massachusetts Cannabis Control Commission (“Commission”) including but not limited to M.G.L. Chapter 94G.
- b. Provide safe and effective access to recreational cannabis in the Town of Williamsburg.
- c. Impose reasonable safeguards to govern the time, place, and manner of marijuana establishment operations to ensure public health, safety, and well-being, and to avoid impacts on the natural environment as it relates to cultivation, processing and manufacturing, subject to the provisions of this Zoning Bylaw, M.G.L. Chapter 40A (State Zoning Act), and M.G.L. Chapter 94G.

### **B. Definitions**

Any term not specifically defined in these Zoning Bylaws shall have the meaning as defined in M.G.L. c. 94G. Section 1 and the Cannabis Control Commission regulations, 935 CMR 500.00 governing Adult Use Marijuana, as such statutes and regulations may from time to time be amended.

### C. Applicability

- a. Independent testing laboratory, marijuana cultivator, and marijuana product manufacturer may be allowed by Special Permit and Site Plan Review in the Village Mixed and Rural Use Districts.
- b. Marijuana retailer may be allowed by Special Permit and Site Plan Review in the Village Mixed Use District.
- c. On-site consumption of marijuana products at any Marijuana Establishment, either as a primary or accessory use, shall be prohibited unless permitted by local ballot initiative, as allowed by M.G.L. c. 94G. Section 3(b).

### D. Application Requirements

#### a. Security Plan

The applicant shall submit a security plan to the Town of Williamsburg Police and Fire Departments to demonstrate that there is limited undue burden on the Town public safety officials as a result of the operation of the proposed marijuana establishment.

- i. The Williamsburg Police and Fire Departments shall provide comments to the Planning Board regarding the sufficiency of such plan or plans.
- ii. The security plan shall include all security measures for the site and transportation of marijuana and marijuana products to and from off-site premises to ensure the safety of employees and the public and to protect the property from theft or other criminal activity.

#### b. Energy and Water Use Plans

- i. All marijuana cultivators shall submit energy use and water use plans to the Planning Board to demonstrate best practices for energy and water conservation and ensure there are no undue impacts on the natural environment. The plans shall include an electrical system overview, proposed energy demand and proposed electrical demand off-sets, ventilation system and air quality, and proposed water system use and conservation.

### E. General requirements and conditions for all marijuana establishments.

- (1) All marijuana establishments, except for a Marijuana Cultivator, shall be located within a permanent building or structure and may not be located in a trailer, cargo container, motor vehicle or other similar non-permanent enclosure. Marijuana Establishments shall not have drive-through service. If authorized under M.G.L. Chap. 94G, a Marijuana Cultivator may conduct its cultivation of marijuana outside of a building or structure.
- (2) The hours of operation of Marijuana Establishments shall be set by the Zoning Board of Appeals.
- (3) No Marijuana Establishment shall be located within 500 feet of the property boundary line of any lot in use as a public or private school, grades kindergarten through 12. Distance shall be measured in a straight line from property boundary line to property boundary line.
- (4) No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a marijuana establishment, except as authorized by G.L. c. 94G or regulations issued by the Cannabis Control Commission, or as authorized under this Bylaw.

- (5) No Marijuana Establishment shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or a truck.
- (6) No outside storage of marijuana, related supplies or promotional materials is permitted.
- (7) All marijuana establishments shall be ventilated in such a manner that:
  - (a) pesticides, insecticides, or other chemicals or products used in cultivation or processing are not dispersed into the outside atmosphere.
  - (b) odor from marijuana cannot be detected by a person with a normal sense of smell at the exterior of the marijuana establishment or at any adjoining property.
- (8) All marijuana establishments must negotiate a Host Community Agreement with the Williamsburg Board of Selectmen, or its designated representative.

F. Special Permit requirements.

- 1) A marijuana establishment shall only be allowed by Special Permit from the Zoning Board of Appeals and Site Plan Review by the Planning Board in accordance with MGL c. 40A, § 9 and Sections 5 and 6 of the Town of Williamsburg Zoning Bylaw subject to the following statements, regulations, requirements, conditions and limitations.
- 2) In addition to the standards set forth herein, the required site plan must meet all dimensional, parking, landscaping, and signage requirements of the Zoning Bylaw.
- 3) A special permit for a marijuana establishment shall be limited to one or more of the following uses approved by the Zoning Board of Appeals:
  - (a) Marijuana Cultivator,
  - (b) Marijuana Product Manufacturer,
  - (c) Independent Testing Laboratory (Marijuana), and
  - (d) Marijuana Transporter and
  - (e) Marijuana Retailer
- (4) In addition to the application requirements set forth above, a Special Permit application for a marijuana establishment shall include the following:
  - a) The name and address of owner(s) of the establishment;
  - b) Copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts Cannabis Control Commission and any other related Massachusetts agencies, or if a license(s) has not yet been issued, the applicant shall provide a copy of its application to the Cannabis Control Commission, excluding those portions related to the applicant's finances. If any portion of the materials submitted to the Zoning Board of Appeals and/or Planning Board contain records that are not public records as defined under G.L. c. 4, §7, cl. 26, or any other statutory provision, the non-public information shall be redacted and shall be submitted to the Boards in a separately labeled packet clearly indicating that the contents are not public records.
  - c) Evidence of the applicant's right to use the site of the establishment for the establishment, such as a purchase and sale agreement, deed, owner's authorization, or lease;
  - d) Proposed security measures for the Marijuana Establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft. A letter from the Town of Williamsburg Police Chief, or designee, acknowledging

review and approval of the marijuana establishment security plan is required. To the extent allowed by law, all such documents shall be confidential.

