

**TOWN OF LANCASTER  
OFFICE OF THE SELECT BOARD  
PRESCOTT BUILDING  
LANCASTER, MA 01523**



**WARRANT FOR ANNUAL TOWN MEETING**

**MAY 3, 2023\***

**7:00 PM**

*\*Meeting may be continued to 5/4/23, starting at 7 PM should business not conclude.*

**MARY ROWLANDSON ELEMENTARY SCHOOL**

**&**

**LUTHER BURBANK MIDDLE SCHOOL**

*103 Hollywood Drive • Lancaster, MA 01523*

The Town of Lancaster is an Open Town Meeting form of Government. The Town is committed to ensuring that each person who wishes to participate can do so in a manner that is consistent with the Americans with Disabilities Act (ADA.) Any individual requesting a reasonable accommodation should contact Health and Human Services Director Kelly Dolan via email: [kdolan@lancasterma.gov](mailto:kdolan@lancasterma.gov) or by telephone 978-365-3326 ext. 1055. Reasonable accommodation is determined on an individual and confidential basis. Please make any requests for reasonable accommodation on or before April 21, 2023; requests for accommodation received after this date may not be able to be fulfilled.

**Insert A**  
**Ballot Question Related to Article 1**

The ballot question will read as follows:

Shall the Town of Lancaster be allowed to assess an additional \$1,200,000 in real estate and personal property taxes for the purposes of funding the operating budgets of the Town Government and the School Departments for the fiscal year beginning July first, two thousand and twenty-three?

Yes \_\_\_\_\_ No \_\_\_\_\_

**WARRANT FOR ANNUAL TOWN MEETING  
IN THE TOWN OF LANCASTER**

**May 3, 2023**

**Mary Rowlandson Elementary & Luther Burbank Middle Schools -- 7:00 PM**

**Worcester, ss.**

To any Constable of the Town of Lancaster in the County of Worcester,

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lancaster qualified to vote in the elections and Town affairs, to meet at **Mary Rowlandson Elementary & Luther Burbank Middle Schools, 103 Hollywood Drive in said Lancaster on Wednesday, the third of May 2023, at 7:00 in the evening**, and to act on the following:

**ARTICLE 1  
FY24 Operating Budget  
Select Board**

To see if the Town will vote to raise and appropriate by taxation, or transfer from available funds, the sum of \$27,010,938 to defray the expenses of the Town and School Department beginning in FY2024, as follows:

<b>ITEM</b>	<b>AMOUNT</b>
Municipal Services	\$ 6,570,599
Risk Mgmt., Debt, Leases	\$ 2,685,830
Minuteman Regional Technical HS	\$ 2,382,024
Nashoba Regional School District	\$ 15,285,485
Assabet Valley Regional Technical HS	\$ 87,000
<b>TOTAL</b>	<b>\$ 27,010,938</b>

provided, however, this appropriation shall be contingent upon affirmative action by the voters of the Town on the passage of a Proposition 2½ Override, so called, ballot question to assess an additional \$1,200,000 in real estate and personal property taxes for funding the Town and School Department's operating budget; said ballot question to be voted upon by ballot at the Annual Town Election to be held on May 8, 2023 at the Town Hall from 7:00 AM to 8:00 PM. The ballot question text is set forth in Insert A of this Warrant and is incorporated herein by reference. Or take any action relative thereto.

**SELECT BOARD RECOMMENDATION:**                      **Affirmative Action**  
**FINANCE COMMITTEE RECOMMENDATION:**        **Affirmative Action**

**ARTICLE 2**  
**Nashoba Regional School District Agreement**  
*Select Board*

To see if the Town will vote to amend the Regional School District Agreement between the Towns of Bolton, Lancaster and Stow as set forth in the amendment agreement entitled the “*Nashoba Regional School District Agreement*,” on file at the Town Clerk’s Office and online at: [bit.ly/3YyZBpr](http://bit.ly/3YyZBpr), or take any action relative thereto.

**SELECT BOARD RECOMMENDATION: Affirmative Action**

**ARTICLE 3**  
**Revolving Fund Account Budgets**  
*Select Board*

To see if the Town will vote pursuant to M.G.L. c.44 §53E1/2, to set the total amount that may be spent from the various revolving funds for the Fiscal Year beginning July 1, 2023, as follows:

FUND / PROGRAM	FY24 CAP
<b>Health &amp; Human Services</b>	
<i>COA/Community Center</i>	\$ 12,000
<i>Recreation Committee</i>	\$ 80,000
<i>M.A.R.T. Services</i>	\$ 50,000
<i>Library Charges</i>	\$ 9,500
<b>Public Works Operations</b>	
<i>Stormwater Management</i>	\$ 3,000
<i>Duval Road Sewer</i>	\$ 5,000
<i>Recycling Center</i>	\$ 358
<b>Other Town Departments/Operations</b>	
<i>Planning Board</i>	\$ 25,000
<i>Community Development</i>	\$ 2,500
<i>Publications - Town Clerk</i>	\$ 2,500

Or take any other action relative thereto.

