

**WARRANT FOR
ANNUAL TOWN MEETING
May 2, 2011
THE COMMONWEALTH OF MASSACHUSETTS**

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 School Auditorium, 103 Hollywood Drive, in said Lancaster on Monday, the second day of May, at 7:00 o'clock in the evening, and Tuesday the third day of May, at 7:00 o'clock in the evening** (if necessary), then and there to act on the following Articles:

**ARTICLE 1
Finance Committee
Board of Selectmen**

To see if the Town will raise and appropriate or transfer from available funds the following sums of money, to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described; or act in any manner relating thereto. *The Finance Committee recommends passage of this article*

a. Police Vehicle Purchase

Amount:	\$29,000
Funds to be expended by:	Police Department
Purpose:	To purchase one (1) police vehicle
Funding Source:	Raise and Appropriate

b. Vehicle Purchase

Amount:	\$35,000
Funds to be expended by:	Board of Public Works
Purpose:	To purchase 1 new pickup truck
Funding Source:	Raise and Appropriate

c. Culvert Replacement

Amount:	\$30,000
Funds to be expended by:	Board of Public Works
Purpose:	Replace/Repair the Culvert on Bolton Station Road
Funding Source:	Raise and Appropriate

d. Vehicle Purchase	
Amount:	\$162,000
Funds to be expended by:	Board of Public Works
Purpose:	Purchase of 1Munti-Purpose Dump Body 44,000 Gross Vehicle Weight
Funding Source:	FY-2012 Chapter 90 Funds

e. Septic System Replacement	
Amount:	\$30,000
Funds to be expended by:	Board of Public Works
Purpose:	Replacement of Septic System at the Cemetery Building on Old Common Road
Funding Source:	Raise and Appropriate

f. Design Services	
Amount:	\$50,000
Funds to be expended by:	Board of Selectmen
Purpose:	Design services for the re-use of the Prescott Building
Funding Source:	Raise and Appropriate

g. Vehicle Purchase	
Amount:	\$25,000
Funds to be expended by:	Board of Selectmen
Purpose:	Purchase of New Vehicle for Building/Assessing Departments
Funding Source:	Raise and Appropriate

h. Drainage Improvements	
Amount:	\$35,000
Funds to be expended by:	Board of Public Works
Purpose:	Install New Drainage Service on Chase Hill Road
Funding Source:	Raise and Appropriate

ARTICLE 2
Water Enterprise Fund
Board of Public Works

To see if the Town will vote to appropriate \$715,248 (Seven Hundred and Fifteen Thousand and Two Hundred and Forty Eight dollars) from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2011 (*detail below*), or act in any manner relating thereto. The operating expenses for the Water Enterprise are entirely funded by water revenue. *The Finance Committee recommends passage of this article*

I. Water Enterprise Revenues	
User Charges	706,698
Connection Fees	8,550
Water Enterprise Available Funds	0
Investment Income	0
Total Revenues	715,248
II. Costs Appropriated in the Enterprise Fund	
Salaries and Wages	193,842
Expenses	246,003
Capital Outlay – Meters	25,000
Capital Outlay – Truck	25,000
Reserve Fund	33,148
Debt Principal and Interest	183,705
Cross Connection	8,550
Budgeted Surplus	11,898
Total Costs Appropriated in E. F.	715,248

ARTICLE 3
Finance Committee
Board of Selectmen

To see if the Town will vote to raise and appropriate \$16,150,254 (Sixteen Million, One Hundred and Fifty Thousand Two Hundred and Fifty-Four Dollars) by taxation, by transfer from available funds, from the Water Enterprise Fund, by borrowing, by transfer from Overlay Surplus, by transfer from fund balance reserved for school debt, or any combination thereof; to defray the expenses of the Town for the Fiscal Year beginning July 1, 2011, creating a deficit of \$132,873 (One Hundred and Thirty-Two Thousand Eight Hundred and Seventy-Three Dollars) or act in any manner relating thereto. *The Finance Committee does not recommend passage of this article*

The Budget for Fiscal Year 2012 will be available at Town Meeting

ARTICLE 4
Finance Committee
Board of Selectmen

To see if the Town will vote to request the Board of Assessors to commit \$20,000 (Twenty Thousand Dollars) from the FY2012 Overlay Account for Abatements to fund the Senior Citizen Tax Work-off Abatement Program, or act in any manner relating thereto. *The Finance Committee recommends passage of this article*

ARTICLE 5
Board of Selectmen

To see if the Town will vote amend the Wage and Compensation Schedule by adding a Step Eight (8) effective July 1, 2011, as shown on the below chart, or act in a manner relating thereto.