- e) All application requirements for Site Plan Review as specified in Section 6 of the Zoning Bylaw unless waived by the Planning Board

(5) Mandatory findings:

The Zoning Board of Appeals shall not issue a Special Permit for a marijuana establishment unless it finds that:

- a) The establishment is designed to minimize any adverse impacts on abutters and other parties in interest, as defined in MGL c. 40A, § 11.
- b) The establishment demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will comply with all applicable state laws and regulations; and
- c) The applicant has satisfied all of the conditions and requirements set forth herein.
- d) A special permit and/or site plan approval authorizing the location of a Marijuana Establishment under this bylaw shall be valid only for the licensed entity to which the special permit and/or site plan approval was issued, and only for the site at which the Marijuana Establishment has been authorized by special permit and/or site plan approval.
- e) No more than two (2) retail marijuana retailers shall be allowed within the Town of Williamsburg.

G. Reporting Requirements

The owner of a marijuana establishment shall submit an Annual Report to the Williamsburg Board of Selectmen no later than January 31<sup>st</sup> of each year, which certifies compliance with the requirements of this bylaw and M.G.L. Chapter 94G.

H. Abandonment or discontinuance of use.

A marijuana establishment shall be required to remove all material, plants equipment and other paraphernalia within six months of ceasing operations. The project proponent of a Marijuana Establishment shall provide to the Town of Williamsburg a surety bond to cover the cost of such removal in the event the Town of Williamsburg becomes responsible for such removal. The amount of surety required shall be determined by the permitting authority.

All other applicable provisions of the Town of Williamsburg Zoning Bylaw shall also apply.

If any section or portion of this Bylaw is ruled invalid by a court of competent jurisdiction, such ruling will not affect the validity of the remainder of this Bylaw.

Further, that Section 3.0 of the Zoning Bylaw, the Schedule of Use Regulations, be amended by inserting under Section 3.2, Business Uses, the following new uses, in alphabetical order: Marijuana Retailer as a use allowed by Special Permit/Site Plan Review in the Village Mixed Use District, and Independent Testing Facility, Marijuana Cultivator, Marijuana Product Manufacturer, and Marijuana Transporter as uses allowed by Special permit/Site Plan Review in the Village Mixed and Rural Use Districts as follows:

**Changes to Section 3.2, Schedule of Use Regulations Use Table**

Section	Use	VR	VM	RU	Notes
3.2	<b>Business Uses</b>				
	<i>Independent Testing Facility, Marijuana Cultivator, Marijuana Cultivator, Marijuana Product Manufacturer, and Marijuana Transporter</i>	<i>N</i>	<i>SP/SPR</i>	<i>SP/SPR</i>	
	<i>Marijuana Retailer</i>	<i>N</i>	<i>SP/SPR</i>	<i>N</i>	

**Article 37 Passed 2/3 Majority (1 No)**

**Article 38**

Moved and seconded that the Town vote to accept the provisions of General Laws Chapter 64N, Section 3(a), as amended by Section 13 of Chapter 55 of the Acts of 2017 for the purpose of imposing a local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town of Williamsburg to anyone other than a marijuana establishment at the rate of three percent (3%).

**Article 38 Passed Unanimously**

**Article 39**

Moved and seconded that the Town vote to amend the Town of Williamsburg Zoning Bylaw by deleting in its entirety Section 20 entitled “Temporary Moratoria on the Sale and Distribution of Marijuana Not Medically Prescribed), and further, to amend the Table of Contents to the Zoning Bylaw by deleting the reference to Section 20, “Temporary Moratoria on Marijuana Sales (Not Medical).

**Article 39 Passed Unanimously**

**Article 40 (Petition)**

Moved and seconded that the Town vote to transfer from Free Cash the sum of \$20,000 for the purpose of purchasing a four hundred (400) seat automated vote tabulation system, and any other incidental and related expenses.

Some discussion. Motion made and seconded to call the question.

**Motion to call the question passed unanimously**

**Article 40 Failed Majority**

**Article 41 (Petition)**

Moved and seconded that the Town vote to adopt the following resolution:

We call on the United States to lead a global effort to prevent nuclear war by:

Renouncing the option of using nuclear weapons first;

Ending the president's sole, unchecked authority to launch a nuclear attack;

Taking U.S. nuclear weapons off hair-trigger alert;

Cancelling the plan to replace its entire arsenal with enhanced weapons;

Actively pursuing a verifiable agreement among nuclear armed states to eliminate their nuclear arsenals.

And to direct the Town Clerk to send copies of this resolution to the two Massachusetts U.S. Senators and to the U.S. Representative for this district, and to the President and Secretary of State of the United States.

**Article 41 Passed Majority (1 no)**

Motion made and seconded to adjourn Town Meeting. Motion passed unanimously. Meeting adjourned at 10:59 P.M.

Filed: June 5, 2018

A True Copy Attest: Brenda Lessard, Town Clerk

Brenda Lessard  
Williamsburg Town Clerk

Cc: Accountant, Department of Revenue, Finance Committee, Board of Selectmen, Treasurer, Assessors, KP/Law, Highway Department, Planning Board, Board of Health, Town Administrator, Water & Sewer Commission, Police Department, Capital Planning, HRHS School District, Fire Department, Mill River Greenway, Collector, Williamsburg 250<sup>th</sup> Committee, Flag Committee, Energy Committee