**SELECT BOARD RECOMMENDATION: Affirmation Action**  
**FINANCE COMMITTEE RECOMMENDATION: Delivered at Town Meeting**

**ARTICLE 4**  
**Water Main Replacement**  
*Board of Public Works*

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$4,000,000 for Water Department Enterprise, for the engineering design, construction, reconstruction, and installation of water mains including all costs incidental and related thereto or take any other action relative thereto.

**SELECT BOARD RECOMMENDATION: Affirmation Action**  
**FINANCE COMMITTEE RECOMMENDATION: Delivered at Town Meeting**

**ARTICLE 5**  
**Renewable Energy Enterprise Fund**  
*Select Board*

To see if the Town will vote to appropriate one hundred twenty-five thousand dollars (\$125,000), or any other sum of money, from the Renewable Energy Enterprise Fund to finance the operation of the Landfill Solar Array for the Fiscal Year beginning July 1, 2023, or take any other action relative thereto.

**REVENUES**

Sale of Solar Energy Credits                      \$120,000  
 Qualified Energy Bond Subsidy      \$5,000

**EXPENSES**

Maintenance Expenses                      \$20,956  
 Debt (P&I)                                      \$104,044 (*scheduled pay-off in 2033*)

**SELECT BOARD RECOMMENDATION:**                      **Affirmative Action**  
**FINANCE COMMITTEE RECOMMENDATION:**                      **Delivered at Town Meeting**

**ARTICLE 6**  
**Water Enterprise Fund Budget**  
*Board of Public Works*

To see if the Town will vote to appropriate the sum of \$ 1,108,250 or any other sum of money, from the Water Enterprise Fund, to finance the operation of the Water Department for the Fiscal Year beginning July 1, 2023, as outlined below:

<b>Water Enterprise Appropriations</b>	
<i>Salaries &amp; Wages</i>	\$ 360,645
<i>Operational Expenses</i>	\$ 457,605
<i>Reserve Fund Transfers (in/out)</i>	\$        0
<i>Debt Payments (principal)</i>	\$ 175,000
<i>Debt Payments (interest)</i>	\$ 115,000
<i>Indirect Costs to the General Fund</i>	\$        0

Or take any other action relative thereto.

**SELECT BOARD RECOMMENDATION:**                      **Affirmation Action**  
**BOARD OF PUBLIC WORKS RECOMMENDATION:**                      **Affirmative Action**  
**FINANCE COMMITTEE RECOMMENDATION:**                      **Delivered at Town Meeting**

**ARTICLE 7**  
**Creation of Town Personnel Bylaw**  
*Select Board*

To see if the Town will vote to amend Chapter 140 – Personnel of the Town General Code by deleting the chapter in its entirety and replacing it with the following:

**§140-1 Purpose.**

The purpose of Lancaster’s Personnel Bylaw is to establish fair and equitable personnel policies and to create a system for personnel administration which ensures the uniform, fair, and efficient application of personnel policies and procedures.

**§140-2 Personnel Policies and Procedures.**

The Town Administrator shall have the authority to draft and recommend Personnel Policies and Procedures to the Select Board for adoption. The Town Administrator may consult with other boards, commissions, officers, and employees in drafting such policies. The policies will be effective upon approval by the Select Board.

**§140-3 The Classification and the Compensation Plans.**

The Classification Plan and the Compensation Plan, as amended from time to time, shall be incorporated by reference into the Personnel By-law. Amendments to the Classification Plan or the Compensation Plan shall be approved by Town Meeting, except that in the case of urgent necessity, the Select Board may establish interim positions and temporarily classify those positions for purposes of compensation until the position is formally established by a vote to amend the Classification Plan at the next Town Meeting.

**§140-4 Applicability.**

All Town departments and positions shall be subject to the provisions of this bylaw and policies adopted hereunder except elected officers, elected town officials, and employees of the school department. Employees with personal contracts and employees covered by collective bargaining agreements shall be subject to the provisions of this bylaw and adopted policies to the extent that those provisions are not superseded by, or contrary to, any contractual term or condition in the collective bargaining agreements. Nothing in this bylaw shall be construed to limit any right of employees pursuant to Massachusetts General Laws.

Or take any other action relative thereto.

**SELECT BOARD RECOMMENDATION:**

**Affirmative Action**

**ARTICLE 8**  
**Compensation Plan**  
*Select Board*

To see if the Town will vote to accept the Compensation Plan effective July 1, 2023, as shown on the below chart, or take any other action relative thereto.