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
1 hourly	9.39	9.79	10.20	10.62	11.06	11.54	12.00	12.49
annual	19,613.84	20,431.08	21,291.34	22,173.10	23,097.87	24,087.17	25,054.96	26,082.21
2 hourly	10.93	11.38	11.87	12.38	12.89	13.42	13.98	14.55
annual	22,818.29	23,764.57	24,775.37	25,850.69	26,904.51	28,022.84	29,184.18	30,380.74
3 hourly	11.99	12.49	13.01	13.55	14.13	14.72	15.34	15.97
annual	25,033.45	26,087.26	27,162.58	28,302.42	29,506.78	30,732.65	32,023.03	33,335.97
4 hourly	12.98	13.52	14.09	14.69	15.31	15.94	16.60	17.28
annual	27,098.06	28,237.90	29,420.76	30,668.13	31,958.51	33,291.91	34,668.32	36,089.72
5 hourly	13.95	14.51	15.12	15.76	16.42	17.11	17.81	18.54
annual	29,119.67	30,302.52	31,571.40	32,904.79	34,281.20	35,722.13	37,184.57	38,709.13
6 hourly	14.40	15.02	15.65	16.30	16.97	17.69	18.42	19.17
annual	30,065.95	31,356.33	32,668.22	34,044.63	35,442.55	36,926.49	38,453.44	40,030.03
7 hourly	15.58	16.22	16.91	17.61	18.34	19.11	19.89	20.70
annual								

	32,539.18	33,872.58	35,313.51	36,775.94	38,302.90	39,894.37	41,528.86	43,231.54
8 hourly	16.23	16.92	17.62	18.35	19.13	19.92	20.75	21.60
annual	33,894.09	35,335.02	36,797.45	38,324.40	39,937.38	41,593.38	43,326.00	45,102.37
9 hourly	16.95	17.66	18.40	19.19	19.98	20.80	21.66	22.55
annual	35,399.53	36,883.48	38,410.43	40,066.42	41,722.42	43,421.42	45,227.96	47,082.31
10 hourly	18.51	19.28	20.10	20.94	21.84	22.74	23.68	24.65
annual	38,647.00	40,259.98	41,958.99	43,722.51	45,593.57	47,486.13	49,443.21	51,470.39
11 hourly	21.04	21.92	22.84	23.78	24.76	25.81	26.88	27.99
annual	43,937.58	45,765.62	47,679.69	49,658.28	51,701.39	53,895.04	56,131.70	58,433.10
12 hourly	21.55	22.45	23.41	24.38	25.38	26.43	27.55	28.68
annual	44,991.39	46,883.95	48,884.05	50,905.65	52,991.77	55,185.42	57,529.62	59,888.33
13 hourly	23.34	24.53	25.56	26.64	27.75	28.91	30.11	31.34
annual	48,733.50	51,228.24	53,378.88	55,615.55	57,938.24	60,368.46	62,863.21	65,440.60
14 hourly	26.32	27.43	28.56	29.77	31.00	32.31	33.66	35.04
annual	54,948.85	57,271.54	59,637.25	62,153.50	64,734.26	67,465.58	70,282.92	73,164.51
15 hourly	27.76	28.92	30.12	31.39	32.69	34.07	35.49	36.95
annual	57,959.75	60,389.97	62,884.71	65,551.51	68,261.31	71,143.17	74,111.05	77,149.61
16 hourly	28.86	30.06	31.32	32.63	34.00	35.41	36.89	38.41
annual	60,260.93	62,755.68	65,400.96	68,132.28	70,992.63	73,939.00	77,035.92	80,194.40

ARTICLE 6
Finance Committee
Board of Selectmen

To see if the Town will vote to authorize the following FY-2012 Revolving Funds, in accordance with G.L. c. 44, §53E½, or act in any manner relating thereto: *The Finance Committee recommends passage of this article*