**COMPENSATION PLAN**

<b>FY24 GRADE</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>	<b>STEP 6</b>	<b>STEP 7</b>	<b>STEP 8</b>
<b>1</b>			\$15.21 \$31,754.72	\$15.51 \$32,393.65	\$16.48 \$34,416.92	\$17.16 \$35,822.56	\$17.87 \$37,313.40	\$18.60 \$38,846.82
<b>2</b>	\$16.32 \$34,076.16	\$16.99 \$35,481.80	\$17.69 \$36,930.04	\$18.43 \$38,484.76	\$19.19 \$40,060.79	\$19.98 \$41,722.00	\$20.82 \$43,468.40	\$21.68 \$45,257.40
<b>3</b>	\$17.70 \$36,957.32	\$18.65 \$38,933.65	\$19.40 \$40,514.71	\$20.23 \$42,244.00	\$21.06 \$43,973.29	\$21.81 \$45,529.64	\$22.71 \$47,419.12	\$23.65 \$49,387.02
<b>4</b>	\$19.37 \$40,440.60	\$20.17 \$42,120.48	\$21.02 \$43,899.17	\$21.89 \$45,702.57	\$22.79 \$47,580.08	\$23.72 \$49,531.71	\$24.71 \$51,587.27	\$25.73 \$53,728.15
<b>5</b>	\$20.78 \$43,380.39	\$21.65 \$45,208.49	\$22.56 \$47,110.71	\$23.49 \$49,037.63	\$24.44 \$51,038.66	\$25.45 \$53,138.50	\$26.51 \$55,343.75	\$27.61 \$57,640.52
<b>6</b>	\$21.50 \$44,887.34	\$22.37 \$46,715.44	\$23.33 \$48,716.47	\$24.29 \$50,717.50	\$25.28 \$52,792.65	\$26.33 \$54,966.61	\$27.42 \$57,247.72	\$28.56 \$59,623.50
<b>7</b>	\$23.21 \$48,469.43	\$24.20 \$50,519.87	\$25.20 \$52,619.72	\$26.21 \$54,724.51	\$27.30 \$56,992.34	\$28.42 \$59,339.23	\$29.60 \$61,801.81	\$30.83 \$64,366.59
<b>8</b>	\$24.22 \$50,569.28	\$25.22 \$52,669.13	\$26.28 \$54,867.79	\$27.35 \$57,115.86	\$28.49 \$59,487.46	\$29.66 \$61,933.16	\$30.89 \$64,503.39	\$32.17 \$67,180.28
<b>9</b>	\$25.30 \$52,817.35	\$26.35 \$55,016.02	\$27.43 \$57,264.09	\$28.56 \$59,635.68	\$29.74 \$62,106.09	\$30.96 \$64,650.61	\$32.25 \$67,333.61	\$33.59 \$70,127.96
<b>10</b>	\$27.61 \$57,659.35	\$28.79 \$60,105.06	\$29.98 \$62,600.17	\$31.22 \$65,194.10	\$32.50 \$67,862.14	\$33.84 \$70,653.71	\$35.24 \$73,585.84	\$36.70 \$76,639.65
<b>11</b>	\$31.37 \$65,490.55	\$32.65 \$68,183.30	\$34.05 \$71,098.38	\$35.45 \$74,013.46	\$36.90 \$77,052.07	\$38.42 \$80,214.19	\$40.01 \$83,543.08	\$41.67 \$87,010.12
<b>12</b>	\$32.15 \$67,121.02	\$33.46 \$69,863.18	\$34.84 \$72,753.56	\$36.32 \$75,841.57	\$37.83 \$78,978.99	\$39.38 \$82,215.22	\$41.01 \$85,627.15	\$42.71 \$89,180.68
<b>13</b>	\$35.12 \$73,321.75	\$36.59 \$76,409.76	\$38.12 \$79,596.59	\$39.71 \$82,906.94	\$41.34 \$86,316.10	\$43.03 \$89,848.79	\$44.82 \$93,577.51	\$46.68 \$97,460.98
<b>14</b>	\$39.26 \$81,968.18	\$40.89 \$85,377.35	\$42.62 \$88,984.14	\$44.38 \$92,665.05	\$46.20 \$96,469.48	\$48.09 \$100,422.14	\$50.09 \$104,589.66	\$52.17 \$108,930.13
<b>15</b>	\$41.41 \$86,464.33	\$43.10 \$89,997.01	\$44.92 \$93,801.44	\$46.81 \$97,729.39	\$48.70 \$101,682.05	\$50.70 \$105,857.04	\$52.80 \$110,250.11	\$54.99 \$114,825.49
<b>16</b>	\$43.03 \$89,848.79	\$45.05 \$94,073.19	\$46.32 \$96,716.53	\$48.65 \$101,583.23	\$50.66 \$105,782.93	\$52.74 \$110,130.85	\$54.93 \$114,701.28	\$57.21 \$119,461.38
<b>17</b>	\$45.18 \$94,341.23	\$46.09 \$96,228.05	\$47.01 \$98,152.61	\$47.95 \$100,115.67	\$48.91 \$102,117.98	\$49.89 \$104,160.34	\$50.88 \$106,243.54	\$51.90 \$108,368.42

18	\$47.44	\$48.39	\$49.36	\$50.35	\$51.35	\$52.38	\$53.43	\$54.50
	\$99,058.29	\$101,039.45	\$103,060.24	\$105,121.45	\$107,223.88	\$109,368.35	\$111,555.72	\$113,786.84
19	\$49.81	\$50.81	\$51.83	\$52.86	\$53.92	\$55.00	\$56.10	\$57.22
	\$104,011.20	\$106,091.43	\$108,213.26	\$110,377.52	\$112,585.07	\$114,836.77	\$117,133.51	\$119,476.18

**SELECT BOARD RECOMMENDATION:** Affirmative Action.  
**FINANCE COMMITTEE RECOMMENDATION:** Affirmative Action.

**ARTICLE 9**  
**Community Preservation Committee – FY24 Budget**  
*Community Preservation Committee*

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2024 budget, to 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 and all other necessary and proper expenses of the Community Preservation committee, with each item to be considered a separate appropriation:

**Appropriations:**

From FY 2024 estimated annual fund revenues for Committee Administrative Expenses **\$ 9,600**

**Reserves:**

From FY 2024 estimated annual fund revenues for Historic Resources Reserve **\$ 19,200**  
From FY 2024 estimated annual fund revenues for Community Housing Reserve **\$ 19,200**  
From FY 2024 estimated annual fund revenues for Open Space/Recreation Reserve **\$ 19,200**  
From FY 2024 estimated annual fund revenues for Undesignated Budgeted Reserve **\$ 124,800**

NOTE: This budget anticipates FY24 CPA revenue of **\$160,000** from the local CPA surcharge and an estimated distribution of **\$32,000** (20%) from the statewide CPA Trust Fund, for total revenue of **\$192,000**

**SELECT BOARD RECOMMENDATION:** Affirmative Action.  
**FINANCE COMMITTEE RECOMMENDATION:** Delivered at Town Meeting.

**ARTICLE 10**  
**Community Preservation Committee – FY24 Projects/Allocations**  
*Community Preservation Committee*

To see if the Town will vote to appropriate funds from the Community Preservation Fund, in the amounts recommended by the Community Preservation Commission, for the projects listed and from the fund designations below, or to take any action relative thereto.

Community Preservation Warrant article project names and amounts Town Meeting 2023						
Project Request	Category	Amount of Project	Recreation Fund Balance	Histroic Fund Balance	Undesignated Balance	
			21,812.41	21,812.41	141,780.65	
Recreation fence	Recreation	(35,000.00)	(21,812.41)		(13,187.59)	(35,000.00)
subtotal			-		128,593.06	
Ballfield Resurfacing	Recreation	(45,000.00)			(45,000.00)	(45,000.00)
					83,593.06	
BallField Dugouts	Recreation	(20,000.00)			(20,000.00)	(20,000.00)
					63,593.06	
Historic Middle Cem	Historic	(13,500.00)		(13,500.00)		(13,500.00)
sub total				8,312.41	63,593.06	
Historic First Church	Historic	(12,700.00)		(8,312.41)	(4,387.59)	(12,700.00)
					59,205.47	
Historic Library Windows	Historic	(25,000.00)			(25,000.00)	(25,000.00)
		(151,200.00)				(151,200.00)
Total after projects			-	-	34,205.47	
Undesignated Remaining						
Amount from Undesignated/category reserve			(21,812.41)	(21,812.41)	(107,575.18)	(151,200.00)

**SELECT BOARD RECOMMENDATION:** Affirmative Action  
**FINANCE COMMITTEE RECOMMENDATION:** Delivered at Town Meeting

**ARTICLE 11**  
**Amendments to Zoning Bylaw – Accessory Apartments**  
*Planning Board*

To see if the Town will vote to amend the following Section of the Zoning Bylaw:

1. Section 220-9.G, Accessory Apartments, so that the section reads as follows:

G. Accessory apartments

- (1) Either the primary single-family detached dwelling or the proposed accessory apartment must be and remain owner-occupied, except for temporary absences of no more than 12 consecutive months. The property owner shall record a deed restriction in their chain of title memorializing this condition in a form approved by Town Counsel.
- (2) The habitable floor area of the accessory apartment, whether located in a detached accessory structure or in the principal single-family dwelling shall be up to 1,500 s.f. maximum, but not greater than 50% of the Gross Floor Area of the primary dwelling.
- (3) The accessory apartment shall have its own separate entrance from the outside.
- (4) The accessory apartment unit shall conform to the Massachusetts Department of Public Health Minimum Standards for Human Habitation and all other applicable state codes for such occupancy.

- (5) If the dwelling is not to be served by both Town water and Town sewerage, then the applicant must document that the Board of Health has determined that provisions for water and sewage disposal will upon occupancy be adequate for the anticipated number of inhabitants.
- (6) At least three parking spaces must be provided to service the primary dwelling plus the accessory apartment.
- (7) Applicants must submit plans and calculations to demonstrate compliance with the above requirements.

2. Section 220-8.1. AB, Use Regulation Schedule, so that the line reads as follows:

ITEM	USE	R	NB	LI	LI2	GI	EZ	NOTES
AB.	Accessory apartment in a single-family dwelling with no change in the principal use of the premises	P	P	P	P	P	P	

Or take any other action relative thereto.

**SELECT BOARD RECOMMENDATION: Affirmative Action**

**PLANNING BOARD RECOMMENDATION: Affirmative Action**

**ARTICLE 12**  
**Amendments to Zoning Bylaw – Inclusion of Affordable Housing**  
*Planning Board*

To see if the Town will vote to amend Section 220-8.8 of the Zoning Bylaw, Inclusion of Affordable Housing, as follows:

1. Insert the following definitions in alphabetical order into Section 220-8.8B, Definitions:

**AREA, BUILDING**

The are included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building if such areas are included within the horizontal projection of the roof or floor above.

**WORK AREA**

That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work Area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this code.