REVOLVING FUND	AUTHORIZED TO SPEND FUND	REVENUE SOURCE	USE OF FUND	SPENDING LIMIT	DISPOSITION OF FY09 FUND BALANCE
Stormwater Management	Community Development and Planning	Fees	Engineering fees	\$ 50,000	Balance Available For Expenditures
Library Book Fines	Library Trustees	Late Book & Materials Fines	Books - Materials	\$ 6,500	Balance Available for Expenditures
Library Photocopy	Library Trustees	Patron photocopy fee	Photocopy equipment and supplies	\$ 1,250	Balance Available for Expenditures
Library Lost Items	Library Trustees	Lost Books/Item replacement charge	Books – Materials	\$ 1,500	Balance Available for Expenditures
M.A.R.T. Conservation Consultants	Council on Aging	Reimbursement – M.A.R.T. – Bus fees	Wages and Expenses for Senior Van operation	\$ 55,000	Balance Available for Expenditures
	Conservation Commission	Fees from Applicants	Conservation Consulting Services	\$ 20,000	Balance Available for Expenditures
Planning Board	Panning Board	Fees	Planning-related Expenses	\$ 50,000	Balance Available for Expenditures

Community Development Legal Ads	Community Development	Reimbursement for advertising	Legal Ad publications	\$ 2,500	Balance Available for Expenditure
Publications Reprinting	Town Clerk	Publications Fees	Publications reprinting expenses	\$ 2,500	Balance Available for expenditures
Recycling	Recycling Committee	Donations-Fees-Sale of products	Operating Expenses	\$ 15,000	Balance Available for Expenditures
Recreation Committee	Selectmen	Fees	Recreation programs	\$ 30,000	Balance Available for Expenditures
Library	Library Trustees	Fees/charges	Replacement of materials/supplies	\$ 250	Balance available for Expenditures
Lost/Replacement Cards	Board of Selectmen	Fees/charges	Sewer Use Charges	\$ 4,000	Balance available for Expenditures
Duval Road Sewer	Board of Selectmen	Fees/charges	Police Detail Cruiser Fee	\$ 50,000	Balance available for Expenditures

Article 7 Board of Selectmen

To see if the Town will vote to accept any public funds for repairs to roadways, culverts, bridges, water systems, tree planting, and snow removal, and to authorize the Collector-Treasurer to take from available funds or to borrow in anticipation of authorized reimbursements, or act in any manner relating thereto.

ARTICLE 8 Board of Selectmen

To see if the Town will vote to transfer from available funds or authorize the Treasurer-Collector to borrow in anticipation of reimbursements, a sum of \$316,605.00 (Three-Hundred and Sixteen Thousand Six Hundred and Five) for authorized road improvements and other projects provided for under Chapter 90 Local Transportation Aid. The Board of Public Works is authorized to expend funds authorized by this article subject to pre-approval of a plan by the Board of Selectmen and Finance Committee, or act in any manner relating thereto.

ARTICLE 9 Board of Selectmen

To see if the Town will vote to authorize the Treasurer to enter into a Compensating Balance Agreement(s) for FY2012, pursuant to M.G.L. c.44, §53F, or act in any manner relating thereto.

ARTICLE 10 Board of Selectmen

To see if the Town will vote to accept the provisions of Chapter 44, Section 53 F ½ of the General Laws for the purpose of establishing a Renewable Energy Utility Enterprise Fund into which shall be paid receipts including Solar Renewable Energy Certificates (S-REC) revenues, lease agreement revenues related to the Landfill parcel as shown on Assessors' Map 14, Parcel 7, and various energy grants, or to take any other action relative thereto. *The Finance Committee will make a recommendation from the floor*

ARTICLE 11 Board of Selectmen

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$2,500,000 to pay costs of designing and constructing a solar array to be located on the Town's capped landfill and all other costs incidental and related thereto, or to take any other action relative thereto. *The Finance Committee will make a recommendation from the floor*

ARTICLE 12
Board of Selectmen

To see if the Town will vote to transfer the care, custody, maintenance and control of the land described below, owned by the Town and currently under the care, custody, maintenance and control of the Board of Selectmen for general municipal purposes, to the Board of Selectmen for the general municipal purposes and the purpose of leasing to entities for the installation of energy generating equipment and facilities, and further to authorize the Board of Selectmen to enter into such a lease or leases for said purposes, for all or a portion of the land shown on Assessors Map 14, as Parcel 7, for a period exceeding three years and upon such terms and conditions; and to grant such easements upon said land as are necessary for utility services in support of such use; as the Board of Selectmen deem to be in the best interest of the Town; or to take any other action relative thereto.