2. Insert a new subpart (5) into Section 220-8.8C to read as follows:

(5) Renovation. This bylaw shall apply when the total work area exceeds 50% of the building area as identified on the plans and application for permit(s) or as deemed by municipal Inspectional Services agent(s) to exceed 50% of the building area. When a building undergoes multiple renovations over

time, all work areas subject to a permit and started or completed within 5 years of the date of application, even if no permit was obtained, shall be counted towards the total work area. The building inspector shall inspect such buildings prior to issuance of a permit to verify compliance with this section.

3. Renumber the existing 220-8.8C(5)-(8) accordingly;  
Or take any other action relative thereto.

**SELECT BOARD RECOMMENDATION: Affirmative Action**

**PLANNING BOARD RECOMMENDATION: Affirmative Action**

**ARTICLE 13**  
**Establishment of an Abutter Lot Sales Program**  
*Select Board*

To see if the Town will vote to direct the Select Board to establish an *Abutter Lot Sales Program* to facilitate the sale of certain smaller Town owned properties to abutting property owners; or take any other action relative thereto.

**SELECT BOARD RECOMMENDATION: Affirmative Action**

**FINANCE COMMITTEE RECOMMENDATION: Delivered at Town Meeting**

**ARTICLE 14**  
**Zoning Use Regulation Table Amendments**  
*Planning Board*

To see if the Town will vote to amend the 220 Attachment 1, the Use Regulation Schedule of the Zoning Bylaw as follows:

- (1) Amend Section 220-8.3.C, "Recreational and Amusement Uses", by inserting the bold text and deleting the strike through text, signifying that the use will not be allowed in that zoning district, as follows:

**Section 220-8.3. Recreational and Amusement Uses - Principal Uses**

ITEM	USE	R	NB	LI	LI2	GI	EZ
C.	Facilities for active outdoor recreation utilizing motorized equipment	SP	SP	SP	SP	N	<del>PB</del> N

- (2) Amend Section 220-8.4.B, "Public Health, Educational and Institutional Uses", by inserting the bold text and deleting the strike through text, signifying the use will require Planning Board approval in those zones, as follows.

**Section 220-8.4. Public, Health, Educational and Institutional Uses - Principal Uses**

ITEM	USE	R	NB	LI	LI2	GI	EZ	NOTES
B.	Religious and educational uses	<del>SP</del> <b>PB</b>	<del>SP</del> <b>PB</b>	<del>SP</del> <b>PB</b>	<del>SP</del> <b>PB</b>	<del>SP</del> <b>PB</b>	PB	If not regulated under Article XI, and provided by other than a public service corporation or governmental agency
		<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	If exempt from prohibition under MGL c. 40A Section 3

		<del>SP</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>N</del> <b>PB</b>	<del>N</del> <b>PB</b>	<del>N</del> <b>PB</b>	<del>P</del> <b>PB</b>	If a use, such as a commercial school, not exempt from prohibition under MGL c 40A Section 3
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(3) Amend Section 220-8.5.D, "Retail, Service and Office Uses", by inserting the bold text and deleting the strike through text, signifying the use will require Planning Board approval in those zones, as follows.

**Section 220-8.5 Retail, Service and Office Uses - Principal Uses**

ITEM	USE	R	NB	LI	LI2	GI	EZ
D.	Sales, rental, and repairs of motor vehicles, mobile homes, farm implements or boats	N	N	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	N	<del>P</del> <b>PB</b>

(4) Amend Section 220-8.6., "Industrial Uses", by inserting the bold text and deleting the strike through text, signifying the use will require Planning Board approval in those zones, as follows:

**Section 220-8.6 Industrial Uses**

Principal uses									
A.	Printing, publishing, and assembly, finishing, or packaging of products	N	N	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	See § 220-9E.	
B.	Other general industrial uses, including manufacturing and processing	N	N	<del>SP</del> <b>PB</b>	<del>S</del> <del>P</del> <del>P</del> <b>B</b>	<del>P</del> <b>PB</b>	PB	See § 220-9E. All buildings or structures to be at least 100 feet from any R District, or from any dwelling existing prior to adoption of this provision.	
C.	Structures for storage and distribution of goods, supplies, equipment and machinery	N	N	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>		
D.	Garages for all types of repairs of motorized equipment	N	N	N	N	<del>P</del> <b>PB</b>	N	No vehicle in an inoperative condition shall remain outdoors on the site in excess of 60 days; no more than five inoperative vehicles to be stored outdoors at any one time.	
E.	Open storage facilities for lumber, stone, brick, gravel, cement or other bulk materials and contractor's yards	N	N	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	<del>P</del> <b>PB</b>	PB	All outdoor storage to be separated from any district line and from any lot line of a dwelling existing prior to adoption of this bylaw either by a screen or by a strip of at least 100 feet of dense natural vegetation.	
F.	Earth products removal	As regulated by Article IX of Ch. 220.					See Article IX.		