ARTICLE 13
Board of Selectmen

To see if the Town will authorize the creation of a Capital Item Stabilization Account, under the provisions of Massachusetts General Law Chapter 44 Section 5B, the purpose of which is to allow for the funding of capital expenditures of the Town; or act in a manner relating thereto. *The Finance Committee recommends passage of this article*

ARTICLE 14
Planning Board

To see if the Town will vote to amend the Lancaster Zoning Bylaw as follows, or act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

1. Amend § 220-3 Definitions by inserting the following new definitions at their appropriate alphabetical locations:

“CONSTRUCTION FIELD OFFICE – A structure, mobile home, truck trailer or similar vehicle used as an office for construction on the same site.”

“CONTRACTOR'S YARD – Premises used by a building contractor or subcontractor for the storage of equipment and supplies, fabrication of sub-assemblies, and parking of wheeled or tracked equipment in support of construction on one or more other sites, with or without an office on the premises.”

“DWELLING, SINGLE-FAMILY DETACHED – A building containing only one single dwelling unit other than an accessory apartment, and attached to no other residential structure.”

“LOT LINE, FRONT – A property line dividing a lot from a street or way. On lots abutting more than one street the front lot line shall be that so designated by a permit applicant or, if not, as designated by the Building Inspector.”

4. Amend § 220-3 Definitions by deleting the definition of “MAJOR RESIDENTIAL DEVELOPMENT.”

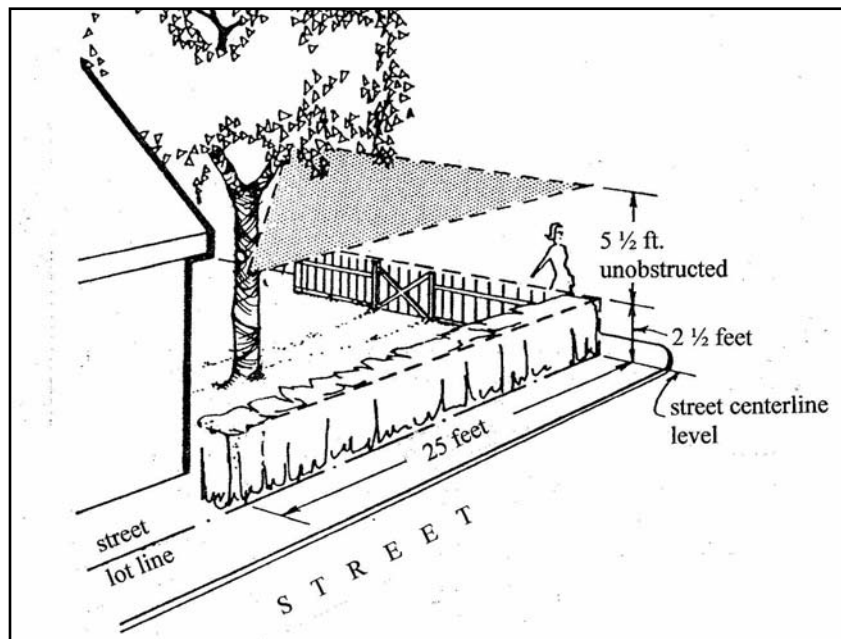
ARTICLE 15
Planning Board

To see if the Town will vote to amend the Lancaster Zoning Bylaw by deleting § 220-13 and replacing it with the following or to act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

“§ 220-13. Fences, walls, and corner clearance

“A. Fences and walls.

- (1) Fences and walls may be erected along or within 12” of a property line only upon issuance of a building or fence permit by the Building Inspector indicating that as proposed the fence is in compliance with the following. Application for such permit must be accompanied by a certified plot plan or a surveyor’s parcel plan, noting the proposed location of the fence or wall.
- (2) Within the required front yard setback on the lot, fences and walls that obstruct vision must be in compliance with § 220-13.B Corner Clearance.
- (3) Elsewhere on the lot, if the fence or wall exceeds six (6’) feet above grade it must be set back from the property line by a distance equal to its height.