G.	Junkyards, 3rd class car license premises, private dumps, whether as principal or accessory use	N	N	N	N	N	N	
H.	Research and development, engineering, assembly and construction of models, prototypes, samples, and experimental products in connection with research, engineering, or development activities	N	N	<del>P</del> PB	<del>P</del> PB	<del>P</del> PB	PB	
I.	Solar energy facility	PB	PB	<del>P</del> PB	<del>P</del> PB	<del>P</del> PB	<del>P</del> PB	As regulated by Article XVII of Ch. 220.
<b>Accessory Uses</b>								
AA.	One-family dwelling for personnel required for the safe operation or maintenance of a permitted use	N	N	N	N	<del>P</del> PB	PB	
BB.	Outdoor storage accessory to a principal use	N	N	N	N	<del>P</del> PB	PB	
CC.	Retail outlets for products of the principal industrial use	N	N	<del>P</del> PB	<del>P</del> PB	<del>P</del> PB	PB	(1) Off-street parking is provided in accordance with the standards for retail given in § 220-23;
								(2) The floor space devoted to retail equals no more than 1/4 the floor space devoted to the principal use.
DD.	Activities accessory to activities permitted in other districts as a matter of right, whether or not on the same parcel as the principal permitted use, which are necessary in connection with scientific research or scientific development or related production	<del>SP</del> PB	<del>SP</del> PB	<del>SP</del> PB	<del>SP</del> PB	<del>SP</del> PB	PB	The accessory use must not substantially derogate from the public good, per MGL c. 40A, § 9.
EE.	Heliports	N	N	PB	PB	PB	PB	

Or any other action relative thereto.

**SELECT BOARD RECOMMENDATION:**  
**PLANNING BOARD RECOMMENDATION:**

**Affirmative Action.**  
**Affirmative Action**

**ARTICLE 15**  
**Special Legislation – DCAMM Parcel Conveyance**  
*Select Board*

To see if the Town will vote to Authorize the Select Board to:

- (a) Petition the General Court for special legislation permitting the Commissioner of the Division of Capital Asset Management and Maintenance (DCAMM) to convey a parcel or parcels of land located in the Town of Lancaster and owned by the Commonwealth of Massachusetts, including, but not limited to, 0 Old Common Road (Assessor's Parcel 039-0004), as set forth below; provided however, that the General Court may make clerical or editorial changes of form only to the bill, as written herein, unless the Select Board approve said amendments to the bill, as written, before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; and

**AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF LANCASTER.**

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the transfer of a certain parcel of land in the town of Lancaster, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey certain parcels of land in the town of Lancaster owned by the commonwealth to the town of Lancaster subject to the provisions of this act. The parcels are shown on plans on file with the division of capital asset management and maintenance. The exact location and boundaries of the parcels to be conveyed shall be determined by the commissioner of capital asset management and maintenance based upon a survey.

The use of the parcels to be conveyed to the town shall not be restricted to use for municipal or other specific purposes; provided, however, that the town may so restrict the use of one or more of the parcels at a later date, in accordance with any applicable general and special laws. The parcels shall be conveyed by deed without warranties or representations by the commonwealth.

SECTION 2. As consideration for the conveyance of the parcels described in section 1, the town of Lancaster shall pay the commonwealth \$1.

SECTION 3. If the town of Lancaster sells or leases any portion of the parcels described in section 1, the net proceeds from such sale or lease as determined by the town of Lancaster and agreed to by the commissioner of capital asset management and maintenance shall be allocated between the town of Lancaster and the commonwealth in equal shares; provided, however, that the commissioner may agree to reduce the commonwealth's share of net proceeds to not less than 40 per cent in order to provide certain incentives to the town to sell or lease the parcels expeditiously. If the net proceeds, as so determined, is a negative amount, the commonwealth shall not be required to make any payments to the town of Lancaster.

SECTION 4. If the town of Lancaster decides to retain all, or any portion, of the parcels described in section 1 for municipal purposes, the town shall give written notice of such decision to the commissioner of capital asset management and maintenance and shall pay the Commonwealth additional consideration for the portion or portions of the parcels retained by the town of Lancaster for municipal purposes. Such additional consideration shall be the fair market value of the portion, or portions of the parcels retained by the town of Lancaster for municipal purposes as determined by the commissioner of capital asset management and maintenance based upon an independent professional appraisal, taking into consideration the restriction on the use of the portion or portions of the parcels to be retained by the town of Lancaster pursuant to this section. The inspector general shall review and approve the appraisal. The inspector general shall prepare a report of such review of the methodology utilized for the appraisal and shall file the report with the commissioner of capital asset management and maintenance, the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight.

In addition, the town of Lancaster shall agree, in a written document to be recorded with the Worcester registry of deeds, that the portion or portions of the parcels to be retained by the town of Lancaster pursuant to this section shall be used solely for municipal purposes, which document shall include a reversionary clause that stipulates that if the portion or portions of the parcels to be retained by the town of Lancaster for municipal purposes cease at any time to be used for municipal purposes, title to the portion or portions which is, or are, no longer used for municipal purposes shall, at the election of the commonwealth, revert to the commonwealth. Said reversionary clause shall contain provisions requiring that the town of Lancaster receive reasonable notice of and a reasonable time to cure any allegation that the parcel is not being used for the purposes set forth in this section.

SECTION 5. Notwithstanding any general or special law to the contrary, the town of Lancaster shall pay for all costs and expenses of the sale of the parcels to the town of Lancaster pursuant to this act as determined by the commissioner of capital asset management and maintenance including, but not limited to, the costs of any recording fees and deed preparation related to the conveyance and all costs, liabilities and expenses of any nature and kind related to the town's ownership of the parcel; provided, however, that such costs shall be included for the purposes of determining the net proceeds of the town's sale or lease of any portion of the parcels described in section 1. The town of Lancaster shall also pay for any appraisal undertaken pursuant to section 4, the cost of which shall not be included for the purposes of determining net proceeds.

SECTION 6. If the town of Lancaster does not complete the purchase of the parcels described in section 1 on or before June 30, 2024, or such date thereafter as agreed to by the town of Lancaster and the commissioner of capital asset management and maintenance, then notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for terms of up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to purchasers or lessees an interest in the parcels described in section 1 or portions thereof, subject to this section and on such terms and conditions that the commissioner considers appropriate.

The commissioner of capital asset management and maintenance shall dispose of the parcels or portions thereof pursuant to this section using appropriate competitive bidding processes and procedures. Not less than 30 days before the date on which bids, proposals or other offers to purchase or lease the parcels or portions thereof are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of the parcels or portions thereof, the nature of the competitive bidding process and other information that the commissioner considers relevant, including the time, place and manner for the submission of bids and proposals and the opening of the bids or proposals.

Notwithstanding any general or special law to the contrary, the grantee or lessee of the parcels described in section 1 or any portions thereof pursuant to this section, shall be responsible for costs and expenses of such sale or lease of the parcels or portions thereof to such grantee or lessee, including, but not limited to, costs associated with deed preparation and recording fees related to the conveyances and transfers authorized in this section as such costs may be determined by the commissioner of capital asset management and maintenance.

- (b) Acquire, by gift, purchase, or eminent domain, on such terms and conditions as acceptable to the Select Board, said parcel or parcels of land subject to such special legislation.

Or any other action relative thereto.

**SELECT BOARD RECOMMENDATION:** **Affirmative Action**

**ARTICLE 16**  
**Establishment of a Tax Fairness Committee in Lancaster**  
*Select Board*

To see if the Town will vote to direct the Select Board to create an Ad Hoc Committee entitled the Tax Fairness Committee, duly appointed by the Select Board, to (1) consider and review (a) the fair allocation of property tax burdens in Lancaster, and (b) the impacts of Lancaster's property taxes with respect to those residents and persons over the age of 65, and (2) explore the creation of a Senior Means-Tested Property Tax Exemption program; or any other action relative thereto.

**SELECT BOARD RECOMMENDATION:** **Affirmative Action**  
**FINANCE COMMITTEE RECOMMENDATION:** **Delivered at Town Meeting**

**ARTICLE 17**  
**Special Legislation – Firefighter Age Exemption**  
*Select Board*

To see if the Town will vote to authorize the Select Board to petition the General Court to enact special legislation substantially as set forth below; provided however, that the General Court may make clerical or editorial changes of form only to the bill, as written herein, unless the Select Board approve said amendments to the bill, as written, before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or any other action relative thereto.

AN ACT AUTHORIZING THE CONTINUED EMPLOYMENT OF STEVEN A. HILLIGER,  
FIRE FIGHTER OF THE TOWN OF LANCASTER

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** Notwithstanding chapter 32 of the General Laws or any general or special law to the contrary, Steven A. Hilliger, Firefighter of the fire department of the town of Lancaster, may continue to serve in that position until the date of his retirement or until the date he is relieved of his duties by the Fire Chief, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Select Board of the town of Lancaster, at its own expense, may require Steven A. Hilliger to be examined by an impartial physician designated by the board to determine his mental and

physical capability. No further deductions shall be made from regular compensation of Steven A. Hilliger under chapter 32 of the General Laws for any service performed subsequent to reaching the age of 65. Upon his retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired upon reaching the age of 65, if any.

**SECTION 2.** This act shall take effect upon passage.

**SELECT BOARD RECOMMENDATION: Affirmative Action**

**ARTICLE 18**  
**Amend Conservation Commission Article**  
*Conservation Commission/Select Board*

To see if the Town will vote to amend Article V of the Town of Lancaster General Bylaws, Chapter 17, §17-8 by inserting the bold and italics text and deleting the strike through test, as follows:

ARTICLE V  
**Conservation Commission**

§17-8. Membership.

The Select Board shall appoint a Conservation Commission comprised of ~~seven~~ **five** members, pursuant to the provisions of MGL c.40, § 8C.

Or any other action relative thereto.

**SELECT BOARD RECOMMENDATION: Affirmative Action**  
**CONSERVATION COMMISSION RECOMMENDATION: Affirmative Action**

**ARTICLE 19**  
**Amendment to Lancaster Recall Bylaw**  
*CITIZENS' PETITION*

Petition the Great and General Court to amend Chapter 137 of the Acts of the 2014, existing Town RECALL BYLAW language SECTION 1 in substantially the form set forth below and to allow the Legislature to make any necessary clerical changes supportive of the amendment language below:

AT ACT PROVIDING FOR THE RECALL ELECTIONS IN THE TOWN OF LANCASTER Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows: SECTION 1: Any holder of an elective office in the Town of Lancaster may be recalled from office for any reason by the registered voters of the Town as provided in this act.