“B. Corner clearance.

“On corner lots no fence, wall, sign, structure or plantings shall be erected, placed, planted or allowed to grow or parking spaces be located so as to materially impede the vision of motor vehicle operators. No obstruction to such vision other than the land at its

natural grade shall be allowed between the heights of two and one half (2 ½) and eight (8) feet above the centerline grades of the intersecting streets and within a triangular area bounded by the two street lot lines and a straight line connecting those two lines at a point twenty five feet from their intersection.

“C. Modification.

“The requirements of §220-13 A and B may be modified by the Zoning Board of Appeals through the issuance of a special permit based upon its finding that such modification is warranted by concerns such as animal control or high levels of ambient noise or light that cannot otherwise be abated or other public interest considerations, and its finding that the modification would not be detrimental to the neighborhood nor would it jeopardize vehicular or pedestrian safety or convenience.”

<p style="text-align: center;">ARTICLE 16 Planning Board</p>
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To see if the Town will vote to amend the Lancaster Zoning Bylaw by deleting § 220-16 Development rate limitations, § 220-17 Single-family and two-family conversion limitation, § 220-18 Apartment limitation, § 220-19 Zoning change protection, and § 220-20 Major Residential Development Rate Limitations, in each case replacing them with “Not used,” or act in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

<p style="text-align: center;">ARTICLE 17 Planning Board</p>
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To see if the Town will vote to insert the following into the Lancaster Zoning Bylaw as new § 220-22.I. Curb Cuts, or act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

- I. Curb cuts. Notwithstanding the provisions of § 220-60.A, these curb cut provisions shall be administered and enforced by the Board of Public Works
- (1) Scope. The creation of a new or altered connection of a street or driveway to a street in the Town of Lancaster requires the prior issuance of a permit for doing so by the Board of Public Works, with the exceptions of:
- Driveways already in existence where the use remains unchanged;
 - Driveways subject to MGL Chapter 81, Section 21 (MA curb cut permit);
 - Driveways reviewed by municipal boards under existing laws or regulations, including but not limited to Scenic Road regulations or subdivision regulations.

For long driveways (more than 100 feet) see also Section 220-22H (6).

- (2) Procedure.

- (a) Application. The applicant shall provide three (3) copies of an application to the Board of Public Works, including a plan showing:

- Any street or driveway that is to be created, altered, or closed and its relationship with the accessed way;
- Design and construction details described under Section 4.

The Board of Public Works shall consult with the Superintendent of Public Works, Building Inspector, Police Chief, Fire Chief, Planning Director and other interested town officials to obtain their comments on the plan, and shall within 21 days of receipt of a complete application notify the applicant either that the proposal conforms with the Town's standards or that it does not, citing any necessary modifications, conditions, or restrictions.

- (b) Review. The Town will inspect the project during and after construction. If the Town's requirements are met the Board shall upon written application for release issue a curb cut certificate of approval forthwith, and release any security being held. If the Board takes no action within twenty-one (21) days of the date of complete application for release of security the curb cut security is to be released forthwith and the Town Clerk may so certify.
- (c) Access. The Board has the authority to halt construction and/or to prohibit access to said street or driveway if construction is not consistent with the approved plan, until non-compliant conditions have been corrected.
- (d) Approval. The Board of Public Works shall sign off on the permit following satisfactory completion of construction.
- (e) Appeal. A decision of the Board of Public Works on an application for a curb cut permit may be appealed to the Board of Appeals in accordance with G.L. c.40A, § 8 and § 15.

(3) Enforcement

- (a) Security. Where apt, the Board of Public Works may require the posting of security to assure the completion of requirements within the way being accessed consistent with the approved application.
- (b) Revocation. Any violation of this permit or failure to comply with all requirements of the Superintendent of Public Works and the Board of Public Works shall result in revocation of the permit and denial of access to the way.
- (c) Forfeiture. Failure to satisfactorily complete required actions may result in the forfeiture of any security that has been posted.