With the following modification language for Section 1:

SECTION 1. Any holder of an elected or appointed office in the Town of Lancaster who has been indicted for a felony, convicted of a misdemeanor, or against whom a finding of reasonable cause of violation of the code of ethics has been made by the Massachusetts State Ethics commission, or in a case whereby there was willful misuse, converted, or misappropriated, without authority, public

property or public funds entrusted to or associated with the elected or appointed office to which the official is/has been elected or appointed may be recalled from office by the registered voters of the town as provided in this act.

SECTION 2 through SECTION 9 remain as is – unchanged – no modification to language.

**SELECT BOARD RECOMMENDATION:** **Affirmative Action.**

**ARTICLE 20**  
**Abutter Lot Sales Program**  
*CITIZENS' PETITION*

Petition to the Town of Lancaster and the Lancaster Board of Selectmen to establish an ABUTTER LOT SALES PROGRAM.

The ABUTTER LOT SALES PROGRAM has been established in many Massachusetts communities and is allowed by the state to permit this town to sell small parcel of land (without going through the auction process).

The ABUTTER LOT SALES PROGRAM has been established to facilitate the sale of town-owned parcels of land, acquired by foreclosure, to property owners with a home or building directly abutting the parcel. The goal would be to allow property owners a chance to acquire a vacant parcel, improve their current parcel and encourage private ownership and maintenance of land not suitable for development.

This petition recommends using the TOWN OF LITTLETON PLAN called “THE ABUTTER LOTS SALES PROGRAM” as a template for the TOWN OF LANCASTER PROGRAM. This plan has been vetted and is in use in the COMMONWEALTH OF MASSACHUSETTS in other communities.

This plan used by LITTLETON is attached and is available online at [littletonma.org](http://littletonma.org) “abutter lots sales program”

**SELECT BOARD RECOMMENDATION:** **No Action**  
**FINANCE COMMITTEE RECOMMENDATION:** **Delivered at Town Meeting**

**ARTICLE 21**  
**Act Increasing the Membership of the Select Board of the Town of Lancaster**  
*CITIZENS' PETITION*

To see if the Town will vote to authorize the Select Board to file a petition with the General Court to enact legislation which would provide that notwithstanding any other general law or special law to the contrary, that at the next annual town election after passage of such legislation, but not earlier than the 2024 Annual Town Election, the Lancaster Select Board shall consist of five (5) members, and which would provide, without limitation, a process for an election to fill the two (2) new positions, for no change to the term of office of then currently serving members, and for staggered terms of the five (5) members of the Select Board; provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition; and to act on anything relating thereto.

**AN ACT increasing the membership of the  
Select Board of the Town of Lancaster**

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as follows:*

SECTION 1: Notwithstanding any provision of any general or special law to the contrary, the number of members of the Select Board of the Town of Lancaster shall be increased from three (3) to five (5). The Select Board shall annually elect a chairperson from among its members.

SECTION 2: At the first Annual Town Election following acceptance of this act by the voters of the Town, but in no event prior to the 2024 Annual Town Election, three (3) Select Board members shall be elected. The candidate receiving the highest number of votes in that election shall serve a three (3) year term, the candidate receiving the second highest number of votes shall serve a two (2) year term, and the candidate receiving the third highest number of votes shall serve a one (1) year term. Thereafter, as the terms of Select Board members expire, successors shall be elected for terms of three (3) years.

The terms of those members currently serving as Select Board members at the time of adoption of this act shall be unchanged by the adoption of this act.

SECTION 3: This act shall be submitted for acceptance to the voters of the Town of Lancaster at the next Annual or Special Town Election following its passage, in the form of the following question which shall be placed on the official ballot:

"Shall an act passed by the General Court entitled, 'An Act increasing the membership of the Select Board of the Town of Lancaster' be accepted?"

If a majority of the votes cast in answer to the question is in the affirmative, sections 1 and 2 of this act shall thereupon take effect, but not otherwise.

SECTION 4: Section 3 of this act shall take effect upon its passage.

**SELECT BOARD RECOMMENDATION:**

**GOVERNMENT STUDY COMMITTEE RECOMMENDATION:**

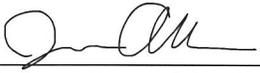
**Negative Action.**

**Delivered at Town Meeting.**

And you are directed to serve this Warrant by posting up attested copies thereof at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Prescott Building, in said Town seven days at least before the time for holding said meeting. Hereof fail not and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

**SELECT BOARD OF LANCASTER**

  
\_\_\_\_\_  
Stephen Kerrigan, Chair

  
\_\_\_\_\_  
Jason Allison, Member

\_\_\_\_\_  
Alexandra Turner, Clerk

**CONSTABLE'S CERTIFICATION**

*I hereby certify under the pains and penalties of perjury that I posted an attested a copy of this Warrant at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Prescott Building on the date attested. I further certify that this Warrant was posted in accordance with the By-laws of the Town of Lancaster and the provisions of M.G.L. c.39 §10.*

**Attest:**

  
\_\_\_\_\_  
Constable Signature

  
\_\_\_\_\_  
Print

Date: 3/31/23

*The full text of the Warrant is available in the Prescott Building and Thayer Memorial Library.  
The Warrant will also be available in limited print at the Annual Town Meeting.*