(4) Design and construction standards

- (a) Geometry. Driveways shall be located to the best advantage with regard to alignment with the public way and to intersect with it at as close to a right angle as possible, and in no event at less than 60 or more than 120 degrees. The curb

line radius of the edge of the intersection with the travelled way shall be a minimum of 5 feet for a single-family residential driveway on a minor street, and not more than 30 feet on a collector or arterial street, as designated in the Lancaster Zoning Map. The last twenty (20) feet of the driveway before the travelled way shall be:

- If serving a single-family residence at least 9 feet width if no longer than 100 feet and at least 10 feet width if longer;
- At least 12 feet and not more than 24 feet width for other uses.

Those final twenty (20) feet of the driveway shall be offset by up to 20 feet from the property sideline depending upon the needs of the anticipated use and the location.

- (b) Sight distance. No wall or other obstruction shall be constructed, planted or maintained at the intersection being created which reduces sight distance to less than that needed for safe egress in light of the speed of traffic on the road. No new driveway shall be located where the minimum sight distance would be less than 450 feet in each direction on arterial streets, 275 feet on collector streets, and 175 feet on minor streets, as designated on the Lancaster Zoning Map.
- (c) Stormwater. Existing drainage swales parallel to the way shall not be obstructed by driveways or intersecting streets. Culverts of appropriate size and durable material shall be provided by the applicant to the satisfaction of the Public Works Superintendent. Culverts should be set back a minimum of four (4) feet from the edge of the travelled way. Culvert length should exceed the width of the driveway at that point by a minimum of six (6) feet in length.
- (d) Grading and drainage shall be configured such that no surface water drains onto any public way or onto any lot in separate ownership.
- (e) Gradient. The driveway gradient shall be:
 - consistent within the intersected public way with that of the sidewalk if one exists;
 - not less than 0.5% or greater than 5.0% in the first six feet outside of the right of way;
 - not more than 9% for the next fourteen feet, and
 - not more than 12% after that.
- (f) Reversing direction. Parking and driveways for accommodating four or more vehicles shall be configured so that backing onto or off of the road is not necessary.
- (g) Materials. Street intersections shall use materials as required by the Subdivision Regulations of the Lancaster Planning Board. Driveways shall have a durable,

dustless, all weather surface suitable for year-round use, such as bituminous concrete.

- (h) Following consultation with the Superintendent of Public Works, Town Planner, Police Chief and Fire Chief, the Board of Public Works may modify the application of these requirements based on sound engineering practice to accommodate special cases of site configuration and driveway usage.

ARTICLE 18

Planning Board

To see if the Town will vote to amend the Zoning Bylaw, Chapter 220, Article VII so that it reads as follows, and to amend the Town's Official Zoning Overlay Map accordingly, or act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

ARTICLE VII

Floodplain Regulations

§ 220-24. Purpose.

It is the purpose of the Floodplain Regulations to provide standards for the use of those lands deemed subject to seasonal or periodic flooding; to eliminate potential dangers to the health and safety of the occupants thereof; and to prevent loss and damage to property.

§ 220-25. Establishment of district.

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Lancaster designated as Zones A and AE, on the Worcester County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Worcester County FIRM that are wholly or partially within the Town of Lancaster are panel numbers 25027C0287E, 25027C0288E, 25027C0289E, 25027C0293E, 25027C0294E, 25027C0451E, 25027C0452E, 25027C0454E, 25027C0456E, 25027C0457E, 25027C0458E, 25027C0459E, 25027C0462E, 5027C0466E and 25027C0467E dated July 4, 2011. The exact boundaries of the Flood Plain District are defined by the 100-year base flood elevations shown on the FIRM and further defined by the Worcester County Flood Insurance Study (FIS) report dated July 4, 2011. The FIRM and FIS report are incorporated herein by reference and made part of the Town's Official Zoning Overlay Map and are on file with the Town Clerk, Planning board and Building Inspector.

§ 220-26. Development regulations.

- A. No building for residential use (see § 220-8.1) shall be erected within the Floodplain District. With that exception, within the Floodplain District the underlying permitted uses are allowed provided that they meet the additional requirements of this Article VII, as well as those of the Massachusetts State Building Code dealing with construction in floodplains.

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

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

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

- B. Within Zone A, where the base flood elevation is not provided on the FIRM, the Building Inspector shall obtain any existing base flood elevation and floodway data available from a federal, commonwealth, or other source, as criteria for application of the requirements of this and other applicable flood hazard controls.
- C. In Zone AE, along watercourses that have a regulatory floodway within the Town of Lancaster designated on the Worcester County FIRMs, the following provisions shall apply:
- (1) All encroachments, including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood.
 - (2) Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.
- D. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge (i.e., the one-hundred-year flood). Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.
- E. In a riverine situation, the Conservation Commission Agent shall notify adjacent communities, the NFIP State Coordinator¹, and the FEMA Region I NFIP Program Specialist² of any alteration or relocation of a watercourse.

¹ As of 2011 the State Coordinator is in the MA DCR at 251 Causeway St., Suite 600-700, Boston 02114-2104.

¹ As of 2011 the FEMA NFIP Program Specialist is at Federal Emergency Management Agency, Region I, 99 High St., 6th floor, Boston 02110.

ARTICLE 19

Planning Board

To see if the Town will vote to amend the Lancaster Zoning Bylaw as follows, or act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

1. Renumber § 220-31 Permit required: fees as § 220-32.
2. Insert a new § 220-31 to read as follows:

“§ 220-31. Size, location and Illumination Exceptions. The Board of Appeals may grant exceptions regarding the size, location and allowable illumination of signs (such as allowing direct illumination) upon its determination that the objectives of facilitating efficient communication, avoidance of visual conflict with the environs, and good relationships between signs and the buildings to which they relate are satisfied, considering the following among other considerations.

- A. Sign size is appropriate in relation to development scale, viewer distance, speed of vehicular travel, street width, and signage on nearby premises.
- B. Visibility of other public or private signage on nearby premises is not unreasonably diminished.
- C. Sign content is simple and neat, with minimum wording to improve legibility.
- D. Sign placement, colors, lettering style, and form are compatible with building design.
- E. Sign design and location do not interrupt, obscure or hide architectural features of the building, such as columns, sill lines, cornices, or roof edges.
- F. Sign brightness is not inconsistent with that of other signs in the vicinity.”

ARTICLE 20

Planning Board

To see if the Town will vote to amend the Lancaster Zoning Bylaw by revising § 220-34 so that it reads as follows, or act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster:

§ 220-34. Site plan review.

- “A. Applicability. Applications for building permits or certificates of use and occupancy involving creation of, addition to, or substantial alteration of a parking area shall be subject to site plan review if either it serves a non-residential principal use or if it serves only a residential use and has 10 or more parking spaces.”

ARTICLE 21

Planning Board

To see if the Town will vote to amend the Lancaster Zoning Bylaw as follows, and to amend the Official Zoning Overlay Map accordingly, or act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

A. Revise § 220-39.D so that it reads as follows:

“D. Establishment and delineation of Water Resource District. For the purpose of this district, there is hereby established within the Town of Lancaster certain groundwater protection areas, consisting of aquifers or recharge areas which are delineated on the map titled “Town of Lancaster Official Zoning Overlay Map,” (Section 220 Attachment 3), dated 05-01-2009, as may be amended from time to time by Town Meeting vote under the recommendation of a registered professional engineer (civil or sanitary), hydrologist, geologist, or soil scientist. This map is hereby made a part of the Town of Lancaster Zoning Bylaw and is on file in the office of the Town Clerk.”

B. Revise § 220-9.G(8) replacing “Planning Board” with “Board of Appeals,” so that it begins as follows:

“(8) The special permit shall be approved, provided that the proposal satisfies Subsection G(1) through (7) above, and that the Board of Appeals determines that there will be net benefits to the community through the proposed housing provision and the design of the proposal, after consideration of the following:”

<p style="text-align: center;">ARTICLE 22 Planning Board</p>
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To see if the Town will vote to amend the Lancaster Zoning Bylaw by amending the first paragraph of § 220-63 Concept Plan so that it reads as follows, or to act otherwise in relation thereto, and further that nonsubstantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lancaster

“A. Petitioners for zoning map change to NB, HB, LO, LI, LI2 or GI Districts shall, prior to their public hearing, submit a concept plan to the Planning Board, with the exception of petitions submitted by the Planning Board.”

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 Town Hall, 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.

SELECTMEN OF LANCASTER

Jennifer B. Leone, *Chairman*

John P. Sonia, *Clerk*

Christopher J. Williams, *Member*

Date of Execution

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 Town Hall 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

Date: _____

**The full text of the Warrant is available in the Town Hall and Thayer Memorial Library.
The Warrant will also be available at Town Meeting.**